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**THE MARITIME SEARCH AND RESCUE LAW
OF THE KINGDOM OF BAHRAIN**

**A Legislation Drafting Project submitted in partial fulfillment of the
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Submitted By: Nayef Isa Alshaikh (Bahrain)

Supervisor: Mr. Riyaz Hamza

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TABLE OF CONTENTS

EXPLANATORY NOTE	1
1. Introduction	1
1.1 History	1
1.2 The Conventions Making Reference to Search and Rescue.....	2
1.2.1 Geneva Convention on the High Seas 1958 and United Nations Convention on the Law of the Sea 1982 (UNCLOS)	3
1.2.2 International Convention for the Safety of Life at Sea Convention 1974 (SOLAS)	3
1.2.3 The International Aeronautical and Maritime Search and Rescue Manual (IAMSAR Manual)	4
1.3 Maritime Search and Rescue Convention 1979 (SAR Convention)	5
2. Search and Rescue in Bahrain.....	10
2.1 The Practice of Search and Rescue in the Region of Bahrain	10
2.2 IMO Conventions Ratified by Bahrain.....	12
2.3 The Lack of Legislation Relating to Search and Rescue.....	12
3. The Legislative and the Executive Procedures to Apply SAR Convention in Bahrain	14
3.1 The Legislative Procedures	14
3.2 The Executive Procedures	15
4. Explanation of the Draft Law	17
PART I THE ROYAL DECREE FOR ACCESSION TO THE MARITIME SEARCH AND RESCUE CONVENTION.....	19
Article 1	19

Article 2	19
PART II THE MARITIME SEARCH AND RESCUE LAW	20
CHAPTER 1 TERMS AND DEFINITIONS.....	20
Article 1	20
CHAPTER 2 ORGANIZATION AND CO-ORDINATION	22
Article 2	22
Article 3	24
Article 4	24
Article 5	25
Article 6	25
Article 7	25
CHAPTER 3 CO-OPERATION BETWEEN STATES	26
Article 8	26
CHAPTER 4 OPERATING PROCEDURES	28
Article 9	28
Article 10	29
Article 11	29
Article 12	30
Article 13	31
Article 14	32
Article 15	32
Article 16	33
CHAPTER 5 SHIP REPORTING SYSTEMS	34
Article 17	34

Article 18	35
Article 19	35
Article 20	35
CHAPTER 6 FINAL PROVISIONS	36
Article 21	36
Article 22	36
Article 23	36
PART III THE MINISTERIAL ORDER	37
Annex 1 The Maritime Search and Rescue Zones Chart	39
Annex 2 The Maritime Search and Rescue Zones Positions	40

EXPLANATORY NOTE

1. Introduction

1.1 History

Since the earliest times, the sea has always been synonymous with insecurity for those who venture on to it. As the proverb puts it “he that would sail without danger must never come on the main sea”.¹

“The history of navigation since ancient times shows that the need for safety came only gradually to the fore, in the wake of accident and disasters, bringing about huge changes in the individual and collective behavior of those engaged in maritime activities, which clung to ancient practices and habits.”²

The first establishment of the rescue operations at sea began in the eighteenth century and the beginning of the nineteenth century, by the Royal National Lifeboat Institution in the United Kingdom and Republic of Ireland since 1824.³

In the aftermath of the Titanic disaster,⁴ the first international conference on the safety of life at sea was convened. The first International Convention on Safety of Life at Sea was signed in 1914 by only by five States⁵. It entered into force on 25 May 1980.

The International Convention on Maritime Search and Rescue 1979 (SAR Convention) was adopted on 27 April 1979, and came into force on 22 June 1985.

¹ Boisson, Philippe; SAFETY AT SEA (Policies, Regulations & International Law), Edition BUREAU VERITAS, Paris, 1999, p. 45.

² Ibid.

³ International Life Saving Federation <<http://www.ilsf.org/about/members/rnli>> 3 May 2015.

⁴ On 10th April 1912, the Titanic sailed from Southampton in UK to New York, and she was at that time the largest ship, and it was said that she will never sink. On 14th April 1912, she struck an iceberg about 400 miles off Newfoundland, Canada. Therefore and less than three hours later she plunged to the bottom of the sea, taking more than 1500 people with her. Only 700 people were saved. <<http://www.encyclopedia-titanica.org>> 3 May 2015.

⁵ Boisson, Philippe; *op. cit.*, p. 54.

Although the obligation of ships to go to the assistance of vessels in distress was enshrined both in tradition and in international treaties, there was, until the adoption of the SAR Convention, no international system covering search and rescue (SAR) operations. In some areas there was a well-established organization able to provide assistance promptly and efficiently, in others there was nothing at all.⁶

SAR operations are carried out within the framework of the system set up by the SOLAS Convention, in accordance with the procedures contained in the SAR Convention. All such operations are directed from a rescue coordination center (RCC) with the use of satellite technology.

In the past the actual search and rescue were conducted in terms of manuals : the Merchant Ship Search and Rescue (MERSAR) Manual, first published in 1971, and the International Maritime Organization Search and Rescue (IMOSAR) Manual, first published in 1978. The International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual revises and replaces MERSAR and IMOSAR.⁷

In order to more effectively contribute to safety of life at sea, ships are urged to participate in ship reporting systems established for the purpose of facilitating SAR operations.⁸

1.2 The Conventions Making Reference to Search and Rescue

Search and Rescue has been covered in various conventions such as Civil Aviation Convention 1944, Geneva Convention on the High Seas 1958, International Convention for the Safety of Life at Sea 1974 (SOLAS), Maritime Search and Rescue Convention 1979 (SAR Convention) which is the main Convention on search and rescue at sea, the United Nations Convention on the Law of the Sea 1982 (UNCLOS), and the IAMSAR Manual.

⁶IMO<<http://www.imo.org/OurWork/Safety/RadioCommunicationsAndSearchAndRescue/SearchAndRescue/Pages/Default.aspx>> 3 May 2015.

⁷IMO<<http://www.imo.org/OurWork/Safety/RadioCommunicationsAndSearchAndRescue/SearchAndRescue/Pages/SARConvention.aspx>> 3 May 2015.

⁸ Legal Brief on International Law and Rescue at Sea, The United Nations Refugee Agency, 19 May 2008, p. 2.

1.2.1 Geneva Convention on the High Seas 1958 and United Nations Convention on the Law of the Sea 1982 (UNCLOS)

Starting with the Geneva Convention on the High Seas 1958, article 12 provides that

1. Every State shall require the master of a ship sailing under its flag, insofar as he can do so without serious danger to the ship, the crew or the passengers:

- (a) To render assistance to any person found at sea in danger of being lost;
- (b) To proceed with all possible speed to the rescue of persons in distress if informed of their need of assistance, insofar as such action may reasonably be expected of him.
- (c) After a collision, to render assistance to the other ship, her crew and her passengers and, where possible, to inform the other ship of the name of his own ship, her port of registry and the nearest port at which she will call.

2. Every coastal State shall promote the establishment and maintenance of an adequate and effective search and rescue service regarding safety on and over the sea and — where circumstances so require — by way of mutual regional arrangements cooperate with neighbouring States for this purpose.

The same words were adopted in UNCLOS under article 98, the Flag States and Coastal States have a duty to render assistance to persons found at sea in the danger of being lost and people in distress.⁹

1.2.2 International Convention for the Safety of Life at Sea Convention 1974 (SOLAS)

SOLAS has also similar provision with the Geneva Convention on the High Seas 1958 and the UNCLOS, Regulation V/33.1 of SOLAS provides that the “master of a ship at sea which is in a position to be able to provide assistance, on receiving information from any source that persons are in distress at sea is bound proceed with all speed to their assistance, if possible informing them or the search and rescue service that the ship is doing so”

⁹ Trevisanut, Seline; Law of the Sea Symposium: Search and Rescue Operations at Sea – Who is in Charge? Who is Responsible? <<http://opiniojuris.org/2013/05/28/law-of-the-sea-symposium-search-and-rescue-operations-at-sea-who-is-in-charge-who-is-responsible>> 3 May 2015.

Furthermore in Chapter V, Regulation 7 of SOLAS provides that:

1. Each Contracting Government undertakes to ensure that necessary arrangements are made for distress communication and co-ordination in their area of responsibility and for the rescue of persons in distress at sea around its coasts. These arrangements shall include the establishment, operation and maintenance of such search and rescue facilities as are deemed practicable and necessary, having regard to the density of the seagoing traffic and the navigational dangers and shall, so far as possible, provide adequate means of locating and rescuing such persons.
2. Each Contracting Government undertakes to make available information to the Organization concerning its existing search and rescue facilities and the plans for changes therein, if any.
3. Passenger ships to which chapter I applies shall have on board a plan for co-operation with appropriate search and rescue services in the event of an emergency. The plan shall be developed in co-operation between the ship, the company, as defined in regulation IX/1 and the search and rescue services. The plan shall include provisions for periodic exercises to be undertaken to test its effectiveness. The plan shall be developed based on the guidelines developed by the Organization.

1.2.3 The International Aeronautical and Maritime Search and Rescue Manual (IAMSAR Manual)

As a guide to Chapter V, Regulation 7 of SOLAS the IMO and the International Civil Aviation Organization (ICAO) jointly developed and published (IAMSAR) Manual, which is divided into three volumes, the first volume covers the Organization and Management, second volume covers Mission Co-ordination, and the last volume covers Mobile Facilities,¹⁰ and the last update was in 2013.

The primary purpose of the three volumes of the IAMSAR Manual is to assist States in meeting their own search and rescue (SAR) needs, and the obligations they accepted under the Convention on International Civil Aviation, SAR Convention and SOLAS.

¹⁰IMO<<http://www.imo.org/OurWork/Safety/RadioCommunicationsAndSearchAndRescue/SearchAndRescue/Pages/IAMSARManual.aspx>> 3 May 2015.

These volumes provide guidelines for a common aviation and maritime approach to organizing and providing SAR services. States are encouraged and to consider their SAR services to be part of a global SAR system.¹¹

Beside these Conventions, the Salvage Convention 1989 includes some provision dealing with rescue, and the Chicago Convention on International Civil Aviation 1944 provides the rules dealing with search and rescue for the aircrafts.

1.3 Maritime Search and Rescue Convention 1979 (SAR Convention)

The SAR Convention was adopted by an international conference held in Hamburg, Germany, in April 1979. This Convention is designed to improve existing arrangement and provide a framework for carrying out search and rescue operations following accidents at sea.¹²

The Convention has 8 articles and has an annex comprising of five chapters:

Chapter 1 – Terms and definition

Describes the terms and definitions used in the Convention.

Chapter 2 – Organization and co-ordination

This Chapter deals with the responsibilities of Governments' Parties, and requires them to establish search and rescue regions within their waters. Furthermore the parties under this Chapter are required to establish search and rescue centers which are capable to perform search and rescue services. Parties are also required to ensure the practicable co-ordination between maritime and aeronautical services.

Chapter 3 – Co-operation between States

Under this Chapter the parties shall co-ordinate their search and rescue organizations, and search and rescue operations with those of neighbouring States.

¹¹ IAMSAR Manual, Foreword, p. 1.

¹² SAR Convention International Convention on Maritime Search and Rescue, 1979 as amended by resolutions MSC.70 [69] and MSC. 155 [78], INTERNATIONAL MARITIME ORGANIZATION, Third edition, 2006, p III.

Chapter 4 – Operating procedures

Operating procedures in this Chapter include Preparatory measures, Information concerning emergencies, Initial action, Emergency phases, Procedures to be followed by rescue co-ordination centres and rescue sub-centres during emergency phases, Co-ordination when two or more Parties are involved, On-scene co-ordination of search and rescue activities, and Termination and suspension of search and rescue operations.

Chapter 5 – Ships reporting system

Chapter 5 put out the rules regarding to the ship reporting systems for search and rescue purposes, such as the operational requirement, types of report, and use of system.

Further, there are 8 resolutions adopted by the 1979 SAR Conferences:

Resolution 1 – Arrangements for provision and co-ordination of search and rescue services

The Resolution was adopted to urge States to provide co-ordination of search and rescue services in all sea areas, to forward to the Inter-Governmental Maritime Consultative Organization information on their national search and rescue services, and to invite the Inter-Governmental Maritime Consultative Organization to assist search and rescue services.

Resolution 2 – Cost to ships of participation in ship reporting systems

This Resolution viewed the importance of ship reporting system, recognized the participation of the voluntary ship reporting system, and recommends that States should arrange that participation in such systems shall be free of message cost to the ships concerned.

Resolution 3 – Need for an internationally agreed format and procedure for ship reporting system

The Resolution adopted an internationally agreed standard ship reporting format and internationally agreed standard procedures to solve the confusion between trading vessels. It has an annex of this format.

Resolution 4 – Search and rescue manuals

The Resolution urges States to use the guidelines provided in the manuals, to bring them to the attention of all concerned, and to endorse the action already taken by the Inter-Governmental Maritime Consultative Organization for amending and keeping the manuals up to date.

Resolution 5 – Frequencies for maritime search and rescue

The Resolution urges the World Administrative Radio Conference, to allocate one frequency, to be reserved exclusively for distress and safety purposes, and to recognize that all telecommunications to and from ships at sea may comprise elements of importance to search and rescue.

Resolution 6 – Development of global maritime distress and safety system

This Resolution Invites the Inter-Governmental Maritime Consultative Organization to develop a global maritime distress and safety system that includes telecommunications provisions for the effective operation of the search and rescue plan.

Resolution 7 – Harmonization of search and rescue services with maritime meteorological services

The Resolution invites the Inter-Governmental Maritime Consultative Organization to work closely with the World Meteorological Organization to explore the practicability of harmonizing the areas of maritime meteorological forecasts and warnings with maritime search and rescue regions; to request the World Meteorological Organization to take steps to ensure that up-to-date meteorological and oceanographical information is immediately available to the search and rescue services for the whole of the regions they serve; and investigate the feasibility of ships making weather and position reports to the same coast radio station.

Resolution 8 – Promotion of technical co-operation

The Resolution urges States to promote, in consultation with, and with the assistance of, the Inter-Governmental Maritime Consultative Organization, support for States requesting technical assistance.

The Convention came into force in 1985, 12 months after the date on which 15 States had signed it definitively or deposited an instrument of ratification, acceptance, approval or accession with the Secretary-General of the International Maritime Organization (IMO).¹³

The SAR Convention address the lack of uniformity in national organization plans and the lack of agreed and standardized procedure on the worldwide basis. Clause 2.2 of the Annex provides the development of national search and rescue services and aimed as facilitating the development of an international SAR plan “[...] to improve the search and rescue service in areas such as operations, planning, training, exercises and research and development.”, so that, no matter where an accident occurs.¹⁴

The rescue of persons in distress at sea will be coordinated by SAR organization and by cooperation between neighboring SAR organizations, as provided in Chapter 3 of the Annex.

Since the SAR Convention imposes considerable obligations on its parties, such as setting up the required shore installations, it has not been ratified by as many countries as some other treaties. While the Convention entered into force in 1985, as of 1 May 1998 it had been ratified by only 57 countries, whose combined merchant fleets represented less than 50 per cent of the world tonnage.¹⁵

Amendments to the 1979 SAR Convention were adopted by MSC at its sixty-ninth session by resolution MSC.70 (69) of 18 May 1998. The amendments, after entering into force would clarify the responsibilities of Government and put greater emphasis on the regional approach and coordination between maritime and aeronautical search and rescue operations.¹⁶

The Convention encourages between States Parties and search and rescue organization around the world with regard to search and rescue operations at sea. Search and rescue regions are established by concerned parties.¹⁷

¹³ SAR Convention, *op. cit.*, p. III.

¹⁴ Harm, Barbara Kwiatkowska; International Organizations and the Law of the Sea, Kluwer Law International, the Hague, 2000, p. 40.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Wu, Shicun; and Zou Keyan; Maritime Security in the South China Sea: Regional Implications and International Cooperation, MPG Books Group, UK, 2009, p. 21.

Both SOLAS and SAR Conventions were amended in 2004. The purpose of these amendments were to help ensure that persons in distress are assisted, while minimizing the inconvenience to assisting ships and ensuring the continued integrity of SAR services.

Amendments imposed upon States' Governments an obligation to co-ordinate and cooperate to ensure that masters of ships providing assistance by embarking persons in distress at sea are released from their obligations with minimum further deviation from the ship's intended voyage.¹⁸

The Convention divided the obligations and responsibility into:

1. Obligation to provide assistance to persons in distress at sea (paragraph 2.1 of the Annex), Responsibility of the shipmaster.

Shipmasters have certain duties that must be carried out in order to provide for safety of life at sea, preserve the integrity of global SAR services of which they are part, and to comply with humanitarian and legal obligations.

2. Obligation to establish search and rescue centers (paragraph 2.3 of the Annex).

3. Humanitarian obligations: State obligations under the international law

- Survivors of distress incidents are provided assistance regardless of nationality or status or the circumstances in which they are found (paragraph 2.1.10 of the Annex);
- Ships, which have retrieved persons in distress at sea, are able to deliver the survivors to a place of safety (paragraph 3.1.9 of the Annex); and
- Survivors, regardless of nationality or status, including undocumented migrants, asylum seekers and refugees, and stowaways, are treated, while on board, in the manner prescribed in the relevant IMO instruments and in accordance with relevant international agreements and long-standing humanitarian maritime traditions.

Maritime SAR is not usually considered to include the salvage of property, such as ships and vessels. This service is usually provided by private sector enterprises.¹⁹ This is the main difference between SAR and Salvage.

¹⁸ Legal Brief on International Law and Rescue at Sea, *op. cit.*, p.3.

¹⁹ Rajavartiolaitos <<http://www.raja.fi/sar/en>> 3 May 2015.

2. Search and Rescue in Bahrain

The Kingdom of Bahrain is not a party to the SAR Convention. However, on 11 May 2014, the Council of Ministers have agreed to accede to the Convention, and referred the drafting of law to the legislative authority for ratification at the earliest opportunity.

2.1 The Practice of Search and Rescue in the Region of Bahrain

The Kingdom of Bahrain has had many accidents and distresses in her territorial sea in the past years. Hence, the Search and Rescue operations in Bahrain are increasing year by year and the accidents at sea have become a serious problem facing the Government of Bahrain.

The head of Bahrain Coastguard,²⁰ declared that 57 Search and rescue operation including the assistance of 130 persons at sea has been recorded between January and April 2012.²¹

On 30 March 2006, at least 57 people died after a crowded pleasure boat (*Al-Dana*) capsized in the Gulf off the coast of Bahrain; at least 67 people were rescued from the al-Dana vessel, which capsized in calm seas not far from the shoreline.

Bahrain's coastguard service launched an immediate rescue operation, reaching the scene within minutes. US divers and small naval craft from the US 5th Fleet also joined the rescue efforts.²²

Another major accident occurred on 15 March 2012, when a Chemical tanker, *The Stolt Valor*, suffered an explosion while proceeding through the Arabian Gulf near Jubail, Saudi Arabia. Twenty four of the twenty five people on board abandoned the ship into the vessel's life rafts. All were quickly rescued by a nearby naval vessel. One crewman was reported missing and confirmed dead the next day. Authorities dispatched firefighting tugs to the scene. *The Stolt*

²⁰ The 1940s witnessed the formation of guard for the coastline in Bahrain, which is known today as the Coastguard. Today Bahrain coastguard is a department of the Ministry of Interior formed of one Headquarter and two bases.

²¹ Al-Ayam Newspaper, No. 8493 Wednesday, 11 July 2012.

²² BBC News < http://news.bbc.co.uk/2/hi/middle_east/4862948.stm > 3 May 2015.

Valor had departed from Jubail with 13000 tonnes of highly toxic Methyl Tertiary Butyl Ether (MTBE) bound for Bahrain.²³

The explosion occurred in the territorial sea of Saudi Arabia, however the casualties moved to Bahrain for the medical assistance by the US and Bahrain Coastguard, as the nearest medical point to the position of the accident.

This case gave rise to the need of the co-operation between Bahrain and its neighbouring States to carry out the search and rescue operations near the borders between the States.

The Governmental authorities in Bahrain such as the Coastguards, the Navy, the Civil Aviation Department, and the Port Authority, are making extreme efforts for developing the search and rescue services, by establishing internal exercises between the domestic authorities and external exercises between the Kingdom of Bahrain and the other States. Currently, Coastguard takes the lead in the search and rescue operations with the assistance of the other entities.

Bahrain has participated in many search and rescue exercises with the Gulf Co-operation Council (GCC). On the 2nd and the 3rd of March 2014, Bahrain has participated in the KHALEGI SALAM 4 exercise between Saudi Arabia, Kuwait, and Bahrain on the arrest ships and search and rescue at sea.

Moreover, Port and Maritime Affairs in Ministry of Transportation in Bahrain organized a regional conference on search and rescue co-operated with IMO and Civil Aviation Organization (CAO) hosted in Bahrain with participation of 70 members of GCC States.²⁴

Interior Minister Lieutenant-General Shaikh Rashid bin Abdulla Al Khalifa, has declared that the Ministry of Interior has taken the process to accede SAR Convention and began to prepare a study on the Convention which has raised to the Council of Ministers. On the 11th of May 2014, the Council of Ministers agreed to accede to the Convention.²⁵

The Coastguard has search and rescue department in the headquarters dealing with the matters of accidents, distress, non-found persons at sea, the department has their own boats, motor

²³ Falck <http://www.falck.com/en/timeline-events/2012_2> 3 May 2015.

²⁴ Bahrain News Agency <<http://www.bna.bh/portal/news/637906>> 3 May 2015.

²⁵ Ibid.

wheeler, ruble boats, and divers to be able to provide the service of search and rescue in the whole area in the territorial sea of Bahrain²⁶.

Ministry of Transportation declared that, Long Range Identification and Trafficking of Ships (LRIT) information is shared for security and search and rescue (SAR) purpose.²⁷

2.2 IMO Conventions Ratified by Bahrain

The Kingdom of Bahrain has ratified many IMO's Conventions including SOLAS Convention 1974, Load Lines Convention 1966, Convention on the International Regulations for Preventing Collisions at Sea 1972 (COLREG's), International Convention on Standard of Training, Certification, and Watchkeeping for Seafarers 1978 (STCW), Amendment to the Convention on the International Maritime Satellite Organization 1976 (INMARSAT), International Convention for Prevention of Pollution from Ships (MARPOL) (Annex I/II) and (Annex V), International Convention on Civil Liability for Oil Pollution Damage (CLC) (Protocol 1976 and 1992), Tonnage Convention 1969, Convention on the International Maritime Satellite Organization 1973 (IMSO), and the Suppression of Unlawful Acts Convention 1988 (SUA) and SUA Protocol 1988.

2.3 The Lack of Legislation Relating to Search and Rescue

Bahrain Maritime Law 1982 regulates the salvage and rescue in Part IV Chapter two. Further, the Civil Aviation Law 2013 also regulates search and rescue.

However both of these legislation do not apply the SAR Convention, because the rules of salvage and rescue deal with the remuneration of salvage and the assistance of the goods.

On the other hand the rules of rescue do not cover all aspects of the search and rescue as mentioned on the SAR Convention. It has only one article upon the duty of master in the case of

²⁶ On 20 April 1993, Bahrain increased its territorial sea from 3 miles to 12 miles; on 30 May 1985 Bahrain ratified UNCLOS. In 1993 the Decree No (8/1993) sets the territorial sea and contiguous zone of the Kingdom of Bahrain.

²⁷ Ministry of Transportation < <http://mot.gov.bh/en/ports-and-maritime/licensing-and-administration/maritime-administration->> 3 May 2015.

facing an incident require a rescue operation in article 207 of the Bahrain Maritime Code which provides that: “Every master shall as far as possible and without putting his ship, seamen or passengers at any serious risk offer assistance to every person at sea who is in danger threatening his life, even though he is an enemy.”

This obligation shall be performed by any pilot if the rescue operation undertaken does not put his aircraft, crew or passengers at risk.

Further, the master of a ship or pilot of any aircraft in default of offering the assistance referred to in the foregoing two paragraphs shall be liable for punishment with imprisonment for a period not exceeding two years and a fine not less than BD 100 and not exceeding BD 500, or either punishment. Neither the ship owner nor operator shall be held liable for any compensation adjudged in favor of any third party by reason of such offence.”

Another article which refers to the rescue is found in Part IV Chapter one which deals with collisions. Article 194 provides that: “The master of each ship involved in a collision shall come to the assistance of the other ship, its seamen and passengers as far as possible without putting his ship, seamen and passengers into any grave danger. He shall as far as possible notify the other vessel of the name of his ship, port of registration, port of departure and destination.”

The article describes the obligation of the master who causes a collision and damage to another ship, which means that the article does not include the government obligations, therefore, this article does not comply with the SAR Convention.

Further, the Bahrain Maritime Code 1982 is outdated, and cannot rely on it to cover the requirements of search and rescue operations. The last amendment on 7 August 2014 amended few articles only.

Furthermore, the Civil Aviation Law 2013 in article 1 states that “[...] Search and Rescue: any assistance given, even as information, to an aircraft that is subjected or may be subjected to destruction, or is threatened by danger or difficulties, or there is doubt or fear for its safety, including assistance to its passengers [...]”

From all the above, it can be seen that it is imperative for the Kingdom of Bahrain to accede to the SAR Convention as soon as possible, and draft a new law regulating the operations of

search and rescue complying to the Convention to be able to face the accidents and distress at sea in the legal aspect.

Not only that, Bahrain has also to establish bilateral and multilateral treaties with the neighbouring States on the search and rescue to obtain the most effective search and rescue services.

Practically, *Al-Dana* accident showed the lack of legislation. It was not clear which authority was responsible (beside the mastership and ownership). The Coastguard was blamed for the accident. However, legally there was no responsibility for Coastguard because of the lack of legislation.

3. The Legislative and the Executive Procedures to Apply SAR Convention in Bahrain

3.1 The Legislative Procedures

Article 37 of the Constitution of Kingdom of Bahrain as amended in 2002 provides that:

The King shall conclude treaties by Decree, and shall communicate them to the Consultative Council and the Chamber of Deputies forthwith accompanied by the appropriate statement. A treaty shall have the force of law once it has been concluded and ratified and published in the Official Gazette.

However, peace treaties and treaties of alliance, treaties relating to State territory, natural resources, rights of sovereignty, the public and private rights of citizens, treaties pertaining to commerce, navigation and residence, and treaties which involve the State Exchequer in non-budget expenditure or which entail amendment of the laws of Bahrain, must be promulgated by law to be valid [...]

Therefore, Bahrain seems as a monist system. However, there are some exceptions applying dualist approach in same treaties as mentioned in the article. It may be concluded that Bahrain has a hybrid system upon the ratification of treaties.

SAR Convention may considered as navigation and rights of sovereignty treaty, so it must be promulgated by law to be valid after the ratification of the King of Bahrain.

According to the Constitution, the King is the protector of the legality of the government and the supremacy of law. He can propose constitutional amendments and initiates laws, and he alone ratifies and promulgates the laws.

A bill is considered to be ratified and promulgated by the King if a period of six months from the date of its submission from the Advisory Council and the Parliament without the King returning it to any of those councils for reconsideration. Further, if the Advisory Council or the Parliament reconfirms the bill by a majority vote of two thirds of its members, the King shall ratify and promulgate the bill within one month from the date of reconfirmation.²⁸

Moreover, the King signs and ratifies treaties as well by a decree and transfers them to the Parliament and the Advisory Council. Thereafter, a treaty can have the force of a law upon ratification and publication in the official Gazette. With regard to peace treaties and alliances, treaties relating to the territory of the State, its natural resources or sovereign rights, or public or private rights of citizens, trade treaties, navigation or residence and treaties that cause additional expenditures not provided for in the budget of the State or which include amendments to the laws of Bahrain, these treaties can only come into effect when made by a Law. It is important to note that a treaty may never include secret provisions that contradict its declared conditions.²⁹

For the purpose of acceding to the SAR Convention. The implementation of this Convention it will be done through drafting of a new domestic Decree, to which the Law will be attached, and a ministerial order to ensure the application of the executive aspect.

3.2 The Executive Procedures

To achieve the aim of the SAR Convention, the Government of Bahrain must follow the articles of the Convention to the maximum extent; by establishing a special institution dealing with the search and rescue operations under the observation of the Coastguard.

The search and rescue center must be provided of the full requirements and equipment, to produce the best service of search and rescue.

²⁸ Mechantaf, Khalil, *The Constitutional Law and the Legal system of the Kingdom of Bahrain* <<http://www.nyulawglobal.org/globalex/bahrain.htm>> 3 May 2015.

²⁹ Ibid.

The annex provides that “Parties shall ensure the closest practicable co-ordination between maritime and aeronautical services.” Search and rescue operations need the cooperation of the internal institutions and the external institution of the neighbouring States, which could be organized by bilateral and multilateral treaties.

The Government shall define the areas of searching and rescuing (SAR Zone) under the responsibility of the State, the search and rescue not to be carried out in the territorial water only; it might be extended beyond it if needed.

The Coastguard in general has the facilities to provide the search and rescue services in co-ordination with the Civil Aviation, Navy, and the Port Authority. However, the Coastguard may be able to provide the SAR services to the small ships, but it will have difficulty with the containers and the large ships.

As provided in SOLAS chapter 5, regulation 7 and SAR Convention Chapter 1, 2, 3 as amended, Governments should ensure that their respective rescue co-ordination centers (RCCs) and other national authorities concerned have sufficient guidance and authority to fulfill their duties.³⁰

In most developed countries they have established search and rescue centers provided by helicopters and a large fleet of ships, governed by the government of the State, other States have contracted with private institutions providing the service of search and rescue. It is not matter either governed by the government or the private institution, the most important issue that these centers should be observed by the government of State in order to ensure that the maximum effort is given.

The Government has to establish a search and rescue center or develop the existing search and rescue department at the Coastguard, in order to be able to effectively carry out search and rescue operation and to expeditiously respond to accidents and distresses at sea, which occurred almost daily in the region of Bahrain.

Beside the Automatic Identification system (AIS), the Coastguard started to apply the Vessel Identification System (VIS), which identifies the position of small and fishing vessels, which as a

³⁰ Legal Brief on International Law and Rescue at Sea, *op. cit.*, p. 2.

result will help the SAR Services. The government through her organs shall do inspections to oblige the ownerships to fix the system into their vessels.

The search and rescue operations aim to save people live as one of the most significant matters which the Government has the responsibility to preserve it. Therefore, the legislation itself is not enough to achieve this aim. The Executive procedures shall be taken.

4. Explanation of the Draft Law

In order to prepare an adequate legislative framework for the implementation of the SAR Convention, this draft will be divided into three parts.

First, the Royal Decree for accession to the SAR Convention;

Second the Law attached to the Decree, which is the body of the national search and rescue rules; and

Third, the Ministerial Order of the Ministry of Interior, which determines the search and rescue zones, and to set further rules assist the application of the SAR Convention.

The Royal Decree will provide the legal basis of the accession to the SAR Convention, by reviewing the constitution and the relative Laws, if any, followed by the accession article and the enforcement of the law through the Prime Minister and Ministers.

The main draft will be in the second part of the draft text which sets the implementation of SAR Convention. This Part will be divided into 6 Chapters.

Chapter I comprising of one Article provides 19 terms and definitions used under this draft presented.

Chapter II deals with the Organization and Cooperation which is divided into 6 Articles, arrangements for provision and co-ordination of search and rescue services, Development of national search and rescue services, Establishment of rescue co-ordination centres and rescue sub-centres, Co-ordination with aeronautical services, Designation of search and rescue facilities, and Equipment of search and rescue units.

Chapter III covers the cooperation between States parties, and regulates the entry of the parties to the territory of the other parties for the purpose of search and rescue operations, such entrance should be with the knowledge of the other parties, and set agreements for this purpose.

Furthermore the Article 8 (5) of this Chapter provides the authorities which should be given to the rescue co-ordination centres, followed by Article 8 (6) which governs the rules of co-ordinate and co-operate with the masters of ships providing assistance by embarking persons in distress at sea.

The operating procedures are covered under Chapter IV, these procedures include: preparatory measures, information concerning emergencies, initial action, emergency phases, procedures to be followed by rescue co-ordination centres and rescue sub-centres during emergency phases, co-ordination when two or more Parties are involved, on-scene co-ordination of search and rescue activities, and termination and suspension of search and rescue operations.

Chapter V of Law of the Search and Rescue deals with ship reporting system, its operational system, types of reports and use of system.

The last Chapter will adopt the final provisions of the Law, and it will set the obligations of the Ministry of Interior of establishing the SAR Zone, and the responsibility of holding the Annual Meetings.

This Law is drafted in a manner to cover all aspects provided in the SAR Convention, and to be the National Search and Rescue Manual. The draft presented followed the same structure of the Convention.

Finally, an executive part attached to this draft, the Ministerial Order of the Ministry of Interior forms a significant part of this draft, to ensure the application of the National Law and the Convention.

This Ministerial Order sets up the maritime Search and Rescue Zones, the approval procedures of search and rescue operations, and the meeting of relevant authorities participated in the search and rescue operations in Bahrain.

Furthermore, the Ministerial Order has two annexes, the first will be a Chart explaining the Maritime Search and Rescue Zones, and the second will sets the navigational positions of the Zones.

PART I

THE ROYAL DECREE FOR ACCESSION TO THE MARITIME SEARCH AND RESCUE CONVENTION

Decree No. --- of 2015, 4 May 2015

We, Hamad bin Isa Al-Khalifa, King of the Kingdom of Bahrain.

Having reviewed the Constitution;

And the 1979 International Convention on Maritime Search and Rescue

The Consultative Council and Council of Representatives ratified the following Law which we approved and enacted:

Article 1

According to Bahrain's accession to the 1979 International Convention on Maritime Search and Rescue, adopted in Hamburg, Germany on 27 April 1979.

Article 2

The Prime Minister and the Ministers - each in his own capacity – shall implement this Law which shall come into effect as of the next day following the publication thereof in the Official Gazette.

Hamad bin Isa Al-Khalifa

King of the King of Bahrain

Issued in Rifa' Palace

Date: 15 Rajab 1436H Corresponding: 4 May 2015

PART II

THE MARITIME SEARCH AND RESCUE LAW

CHAPTER 1

TERMS AND DEFINITIONS

Article 1

In the application of this Law, and unless otherwise required by the context, the following words and phrases shall have the following meanings:

1. "Search". An operation, normally co-ordinated by a rescue co-ordination centre or rescue sub-centre, using available personnel and facilities to locate persons in distress;
2. "Rescue". An operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety;
3. "Search and rescue service". The performance of distress monitoring, communication, co-ordination and search and rescue functions, including provision of medical advice, initial medical assistance, or medical evacuation, through the use of public and private resources including co-operating aircraft, vessels and other craft and installations;
4. "Search and rescue zone". An area of defined dimensions associated with a rescue co-ordination centre within which search and rescue services are provided, as established by the Ministry of Interior;
5. "SARDCG". Search and Rescue Department of Bahrain Coastguard coming under the purview of the Ministry of Interior, established by the Royal decree No ---.
6. "Rescue co-ordination centre". A unit established by SARDCG responsible for promoting efficient organization of search and rescue services and for co-ordinating the conduct of search and rescue operations within a search and rescue region;

7. "Rescue sub-centre". A unit established by SARDCG subordinate to a rescue co-ordination centre established to complement the latter according to particular provisions of the responsible authorities;
8. "Search and rescue facility". Any mobile resource, including designated search and rescue units, used to conduct search and rescue operations;
9. "Search and rescue unit". A unit composed of trained personnel and provided with equipment suitable for the expeditious conduct of search and rescue operations;
10. "Alerting post". Any facility intended to serve as an intermediary between a person reporting an emergency and a rescue co-ordination centre or rescue sub-centre;
11. "Emergency phase". A generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase;
12. "Uncertainty phase". A situation wherein uncertainty exists as to the safety of a person, a vessel or other craft;
13. "Alert phase". A situation wherein apprehension exists as to the safety of a person, a vessel or other craft;
14. "Distress phase". A situation wherein there is a reasonable certainty that a person, a vessel or other craft is threatened by grave and imminent danger and requires immediate assistance;
15. "On-scene co-ordinator". A person designated to co-ordinate search and rescue operations within a specified area;
16. "Organization". The International Maritime Organization.
17. "Secretary-General". The Secretary-General of the International Maritime Organization".
18. "Shall" is used in the Law to indicate a provision, the uniform application of which by all Parties is required in the interest of safety of life at sea.
19. "Should" is used in the Law to indicate a provision, the uniform application of which by all Parties is recommended in the interest of safety of life at sea.

CHAPTER 2
ORGANIZATION AND CO-ORDINATION

Article 2

Arrangements for provision and co-ordination of search and rescue services

- (1) SARDCG shall, individually or in co-operation with other States and, as appropriate, with the Organization, participate in the development of search and rescue services to ensure that assistance is rendered to any person in distress at sea. On receiving information that any person is, or appears to be, in distress at sea, the responsible authorities of a Party shall take urgent steps to ensure that the necessary assistance is provided.
- (2) SARDCG shall, either individually or, if appropriate, in co-operation with other States, establish the following basic elements of a search and rescue service:
- a. legal framework;
 - b. assignment of a responsible authority;
 - c. organisation of available resources;
 - d. communication facilities;
 - e. co-ordination and operational functions; and
 - f. processes to improve the service including planning, domestic and international co-operative relationships and training.
- (3) SARDCG shall, as far as practicable, follow relevant minimum standards and guidelines developed by the Organization.
- (4) SARDCG shall, individually or in co-operation with other States, ensure that sufficient search and rescue zones are established within each sea area in accordance with paragraphs 5 and 6 of this Article. Such zones should be contiguous and, as far as practicable, not overlap.
- (5) Each search and rescue zone shall be established by agreement among Parties concerned. The Secretary-General shall be notified of such agreements.

- (6) In case agreement on the exact dimensions of a search and rescue region is not reached by the Parties concerned, those Parties shall use their best endeavours to reach agreement upon appropriate arrangements under which the equivalent overall co-ordination of search and rescue services is provided in the area. The Secretary-General shall be notified of such arrangements.
- (7) Agreement on the zones or arrangements referred to in paragraphs 5 and 6 of this Article shall be recorded by the Parties concerned, or in written plans accepted by the Parties.
- (8) The delimitation of search and rescue zones is not related to and shall not prejudice the delimitation of any boundary between States.
- (9) SARDCG should seek to promote consistency, where applicable, between their maritime and aeronautical search and rescue services while considering the establishment of maritime search and rescue regions which shall be established by agreement in accordance with paragraph 5 of this Article or the reaching of agreement upon appropriate arrangements in accordance with paragraph 6 of this Article.
- (10) SARDCG shall use search and rescue units and other available facilities for providing assistance to a person who is, or appears to be, in distress at sea.
- (11) SARDCG shall ensure that assistance be provided to any person in distress at sea. They shall do so regardless of the nationality or status of such a person or the circumstances in which that person is found.
- (12) SARDCG shall forward to the Secretary-General information on their search and rescue service, including the:
- a. national authority responsible for the maritime search and rescue services;
 - b. location of the established rescue co-ordination centres or other centres providing search and rescue co-ordination, for the search and rescue region or regions and communications therein;
 - c. limits of their search and rescue region or regions and the coverage provided by their shore based distress and safety communication facilities; and
 - d. principal types of available search and rescue units.

- (13) SARDCG shall with priority, update the information provided with respect to any alterations importance.

Article 3

Development of national search and rescue services

- (1) SARDCG shall establish appropriate national procedures for overall development, co-ordination, and improvement of search and rescue services.
- (2) To support efficient search and rescue operations, SARDCG shall:
- a. ensure the co-ordinated use of available facilities; and
 - b. establish close co-operation between services and organizations which may contribute
- to improve the search and rescue service in areas such as operations, planning, training, exercises and research and development.

Article 4

Establishment of rescue co-ordination centres and rescue sub-centres

- (1) To meet the requirements of Article 3, SARDCG shall individually or in co-operation with other States establish rescue co-ordination centres for their search and rescue services and such rescue sub-centres as they consider appropriate. Such establishment shall be published in the Gazette.
- (2) Each rescue co-ordination centre and rescue sub-centre, established in accordance with paragraph 1 of this Article, shall arrange for the receipt of distress alerts originating from within its search and rescue region. Every such centre shall also arrange for communications with persons in distress, with search and rescue facilities, and with other rescue co-ordination centres or rescue sub-centres.

(3) Each rescue co-ordination centre shall be operational on a 24-hour basis and be constantly staffed by trained personnel having a working knowledge of the Arabic and English language.

Article 5

Co-ordination with aeronautical services

(1) SARDCG shall ensure the closest practicable co-ordination between maritime and aeronautical services so as to provide for the most effective and efficient search and rescue services in and over their search and rescue zones.

(2) Whenever practicable, SARDCG should establish joint rescue co-ordination centres and rescue sub-centres to serve both maritime and aeronautical purposes.

(3) Whenever separate maritime and aeronautical rescue co-ordination centres or rescue sub-centres are established to serve the same area, the Party concerned shall ensure the closest practicable co-ordination between the centres or sub-centres.

(4) SARDCG shall ensure as far as is possible the use of common procedures by search and rescue units established for maritime purposes and those established for aeronautical purposes.

Article 6

Designation of search and rescue facilities

SARDCG shall identify all facilities able to participate in search and rescue operations, and may designate suitable facilities as search and rescue units.

Article 7

Equipment of search and rescue units

(1) Each search and rescue unit shall be provided with equipment appropriate to its task.

(2) Containers and packages containing survival equipment for dropping to survivors should have the general nature of their contents indicated by markings in accordance with standards adopted by the Organization.

CHAPTER 3

CO-OPERATION BETWEEN STATES

Article 8

Co-operation between States

(1) SARDCG shall co-ordinate their search and rescue organizations and should, whenever necessary, co-ordinate search and rescue operations with those of neighbouring States.

(2) Unless otherwise agreed between the States concerned, SARDCG should authorize, subject to applicable national laws, rules and regulations, immediate entry into or over Bahrain's territorial sea or territory of rescue units of other Parties solely for the purpose of searching for the position of maritime casualties and rescuing the survivors of such casualties. In such cases, search and rescue operations shall, as far as practicable, be co-ordinated by the appropriate rescue co-ordination centre of the Party which has authorized entry, or such other authority as has been designated by SARDCG.

(3) Unless otherwise agreed between the States concerned, the authorities of a Party which wishes its rescue units to enter into or over Bahrain's territorial sea or territory of another Party solely for the purpose of searching for the position of maritime casualties and rescuing the survivors of such casualties, shall transmit a request, giving full details of the projected mission and the need for it, to the SARDCG , or to such other authority as has been designated by the Government of Bahrain .

(4) SARDCG shall:

- a. immediately acknowledge the receipt of such a request; and

- b. as soon as possible indicate the conditions, if any, under which the projected mission may be undertaken.
 - c. Parties should enter into agreements with neighbouring States setting forth the conditions for entry of each other's search and rescue units into or over their respective territorial sea or territory. These agreements should also provide for expediting entry of such units with the least possible formalities.
- (5) Ministry of Interior, should authorize its rescue co-ordination centres;
- a. to request from other rescue co-ordination centres such assistance, including vessels, aircraft, personnel or equipment, as may be needed;
 - b. to grant any necessary permission for the entry of such vessels, aircraft, personnel or equipment into or over its territorial sea or territory;
 - c. to make the necessary arrangements with the appropriate customs, immigration, health or other authorities with a view to expediting such entry; and
 - d. to make the necessary arrangements in co-operation with other RCCs to identify the most appropriate place(s) for disembarking persons found in distress at sea.
 - e. Each Party shall ensure that its rescue co-ordination centres provide, when requested, assistance to other rescue co-ordination centres, including assistance in the form of vessels, aircraft, personnel or equipment.
 - f. Ministry of Interior and with cooperating with the Ministry of Foreign Affairs should enter into agreements with other States, where appropriate, to strength search and rescue co-operation and co-ordination. Parties shall authorize their responsible authority to make operational plans and arrangements for search and rescue co-operation and co-ordination with responsible authorities of other States.
- (6) SARDCG shall co-ordinate and co-operate to ensure that masters of ships providing assistance by embarking persons in distress at sea are released from their obligations with minimum further deviation from the ships' intended voyage, provided that releasing the master of the ship from these obligations does not further endanger the safety of life at sea. The Party responsible for the search and rescue region in which such assistance is rendered shall exercise

primary responsibility for ensuring such co-ordination and co-operation occurs, so that survivors assisted are disembarked from the assisting ship and delivered to a place of safety, taking into account the particular circumstances of the case and guidelines developed by the Organization.

CHAPTER 4

OPERATING PROCEDURES

Article 9

Preparatory measures

- (1) Each rescue co-ordination centre and rescue sub-centre shall have available up-to-date information especially concerning search and rescue facilities and available communications relevant to search and rescue operations in its area.
- (2) Each rescue co-ordination centre and rescue sub-centre should have ready access to information regarding the position, course, and speed of vessels within its area which may be able to provide assistance to persons, vessels or other craft in distress at sea, and regarding how to contact them. This information should either be kept in the rescue co-ordination centre, or be readily obtainable when necessary.
- (3) Each rescue co-ordination centre and rescue sub-centre shall have detailed plans of operation for the conduct of search and rescue operations. Where appropriate, these plans shall be developed jointly with the representatives of those who may assist in providing, or who may benefit from, the search and rescue services.
- (4) Rescue co-ordination centres or sub-centres shall be kept informed of the state of preparedness of search and rescue units.

Article 10

Information concerning emergencies

- (1) SARDCG, either individually or in co-operation with other States shall ensure that they are capable on a 24-hour basis of promptly and reliably receiving distress alerts from equipment used for this purpose within their search and rescue regions. Any alerting post receiving a distress alert shall:
 - a. immediately relay the alert to the appropriate rescue co-ordination centre or sub-centre, and then assist with search and rescue communications as appropriate; and
 - b. if practicable acknowledge the alert.
- (2) SARDCG shall, where appropriate, ensure that effective arrangements are in place for the registration of communication equipment and for responding to emergencies, to enable any rescue co-ordination centre or sub-centre to access pertinent registration information quickly.
- (3) Any authority or element of the search and rescue service having reason to believe that a person, a vessel or other craft is in a state of emergency shall forward as soon as possible all available information to the rescue co-ordination centre or rescue sub-centre concerned.
- (4) Rescue co-ordination centres and rescue sub-centres shall, immediately upon receipt of information concerning a person, a vessel, or other craft in a state of emergency, evaluate such information and determine the phase of emergency in accordance with Article 12, and the extent of operations required.

Article 11

Initial action

Any search and rescue unit receiving information of a distress incident shall initially take immediate action if in the position to assist and shall, in any case without delay, notify the rescue co-ordination centre or rescue sub-centre in whose area the incident has occurred.

Article 12

Emergency phases

To assist in determining the appropriate operating procedures, the following emergency phases shall be distinguished by the rescue co-ordination centre or sub-centre concerned:

- (1) Uncertainty phase:
 - a. when a person has been reported as missing, or a vessel or other craft is overdue;
or
 - b. when a person, a vessel or other craft has failed to make an expected position or safety report.
- (2) Alert phase:
 - a. when, following the uncertainty phase, attempts to establish contact with a person, a vessel or other craft have failed and inquiries addressed to other appropriate sources have been unsuccessful; or
 - b. when information has been received indicating that the operating efficiency of a vessel or other craft is impaired, but not to the extent that a distress situation is likely.
- (3) Distress phase:
 - a. when positive information is received that a person, a vessel or other craft is in danger and in need of immediate assistance; or
 - b. when, following the alert phase, further unsuccessful attempts to establish contact with a person, a vessel or other craft and more widespread unsuccessful inquiries point to the probability that a distress situation exists; or
 - c. when information is received which indicates that the operating efficiency of a vessel or other craft has been impaired to the extent that a distress situation is likely.

Article 13

Procedures to be followed by rescue co-ordination centres and rescue sub-centres during emergency phases

- (1) Upon the declaration of the uncertainty phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall initiate inquiries to determine the safety of a person, a vessel or other craft, or shall declare the alert phase.
- (2) Upon the declaration of the alert phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall extend the inquiries for the missing person, vessel or other craft, alert appropriate search and rescue services and initiate such action, as is necessary in the light of the circumstances of the particular case.
- (3) Upon the declaration of the distress phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall proceed as prescribed in its plans of operation, as required by Article 9.
- (4) Initiation of search and rescue operations when the position of the search object is unknown.

In the event of an emergency phase being declared for a search object whose position is unknown, the following shall apply:

- a. when an emergency phase exists, a rescue co-ordination centre or rescue sub-centre shall, unless it is aware that other centres are taking action, assume responsibility for initiating suitable action and confer with other centres with the objective of designating one centre to assume responsibility;
- b. unless otherwise decided by agreement between the centres concerned, the centre to be designated shall be the centre responsible for the area in which the search object was according to its last reported position; and
- c. after the declaration of the distress phase, the centre co-ordinating the search and rescue operations shall, as appropriate, inform other centres of all the circumstances of the emergency and of all subsequent developments.

(5) Passing information to persons, vessels, or other craft for which an emergency phase has been declared

Whenever possible, the rescue co-ordination centre or rescue sub-centre responsible for search and rescue operations shall forward to the person, a vessel or other craft for which an emergency phase has been declared, information on the search and rescue operations it has initiated.

Article 14

Co-ordination when two or more Parties are involved

For search and rescue operations involving more than one Party, each Party shall take appropriate action in accordance with the plans of operation referred to in paragraph 4.1 when so requested by the rescue co-ordination centre of the region.

Article 15

On-scene co-ordination of search and rescue activities

(1) The activities of search and rescue units and other facilities engaged in search and rescue operations shall be co-ordinated on-scene to ensure the most effective results.

(2) When multiple facilities are about to engage in search and rescue operations, and the rescue co-ordination centre or rescue sub-centre considers it necessary, the most capable person should be designated as on-scene co-ordinator as early as practicable and preferably before the facilities arrive within the specified area of operation. Specific responsibilities shall be assigned to the on-scene co-ordinator taking into account the apparent capabilities of the on-scene co-ordinator and operational requirements.

(4) If there is no responsible rescue co-ordination centre or, for any reason, the responsible rescue co-ordination centre is unable to co-ordinate the search and rescue mission, the facilities involved should designate an on-scene co-ordinator by mutual agreement.

Article 16

Termination and suspension of search and rescue operations

- (1) Search and rescue operations shall continue, when practicable, until all reasonable hope of rescuing survivors has passed.
- (2) The responsible rescue co-ordination centre or rescue sub-centre concerned shall normally decide when to discontinue search and rescue operations. If no such centre is involved in co-ordinating the operations, the on-scene co-ordinator may take this decision.
- (3) When a rescue co-ordination centre or rescue sub-centre considers, on the basis of reliable information that a search and rescue operation has been successful, or that the emergency no longer exists, it shall terminate the search and rescue operation and promptly so inform any authority, facility or service which has been activated or notified.
- (4) If a search and rescue operation on-scene becomes impracticable and the rescue co-ordination centre or rescue sub-centre concludes that survivors might still be alive, the centre may temporarily suspend the on-scene activities pending further developments, and shall promptly so inform any authority, facility or service which has been activated or notified. Information subsequently received shall be evaluated and search and rescue operations resumed when justified on the basis of such information.
- (5) The rescue co-ordination centre or rescue sub-centre concerned shall initiate the process of identifying the most appropriate place(s) for disembarking persons found in distress at sea. It shall inform the ship or ships and other relevant parties concerned thereof

CHAPTER 5

SHIP REPORTING SYSTEMS

Article 17

General

- (1) Ship reporting systems may be established either individually by SARDCG or in co-operation with other States, where this is considered necessary, to facilitate search and rescue operations.
- (2) SARDCG contemplating the institution of a ship reporting system should take account of the relevant recommendations of the Organization. SARDCG should also consider whether existing reporting systems or other sources of ship position data can provide adequate information for the region, and seek to minimize unnecessary additional reports by ships, or the need for rescue co-ordination centres to check with multiple reporting systems to determine availability of ships to assist with search and rescue operations.
- (3) The ship reporting system should provide up-to-date information on the movements of vessels in order, in the event of a distress incident, to:
 - a. reduce the interval between the loss of contact with a vessel and the initiation of search and rescue operations in cases where no distress signal has been received;
 - b. permit rapid identification of vessels which may be called upon to provide assistance;
 - c. permit delineation of a search area of limited size in case the position of a person, a vessel or other craft in distress is unknown or uncertain; and
 - d. facilitate the provision of urgent medical assistance or advice.

Article 18

Operational requirements

- (1) Ship reporting systems should satisfy the following requirements:
 - a. provision of information, including sailing plans and position reports, which would make it possible to determine the current and future positions of participating vessels;
 - b. maintenance of a shipping plot;
 - c. receipt of reports at appropriate intervals from participating vessels;
 - e. simplicity in system design and operation; and
 - d. use of internationally agreed standard ship reporting format and procedures.

Article 19

Types of reports

- (1) A ship reporting system should incorporate the following types of ship reports in accordance with the recommendations of the Organization:
 - a. Sailing plan;
 - b. Position report; and
 - c. Final report.

Article 20

Use of systems

- (1) SARDCG should encourage all vessels to report their position when travelling in areas where arrangements have been made to collect information on positions for search and rescue purposes.

(2) SARDCG recording information on the position of vessels should disseminate, so far as practicable, such information to other States when so requested for search and rescue purposes

CHAPTER 6

FINAL PROVISIONS

Article 21

Establishment of Maritime Search and Rescue

The Ministry of Interior shall establish by an order the Maritime Search and Rescue zones.

Article 22

The Annual Meeting

The Ministry of Interior shall hold an annual meeting with the relevant governmental department, for the purpose of reviewing the Search and Rescue Operations, and to develop the Search and Rescue Services.

Article 23

Sanctions

A punishment of imprisonment for a period not exceeding two years and a fine not exceeding 300 BD shall be inflicted upon any person who intentionally obstructs any Search and Rescue Operation.



PART III

THE MINISTERIAL ORDER

Ministerial Order No --- of The Maritime Search and Rescue

Minister of Interior

Having reviewed the Decree No ---- of the Maritime Search and Rescue;

The Decree No (8/1993) sets the territorial sea and contiguous zone of the Kingdom of Bahrain;

And the 1979 International Convention on Maritime Search and Rescue.

Decide:

Article 1 – Annex 1(The Maritime Search and Rescue Zones Chart) and Annex 2 (The Maritime Search and Rescue Zones Positions) attached to the Ministerial Order shall be adopted as the Maritime Search and Rescue Zone.

Article 2 – The Maritime Search and Rescue Operations beyond the Maritime Search and Rescue Zone are not allowed, unless a written approval issued by the Minister of Interior or deputize.

Article 3 – Subject to Article above, in the case of urgency, the oral approval from the Minister of Interior or his deputy is sufficient.



Article 4 – The Coastguard shall organize an annual meeting at the end of the year at the Headquarters of the Coastguard, for the reviewing of Search and Rescue Operations, with the attendance of the representative of:

1. The Ministry of Defense;
2. The Ministry of Interior;
3. The Ministry of Transport;
4. The Ministry of Health;
5. Port Authority.

Article 5 – The Minister of interior shall be provided an original copy of the meeting minutes.

Staff Lieutenant-General

The Minister of Interior

Rashed bin Abdulla Al-Khalefa

Date: 30 May 2015

Annex 1

The Maritime Search and Rescue Zones Chart



March 2011
KINGDOM OF BAHRAIN
 Survey & Land Registration Bureau
 Topographic Survey Directorate
 P.O. Box 332 - Manama - Kingdom of Bahrain
 Tel: (+973) 7822777- Fax: (+973) 7721057
 Website: <http://www.srb.gov.bh>

Scale 1: 750,000
 مقاييس الرسم
 15 7.5 0 15 30 45 km
 كيلومتر
 كيلومتر

الحدود الدولية لمملكة البحرين
KINGDOM OF BAHRAIN TERRITORY

معرض 2011 م
مملكة البحرين
 جهاز المساحة والتسجيل الطقري
 إدارة المسح الطقري
 من: 332 - المنامة - مملكة البحرين
 هاتف: (+973) 7822777 - فاكس: (+973) 7721057
 الموقع الإلكتروني: <http://www.srb.gov.bh>

Annex 2

The Maritime Search and Rescue Zones Positions

Latitude	Longitude
26 45.800N	050 37.474E
26 36.885N	050 33.213E
26 32.428N	050 23.206E
26 26.455N	050 22.842E
26 25.468N	050 21.866E
26 10.477N	050 18.442E
26 04.329N	050 15.472E
25 53.173N	050 17.321E
25 48.803N	050 23.023E
25 43.876N	050 25.356E
25 34.010N	050 32.004E
25 31.003N	050 48.898E
25 34.694N	050 46.143E
25 42.002N	050 50.773E
25 53.200N	050 48.184E
26 00.735N	050 49.890E
26 03.664N	050 55.043E
26 45.800N	051 03.096E