

No. 27003

**FEDERAL REPUBLIC OF GERMANY
and
SWITZERLAND**

**Convention on mutual assistance in the event of disasters or
serious accidents. Signed at Bonn on 28 November 1984**

Authentic text: German.

Registered by the Federal Republic of Germany on 5 January 1990.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
SUISSE**

Convention relative à l'assistance mutuelle en cas de catastrophes ou d'accidents graves. Signée à Bonn le 28 novembre 1984

Texte authentique : allemand.

Enregistrée par la République fédérale d'Allemagne le 5 janvier 1990.

[TRANSLATION — TRADUCTION]

CONVENTION¹ BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE SWISS CONFEDERATION ON MUTUAL ASSISTANCE IN THE EVENT OF DISASTERS OR SERIOUS ACCIDENTS

The Federal Republic of Germany and the Swiss Confederation,

Convinced of the need for co-operation between the two States to facilitate mutual assistance in the event of disasters or serious accidents,

Have agreed as follows:

Article 1. PURPOSE

This Convention contains the basic conditions whereby, in the event of disasters or serious accidents in one Contracting Party and at its request, voluntary assistance is provided by the other Contracting Party, especially in the form of emergency teams and equipment.

Article 2. DEFINITIONS

For the purposes of this Convention:

The term “requesting State” means the Contracting State whose competent authorities request assistance from the other State, in particular the sending of emergency teams or equipment;

The term “sending State” means the Contracting State whose competent authorities respond to a request from the other State for assistance, in particular the sending of emergency teams or equipment;

The term “equipment” means the material, vehicles, items for personal use (operational items) and the personal equipment of the emergency teams;

The term “emergency aid” means the additional equipment and goods intended for distribution to the population affected.

Article 3. COMPETENT AUTHORITIES

(1) The authorities competent for making and receiving requests for assistance shall be:

- For the Swiss Confederation: The Federal Department for Foreign Affairs and in the frontier areas: the cantonal Governments;
- For the Federal Republic of Germany: The Federal Minister of the Interior and in the frontier areas: the Ministers of the Interior of the frontier “*Länder*” or the heads of the administrative regions (*Regierungspräsidenten*) authorized by them.

¹ Came into force on 1 December 1988, i.e., the first day of the second month following the exchange of the instruments of ratification, which took place at Bonn on 5 October 1988, in accordance with article 19 (2).

(2) The authorities referred to in paragraph 1 may commission officials at a lower level to make or receive requests for assistance.

(3) The authorities referred to in paragraphs 1 and 2 of the two Contracting States shall contact each other directly for the purpose of implementing this Convention.

(4) The two Contracting States shall inform each other through the diplomatic channel of the addresses and telephone and telex numbers of the authorities referred to in paragraphs 1 and 2.

Article 4. PRIOR AGREEMENT

The type and extent of assistance to be provided shall be agreed upon by the authorities referred to in article 3 case by case.

Article 5. TYPES OF ASSISTANCE

(1) Assistance shall consist in sending, to the site of the disaster or serious accident, emergency teams which are specially trained, *inter alia*, in firefighting, nuclear and chemical hazards control, first aid, rescue and salvage and which have the specialized equipment required for such operations; if necessary, assistance can also be provided in any other manner.

(2) The emergency teams may be sent by land, air or water.

Article 6. FRONTIER CROSSING

(1) The members of an emergency team shall be exempt from passport and residence permit requirements. The only requirement is that the leader of an emergency team must carry a certificate attesting to his status.

(2) In particularly urgent cases, the frontier may be crossed at points other than those authorized, irrespective of the normal regulations. In this case the competent frontier surveillance authorities or the nearest frontier post shall be informed thereof without delay.

(3) The facilities referred to in paragraphs 1 and 2 concerning border crossings shall apply also to persons who have to be evacuated from a disaster or a serious accident.

Article 7. FRONTIER CROSSING FOR EQUIPMENT

(1) The Contracting States shall facilitate frontier crossing for the equipment and items necessary for emergency operations. No import or export papers shall be required. The leader of an emergency team shall have only to show the frontier authorities of the requesting State a list of all the equipment and items being imported.

(2) The emergency teams shall bring in no articles other than the equipment and other items necessary for emergency operations.

(3) The import of such equipment and other items elsewhere than through authorized border crossing points shall be reported to the competent customs authority at the earliest opportunity.

(4) The prohibitions and restrictions on frontier goods traffic shall not apply to the equipment and other items necessary for emergency operations. Such equipment and items which have not been used during an emergency operation shall be re-exported. If, owing to special circumstances, they cannot be re-exported, their type and quantity as well as their situation shall be reported to the authority responsible for the emergency operation, who shall notify the competent customs authority; in that case, the domestic legislation of the requesting State shall apply.

(5) The import of narcotic drugs into the requesting State and the re-export of non-consumed quantities into the sending State shall also be governed by paragraph 4 in the context of this Convention. Such traffic shall not count as import or export traffic within the meaning of the international conventions on narcotic drugs. Narcotic drugs may be brought in only to meet an urgent medical need and may be used only by qualified medical personnel acting in accordance with the legislation of the Contracting State to which the emergency team belongs.

Article 8. OPERATIONS INVOLVING AIRCRAFT

(1) Aircraft may be used not only for the speedy transport of emergency teams in accordance with article 5, paragraph 2, but also directly for other types of emergency operations.

(2) Each Contracting State shall permit aircraft used in accordance with paragraph 1 and taking off from the territory of the other Contracting State to overfly its territory and to land in and take off from its territory even at points outside customs airports and approved airfields.

(3) The intention to use aircraft in an emergency shall be reported without delay to the requesting authority, with information as precise as possible on the type and registration of the aircraft and on its crew, cargo, departure time, anticipated route and landing site.

(4) The following shall apply, *mutatis mutandis*:

(a) The provisions of article 6 above, to the crew of the aircraft and the emergency teams being carried;

(b) The provisions of article 7 above, to the aircraft and other equipment and items carried therein.

(5) Subject to the provisions of paragraph 2, the air traffic legislation of each Contracting State shall apply, in particular, the obligation to transmit flight information to the competent control bodies.

Article 9. CO-ORDINATION AND CONTROL

(1) In all cases, the authorities of the requesting State shall be responsible for co-ordinating and directing the rescue and emergency operations.

(2) The authorities of the requesting State referred to in article 3 shall specify in the request for assistance the assignments which they wish the emergency teams of the sending State to carry out, without going into the details thereof.