Chapter 1 Fundamentals of Law on Maritime Search and Rescue

Article 1 Purpose
The Law of DPR Korea on Maritime search and Rescue is intended to contribute to protecting the human lives and properties by establishing a strict system and order in maritime search and rescue operations.

Article 2 (Definition)
For the purpose of this law:
1. Maritime search means the operation that locates persons and ships in distress at sea, rivers and lakes.
2. Rescue means the operation to retrieve persons and ship in distress, provide necessary assistance and deliver them to a place of safety.
3. Rescue coordination means the operation to organize or command the rescue activities by responding to distress immediately.
4. Maritime search and rescue coordinating organ means a maritime administrative organ specializing in coordinating and undertaking maritime search and rescue operations, which includes Maritime Rescue Coordination Center and Maritime Rescue Sub Center.
5. Ship radio communication equipment means a shipboard installation capable of transmitting and receiving the information necessary for the search and rescue operations between maritime search and rescue coordination organ and the ship.
6. Ship reporting means any reporting from ships to maritime search and rescue coordination organs by either automated transmission of information through radio communication equipment or voice communication mode.
7. Ship monitoring means the observation of ships in service either navigating or berthing and verification of distress circumstances for the purpose of search and rescue operations.
8. Frequency for distress, emergency and safety means the frequency, other than the general radio communication frequencies, specially allocated to be used for providing aid or assistance to the person or the ship being distressed or navigating.
9. Emergency response plan means the plan describing the responsibilities and tasks of the institutions, enterprises and organs to be engaged in maritime search and rescue operations in response to distress incidents along with the information on necessary personnel, means and methods therefor.

10. Rescue communication facility means the communication equipment, steel tower and buildings used by maritime search and rescue coordination organs for search and rescue communication.

**Article 3 (Main principles of maritime search and rescue)**

To timely search and rescue persons and ships in distress is the major requirement to prevent the deterioration of marine casualties. State shall ensure that the maritime search and rescue system is established and improved continuously.

**Article 4 (Principle for establishment of maritime search and rescue coordination organ)**

State shall have the maritime search and rescue coordination organs established in necessary regions according to the nature of the maritime search and rescue operation.

**Article 5 (Principle of maintaining communication for maritime search and rescue operation)**

It is essential to maintain communication between maritime search and rescue coordination organ and ships for maritime search and rescue operation. State shall ensure that maritime search and rescue communication system is established and well maintained.

**Article 6 (Principle for rescue coordination and operations)**

State shall ensure that a practicable emergency response plan is established, according to which rescue coordination and operations are conducted promptly.

**Article 7 (Principle of providing the material and technical means for maritime search and rescue sector)**

State shall increase the investment in maritime search and rescue sector systematically, modernize the material and technical means for this sector
and improve the provision of the materials.

**Article 8 (Principle of scientific research and training of experts)**
State shall develop scientific researches on maritime search and rescue sector and train the technicians and experts in this sector in a far-sighted way.

**Article 9 (Category of distress)**
Distress is classified into 3 categories, 1\(^{st}\) class distress, 2\(^{nd}\) and 3\(^{rd}\) according to its type, scope and water area. National maritime authority shall accurately establish standards for classification of distress.

**Article 10 (Promotion of the foreign exchange and cooperation)**
State shall strengthen exchange and cooperation with other countries and international organizations with regard to maritime search and rescue.

**Article 11 (Application)**
This law applies to institutions, enterprises and organs and individual citizens and foreign ships and citizens engaged in navigation or in the economic activities such as fishing and scientific researches in the DPRK waters.

**Chapter 2 Maritime Search and Rescue System**

**Article 12 (Organization and composition of non-standing national maritime search and rescue coordination committee)**
For the unified guidance of maritime search and rescue operation, the non-standing national committee of maritime search and rescue coordination shall be established in the national maritime authority, the regional committees in provinces (cities under the direct control of the State), cities (districts) and counties. Non-standing national maritime search and rescue coordination committee shall be composed of personnel from relevant bodies such as maritime administration organs, national planning authority, ship operating organs, port, harbor and quay operating and managing organs, public health organs, post and telecommunication organs and hydrometeorological organs.

**Article 13 (Mission of non-standing national maritime search and**
rescue coordination committee)
Missions of non-standing national maritime search and rescue coordination committee are as follows:
1. To determine missions, authorities and scope of activities of the relevant institutions, enterprises and organs with regard to the maritime search and rescue.
2. To decide on the scope of response according to the distress class and take appropriate measures for the rescue pursuant to the approved emergency response plan.
3. To timely report to the relevant non-standing national maritime search and rescue coordination committee on the distress incidents and the SAR measures undertaken to respond thereto.
4. To establish the SAR area with the consent of the relevant organs
5. Non-standing national maritime search and rescue coordination committee shall act as national maritime search and rescue committee of the Democratic People’s Republic of Korea in maritime search and rescue cooperation with international organizations and other States.
6. To review the maritime search and rescue operations undertaken and take appropriate measures.

Article 14 (Search, rescue and rescue coordination of maritime search and rescue coordination organ)
Maritime search and rescue coordination organ shall conduct and coordinate search and rescue operations in response to distresses according to the distress class subject to the approval of national maritime SAR coordination committee.

Article 15 (Establishment of ship reporting system)
Maritime search and rescue coordination organ shall establish a system of ship reporting through radio communication equipment. Ship operating institutions, enterprises and organs shall properly implement the ship reporting system.

Article 16 (Establishment of ship monitoring system)
Maritime search and rescue coordination organ shall establish a ship monitoring system by using necessary means such as ship automatic identification system, long range identification tracking system, vessel traffic service system, radar system and closed circuit television system.
Relevant institutions, enterprises and organs shall provide information necessary for the operation of the ship monitoring system.

**Article 17 (Setting of frequencies for distress, emergency and safety)**
Radio regulatory organs shall set the frequencies for distress, emergency and safety to be used for maritime search and rescue operation. Maritime search and rescue coordination organ shall provide 24-hour communication in the frequency for distress, emergency and safety.

**Article 18 (Establishment and approval of emergency response plan)**
Emergency response plan is classified into national emergency response plan and regional emergency response plan. The national emergency response plan shall be formulated by the national maritime SAR coordination committee and approved by the Cabinet, while the regional emergency response plans be drawn by regional SAR coordination committees and approved by the upper level SAR coordination committees.

**Article 19 (Items to be included in emergency response plans)**
The items to be included in emergency response plans are as follows:
1. Policy and objective for maritime search and rescue
2. Delineation of SAR area at the national and regional level and cooperation between the SAR coordination organs
3. Mission, authority and scope of activity of institutions, enterprises and organs to be engaged in search and rescue operation
4. Preparedness for mobilization of maritime search and rescue resources
5. Provision and report of navigational information for safety
6. Search and rescue coordination according to the distress class
7. Measure for providing medical service during maritime search and rescue operation
8. Measure for providing rescue equipment, material and fund
9. Search and rescue exercise

**Article 20 (Amendment of emergency response plan)**
Maritime search and rescue coordination organ shall regularly check rescue resources such as ships, equipment or vehicles prepared by the institutions, enterprises and organs mentioned in emergency response plan and in case of any changes, the emergency response plan shall be amended. In this case it shall get approval according to the established
Article 21 (Preparation of rescue capability and means)
Maritime search and rescue coordination organs shall be provided with means for coordination such as radio communication equipment and information technical equipment and rescue means such as means of transportation for command, search and rescue ship and equipment which are all necessary for maritime search and rescue operation. Facility, enterprise, entity and ship mentioned in emergency response plan shall be equipped with rescue means such as rescue force, equipment and materials as it defines in order to promptly participate in distress alert. Passenger ship shall be equipped with search and rescue coordination plan and rescue mean approved by maritime administration facility.

Article 22 (Provision and report of navigational information)
Hydrometeorological service organs and hydrographic organs shall timely provide navigational information required by maritime search and rescue coordination organs in relation to maritime search and rescue operation. Maritime search and rescue coordination organ shall inform ships of the navigational information.

Article 23 (Medical service system)
Public health organs shall establish an on-scene and telemedical service system to give medical assistance to persons rescued in cooperation with maritime search and rescue coordination organs.

Article 24 (Maritime search and rescue exercise)
Maritime search and rescue coordination organs shall conduct the maritime search and rescue exercises subject to the approval of the non-standing national SAR coordination committee. Relevant institutions, enterprises and organs shall participate in maritime search and rescue exercise with rescue means such as radio communication equipment, diving equipment, rescue equipment mentioned in emergency response plan.

Chapter 3 Ship reporting and rescue communication

Article 25 (Installation and register of ship radio communication
Ship operating institutions, enterprises and organs shall have their ships fitted with GMDSS equipment and ship radio communication equipment such as ship automatic identification equipment as specified by the national maritime authority.

In this case, the approval and use of the radio communication equipment shall be subject to legislations relating to radio regulation.

National maritime authority shall register the information of radio communication equipment installed onboard the international voyage ships with the relevant international organization.

**Article 26 (Installation and register of ship radio communication equipment)**

Ships shall be equipped with radio equipment, power supplying system, spare parts and alternative source of power supply as required by the regulations and operate the radio communication equipment during the navigation, anchorage and operation.

Ships shall keep records of the use of the radio communication equipment and the contents of communications in the relevant log book.

**Article 27 (24 hour communication in the frequency for distress, urgency and safety)**

Ships shall maintain 24 hour communication in the frequency set for distress, emergency and safety and shall not use the frequency for purposes other than the above.

**Article 28 (Mandatory ship reporting)**

Ships shall report to maritime SAR coordination organs using radio communication equipment such as AIS.

The ship reporting shall be made mandatory for DPRK flagged ships as well as foreign flag ships navigating or conducting economic activities such as fishing and scientific researches in the DPRK waters.

**Article 29 (Retention of the reported data from ships)**

Maritime SAR coordination organs shall retain the data reported form ships and voice communication data recorded in real time for a specified period and shall not delete, change, disclose or hand it over.

In case a judicial organ asks for the data, it may be disclosed or handed over to the organ subject to the national maritime authority.
Article 30 (Division and input of reported data from ships)
Reported data from ships is divided into static data and dynamic data; the static data includes ship’s name transmitted by radio communication equipment such as AIS, identification number of ship, nationality and call sign and the dynamic data includes the location, course and speed of the ship.
Ship shall input the data to be reported into the radio communication equipment such as AIS.

Article 31 (Provision of communication means and buildup of database)
Maritime SAR coordination organs shall be provided with the communication means capable of providing the communication and international telecommunication between the institutions, enterprises and organs and ships and build up a database related to the search and rescue. The database shall include relevant data such as technical specifications, main designs, contact details of DPRK flagged ships and information on radio communication equipment installed onboard international voyage ships.

Article 32 (Communication maintenance of maritime SAR coordination organs)
Maritime SAR coordination organs shall use the ship monitoring system to identify and analyze the data transmitted by ships in real time and call a ship or maintain SAR communication.

Article 33 (Communication test, survey, maintenance and certificate of radio communication equipment on ship)
Ship operating institutions, enterprises and organs shall have their ship radio communication equipment tested and surveyed by maritime administration organs and regularly maintained by the relevant technical service organs.
Ships engaged on international voyage shall hold certificates for communication test, survey and maintenance of radio communication equipment.

Article 34 (Finding and reporting of navigational danger areas)
Where a ship, during navigation, anchorage and operation, encounters a storm or finds or is informed of navigational danger areas such as big ice floe or objects floating around or oil spill, the ship shall timely report to maritime SAR coordination organs thereon. Maritime SAR coordination organs shall inform ships navigating in the waters in question and the ship operating institutions, enterprises and organs of the reported data.

**Article 35 (Reporting to maritime SAR coordination organs)**
In case a ship fails to arrive at a port or communication with the ship is cut off, ship operating institutions, enterprises and organs shall report to maritime SAR coordination organs in time thereon. Ships, ship operating institutions, enterprises and organs who have found or been informed of a distressed ship and person shall report to maritime SAR coordination organs thereon.

**Article 36 (Distress communication)**
Ships distressed or likely to be distressed shall send distress alert with any means including radio equipment or signaling equipment. The institutions, enterprises and organs that have received a distress alert, shall report it to national maritime search and rescue coordination centre by dialing maritime rescue service telephone number.

**Article 37 (Prioritization of distress communication)**
Distress communication has a priority over other radio communications. Ships, institutions, enterprises and organs shall be on standby for rescue in the frequency for distress, emergency and safety frequency.

**Article 38 (Cancellation of false distress alert)**
Ships shall ensure that a false distress alert is not transmitted and in case it is transmitted due to the malfunctioning of radio communication equipment and negligence and for the test purpose, the ship shall immediately inform maritime search and rescue coordination organs and the ship in vicinity immediately that it is false alert.

**Article 39 (Establishment of areas for protection of rescue communication facility)**
Certain areas in which rescue communication facilities are established
may be set as an area for protection of rescue communication facility. The establishment of the area for protection of rescue communication facility shall be undertaken by the Cabinet.

**Article 40 (Prohibited act in the area for protection of rescue communication facility)**
Institutions, enterprises, organs and citizens shall not install radio installations that might affect the radio communication or other facilities irrelevant to rescue communication in the area for protection of rescue communication facility.

**Article 41 (Navigation information service fee)**
Ships, institutions, enterprises and organs that have received navigational information service shall pay a fixed service fee. The fee shall be set by the national pricing authority.

**Chapter 4 Rescue operation and coordination**

**Article 42 (Ship surveillance for maritime SAR coordination)**
Maritime SAR coordination organs shall ensure that maintain the 24-hour ship surveillance with qualified maritime SAR coordination personnel. The maritime SAR coordination personnel may call a ship with radio communication equipment in order to check the accuracy of the reported information or distress alert. The ship shall respond to the call in time.

**Article 43 (Identification, analysis and report of a distress alert)**
The maritime SAR coordination organ, upon receipt of a distress alert, shall identify and analyze the accuracy, distress class and location in time and immediately report the result to the non-stand ing national maritime SAR coordination committee.

**Article 44 (Implementation of emergency response plan)**
Upon verification of the distress alert, maritime SAR coordination organs shall conduct rescue coordination and operations pursuant to the emergency response plan. Institutions, enterprises, organs mentioned in emergency response plan shall strictly follow the plan during the SAR operations.
Article 45 (Performance of rescue mission and cooperation)
The institutions, enterprises and organs which are assigned to the tasks of rescuing persons and ships in distress by maritime SAR coordination organs shall cooperate with each other during the performance of their rescue mission.

Article 46 (Passage, entry into and exit from port for the purpose of maritime SAR)
Relevant organs such as public security organs and immigration control organs shall give priority to the passage, port entry and exit of maritime SAR personnel and transport vehicles and proceed-to-sea of rescue vessels.

Article 47 (Deviation from voyage route and responsibility for rescue)
The ship which has received an order to be mobilized for rescue operations from maritime SAR coordination organs or received a distress alert from ships in vicinity shall be engaged in the rescue of the distressed ship and person with top priority, insofar as the ship’s deviation from the intended route does not expose her to any grave danger.
The master who has found a distressed ship or person during the voyage shall immediately take rescue measures and report it to maritime SAR coordination organs promptly by all possible means.

Article 48 (Priority of rescue)
Persons shall be rescued first before the cargo and ship.

Article 49 (Rescue cooperation with other States’ SAR coordination organs)
National maritime SAR coordination organ may cooperate with other States’ SAR coordination organs in order to rescue DPRK flagged ship distressed in the foreign waters.
Where there is in place a bilateral agreement between the DPRK and another State with regard to maritime SAR operation, it shall be adhered to.

Article 50 (Rescue of foreign flag ships in DPR Korea waters)
A foreign flag ship that intends to enter the DPRK waters to rescue their
ship distressed in the said waters shall notify the national maritime SAR coordination organ thereof. In this case the national maritime SAR coordination organ shall take measures subject to the approval of relevant organs.

**Article 51 (Post-rescue surveillance for safe navigation and medical service for rescued person)**
Maritime SAR coordination organs shall continue to maintain surveillance for safe navigation until the rescue ship and rescued ship and persons arrive at the destination and have the rescued persons provided with on-scene or telemedical service by the public health organs.

**Article 52 (Post-rescue report)**
Maritime SAR coordination organs, once the rescue operation is completed, shall report the relevant institutions, enterprises and organs thereon.
In case there is a need to install a beacon in the place where the ship is sunk to ensure the safe navigation in the waterway, maritime SAR coordination organs shall notify the national hydrographic organ and other relevant organs thereof.

**Article 53 (Reimbursement of expenditure on rescue)**
The institutions, enterprises and organs whose ship is rescued shall pay the salvage fee to those engaged in the salvage operation. In this case the non-standing national maritime SAR coordination committee may verify the expenditures.

**Chapter 5 Supervision and control over maritime SAR coordination**

**Article 54 (Guidance of maritime SAR operation)**
Under the unified guidance of the Cabinet, the national maritime authority shall supervise maritime SAR affairs.
The national maritime authority shall provide guidance for maritime SAR affairs on a regular basis.

**Article 55 (Supervision and control over maritime SAR affairs)**
The supervision and control over maritime SAR affairs shall be undertaken by the national maritime SAR coordination organ and
relevant supervisory organs.
The national maritime authority and the relevant supervisory organs shall regularly supervise and control the implementation of the State’s policy on maritime SAR affairs.

**Article 56 (Provision of conditions for maritime SAR operation)**
Local organs of power, ship operating institutions, enterprises and organs as well as the relevant national authorities such as state planning organ, power supplying organ, telecommunication organ, public health organ shall provide power, equipment, material, fund and communication necessary for maritime SAR operation in a responsible manner.

**Article 57 (Qualification of a maritime SAR coordination officer)**
Maritime SAR coordination shall be conducted by those adequately qualified only.
A maritime SAR coordination officer shall undergo the assessment of qualification by national maritime authority every 3 years.
The national maritime authority shall appoint those duly qualified as maritime SAR coordination officers.

**Article 58 (Administrative responsibility)**
Responsible personnel of institutions, enterprises and organs and individual citizens shall be subject to an administrative punishment according to the circumstance in following cases where;
1. they fail to establish, update an emergency response plan or to obtain the approval;
2. they fail to prepare the communication equipment as required; lend communication equipment to the others without permission; or conduct operational communications using the frequency for distress, emergency and safety thus hindering maritime SAR operations;
3. a ship fails to report as required or to respond to the call of maritime SAR coordination organs
4. they turn off the radio communication equipment or fail to maintain 24-hour communication in the frequency for distress, emergency and safety
5. they fail to be mobilized for maritime SAR operations in time or conduct maritime SAR operations irresponsibly
6. they negligently maintain the radio communication equipment thus
making them unworkable

7. they transmit a false report or distress alert thus causing great confusion in maritime SAR operations

8. they delete, change or disclose ship reported data without permission.

9. they fail to report the ship data or distress circumstances as required by the stipulated procedures

10. they commit an act affecting the communication in the area for protection of rescue communication facility.

**Article 59 (Criminal responsibility)**

Where the act stipulated in the regulation 58 of this law amounts to a crime, the responsible personnel of institutions, enterprises and organs and individual citizens shall assume criminal responsibility according to the relevant provisions of criminal law.