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**United States of America
and
Dominican Republic**

Search and Rescue Agreement between the Government of the United States of America and the Government of the Dominican Republic. Washington, 21 May 2003

Entry into force: *21 May 2003 by signature, in accordance with article 10*

Authentic texts: *English and Spanish*

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**États-Unis d'Amérique
et
République dominicaine**

Accord de recherche et de sauvetage entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République dominicaine. Washington, 21 mai 2003

Entrée en vigueur : *21 mai 2003 par signature, conformément à l'article 10*

Textes authentiques : *anglais et espagnol*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**SEARCH AND RESCUE AGREEMENT
BETWEEN
THE GOVERNMENT OF
THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF
THE DOMINICAN REPUBLIC**

The Government of the United States of America and the Government of the Dominican Republic (hereinafter, “the Parties”);

Recalling the International Convention for the Safety of Life at Sea, 1974, with annex, the 1979 International Convention on Maritime Search and Rescue, the Convention on International Civil Aviation, 1944, and the 1982 United Nations Convention on the Law of the Sea;

Further recalling the longstanding cooperation between the Parties in search and rescue evidenced by the Maritime Search and Rescue Agreement between the Parties signed at Santo Domingo March 20, 1992 (hereinafter, “the 1992 SAR Agreement”);

Knowing the importance of cooperation in maritime and aeronautical search and rescue (hereinafter, “SAR”);

Recognizing the need to provide expeditious and effective SAR services to help save lives and reduce suffering;

Desiring to continue their cooperation in SAR;

Based on the principles of international law, respect for the sovereign equality of State and in full respect of the principle of the right of freedom of navigation;

Have agreed as follows:

Article 1

Purpose and Scope

The Parties shall continue to cooperate to the fullest extent possible, consistent with international law and available resources, to provide maritime and aeronautical SAR services involving persons in distress at sea, regardless of their nationality or status, or the circumstances in which they are found.

Article 2

Definitions

1. “Mass rescue operations” (MROs) means SAR services that require immediate response to large numbers of persons in distress, such that capabilities normally available to the SAR authorities of the Parties are inadequate.
2. “Rescue” means an operation to retrieve persons in distress, provide for their initial medical or other needs, and delivering them to a place of safety.
3. “Rescue coordination center” (RCC) means a unit responsible for promoting efficient organization of SAR services and for coordinating the conduct of SAR operations within a SAR region.
4. “Rescue sub-center” (RSC) means a unit subordinate to an RCC established to complement the latter according to particular provisions of the responsible authorities.
5. “Search” means an operation, normally coordinated by an RCC or RSC, using available personnel and facilities to locate persons in distress.
6. “SAR Authorities” means for the Government of the United States of America, the United States Coast Guard, and for the Government of the Dominican Republic, the Dominican Republic Navy.
7. “SAR region” (SRR) means an area of defined dimensions, associated with an RCC, within which SAR services are provided.
8. “SAR sub-region” (SRS) means a specified area within a SRR associated with a RSC.
9. “SAR services” means the performance of distress monitoring, communication, coordination, search operations, and rescue operations. These services are carried out in accordance with the relevant frameworks of the International Maritime Organization (IMO) and of the International Civil Aviation Organization (ICAO).

10. "Territory, waters, and airspace of the Parties" means:

- a. For the Government of the Dominican Republic: The territory, territorial sea and internal waters of the Dominican Republic, and the air space over such territory and waters.
- b. For the Government of the United States: The territory and territorial sea of the United States of America, the Commonwealth of Puerto Rico, the United States Virgin Islands, Navassa Island and other territories and possessions in the Caribbean Sea over which the United States exercises sovereignty, and the airspace over such United States territory and waters.

Article 3

Search and Rescue Region

The Dominican Republic is located within SRS of the aeronautical-maritime SRR of RCC Miami for which RSC San Juan has primary responsibility. The SRR and SRS are unrelated to and shall not prejudice delimitation of any national boundary, and have been established under the auspices of IMO and ICAO solely to help ensure coordination and support of effective SAR services.

Article 4

Operating Entities

The SAR Authorities of the Parties shall be the primary agencies responsible for implementing this Agreement. These authorities shall undertake any liaison and coordination with other relevant authorities of their respective Governments necessary to carry out the purpose of this Agreement.

Article 5

SAR Operations

1. Each Party, upon receiving information regarding any person or persons in actual or apparent distress, shall take urgent measures to provide the most appropriate assistance.
2. To facilitate the conduct and coordination of SAR operations, the Parties shall keep each other fully and promptly informed of relevant SAR activities, provide each other with any information that may expedite and improve coordination, and arrange for effective and efficient means of communication.

3. In accordance with customary international practice, the Parties shall, to the extent practicable, coordinate and conduct SAR operations in accordance with the guidance of the *International Aeronautical and Maritime Search and Rescue Manual*.
4. The SAR Authority for the Government of the Dominican Republic shall
 - a. independently or in cooperation with RSC San Juan, provide or arrange for SAR services within the territory, waters, and airspace of the Dominican Republic; and
 - b. serve, when appropriate, as an intermediary between a person reporting an emergency and RSC San Juan;
5. In conducting joint SAR operations, the Parties shall cooperate with each other as necessary and appropriate, and shall coordinate SAR operations for that purpose, assisting each other as their capabilities allow.
6. If it is impossible to ascertain immediately which Party should assume the lead in coordinating a SAR response or operation, the SAR Authorities shall consult in each case to resolve that issue.
7. Each Party shall offer expeditious assistance to the other Party to enable it to obtain authorization for SAR personnel and equipment of the other Party to enter, transit, or overfly its territory, waters, and airspace to facilitate SAR operations.
8. Each Party agrees that SAR personnel and equipment under the coordination of either Party shall be permitted to enter, transit, or overfly territory, waters and airspace of the other Party without prior authorization under the following conditions:
 - a. Such entry, transit, or overflight is solely for the purpose of rendering immediate emergency rescue assistance to persons, vessels, or aircraft in actual or apparent distress;
 - b. The location of such persons, vessels, or aircraft is reasonably well known; and
 - c. The SAR authority of the other Party is notified of such entry or transit as soon as practicable and is provided with details of the operations, and disposition of the case.
9. Each Party agrees to prepare to conduct MROs by planning and training for coordinated SAR operations, including distress scenarios involving large capacity passenger vessels or aircraft.
10. In accordance with customary international law, the Parties shall provide SAR services to persons in distress without subsequent cost recovery from the person or persons