

No. 21163

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**UNITED STATES OF AMERICA  
and  
PAPUA NEW GUINEA**

**Memorandum of understanding relating to aviation search  
and rescue in case of emergencies. Signed at Honolulu  
on 8 November 1980 and at Port Moresby on 26 Feb-  
ruary 1981**

*Authentic text: English.*

*Registered by the United States of America on 27 July 1982.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
PAPOUASIE-NOUVELLE-GUINÉE**

**Mémorandum d'accord relatif aux opérations de recherche  
et de sauvetage aériens en cas d'accident. Signé à Hono-  
lulu le 8 novembre 1980 et à Port Moresby le 26 février  
1981**

*Texte authentique : anglais.*

*Enregistré par les États-Unis d'Amérique le 27 juillet 1982.*

SEARCH AND RESCUE MEMORANDUM OF UNDERSTANDING<sup>1</sup> BETWEEN THE SAR COORDINATOR, SOUTHWEST PACIFIC SAR SUBREGION COMMANDER IN CHIEF, PACIFIC AIR FORCES UNITED STATES OF AMERICA AND THE DIRECTOR OF CIVIL AVIATION PAPUA NEW GUINEA

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I. Under the provisions of the Convention on International Civil Aviation Organization (ICAO),<sup>2</sup> the Civil Aviation Agency, Papua New Guinea, is responsible for SAR within the Port Moresby Flight Information Region (FIR). Additionally, under the United States National SAR Plan and implementing directives, the Commander in Chief, Pacific Air Forces (CINCPACAF) has been delegated responsibility to function as Search and Rescue Coordinator (SAR COORD) for United States interests within the Southwest Pacific Subregion, which includes the Port Moresby FIR. He discharges this responsibility through the Western Pacific Rescue Coordination Center (WESTPAC RCC), Kadena Air Base, Japan. In recognition of the overlapping areas of responsibility described, this Memorandum of Understanding (MOU) is deemed necessary and appropriate.

II. The purpose of this agreement is to establish the relationship between the Civil Aviation Agency, Papua New Guinea, and the SAR COORD, Southwest Pacific Subregion (USAF) for mutual SAR operations within the Port Moresby FIR.

III. Signatories agree to the following:

1. The Civil Aviation Agency, Papua New Guinea, and the CINCPACAF SAR COORD, Southwest Pacific Subregion (USAF) will maintain RCCs equipped in accordance with the provisions of Annex 12, ICAO.

2. Information concerning current SAR resources available will be exchanged by each agency to facilitate knowledge of SAR capabilities.

3. SAR communications test exercises will be conducted at least once quarterly to assure availability in emergencies. Current SAR resources information may be included as part of the communications test.

IV. Specific Responsibilities of WESTPAC RCC:

1. In response to a United States military SAR incident in the Port Moresby FIR, the WESTPAC RCC will provide all possible assistance including, as necessary, the deployment of aircraft, support personnel and equipment, and SAR controllers to assist the Port Moresby RCC.

2. In response to requests for assistance in civil SAR incidents, WESTPAC RCC will provide, as necessary, SAR aircraft, support personnel and equipment, and SAR controllers on the basis of noninterference with United States military activities.

V. Specific Responsibilities of the Port Moresby RCC:

1. Port Moresby RCC will respond to all SAR incidents within its area of responsibility and immediately notify the WESTPAC RCC of:

a. Any SAR incident which involves United States military personnel, aircraft, or vessel or civil aircraft/vessel under charter to United States Government.

<sup>1</sup> Came into force on 26 February 1981 by signature, in accordance with paragraph X.

<sup>2</sup> United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

b. Any United States assistance desired in the prosecution of SAR efforts involving civil incidents.

2. The Civil Aviation Agency will take steps to facilitate the temporary entry into the Port Moresby FIR of the United States military SAR forces required to assist in SAR operations.

VI. Command and control of United States military forces participating in a SAR mission will remain with the parent military authority, exercised through the assisting WESTPAC SAR COORD. The overall control of air traffic within the Port Moresby FIR will remain with the Civil Aviation Agency, Papua New Guinea.

VII. United States military aircraft will pay for maintenance, aircraft servicing and refueling incurred to commercial vendors in accordance with the USAF Foreign Clearance Guide. United States military aircraft responding to a request from Papua New Guinea for SAR assistance will be exempted from fees for en route navigation, landing and ground handling. The parties to this agreement, and their respective governments, expressly waive any and all claims against each other for damages to each other's property or equipment or for injuries to or the death of each other's agents or employees, provided such claims result or arise from, or are incident to, SAR activities performed pursuant to this agreement.

VIII. This MOU shall not be construed as an obstruction of prompt action by any agency or individual to aid persons in distress whenever or wherever found.

IX. This MOU may be revised or modified by mutual consent at any time. It will be reviewed annually by each signatory. If no revision is required, a letter to that effect will satisfy the annual review requirements.

X. This agreement shall become effective upon the date the signatures of the authorized representatives of both parties have been affixed and will terminate five years from the effective date. This agreement may be cancelled at any time by mutual consent, or by either party upon giving ninety days' notice to the other party.

[Signed]

JAMES D. HUGHES, Lt General, USAF  
Commander in Chief  
Pacific Air Forces  
Date: 8 November 1980

[Signed — Signé]<sup>1</sup>

Director of Civil Aviation  
Papua New Guinea  
Date: 26 February 1981

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<sup>1</sup> Signed by J. Wal — Signé par J. Wal.