



Ship Type: All Trade Area: Worldwide

Bulletin 491 - 10/06 - Regulations concerning the rescue of persons in distress at sea - Worldwide

In May 2004, the IMO Maritime Safety Committee (MSC) adopted amendments to the SOLAS and SAR Conventions concerning the treatment of persons rescued at sea, and/or asylum seekers, refugees and stowaways.

It is widely recognised that once a ship has been involved in the rescue of persons in distress at sea, problems can arise in securing the agreement of States to the disembarkation of the migrants/refugees, especially if they are not in possession of proper documentation. Recognising this problem, member States of the IMO have adopted amendments to the international maritime conventions. These aim to ensure that the obligation of the ship master to render assistance is complemented by a corresponding obligation of States to co-operate in rescue situations, thereby relieving the master of the responsibility to care for survivors, and allowing individuals who are rescued at sea in such circumstances to be delivered promptly to a place of safety.

The amendment, which entered into force on 1 July 2006, includes:

1974 International Convention for the Safety of Life at Sea (SOLAS)

Chapter V (*Safety of Navigation*) - to add a definition of search and rescue services; to set an obligation to provide assistance, regardless of nationality or status of persons in distress, and mandate co-ordination and co-operation between States to assist the ship's master in delivering persons rescued at sea to a place of safety; and to add a new regulation on master's discretion.

1979 International Convention on Maritime Search and Rescue

Annex to the Convention - addition of a new paragraph in chapter 2 (*Organization and co-ordination*) relating to definition of persons in distress, new paragraphs in chapter 3 (*Co-operation between States*) relating to assistance to the master in delivering persons rescued at sea to a place of safety and a new paragraph in chapter 4 (*Operating procedures*) relating to rescue co-ordination centres initiating the process of identifying the most appropriate places for disembarking persons found in distress at sea.

Rescue at Sea - a guide to principles and practice as applied to migrants and refugees

The MSC also adopted related guidelines prepared jointly by the IMO and the Office of the United Nations High Commissioner for Refugees (UNHCR) on the treatment of persons rescued at sea. The guidelines are intended to help Governments and masters better understand their obligations under international law and provide helpful guidance with regard to carrying out these obligations.

The guidelines, available as a pamphlet, can be downloaded from the following websites:

IMO website: http://www.imo.org/TCD/mainframe.asp?topic_id=398.

UNHCR website: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=PUBL&id=450037d34>



Source of information: International Maritime Organization
www.imo.org