

## 附件 1

THE REVISED EMERGENCY PLAN TO COORDINATE AND HANDLE  
THE NAVIGATION-RELATED UNEXPECTED ACCIDENTS  
ON THE LANCANG-MEKONG RIVER  
AMONG CHINA, LAOS, MYANMAR AND THAILAND

The Ministry of Transport of the People's Republic of China, the Ministry of Public Works and Transport of the Lao People's Democratic Republic, the Ministry of Transport of the Republic of the Union of Myanmar and the Ministry of Transport of the Kingdom of Thailand (hereinafter referred to as "the Parties"), as the competent authorities of the Parties who signed the Agreement on Commercial Navigation on the Lancang-Mekong River among the Governments of the People's Republic of China, the Lao People's Democratic Republic, the Union of Myanmar and the Kingdom of Thailand (hereinafter referred to as "the Quadrupartite Agreement") on April 20, 2000:

Desiring to jointly coordinate and handle navigation-related unexpected accidents on the Lancang-Mekong River;

Desiring to revise the Emergency Plan to Handle and Coordinate the Navigation-related Unexpected Accidents on the Lancang-Mekong River among China, Laos, Myanmar and Thailand (hereinafter referred to as "the Emergency Plan") signed in Brunei on November 12, 2010:

Have reached the following understanding:

### CHAPTER I GENERAL PROVISIONS

#### Article 1 Purpose

In order to deal with any navigation-related unexpected accident, improve the emergency coordination and disposal response of each party, maximally control the damage caused by navigation-related unexpected accidents, and safeguard the people's lives and property of the Parties within the navigation channel stipulated in the Quadripartite Agreement, the Emergency Plan has been revised hereby.

#### **Article 2 Basis**

The Emergency Plan is revised in accordance with the Quadripartite Agreement, signed on 20 April 2000 at Tachileik, Myanmar and the Memorandum of Understanding of the Ministry of Transport of the People's Republic of China, the Ministry of Public works and Transport of the People's Democratic Republic of Laos, the Ministry of Transport of the Union of Myanmar and the Ministry of Transport of the Kingdom of Thailand on the Implementation of the Agreement on Commercial Navigation on the Lancang-Mekong River, signed on 15 March 2001 in Beijing, China.

#### **Article 3 Scope**

The revised Emergency Plan is applicable to any navigation-related unexpected accident within the navigation channel stipulated in the Quadripartite Agreement with two or more Parties involved.

#### **Article 4 Definition of Navigation-related Unexpected Accidents**

The navigation-related unexpected accident refers to any emergency accident which suddenly happens within the navigation channel stipulated in the Quadripartite Agreement that involves two or more Parties, which is related to navigation, in which navigation causes or may cause any personnel casualty, property damage, and ecological environment destruction.

The navigation-related unexpected accident mainly includes various waterborne traffic accidents like ship capsizing and colliding, striking reefs and getting

stranded, fire, port safety accident, oil tanker spilling, dangerous chemical leaking, etc., which threaten people's lives and property safety, or any accidents, in which international shipping pollutes environment and destroys ecology.

**Article 5 Classification of Navigation-related Unexpected Accidents**

Based on the degree and effect of personnel casualty, property damage, ecological destruction and potential threat to navigation safety caused by navigation-related unexpected accidents, they are classified into two grades, namely Ordinary Accident and Serious Accident as follows:

Grade	Situation of danger
<b>Ordinary Accident</b>	<ol style="list-style-type: none"> <li>1. An unexpected accident that has not caused personnel death or missing; or</li> <li>2. An unexpected accident that has caused damage to vessel and cargo below \$100,000; or</li> <li>3. An unexpected accident that has not caused serious damage to the navigation channel or ecology and has not affected navigation safety or the normal production and life of the people along the river.</li> </ol>
<b>Serious Accident</b>	<ol style="list-style-type: none"> <li>1. An unexpected accident that has caused personnel death or missing; or</li> <li>2. An unexpected accident that has caused damage to vessel and cargo at or above \$100,000; or</li> <li>3. An unexpected accident that has caused serious damage to the navigation channel or ecology and has affected navigation safety or the normal production and life of the people along the river.</li> </ol>

Among the three items to determine the grade between Ordinary Accident and Serious Accident, only one item is enough to be decided to put it into that grade. In situation of an unexpected accident meeting the stipulated items of both Ordinary Accident and Serious Accident, the accident in question shall be classified as a Serious Accident.

#### **Article 6 Emergency Coordinating and Handling Principle**

Each Party shall follow the principles of mutual respect of sovereignty, equality and friendship in dealing with unexpected accidents and keep to the following basic principles in work as follows:

1. Put people first and reduce damage. Take it as the primary task to guarantee the public health and life safety of each Party and maximally reduce the personnel casualty caused by unexpected accidents.
2. Quick response and effective handling. Think of danger in time of peace, make preparation, intensify management, ascertain responsibilities, standardize the response and handling work, perfect emergency teams and facilities construction, and gradually increase emergency dealing capacity to make sure that any unexpected accident can be timely and effectively dealt with.
3. Strengthen coordination and cooperation. Each Party shall give full play of the coordination and liaison of the Joint Commission on Coordination for Commercial Navigation on the Lancang-Mekong River (hereafter referred to as the JCCCN), and the related authorities of the Parties shall also strengthen their cooperation and coordination in handling unexpected accidents.

### **CHAPTER II EMERGENCY COORDINATION AND HANDLING SYSTEM**

#### **Article 7 Coordination Organization**

The competent transport authorities of the Parties are the coordination organizations to take charge of directing the work in dealing with any navigation-related unexpected accident on the Lancang-Mekong River. The local authorities/governments/ maritime authorities along the Lancang-Mekong River are responsible for coordinating the specific unexpected accident emergency handling work.

#### **Article 8 Liaison Organization**

The office of the JCCCN of each Party is the Liaison Organization to coordinate the handling of any navigational unexpected accident. Each Party shall provide the other Parties with the contact information including liaison unit, contact person and liaison way to handle and coordinate the navigation-related unexpected incidents.

#### **Article 9 Emergency Response and Handling Organization**

The local authorities/governments, local working organization dispatched by the government/central government of each Party shall specifically implement emergency handling work for any unexpected accident.

In order to timely and effectively deal with any navigation-related unexpected accident, the provincial government, maritime authority, local working organization dispatched by the government/central government of each Party shall work out emergency disposal procedures, taking into account the Emergency Plan and subject to each Contracting Party's national emergency plan.

When any navigation-related unexpected accident happens, maritime authority, the provincial government, local working organization dispatched by government/central government of each Party shall determine the grade of response, start up emergency measures and implement emergency handling work for any unexpected accident according to the accident's nature, seriousness, controllability, effective range, etc.

## CHAPTER III OPERATING MECHANISM

### Article 10 Navigation-related Unexpected Accident Report

Upon finding the above navigation-related unexpected accidents, the owner and crew members of the ship sailing within the navigation channel stipulated in the Quadripartite Agreement, the people and the governmental public servants along the river should report it within the minimum time to the local authorities/governments or the maritime authorities near the place of the accident. The owner and crew members of the said ship may also notify the foreign affairs department or embassy of the ship registration country, and other related entities.

Upon finding or receiving the navigation-related unexpected accident report and initially checking and taking definitive measures in advance to contain the development of the accident, the maritime authority near the place of the accident shall immediately report it to the higher authority concerned near the place of the accident in accordance with laws and regulations of each country and maritime authority of ship registration once the information on the ship registration is available, and if necessary, inform other related entities. The maritime authority may also inform foreign affairs department at the same level in the place of accident or ship registration.

### Article 11 Emergency Handling and Coordination of Navigation-related Unexpected Accidents

After receiving the report of navigation-related unexpected accident, the provincial navigation or maritime authorities near the place of the accident or ship registration, upon request, shall immediately mobilize all the forces available, take further emergency measures, determine the accident's nature and effect and determine the grade of seriousness.

#### 1. Ordinary Accident

(1) The provincial navigation or maritime authorities in the place of the accident or ship registration, upon request, shall be responsible for the emergency handling work and mutual coordination, and require the other Parties and local authorities/government to give support if necessary.

(2) The provincial navigation or maritime authorities near the place of the accident or ship registration shall report the situation of the accident and the handling measures to the JCCCN in the place of the accident or ship registration within 48 hours after receiving the accident report and formulate and report summary report to the JCCCN in the place of the accident or ship registration after the accident has been handled.

(3) Upon receiving the accident report, the office of the JCCCN near the place of the accident or ship registration shall report it to the transport authorities in the place of the accident or ship registration, and inform the offices of all the JCCCN members.

## **2. Serious Accident**

(1) The provincial navigation or maritime authorities near the place of the accident or ship registration shall inform it to the office of the JCCCN in the place of the accident or ship registration within 2 hours after receiving the accident report, and submit the written report as soon as possible.

(2) The office of the JCCCN near the place of the accident or ship registration shall report it to the national transport authorities/ministry of transport and local authorities/governments in the place of the accident or ship registration within 2 hours after receiving the written accident report and at the same time, notify the offices of all the JCCCN members within 4 hours and request the assistance from other Parties involved if necessary.

(3) The national transport authorities/ministry of transport of the Party shall direct the emergency handling and coordination work of navigation-related unexpected accident.

(4) After receiving the accident report, the local authorities/governments near the place of the accident shall instruct the emergency response handling organization to start up the emergency response procedures promptly.

(5) After the emergency response procedures are started up, the office of the JCCCN near the place of the accident shall collect information on the handling process and development of the unexpected accident and circulate a notice to the offices of the JCCCN involved every 48 hours until the end of the emergency work.

(6) After confirming that the relevant dangerous factors have been eliminated or the emergency work has come to an end, the office of the JCCCN near the place of the accident shall submit its summary report to all offices of the JCCCN.

#### **Article 12 Follow-up Work of Navigation-related Unexpected Accidents**

The national transport authorities/ministry of transport near the place of the accident or ship registration shall cooperate with the local authorities/governments near the place of the accident or ship registration to conduct follow-up work of the accident, during the process of which, the JCCCN office of each Party shall contact with other relevant JCCCN offices to give assistance to conduct related work if necessary.

#### **Article 13 Information Circulation**

Each Party shall inform all the offices of the JCCCN and keep other Parties well obtained the updated information.

#### **Article 14 Contents of the Information**

The contents in the accident information circulation or report given by each organization of the Parties shall, if possible, include, but not limited to, vessel



particulars, cargo, crew members and passengers, the accident's time, place, cause, nature, process, consequence, development tendency, effective range, site emergency handling measures, suggestions for the next step, name and reporter of the circulating or reporting organization, way of liaison.

#### **Article 15 Method of Information Circulation**

The unexpected accident coordination or handling organization shall notify each other among the Parties in English by fax, email or telephone

### **CHAPTER IV FINAL PROVISIONS**

#### **Article 16 Settlement of Dispute**

Any divergence or dispute possibly arising from the implementation or interpretation of the revised Emergency Plan shall be solved through friendly consultation among the JCCCNs of the Parties.

#### **Article 17 Amendment**

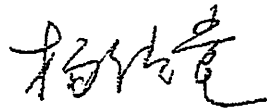
If any Party needs to make any amendment to the revised Emergency Plan, it shall notify in writing to the other Parties three months before the JCCCN meeting, and such amendment shall be discussed at the JCCCN meeting. Any such amendment shall not be effective without the consent of all Parties.

#### **Article 18 Entry into Force and Validity**

The revised Emergency Plan shall replace the Emergency Plan, signed in Brunei on November 12, 2010 and enter into force on the date of its signature. It shall remain in force until the termination of the Quadripartite Agreement.

IN WITNESS WHEREOF, the undersigned, duly authorized thereto have signed  
this revised Emergency Plan.

*Kuala Lumpur*  
Done at .....on *5 Nov. 2015*..... in four originals in English. Each text being  
equally authentic.



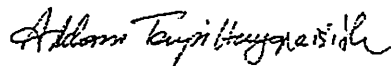
For  
Ministry of Transport  
of the People's Republic of China



For  
Ministry of Public Works and Transport  
of the Lao People's Democratic Republic



For  
the Ministry of Transport  
of the Republic of the Union of Myanmar



For  
the Ministry of Transport  
of the Kingdom of Thailand