

2010 ASEAN DECLARATION ON COOPERATION IN SEARCH AND RESCUE OF PERSONS AND VESSELS IN DISTRESS AT SEA

Adopted in Ha Noi, Vietnam on 27 October 2010

We, the Foreign Ministers of the Member States of the Association of Southeast Asian Nations (ASEAN) (hereinafter referred to as "ASEAN"), namely Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, on the occasion of the 17th ASEAN Summit in Ha Noi, Viet Nam;

Reaffirming our commitment to support the establishment of an ASEAN Community that is guided by the purposes and principles as contained in the ASEAN Charter;

Reaffirming also the ASEAN Political-Security Community Blueprint, which calls for, inter alia, promoting cooperation in search and rescue of persons and vessels in distress at sea;

Recalling the Statement by the Foreign Ministers of ASEAN Member Countries on Assistance by ASEAN Missions in Third Countries to Nationals of ASEAN Member Countries in Crisis Situations;

Noting the principles related to search and rescue operations enshrined in pertinent multilateral instruments, including the 1982 United Nations Conventions on the Law of the Sea and the 1974 International Convention for the Safety of Life at Sea;

Taking cognizance of the need to reinforce the cooperation between the ASEAN Member States through mutual help in providing assistance to persons and vessels in distress at sea;

Do hereby declare to:

1. Encourage ASEAN Member States to designate relevant authorities as Rescue Coordination Centre (RCC) or similar agencies to collaborate with corresponding authorities of other ASEAN Member States to ensure timely assistance to persons and vessels in distress at sea;
2. Encourage the RCCs or similar agencies to establish direct communication channels as well as other communication protocols/modalities between these RCCs or agencies in order to share updated information and assist in search and rescue operations;
3. Urge ASEAN Member States to promptly extend support upon the request of the RCC or similar agency of the ASEAN Member State, by providing search and rescue facilities as appropriate as capacities allowed for operations at sea. In case where the distress occurs in the territorial sea or archipelagic waters, as the case may be, of the requesting Member State, consent of that State shall be required;
4. Encourage providing and facilitating possible assistance, through ASEAN Missions, to vessels and persons of ASEAN Member States in distress at sea in third countries where not all ASEAN Member States have established diplomatic representation;
5. Encourage the RCCs or similar agencies of ASEAN Member States to intensify cooperation in capacity building of ASEAN Member States in dealing with search and rescue operations at sea;

6. Promote cooperation and information sharing between ASEAN and Dialogue Partners and relevant maritime international organisations in order to strengthen ASEAN's capabilities to assist persons and vessels in distress at sea;
7. Strengthen and where necessary develop coordinated regional approaches, and create or upgrade regional policies, operational mechanisms, plans and communication systems to prepare for and ensure rapid and effective response to distress situations; and
8. Task the ASEAN Secretariat to prepare a directory of all RCCs or similar agencies for dissemination to all ASEAN Member States.

This Declaration shall not in any way prejudice or prevent ASEAN Member States from exercising their rights and jurisdictions in conformity with international law.

Adopted on the Day Twenty Seventh of October in the Year Two Thousand and Ten in Ha Noi, Viet Nam.