



SECOND MEETING OF THE CSCAP STUDY GROUP ON HARMONISATION OF AERONAUTICAL AND MARITIME SEARCH AND RESCUE (SAR)

New Delhi, India
April 8-9, 2016

Co-Chair's Report

Preamble

Search and Rescue (SAR) is about saving lives through a cooperative approach to human safety and security. In doing so, states should set aside political differences, territorial disputes and security concerns. It is through the strengthening of SAR coordination, that a seamless and timely response can be achieved. Government agencies, private industries and the community are part of the SAR response system. Efficient organizational structures, effective processes and technology-enabled capacities and capabilities need to be stitched together in order to build a system, which can save lives in any contingency or circumstance whatsoever.

Background

Global Context

The International Aeronautical and Maritime Search and Rescue (IAMSAR) manuals calls for a comprehensive global SAR system based on a responsive Regional and National SAR system. However, the ICAO Convention of Civil Aviation 1944 Annex 12 (SAR) and IMO SAR Convention 1978 has created distinct approaches to SAR. In light of this, the ICAO-IMO Joint Working Group (JWG) was established in 1993, with the objective of assisting ICAO and IMO in developing provisions regarding new holistic search and rescue techniques and procedures where both aeronautical and maritime interests were involved. The JWG is currently working on a new version of IAMSAR to be published in June 2016.

Regional Context

The Asia-Pacific is a maritime-configured region with increasing traffic, both by sea and air. The regional community is becoming increasingly aware of the imperatives of SAR, including in terms of harmonization of its aeronautical and maritime elements. In 2012, the ICAO Bangkok Regional Office established the Asia/Pacific Search and Rescue Task Force (APSAR/TF) with the objective of considering the enhancement and improvement of SAR capabilities within the Asia/Pacific Region and adjacent regions. In September 2015, the Task Force developed the Asia Pacific SAR Plan. Separately, ASEAN has developed the ASEAN Agreement on Aeronautical and Maritime Search And Rescue.

In the Asia-Pacific, another leading forum on SAR matters is the ASEAN Regional Forum (ARF). In the wake of the 2014 incident relating to the Malaysian Airlines flight MH370, the ARF issued a statement, which called “for regional countries to strengthen SAR coordination and cooperation at bilateral, regional and multilateral levels, including through dialogue and cooperation in ARF” (**Appendix A**).

CSCAP Study Group

The Council for Security Cooperation in the Asia-Pacific (CSCAP) serves as a Track II resource for the ARF. In 2015, the CSCAP noted that:

‘In spite of international, extra-regional and regional efforts, many States in the region are yet to harmonise aeronautical and maritime SAR architectures as there are no policy recommendations to do so. CSCAP has the opportunity to conduct studies into the benefits and the way forward to harmonising SAR.’

Soon thereafter, the CSCAP established a Study Group on Harmonisation of Aeronautical and Maritime SAR (SG HAMSAR) to evolve policy recommendations for states to harmonise aeronautical and maritime aspects of SAR, towards providing a rapid and robust SAR response in the Asia-Pacific region. CSCAP-Malaysia and CSCAP-India agreed to be Co-chairs of the SG HAMSAR.

First Meeting of SG HAMSAR

The first meeting of the SG HAMSAR was held in Kuala Lumpur, Malaysia in June 2015. The meeting led to the formulation of an overarching approach and framework of cooperation to harmonise aeronautical and maritime SAR in the Asia-Pacific, and outlined the broad areas and issues wherein the two dimensions of the member States’ SAR effort needed to be harmonised. The meeting was attended by the Chairman of the ICAO/IMO JWG who noted that SG HAMSAR was complementing and not duplicating existing efforts to harmonise aeronautical and maritime SAR.

The findings of the meeting was reflected in the Co-Chairs’ Report (**Appendix B**) encompassing a host of measures ranging from accession to the relevant conventions and forging inter-State agreements to national and trans-national coordination and standardization. The report further states the need to study the areas/ issues in greater depth.

Second Meeting of SAR SG

As a sequel, the second meeting of the Study Group was conducted at New Delhi on 8-9 April 2016. To follow-up the study of the first SG, it was realized that greater insight into the country-perspectives would be necessary to identify the specific approaches and nuances of such harmonization, with the aim of feeding pertinent recommendations into the policymaking process.

Towards this overarching objective, during the second meeting, the endeavour was to understand the country-specific aspects of aeronautical and maritime SAR pertaining to the CSCAP member States. These included organizational structures, policy formulation processes and implementation architectures in terms of functional cooperation, subdivision of

responsibilities and inter-agency coordination. The Concept Note (including a detailed Questionnaire) was specifically formulated (**Appendix C**) to obtain insights from country-representatives into their respective SAR guiding philosophies/doctrines, their national positions on SAR-related legal instruments, any SAR-related MoUs that they may have signed with other countries, and the responsiveness of their national SAR plans as part of the global SAR policies and plans.

Aim of the Meeting

The specific aims of the second SG meeting were to: -

- Generate awareness of best-practices and lessons-learnt with regard to regional States' SAR organisation, processes and experiences.
- Map the 'common denominators' as well as divergences through a comparison of the country perspectives.
- Identify areas of SAR cooperation at the bilateral and multi-lateral levels, and the impediments to cooperation.
- Provide recommendations on harmonization of aeronautical and maritime SAR for national policy-making; and more broadly to the ASEAN Regional Forum (ARF) and at relevant global forums.
- Reinforce the findings of the Asia-Pacific SAR Task Force.

Participation

Nine member committees were represented at the meeting, viz. Australia, China, EU, India, Japan, Malaysia, New Zealand, Republic of Korea, Singapore and USA. A representative from Chinese Taipei also participated in the meeting. The comprehensive list of delegates is placed at **Appendix D**.

Programme and Agenda

The inaugural session of the meeting included a welcome address by Dr. Vijay Sakhuja, Director, National Maritime Foundation (NMF); opening remarks by Ambassador Leela K Ponappa, Chairperson CSCAP-India and a keynote address by Commodore Uday Bhaskar, VSM (Retd), Director, Society for Policy Studies, New Delhi. The working sessions began soon thereafter with a briefing by the Co-chairs: Captain (Dr) Gurpreet S Khurana (IN), Executive Director, NMF representing CSCAP-India and Captain Martin A. Sebastian RMN, (R), Centre Head for Maritime Security and Diplomacy, MIMA representing CSCAP-Malaysia. The ensuing four sessions saw individual countries sharing their perspectives on issues as highlighted in the Concept Note.

The second day was devoted to the collation and examination of the salient findings of the Meeting, based upon the first day's proceedings and consensus-building on the Study Group recommendations. A copy of the Meeting Programme/ Agenda is placed at **Appendix E**.

Summary of Discussions/ Findings

The salient findings of the second SAR Study Group Meeting are enumerated in the succeeding paragraphs. The central philosophies of countries pertaining to SAR was observed to be largely similar, and based on the common overarching objective of saving lives of the people rendered helpless due to accidents or natural calamities, besides that for meeting an inescapable international obligation and commitment.

It was clearly brought out that the areas of responsibility of various countries demarcated for provision of aeronautical information and SAR services, have no co-relation to sovereignty or sovereign rights of the concerned coastal states. Hence, the act of providing a SAR service in a particular area cannot lead to any maritime claim or reinforce it. This stipulation is also articulated in the SAR Convention, 1979, the IAMSAR Manual Volume 1, the Asia Pacific SAR Plan (APSAR), 2015 and the Agreement on Cooperation on Aeronautical and Maritime SAR in the Arctic, 2011.

An attendant imperative lies in the need for all countries in the region to accede and conform to the relevant international (IMO and ICAO) conventions governing SAR. A related issue is that of enabling legislations at the national level. Also, while all country representatives asserted that appropriate national laws (and national plans) on SAR exist, these often exist separately for maritime and aeronautical SAR, and are thus not conjoined for a more effective SAR response to aeronautical contingencies. Therefore, the national SAR plans of many countries have not yet integrated the aeronautical and maritime elements, and are thus not prepared for audits.

The Study Group had an extensive discussion on the aspect of rationalisation/ coordination of Flight Information Regions (FIR) and Search and Rescue Regions (SRR). It was felt that in case of an aeronautical emergency involving FIRs of one country and SRR of another, adequate coordination/communication should be in place to ensure immediate response. While the IAMSAR Manual and Asia-Pacific SAR plan calls for 'alignment' of SRRs and FIRs, (*Art 7.1, sub para (g)*), the Study Group considered it adequate for states to achieve effective SAR response through MoUs/ arrangements. MoUs at the Ministerial level whilst arrangements at the Rescue Coordination Centre (RCC) level. These MoUs/ arrangements would need to cater for aeronautical contingencies at the margins of SRRs to resolve any ambiguity of maritime SAR responsibility.

The organizations and associated structures for SAR of countries were found to be much at variance. For example, while some countries have already adopted the concept of Joint RCC (JRCC) by merging the aeronautical and maritime RCCs and some others are on their way to do so; yet some others have decided to maintain separate ARCC and MRCCs which software systems that harmonises the SAR effort. Nonetheless, there was an unequivocal acknowledgement of the fact that maritime and aeronautical components of the SAR organization need to be seamlessly integrated. Further, voluntary maritime reporting systems promulgated by some countries contribute effectively to such integration.

Premised on being a benign and humanitarian mission, SAR must necessarily transcend national security interests and concerns. Hence, towards a co-operative approach to delivering timely and effective SAR services anywhere in the region, there needs to be a free flow of information among states. Such information-sharing would need to address not only the requirement of enhanced Maritime Domain Awareness (MDA) for the SAR operation but also for logistics purposes and the media when required. While national sensitivities may exist, all effort

would need to be made by countries to create a common regional SAR portal, and share the details and capabilities of SAR assets available to their respective national SAR authorities on the portal.

Inter-agency cooperation among multiple national agencies, including the role of private industries and community, functionally connected with SAR was another ‘common denominator’ that was widely discussed, and agreed upon. Seamless cooperation and coordination amongst all SAR agencies – particularly those across the aeronautical-maritime divide – was critically essential. This could be achieved through periodic training or simulation in various scenarios with the optimal utilization of identified assets. This will not only cater for different contingencies, it will address the management of scarce resources and duplication of efforts.

During the course of discussions, a few other common constraints to harmonization of aeronautical and maritime SAR also emerged. Notable among these were cultural and linguistic dissimilarities among countries and the differing levels of professional proficiency.

Recommendations

- Overcome constraints on effective cooperation and coordination among states through SAR ‘MoUs/ Agreements’ between their respective governments and SAR ‘Arrangements’ between their respective SAR agencies, wherever such agreements/ arrangements do not presently exist.
- Encourage countries to accede to the IMO SAR Convention 1979 and make enabling national SAR legislations, preferably amalgamating the aeronautical and maritime components of SAR.
- Develop a regional framework/portal for information sharing, leading to not only enhanced Maritime Domain Awareness (MDA) but also awareness of the availability of SAR resources, assets and capabilities of various countries for an effective regional SAR response.
- Dovetail organizational structures and processes with the provisions/ guidelines contained in the IAMSAR Manual and Regional SAR Plan to the extent feasible, based upon the unique requirements of each state, with particular attention to ensure that where deviations occur, effectiveness of SAR services is not adversely impacted.
- Encourage countries to develop and update national SAR Plans in accordance with the IAMSAR Manual and Regional SAR Plan, and subject their respective plans to audits.
- Develop a regional template for SAR risk and vulnerability assessment. The recommendations from such assessment would be necessary for improved harmonization of regional SAR policies, arrangements and facilities.
- Harmonise aeronautical and maritime alert and communication system.
- Encourage countries to promulgate voluntary maritime reporting systems.

- Establish a regional database of SAR activities with a view to sharing Best Practices, case-studies and experiences, and evolving best practices.
- Evaluation of civil-military interface in terms of SAR structures and processes for enhanced effectiveness of SAR.
- Inclusion of private industries and community into the SAR system

Conclusion

On achieving consensus on the recommendations of the study group, it was decided to develop a CSCAP Memorandum that would make policy recommendations for consideration of ARF member states. The memorandum would aim to supplement existing stipulations and guidelines of ICAO, IMO and other regional task forces.