BILATERAL

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON AERONAUTICAL AND MARITIME SEARCH AND RESCUE

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The Government of the Republic of the Philippines and the Government of the United States of America, hereinafter designated individually as a "Party" and collectively as the "Parties,"

Recognizing the importance of strengthening the longstanding and traditional relations of friendship and cooperation between our two countries,

Recognizing the great importance of cooperation between the Parties in conducting aeronautical and maritime search and rescue ("SAR") operations,

Seeking to enhance mutual cooperation in aeronautical and maritime SAR operations, noting the provisions governing the cooperation and conduct of SAR operations set forth in the International Convention on Maritime Search and Rescue, done at Hamburg on April 27, 1979, as amended (the "SAR Convention"), to which the United States is a party, and Annex 12 to the Convention on International Civil Aviation, done at Chicago on December 7, 1944 (the "Chicago Convention"), to which both are parties,

Noting the International Aeronautical and Maritime Search and Rescue Manual, hereinafter referred to as the "IAMSAR Manual,"

Have agreed as follows:

Article 1
Terms and Definitions

1. For purposes of this Agreement, the terms and definitions contained in Chapter 1 of Annex 12 to the Chicago Convention and Chapter 1 of the Annex to the SAR Convention at the time this Agreement enters into force shall apply.

2. For the purposes of this Agreement, territory means the land areas, internal waters, territorial sea, archipelagic waters, and the airspace above those areas, to the extent consistent with international law as reflected in the United Nations Convention on the Law of the Sea.

Article 2
Objective of this Agreement

The objective of this Agreement is to strengthen cooperation in the field of maritime and aeronautical SAR and to enhance effectiveness in assisting persons, vessels, aircraft or other craft in distress.

Article 3
Search and Rescue Regions

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1. The aeronautical SAR regions of the Parties shall be delimited geographically by a continuous line connecting the following coordinates:

21° N 130° E
7° N 130° E
4° N 132°-32' E

2. The maritime SAR regions of the Parties shall be delimited geographically by a continuous line connecting the following coordinates:

17° N 130° E
7° N 130° E
4° N 132°-32' E

3. The coordinates in this article use the World Geodetic System 1984 ("WGS 84") and are connected by geodetic lines.

4. The delimitation of SAR regions in this Article relates only to the regions within which each Party accepts primary responsibility for the coordination of SAR operations.

5. The delimitation of SAR regions is not related to and shall not prejudice the delimitation of any boundary between the Parties.

Article 4
Services Responsible for Aeronautical and Maritime Search and Rescue

1. Each Party's agencies responsible for coordinating aeronautical and maritime SAR (hereinafter "SAR agencies") are specified below.

2. For the Government of the United States of America, the United States Coast Guard is responsible for coordinating aeronautical and maritime SAR operations.

3. For the Government of the Republic of the Philippines, the Civil Aviation Authority of the Philippines (CAAP) and the Philippines Coast Guard (PCG) are responsible for coordinating aeronautical and maritime SAR operations, respectively.

4. Each Party shall promptly inform the other Party of any changes of its SAR agencies.

Article 5
Rescue Coordination Centers

The contact information for each Party's aeronautical and maritime rescue coordination center (RCC) is contained in the Annex to this Agreement.

Article 6
Conduct of Search and Rescue Operations

1. Operations and coordination jointly undertaken by the Parties under this Agreement should be mutually agreed upon, and, where appropriate, shall be conducted in a manner consistent with the organization and coordination, cooperation between states, and operating procedures set forth in the Annex to the SAR Convention, to which the U.S. is a Party, and Annex 12 of the Chicago Convention, to which both are Parties.

2. The IAMSAR Manual provides additional guidelines for use in implementing activities under this Agreement.

3. The Parties shall ensure the most efficient and practicable coordination and communication between maritime

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and aeronautical services to enhance the conduct of search and rescue operations. A request from either Party's RCC to assist persons, vessels, aircraft or other craft in distress shall be sent to the RCC of the other Party, which, in response, shall provide immediate confirmation and advise as soon as possible as to whether such assistance can be provided.

4. The RCC that will provide the assistance shall notify the requesting RCC of the number, type(s), and call sign(s) of the rescue units and of communication facilities it has at its disposal.

5. Upon receipt of the information concerning the requested rescue units, the requesting RCC shall coordinate with the other Party on issues related to obtaining consent for their entry into its territory. The consent referred to in paragraph 8 shall include any special conditions for entry, for example, the ports and landing sites to be used and information on customs and immigration formalities, in accordance with applicable national laws, rules and regulations, and it shall be transmitted to the RCC of the other Party as soon as possible. SAR operations in the SAR region of a Party shall be coordinated by the RCC responsible for that SAR region.

6. In order to ensure the effectiveness of a SAR operation, the RCCs involved in the coordination of the SAR operation may agree on a different method of coordination for that operation.

7. During a joint SAR operation, the RCC of the Party in whose SAR region such operation is being conducted shall determine, in coordination with the RCC of the other Party, the method of communication with the rescue units.

Article 7
Cooperation Between SAR Agencies

1. The Parties shall enhance cooperation between their SAR agencies. Such cooperation may include, inter alia, joint SAR exercises, regular checks of communication channels, reciprocal visits by SAR experts, the exchange of information, and development of future operational procedures.

2. The Parties intend to exchange information to improve the effectiveness of SAR operations. This information may include, but is not limited to:

a.

communication details;

b.

information about SAR facilities;

c.

descriptions of available airfields;

d.

knowledge of fueling and medical facilities; and

e.

information useful for training SAR personnel.

3. The Parties may promote SAR cooperation by, inter alia:

a.

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communicating national positions on SAR issues of mutual interest within the scope of this Agreement; and

b.

conducting regular communications checks and exercises, including the use of alternative means of communications for handling communication overloads during major SAR operations.

4. At either Party's request, the other Party shall not disclose to any third (3rd) Party particular information, documents, and/or data obtained from the other Party in the course of implementing this Agreement, unless such disclosure is required by the laws or regulations of the receiving Party. Any such obligation of confidentiality shall continue after the expiration or termination of this Agreement, unless otherwise agreed by the Parties.

Article 8
Funding

1. Each Party shall bear its own costs arising from its participation in SAR operations or in any other activities within the scope of this Agreement, except as may be agreed otherwise by the Parties in writing in advance.

2. Cooperation under this Agreement shall be subject to the availability of resources at the disposal of the Parties, including personnel, SAR facilities, and financial resources.

Article 9
Annex

1. The Annex to this Agreement shall be an integral part of this Agreement. Unless expressly provided otherwise, a reference to this Agreement includes a reference to the Annex.

2. Either Party may unilaterally update its contact information contained in the Annex. Such information shall become effective on the date on which the other Party receives written notification of the update.

Article 10
Amendments

This Agreement may be amended by written agreement of both Parties.

Article 11
Application

1. The provisions of this Agreement shall not affect the rights or obligations of either Party deriving from other agreements to which it is a party.

2. Nothing in this Agreement shall affect rights and obligations under the law of the sea, or the rights or obligations of either Party under other agreements or customary international law related to the provision of assistance to persons, vessels, aircraft, or other craft in distress.

Article 12
Dispute Resolution

Disputes concerning the application or interpretation of this Agreement shall be resolved through consultations between the Parties, including through diplomatic channels.

Article 13
Entry into Force and Termination

1. This Agreement shall enter into force on the date of the later written notification by either of the Parties,

through diplomatic channels, indicating that its domestic requirements for its entry into force have been complied with.

2. Either Party may terminate this Agreement with six (6) months' advance notice in writing through diplomatic channels to the other Party.

3. The termination of this Agreement shall be without prejudice to ongoing operations being coordinated and conducted pursuant to this Agreement, unless otherwise agreed by the Parties in writing.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this agreement.

Done at Manila, this 30th day of July, 2021, in two originals, in the English language.

FOR THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES:

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

(Sgd.)

(Sgd.)

Entry into Force: June 13, 2022

ANNEX

AERONAUTICAL AND MARITIME RESCUE COORDINATION CENTER

CONTACT INFORMATION

For the Government of the United States of America:

United States Coast Guard
Joint RCC (JRCC): Responsible for both aeronautical and maritime SAR

Name of RCC: JRSC Guam (JRCC Honolulu)

Address: Commander (cc)
U.S. Coast Guard Sector Guam
PSC 455 Box 176
909 SE First Avenue
FPO AP 96540-1056
United States

Communications: Telephone: +1 671 355 4910/4821/4824
Fax: +1 671 355 4831

Email: RCCGuam@uscg.mil

For the Government of the Republic of the Philippines:

Aeronautical RCC (ARCC): Responsible for aeronautical SAR

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Name of ARCC: Civil Aviation Authority of the Philippines- (Philippine Aeronautical Rescue Coordination Center)

Address: 2/F Air Traffic Management Center
Civil Aviation Authority of the Philippines
Old MIA Road, Pasay City, Philippines 1300

Communications:

Telephone: +63 2 8672 7706
Telefax: +63 2 8672 7705

Email: parcc@caap.gov.ph

caaphil.rcc@gmail.com

AMHS: RPLLYCYX

Maritime RCC (MRCC): Responsible for Maritime SAR

Name of MRCC: Philippine Coast Guard Command Center

Address: 139 25th Street, Pier 15, South Harbor, Port Area, Manila

Communications: Mobile Operation No.: +632-966-217-9610
Landline: +632 8527 8481 local 6136/6137
Email: pcgcomcen@coastguard.gov.ph

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