

No. 27590

**MEXICO
and
UNITED STATES OF AMERICA**

**Agreement on maritime search and rescue. Signed at Mexico
City on 7 August 1989**

Authentic texts: Spanish and English.

Registered by Mexico on 25 October 1990.

**MEXIQUE
et
ÉTATS-UNIS D'AMÉRIQUE**

**Accord sur la recherche et le sauvetage en mer. Signé à
Mexico le 7 août 1989**

Textes authentiques : espagnol et anglais.

Enregistré par le Mexique le 25 octobre 1990.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED
MEXICAN STATES AND THE GOVERNMENT OF THE UNITED
STATES OF AMERICA ON MARITIME SEARCH AND RESCUE

The Government of the United Mexican States and the Government
of the United States:

NOTING the great importance of rendering assistance to
persons in distress at sea; and

RECOGNIZING that the 1935 Convention between the United
Mexican States and the United States of America for the
Assistance to and Salvage of Vessels in Territorial Waters,² and
the 1979 International Convention on Maritime Search and
Rescue,³ provide a sound basis for improving cooperation in the
field of maritime search and rescue;

Have agreed as follows:

ARTICLE I

Purpose

The purpose of this Agreement is to set forth guidelines
for cooperation between the maritime search and rescue
authorities of the Governments of the United Mexican States
(hereinafter Mexico) and United States of America (hereinafter
United States) in responding to or coordinating the response to
distress cases in which life or property is threatened at sea.

¹ Came into force on 25 June 1990, the date on which the Parties notified each other of the completion of the necessary domestic legal requirements, in accordance with article IX.

² League of Nations, *Treaty Series*, vol. CLXVIII, p. 135.

³ United Nations, *Treaty Series*, vol. 1405, p. 97.

Article II

Operational Entities

A. The Mexican Navy and the United States Coast Guard, respectively, are the recognized authorities in Mexico and the United States for matters relating to maritime search and rescue. As the unified organizations in their nations responsible for the maintenance and safety of life and property at sea, the Mexican Navy and the United States Coast Guard may respond to a wide variety of incidents at sea without regard to the nationality of those in danger or distress. Resources of the Parties for coordinating and responding to such incidents include rescue coordination centers, rescue vessels, and rescue aircraft.

B. It is recognized that both the Mexican Navy and the United States Coast Guard have other responsibilities in addition to safety of life and property at sea. The availability of resources to respond to specific incidents is understood to be dependent upon funding and the requirements of other missions.

ARTICLE III

Cooperation in Search and Rescue

A. Exchange of Information

To the extent that it contributes to increased effectiveness of maritime search and rescue or to preventing the need for such search and rescue, available information will be freely exchanged between the Mexican Navy and the United

States Coast Guard. The exchange will include but not be limited to information about the following areas for each Party:

1. Search and rescue agency organization.
2. Rescue coordination centers, including locations, areas of responsibility, TELEX numbers, telephone numbers, and other communication or general capabilities.
3. Search and rescue procedures and facilities.
4. Special services available (e.g. the Automated Mutual-assistance Vessel Rescue System (AMVER), Computer-aided Search Planning (CASP), medical facilities, fueling facilities, etc.).
5. International search and rescue projects of common interest.
6. Search and rescue-related technical information, including results of and plans for research and development.
7. Development and operation of vessel reporting systems to be used exclusively for search and rescue purposes.

B. Search and Rescue Operations

The Mexican Navy and the United States Coast Guard will work both jointly and independently to the extent practicable to facilitate cooperation in search and rescue, to improve search and rescue response capabilities, and to enhance safety at sea. Such efforts will include but not be limited to the following areas:

1. Development, establishment, and use of common search and rescue procedures, including procedures for requesting and rendering search and rescue assistance, and ensuring the closest practicable coordination between the maritime rescue

coordination centers of the Mexican Navy and the United States Coast Guard. It is understood that, once a rescue coordination center of one Party requests assistance in a search and rescue case from the other Party, each rescue coordination center will keep the other informed of the progress and outcome of the case.

2. Provision for prompt permission for entry of search and rescue units of one Party into or over the territorial sea of the other Party as required.

3. Arrangement for rescue units to respond from both the Mexican Navy and the United States Coast Guard, if appropriate, to effectively handle a case of distress at sea.

4. Establishment of means of communication to be used in joint search and rescue operations, using internationally designated distress and calling frequencies, designating common working frequencies, and providing for checks of communication channels if needed.

5. Establishment of appropriate and reliable lines of communication between the rescue coordination centers of the Mexican Navy and the United States Coast Guard. Such communications will normally be accomplished via TELEX to facilitate translation. However, recognizing the value of timely search and rescue communications, the Mexican Navy and the United States Coast Guard shall each designate two rescue coordination centers, one near the Pacific Coast and one near the Gulf Coast, and arrange to have a bilingual (Spanish and English-speaking) person on call at these rescue coordination centers to assist with search and rescue communications when appropriate.

6. Under guidelines established for the use of AMVER and CASP, or for similar Mexican and United States resources, information will be provided to assist other recognized rescue coordination centers in coordinating search and rescue cases.

7. When necessary to help ensure the continuity or success of a search and rescue case, rescue coordination centers of each Party will make arrangements for rescue vessels or aircraft of the other Party to purchase fuel, to make use of appropriate medical facilities, or to receive other reasonable and appropriate assistance.

C. Liaison

To help satisfy the intent of this Agreement, on-going cooperative relationships will be maintained between the Mexican Navy and the United States Coast Guard. Such liaison efforts should include the following areas:

1. Visits between the Mexican Navy and the United States Coast Guard search and rescue program managers and rescue coordination center personnel.

2. Cooperation as appropriate on international search and rescue projects of common interest, particularly those sponsored by the Governments of Mexico or the United States, or the International Maritime Organization.

3. Conduct of regional search and rescue conferences, as necessary, to maintain effective coordination of search and rescue services.

4. Cooperation in search and rescue training efforts with other maritime and aeronautical search and rescue organizations periodically and as opportunities arise.

5. Sharing in the development of state-of-the-art search and rescue procedures, techniques, communications, life support systems, survival equipment, facilities, and emergency care.

ARTICLE IV

Search and Rescue Regions

A. Maritime search and rescue regions are established solely to help ensure that proper and efficient search and rescue coverage and coordination is provided for defined areas, and to effect an understanding between the Parties as to the areas in which each Party has primary responsibility for the coordination of maritime search and rescue cases.

B. Search and rescue regions are not intended to relate to or prejudice the establishment of international boundaries or national jurisdictions. Each Party shall conduct search and rescue operations to assist persons and property in danger or distress at sea within its respective search and rescue region, or in the search and rescue region of the other Party, in accordance with the terms of this Agreement.

C. Search and rescue regions of Mexico and the United States will be separated by the international maritime boundary between the two countries, as defined in the exchange of diplomatic notes of November 24, 1976.¹

¹United Nations, *Treaty Series*, vol. 1117, p. 75.

ARTICLE V

Implementation

Specific information and procedures regarding implementation of this Agreement will be jointly developed by the Mexican Navy and the United States Coast Guard.

ARTICLE VI

Application of National and International Laws

Nothing in this Agreement is intended to amend applicable national laws or regulations. Likewise, nothing in this Agreement shall affect in any way the rights and duties based on treaties and other international agreements and understandings pertaining to Mexico or the United States.

ARTICLE VII

Use of Other Units on Search and Rescue Operations

Both Parties recognize that, at times, the United States Coast Guard makes use of available non-United States Coast Guard units in lieu of, or in addition to, United States Coast Guard units, in responding to existing or potential maritime distress situations. Such units may include, but are not limited to, privately-owned Coast Guard Auxiliary resources and available merchant vessels. Similarly, the Mexican Navy may use non-Navy resources for search and rescue. The Mexican Navy and the United States Coast Guard undertake, for purposes of this Agreement, to treat such units as falling under the terms of this Agreement, when they are identified by a Mexican Navy

or a United States Coast Guard rescue coordination center as acting under the orders and direction of the rescue coordination center on a specific search and rescue mission.

ARTICLE VIII

Diversion of Search and Rescue Units

If, for any reason, units on a search and rescue mission are diverted to another mission while in or near the territory of the other Party, the rescue coordination center of the Party responsible for that territory will be immediately notified by the rescue coordination center of the diverted units, and the units no longer involved in the original mission will immediately depart the territory of the other Party, or follow clearance procedures applicable to the new mission.

ARTICLE IX

Entry into Force, Duration and Amendment

This Agreement shall enter into force on the date both Parties communicate in writing through diplomatic channels that they have satisfied their necessary domestic legal requirements. The Agreement may be amended by mutual written agreement between the Parties, and such amendment shall enter into force on the date the Parties communicate in writing through diplomatic channels that they have satisfied their necessary domestic legal requirements. This Agreement may be terminated by either Party six months following written notification through diplomatic channels to the other Party. The termination of this Agreement shall not affect the validity

or duration of specific activities undertaken hereunder, and not yet completed at the time of termination, unless otherwise agreed by the Parties.

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

Signed at Mexico City on the seventh day of the month of August of the year of nineteen hundred and eighty nine, in two originals in the Spanish and English languages, both texts being equally authentic.

For the Government
of the United Mexican States:

[Signed]

FERNANDO SOLANA
Secretary of Foreign Relations

For the Government
of the United States of America:

[Signed]

JAMES A. BAKER III
Secretary of State