

## FRAMEWORK AGREEMENT

Agreement between Denmark, Finland, Norway and Sweden on cross-border collaboration with the aim of preventing or limiting personal injury and damage to property or the environment.

The governments of Denmark, Finland, Norway and Sweden,

- which are convinced of the necessity for collaboration between the competent authorities in the contracting states with the aim of facilitating mutual assistance essential at accidents that occur during peacetime and to expedite the appointment of relief personnel and equipment,
- which regard this agreement as a framework agreement meant to complement other Nordic multilateral and bilateral agreements in this field,
- which wish to further improve collaboration in this field, have agreed on the following:

### *Article 1*

This agreement relates to the cross-border collaboration of contracting states with the aim of preventing or limiting personal injury and damage to property or the environment in the event of an accident or imminent accident.

These states are, in their national legislation and others legal provisions, to remove, as far as is possible, impediments to this collaboration.

### *Article 2*

In the event of an accident or imminent accident, each contracting state has an obligation to supply the necessary assistance in accordance with their own limitations and the stipulations of the agreement.

The conditions in Articles 3 - 5 are to apply if no other bilateral or multilateral agreements are being adhered to.

### *Article 3*

1. An authority in a contracting state that, in the event of an accident, is responsible for measures to prevent or limit personal injury and damage to property or the environment, may request assistance directly from a competent authority in another contracting state. The authority receiving this request is to decide if the assistance can be given.
2. Full responsibility for operational command in the disaster area lies with the authorities of the state seeking assistance with the exception of such accident areas that are situated within the territory of another contracting party. Personnel from the state lending assistance, under the command of their own officers, are to serve in the state requiring assistance in accordance with the service regulations that are in force in their home country.
3. The state seeking assistance is to ensure that vehicles, rescue equipment and other supplies that are employed in an operation may be transported over the borders without being impeded by import or export formalities and that they are exempt from taxes, duties and other fees. Vehicles, rescue equipment and other supplies may be utilised in accordance with the regulations of the state lending assistance without the need to apply for any specific authorisation. As soon as is possible, following the conclusion of an operation, all vehicles, rescue equipment and other supplies are to be transported out of the country. The above also applies to operation exercises.
4. Should the assistance consist of military personnel, state vessels, state aircraft or military vehicles that require special entry permits, then the authority that requested assistance is to procure these permits. No territorial border may be crossed prior to permits being issued.

#### *Article 4*

The cost of relief operations, in accordance with this agreement, are to be met according to the following:

1. The state lending assistance has the right to reimbursement from the state seeking assistance for costs incurred related to the operation.
2. The state seeking assistance may, at any time, withdraw its request. The state lending assistance has, however, the right to reimbursement for costs incurred.
3. The state lending assistance must always be prepared to submit details to the state seeking assistance with regards to estimated operational costs.
4. The expenditure calculations are to be based upon the principle of prime costs.
5. These regulations do not restrict the right of the contracting states to seek, from a third party, reimbursement for incurred costs in accordance with other regulations and precepts that are appropriate according to national legislation or international law.

#### *Article 5*

1. In accordance with the agreement, the state seeking assistance is responsible for any damage caused as a result of assistance being rendered within its territory. The state seeking assistance is under an obligation to respond in judicial proceedings to negotiate in reconciliation concerning claims for damages that are directed at the state lending assistance or its personnel by a third party. The state seeking assistance is liable for all legal and other costs related to such demands.
2. The state seeking assistance is to reimburse the state lending assistance in the event of any fatalities or personal injury inflicted upon the latter's personnel, as well as loss of or damage to equipment or supplies resulting from the assistance given within its borders.
3. The state lending assistance is responsible for any damage to equipment that takes place within its own borders.
4. In accordance with this article, the state seeking assistance has the right to bring a lawsuit for the reimbursement for moneys paid by the state when personnel from the state lending assistance have purposely or negligently caused damage.

#### *Article 6*

1. Contracting states are to furnish each other with information regarding the organisation and competent authorities in their respective countries as well as information on legislative measures and other significant changes related to this agreement. Furthermore, these states are to endeavour to develop collaboration within this field.
2. In order for the practical implementation of this agreement to be realised, competent authorities in respective states are to maintain direct contact with each other.
3. Meetings are to be held within the framework of this agreement when it is deemed appropriate.

#### *Article 7*

This agreement will come into force thirty days from the day when two of the contracting states have advised the Swedish Ministry for Foreign Affairs in writing of their approval of the agreement.

For contracting states that, following the implementation of the agreement, apprise the Swedish Ministry for Foreign Affairs of its approval, the agreement will come into force thirty (30) days from the day when notification has been received thereof.

The Swedish Ministry for Foreign Affairs will advise the other contracting states in writing of the time for the receipt of these notifications and the time when the agreement will come into effect.

*Article 8*

Iceland may subscribe to this agreement. The affiliation documents are to be escrowed with the Swedish Ministry for Foreign Affairs. The agreement will come into force for Iceland from the day when the affiliation documents are escrowed. The Swedish Ministry for Foreign Affairs will advise the contracting parties in writing of the time when these documents are to be in escrow.

*Article 9*

A party may terminate the agreement by notifying hereof the Swedish Ministry for Foreign Affairs in writing. The Ministry will then advise the other parties of the time of receipt of such notification and of its content.

The termination of an agreement only applies to the party submitting the notification of termination and will take effect six months after the day the Swedish Ministry for Foreign Affairs has received the communiqué.

*Article 10*

The original copy of this agreement will be escrowed at the Swedish Ministry for Foreign Affairs, which will forward attested copies thereof to the other parties.

In acknowledgement hereof, the duly authorised representatives have signed this agreement.

Copies in the Danish, Finnish, Norwegian and Swedish languages were issued on 20<sup>th</sup> January, 1989 in Stockholm, with all texts having the same degree of validity.

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