

Legal Frameworks for Forest Fire Management: International Agreements and National Legislation¹

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Abstract

This presentation focuses on some legal aspects of forest fire management, namely international agreements and national legislation dealing with forest fires and is based on the updating work of Frédéric St-Martin, Legal Consultant; carried out in March 2004.

The main objectives of the up-dating was to: (i) identify newly developed 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 a standard template for developing Global Agreements based on the Template agreed upon by the International Wildland Fire Summit in Sydney in October 2003.

Updating of national legislation dealing with forest fires was carried out through a systematic search in FAOLEX, the FAO legislative database.

The international agreements and the national legislation identified in this update, 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 among other forestry aspects.

The legal documents on forest fires that were identified in the course of this work included: (i) 20 emergency response international agreements; (ii) 9 international agreements not dealing with emergency response but covering other aspects of co-operation on forest fires; and (iii) 204 documents on national legislation, of which 95 are specific to forest fires, and the others deal with forestry generally and cover forest fires to some extent.

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Introduction

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.

In July 2001, the FAO Representatives in member countries 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 in the national government.

By 2002, more than 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 (i.e., no agreements in place). However, a number of cooperation agreements existed. It was recommended that this list be regularly updated as replies are sent by FAO Representatives and new information becomes available.

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

In 2001, four recommendations were made for future action by FAO in relation to the legal aspects of forest fire management: (i) regularly update the information on international agreements and national legislation; (ii) further elaborate the outline for developing international agreements (Model Agreement Annex 1.), and develop new outlines for related operational guidelines and operating plans; including fire logistics; (iii) further review and assess the national legislation on forest fires; and (iv) develop guidelines for the formulation of national legislations on forest fires.

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) deal in part with some aspects of forest fire management.

This presentation focuses on some of the legal aspects in forest fire management, namely international agreements and national legislation dealing with forest fires and is based on the updating work of Frédéric St-Martin, Legal Consultant; carried out in March 2004.

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

- (i) 20 emergency response international agreements (plus one which is still under negotiation);
- (ii) 9 international agreements on other matters; and,

- (iii) 204 documents referring to national legislation, of which 95 are specific to forest fires, and the others deal with forestry generally and cover forest fires to some extent.

1. International Agreements

1.1 Emergency Response Agreements

To date FAO has received copies of emergency response international agreements. 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. Their full text is accessible at the FAO Forestry Department's website

(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>).

Examples of Emergency Response International Agreements

Parties to the agreement	Name and date of the agreement	Purpose of the agreement
Spain / Portugal	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)
France / Spain	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
Morocco / Spain	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
Argentina / Chile	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"> 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

		<p>coordination to face common risks</p> <p>6. Collaboration in cases of emergencies through:</p> <ul style="list-style-type: none"> 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)
Argentina / Chile	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)
Finland / Russian Federation	Agreement by and between the Government of the Finnish Republic and the Government of the Russian Federation about Co-operation to avert disasters and to prevent their consequences, 1994	<p>To foster co-operation in the following areas:</p> <ul style="list-style-type: none"> 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)
Mexico / United States of America	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> <ul style="list-style-type: none"> 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)
New Zealand / United States of America	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)
China / Russia	Agreement on Joint Control of Forest Fire between the Government of the People's	To improve forest fire control in border areas, to share experience in forest fire control, and to help each

	Republic of China and the Government of Russian Federation, 1995	other to prevent forest fires and to reduce losses there from
United States of America / Australia-New Zealand	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 1)
Canada / United States of America	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 1)
Canada / United States of America	The North-eastern Interstate Forest Fire Protection Compact Public Law #129 – 81 st Congress.	Promotion of effective prevention and control of forest fires in the north-eastern region of the United States and adjacent areas in Canada by the maintenance of the adequate forest fire fighting services, and by providing mutual aid in fighting forest fires among the states or provinces of the region (Article 1).
Mongolia / Russia	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.
Bulgaria/Greece	Protocol for cooperation between the National Service of Fire Protection of the Republic of Bulgaria and the National Service of Fire Protection of the Republic of Greece, 1993.	Both parties will render mutual assistance for the liquidation of the originated fires and accidents and for the minimization of their dangerous consequences.
France/Italy	Agreement regarding the intervention by water bombers in case of mutual assistance for forest fires.	This agreement delimitates when mutual assistance is needed, the procedure to ask for assistance and the period of time for which it is applicable.
Italy/Switzerland	Agreement between the Italian Republic and the Swiss Confederation on the cooperation in the field of fire risk prevention and on mutual assistance in case of	This agreement defines the conditions in which one party will lend, in the limits of their possibilities, assistance in case of the occurrence of a natural

	natural catastrophes or human activities, 1995.	catastrophe or due to human activities which will threaten life, goods or the environment.
Greece/Malta	Agreement between the Government of Hellenic Republic and the Government of Malta in the field of Civil Protection, 2001.	This Agreement favours the cooperation between these states regarding sharing of scientific and technical cooperation in the management of emergencies, regarding cooperation in the enactment of policies in the field of prevention and protection of natural disasters, and regarding collaboration in the fight of emergencies which extend beyond the state borders or that cannot be eliminated by one country's own means.
Greece/Cyprus	Agreement between the Ministry of Public Order of the Hellenic Republic and the Ministry of Justice and Public Order of the Republic of Cyprus on co-operation of the national Fire Departments within their competency.	No translation from Greek was available at the time of the update of this report in August 2003.
Finland/Estonia	Operational Agreement between the Rescue Board of the Republic of Estonia and the Ministry of the Interior of the Republic of Finland, 1995.	Agreement providing a framework for the exchange of information, request for assistance and giving mutual assistance.
Spain/Portugal	Additional Protocol on Mutual Assistance in case of Forest Fires in Border Zones, adopted within the terms of the Protocol between the Queen of Spain and the Republic of Portugal on Technical Cooperation and Mutual Assistance in Civil Protection Matters, made in Evora on March 9 th 1992, Figueira da Foz, 2003.	This Protocol facilitates the intervention of both parties in case of forest fires occurring within a strip of 5 kilometres from the common border. It aims to reduce the period of time between the occurrence of the fire and the response from the fire-fighting bodies.

1.2 Other Agreements

Nine international agreements plus four European Community documents 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.*
- Greece – China, Agreement Between the Ministry of Agriculture of the Hellenic Republic and the State Administration of the People’s Republic of China on Forestry Cooperation, June 2002.
- Turkey – Uzbekistan, Protocol Related to Forestry Between the Ministry of Forestry of the Republic of Turkey and the Ministry of Forestry of the Republic of Uzbekistan, 1997.
- Nicaragua – Costa Rica, International Agreement for Collaboration in the Field of Forest Fires, 1996.
- Cyprus – Lebanon – Morocco – Syria – Tunisia, Draft of the International Cooperation Agreement in the Field of Information Sharing on Forest Fires and Their Prevention in the Mediterranean Area, 1996.
- Lebanon – France, Draft Agreement for the Protection of Forests Against Forest Fires within the Framework of the Cooperation with France, 1997.
- The Council of the European Union Decision of 2 October 2001 establishing a community mechanism to facilitate reinforced co-operation in civil protection.
- The Council of the European Union Regulation No. 2158/92 of 23 July 1992 on protection of the Community’s forests against fire.
- Commission Regulation No. 804/94 of 11 April 1994 laying down certain detailed rules for the application of Council Regulation No. 2158/92 as regards forest-fire information systems.
- Commission Regulation No. 1727/1999 of 28 July 1999 laying down certain detailed rules for the application of Council Regulation No. 2157/92 on protection of the Community’s forests against fire.
- European Parliament and Council Regulation (EC) No 2152/2003 of 17 November 2003 concerning monitoring of forests and environmental interactions in the Community (Forest Focus).

These agreements are available through FAOLEX, the FAO legislative database.

1.3 National Legislation

Through a systematic search in FAOLEX, 204 documents on national legislation were identified. These were clustered into two categories:

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

1.3.1 Legislation Specific to Forest Fires

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

Thirty eight 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, Grenada, Hungary, Indonesia, Israel, Italy, Madagascar, Mali, Mexico, Morocco, Namibia, New Zealand, Nicaragua, Niger,

Philippines, Portugal, Russian Federation, South Africa, Spain, Syria, Tanzania, Togo, Uruguay and Viet Nam.

1.3.2 Forestry Related Legislation Covering Forest Fires

Under the category “forestry related legislation covering forest fires”, 109 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) or through FAOLEX (<http://www.fao.org/Legal/default.htm>).

2. 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:

- 2.1 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 legal frameworks on forest fire.
- 2.2 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.
- 2.3 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 national legislation on forest fires.
- 2.4 Developing benchmarks for the formulation of national legislation on forest fires:** the countries which have not formulated strategies, laws and regulations when having recurrent problems with forest fires are encouraged to do so. Some benchmarks that have been used in other countries are provided to support the enactment of such tools that will help to have a better control over forest fires.

3. Follow-up activities

Based on the recommendations made in 2001 on developing international agreements the Government of Spain organized a “Workshop on Multilateral Assistance against Forest Fires in the Mediterranean Basin” in Zaragoza Spain in 2003 to further this cause.

The International Wildland Fire Summit held in Sydney, Australia in October 2003; wherein the Summit participants discussed and agreed either in principle or in substance to a series of strategies such as:

- They agreed that an *international agreement template* presented in (Annex 1.) can be used by agencies wishing to form cooperative or mutual aid arrangements with one or more other countries for.
- They agreed that an *Incident Command System (ICS)* should become the international standard for all wildland incident management participating in international or interagency agreements and exchanges.

Specific Actions requested by Summit participants:

1. Agreement to a series of regional conferences, summits, or roundtables to be held in the next four years.
2. Agreement to secure resources and funding for hosting the regional sessions and implementing other Summit outputs.
3. Agreement that the Summit outcomes will be transmitted to appropriate international organisations.
4. Agreement to request the assistance from the UN to lead the implementation of the outcomes of this strategy.

Annex 1.



Forestry Department

Food and Agriculture Organization of the United Nations

Forest Protection Working Papers

International Wildland Fire Management Agreements Template

*Prepared by the International Liaison Committee
For
The International Wildland Fire Summit in 2003*

Tom Frey & Ricardo Velez-Munoz

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The Forest Protection Working Papers report on issues addressed in the work programme of FAO. These working papers do not reflect any official position of FAO. Please refer to the FAO website (www.fao.org/forestry) for official information.

The purpose of these papers is to provide early information on on-going activities and programmes, and to stimulate discussion.

Comments and feedback are welcome.

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International Wildland Fire Management Agreements Template

(Prepared by the International Liaison Committee for the 2003 International Wildland Fire Summit)

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Introduction

The 3rd International Wildland Fire Conference held in Sydney, Australia 4-6 October 2003 and the subsequent Summit on 8 October 2003 provides important forums for discussions of how to manage the future of international wildland fire management and share solutions to global problems. This paper offers a template and information on cooperation in wildland fire management to countries interested in entering into formal relationships and agreements with other countries facing similar issues.

This paper is intended to enhance current international coordination and cooperation by providing information on the following:

- A Template outlining areas to consider when developing international cooperative agreements;
- Listing of the types of cooperation and assistance that may occur between countries;
- The responsibilities of countries sending assistance and of those receiving assistance;
- Websites containing information and examples of existing cooperative agreements and arrangements.

Template for International Cooperative Agreements

The following is an outline for a template of areas that need to be considered when countries are developing international cooperative agreements. There may be other areas that need definition and consideration besides those listed below. This template is drawn from an annex of a UN Food and Agriculture Organization (FAO) document *Legal Frameworks for Forest Fire Management: International Agreements and National Legislation*. This FAO document provides excellent reference materials, which should be reviewed prior to entering into international agreements.

Developing countries will require special consideration because they may not be able to reciprocate in a partnership as fully as a developed country can.

The important role of Non-Government Organisations (NGOs) should be considered as part of any bilateral or regional assistance arrangement.

It is strongly recommended that the parties to a mutual assistance agreement should exercise the agreement through exchanges, field exercises and low-level assistance prior to it being activated at a time of crisis.

Outline for International Cooperative Agreements

1. Parties to the Agreement
 - Includes governmental and non-governmental agencies and organizations at a variety of levels.
2. Purpose
 - Defines areas and forms of cooperation.
 - Define the scope of the cooperation.
3. Definition of Terms
 - Defines terms used in the agreement to insure there is no confusion or misinterpretation as to the meaning of the content of the agreement.
5. Expenses and Costs
 - Personnel- Defines how personnel costs will be set such as per person, per crew, per day or per assignment.
 - Equipment - Defines how equipment cost use will be set such as per day or per assignment.
 - Reimbursement of costs – Sets the procedures, amount, and criteria for reimbursement. Some agreements call for

reimbursement only after a certain threshold of time or level of support has been reached.

- Non-reimbursable – Under certain agreements all parties may agree to assist each other on a mutual aid, non-reimbursable basis.
6. Information and Coordination
- Communication channels – Defines the protocols and methods to coordinate and exchange information.
 - Information exchange – Defines the types, amount and timing of information exchange.
 - Notifications – Sets the notification procedures for emergencies or for other significant events.
 - Coordination of work – Defines how and under what organizational structure the coordination of work will take place.
7. Liabilities, Claims and Compensations
- Cross-wavier of claims/exemption from liability – Lists and defines how and when the cross-waivers and exemptions are in force for personnel that are being exchanged.
 - Exemptions to cross-wavier of claims – Lists and defines those areas or circumstances where the exemptions do not pertain to personnel that are being exchanged.
 - Damage to a third party – Outlines remediation methods and limitations for third party damage.
 - Medical assistance for injured personnel – Defines the protocols and procedures for assisting and possibly evacuating injured personnel.
 - Compensation in case of injury or death – Defines the timing, levels and limitations of compensation for injury or death. This may also be addressed above in the cross waivers and exemptions.
 - Privileges and immunities for the assisting personnel – Describes and defines the levels and limitations of privileges and immunities that the receiving country will provide to assisting country personnel.
8. Operating Plans / Operational Guidelines
- Provision for operating plans/operational guidelines – Operating plans/operational guidelines are a critical component of all cooperative agreements. They should be carefully crafted and reviewed by all parties to the agreement. The plans and guidelines outline and define specific operational areas to insure that the agreement can be implemented in a timely and efficient manner. They include

items such as points of contact, procedures for requesting resources, entry procedures, annual updates of costs, reimbursements, and cross waivers, and updated standards, qualifications or training requirements. Also identifies how often and by whom the plans and guidelines will be reviewed, updated and the method for revalidating the contents of the plans and guidelines.

9. Border Crossings

- Sets protocols and procedures for simplifying of border crossing taking into account sovereignty issues, including the following:
 - Opening of alternative border-crossing points to facilitate the assistance
 - Customs provisions:
 - Concerning personnel
 - Concerning equipment and materials
 - Concerning officer responsible for equipment
 - Concerning aircraft

Portions of this information will also be included in the operational plans and guidelines.

10. Link to Disaster Management Plan for the receiving country.

- Explains how the fire assistance plan sits within the wider disaster management plan for the receiving country, including legislation giving the necessary powers.

11 General Provisions

- Entry of force of the agreement - Defines when agreement is activated.
- Duration – Specifies how long the agreement will remain in force
- Withdrawal – Defines how countries or organizations can withdraw from the agreement.
- Termination – Defines under what circumstances the agreement will terminate.
- Interpretation – Provides understandings and interpretations for countries and organizations concerning under what circumstances and limitations each party is entering into the agreement.
- Settlement of disputes – Defines the method of dispute resolution.
- Amendments – Defines when and how amendments to the agreement may be submitted, reviewed, and acted upon.

11. Standard Operation Procedures

- These procedures describe in detail the methodology to be followed when the agreement is activated, especially in relation to command and control, fire suppression procedures to be followed, communications systems and safety procedures to be used.
- The SOPs should be tested and refined using tabletop exercises, dry field exercises and low scale operations before being deployed in a full scale emergency.

12. Other Provisions

- Provides the opportunity for any country, agency or organization signing this agreement to define other areas of cooperation that they want to include in the agreement such as:
 - Shared training activities, including materials
 - Study tours, technical exchanges, and joint exercises
 - Relationship of this agreement to other agreements
 - Standards for personnel
 - Safety equipment
 - Limitations on the type and use of telecommunications equipment
 - Method of recall of firefighting resources

12. Participating Countries/Agencies/Organizations Signature Page

- It is important that all potential participants review and confirm their authorities to sign such an agreement.

Types of Cooperation and Assistance

International cooperation and assistance occurs in a variety of ways. Some agreements are non-reimbursable while others call for reimbursement. Some assistance is offered on a technical non-reimbursable basis and other assistance is offered or solicited during periods of disaster. When countries develop international cooperative agreements the purpose and method of cooperation and assistance need to be clearly identified and understood between all parties. The following describes several types of cooperation and assistance that currently exist.

Mutual Assistance:

Mutual Assistance agreements often deal with fire management issues along shared borders. Assistance by one country to another is usually

non-reimbursable with the understanding that both countries may benefit at different times from assistance along mutual borders

Cooperative Assistance:

These agreements are for assistance and cooperation throughout the countries or states that have signed the agreement, not just for the border areas. These agreements are usually set up on a reimbursable basis.

They may also include non-reimbursable exchanges of experts. These exchanges may include areas such as fire prevention and mitigation, prescribed fire, personnel exchanges, and broad based study tours of fire management programs.

Technical Exchanges:

Activities carried out under technical exchanges are similar to cooperative assistance agreements but are much more informal and exchanges are not always tied directly to an ongoing agreement. These are usually self-funded, non-reimbursable activities that occur on an as needed or as desired basis. They remain at technical and informational exchange level and do not include exchanges of resources to help with direct fire suppression activities.

Technical Assistance:

An offer of or a request for technical assistance may or may not be a part of a formal agreement. Technical assistance provides experts from one country to another country in need of technical assistance, to improve and strengthen the receiving country's abilities and capacity to deal with wildland fire management issues. The goal of technical assistance should be to reduce the need for outside assistance in the future. This type of assistance is usually non-reimbursable and is paid for by the country offering the assistance.

Disaster Assistance:

When wildland fires involve trans-border issues from a humanitarian, ecological, medical, economic, or diplomatic standpoint, some countries will offer immediate disaster assistance to affected countries on a non-reimbursable basis. Disaster assistance is meant to assist the affected country during a critical time period and may or may not be based on existing cooperative agreements. Disaster assistance

may be the genesis for future cooperative agreements or technical assistance programs.

Responsibilities of Sending Country and Receiving Countries

Countries sending or receiving assistance through the methods and agreements identified above need to understand that certain responsibilities are inherent in these relationships. The following paragraphs identify the responsibilities of all countries, agencies, or organizations involved. There are certainly more issues than those listed below that should be discussed prior to sending or receiving assistance but the information below attempts to identify some of the key elements of the responsibilities involved in these types of arrangements.

Sending Countries:

It is important to note that as countries enter into formal cooperation agreements with other countries, the success or failure of those agreements rests just as much on the personal conduct of the sending country's representatives as it does on the effectiveness of their fire management capabilities. It is critical to always send the country's most appropriate and qualified personnel, as the receiving country will quickly detect whether they are receiving the help they need or individuals who were selected on rank or seniority and not on skills and capabilities. This is especially critical with reimbursable agreements. Of particular importance is cultural sensitivity towards the people of the receiving country. Personnel being sent will be seen as ambassadors for their country and qualities appropriate to such a role should be included in the selection criteria.

Teams and individuals must also be made aware of local issues dealing with laws, customs, language, dress, food, etc. They must also be briefed on the command and control arrangements and their role and responsibilities within the fire management system of the receiving country.

Sending countries should prepare lists of resources, funding, materials and manpower that may be made available to receiving countries. It is essential that this information is kept accurate and current.

Both sending and receiving countries should maintain and exchange data on the nature, extent and frequency of fires so that the level of assistance sought and made available can be anticipated in any particular season.

Receiving Countries:

Just as sending countries have certain responsibilities, receiving countries must also accept the responsibilities involved in hosting personnel from other countries. Receiving countries must be prepared to brief sending country teams and representatives on the issues mentioned above as well as fire issues such as fuels, weather, topography, safety, management structure on the fires, fire fighting techniques and equipment, types and lengths of assignments, etc. Of particular importance is briefing on communications and legal issues within fire management as well as political and social sensitivities within the wider community. Receiving countries must also be prepared to provide logistical and operational support including welfare support as required.

Websites with Examples of Cooperative Agreements and Arrangements

National authorities are encouraged to contribute brief case studies, based on their own national experiences, to illustrate the different types of cooperation/assistance agreements that are currently in place or being prepared. Case studies can be forwarded to the Forestry Officer; Forest Fire Management at FAO HQ in Rome Italy mike.jurvelius@fao.org.

Websites:

The following websites provide a great deal of background and information on existing cooperative agreements and arrangements.

<http://www.fao.org>

http://www.fire.uni-freiburg.de/emergency/int_agree.htm

Conclusion

The fire management issues identified and discussed at the 3rd International Wildland Fire Conference highlight the connections and common concerns of the global community about wildland fire. This Summit represents an extension of the work accomplished at the Conference and provides a mechanism to identify ways to continue

that progress. This paper has identified issues and provided a template to encourage countries to cooperate in dealing with wildland fire.

