

AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF ESTONIA,
THE GOVERNMENT OF THE REPUBLIC OF LATVIA
AND
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA
ON MUTUAL ASSISTANCE AND COOPERATION IN THE FIELD
OF DISASTER PREVENTION, PREPAREDNESS AND RESPONSE

The Government of the Republic of Estonia, the Government of the Republic of Latvia and the Government of the Republic of Lithuania, hereinafter referred to as the Parties:

being convinced of the need for cooperation between three Baltic States in the event of a natural or man-made disaster to protect people, the environment and property, including cultural heritage;

wishing to further improve their cooperation through this Agreement, which can be regarded as a framework agreement to be supplemented as appropriate with other trilateral agreements and arrangements,

mindful of the commitments imposed on the European Union Member States by the Decision of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (1313/2013/EU);

without prejudice to any present or future bilateral or trilateral agreements or other forms of cooperation in the field of disaster prevention, preparedness and response,

have agreed as follows:

Article 1
Definitions

The terms in the present Agreement shall have the following meaning:

- a) **disaster** – any situation which has or may have a severe impact on people, the environment, or property, including cultural heritage;

- b) **response** – any action taken upon request for assistance under the present Agreement in the event of an imminent disaster, or during or after a disaster, to address its immediate adverse consequences;
- c) **preparedness** – a state of readiness and capability of human and material means, structures, communities and organisations enabling them to ensure an effective rapid response to a disaster, obtained as a result of action taken in advance;
- d) **prevention** – any action aimed at reducing risks or mitigating adverse consequences of a disaster for people, the environment and property, including cultural heritage;
- e) **early warning** – the timely and effective provision of information that allows action to be taken to avoid or reduce risks and the adverse impacts of a disaster, and to facilitate preparedness for an effective response;
- f) **host nation support** – any action undertaken in the preparedness and response phases by requesting or assisting Party, to remove foreseeable obstacles to international assistance offered under this Agreement. It includes support from transit country to facilitate the transiting of this assistance through their territory;
- g) **response capacity** – assistance that may be provided under the present Agreement upon request;
- h) **Competent Authority** – the national authority or authorities designated by the Party for the practical development and implementation of the collaboration within the framework of this Agreement, including matters related to requests for assistance and decisions to render assistance;
- i) **requesting Party** – Party, whose Competent Authorities request assistance from another Party;
- j) **assisting Party** – Party, whose Competent Authorities comply with a request of assistance from another Party;
- k) **response team** – organised group of specialists (experts) of the assisting Party, assigned for rendering assistance and having the necessary equipment;
- l) **transit country** – Party, whose territory is to be traversed by response teams and/or individual experts as well as equipment and air supplies carried by them whose destination is to reach the requesting Party.

Article 2

Scope of Agreement

1. This Agreement shall apply to cooperation in the field of rescue services in disaster prevention, preparedness and response and to mutual assistance in the event of a disaster or an imminent threat thereof, which may by its nature exceed the capacity of national resources of a Party and its capability to handle the disaster or to respond to it. The primary aim of the Agreement is to protect people, environment and property.

2. The present Agreement does not apply to the events of natural disasters and large-scales accidents occurring in sea waters under the jurisdiction of the states of the Parties.

Article 3

Competent Authorities and Points of Contact

1. The Parties shall designate one or more Competent Authorities for the purposes of this Agreement. The Competent Authorities are:

- 1) In the Republic of Estonia:
The Ministry of the Interior
Estonian Rescue Board;
- 2) In the Republic of Latvia:
The Ministry of the Interior
Latvian State Fire and Rescue Service;
- 3) In the Republic of Lithuania:
The Ministry of the Interior
Fire and Rescue Department under the Ministry of the Interior.

2. The Competent Authorities shall also appoint 24-hour Point(s) of Contact for submitting and receiving early warnings and requests for assistance. The Competent Authorities shall inform each other of Point(s) of Contact.

3. The Competent Authorities shall inform each other without delay of any changes to the Competent Authorities and Point(s) of Contact.

Article 4

Disaster notification

1. In the event of a disaster or imminent threat thereof, which might require assistance from another Party, a Party may issue a request for assistance indicating the scope and type of assistance as specifically as possible. The Party, to whom the request for assistance is directed, shall promptly decide and inform the requesting Party and, if appropriate, transit country whether it is in a position to render the requested assistance and indicate the scope and terms of the assistance including the estimated costs of the assistance, if appropriate. The Competent Authorities may agree on common procedures for requesting assistance.

2. If a disaster or imminent threat thereof is likely to have an impact on other Parties, the Party of the State, where this disaster has taken or is likely to take place, shall send to other Parties an early warning, describing the situation and its potential development.

Article 5

Mutual assistance

1. The Parties shall cooperate to facilitate the prompt provision of assistance.

2. The requesting Party has the overall command, control, coordination and supervision of the rendering of assistance within its State territory. The personnel from the assisting Party serve in the State territory of the requesting Party under the command of their own leaders and in accordance with the service regulations and other legislation in force in their own state, without prejudice to the laws and other legal acts of the requesting Party.

3. The acceptance of assistance by the requesting Party is considered as a formal invitation, which grants the permission for the response capacity of the assisting Party to enter the State territory of the requesting Party and cross its border without formalities unless the assisting response capacity includes military personnel, vehicles, vessels or aircraft, equipment or goods, which require special permission to cross the State border. In such a case the Competent Authorities of the requesting Party, the assisting Party, and the transit country shall cooperate with a view to obtaining such permission as soon as possible, and no State border shall be crossed until the necessary permission has been granted by the requesting Party and, if appropriate, the transit country.

4. With the view of a prompt and effective assistance, the Parties shall obligate themselves to ensure and the Competent Authorities of the requesting Party shall mediate that personnel engaged in rendering assistance may cross the State border of the requesting Party and response capacity is exempted from taxes, duties or other fees.

5. Response capacity may be used in accordance with the national regulations of the assisting Party without the need to apply for any specific authorisation. After the operations have been completed, all response capacity, except for equipment that is useless or damaged, shall be transported out of the State territory of the requesting Party as soon as possible. The exported response capacity shall be exempted from all taxes, duties or other fees. The above shall also apply to relief operations exercises.

Article 6

Procedures and plans

The Parties shall jointly take measures, such as elaborate mutual procedures and plans for cross-border rescue operations, to facilitate the rendering and transit of assistance, cooperation during an operation, and host nation support.

Article 7

Other cooperative measures

1. Other cooperation includes exchange of information on results of research and development programmes and on experience of disasters. Cooperation may also cover common training, exercises, exchange of experts, seminars or workshops, and projects aimed at disaster prevention and preparedness.
2. If any or all Parties wish to establish a joint response capacity, it should be regulated by a separate agreement signed by the Competent Authorities or other responsible authorities within the scope of their competence.

Article 8

Implementation and follow-up of Agreement

1. The Competent Authorities convene a meeting at least once in two years to monitor the implementation of the Agreement, analyse future actions and draw up plans for further development of cooperation in accordance with Articles 6 and 7.
2. The Competent Authorities give detailed guidance on and adopt the procedure for disaster notification (Article 4) and mutual assistance (Article 5).

Article 9

Reimbursement of costs

1. The requesting Party shall not reimburse the costs incurred by the assisting Party during rescue works or operations, including the costs related to partial or total wear and tear or loss of the brought-in equipment. In certain cases, considering the type and extent of a disaster, the Competent Authorities may determine which costs shall be borne by the requesting Party and may decide on the terms and conditions and the manner in which these costs shall be reimbursed. The following costs shall be considered to be the costs related to rendering of assistance:

- a) insurance of persons and equipment;
- b) exploitation, damage or loss of the brought-in equipment;
- c) use of aid supplies; and
- d) costs of medical assistance provided to members of response teams, also reimbursement of the costs for the damage suffered.

Unless it has been agreed otherwise, the costs shall be reimbursed immediately after the submission of an appropriate request.

2. The assisting Party is entitled to claim from the requesting Party the reimbursement of half of the costs related to the use of aircraft. In this case the costs shall be determined according to the tariffs valid at the time of rendering assistance in the State territory of the assisting Party.

3. Upon running out of stock, response teams and/or individual experts of the assisting Party during the whole period of their stay in the State territory of the requesting Party shall be supplied at the expense of the requesting Party with food, accommodation, and appliances for personal use. If needed, they shall be supplied with necessary medical assistance, provided with vehicles and other resources required in their work.

Article 10

Liability and indemnity

1. The Parties shall follow the requesting Party's national laws and other legal acts regulating matters of liability and indemnity, inasmuch as it is in compliance with the relevant provisions of international law. This provision shall not prevent the Parties from following international law in liability matters.

2. The requesting Party is responsible for damage caused to a third party by the assistance rendered within the State territory of the requesting Party. The requesting Party has a right to recourse action against the assisting Party for costs which it has paid pursuant to this Article if a member of the response team has been proved to have caused damage through wilful misconduct or gross negligence.

3. Each Party shall renounce all compensations against the State of the other Party in case of death of, or injury to, the response team's members, or damage to their health or personal effects if these have occurred in connection with the duties carried out to implement this Agreement. The assisting Party shall insure the members of its response teams in accordance with its national regulations in force.

Article 11

Settlement of disputes

All disputes regarding the interpretation or implementation of this Agreement shall be settled by negotiation between the Parties.

Article 12

Depositary

The Government of the Republic of Estonia shall act as the official Depositary for this Agreement.

Article 13
Final provisions

1. This Agreement shall enter into force 30 (thirty) days after the Depository has received through diplomatic channels the last written notification stating that the necessary national legal requirements for this Agreement to enter into force have been completed. The Depository shall inform the Parties of each notification received and the entry into force date of this Agreement.

2. On the date of entering into force of this Agreement, the Agreement between the Government of the Republic of Estonia and the Government of the Republic of Latvia on mutual assistance in the event of disasters signed on 4 June 2001 ceases to be in force.

3. On the date of entering into force of this Agreement, the Agreement between the Government of the Republic of Latvia and the Government of the Republic of Lithuania on the mutual support in the event of natural disasters and other large-scale accidents signed on 31 May 2001 ceases to be in force.

4. This Agreement is concluded for an unlimited period of time. It may be denounced by any of the Parties by written notification to the Depository, which shall notify the other Parties through diplomatic channels each such notification and the date of the receipt thereof. The denunciation shall take effect 6 (six) months after the receipt of the notification by the Depository. In case of denunciation of this Agreement by any of the Parties, it shall cease to be in effect regarding that specific Party.

5. Any of the Parties may initiate amendments to this Agreement at any time. The request shall be addressed to the Depository, which shall notify through diplomatic channels the other Parties of each such notification and the date of the receipt thereof. Such amendments shall come into force pursuant to paragraph 1 of Article 13 of this Agreement.

Done in Vilnius on 23 November 2017, in three copies, each in the Estonian, Latvian, Lithuanian, and English languages. All texts shall be equally authentic. In case of any divergence in interpretation of this Agreement, the English text shall prevail.

For the Government
of the Republic of Estonia
Andres Anvelt

For the Government
of the Republic of Latvia
Rihards Kozlovskis

For the Government
of the Republic of Lithuania
Eimutis Misiūnas