

Signed at Seoul April 10, 2007  
Entered into force May 16, 2007

**AGREEMENT BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF KOREA AND  
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA  
ON MARITIME SEARCH AND RESCUE COOPERATION**

The Government of the Republic of Korea and the Government of the People's Republic of China (hereinafter referred to as the "Parties"),

Desiring to ensure the safety of life at sea and further enhance the efficiency of maritime search and rescue operation,

Taking into account the provisions of the 1982 United Nations Convention on the Law of the Sea, the International Convention on Maritime Search and Rescue, 1979 as amended and the International Convention for the Safety of Life at Sea, 1974 as amended,

Have agreed as follows:

**ARTICLE 1**

This Agreement shall apply to maritime search and rescue operations conducted in the waters between the two countries beyond their respective territorial seas (hereinafter referred to as the "Search and Rescue Region").

**ARTICLE 2**

1. This Agreement shall be implemented by the competent Authorities of the Parties responsible for maritime search and rescue operations.
2. The competent Authorities referred to in paragraph 1 of this Article are Korea Coast Guard of the Republic of Korea and China Maritime Safety Administration (China Maritime Search and Rescue Center) of the People's Republic of China respectively (hereinafter referred to as the "implementing authorities").

**ARTICLE 3**

A Party shall, on receipt of the alert that any person, vessel or aircraft is in distress in the Search and Rescue Region, take urgent measures to provide as far as practicable the most appropriate assistance available, regardless of their nationality, status and the circumstance in which they are found.

**ARTICLE 4**

1. In case that the assistance is needed, the implementing authority of a Party receiving the alert referred to in Article 3, shall send to the implementing authority of the other Party a request for assistance.

2. The implementing authority of a Party shall, on receipt of the request referred to in paragraph 1 of this Article, coordinate with the implementing authority of the other Party expeditiously in determining the most effective and efficient way of conducting the search and rescue operation.

3. Where the search and rescue operation is jointly conducted by the Parties, they shall decide, through consultation, who should be responsible for the coordination of the search and rescue operation, if practicable.

## **ARTICLE 5**

1. Any national or vessel of a Party in need of assistance in bad weather or in other emergency circumstance may take refuge in the safe water areas such as a port of the other Party provided that they have notified the implementing authority of the other Party. However, such notification may not be required in exceptional cases, such as the failure of radio communications system.

2. Any national or vessel of a Party shall comply with the relevant laws and regulations of the other Party in which they are taking refuge.

## **ARTICLE 6**

1. The implementing authorities of the Parties shall, for the effective implementation of this Agreement, strengthen the cooperation in such aspects as information exchange.

2. The implementing authorities of the Parties may collaborate to develop detailed arrangements on maritime search and rescue cooperation.

## **ARTICLE 7**

1. The entry of any person, vessel or aircraft of a Party into the territorial land, sea or air of the other Party solely for the purpose of searching and rescuing persons, vessels or aircraft in distress shall seek the permission of the other Party.

2. Subject to its applicable national laws and regulations, a Party shall, on receipt of the request referred to in paragraph 1 of this Article, grant the other Party the necessary permission in an expeditious manner.

## **ARTICLE 8**

1. Nothing in this Agreement shall affect the rights and obligations of a Party under the applicable International Conventions.

2. Nothing in this Agreement shall be interpreted as prejudicing the position taken by a Party on issues regarding international law, particularly the law of the sea.

## ARTICLE 9

1. This Agreement shall enter into force from the date on which the Parties exchange notes notifying that the procedures required by their respective national laws have been completed.

2. This Agreement shall be in force for a period of three years. Thereafter, it shall remain valid until it is terminated pursuant to paragraph 3 of this Article.

3. Either Party may terminate this Agreement at any time on or after the date of expiry of the initial period of three years by giving a six-month prior notice in writing to the other Party.

4. Except as otherwise agreed, the termination of this Agreement shall not affect the ongoing search and rescue operation conducted in accordance with this Agreement.

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

Done in duplicate at Seoul on this 10th day of April, 2007, in the Korean, Chinese and English languages, each text being equally authentic.

FOR THE GOVERNMENT OF  
THE REPUBLIC OF KOREA

FOR THE GOVERNMENT OF  
THE PEOPLE'S REPUBLIC OF CHINA