

WRITTEN ANALYSIS

International Convention on Maritime Search and Rescue, 1979

A. Summary of the Convention

The International Convention on Maritime Search and Rescue, 1979 (**SAR Convention**) was adopted in Hamburg in 1979 and entered into force in 1985. Its objective is to establish an international framework for cooperation in maritime search and rescue, ensuring that persons in distress at sea are assisted without discrimination.

The coordination and response to search and rescue (**SAR**) at the international, regional and national level was initiated through different international instruments and arrangements before being formalised through an international convention by the IMO.

The International Framework for the introduction of SAR was initially established in the United Nations Convention for the Law of Sea (**UNCLOS**) in 1980 at article 98 which is a Duty to Render Assistance. The duty to render assistance under UNCLOS provides that States must mandate its ship masters to rescue any person found at sea in danger of being lost, or following a collision, to render assistance to the other ship, its crew and its passengers and where possible, to inform the other ship of the name of its ship, its port of registry and the nearest port of call.

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SAR was further elaborated at Regulation 15 and 16 of Chapter V (Safety and Navigation) of the Convention for Safety of Life at Sea (**SOLAS Convention**). This requires contracting government or member states to ensure that any necessary arrangements are made for coast watching and for the rescue of persons in distress at sea and round its coasts. This also includes making available information concerning its existing rescue facilities and the plans for changes there.

The SOLAS Convention further states that an arrangement should include the establishment, operation and maintenance of such maritime safety facilities as are deemed practicable and necessary having regard to the density of the seagoing traffic and navigational dangers and should, so far as possible, afford adequate means of locating and rescuing such persons.

In 1979, the IMO adopted the convention aimed at the development of an international SAR plan. This was to enable the coordination of search and rescue by a SAR organisation and, when necessary, cooperation with neighbouring SAR organisations.

On 22 June 1985, the SAR Convention entered into force and establishes the international system and operating procedures in the event of emergencies and alerts for SAR operations. As at 3 November 2025, there are 115 States Parties to the SAR Convention, including 10 countries from the Pacific Region¹:

No.	Country	Date of signature or deposit of instrument	
1.	Australia	7 November 1983	accession
2.	Cook Islands	14 July 2008	accession
3.	Kiribati	5 February 2007	accession
4.	New Zealand	26 April 1985	accession
5.	Niue	18 May 2012	accession
6.	Palau	29 September 2011	accession
7.	Papua New Guinea	3 August 1992	accession
8.	Samoa	18 May 2004	accession
9.	Tonga	18 September 2003	accession
10.	Vanuatu	14 September 1992	accession

Features of the SAR Convention

Key elements of the SAR Convention are as follows:

- (a) Establishment of Search and Rescue Regions (SRRs) globally.
- (b) Obligation for contracting States to provide adequate SAR services within assigned regions.
- (c) Creation of Rescue Coordination Centres (RCCs) and Sub-centres.
- (d) Duty to assist persons in distress regardless of nationality or circumstances.
- (e) Incorporation of later amendments introducing the Global Maritime Distress and Safety System (GMDSS) and rules on disembarkation of rescued persons.

The SAR Convention is arranged into 8 Articles and an Annex with 6 Chapters as follows:

Articles	Title	Summary
Article I	General Obligations	States that join the Convention must take legislative and administrative steps to implement its provisions and the Annex. The aim is to ensure effective SAR services for persons in distress at sea.
Article II	Other Treaties and Interpretation (Relationship with Other Treaties)	The Convention does not override other international agreements, including UNCLOS. It complements existing obligations.
Article III	Amendments	The Convention can be amended either through the IMO's Maritime Safety Committee or by a

¹ Status of IMO Conventions

<https://wwwcdn.imo.org/localresources/en/About/Conventions/StatusOfConventions/Status%202025.pdf> (accessed 18 November 2025).

Articles	Title	Summary
		conference of Parties. Conditions for acceptance and entry into force are clearly defined.
Article IV	Signature, Ratification, Accession	The Convention was open for signature from 1979 to 1980 and remains open for accession. Procedures for ratification and accession are outlined.
Article V	Entry into Force	It came into effect 12 months after 15 States became Parties.
Article VI	Denunciation	States may withdraw after five years, with one year's notice.
Article VII	Deposit and Registration	Deposited with IMO Secretary-General and registered with UN
Article VIII	Languages	The official text exists in five languages and is deposited with the IMO Secretary-General.
Annex Chapters	Title	Summary
Chapter 1	Terms and Definitions	Defines key SAR terms such as, "search and rescue region", "rescue coordination centre" and emergency phases "uncertainty", "alert", "distress", etc.
Chapter 2	Organization	States must establish SAR services around their coasts, set up Rescue Coordination Centres (RCCs), and ensure adequate communication and equipment.
Chapter 3	Co-operation	Encourages coordination between States, including allowing foreign rescue units to enter territorial waters and promoting joint RCCs for maritime and aeronautical SAR.
Chapter 4	Preparatory Measures	RCCs must maintain updated information on resources and prepare detailed SAR plans. Rescue units should remain ready for immediate deployment.
Chapter 5	Operating Procedures	Outlines continuous radio watch requirements, emergency phases, and actions for each. Includes procedures for coordination, search patterns, and termination of operations.
Chapter 6	Ship Reporting Systems	Promotes ship reporting systems to assist SAR operations. Specifies types of reports such as sailing plans, position reports, and final reports.

Amendments to the SAR Convention

The SAR Convention was amended in 1998 and 2004. The 1998 amendments, adopted via IMO Resolution MSC.70(69), were in relation to the procedures for ship reporting systems and the provision of urgent medical assistance or advice. In 2004, the amendments, adopted via IMO Resolution MSC.155(78), clarified that ships must promptly disembark individuals rescued at sea to a place of safety.

The SAR Convention uses a tacit acceptance mechanism for amendments to its Annex (Article III of the SAR Convention). Under this system, amendments are circulated to all Parties. If a Party does not object within the specified period (usually one year), its silence is treated as consent. Once accepted, the amendment becomes binding on all Parties except those that formally object and maintain their objection. This approach accelerates the implementation of technical changes without requiring explicit ratification by every Party, balancing efficiency with the right to object.

Reservations under the SAR Convention

The SAR Convention does not permit reservations. This is evident from the absence of any provision authorising reservations and aligns with the practice of the IMO for technical international conventions. The prohibition ensures uniformity and consistency in global search and rescue obligations, preventing States from excluding or modifying essential provisions that could compromise operational effectiveness. Therefore, States must accept the Convention in its entirety when ratifying, accepting, approving, or acceding to the SAR Convention. No unilateral modifications or exceptions are allowed. This guarantees harmonized implementation and strengthens international cooperation in maritime safety.

B. Requirements for its implementation within a signatory State

1. General Obligations (Article I)

Parties to the SAR Convention undertake to adopt all legislative, administrative, and other measures necessary to give full effect to the SAR Convention and its Annex. The Annex forms an integral part of the SAR Convention and contains detailed technical requirements for SAR services. States must incorporate these obligations into domestic law and ensure institutional capacity for compliance.

2. Organisation and Coordination of SAR Services (Annex, Chapter 2)

Parties are required to:

- Establish SAR Services: Each Party must provide adequate SAR services within its coastal waters and areas of responsibility (Chapter 2.1);
- Develop National SAR Infrastructure: This includes trained personnel, equipment, and operational readiness (Chapter 2.2);
- Create Rescue Coordination Centres (RCCs): RCCs and sub-centres must be established to manage SAR operations effectively (Chapter 2.3);
- Coordinate with Aeronautical Services: Integrated maritime and aeronautical SAR operations are mandated (Chapter 2.4);
- Designate SAR Facilities: States must equip SAR units with appropriate tools and technology (Chapter 2.5–2.6).

Failure to maintain RCCs or adequate SAR resources could result in non-compliance and operational gaps during emergencies.

3. International Cooperation (Annex, Chapter 3)

Parties must:

- Define SAR Regions: In consultation with neighbouring States, SAR regions should be established for effective coverage.
- Enter into Agreements: States should conclude bilateral or multilateral agreements for joint SAR operations.
- Facilitate Entry of Foreign SAR Units: During emergencies, foreign rescue units must be allowed entry into territorial waters without undue delay (Chapter 3.1).

Cooperation is essential for global SAR efficiency. States that fail to cooperate risk creating unsafe gaps in international maritime safety.

4. Operating Procedures (Annex, Chapter 4)

States must adopt standardized SAR procedures, including:

- Preparatory Measures: Maintain readiness and communication systems (Chapter 4.1);
- Information Sharing: Ensure timely alerts and coordination during emergencies (Chapter 4.2);
- On-Scene Command: Designate an on-scene commander and follow internationally agreed SAR protocols during operations.

Uniform procedures reduce confusion and improve response times, which are critical for saving lives.

Therefore, to implement the SAR Convention, Fiji must:

- Designate a National Authority – Proposal for the Ministry of Transport to be the policy focal point and the Republic of Fiji Navy to be the focal point for implementation.
- Operate an RCC – This is currently in place and operation at the Fiji Maritime Surveillance and Rescue Coordination Centre (FMSRCC) managed by the Republic of Fiji Navy.
- Adopt National Legislation – This is currently underway with a draft law being consulted by various stakeholders.
- Provide Resources – Relevant agencies to provide vessels, aircraft, trained personnel, communications, joint training with civil aviation.
- Regional Cooperation – Cooperation within the region currently underway such as the Pacific Search and Rescue Steering Committee (PACSAR), which is made up of SAR agencies from 5 countries, namely, Australia, Fiji, France, New Zealand, and the United States of America. These members hold responsibility for significant SAR areas within the Pacific region.
- Report – or provide updates to the IMO.

C. Statement of the impact of the Convention on Fiji

1. Strengthening Maritime Safety

Accession to the SAR Convention will legally bind Fiji to establish and maintain an effective SAR system in its maritime zones. This includes creating RCCs, ensuring adequate resources, and adopting internationally recognized SAR procedures (Annex, Chapters 2 and 4). Fortunately, Fiji currently engages in regional operations in terms of SAR.

Therefore, a positive impact in acceding to the SAR Convention is having the capacity to respond to maritime emergencies, reducing loss of life and improving safety for seafarers and passengers.

2. International Cooperation and Regional Integration

Fiji will be required to cooperate with neighbouring States to define SAR regions and enter into agreements for joint operations (Annex, Chapter 3). Fiji is part of the PACSAR. Strengthened regional partnerships in the Pacific, enabling shared resources and coordinated responses to large-scale incidents.

3. Legislative and Institutional Adjustments

Fiji must adopt legislative and administrative measures to implement the Convention and its Annex. Therefore, possible amendments to existing maritime related laws and establishment of dedicated SAR units within relevant agencies, requiring budgetary allocation and training programs. Draft law in consultations with relevant stakeholders.

4. Operational and Technical Standards

Fiji will need to comply with IMO technical standards for SAR equipment, communication systems, and procedures. Financial implications on investment in modern technology and infrastructure, improving interoperability with international SAR networks. In ratifying the SAR Convention, Fiji anticipates that there will be more assistance and support provided from IMO member states who are advanced in their SAR efforts. The ratification will also open doors for capacity building with regional countries through revised regional arrangements and also more collaboration to ensure an improved SAR coordination and response not only nationally for Fiji but also for the region.

5. Compliance with Other IMO Conventions

Accession to the SAR Convention complements Fiji's obligations under:

- SOLAS (International Convention for the Safety of Life at Sea): SAR provisions align with SOLAS Chapter V on safety of navigation.
- MARPOL (International Convention for the Prevention of Pollution from Ships): Effective SAR reduces environmental risks during maritime incidents.
- STCW (Standards of Training, Certification and Watchkeeping): SAR operations require trained personnel consistent with STCW standards.

Harmonized compliance across IMO instruments strengthens Fiji's maritime governance and international standing.

6. Alignment with UNCLOS

The SAR Convention supports Fiji's obligations under UNCLOS Article 98, which requires States to render assistance to persons in distress at sea and promote establishment and maintenance of adequate SAR services. Therefore acceding to the SAR Convention ensures Fiji meets its UNCLOS obligations, reinforcing its commitment to international maritime law.

7. Humanitarian and Economic Benefits

Improved SAR capability will:

- Enhance Fiji's reputation as a responsible maritime State.
- Support tourism and shipping industries by ensuring safer waters.
- Reduce economic losses from maritime accidents through faster and more effective rescue operations.

8. Compliance and Monitoring

Accession entails ongoing obligations to maintain SAR readiness and report compliance to IMO. Continuous monitoring and capacity-building efforts will be necessary to sustain compliance and operational effectiveness.

D. Conclusion

Based on the analysis, Fiji is well-positioned to accede to the SAR Convention. Fiji already operates a functioning Rescue Coordination Centre (FMSRCC), participates actively in regional frameworks such as PACSAR, and is in the process of finalising its national legislation that aligns with the requirements of the SAR Convention. Accession would therefore formalise existing practices, strengthen institutional capacity, and enhance Fiji's compliance with UNCLOS, SOLAS and other IMO instruments.

Accession will also bring significant benefits, including improved maritime safety, strengthened regional cooperation, increased opportunities for technical assistance and capacity-building, and positive reputational impacts as a responsible maritime State. While there are costs associated with upgrading equipment, training personnel, and maintaining compliance, these obligations align with work already underway and can be supported through regional partnerships and IMO assistance.

In addition, the SAR Convention complements existing national and regional arrangements, enhances Fiji's capacity to respond to maritime emergencies, and strengthens its international legal obligations and leadership role in Pacific maritime safety. The benefits to national security, humanitarian protection, and international cooperation outweigh the implementation costs, making accession both appropriate and advantageous. It is therefore recommended that Fiji accede to the SAR Convention.