



# **Legal Frameworks for Forest Fire Management: International Agreements and National Legislation**

**Based on the work of**

**Fernando Fernández Arriaga  
Legal Consultant**

**Forest Resources Division, Forestry Department  
FAO, Rome  
May 2002**

## EXECUTIVE SUMMARY

Following on from a previous report by Bob Mutch and Maresa Bors, entitled *Follow-up Report to FAO/ITTO International Expert Meeting on Forest Fire Management, March 2001* (Rome, October 2001), this report focuses on some legal aspects of forest fire management, namely international agreements and national legislation dealing with forest fires.

The main objectives of this follow-up work were to: (i) identify existing national and sub-national legislation on forest fire management; (ii) update the inventory of international agreements on forest fires maintained by FAO; and (iii) prepare an outline for developing forest fire agreements.

In July 2001, the FAO Representatives were requested to locate international agreements on forest fires with a view to updating the list of those already available within FAO. In January 2002, a second request was made to the FAO Representatives for assistance in locating new agreements that might have been signed or drafted since the previous request, as well as any in-country fire agreements that may exist.

National legislation dealing with forest fires was identified through a systematic search in FAOLEX, the FAO legislative database.

The international agreements and the national legislation identified through this review, were clustered into two categories of forest fire legal documents: (i) international agreements, including emergency response agreements and other agreements; and (ii) national legislation consisting of texts which either deal specifically and more or less fully with forest fires, or partly deal with some aspects of forest fire management.

Altogether, the legal documents on forest fires that were identified in the course of this work include: (i) 11 emergency response international agreements (another is still being negotiated); (ii) 5 international agreements on other matters; and (iii) 152 documents on national legislation, of which 67 are specific to forest fires, and the others deal with forestry generally and cover forest fires to some extent.

The full texts of those legal documents, together with summaries for the international agreements, have been entered into a database and are available online in FAO's website.

Based on the review of this documentation, as well as on the first set of guidelines developed in the above mentioned *Follow-up Report to FAO/ITTO International Expert Meeting on Forest Fire Management, March 2001*, common elements were identified in existing forest fire international agreements, which enabled the preparation of an outline for developing such agreements.

Finally, three recommendations were made for future action by FAO in relation to the legal aspects of forest fire management: (i) to regularly update the information on international agreements and national legislation; (ii) to further elaborate the outline for developing international agreements, and to develop new outlines for related operational guidelines and operating plans; and (iii) to review and assess the national legislation on forest fires.

## Table of Contents

|  |    |
|--|----|
| <b>1. INTRODUCTION</b>                                   | 4  |
| <b>2. ACTIVITIES</b>                                     | 5  |
| <b>3. OUTCOMES</b>                                       | 6  |
| <b>3.1 International Agreements</b>                      | 6  |
| 3.1.1 Emergency Response Agreements                      | 6  |
| 3.1.2 Other Agreements                                   | 10 |
| 3.1.3 Outline for Developing Agreements                  | 10 |
| <b>3.2 National Legislation</b>                          | 11 |
| 3.2.1 Legislation specific to forest fires               | 11 |
| 3.2.2 Forestry related legislation covering forest fires | 11 |
| <b>4. RECOMMENDATIONS</b>                                | 12 |
| <b>ANNEXES</b>   |    |
| 1. Terms of reference                                    | 13 |
| 2. Responses regarding forest fire agreements            | 14 |
| 3. Summaries of the international agreements             | 16 |
| 4. Outline for developing international agreements       | 43 |
| 5. Legislation specific to forest fires                  | 45 |
| 6. Forestry related legislation covering forest fires    | 50 |

## 1. INTRODUCTION

Following on a previous report by Bob Mutch and Maresa Bors, entitled *Follow-up Report to FAO/ITTO International Expert Meeting on Forest Fire Management, March 2001* (Rome, October 2001), this report focuses on some legal aspects of forest fire management, namely international agreements and national legislation dealing with forest fires.

The main objectives of this follow-up work, as per the Terms of Reference available in Annex 1, were to:

- (i) identify and classify existing national and sub-national legislation on forest fire management;
- (ii) update the inventory of international agreements on forest fires that is maintained by FAO; and,
- (iii) prepare an outline for developing forest fire agreements.

This report briefly describes the activities undertaken (section 2) and the results achieved (section 3) under this assignment. It also makes some recommendations for further action by FAO in respect of both national and international legal aspects of forest fire management (section 3). Finally, the annexes provide more detailed information on the structure and contents of the various legal texts that were identified and analyzed.

## **2. ACTIVITIES**

In July 2001, the FAO Representatives were requested to locate international agreements on forest fires with a view to updating the list of those already available within FAO. In January 2002, a second request was made to the FAO Representatives for assistance in locating new agreements that might have been signed or drafted since the previous request, as well as any in-country fire agreements that may exist.

In-country agreements are those signed within a country either between states, provinces or other local government entities, or between institutions and/or departments among the national government.

To date 30 responses were received from the following countries: Bolivia, Brazil, Burkina Faso, Burundi, Chile, Colombia, Cyprus, El Salvador, Ecuador, Eritrea, Ethiopia, Haiti, Honduras, Indonesia, Laos, Lebanon, Lesotho, Mauritius, Morocco, Peru, Rwanda, Seychelles, Sierra Leona, Sri Lanka, Syria, Thailand, Togo, Tunisia, Uruguay and Venezuela (Annex 2). Most answers given by the FAO Representatives were negative ones (i.e., no agreements in place). However, a number of cooperation agreements exist, which are summarized in Annex 3. It is recommended that this list should be regularly updated as replies are sent by FAO Representatives and new information becomes available.

### **3. OUTCOME**

The international agreements and the national legislation identified were clustered into two categories of forest fire legal documents:

- (i) international agreements, consisting of:
  - (a) emergency response agreements;
  - (b) other agreements; and,
- (ii) national legislation consisting of legal instruments which:
  - (a) either deal specifically and more or less fully with forest fires;
  - (b) or deal in part with some aspects of forest fire management.

Altogether, the legal documents on forest fires that were identified in the course of this work include:

- (i) 11 emergency response international agreements (another is still being negotiated);
- (ii) 5 international agreements on other matters; and,
- (iii) 152 documents referring to national legislation, of which 67 are specific to forest fires, and the others deal with forestry generally and cover forest fires to some extent.

#### **3.1 International Agreements**

##### **3.1.1 Emergency Response Agreements**

To date FAO has received copies of 11 emergency response international agreements and one draft of such an agreement that is presently being negotiated. The agreements are listed below, with an indication of: the parties to the agreement, the name and date of the agreement, and a brief outline of the purpose of the agreement. Summaries of the agreements are included in Annex 3 and their full text is accessible at the FAO forestry department's website ([http://www.fao.org/forestry/foris/index.jsp?start\\_id=5288](http://www.fao.org/forestry/foris/index.jsp?start_id=5288)).

Some of these international agreements on forest fires have annual Operational Guidelines or Operating Plans, which contain procedural details for the implementation of the agreements. These documents are regularly reviewed, in general every year, to adjust the implementation modalities of the agreements to the specific circumstances of the parties involved. Examples of operational guidelines, such as those developed under the agreements Mexico / USA or Canada / USA can be accessed through FAOLEX (<http://www.fao.org/Legal/default.htm>).

## Emergency Response International Agreements

| Parties to the agreement            | Name and date of the agreement  | Purpose of the agreement  |
|-------------------------------------|---|---|
| <b>Spain / Portugal</b>             | Protocol between the Kingdom of Spain and the Republic of Portugal regarding technical co-operation and mutual assistance on civil protection, 1993 | Preparation and execution of projects on scientific and technical co-operation regarding civil protection (Article 1)   |
| <b>France / Spain</b>               | Agreement on mutual assistance between the French and Spanish fire fighting and assistance services, 1960   | Facilitate mutual aid and prompt sending of assistance in case of emergencies occurring in border areas   |
| <b>Morocco / Spain</b>              | Agreement on technical co-operation and mutual assistance in civil protection, 28 December 1992   | To improve scientific and technical research, and to provide mutual aid in case of catastrophes or emergencies  |
| <b>Argentina / Chile</b>            | Agreement between the Republic of Argentina and the Republic of Chile on co-operation in cases of catastrophes, 1997                                | Co-operation between the Parties shall be in the following areas: <ol style="list-style-type: none"> <li>1. Exchange of information in order to prevent catastrophes and their effects</li> <li>2. Exchange of information and experiences regarding actions in cases of emergencies</li> <li>3. Exchange of technological information to apply in cases of emergencies</li> <li>4. Elaboration and development of programmes, projects and joint plans for emergencies</li> <li>5. Development of plans for mitigation and operative coordination to face common risks</li> <li>6. Collaboration in cases of emergencies through: <ol style="list-style-type: none"> <li>a) Provision of personnel and means of assistance</li> <li>b) Use of means of technical assistance and logistics</li> <li>c) Supply of medical care and food at the request to mitigate the effects of emergencies</li> </ol> </li> </ol> (Article 2) |
| <b>Argentina / Chile</b>            | Agreement on the protection of border forests against fires, 1967   | Establish an effective system of co-operation for the protection of the common forests of the border area covered by the Agreement, including a mechanism to prevent, verify and extinguish fires (Article 1)   |
| <b>Finland / Russian Federation</b> | Agreement by and between the Government of the Finnish Republic and the Government of the Russian Federation about Co-                              | To foster co-operation in the following areas: <ol style="list-style-type: none"> <li>1. development of actions and methods that increase the</li> </ol>  |

|   |  |  |
|---|--|--|
|   | operation to avert disasters and to prevent their consequences, 1994   | <p>contracting parties' possibilities of averting disasters, to notifying them and to prevent their consequences;</p> <ol style="list-style-type: none"> <li>2. notification of disasters that have adverse effects across state borders;</li> <li>3. mutual assistance to prevent the consequences of disasters (Article 2)</li> </ol>  |
| <b>Mexico / United States of America</b>                | Wildfire protection agreement between the Department of the Interior and the Department of Agriculture of the United States of America and the Secretariat of Environment, Natural Resources, and Fisheries of the United Mexican States for the common border, 1999   | <p>The purpose of this Agreement is to:</p> <ol style="list-style-type: none"> <li>1. enable wildfire protection resources originating in the territory of one country to cross the US/Mexico border in order to suppress wildfires on the other side of the border within the zone of mutual assistance in appropriate circumstances;</li> <li>2. give authority for Parties to co-operate on other fire management activities outside the zone of mutual assistance (Article I)</li> </ol> |
| <b>New Zealand / United States of America</b>           | Wildfire Arrangement between the Department of the Interior and the Department of Agriculture of the United States of America and the National Rural Fire Authority of New Zealand, 2001   | To provide a framework within which one Participant may request and receive wildfire suppression resources from the other Participant and to encourage co-operation on other fire management activities (Article I.1)  |
| <b>China / Russia</b>                                   | Agreement on Joint Control of Forest Fire between the Government of the People's Republic of China and the Government of Russian Federation, 1995  | To improve forest fire control in border areas, to share experience in forest fire control, and to help each other to prevent forest fires and to reduce losses therefrom  |
| <b>United States of America / Australia-New Zealand</b> | International Agreement between the US Department of the Interior, Bureau of Land Management, US Department of Agriculture, Forest Service for the National Multi-agency coordination group for and on behalf of the Government of the United States of America, and the Secretariat of the Department of Natural Resources and Environment for itself and as agent of the Crown in the right of each Australian State and Territory and the Crown in the right of New Zealand, 2000 | To facilitate mutual assistance in wildland firefighting between Australia, New Zealand and the United States of America (Article I)   |
| <b>Canada / United States of America</b>                | Northwest Wildland Fire Protection Agreement, 1998   | To promote effective prevention, presuppression and control of forest fires in the Northwest wildland region of the United States and  |



|                          |   |  |
|--------------------------|---|--|
|                          |   | adjacent areas of Canada, by providing mutual aid in prevention, presuppression and control of wildland fires, and by establishing procedures in operating plans that will facilitate such aid (Article I) |
| <b>Mongolia / Russia</b> | Draft Agreement on Co-operation for Forest and Steppe Fire Protection between Russian Federation and Mongolia | Improve fire protection in the forest and steppe regions along the Russian and Mongolia border (20 km on either side) by sharing firefighting means, preventing fires, and reducing fire losses            |

### 3.1.2 Other Agreements

Five international agreements not dealing with emergency response matters but covering other aspects of co-operation on forest fires were also received. These are as follows:

- Ghana / Province of British Columbia (Canada). Memorandum of Understanding between the Government of the Republic of Ghana and the Government of the Province of British Columbia, 1999 (on training and consultation around fire suppression).
- Finland / Burkina Faso. Agreement between the Government of the Republic of Finland and the Government of Burkina Faso regarding Finnish support to the management of bush fires, 1998.
- Indonesia and Malaysia. Standard procedures of the Memorandum of Understanding on Natural Disasters between Indonesia and Malaysia. This is the document establishing the procedures to implement the Memorandum of Understanding.
- Brazil / United States of America. Acordo de cooperação entre o serviço florestal do Departamento de Agricultura dos Estados Unidos da América e o Instituto Brasileiro do Meio Ambiente e Recursos Naturais Renováveis do Ministério do Meio Ambiente para cooperação em fogo e mudanças ambientais nos ecossistemas tropicais.
- The Council of the European Union Decision of 2 October 2001 establishing a community mechanism to facilitate reinforced co-operation in civil protection.

These agreements are available in the FAO Legal Office.

### 3.1.3 Outline for Developing Agreements

Based on the review of the documentation available, as well as on the first set of guidelines for developing agreements contained in the *Follow-up Report to FAO/ITTO International Expert Meeting on forest Fire management, March 2001*, the main common elements of existing forest fire international agreements were identified and used for the preparation of an outline for developing such agreements. The outline is reproduced in Annex 4.

It should be noted that the proposed outline covers most of the elements that were found in all the international agreements reviewed. However, their relevance to individual countries and to specific environments will obviously be dependent on the particular conditions of the parties willing to enter into an agreement, as well as on the type of agreement to be developed.

The full texts of the mentioned above agreements as well as their summaries will be available online in FAOLEX (<http://www.fao.org/Legal/default.htm>) as well as at the FAO Forestry Department website ([http://www.fao.org/forestry/foris/index.jsp?start\\_id=5288](http://www.fao.org/forestry/foris/index.jsp?start_id=5288)).

## 3.2 National Legislation

Through a systematic search in FAOLEX, 152 documents on national legislation were identified. These were clustered into two categories:

- legislation specific to forest fires; and
- forestry related legislation covering forest fires.

### **3.2.1 Legislation Specific to Forest Fires**

The category “legislation specific to forest fires” addresses distinctively, and more or less fully, forest fires. Sixty-six legal instruments of this type were found and listed in Annex 5.

Thirty three countries were identified as having this type of legislation, namely: Albania, Antigua and Barbuda, Argentina, Belize, Bolivia, Brazil, Canada, Central African Republic, China, Colombia, Comoros, Costa Rica, Croatia, Dominica, Fiji, France, Hungary, Indonesia, Israel, Italy, Madagascar, Mali, Mexico, Morocco, New Zealand, Nicaragua, Portugal, Russian Federation, South Africa, Spain, Togo, Uruguay and Viet Nam.

### **3.2.2 Forestry Related Legislation Covering Forest Fires**

Under the category “forestry related legislation covering forest fires”, 85 documents with provisions dealing with some aspects of forest fire management were found. They are listed in Annex 6, with an indication of the provisions addressing forest fire matters.

All the legislation mentioned above can be accessed through the FAO Forestry Department website ([http://www.fao.org/forestry/foris/index.jsp?start\\_id=5288](http://www.fao.org/forestry/foris/index.jsp?start_id=5288)) or through FAOLEX (<http://www.fao.org/Legal/default.htm>).

#### 4. RECOMMENDATIONS

In light of the findings of this report, the following recommendations are made for future action by FAO in relation to the legal aspects of forest fire management:

1. **Updating legal information:** the information available to FAO on international agreements and national legislation on forest fire management should be regularly updated with a view to maintaining a complete and reliable database of forest fire legal frameworks.
2. **Developing guidelines for international agreements:** (i) the outline for developing international agreements contained in this report should be further elaborated in the form of detailed guidelines; (ii) outlines for developing operational guidelines and operating plans –which periodically detail the procedure for implementing such agreements– should also be prepared.
3. **Assessing national legislation:** the national legislation dealing with forest fires that was identified in this report should be further reviewed and assessed with a view to evaluating its effectiveness to better advise member countries on the revision or formulation of their legislation on forest fires.

## **Annex 1**

### **Terms of Reference**

During the International Expert Meeting on Forest Fire Management, the experts recognized the fundamental requirement for effective sustainable forest and land management policies and practices. To achieve this objective, the establishment of agreements for mutual assistance in preparation for and response to fire events was considered a high priority.

Moreover, the experts considered that improving national capacities to prepare for forest fire should include, where necessary, assistance to develop appropriate laws and institutions. In this regard, establishing databases on legislative and institutional frameworks was deemed as a significant co-operation tool.

### **Tasks**

Under the supervision of the Chief, Development Law Service, Legal Office, and in consultation with the Chief, Forest Resources Development Services, Forestry Department, the consultant will carry out the following tasks:

- Acquaint himself with legal and technical aspects of forest fire management, including related legal and institutional frameworks;
- Research and collect existing national and sub-national legislation on forest fire management;
- Categorize, describe the common elements, and compile electronically the above-mentioned legislation, with a view to creating a database therefrom;
- Update the inventory of forest fire agreements that is maintained by the FAO Forestry Department;
- Perform other tasks related to the above as required.

## Annex 2

### Responses regarding forest fire agreements (as of May 2002)

| Country      | International Agreements   | In-country Agreements  |
|--------------|--|--|
| Bolivia      | No agreement   | No agreement   |
| Brazil       | 1. Agreement Brazil/USA,1999<br>2. Proposed Agreement Brazil/Bolivia   | No agreement   |
| Burkina Faso | Agreement with Finland, 1998   | No agreement   |
| Burundi      | No agreement   | No agreement   |
| Chile        | 1. Agreement Chile/Argentina 1967<br>2. Agreement Chile/Argentina 1997   | No agreement   |
| Colombia     | Colombia/Spain (Agencia Española de cooperación internacional) Proyecto Formulación y puesta en marcha de los programas nacionales de capacitación, educación e información pública en prevención y mitigación de incendios forestales en Colombia, Diciembre 2001 | No agreements  |
| Cyprus       | No agreement   | No agreement   |
| El Salvador  | Proposed agreement with Finland on fire prevention and control   | No agreement   |
| Ecuador      | No agreement   | No agreement   |
| Eritrea      | No agreement   | No agreement   |
| Ethiopia     | No agreement   | Negotiations for an Agreement between the Ministry of Agriculture and the National Meteorological Service Authority (NMSA) on Fire Hazards   |
| Haiti        | No agreement   | No agreement   |
| Honduras     | No agreement   | Convenio para el manejo de la Reserva biológica el Chile entre la Administración forestal del Estado (COHDEFOR), la Compañía Azucarera Tres Valles y la municipalidad de San Juan de Flores, 7 de Septiembre del 2001 Deals with fire suppression in Article 3.2 |
| Indonesia    | Memorandum of Understanding on Natural Disasters between Indonesia and Malaysia, 2001  | No agreement   |
| Laos         | No agreement   | No agreement   |
| Lesotho      | Gentleman's agreements with South Africa's Natal Parks Board Personnel   | No agreement   |
| Lebanon      | No agreement   | No agreement   |
| Mauritius    | No agreement   | No agreement   |
| Morocco      | Morocco/Spain 1992   | 1. Accord de partenariat entre le Directeur provincial des eaux et forêts et le Président du Conseil de la Commune rural   |

|              |   |  |
|--------------|---|--|
|              |   | de Kaf El Ghar (Province de Taza)<br>2. Projet de convention-cadre entre le Ministère de l'intérieur, le Ministère chargé des eaux et forêts et l'agence du nord |
| Peru         | No agreement  | No agreement   |
| Rwanda       | No agreement  | No agreement   |
| Seychelles   | No agreement  | No agreement   |
| Sierra Leona | No agreement  | No agreement   |
| Sri Lanka    | No agreement  | No agreement   |
| Syria        | Occasional co-operation between Syria, Lebanon and Turkey in combating forest fires (without formal co-operation agreement) | No agreement   |
| Thailand     | No agreement  | No agreement   |
| Togo         | Agreement between traditional chiefs on either side of the border between Ghana and Togo                                    | No agreement   |
| Tunisia      | No agreement  | No agreement   |
| Uruguay      | No agreement  | No agreement   |
| Venezuela    | Proposed agreement with Chile covering, among other areas, forest fires   | No agreement   |

## **Annex 3**

### **International Agreements on Forest Fires**

#### *Standard Entries Used to Identify Common Elements in International Agreements on Forest Fires*

1. Name of the Agreement and date
2. Parties
3. Purpose
4. Definitions
5. Information and Coordination
6. Personnel and Equipment
7. Expenses
8. Liabilities, Claims and Compensations
9. Limited territorial application
10. Border crossing
11. Operating plans / Guidelines
12. Interpretation and settlement of disputes
13. Entry into force, duration, termination and withdrawal
14. Amendments
15. Other provisions



## *Summaries of the International Agreements on Forest Fires*

### **Protocol between the Kingdom of Spain and the Republic of Portugal regarding technical co-operation and mutual assistance on civil protection, 1993**

#### **Purpose**

- Preparation and execution of projects on scientific and technical co-operation regarding civil protection (Article 1)

#### **Definitions**

- N/A

#### **Information and Coordination**

- Each Party can request assistance from the other Party in cases of emergency or catastrophe or as a preventive measure. (Article 3.1)
- The operations shall be directed by the authorities of the territory where the catastrophe takes place, nevertheless the assisting teams though acknowledging their objectives and missions to the Chief of Expedition, will act under their original superiors. (Article 3.7)

#### **Personnel and Equipment**

- The equipment and relief supplies that leave a country to provide assistance to the other Party's territory, must return to their original country once the assistance is finished, and if that should not happen without a valid reason, the equipment and relief supplies shall remain under each country's applicable laws and regulations. (Article 3.6)

#### **Expenses**

- There will be no compensation of expenses caused by the assistance or by vehicles or any other material lost, damaged or destroyed. (Article 4.1)
- The Assisted Party shall pay for the expenses caused by the supply of the relief equipment, and for the costs of the articles needed by the vehicles or any other material. (Article 4.2)

#### **Liabilities, Claims and Compensations**

- Each Party waives its claims against the other Party for compensation in the case of death occurring as a consequence of the assistance. (Article 4.3)
- Any damage to a third party, caused as a consequence of the assistance, will be covered by the Assisted Party, even in case of false maneuver and technical error. The Assisting Party shall only be responsible in the case of criminal negligence. (Article 4.4)
- Any damage to a third party caused during the transport of the means of assistance shall be covered by the Assisted Party. (Article 4.5)

#### **Limited territorial application**

- The Agreement will only apply in the continental territory of both countries. (Article 3.2)

#### **Border crossing**

- The parties shall undertake all reasonable steps to facilitate the crossing of their borders. (Article 3.3)
- The authorities of both Parties shall ensure rapid opening of their respective borders whenever the assistance requires it. Both Parties shall study practical solutions in order to ensure the opening alternative temporary border-crossing points to facilitate the assistance to the receiving Party as well as border-crossing in zones without permanent frontier customhouses. (Article 3.4)

- To facilitate the prompt presence of aircraft used for the assistance, both Parties will authorize the uninterrupted opening of their air space for as long as the mission requires it. (Article 3.5)

#### **Operating plans / Guidelines**

- N/A

#### **Interpretation and Settlement of disputes**

- Any disputes arising from the application and execution of the Agreement shall be settled through negotiations in accordance with international law. (Article 10)

#### **Entry into force, duration, termination and withdrawal**

- This Protocol shall remain in force for four years, and shall be automatically extended for another four years, unless any one party gives notice to the other, three months before its expiration. Thereafter it shall be renewed in the same manner. (Article 9.2)
- This Protocol may be terminated at any time by either Party upon six months diplomatic notice to the other Party. The termination of the Protocol shall not affect the implementation of the projects and programmes being carried out at the time when it was in force. (Article 9.3)

#### **Amendments**

- N/A

#### **Other provisions**

- Scientific and technical cooperation between Parties can cover the following:
  - a) Preparation and execution of concrete projects and programmes.
  - b) Exchange of technicians for professional assistance and consultation.
  - c) Fellowships in each party's institutions.
  - d) Design and development of joint exercises.
  - e) Meetings, workshops and seminaries.
  - f) Exchange of information, documents, publications and didactic materials.
  - g) Any other kind of scientific and technical cooperation agreed by the Parties. (Article 1.2)

|   |
|---|
| <p><b>Agreement on mutual assistance between the French and Spanish fire fighting and assistance services, 1960</b></p> |
|---|

#### **Purpose**

- Facilitate mutual aid and prompt sending of assistance in case of emergencies occurring in the border areas.

#### **Definitions**

- N/A

#### **Information and Coordination**

- N/A

#### **Personnel and Equipment**

- The equipment and relief supplies that leave a country to give assistance to the other Party's territory, must return to their original country once the assistance is finished, and if that should not happen without a valid reason, the equipment and relief supplies shall remain under each country's applicable laws and regulations. (Article 4)

#### **Expenses**

- There will be no compensation of costs for the assistance received, or for any lost, damaged or destroyed material used in the rescue operations. Nevertheless, the costs and expenses of furnishing the equipment and material used for the operations will be covered by the Assisted Party. (Article 5)

#### **Liabilities, Claims and Compensations**

- In cases of personal injury or death occurring as a consequence of the assistance, each Party waives its claims for compensation against the other one. (Article 6.1)
- The Assisted Party shall cover any damage to a third party caused as a consequence of the assistance, even in cases of false maneuver and technical error. (Article 6.2)
- If there is any damage to a third party as a consequence of the transport of the instruments of assistance, the Party from the territory in which the damage was caused shall cover the compensations.(Article 6.3)

#### **Limited territorial application**

- N/A

#### **Border crossing**

- The parties shall undertake all reasonable steps to facilitate the crossing of their borders. The Chief of Mission of the Assisting Party shall present an identification and give a list of the Personnel to the competent authorities of the Assisted Party. The Chief of Mission shall also present a list of the vehicles and materials which intend to cross the border in order to facilitate the customs procedures. (Article 2)

#### **Operating plans / Guidelines**

- Complementary agreements shall be developed between those Prefects of the French Departments interested, and the corresponding competent local authorities from Spain, regarding the intervention to be applied for the assistance. This Plan, that will be constantly updated, shall be submitted to the International Commission of the Pyrenees, and shall contain:
  - a) The nature, number and location of the equipment and material of assistance that could be used for rescue operations, at the request of the other Party.
  - b) The competent authority that shall request the assistance.
  - c) The competent authority to whom the Chief of the Mission shall address at the arrival to the Assisted Party's territory.
  - d) Any non-classified document that could facilitate the operations and in particular the existing telephone directory to reach the competent authorities involved. (Article 7)

#### **Interpretation and Settlement of disputes**

- N/A

#### **Entry into force, duration, termination and withdrawal**

- This Agreement shall be effective for five years. (Article 8.1)
- This Agreement shall be automatically extended, unless any one Party gives its written notice 90 days before its expiration. (Article 8.2)

#### **Amendments**

- May be amended at the request of one of the Parties with the consent of the other Party. (Article 8.1)

#### **Other provisions**

- N/A

## **Agreement between Morocco and Spain on technical co-operation and mutual assistance in civil protection, 28 December 1992**

### **Purpose**

- To improve scientific and technical research, and to provide mutual aid in case of catastrophes or emergencies.

### **Definitions**

- N/A

### **Information and Coordination**

- Any information that arises as a consequence of the execution of this Agreement can be excluded, restricted or limited whenever any one Party expresses its desire to do so. (Article 1.5)
- The operations shall be directed by the authorities of the territory where the catastrophe takes place, nevertheless the assisting teams though acknowledging their objectives and missions to the Chief of Expedition, will act under their original superiors. (Article 2.8)
- The contracting Parties shall exchange information on possibilities and means of aid and assistance that could be mobilized if needed. (Article 2.9)
- The Parties agree that all aspects about the application and execution of this Agreement, as well as the facilities to be given in accordance with Article 1, shall be settled through diplomatic channels. (Article 5.1)
- The National Organizations responsible for international technical cooperation, shall be acquainted and shall coordinate the execution of the programmes and projects mentioned in Article 1. (Article 5.2)

### **Personnel and Equipment**

- In cases where assisting aircraft need to make technical stops, the authorities of the Assisted Party shall provide the crew with accommodation and ensure the security of the aircraft. (Article 4.3)

### **Expenses**

- The Parties shall define in each specific case, the ways of financing the actions of technical cooperation in a bilateral way, and can request and interest the participation of International Institutions and Organizations in developing joint programmes and projects in any of its forms. (Article 1.4)
- The expense of furnishing the assistance equipment and materials during the operations shall be covered by the Assisted Party. (Article 4.2)
- The Assisted Party shall cover the expense of maintenance or substitutions due to loss, destruction or deterioration of aircraft, ground vehicles or assistance materials caused as a consequence of the rescue operations. (Article 4.4)

### **Liabilities, Claims and Compensations**

- During the assistance, in cases of emergency, the Assisting Party can require from the Assisted Party the reimbursement of all of the expenses caused by the rescue operations. (Article 4.1)
- Each Party waives its claims against the other Party for compensation in the case of death occurring as a consequence of the assistance. (Article 4.5)
- Any damage to a third party caused as a consequence of the assistance, will be covered by the Assisted Party, even in case of false maneuver and technical error. The Assisting Party will only be responsible in the case of criminal negligence. (Article 4.6)

- Any damage to a third party during the transport of the means of assistance will be covered by the Party in whose territory the accident occurred. The Assisting Party will only be responsible in the case of criminal negligence. (Article 4.7)

#### **Limited territorial application**

- N/A

#### **Border crossing**

- Each Party shall undertake all reasonable steps to facilitate entry and exit from its territory, without entry fees and without payment of any duties or taxes. The assisting Chief of Unit shall provide a certificate, from the competent authority of the assisting country in its original language, explaining its mission, the status of its unit and a list of the personnel and equipment. (Article 2.3)
- The authorities of both Parties shall ensure fast opening of their respective borders whenever necessary for the assistance. Both Parties shall study practical solutions in order to open alternative temporary border-crossing points to facilitate the assistance to the receiving Party as well as border-crossing in zones without permanent frontier customhouse. (Article 2.4)
- The personnel of the Assisting Party mentioned in Article 2.3 shall be allowed to cross the border without Passports and residence permit. (Article 2.5)
- To facilitate the prompt presence of aircraft used for the assistance, both Parties will authorize their permanent entry for as long as necessary. (2.6)
- All the equipment and materials used or intended to be used for the assistance, brought by the Assisting Party, shall go back to that Party's territory after the termination of the rescue operations.

#### **Operating plans / Guidelines**

- N/A

#### **Interpretation and Settlement of disputes**

- Any disputes arising from the application and execution of this Agreement shall be settled through Diplomatic channels (Article 5.1)
- A Mixed Commission of Civil Protection will be created to ensure the effectiveness of this Agreement. This Commission shall discuss in periodical meetings the activities to be held and shall follow their development, and make proposals and amendments when needed. (Article 7)
- Any controversy arising from the interpretation or the effects of this Agreement shall be settled in accordance with international law. (Article 10)

#### **Entry into force, duration, termination and withdrawal**

- This Agreement shall be effective for four years, and shall be automatically extended, unless any one Party gives its written notice three months before its expiration.
- This Agreement may be terminated by any one Party at any time with six months notice to the other Party. The termination of this Agreement shall not affect the implementation of any programme or project being carried out at the moment of its termination unless agreed by both Parties. (Article 9.3)

#### **Amendments**

- N/A

#### **Other provisions**

- N/A

## Agreement between the Republic of Argentina and the Republic of Chile on co-operation in cases of catastrophes, 1997

### **Purpose**

- Co-operation between the Parties shall be in the following areas:
  1. Exchange of information in order to prevent catastrophes and their effects
  2. Exchange of information and experiences regarding actions in cases of emergencies
  3. Exchange of technological information to apply in cases of emergencies
  4. Elaboration and development of programmes, projects and joint plans for emergencies
  5. Development of plans for mitigation and operative coordination to face common risks
  6. Collaboration in cases of emergencies through:
    - a) Provision of personnel and means of assistance
    - b) Use of means of technical assistance and logistics
    - c) Supply of medical care and food at the request to mitigate the effects of emergencies (Article 2)

### **Definitions**

- Catastrophe, any event considered as such by any one Party, which shall produce risks to the life, health, essential services or property of the population, or to the environment.
- Competent Organizations, those Organizations that, according to each Party's laws and regulations, shall be competent to intervene in case of a catastrophe.
- Actions in case of a catastrophe, any action carried out in order to mitigate, prevent or suppress the effects of a catastrophe. (Article 1)

### **Information and Coordination**

- Procedures in case of an emergency:
  1. The Parties shall notify each another, through diplomatic channels, of disasters taking place in their respective territories, and shall request assistance to the other Party. Once the notice has been received, the requesting Party shall ensure the prompt intervention of its competent authorities.
  2. All the communications and requests of assistance between both Parties shall be through their Ministries of Foreign Affairs.
  3. The above mentioned, shall not affect the existing channels of communication between *the Gendarmería Nacional Argentina y de Carabineros de Chile*, established by Articles VI and VII of the "Agreement between the Republic of Argentina and the Republic of Chile on cooperation between *the Gendarmería Nacional Argentina y Carabineros de Chile*", signed August 2<sup>nd</sup>, 1991, in Buenos Aires. (Article 4)

### **Personnel and Equipment**

- Immunities and privileges of the Assisting Party's personnel:
  1. Official immunity. Not applicable in case of felony.
  2. Civil, criminal and administrative, jurisdictional immunity, including executive immunity and exception of giving testimony. These immunities shall not apply in case of acts or omissions taken place out of the duties relating to the implementation of this Agreement.
  3. The only taxes to be paid shall be the ones indirectly included in the prices of the services or goods
  4. Exemption of entry fees, and payment of any duties or taxes imposed by reason of importation. All the equipment shall go back to the Assisting Party territory once the mission is completed.
  5. Unless there is a valid reason, no inspection of the luggage of the Assisting Party's personnel shall be carried out by the Assisted Party.

These privileges and immunities shall be effective for all the time that the Assisting Party shall be in the territory of the Assisted Party. (Article 8)

### **Expenses**

- The expenses caused as a consequence of the activities of the Assisting Party shall be paid as follows (unless agreed differently by the Parties):
  1. Each Party shall pay for its costs of transportation.
  2. The Assisted Party shall pay for the accommodation of the personnel of the Assisting Party.
  3. The maintenance and operational costs of the equipment shall be paid equally by both Parties. (Article 6)

### **Liabilities, Claims and Compensations**

- The Assisting Party shall be responsible for any illegal act of its personnel arising as a consequence of the assistance in case of catastrophe. (Article 9)

### **Limited territorial application**

- N/A

### **Border crossing**

- Border crossing procedure applicable to the assistance sending personnel:
  1. The Assisting Party shall notify through diplomatic channels, the place, date and time of arrival of its personnel, and shall specify:
    - a) Name, standard, functions and identification of its personnel.
    - b) Organization or Organizations to which the personnel belongs.
    - c) Description and means of technical assistance and any other object to be used in the mission, to be introduced to the Assisted Party's territory.
  2. Facilitate the entry of the personnel and the equipment referred in point a) of this Article.
  3. The elements described in Article 1.c) shall be exempt from all customs duties, import duties and other dues.
  4. In case of a catastrophe in one Party's territory for which shall be needed to enter through the others Party's territory, shall be applied the same procedures mentioned in this Article. (Article 5)

### **Operating plans / Guidelines**

- N/A

### **Interpretation and Settlement of Disputes**

- Any dispute arising between the Parties from the interpretation and application of this Agreement shall be settled through the procedures established by Articles 4, 5 and 6 and Annex 1 of the Treaty of Peace and Friendship of 1984. (Article 10)

### **Entry into force, duration, termination and withdrawal**

- The validity of this Agreement shall be 10 years, extended automatically for the same period of time. This Agreement may be terminated by any one Party with one-year notice to the other Party. The termination of this Agreement shall not affect the implementation of any fire suppression effort being carried out under this Agreement at the time when it was in force. (Article 12)

### **Amendments**

- N/A

### **Other provisions**

- N/A

## **Agreement between Argentina and Chile on the protection of border forests against fires, 1967**

### **Purpose**

- Establish an effective system of co-operation for the protection of the common forests of the border area covered by the Agreement, including a mechanism to prevent, verify and extinguish fires (Article 1)

### **Definitions**

- N/A

### **Information and Coordination**

- In cases of fire in the area designated in this Agreement, the forest authority of the Party of the territory where such fire is taking place shall communicate it to the other Party, which shall take the necessary measures to collaborate in the suppression of the fire. (Article 10)

### **Personnel and Equipment**

- Points of observations shall be established as a permanent system of fire prevention.(Article 7)
- Each Party shall supply the points of observation with an adequate radiocommunication system that makes contact possible with the other Party (Article 8)

### **Expenses**

- N/A

### **Liabilities, Claims and Compensations**

- The Government of both Parties shall forbid the use of fire between the 1<sup>st</sup> of November and the 31<sup>st</sup> of March every year. (Article 3)
- For the use of fire out of the dates of prohibition, the Parties shall follow the next provisions:
  - a) Each Party shall communicate the other Party the programmes authorized, thirty days before the beginning of the season.
  - b) Both Parties shall try to authorize fires in adjacent lands during the same dates.
  - c) These dispositions apply only to the area established in Article 2. (Article 4)
- Both Parties shall require from all aircraft crossing the mountain range between parallels 35 and 46 South Latitude, notification of any possible fire to the nearest competent authorities. (Article 5)

### **Limited territorial application**

- The area established by this Agreement, shall be a 15 kilometers strip of forests both sides of the border, between parallels 36 and 45 South Latitude. (Article 2)

### **Border crossing**

- The aircraft used for prevention and assistance in cases of fire, shall limit their activities to the territory of the Party' to which they belong, without entering in any case to the other Party's territory. (Article 9)

### **Operating plans / Guide lines**

- N/A

### **Interpretation and Settlement of disputes**

- N/A



**Entry into force, duration, termination and withdrawal**

- This Agreement shall remain in force indefinitely, and may be terminated by any one Party upon one-year notice to the other Party. (Article 11)

**Amendments**

- N/A

**Other provisions**

- N/A

|  |
|--|
| <b>Agreement by and between the Government of the Finnish Republic and the Government of the Russian Federation about Cooperation to avert disasters and to prevent their consequences, 1994</b> |
|--|

**Purpose**

- To foster co-operation in the following areas:
  1. Development of actions and methods that increase the contracting parties' possibilities of averting disasters, to notifying them and to prevent their consequences;
  2. Notification of disasters that have adverse effects across state borders;
  3. Mutual assistance to prevent the consequences of disasters (Article 2)

**Definitions**

- The terms applied in this Agreement are interpreted as follows:
  1. A disaster is understood to be an industrial accident, an explosion, a fire, a cave-in, an earthquake, a flood, or another comparable event or natural catastrophe, which causes or may cause injury or damage to people, property or the environment;
  2. The assistance requesting contracting party is the Government that makes the other contracting party a request to send relief teams, necessary equipment and relief supplies;
  3. The assistance giving contracting party is the Government that fulfils the other contracting party's request for relief teams, necessary equipment and relief supplies;
  4. Relief teams are organized groups of experts set up by the assistance giving contracting party, also military personnel and other groups, meant for assistance and provided with required equipment;
  5. Equipment refers to the relief teams' vehicles and other materials, as well as to the tools needed for assistance;
  6. Relief supplies are supplies distributed to the people who have suffered from the disaster;
  7. Rescue operations are measures taken after the disaster to prevent an aggravation of the situation and to keep the damage as small as possible;
  8. The competent authorities of the contracting parties are the Finnish Ministry of the Interior and the Russian Ministry in charge of civil defense, disaster situations and prevention of the consequences of natural catastrophes in the Russian Federation;
  9. The competent regional and local authorities are the municipalities, federations of municipalities and consolidated local government areas, provincial administrative boards and pertinent state authorities in the district administrations in the Finnish provinces of Lapland, Oulu, Northern Karelia and Petersburg, as well as the regional administrations of Leningrad and Murmansk in Russia. (Article 1)

**Information and Coordination**

- The contracting parties shall notify one another, without delay and using the stipulated channels, of such disasters in their respective areas that have or may have detrimental consequences in the other contracting party's territory. The notification shall contain

information on the nature of the disaster and its scene, as well as on the measures which have been taken or shall be taken in and outside the disaster area, and on other relevant circumstances. This information shall also be supplied on the development of the situation. (Article 4)

- The competent authorities of the contracting parties shall inform one another the channels that are used to transmit and receive the notifications and information referred to in Article 6 of this Agreement. These channels shall also be disposable at all times. The competent authorities of the contracting parties shall immediately inform one another of any change in the information on the communication channels. (Article 7)
- Rescue operations shall be directed by the contracting party's competent authority, or by the regional and local competent authorities in whose area the operations are carried out. The relief teams shall be available under the direction of their own officers, operating in the assistance requesting contracting party's territory in accordance with the regulations effective in their own country. (Article 10)
- Information received in connection with the implementation of this Agreement may be used without restriction, unless agreed differently by the parties. (Article 14)

### **Personnel and Equipment**

- The relief teams shall have sufficient equipment for independent operation in the disaster area. The assistance requesting contracting party shall provide, if necessary, the relief teams with more equipment and relief supplies, as well as provide the maintenance and service needed by the teams.  
Proper medical care shall also be given to the relief teams as needed. (Article 9)
- Provisions on the import of relief supplies and equipment:
  1. Relief teams may only bring into the country, freely and exempt from duty, such equipment that is intended for rescue operations, as well as personal belongings.  
It is not permitted to bring into the country equipment or materials, the import of which into the country is forbidden, except if specially agreed case by case.
  2. A complete list, signed by the team leader, of the relief team's equipment and relief supplies shall be submitted to the customs authorities.
  3. If the medical first-aid kits, carried by the relief teams, include medical preparations which contain narcotics, the leaders of the relief teams shall report these to the customs officials who shall allow their free entry into the country. Such preparations may only be used by the competent medical staff of the assistance giving contracting party in accordance with the legislation of the assistance giving contracting party.
  4. At the termination of the rescue operations, the remaining preparations which contain narcotics shall be taken out of the country and a consumption report, signed by the team leader and the doctor, shall be submitted to the customs; this report shall specify the consumption of the preparations and it must be certified by a representative of the assistance requesting party's competent authority.
  5. If for some reason it is not possible or expedient to take out of the country equipment brought into the country temporarily for rescue operations, this equipment shall be surrendered to the assistance requesting contracting party's competent authority on the mutually agreed terms and conditions. No payment is collected in this situation from the assistance giving contracting party. (Appendix)

### **Expenses**

- Each contracting party shall bear the costs of their own arbitrator as well as the costs caused by the hearing of the matter by the court of arbitration. The chairman's costs and other expenses shall be shared equally by the contracting parties. The court of arbitration may also decide on a different cost distribution. (Article 16)

### **Liabilities, Claims and Compensations**

- The assistance requesting contracting party shall compensate the assistance giving contracting party for the costs caused by the assistance, including the expenses of medical care, unless agreed differently by the contracting parties in view of the nature and proportions of the disaster. The assistance requesting contracting party may cancel their request for the assistance at any time. In that case the assistance giving party is entitled to compensation for the costs caused to them.

If not agreed differently between the contracting parties, the costs shall be compensated immediately after the assistance giving contracting party has demanded this to the assistance requesting party. (Article 12)

- Both contracting parties waive all demands for compensation from the other contracting party on account of a death or a bodily injury, or for other damages caused to the health of their experts or other personnel, or to their personal property, if these events have taken place while carrying out duties relating to the implementation of this Agreement. The assistance giving contracting party shall take out insurance, according to the regulations effective in their country, for their personnel taking part in the assistance in the assistance operation. The insurance costs are included in the general costs for the assistance and the assistance requesting contracting party shall pay them as provided for in this Agreement.

If a member of the assistance giving party's relief team, while carrying out duties relating to the implementation of this Agreement, should cause damage to a third party in the territory of the assistance requesting state, the assistance requesting contracting party shall pay the damages under the legislative provisions that would be applied if the damage had been caused by their own relief troops.

The assistance requesting contracting party shall have the right of recourse to file a lawsuit for any compensation, paid under this article, against a member of the relief team who has caused the damage intentionally or by gross negligence.

The contracting parties' competent authorities shall exchange pertinent information about the situation in which the damage referred to in this article took place. (Article 13)

#### **Limited territorial application**

- N/A

#### **Border crossing**

- Each contracting party shall ensure that the other contracting party's relief teams have fast and simple border and customs inspection at the crossing of the state border.

The contracting parties shall exempt the equipment and relief supplies of the relief teams, coming into their territory for rescue operations, from all customs duties, import duties and other dues.

After the termination of the rescue operations, the assistance giving contracting party shall remove all of their relief teams' equipment from the assistance requesting party's territory, with the exception of destroyed or lost equipment. This equipment shall be exempt from export duties, import duties, and other dues. All the relief supplies shall be distributed to the assistance requesting party's suffering people, or surrendered to their competent authority.

If military personnel, state-owned vessels, state-owned aircraft and military vehicles, requiring a special entry and exit permit, are taking part in the rescue operations, the assistance requesting contracting party's competent authority shall obtain such a permit. The state border cannot be crossed before the permit is issued.

The customs and inspection procedures followed by the two contracting parties' customs officers and border guards at the crossing of the border by the relief teams, as well as their equipment and relief supplies for rescue operations, are agreed in the Appendix to this Agreement. This Appendix is an integral part of the Agreement. (Article 11)

#### **Operating plans / Guidelines**

- N/A

#### **Interpretation and Settlement of disputes**

- Any disputes arising from the interpretation and application of this Agreement that cannot be settled through negotiations by the competent authorities, shall be settled through diplomatic channels.

If the contracting parties fail to reach an agreement through diplomatic channels, the dispute shall be submitted, on the request of either contracting party, to a court of arbitration.

The court of arbitration shall consist of three members. Each contracting party shall appoint one member and these two shall mutually agree and elect the chairman of the court of arbitration. The chairman of the court of arbitration shall not be a citizen of either contracting party.

The contracting parties shall appoint the members of the court of arbitration within two months of the notice given by either contracting party to the other party of their intention to refer the dispute to a court of arbitration.

The appointed members of the court of arbitration shall elect the chairman within a month of the designation of the last appointed member.

If the arbitrators appointed by the contracting parties fail to reach an agreement with the chairman within two months, the appointment shall be made by the chairman of the International Court of Justice on the request of the contracting party who has submitted the matter to the court of arbitration.

The court of arbitration shall give their award following, as a guideline, the provisions of this Agreement and other applicable norms of international law. The court of arbitration shall determine its own procedure. The arbitration award shall be binding on both parties.

Each contracting party shall bear the costs of their own arbitrator as well as the costs caused by the hearing of the matter by the court of arbitration. The chairman's costs and other expenses shall be shared equally by the contracting parties. The court of arbitration may also decide on a different cost distribution. (Article 16)

#### **Entry into force, duration, termination and withdrawal**

- The validity of this Agreement shall expire 12 months after notification in writing by either contracting party to the other party of their intention to terminate the Agreement. (Article 17)

#### **Amendments**

- N/A

#### **Other provisions**

- Relationship to other agreements:  
This Agreement shall have not effect on either contracting party's rights or obligations under other bilateral or multilateral treaties or conventions. (Article 15)

**Wildfire protection agreement between the Department of the Interior and the Department of Agriculture of the United States of America and the Secretariat of Environment, Natural Resources, and Fisheries of the United Mexican States for the common border, 1999**

#### **Purpose**

- The purpose of this Agreement is to:
  1. Enable wildfire protection resources originating in the territory of one country to cross the US/Mexico border in order to suppress wildfires on the other side of the border within the zone of mutual assistance in appropriate circumstances;
  2. Give authority for Parties to co-operate on other fire management activities outside the zone of mutual assistance (Article I)

## **Definitions**

1. "Wildfire" means a fire that occurs in a wildland area, such as a range or forest, in which development is essentially non-existent except for roads, railroads, power lines, and similar transportation facilities, and structures, which if these exist, are widely scattered and are used primarily for recreation or agricultural purposes.
2. "Wildfire protection resources" means personnel, supplies, equipment, aircraft, vehicles, vessels, radios and specialized machinery or other resources, whether owned or contracted, that are intended for wildfire suppression equipment or personnel.
3. "Zone of mutual assistance" means the area of up to 16 kilometers (10 miles) on each side of the United States-Mexico border.
4. "Receiving Party" means the party receiving wildfire protection resources.
5. "Sending Party" means the party furnishing wildfire protection resources. (Article II)

## **Information and Coordination**

- N/A

## **Personnel and Equipment**

1. Each Any service performed in furtherance of this Agreement by an employee of a Party shall constitute service performed on behalf of that Party.
2. The performance of a service under this Agreement by an employee, contractor, subcontractor or agent of one Party shall in no case render such person an employee, contractor, subcontractor or agent of the other Party. (Article VIII)

## **Expenses**

- Each Party shall assume all of its costs and expenses of furnishing wildland fire protection resources, including costs or damaged wildfire protection resources, according to the performances of this Agreement, unless otherwise agreed by the Parties. (Article IV)

## **Liabilities, Claims and Compensations**

1. Each Party hereby waives its claims against the other Party for compensation for loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement.
2. Each Party shall, by contract or otherwise, extend the cross-waiver of liability set forth in paragraph 1 above to any contractors or subcontractors or agents or any state, regional, local, private or tribal fire organizations it may designate or assign to perform activities under this Agreement.
3. The cross-waiver of liability set forth in paragraph 1 above shall not apply to:
  - a) Claims between a Party and its agencies, employees, contractors, subcontractors or agents;
  - b) Claims arising from willful misconduct; and
  - c) Claims arising from criminal conduct. (Article V)

## **Limited territorial application**

- 16 kilometers (10 miles) on each side of the United States-Mexico border. (Article II.3)
- Nevertheless, this Agreement gives authority for Parties to cooperate on other fire management activities outside the zone of mutual assistance. (Article I)

## **Border crossing**

- The Parties are committed to work together, with the involved agencies of their respective governments, to process appropriate legal documentation, within the applicable laws and regulations of both countries, and to otherwise facilitate entry to and exit from its territory of all personnel engaged in wildfire protection pursuant to this Agreement. Also, each Party shall undertake all reasonable steps and use its best efforts, within applicable laws and regulations of both countries, to facilitate the admission of all supplies, equipment, aircraft, vehicles, specialized machinery, or other equipment whether owned or contracted, that are used or

intended for used in wildfire suppression or transport of wildfire suppression equipment or personnel pursuant to this Agreement without entry fees and without payment of any duties or taxes imposed by reason of importation. (Article VI)

### **Operating plans / Guidelines**

1. Each Annual Operating Plans shall be concluded and executed between the Parties.
2. Each Annual Operating Plan shall:
  - a) Identify designated points of contact responsible for fire suppression within the applicable subregion within the zone of mutual assistance.
  - b) Set forth specific criteria for approving requests for wildfire protection resources;
  - c) Develop plans for mobilization of wildfire protection resources on each side of the United States-Mexico border;
  - d) Establish procedures for efficient and timely communication of relevant information between designated points of contact;
  - e) Provide for complete and timely reporting and record-keeping of all wildfire suppression incidents occurring in the subregion within the zone of mutual assistance;
  - f) Identify the necessary procedures and legal documentation, which are to be completed, with agencies of the governments, for the expeditious cross-border movement of wildfire protection resources;
  - g) Specify the conditions and procedures for the reimbursement, as deemed appropriate, of the Sending Party for the furnishing of wildfire protection resources; and
  - h) Include terms consistent with Article V a cross waiver for compensation for loss, damage, personal injury, or death occurring in consequence of the performance of this Agreement.
3. The Parties may recommend the development of operating plans for other fire management activities outside the zone of mutual assistance, subject to the approval or their respective governments.
4. The Parties shall maintain on file copies of all Annual Operating Plans. (Article VII)

### **Interpretation and Settlement of disputes**

- Any differences that arise in the interpretation or application of the provisions of this Agreement or any Annual Operating Plan negotiated pursuant hereto shall be resolved by the Parties by means of negotiations and consultations. (Article X)

### **Entry into force, duration, termination and withdrawal**

- This Agreement shall enter into force upon signature by the Parties and shall remain in force for five years. (Article XI.1)
- This Agreement may be terminated at any time by either Party upon six months written notice to the other Party. (Article XI.3)
- The termination of this Agreement shall not affect the implementation of any fire suppression effort being carried out under this Agreement at the time when it was in force. (Article XI.4)

### **Amendments**

- This Agreement may only be amended or executed by mutual, written agreement of the Parties, and such agreement shall specify the date upon which such amendments shall take effect. (Article XI.2)

### **Other provisions**

- Relationship to other laws and agreements:
  1. Activities under this Agreement shall be subject to the applicable laws, regulations, and policies of each Party and subject to the availability of funds.
  2. This Agreement is without prejudice to rights and obligations of the Parties under existing bilateral and multilateral agreements. (Article IX)

**Wildfire Arrangement between the Department of the Interior and the Department of Agriculture of the United States of America and the National Rural Fire Authority of New Zealand, 2001**

**Purpose**

- To provide a framework within which one Participant may request and receive wildfire suppression resources from the other Participant and to encourage co-operation on other fire management activities. (Article I.1)

**Definitions**

1. "Receiving Participant" means the Participant receiving Wildfire Suppression Resources
2. "Sending Participant" means the Participant furnishing Wildfire Suppression Resources
3. "Wildfire" means any forest, range or bush fire
4. "Wildfire Suppression Resources" means personnel, supplies, equipment, and other resources required for presuppression and suppression activities for wildfire. (Article II)

**Information and Coordination**

- Established in the Annual Operating Plans.

**Personnel and Equipment**

1. Each Participant should undertake all reasonable steps and use its best efforts, within and subject to applicable laws and regulations of both countries, to facilitate the admission of all supplies, equipment, aircraft, vehicles, specialized machinery, or other equipment whether owned or contracted, that are used or intended for use in wildfire suppression or transport of wildfire suppression equipment or personnel pursuant to this Arrangement without entry fees and without payment of any duties or taxes imposed by reason of Importation. (Article VI.2)
2. Any service performed in furtherance of this Arrangement by an employee of a Participant should constitute service performed on behalf of that Participant.
3. The performance of a service under this Arrangement by any employee, contractor, subcontractor or agent of one Participant should in no case render such person an employee, contractor, subcontractor or agent of the other Participant. (Article VIII)

**Expenses**

- Except for the costs set forth in Part V of this Arrangement, the Sending Participant should be reimbursed by the Receiving Participant for the costs incurred by the Sending Participant in furnishing Wildfire Suppression Resources for, or on behalf of the Receiving Participant. The costs may include the cost of premiums to purchase liability insurance and death personal injury insurance for the Sending Participant and its employees, servants and agents, as more fully described in the Annual Operating Plan provided for in Part VII of this Arrangement. The specific costs and procedures for reimbursement should be set forth in the Annual Operating Plan, which should be a binding contract. (Article IV)

**Liabilities, Claims and Compensations**

1. In the Annual Operating Plan, the Receiving and Sending Participant should include provisions by which each Participant and each component of that Participant intends to waive its claims against the other Participant and each component of that Participant for compensation for loss, damage, personal injury, or death occurring as a consequence of the performance of activities undertaken pursuant to the Annual Operating Plan.
2. Each Participants should, by contract or otherwise, extend the cross-waiver of liability contemplated in paragraph 1 to any contractors or subcontractors or agents or any state,

regional, local, private or tribal/aboriginal fire organizations it may designate or assign to perform activities under this Arrangement or the Annual Operating Plan

3. The Participants understand that the cross-waiver of liability contemplated in paragraph 1 above should not apply to claims between a Participant and its agencies, employees, contractors, subcontractors or agents. (Article V)

#### **Limited territorial application**

- N/A

#### **Border crossing**

- The Participants intend to work together, within the applicable laws and regulations of both countries, and to otherwise facilitate entry to and exit from each Participant's respective territory of all personnel engaged in wildfire suppression pursuant to this Arrangement. (Article VI.1)

#### **Operating plans / Guidelines**

1. Should be concluded and executed between the Participants as a binding contract.
2. The Annual Operating Plan should:
  - a) identify designated points of contact responsible for fire suppression;
  - b) set forth specific criteria and procedures for approving requests for Wildfire Suppression Resources;
  - c) establish procedures for efficient and timely communication of relevant information between designated points of contact;
  - d) identify the necessary procedures and legal documentation, which are to be completed, with agencies of the government to allow entry into each country of Wildfire Suppression Resources;
  - e) specify the conditions, costs and procedures for the reimbursement, as deemed appropriate, of the Sending Participant for the furnishing of Wildfire Suppression Resource;
  - f) include terms consistent with Part V, a cross-waiver for compensation for loss, damage, personal injury or death occurring in consequence of the performance of this Arrangement and the Annual Operating Plan;
  - g) establish equivalent standards for qualifications, including physical fitness, training and experience;
  - h) provide for recall rights of the Sending Participant.
3. The Participant should use their best endeavors to complete a review of the Annual Operating Plan by 15 May each year. Until the review is completed, the last Annual Operating Plan should continue to apply. (Article VII)

#### **Interpretation and Settlement of disputes**

- Should be resolved by the Participants by means of discussions and consultations. (Article XI)

#### **Entry into force, duration, termination and withdrawal**

- Activities under this Arrangement commence upon signature and continue until 15 May 2010 unless terminated earlier. After that date this Arrangement continues from year to year until terminated. (Article XII.1)
- This Arrangement may be terminated by any Participant at any time by providing reasonable, written notice to the other Participant. (Article XII.3)
- The termination of this Arrangement should not affect the implementation of any Wildfire suppression initiated under this Arrangement prior to such termination. (Article XII.4)

#### **Amendments**

- This Arrangement may only be modified by mutual written consent of the Participants. (Article XII.2)



### **Other provisions**

- This Arrangement is not intended to create legally enforceable obligations between the Participants (Article I.2)
- This Arrangement does not constitute a treaty between the sovereign states of the United States of America and of New Zealand. (Article I.3)
- This Arrangement constitutes a reaffirmation of the importance of engaging in cooperative fire management activities. This Arrangement is intended to encourage and strengthen other cooperative fire management activities, through sharing among the Participants, fire management skills, and innovations. The objective of these activities is to improve the fire fighting assistance to one another when necessary. Each Participant should bear all of its costs and expenses of participating in these cooperative activities, unless otherwise mutually arranged. (Article IX)

## **Agreement on Joint Control of Forest Fire between the Government of the People's Republic of China and the Government of the Russian Federation, 1995**

### **Purpose**

- To improve forest fire control in border areas, to share experience in forest fire control, and to help each other to prevent forest fires and to reduce losses therefrom

### **Definitions**

- N/A

### **Information and Coordination**

- Command units for forest fire control shall be established in areas designated in the Article I of the current Agreement inside China and the Russian Federation, and shall work under the leadership of the local governments. (Article II.1)
- The command units in respective areas of joint control shall be responsible for the work of joint forest fire control and ensure smooth liaison among them. They shall promptly inform one another through proper liaison channels in case of forest fire. (Article II.2)
- The Parties shall establish specific liaison stations for joint forest fire control in joint control areas inside their respective borders. The liaison stations shall establish direct liaison among them, with methods of liaison to be decided by the stations of both Parties and the local governments. (Article II.3)
- The liaison stations work under the specific responsibility of the local command units for joint forest fire control, and the number of stations may be increased, if necessary, subject to the agreement of both Parties. The heads of command units of both Parties shall meet to communicate fire risks, share experience and information as well as consult each other and agree on matters related to the joint forest fire control. (Article II.4)
- If an airplane or helicopter needs an emergency landing, the responsible air control unit of the party accepting such a emergency landing shall promptly inform the responsible air control unit of the other party and provide necessary assistance to the airplane/helicopter and its crew. (Article V.4)

### **Personnel and Equipment**

- For the purpose of forest fire suppression, one party may allow for the participation of the personnel from the party, subject to the agreement of the corresponding units of both Parties. The entry and exit formalities for fire fighting personnel shall be implemented in accordance with the Article 21 of the Agreement on the System of the Sino-Russian Border Management between the Government of the People's Republic of China and the Government of Russian Federation, signed on May 27, 1994. (Article V.2)

- The airplanes and helicopters participating in the forest fire fighting shall obtain the approval of the authorities of both Parties and the permission of the responsible units of air control of both Parties before they cross the Sino-Russian border. Such a request of cross border flight shall be submitted by liaison stations and be studied in time. (Article V.3)
- The fire fighting personnel sent abroad by the authorities of both Parties shall be lead by a team leader and bring fire-fighting equipment with them. The authority of the recipient party shall designate a responsible representative to and arrange work for the incoming Assisting Party and provide for their accommodation. The team leader and the designated representative shall together ensure the return of the assisting fire fighters to their home country. (Article V.5)

#### **Expenses**

- N/A

#### **Liabilities, Claims and Compensations**

- If the incoming assisting fire fighters area unfortunately wounded or lose their life during fire fighting, the subsidies for their temporary or permanent loss of labor, or pensions for the dependents of the death victims shall be paid by social security agencies of the party where these wounded or deceased fire fighters belong to, in the manner provided for by the national law and regulations of that party. (Article V.6)
- The recipient authority shall compensate the other authority all the costs related to the assistance and make the payment within one month of receiving the confirmation bill. (Article VI.1)
- The cost of materials, equipment and fuel consumed during the dire fighting shall be calculated at the international market price. (Article VI.2)
- The payment procedure for the compensation shall be negotiated by he heads of the authorities of both Parties in accordance with specific circumstances. (Articles VI.3)

#### **Limited territorial application**

- Both Parties shall establish areas for joint control of forest fire in a 10 kilometer-wide strip on both sides of the border between the People's Republic of China and the Russian Federation. (Article I)

#### **Border crossing**

- The staff of the liaison stations, when required by work to cross borders of both Parties, shall go through the formalities in accordance with the respective current laws of both Parties and bilateral agreements. (Article II.5)

#### **Operating plans / Guidelines**

- N/A

#### **Interpretation and Settlement of disputes**

- N/A

#### **Entry into force, duration, termination and withdrawal**

- This Agreement shall come into force on the day of signature with a validity of five years. Upon its expiration, the Agreement shall be automatically extended for another five years, unless any one party gives its written notice of termination to the other party six months before the expiration of the Agreement, and thereafter shall be renewed in the same manner. (Article VII.1)

#### **Amendments**

- N/A

### **Other provisions**

- As for the day when this Agreement comes into effect, the Joint Agreement on Forest Protection and Fire Prevention, signed on 29 January 1960, between the Government of the People's Republic of China and the Government of the Soviet Union of Socialist Republics shall terminate. (Article VII.2)

**International Agreement between the US Department of the Interior, Bureau of Land Management, US Department of Agriculture, Forest Service for the National Multi-agency coordination group for and on behalf of the Government of the United States of America, and the Secretariat of the Department of Natural Resources and Environment for itself and as agent of the Crown in the right of each Australian State and Territory and the Crown in the right of New Zealand, 2000**

### **Purpose**

- To facilitate mutual assistance in wildland firefighting between Australia, New Zealand and the United States of America (Article I)

### **Definitions**

- N/A

### **Information and Coordination**

- Request for assistance will be channeled by the most expeditious means to the appropriate authorized official in accordance with the following:
  1. Request for assistance from the USA will be made from the relevant Australian and New Zealand agencies via NRE to the National Interagency Coordination Center (NICC) at the National Interagency Fire Center (NIFC) in Boise, Idaho. The authorized officials are the B.L.M. Director or the US Forest Service Director at NIFC. (Article III.1)
  2. Requests for assistance from participant Australian and New Zealand agencies will be made from NIFC to the Chief Fire Officer of NRE. (Article III.2)
  3. NRE and NIFC will be responsible for providing the US and Australian and New Zealand officials with the names of the authorized Australian and New Zealand officials within fourteen days of request for assistance. (Article III.3)
  4. The recall of resources from the receiving agency shall be communicated through NICC and the NRE Emergency Coordination Centre and the lending agency will attempt to give 24 hours notice. (Article VIII)

### **Personnel and Equipment**

- The parties to this Agreement may request overhead personnel with specialized expertise for fire assignments. (Article IV.2)
- Personnel assigned as part of a resource order will receive an adequate orientation and health and safety session prior to deployment and should be debriefed prior to demobilization. (Article IV.3)
- Each agency assigning personnel to a resource order will certify that the personnel assigned will meet requirements of the position ordered. (Article IV.4)
- The lending agency will attempt to provide all the safety equipment required meeting their regulations. Should additional equipment be requested by the receiving agency, the receiving agency will supply these at their expense. (Article IV.5)
- When appropriate the lending agency and receiving agency will provide for adequate liaison. The liaison from the receiving agency will be responsible for the health, safety, welfare, and commissary needs of all personnel engaged. (Article IV.6)
- All personnel should carry with them two examples of identification and any conviction may prohibit mobilization to the receiving country. (Article IV.9)

- If an individual is deemed inadmissible due to minor criminal/felony offences, the individual will be required to undergo an interview process with Immigration. All costs associated with the process will be borne by the individual or the receiving agency. (Article IV.10)
- Some specialized equipment may be accompanied by trained technicians and/or operators to ensure safe and efficient set up and operation of equipment. (Article V.4)
- It is recommended that all equipment be registered with the respective lending agencies' customs authority prior to mobilization. (Article V.5)

### **Expenses**

- Reimbursement for personnel will be on the following basis:
  - a) All salaries, overtime and hazard pay submitted for payment by the sending agency will be reimbursed by the receiving agency, in accordance with salary schedules and/or union contracts in existence with the lending agency or at rates agreed in advance of engagement.
  - b) The costs of travel, and daily personnel care costs shall in all cases be reimbursed by the receiving agency. Where daily rates are not in effect receipts are required for all expenses.
  - c) All medical and associated compensation costs incurred in the course of the deployment to the requesting agency. (Article IV.1)
- All transportation costs will be reimbursed by the receiving agency. (Article V.6)
- Reimbursement will be made on the following basis:
  - a) All direct flight costs will be reimbursed by the receiving agency.
  - b) Minimum contract guarantees will be reimbursed by the receiving agency when the resource order is for aircraft services. Contract guarantees will not be assessed if the aircraft is used solely to transport personnel between countries.
  - c) Unless otherwise agreed upon between parties to this Agreement, maintenance and/or damage to the aircraft is the responsibility of the contractor and/or owner, and is not reimbursable. Damage to an aircraft caused as a direct result of agency personnel actions are the receiving agency's responsibility and are reimbursable. (Article VI.1)
- All contract aircraft mobilized to the USA will be reimbursed by the USA (Article VI.2)
- All aircraft will meet the receiving agency's specifications for standards and pilot qualifications and will be inspected prior to being put into service. (Article VI.3)

### **Liabilities, Claims and Compensations**

- Costs for medical services will be covered by the requesting agency until the employee is returned to the fireline or sending agency, other than costs for ongoing rehabilitation which shall continue to be met by the requesting agency. (Article IV.7)
- Death or long compensation claims will go through sending agencies workers compensation programme and billed for reimbursement to the receiving agency. (Article IV.8)
- Expendable equipment and supplies shall be considered purchased on delivery, and full replacement costs will be reimbursed by the receiving agency. Items should be considered expendable if they are not reusable or cannot be recycled. (Article V.1)
- Non-expendable and accountable equipment and supplies will be credited to the receiving agency upon return to the lending agency. The costs of refurbishing are reimbursable by the receiving agency unless the sending agency agrees that the receiving agency will perform the work. (Article V.2)
- In the event that any equipment or supplies are damaged beyond repair or not returned, they will either be replaced by the receiving agency with new equipment or supplies of the same quantity and to the lending agency's standards, or full replacement cost will be reimbursed by the receiving agency. (Article V.3)
- The Government of the United States of America hereby indemnifies and undertakes to keep indemnified the Secretary to the Department of Natural Resources and Environment of the State of Victoria, Australia and the State of Victoria and their offices, employees, servants and agents from and or against all actions, claims, demands, costs and expenses of whatever nature

(including the costs of defending or setting any action, claim or demand) and howsoever arising either directly or indirectly from or in consequence of any act or omission of any Department of Natural Resources and Environment and or State or Victoria officer, employee, servant or agent as defined in Schedule 1 and Schedule 2 attending the United States to assist any entity or person within the United States National Interagency, Multi Agency, Coordination Group or any similar request made for and on behalf of the United States. Such indemnity will be extended to all agencies listed in schedules 1 & 2 of this agreement and to their associated government officers, employees, servants and agents. (Article VII.1)

- The receiving agency agrees to reimburse to a sending agency all extra worker's compensation insurance costs incurred by the sending agency as a result of worker's compensation claim being made in respect of any injury occurring during the term of this agreement. (Article VII.2)

#### **Limited territorial application**

- N/A

#### **Border crossing**

- N/A

#### **Operating plans / Guidelines**

- N/A

#### **Interpretation and Settlement of disputes**

- N/A

#### **Entry into force, duration, termination and withdrawal**

- Any one of the parties, in writing, may terminate their portion of this instrument in whole, or in part, at any time. Full credit shall be allowed for each party's expenses and all non-cancelable obligations properly incurred up to the effective date of termination. (Article X.3)
- This International Agreement is executed as of the date of the last signature and, unless terminated sooner, is effective through five years from that date at which time it will be received. (Article X.4)

#### **Amendments**

- Modification within the scope of this International Agreement shall be made by mutual consent of all parties, by the issuance of a written modification, signed and dated by all parties, prior to any changes being performed. The Forest Service, BLM and NRE are not obliged to fund any changes not properly approved in advance. (Article X.2)

#### **Other provisions**

- N/A

|   |
|---|
| <b>Northwest Wildland Fire Protection Agreement between the United States of America and Canada, 1998</b> |
|---|

#### **Purpose**

- To promote effective prevention, presuppression and control of forest fires in the Northwest wildland region of the United States and adjacent areas of Canada by providing mutual aid in prevention, presuppression and control of wildland fires, and by establishing procedures in operating plans that will facilitate such aid. (Article I)

#### **Definitions**

- N/A

### **Information and Coordination**

- Whenever the forces of any Member are aiding another Member under this Agreement, the employees of such Member shall operate under the direction of the officers of the Member to which they are rendering aid and be considered agents of the Member they are rendering aid to and, therefore, have the same privileges and immunities as comparable employees of the Member to which they are rendering aid. (Article VI.1)
- The Members may request the United States Forest Service to act as the coordinating agency of the Northwest Wildland Fire Protection Agreement in cooperation with the appropriate agencies for each Member. (Article IX.1)

### **Personnel and Equipment**

- For purposes of the Agreement, personnel shall be considered employees of each sending Member for the payment of compensation to injured employees and death benefits to the representatives of deceased employees injured or killed while rendering aid to another Member pursuant to this Agreement. (Article VI.4)

### **Expenses**

- Any Member rendering outside aid pursuant to this Agreement shall be reimbursed by the Member receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment and for the cost of all materials, transportation, wages, salaries and maintenance of personnel and equipment incurred in connection with such request in accordance with the provisions of the previous section. Nothing contained herein shall prevent any assisting Member from assuming such loss, damage, expense or other cost or from loaning such equipment or from donating such services to the receiving Member without charge or cost. (Article VI.3)
- When appropriations for support of this agreement, or for the support of common services in executing this agreement, are needed, costs will be allocated equally among the Members. (Article VII.1)
- As necessary, Members shall keep accurate books of account, showing in full, its receipts and disbursements, and the books of account shall be open at any reasonable time to the inspection of representatives of the Members. (Article VII.2)

### **Liabilities, Claims and Compensations**

- No Member or its officers or employees rendering aid within another State, Territory, or Province, pursuant to this Agreement shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith to the extent authorized by the laws of the Member receiving the assistance. The receiving Member, to the extent authorized by the laws of the State, Territory, or Province, agrees to indemnify and save-harmless the assisting Member from any such liability. (Article VI.2)
- The Members shall formulate procedures for claims and reimbursement under the provisions of this Article. (Article VI.5)

### **Limited territorial application**

- N/A

### **Border crossing**

- N/A

### **Operating plans / Guidelines**

- The Members may develop cooperative operating plans for the programmes covered by this Agreement. Operating plans shall include definition of terms, fiscal procedures, personnel

contacts, resources available, and standards applicable to the programme. Other sections may be added as necessary. (Article III.2)

- The Members will hold an annual meeting to review the terms of this Agreement, any applicable Operating Plans, and make necessary modifications. (Article IX.2)

#### **Interpretation and Settlement of disputes**

- N/A

#### **Entry into force, duration, termination and withdrawal**

- This Agreement shall continue in force on each Member until such Member takes action to withdraw therefrom. Such action shall not be effective until 60 days after notice thereof has been sent to all other Members. (Article X)

#### **Amendments**

- Can be made by simple majority vote of the Members and will take effect immediately upon passage. (Article IX.3)
- The right to alter, amend, or repeal this Act is expressly reserved. (Sec, 3. Rights Reserved)

#### **Other provisions**

- N/A

|   |
|---|
| <b>Draft Agreement on Cooperation for Forest and Steppe Fire Protection between the Russian Federation and Mongolia</b> |
|---|

#### **Purpose**

- Improve the fire protection of the forest and steppe region along the Russian and Mongolia border (20 km on either side) by sharing firefighting actions, preventing fires, and reducing fire losses.

#### **Definitions**

- N/A

#### **Information and Coordination**

- Local administration shall establish and provide leadership for the Firefighting Center. (Article 1)
- Establish radio communication system to communicate in case of fire. (Article 2)
- Combined patrolling and firebreaks shall be done. (Article 9)
- If the helicopter or plane has to make an emergency landing in the territory of other Party, the flight team shall report the situation immediately to the receiving Party's Flight control department and the receiving Party shall provide help to flight team and plane or helicopter. (Article 14)

#### **Personnel and Equipment**

- If firefighters who cross the border to help on the other side are injured, the receiving Party shall provide medical care and evacuation shall be provided. (Article 15)

#### **Expenses**

- The Party who receives the support shall pay all fire suppression costs to the sending Party within one month (the cost will be accounted for in international standards). (Article 16)

#### **Liabilities, Claims and Compensations**

- N/A

**Limited territorial application**

- 20 kilometers on either side of the border.

**Border crossing**

- In case of fire, the border transfer procedure shall be simplified regarding the law; and temporary border transfer points will be established. (Article 11)
- Firefighters shall get identification Cards in order to facilitate the border crossing. (Article 12)
- Trans-border flights shall be reported to the other party and agreed upon in advance. (Article 13)

**Operating plans / Guidelines**

- N/A

**Interpretation and Settlement of disputes**

- N/A

**Entry into force, duration, termination and withdrawal**

- The contract will become effective starting with the day of approval signatures; and the contract duration will be five years. The previous Fire Protection Agreement between the Russian Federation and Mongolia will be terminated at that time. (Article 17)
- If one of the Parties has not expressed its dissatisfaction or broken the Agreement in writing, the Agreement will be automatically extended for the next five years. (Article 18)

**Amendments**

- N/A

**Other provisions**

- N/A

|  |
|--|
| <b>Memorandum of Understanding between the Government of the Republic of Ghana and the Government of the Province of British Columbia (Canada), 1999</b> |
|--|

**Purpose**

- Formalization of the desire and commitment to collaborate in:
  1. Exchange of information on wildfire suppression technology and expertise.
  2. Identification, planning and execution of professional training programmes and study tours on specific aspects of fire management
  3. Consultation services and policy analysis by experts with a view to assisting the participants to improve fire suppression programmes
  4. Exchange of technical information, specifically, the principles, policy and procedures used to implement and manage a fire management programme.
  5. Other projects and initiatives that may be identified to be of assistance to either party to this agreement.

**Definitions**

- N/A

**Information and Coordination**

- This cooperative Agreement and any other projects agreed to under it will be the responsibility of the Director, Fire Protection, Ministry of Forest, Province of British Columbia and the Technical Director, Ministry of Lands and Forestry, Republic of Ghana.



**Personnel and Equipment**

- N/A

**Expenses**

- Each organization will be responsible for the expenditures required to support the management of this Agreement unless otherwise agreed

**Liabilities, Claims and Compensations**

- N/A

**Limited territorial application**

- N/A

**Border crossing**

- N/A

**Operating plans / Guidelines**

- N/A

**Interpretation and Settlement of disputes**

- N/A

**Entry into force, duration, termination and withdrawal**

- This Agreement may be canceled by either party upon giving 30 days notice in writing.

**Amendments**

- N/A

**Other provisions**

- N/A

|   |
|---|
| <b>Agreement between the Government of the Republic of Finland and the Government of Burkina Faso regarding Finnish support to the management of bush fires, 1998</b> |
|---|

**Purpose**

- To improve the management of natural resources and to protect the natural forest cover.

**Definitions**

- N/A

**Information and Coordination**

- N/A

**Personnel and Equipment**

- The Burkinabe Party shall apply to the activities under this Agreement as well as to the consultancy company and its personnel a treatment no less favourable than that accorded to projects or activities with other countries or international organizations acting in Burkina Faso in the field of development cooperation. (Article VII.1)

**Expenses**

- The contribution of the Government of Finland towards the costs of the Project shall, on grant basis and subject to annual parliamentary approval, be a maximum of three million Finnish Marks. (Article IV.1)
- The contribution shall only be used up to the actual amount necessary to cover the costs resulting from the implementation of the Project as specified in the Project Document. (Article IV.2)

#### **Liabilities, Claims and Compensations**

- The Government of Finland shall:
  1. Not be liable to indemnify any third party in respect of any third party in respect of any claim, debt, damage or demand arising out of the implementation of the Project and which may be against the Finnish agency, organization, corporation or the Personnel;
  2. not be liable for compensation for the death, disability or other hazards suffered by any personnel as a result of their employment for the implementation of the Project.
- The Government of Burkina Faso shall:
  1. indemnify and hold harmless the Government of Finland, against any and all liability, suits, actions, demands, damages, costs or fees on account of death and injury to persons or property or any other losses resulting from or connected with any act or omission by the Finnish agency, organization, corporation or the Personnel in the course of the implementation of the Project.
  2. in all other cases, except in cases of willful misconduct, gross negligence or criminal conduct, hold harmless and indemnify the Finnish agency, organization or corporation and the Personnel as well as bear all risks and claims resulting from, occurring in the course of or otherwise connected with the implementation of the Project, including words spoken or written in the course of the performance of their duties. Should however, willful misconduct, gross negligence or criminal conduct under this paragraph established by a Court of Burkina Faso, the Government of Burkina Faso may aid the person concerned liable for indemnification;
  3. In the event the Government of Burkina Faso meets any claim under paragraph 2.1 and 2.2 above it shall be entitled to exercise and enforce any right of set-off, counterclaim, insurance, indemnity, contribution or guarantee to which the Government of Finland, the Finnish agency, organization, corporation or the Personnel may become entitled. (Article VI)

#### **Limited territorial application**

- N/A

#### **Border crossing**

- N/A

#### **Operating plans / Guidelines**

- Management of bush fires in Burkina Faso, Pilot Phase. Project Document.

#### **Interpretation and Settlement of disputes**

- Should any dispute arise regarding the implementation or interpretation of this Agreement it shall be amicably settled by mutual negotiations between the Competent Authorities. (Article IX)

#### **Entry into force, duration, termination and withdrawal**

- This Agreement shall enter into force on the date of its signature and remain valid until all the obligations hereunder have been duly fulfilled by the Parties hereto. (Article X.1)
- This Agreement may be terminated by either of the Parties hereto giving a three months prior written notice to that effect to the other Party. (Article X.3)

**Amendments**

- If either of the two Governments considers it desirable to amend any provision of this Agreement it may request consultations with the other Party. All amendments shall be made in writing between the Competent Authorities. (Article X.2)

**Other provisions**

- Upon occurrence of any of the following events the Government of Finland may, after consultation with the Government of Burkina Faso, suspend in whole or in part the financing of the Project, until the event or events which gave rise to suspension have ceased to exist:
  - the contribution of the Government of Burkina Faso is not forthcoming in accordance with this Agreement and the Project document;
  - a condition has arisen which interferes or threatens to interfere with the carrying out of the Project or the accomplishment of the purpose of the Project.

## Annex 4

### Outline for Developing International Agreements

1. Parties to the Agreement
2. Purpose
  - areas and forms of cooperation
  - scope of the cooperation
3. Definition of terms
4. Executive bodies
5. Expenses and costs
  - personnel
  - equipment
  - reimbursement of costs
    - a) burden of reimbursement
    - b) potential exemption from reimbursement
    - c) reimbursement procedures
  - billing and payment
6. Information and coordination
  - communication channels
  - information exchange
  - notifications
  - direction of rescue operations
  - coordination of work
7. Liabilities, Claims and Compensations
  - cross-waiver of claims / exemption from liability
  - exceptions to cross-waiver of claims
  - damage to a third party
  - medical assistance for injured personnel
  - compensation in case of death
  - privileges and immunities for the assisting personnel
8. Operating Plans/ Operational Guidelines
  - provision for annual operating plans / operational guidelines
  - competent authorities to develop the plans/guidelines
  - purpose
  - contents
  - review
  - register of all existing plans/guidelines
9. Border crossings
  - simplification of border transfer

- opening of alternative border-crossing points to facilitate the assistance
- customs provisions
  - a) concerning personnel
  - b) concerning equipment and materials
  - c) concerning officer responsible for equipment
  - d) concerning aircraft

#### 10. General Provisions

- entry into force
- duration
- withdrawal
- termination
- interpretation
- settlement of disputes
- amendments

#### 11. Other Provisions

- funds
- prohibition of fire in certain period of the year
- establishment of lookout points
- provisions for authorized burning
- potentially only in specifically defined zones
- policies
- recall of firefighting resources
- other areas of cooperation
- relation with other Agreements
- military involvement
- fiscal provisions
- standard of personnel
- safety equipment

## **Annex 5**

### **Legislation Specific to Forest Fires**

#### **ALBANIA**

Instructions No. 778 on protection of forests from insects, pests, fires, and on related expenses, 17 February 1993.

#### **ANTIGUA AND BARBUDA**

Bush Fires Ordinance (Chapter 301), 14 June 1901.

#### **ARGENTINA**

Resolución N° 700/99 - Crea el Registro de consorcios de productores para la prevención y control de incendios en bosques implantados, 8 November 1999.

#### **BELIZE**

Forest Fire Protection Ordinance, 1962.

#### **BOLIVIA**

Resolución N° 131 - Reglamento especial de desmontes y quemas controladas, 9 June 1997.

#### **BRAZIL**

Decree No. 2.959 establishing measures to be applied to combat forest fires, 10 February 1999.

Decree No. 97.635 regulating article 27 of New Forestry Code concerning forest fires, 10 April 1989.

Order No. 292-P approving the model form for obtaining the authorization to light forest fires, 12 October 1988.

Order No. 231-P regulating forest fires according to article 26 of New Forestry Code (Act No. 4.771), 8 August 1988.

Decree No. 2.661 regulating fire lighting during sylvo-pastoralism activity, 8 July 1998.

Acre State: Order No. 346 regulating forest fires within the State of Acre, 15 September 1999.

#### **CANADA**

British Columbia: Forest Fire Prevention and Suppression Regulation, 12 April 1995.

Ontario: Forest Fires Prevention Act (Chapter F.24), 30 May 1968.

Manitoba: Fires Prevention Act (Chapter F80), 1987.

Newfoundland: Forest Fires Act (Chapter 141), 1976.

New Brunswick: Regulation 70-42 under the Forest Fires Act, 22 April 1970.

New Brunswick: Forest Fires Act (Chapter 3), 16 April 1970.

Prince Edward Island: Fire Prevention Act (Chapter F-7), 1969.

Northwest Territories: Forest Protection Ordinance (Chapter 38), 1 August 1956.

#### **CENTRAL AFRICAN REPUBLIC**

Décret n° 83-127 portant organisation et fonctionnement du Comité national de lutte contre l'incendie et les feux de brousse, 12 March 1983.

Ordonnance n° 83-013 portant création d'un Comité national de lutte contre l'incendie et les feux de brousse, 7 February 1983.

#### **CHINA**

Fire Protection Regulations, 13 May 1984.

#### **COLOMBIA**

Decreto N° 2.340 - Medidas para la organización en materia de prevención y mitigación de incendios forestales, 19 September 1997.

Decreto N° 2.762 - Crea el Consejo Nacional de Previsión y Control de Incendios Forestales, 31 December 1973.

Decreto N° 1105 - Crea la Comisión para la prevención, mitigación y control de incendios forestales del departamento del Valle del Cauca y se dictan otras disposiciones, 2001

#### **COMOROS**

Arrêté n° 66-398/PROD portant application de la délibération n° 65-19 du 14 décembre 1965 réglementant les défrichements et les feux de végétation, 31 March 1966.

Délibération n° 65-19 portant réglementation des défrichements et feux de végétation, 14 December 1965.

#### **COSTA RICA**

Decreto N° 29.149/MINAE - Estrategia nacional de manejo del fuego, 13 November 2000.

#### **DOMINICA**

Bush Fires Ordinance (Chapter 76), 31 December 1961.

#### **FIJI**

Forest (Fire Prevention) Regulations, 1972.

#### **FRANCE**

Décret n° 92-273 relatif aux plans de zones sensibles aux incendies de forêts, 23 March 1992.

#### **HUNGARY**

Decree No. 12 of the Ministry of the Interior on the protection of forests against fire, 26 February 1997.

#### **INDONESIA**

Decree No. 260/Kpts-II/95 of the Ministry of Forestry relative to Guidelines for Efforts to Prevent and Extinguish Forest Fires, 16 May 1995.

## **ISRAEL**

Prevention of Field Fires Law, 1949.

## **ITALY**

Decree-Law No. 130 establishing urgent measures to prevent and combat forest fires throughout the national territory, and concerning interventions in the field of civil protection, environment and agriculture, 19 May 1997.

Decree-Law No. 377 providing emergency measures to deal with forest fires throughout the national territory, 15 June 1994.

## **MADAGASCAR**

Ordonnance n° 76-030 édictant des mesures exceptionnelles pour la poursuite des auteurs de feux sauvages, infractions prévues par l'Ordonnance modifiée n° 60-127 du 3 octobre 1960, 21 August 1976.

Décret n° 61-079 réglant les modalités d'application de l'Ordonnance n° 60-127 du 3 octobre 1960 relative au régime des défrichements et des feux de végétation, 8 February 1961.

Arrêté n° 058 portant autorisation des feux de pâturage, 7 January 1961.

Ordonnance n° 60-127 fixant le régime de défrichement et des feux de végétation, modifiée par les ordonnances n° 62-127 et n° 75-028, 3 October 1960.

## **MALI**

Arrêté n° 95-2487/MDRE.SG déterminant les modalités de mise à feu précoce dans le domaine forestier de l'Etat et des collectivités décentralisées, 14 November 1995.

Loi n° 86-66/AN-RM portant Code de feu, 26 July 1986.

## **MEXICO**

NOMEM-003-SEMARNAP/SAGAR-1996: Uso del fuego en terrenos forestales y agropecuarios, y que establece las especificaciones, criterios y procedimientos para promover y ordenar la participación social y de gobierno en la detección y el combate de los incendios forestales, 6 December 1996.

NOMEM-003-SEMARNAP/SAGAR-1996: Uso del fuego, en terrenos forestales y agropecuarios, y que establece las especificaciones, criterios y procedimientos para ordenar la participación social y de gobierno en la detección y el combate de los incendios forestales, 9 April 1996.

## **MOROCCO**

Arrêté relatif aux mesures à prendre en vue de prévenir les incendies des forêts, 4 September 1918.

Convention pour la surveillance et la lutte contre les incendies de Forêts, 14 Octobre 1976.

## **NEW ZEALAND**

Forest and Rural Fires Act No. 52, 1 April 1979.

Forest and Rural Fires Regulations No. 1956/155, 17 November 1956.



## **NICARAGUA**

Decreto N° 37/98 - Medidas para prevenir incendios forestales, 4 May 1998.

Decreto N° 207/DRN/72 - Reglamento de defensa contra incendios forestales, 21 July 1972.

## **PORTUGAL**

Decree-Law No. 179/99 creating the Forest Fire Brigade, 21 May 1999.

Resolution of the Council of Ministers No. 23/2001 establishing the National Commission for Forest Fires, 7 February 2001.

Decree-Law No. 423/93 regulating municipal planning approvals in order to protect forests from fire, 31 December 1993.

Decree-Law No. 327/90 regulating land occupation after forest fires, 22 October 1990.

## **RUSSIAN FEDERATION**

Ministerial Decree No. 35 regarding the validation of the Federal Special Program "Forest-fire prevention for the period of 1999-2005", 10 January 1999.

## **SOUTH AFRICA**

National Forest and Fire Laws Amendment Act No. 12, 18 July 2001.

National Veld and Forest Fires Act No. 101, 27 November 1998.

## **SPAIN**

Orden por la que se publica el Acuerdo del Consejo de Ministros que aprueba la Directriz Básica de Planificación de Protección Civil de Emergencia por Incendios Forestales, 2 April 1993.

Orden por la que se establecen las bases reguladoras para el otorgamiento de subvenciones para la realización de campañas de prevención de incendios forestales a través de agentes sociales, 2 July 1992.

## **TOGO**

Ordonnance n° 6 portant réglementation des feux de brousse, 15 March 1973.

Décret n° 74-160 complétant les modalités d'organisation de lutte contre des feux de brousse et instituant les feux précoces, 17 October 1974.

Décret n° 84-61 portant réglementation des dispositions prévues aux articles 2 et 7 de l'ordonnance n° 6 et l'article 1er de l'ordonnance 84-06, 24 March 1984.

## **URUGUAY**

Decreto N° 111/989 - Prevención de incendios, 14 March 1989.

Decreto N° 849/988 - Combate de incendios forestales, 14 December 1988.

Resolución del poder ejecutivo de 1996 por la cual se crea un Grupo de Trabajo en Prevención y Combate de Incendios Forestales, integrado por los Ministerios de Interior, Relaciones Exteriores, Vivienda Ordenamiento Territorial y Medio Ambiente, Transporte y Obras Públicas, Ganadería Agricultura y Pesca, la Oficina de Planeamiento y Presupuesto y la Sociedad de Productores Forestales

**VIET NAM**

Decision No. 86/1998/QĐ-TTg on the establishment of the Central Steering Committee for Forest Fire Prevention and Fight, 21 April 1998.

Directive No. 19/1998/CT-TTg on urgent measures to combat forest fires, 17 April 1998.

## Annex 6

### Forestry Related Legislation Covering Forest Fires

#### ALGERIA

Loi n° 84-12 portant régime général des forêts, 23 June 1984.

**Contents:** forest management; public forest; land clearing; forest fires; pests/diseases; agro-forestry/sylvo-pastoralism; traditional customary rights; planning; inventory; classification/declassification; protection forest; afforestation/reforestation; soil conservation/erosion; offences/penalties; private forest; forest service/forest officers; forest protection measures.

**Articles specific to Forest Fires: 19, 20, 21, 22, 23, 24, 25**

#### ANTIGUA AND BARBUDA

Forestry Act (Cap. 178), 1941.

**Contents:** forest management; afforestation; protected area; timber extraction/logging; offences/penalties.

**Article specific to Forest Fires: 6**

Forestry Regulations (Cap. 178), 1941.

**Contents:** forest management; afforestation/reforestation; protected area; timber extraction/logging; forest fires; grazing/transhumance; offences/penalties

**Article specific to Forest Fires: 3**

#### ARGENTINA

Ley N° 13.273 - Ley de defensa de la riqueza forestal, 30 September 1948.

**Contents:** forest management; forest protection measures; afforestation/reforestation; public forest; forest fires; legal/administrative proceedings

**Articles specific to Forest Fires: 19, 20, 21, 22, 23, 24**

#### BELIZE

Forest Rules, 1980.

**Contents:** forestry licence/permit; protection forest; timber extraction/logging; logging fee/charge; forest fires; transport/storage; marking

**Article specific to Forest Fires: 24**

#### BENIN

Loi n° 93-009 portant régime des forêts en République du Bénin, 2 July 1993.

**Contents:** public forest; private forest; soil conservation; protection forest; classification/declassification; traditional rights/customary rights; forestry licence/permit; planning; forest management; contract/agreement; timber extraction/logging; marking; forest fires; agro-forestry/sylvo-pastoralism; offences/penalties

**Articles specific to Forest Fires: 56, 57**

Décret n° 96-271 portant modalités d'application de la loi n° 93-009, 2 July 1996.

**Contents:** public forest; private forest; soil conservation; protection forest; classification/declassification; traditional rights/customary rights; forestry licence/permit; planning; forest management; contract/agreement; timber extraction/logging; marking; forest fires; agro-forestry/sylvo-pastoralism; offences/penalties

**Articles specific to Forest Fires: 76, 77, 78, 79**

## **BOLIVIA**

Ley N° 1.700 - Ley Forestal, 12 July 1996.

**Contents:** afforestation; forestry institution; concession; forestry licence/permit; ecosystem preservation; forest management; legal/administrative proceedings; contract/agreement; forest protection measures; offences/penalties

**Article specific to Forest Fires: 42**

Decreto Supremo N° 24.453 - Reglamento de la nueva Ley Forestal, 21 December 1996.

**Contents:** forestry licenses; forest management; legal/administrative proceedings; afforestation/reforestation; timber extraction/logging; forest fires; forestry institution; inventory; timber; inspection; land clearing; forest service/forest officers; public forest; protected area

**Article specific to Forest Fires: 87**

## **BOTSWANA**

Forest Act, 10 March 1968.

**Contents:** protection forest; timber extraction/logging; forest management; forestry licence/permit; forest fires; offences/penalties

**Articles specific to Forest Fires: 12, 13, 17, 30**

## **BRAZIL**

Order No. 1.846/70 establishing forest protective measures and implementing New Forestry Code (Act No. 4.771), 26 October 1970.

**Contents:** forest management; forest fires; forest protection measures

**Article specific to Forest Fires: 1**

## **BURKINA FASO**

Loi n° 006/97/ADP portant Code forestier au Burkina Faso.

**Contents:** forest management; special fund; public forest; classification; private forest; timber extraction ; logging

**Articles specific to Forest Fires: 52, 53, 88, 117, 131, 169, 258, 259, 260**

## **BURUNDI**

Loi n° 1-02 portant Code forestier, 25 March 1985.

**Contents:** planning; forest management; public forest; timber extraction/logging; private forest; traditional customary rights; land clearing; forest fires; protection forest; mountain area; afforestation/reforestation; soil

conservation/erosion; forestry seeds/planting material; forest protection measures; protected area; offences/penalties

**Articles specific to Forest Fires: 89, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102**

## **CAMEROON**

Loi n° 94/01 portant régime des forêts, de la faune et de la pêche, 20 January 1994.

**Contents:** basic forestry legislation; offences/penalties; forest protection measures

**Articles specific to Forest Fires: 14, 154**

Décret n° 95-531/PM fixant les modalités d'application du régime des forêts, 23 August 1995.

**Contents:** forest fires; land clearing; forest management; protected area; classification/declassification; public forest; social forestry/community forestry; private forest; forestry institution; inventory; planning; timber extraction/logging; contract/agreement; concession; forestry licence/permit; non-timber products; fuelwood; EIA-Environmental Impact Assessment; processing/handling; internal trade; offences/penalties; non-governmental entity.

**Articles specific to Forest Fires: 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16**

## **CANADA**

British Columbia: Forest Practices Code of British Columbia Act (Chapter 159), 6 July 1990.

**Contents:** forestry institution; forest management; forestry licence/permit; timber; forest fires; agro-forestry/sylvo-pastoralism; environmental institution; management/conservation; authorization/permit; environmental planning; biodiversity

**Articles specific to Forest Fires: 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95**

Québec: Loi sur les forêts, 19 December 1986.

**Contents:** public forest; basic forestry legislation; timber extraction/logging; forestry licence/permit; forest management; planning; contract/agreement; research; private forest; forest fires; pests/diseases; processing/handling; fuelwood; species; agro-forestry/sylvo-pastoralism; standards; logging fee/charge; protected area; forestry institution; offences/penalties

**Articles specific to Forest Fires: 3, 46, 65, 79, 125, 126, 127, 128, 129, 130, 131, 134, 135, 136, 137, 139, 141, 142, 144, 145, 171**

Alberta: Forest and Prairie Protection Regulations - Part II, 1972.

**Contents:** forest management; management/conservation; inland waters; forest fires; offences/penalties

**Articles specific to Forest Fires: 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 19, 20**

Alberta: Forest and Prairie Protection Act, 16 April 1971.

**Contents:** forest management; forest fires; forestry institution; offences/penalties

**Articles specific to Forest Fires: 4, 6, 9, 10, 11, 12, 13, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 36**

Alberta: Forest and Prairie Protection Regulations, 1972.

**Contents:** forest management; forest fires; offences/penalties

**Articles specific to Forest Fires: 3, 4, 5, 8**

Newfoundland: Forest Travel Restricted Area Order, 23 May 1975.

**Contents:** protection forest; forest fires; forest management; forestry institution

**Articles specific to Forest Fires: 6, 7**

Saskatchewan: Forest Act (Chapter 49), 1965.

**Contents:** timber extraction/logging; transport/storage; forestry licence/permit; forest management; forest fires; protection forest; offences/penalties

**Articles specific to Forest Fires: 4, 5, 12, 19, 34, 35, 36, 37, 42**

**CHINA:**

Forestry Act, 23 February 1979.

**Contents:** public forest; forest management; forestry institution; inventory; planning; special fund; forest fires; land clearing; protected area; protection forest; mountain area; timber extraction/logging; forestry licence/permit; transport/storage; offences/penalties; forest service/forest officers

**Articles specific to Forest Fires: 17, 18, 19, 20, 21, 22**

**COMOROS:**

Décret n° 55-582 relatif à la protection des forêts dans les territoires d'Afrique relevant du Ministre de la France d'outre-mer, 20 May 1955.

**Contents:** forest management; classification/declassification; protection forest; traditional rights/customary rights; forest fires; afforestation/reforestation; forest protection measures

**Article specific to Forest Fires: 7**

**CONGO, REPUBLIC OF:**

Loi n° 16-2000 portant Code forestier, 20 November 2000.

**Contents:** classification/declassification; public forest; protection forest; afforestation/reforestation; protected area; traditional rights/customary rights; forest management; planning; special fund; timber extraction/logging; forestry licence/permit; forest fires; logging fee/charge

**Articles specific to Forest Fires: 137, 138, 139, 140**

**COTE D'IVOIRE:**

Loi n° 65-425 portant Code forestier, 20 December 1965.

**Contents:** public forest; traditional rights/customary rights; timber extraction/logging; private forest; afforestation/reforestation; forest fires; offences/penalties

**Articles specific to Forest Fires: 32, 33, 34, 35**

**CROATIA**

Law on Forests, 04 December 1990.

**Contents:** basic legislation; institution; protection forest; timber extraction/logging; public forest; protected area; planning; afforestation; classification; forest management; offences/penalties; forest fires

**Articles specific to Forest Fires: 17, 43, 49, 51, 73, 77, 83, 84, 87**

Amendments of the Law on Forests of 22 February

**Contents:** forest fires; offences/penalties

**Articles specific to Forest Fires: 85a**

**CUBA:**

Resolución N° 330/99 - Reglamento de la Ley Forestal, 7 September 1999.

**Contents:** forest management; forestry institution; forest protection measures; afforestation/reforestation; forest service/forest officers; subsidy/incentive; classification/declassification; protection forest; timber extraction/logging; transport/storage; internal trade; contract/agreement; legal/administrative proceedings; zoning; exotic species; pests/diseases; agro-forestry/sylvo-pastoralism; forest fires; land clearing

**Articles specific to Forest Fires: 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147**

Ley N° 85 - Ley Forestal, 21 July 1998.

**Contents:** forest management; agro-forestry; mountain area; forestry institution; forest protection measures; afforestation; concession; contract/agreement; forest service/forest officers

**Articles specific to Forest Fires: 1, 2, 7, 9, 50, 60, 61, 62, 63, 64**

**DOMINICAN REPUBLIC:**

Ley N° 118 - Código Forestal, 23 December 1999.

**Contents:** forestry institution; forest management; zoning; afforestation/reforestation; public forest; timber extraction/logging; forest protection measures; special fund; forest service/forest officers; classification/declassification; logging fee/charge; protection forest; catchment/watershed; protected area; forestry licence/permit; transport/storage; forest fires; research; subsidy/incentive; legal/administrative proceedings

**Articles specific to Forest Fires: 67, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86**

**ETHIOPIA:**

Forestry Conservation, Development and Utilization Proclamation No. 94, 1994.

**Contents:** forest management; private forest; public forest; protected area; forest service/forest officers; offences/penalties

**Article specific to Forest Fires: 5, 6, 8, 16**

**FIJI:**

Forest Decree No. 31, 12 May 1992.

**Contents:** public forest; private forest; forest management; forestry institution; protection forest; timber extraction/logging; forestry licenses; traditional customary rights; forest fires; classification/declassification; offences/penalties

**Articles specific to Forest Fires: 23, 24, 25, 26, 27**

## FRANCE:

Loi n° 92-613 modifiant le Code forestier et portant diverses dispositions agricoles et cynégétiques, 6 July 1992.

**Contents:** forest protection measures; forest fires; agro-forestry/sylvo-pastoralism

**Articles specific to Forest Fires: 5, 12**

Loi n° 2001-602 d'orientation sur la forêt, 9 July 2001.

**Contents:** basic forestry legislation; forestry institution; forest management

**Article specific to Forest Fires: 33**

Décret n° 79-113 portant Code forestier, partie réglementaire, 25 January 1979.

**Contents:** forestry institution; forest service/forest officers; timber extraction/logging; forest protection measures; agro-forestry/sylvo-pastoralism; traditional rights/customary rights; public forest; fuelwood; forest management; offences/penalties; private forest; planning; afforestation/reforestation; land clearing; forest fires; protection forest; soil conservation/erosion; mountain area; inventory; special fund; species; forestry seeds/planting material; external trade; non-governmental entity

**Article specific to Forest Fires: 321**

## GAMBIA:

Forest Act, 1998.

**Contents:** forest management; forestry institution; planning; forest protection measures; forestry licence/permit; contract/agreement; social forestry/community forestry; special fund; dispute settlement; private forest; public forest; protection forest; protected area; offences/penalties

**Articles specific to Forest Fires: 85, 87, 88, 109, 112, 113, 116, 117, 118**

## GUATEMALA:

Decreto N° 101/96 - Ley Forestal, 30 October 1996.

**Contents:** forestry institution; forest management; forestry licence/permit; private forest; public forest; afforestation/reforestation; timber extraction/logging; forest fires; forestry seeds/planting material; non-timber products

**Articles specific to Forest Fires: 2, 36, 37, 38, 48, 57, 93, 116**

## GUINEA:

Loi n° L99/013/AN adoptant et promulguant la loi portant code forestier, 22 June 1999.

**Contents:** public forest; basic forestry legislation; planning; forestry institution; forest management; social forestry/community forestry; classification/declassification; inventory; timber extraction/logging; contract/agreement; forestry licence/permit; protection forest; forest fires; afforestation/reforestation; special fund; forest service/forest officers

**Articles specific to Forest Fires: 81, 82, 83, 84, 85, 86, 87**

Décret n° 227/PRG/SGG/89 portant application du Code forestier, 20 December 1989.

**Contents:** public forest; basic forestry legislation; planning; forestry institution; forest management; social



forestry/community forestry; classification/declassification; registration; timber extraction/logging; contract/agreement; forestry licence/permit; afforestation/reforestation; transport/storage; land clearing; species; protected area; forest fires; traditional rights/customary rights; special fund; offences/penalties; protection forest

**Articles specific to Forest Fires: 60, 61, 62**

#### **GUINEA-BISSAU:**

Decree-Law No. 4-A/91 approving the Forestry Act, 29 October 1991.

**Contents:** forestry institution; special fund; timber extraction/logging; classification/declassification; forestry licence/permit; forest fires; forest protection measures; offences/penalties

**Articles specific to Forest Fires: 42, 43, 44, 45, 46, 47**

#### **GUYANA**

Forests Act, 2 May 1953.

**Contents:** public forest; timber extraction/logging; timber; forest fires; offences/penalties

**Articles specific to Forest Fires: 15, 16, 42**

#### **HAITI**

Décret-loi sur la réglementation des forêts, 23 June 1937.

**Contents:** forest protection measures; forest management; forest fires; land clearing; agro-forestry/sylvo-pastoralism; offences/penalties

**Articles specific to Forest Fires: 1, 3**

#### **HONDURAS**

Decreto N° 85/72 - Ley Forestal, 10 February 1972.

**Contents:** forestry institution; forest management; forest protection measures; public forest; inventory; forest service/forest officers; afforestation; timber extraction/logging; agro-forestry; land clearing; forestry licence/permit; concession

**Articles specific to Forest Fires: 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 53, 54, 64, 114**

Acuerdo N° 634/84 - Reglamento general forestal, 9 April 1984.

**Contents:** forestry institution; non-governmental entity; public forest; private forest; social forestry/community forestry; inventory; forest fires; land clearing; afforestation/reforestation; timber extraction/logging; logging fee/charge; internal trade; research

**Articles specific to Forest Fires: 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120**

#### **INDONESIA**

Government Regulation No. 28 re Forest Protection, 7 June 1985.

**Contents:** forest management; protected area; classification/declassification; protection forest; soil conservation/erosion; forest fires; offences/penalties

**Articles specific to Forest Fires: 3, 10**

## **ISRAEL**

Forest Ordinance, 1926.

**Contents:** forest management; protected area; species; forestry licence/permit; forest fires; timber extraction/logging; protected plant/protected tree

**Articles specific to Forest Fires:** Miscellaneous provisions

## **LESOTHO**

Forestry Act No. 17, 18 December 1998.

**Contents:** forest management; forest protection measures; planning; forestry institution; special fund; social forestry/community forestry; protection forest; agro-forestry/sylvo-pastoralism; timber extraction/logging; forestry licence/permit; forest fires; pests/diseases; protected area; offences/penalties

**Articles specific to Forest Fires:** 26, 27

## **LITHUANIA**

Forestry Law No. I-671, 22 November 1994.

**Contents:** classification/declassification; private forest; forestry institution; public forest; special fund; forestry licence/permit; timber extraction/logging; planning; registration; forest management; forest fires; offences/penalties

**Articles specific to Forest Fires:** 3, 8, 9, 10, 13, 18, 19, 20, 21

## **MADAGASCAR**

Loi n° 97-017 portant révision de la législation forestière, 8 August 1997.

**Contents:** public forest; timber extraction/logging; forestry licence/permit; forest management; private forest; protection forest; traditional rights/customary rights; forest fires; social forestry/community forestry; mangroves; wetlands; special fund; offences/penalties

**Articles specific to Forest Fires:** 42, 51, 54

## **MALI**

Loi n° 95-004 fixant les conditions de gestion des ressources forestières, 18 January 1995.

**Contents:** forest management; public forest; classification/declassification; planning; timber extraction/logging; traditional rights/customary rights; forest fires; agro-forestry/sylvo-pastoralism; social forestry/community forestry; protection forest; private forest; offences/penalties; timber; land clearing; forestry licence/permit; contract/agreement

**Articles specific to Forest Fires:** 21, 22, 23, 42, 44, 48

## **MAURITANIA**

Loi n° 97-007 abrogeant et remplaçant l'ordonnance n° 82-171 portant Code forestier, 20 January 1997.

**Contents:** land clearing; forestry licence/permit; forest management; public forest; protected area; afforestation/reforestation; classification/declassification; traditional rights/customary rights; agro-forestry/sylvo-pastoralism; timber extraction/logging; private forest; transport/storage; forest fires; offences/penalties; social forestry/community forestry

**Articles specific to Forest Fires: 27, 28, 29, 30, 31, 32, 33, 34, 35**

## **MEXICO**

Ley Forestal, 17 December 1992.

**Contents:** forestry institution; planning; timber extraction/logging; afforestation/reforestation; transport/storage; forest service/forest officers; protected area; forest fires; forest protection measures; research; inspection; offences/penalties

**Articles specific to Forest Fires: 5, 12, 27, 28, 29, 45, 46**

Reforma a la Ley Forestal, 29 April 1997.

**Contents:** forest management; afforestation/reforestation; forestry institution; registration; inventory; legal/administrative proceedings; timber; transport/storage; forest service/forest officers; forest fires; inspection

**Articles specific to Forest Fires: 3, 5, 12, 17, 29, 43, 47**

Reglamento de la Ley Forestal, 23 September 1998.

**Contents:** forest management; forestry institution; forest service/forest officers; protected area; registration; concession; forestry licence/permit; forest fires; pests/diseases; afforestation/reforestation; timber extraction/logging

**Articles specific to Forest Fires: 3, 11, 21, 22, 25, 26, 37, 45, 47, 75, 81, 84, 85, 86, 95**

## **MONGOLIA**

Forest Law, 31 March 1995.

**Contents:** forest management; timber; non-timber products; classification/declassification; protected area; forestry licence/permit; forest fires; afforestation/reforestation; timber extraction/logging; offences/penalties

**Articles specific to Forest Fires: 4, 9, 18, 19, 23, 26, 31**

## **MOROCCO**

Dahir sur la conservation et l'exploitation des forêts, modifié, 10 October 1917.

**Contents:** forest management; forest protection measures; private forest; public forest; soil conservation; timber extraction/logging; forestry licence/permit; contract/agreement; traditional rights/customary rights; afforestation/reforestation; land clearing; offences/penalties; forest fires

**Articles specific to Forest Fires: 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56**

## **NICARAGUA**

Acuerdo N° 146/98 - Restauración y defensa del patrimonio forestal, 5 June 1998.

**Contents:** forest management; forest protection measures; afforestation/reforestation; forest fires; subsidy/incentive

**Articles specific to Forest Fires: 1, 4**

## **NIGERIA**

Forest Law, 1956

**Contents:** forest management; protection forest; protected area; private forest; forestry licence/permit; logging fee/charge; timber extraction/logging; offences/penalties

**Article specific to Forest Fires: 33**

Eastern Nigeria: Forest Regulations, 1956.

**Contents:** forest management; protection forest; forestry licence/permit; timber extraction/logging; marking; forest fires; offences/penalties

**Article specific to Forest Fires: 7**

**NIGER**

Loi n° 74-7 fixant le régime forestier, 4 March 1974.

**Contents:** public forest; traditional rights/customary rights; agro-forestry/sylvo-pastoralism; forest fires; timber extraction/logging; private forest; afforestation/reforestation; logging fee/charge; offences/penalties

**Articles specific to Forest Fires: 18, 19, 20**

Décret n° 74-226/PCMS/MER/CAP fixant les conditions d'application de la loi n° 74-7 fixant le régime forestier, 23 August 1974.

**Contents:** classification/declassification; traditional rights/customary rights; agro-forestry/sylvo-pastoralism; contract/agreement; forestry licence/permit; forest fires; timber extraction/logging; logging fee/charge; private forest; transport/storage; afforestation/reforestation; offences/penalties

**Articles specific to Forest Fires: 28, 29, 30, 31**

**PERU**

Ley N° 25.268 - Declara de necesidad pública e interés nacional la protección, preservación o reforestación de pastos naturales y árboles, existentes en el territorio nacional, 20 June 1990.

**Contents:** forest management; afforestation/reforestation; forest fires; crops/grasses

**Articles specific to Forest Fires: 2, 3, 4, 5**

**PORTUGAL**

Order No. 52/2001 approving the programme for the prevention of biotic and abiotic agents and sustainable exploitation of forests, 29 January 2001.

**Contents:** forest management; subsidy/incentive; forest fires; pests/diseases

**Articles specific to Forest Fires: 2, 3, 10, 19**

Madeira: Regional Decree No. 1/99/M approving the Statute of the Forestry Guard, 5 January 1999.

**Contents:** wildlife institution; forestry institution; forest fires

**Article specific to Forest Fires: 4**

**ROMANIA**

Law No. 26 - Forest Code, 24 April 1996.

**Contents:** planning; forest management; marking; protection forest; mountain area; forest fires; afforestation/reforestation; timber; fuelwood; timber extraction/logging; public forest; protected plant/protected tree; non-timber products; private forest; offences/penalties

**Articles specific to Forest Fires: 33, 34, 35, 36, 37, 38**

## **RUSSIAN FEDERATION**

Federal Law No. 22-FZ - Forest Code, 29 January 1997.

**Contents:** forest management; forestry institution; legal/administrative proceedings; offences/penalties; public forest; right of use; afforestation; timber; timber extraction/logging

**Articles specific to Forest Fires: 28, 47, 53, 83, 86, 92, 93, 94, 95, 96, 97, 100, 123**

Ministerial Decree No. 850 regarding the validation of the Statute of the Federal Forest Service, 27 July 1998

**Contents:** public forest; forest service/forest officers; offences/penalties; forestry institution; forest management; forest protection measures; forest fires; afforestation/reforestation

Order No.58 of the Federal Forest Service regarding the validation of the General Statute of the Forestry Institution at the regional level, 15 April 1998.

**Contents:** public forest; forest service/forest officers; planning; legal/administrative proceedings; ecosystem preservation; inventory; forest fires; afforestation/reforestation; forestry institution; forest management; forest protection measures; afforestation/reforestation

## **SAMOA**

Forests Act No. 12, 1967.

**Contents:** forest management; public forest; private forest; timber extraction/logging; forest fires; forestry licence/permit; contract/agreement; forestry institution; planning; protected area; pests/diseases

**Articles specific to Forest Fires: 39, 40, 41, 42, 43, 44, 45**

## **SENEGAL**

Loi n° 98-03 portant le code forestier, 8 January 1998.

**Contents:** timber extraction/logging; public forest; concession; private forest; special fund; social forestry/community forestry; planning; offences/penalties; forest service/forest officers

**Articles specific to Forest Fires: 25, 47, 48, 49, 50**

Décret n° 98-164 portant Code forestier - Partie réglementaire, 20 February 1999.

**Contents:** public forest; classification/declassification; protected area; planning; forest management; land clearing; agro-forestry/sylvo-pastoralism; forest fires; timber extraction/logging; non-timber products; forestry licence/permit; special fund; forest protection measures

**Articles specific to Forest Fires: 56, 57**

## **SPAIN**

Comunidad Autónoma de Castilla y León: Ley N° 5/1994 de fomento de montes arbolados, 16 May 1994.

**Contents:** afforestation/reforestation; non-governmental entity; protected area; subsidy/incentive; planning; mountain area; forest protection measures; forest fires

**Articles specific to Forest Fires: 1, 16**

Comunidad Autónoma de Valencia: Ley N° 3/1993 - Ley forestal, 9 December 1993.

**Contents:** classification/declassification; forestry institution; recreational forest; planning; non-governmental entity; afforestation/reforestation; protection forest; forest fires; subsidy/incentive; forest service/forest officers; offences/penalties

**Articles specific to Forest Fires: 6, 20, 22, 24, 45, 46, 49, 50, 55, 56, 57, 58, 59, 60, 61, 63, 68, 72, 73**

Comunidad Autónoma de Andalucía: Ley N° 2/1992 - Ley Forestal, 15 June 1992.

**Contents:** protection forest; afforestation/reforestation; recreational forest; planning; forest management; forestry institution; public forest; protected area; forest fires

**Articles specific to Forest Fires: 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 69, 75, 76, 87**

**SWAZILAND**

Private Forests Act No. 3, 1951.

**Contents:** private forest; forest fires; forest service/forest officers; forest management

**Articles specific to Forest Fires: 3, 4, 6, 7**

**TANZANIA**

Zanzibar: Forest Resources Management and Conservation Act No. 10, 27 October 1996.

**Contents:** biodiversity; forest management; ecosystem preservation; public forest; private forest; forestry licence/permit; classification/declassification; inventory; protection forest; social forestry/community forestry; contract/agreement; forestry institution; forest fires; protected area; special fund; forest service/forest officers; protected animal/protected game; protected plant/protected tree; inspection; offences/penalties

**Articles specific to Forest Fires: 77, 78, 79**

Muleba District: Muleba District Council (Tree Planting, Conservation of Trees, Forest, Soil and Land Use) By-laws, 20 October 1993.

**Contents:** forest management; forestry institution; forestry licence/permit; protected area; forest fires; afforestation/reforestation; classification/declassification; land clearing; offences/penalties

**Articles specific to Forest Fires: 5, 6**

Mwanza Municipality: Mwanza Municipal Council (Planting and Conservation of Trees and Forests) (Amendment) By-laws, 21 May 1993.

**Contents:** forest management; afforestation/reforestation; forestry institution; protection forest; forest fires

**Articles specific to Forest Fires: 5, 6, 7, 8**

**UNITED STATES OF AMERICA**

Puerto Rico Forest Act No. 133, 1 July 1975.

**Contents:** forest management; catchment/watershed; protected area; public forest; forest fires; forest service/forest officers; forestry institution; contract/agreement; hunting; special fund

**Article specific to Forest Fires: 8**

**VENEZUELA**

Ley Penal del Ambiente, 2 January 1992.

**Contents:** basic environmental legislation; offences/penalties; legal/administrative proceedings

**Articles specific to Forest Fires: 48, 49, 50, 51, 52, 59**

Ley Forestal de Suelos y Aguas, 30 December 1965.

**Contents:** water conservation zone; catchment/watershed; land use planning; environmental planning; timber extraction/logging; land clearing; forest fires; afforestation/reforestation; forestry institution; forest management; agro-forestry/sylvo-pastoralism; protected area; basic forestry legislation; offences/penalties

**Articles specific to Forest Fires: 26, 27, 28, 29, 30, 31, 32, 33**

**VIET NAM**

Forest Resources Protection and Development Act, 19 August 1991.

**Contents:** forest management; public forest; classification/declassification; protection forest; forestry institution; forest fires; protected area; private forest; inspection; offences/penalties

**Articles specific to Forest Fires: 20, 22, 35, 50**

**ZAMBIA**

Forests Act No. 7, 1999.

**Contents:** forest management; forest protection measures; forestry licence/permit; ecosystem preservation; timber extraction/logging; protected area; protection forest; catchment; public forest; marking; forestry institution; classification

**Articles specific to Forest Fires: 13, 14, 36, 46, 80, 81, 82**

**ZIMBABWE**

Forest Act, 1949.

**Contents:** forestry institution; forest management; public forest; private forest; timber extraction/logging; forestry licence/permit; protected area; forest fires; classification/declassification; timber; external trade; afforestation/reforestation; forest service/forest officers; offences/penalties

**Articles specific to Forest Fires: 67, 68, 69, 70, 71, 72, 73, 74, 75**