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Seventh Meeting of the Search and Rescue (SAR) Implementation Task Force of the North American, Central America and Caribbean Working Group (NACC/WG/SAR/TF/7)
Mexico City, Mexico, 3 to 7 August 2026

Agenda Item 2: Regional and Global Search and Rescue (SAR) Affairs
2.2 Follow-up to the implementation of the requirements of rescue coordination centres and subcentres of the CAR region

**Cross-Border Operations or Entry of Foreign SAR Facilities
Into Territorial Waters or Territory of Another State**

(Presented by United States)

EXECUTIVE SUMMARY	
Discussion in various SAR forums and ICAO regional SAR plans often refer to “cross-border” operations. However, ICAO Annex 12 and the IAMSAR Manual use the wording of “entry of foreign SAR facilities into territorial waters or territory of another State”. Background information is provided for SAR services to have a clear understanding and proposed action.	
Action:	Suggested actions are in Section 3
<i>Strategic Objectives:</i>	• The International Civil Aviation Convention and Other Treaties, Laws and Regulations Address All Challenges
<i>References:</i>	• ICAO Annex 12 – Search and Rescue

1. Introduction

1.1 International law addresses concerns for saving lives and concerns for sovereignty. Neighbouring States should seek practical means to balance these concerns for situations where entry of foreign SAR facilities into territorial waters or territory may be necessary or appropriate. RCCs need to understand the processes to be followed to obtain expeditious approval to allow SAR units from an assisting State to enter the territory of the State of the RCC for the conduct of SAR. Such processes may vary dependent upon which State is offering assistance. The SMC should facilitate the approval process and also be authorized to notify the assisting SAR service or units.

1.2 Discussions in various regional SAR forums and text in several regional SAR plan, including the Caribbean Region SAR Plan, use the term cross-border when talking about SAR response into another State’s territory. However, ICAO Annex 12 and the International Aeronautical and Maritime SAR (IAMSAR) Manual do not use the term cross-border. Annex 12 and the IAMSAR Manual use wording such as “enter (or entry) into the territory of the State”.

2. Background

2.1 The term “cross-border” is frequently used in ICAO documents referring to civil-military cooperation in air traffic management for operations that cross sovereign boundaries. For SAR operations many States may confuse this as military operations and also incorrectly assume that sovereignty rights may be at risk. Both ICAO Annex 12 and the International Convention on Maritime SAR clearly seek States to have methods for rapid approval for SAR units to enter the territory of another State for the purpose of rescuing survivors. Also, some States mistakenly believe that their SAR region in international waters or under international airspace give the State full sovereignty rights.

2.2 Misunderstandings such as those briefly mentioned in paragraph 2.1 above would benefit from accepted terms and practices such as:

- ICAO Annex 12, paragraph 2.2.1, Note 2 – The delineation of search and rescue regions is determined on the basis of technical and operational considerations and is not related to the delineation of boundaries between States.
- National airspace is the sovereign airspace over a State’s land areas and its territorial sea. International airspace is seaward of the territorial sea.
- The territorial sea is a belt of ocean established by a coastal State extending seaward up to 12 nautical miles from the baseline of that State and subject to its sovereignty. (United Nations Convention on the Law of the Sea).
- ICAO Annex 12, paragraph **3.1.5 Recommendation** – Contracting States should enter into agreements with neighboring States to strengthen search and rescue cooperation and coordination, setting forth the conditions for entry of each other’s search and rescue units into their territories. These agreements should also provide for expediting entry of such units with the least possible formalities.
- ICAO Annex 12, paragraph **3.1.6 Recommendation** – Each Contracting State should authorize its rescue coordination centres to:
 - b) grant any necessary permission for the entry of such aircraft, vessels, persons or equipment into its territory

2.3 ICAO Annex 12 ninth edition and the IAMSAR Manual 2025 edition, Volume I have recent amendments which discusses entry into the territory of another State for SAR operations. Specific information includes:

2.3.1 ICAO Annex 12, paragraph: 4.2.4 The search and rescue plans of operation shall contain details regarding actions to be taken by those personnel engaged in search and rescue, including
I) as of 26 November 2026, the methods for obtaining approval to allow search and rescue units from an assisting State to enter the territory of the State of the RCC.

2.3.2 IAMSAR Manual Volume I, paragraph 1.3.8 provides brief introductory text on expeditious approval to allow SAR units from an assisting State to enter the territory of the State of the RCC for the conduct of search and rescue. Appendix Q provides a sample approval process. An RCC plan of operation can be developed based on the sample approval process.

3. Suggested Actions

3.1 The meeting is invited to:

- a) note the information contained in this paper;
- b) consider in the next update of the Caribbean Region SAR Plan that the existing text on cross-border be amended to better reflect the ICAO Annex 12 text on entry into the territory of another State for SAR; and
- c) consider encouraging States to develop a SAR plan of operation on the requirement in ICAO Annex 12 for providing details on methods for obtaining approval to allow search and rescue units from an assisting State to enter the territory of the State of the RCC.

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