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**Canada
and
United States of America**

Agreement between the Government of Canada and the Government of the United States of America on emergency management cooperation (with corrections). Washington, 12 December 2008

Entry into force: 7 July 2009 by notification, in accordance with article 6

Authentic texts: English and French

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**Canada
et
États-Unis d'Amérique**

Accord de coopération entre le Gouvernement du Canada et le Gouvernement des États-Unis d'Amérique concernant la gestion des urgences (avec corrections). Washington, 12 décembre 2008

Entrée en vigueur : 7 juillet 2009 par notification, conformément à l'article 6

Textes authentiques : anglais et français

Enregistrement auprès du Secrétariat des Nations Unies : Canada, 22 janvier 2016

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

THE GOVERNMENT OF CANADA

AND

THE GOVERNMENT OF THE UNITED STATES OF AMERICA

ON EMERGENCY MANAGEMENT COOPERATION

THE GOVERNMENT OF CANADA and THE GOVERNMENT OF THE UNITED STATES OF AMERICA (the Parties),

RECOGNIZING the importance of strengthening cooperation in emergency management in relation both to natural and man-made incidents, emergencies and disasters;

DESIRING to strengthen cooperation between their two countries so as to be able to more effectively prepare for, prevent, protect against, respond to, recover from and mitigate such events;

HAVE AGREED as follows:

ARTICLE 1

Consultative Group

1. The Parties shall establish a Canada - United States Consultative Group on Emergency Management Cooperation.
2. The structure, membership and terms of reference of the Consultative Group shall be initially as set forth in Annex A, which does not form an integral part of this Agreement.
3. The Consultative Group shall meet annually or as agreed by the Parties.

ARTICLE 2

Principles of Cooperation

1. Subject to the domestic laws of the Parties, the following principles of cooperation are intended to be used as a guide by emergency management authorities:
 - (a) Nothing in this Agreement shall derogate from the application of Canadian law in the territory of Canada or United States law in the territory of the United States of America. However, the authorities of either Party may request the assistance of the other Party in seeking appropriate alleviation if the normal application of law in either country might lead to delay or difficulty in the rapid execution of necessary emergency management measures.
 - (b) The Parties shall seek to ensure that in areas of common concern, plans for the emergency use of personnel, equipment, supplies, commodities, systems and services shall, where feasible and practicable, be consistent with principles set out in this Agreement.
 - (c) Each Party shall use its best efforts to facilitate the movement of evacuees, emergency personnel, equipment or other resources into its territory or across its territory when it is agreed that such movement will facilitate emergency operations by both Parties.
 - (d) In times of emergency, for the purposes of emergency relief, each Party shall use its best efforts to ensure that those citizens or residents of the other country present in its territory are treated, with respect to health and welfare services, in a manner no less favorable than its own citizens or residents.

- (e) Each Party shall use its discretionary powers as far as possible to avoid a levy of any federal government tax on the services, equipment and supplies of the other country when the latter are engaged in emergency activities in the territory of the other, and shall use its best efforts to encourage state, provincial and local authorities to do likewise.
- (f) When transportation, communications and related facilities and equipment which are subject to the control of one Party are made available for emergency use to the other Party, the Parties shall use their best efforts to ensure that the charges to the using Party do not exceed those paid by similar agencies of the Party making these resources available. To this end, the Parties shall work out mutually acceptable arrangements, as necessary. Each Party shall use its best efforts to encourage state, provincial and local authorities to do likewise.
- (g) Each Party shall plan for adequate security and care for the personnel, equipment and resources of the other Party entering its territory by mutual arrangement in pursuance of emergency activities. Each Party shall use its best efforts to ensure the return of personnel, equipment, and resources of the other Party. Each Party shall use its best efforts to encourage state, provincial and local authorities to do likewise.
- (h) The Parties may, by mutually acceptable arrangement, provide that transportation and other equipment originating in the territory of one Party but located in the territory of the other Party at the onset of an emergency be temporarily employed by the appropriate authority of the Party in which the equipment is located.
- (i) The Parties may by mutually acceptable arrangement provide that perishable or other readily consumable supplies located in the territory of one Party at the time of an emergency, but owned by persons or entities in the territory of the other Party, be disposed of by the appropriate authorities for the two Parties.

- (j) Each Party shall promote awareness of and encourage emergency management cooperation among state, provincial and local authorities. Each Party shall, in so far as consistent with federal plans and policies, also encourage and facilitate cooperative emergency arrangements among state, provincial and local authorities on matters falling within their competence.
2. All activities undertaken pursuant to this Agreement shall be subject to the availability of funds. Each Party shall bear the costs of its own participation, unless other arrangements are made with the mutual consent of the Parties.

ARTICLE 3

Existing Agreements and Commitments

The Parties shall ensure that all plans for comprehensive emergency management cooperation relating to this Agreement are consistent with the obligations of the Parties under the North Atlantic Treaty and other applicable agreements. In particular, the Parties shall ensure that all emergency management plans and arrangements relating to situations of declared or undeclared hostilities:

- (a) provide necessary, appropriate and timely emergency management support for the defense of North America;
- (b) enable the Parties to meet their obligations under the North Atlantic Treaty and other applicable agreements and arrangements including those for the joint defense of North America; and
- (c) mitigate the effects of any armed attack on the civilian populations of the Parties.