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**Lithuania
and
Sweden**

Agreement between the Government of the Republic of Lithuania and the Government of the Kingdom of Sweden on collaboration within the field of emergency prevention, preparedness and response. Stockholm, 24 October 2003

Entry into force: *28 May 2004, in accordance with article 13*

Authentic texts: *English, Lithuanian and Swedish*

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**Lituanie
et
Suède**

Accord entre le Gouvernement de la République de Lituanie et le Gouvernement du Royaume de Suède relatif à la coopération pour la prévention, la préparation et la réponse en cas d'urgence. Stockholm, 24 octobre 2003

Entrée en vigueur : *28 mai 2004, conformément à l'article 13*

Textes authentiques : *anglais, lituanien et suédois*

Enregistrement auprès du Secrétariat des Nations Unies : *Lituanie, 1^{er} mars 2017*

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AGREEMENT

between

the Government of the Republic of Lithuania

and

the Government of the Kingdom of Sweden

on

collaboration

within the field of

Emergency Prevention, Preparedness and Response

The Government of the Republic of Lithuania and the Government of the Kingdom of Sweden, hereinafter referred to as the Contracting Parties,

Convinced of the necessity of collaboration between themselves with a view of protecting people, environment and property, including cultural heritage, against serious natural, technological and environmental accidents (hereinafter referred to as a serious accident) and their effects, in particular through appropriate preventive measures,

Recognizing the importance in this respect of the Convention 17 March 1992 on the Transboundary Effects of Industrial Accidents, the Convention 9 April 1992 on the Protection of the Marine Environment in the Baltic Sea Area and the Conventions 26 September 1986 on Early Notification and Assistance in the case of a Nuclear Accident or Radiological Emergency,

Having regard to the pertinent activities and mechanisms in the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA) and the Environment Programme (UNEP), in particular the APELL programme and the Joint UNEP/OCHA Environment Unit,

Noting the usefulness of supplementary bilateral agreements and being convinced of the necessity also for direct collaboration between themselves, for instance for facilitating mutual assistance in the event of serious accidents,

Wishing to improve their collaboration further with this purpose through this agreement, which can be regarded as a framework agreement to be supplemented as appropriate with agreements and arrangements,

Have agreed as follows:

Article 1

General Provisions

The Contracting Parties shall within the framework of their respective national legislation and without prejudice to existing international commitments develop their collaboration with the purpose of protecting, in particular through preventive measures, people, environment and property including cultural heritage, against the effects of serious natural, technological and environmental accidents. By taking legislative and administrative measures, the Contracting Parties shall, as appropriate, endeavour to avoid impediments to such collaboration.

Article 2

Mutual Assistance

If a Contracting Party needs assistance from the other Contracting Party in the event of a serious accident or the imminent threat thereof, it may ask for such assistance. Each Contracting Party undertakes to provide, in accordance with the provisions of this Agreement, the assistance that is deemed possible to render and is available. The Contracting Party to whom a request for assistance is directed shall promptly decide and inform the other Contracting Party whether it is in a position to render the assistance asked for. It shall indicate the scope and terms of the assistance that might be rendered, including the estimated costs for the assistance.

Article 3

Operational Responsibilities

The Contracting Party requesting assistance has the overall direction, control, coordination and supervision of the assistance within its territory, i.e. has full responsibility for the command of the operation on the site of the accident. The personnel from the assisting Contracting Party serve under the command of their own officers and in accordance with the service regulations and other regulations in force in their own State, without prejudice to the laws and regulations of the Contracting Party requesting assistance.

Article 4

Border Crossing

The Contracting Party requesting assistance undertakes to, within its national legislation, apply the most simplified border crossing procedures possible to the assisting State's rescue teams, including personnel, vehicles, rescue equipment and other equipment, which are intended for use in the rescue operation. To this end, rescue teams shall bring a certificate, issued by the competent authorities of the assisting state, describing the mission and the composition of the team, together with a complete list of its equipment. Each person of the team shall carry a travel document, as required by the requesting State. Members of the rescue teams are allowed to wear their uniforms in the territory of the Contracting Party requesting assistance if such is their outfit pursuant to their own regulations.

Article 5

Permission for Entry

If the assistance consists of military personnel, all types of State ships and aircraft or land military vehicles that require special permission for entry, then the competent authority of the Contracting Party requesting assistance shall obtain such permission. No territorial border may be crossed before the necessary permission has been granted.

Article 6

Reimbursement of costs

In the absence of any arrangements to the contrary between the Contracting Parties, the costs of assistance provided shall be borne by the Contracting Party requesting assistance. If this Contracting Party recalls its request, then the assisting Contracting Party has a right to reimbursement for costs already incurred. The calculation of costs shall be based on the principle of prime costs. The assisting Contracting Party may, bearing in mind in particular the nature of the accident and the extent of damage suffered, offer its assistance entirely or partially free of charge. The Contracting Party may also waive all or part of the reimbursement of its costs at any time. These provisions shall not prevent the right of the Contracting Parties from claiming compensation from a third party in accordance with national or international law.

Article 7

Liability

The Contracting Party requesting assistance is responsible for damage caused by the assistance rendered within its territory according to this agreement and is obliged to appear as defendant in legal proceedings or to negotiate settlement regarding claims for compensation brought by third parties against the assisting Contracting Party or its personnel. The assisting Contracting Party is liable for damage caused within its own territory.

Unless loss or damage is already addressed in an agreement which is applicable or is covered by valid insurance, the Contracting Party requesting assistance shall compensate

the assisting Contracting Party for the death of, or injury to, the latter's personnel caused within the territory of the Contracting Party requesting assistance as a result of the assistance, as well as for the loss of, or damage to, material.

The Contracting Party requesting assistance has a right of recourse to action for costs, which it has paid pursuant to this Article, against any of the assisting personnel that have caused damage through wilful misconduct or gross negligence.

Article 8

Procedures and Plans

The Contracting Parties shall jointly take measures, such as elaborate mutual procedures and plans for rescue operations across national borders, to facilitate the rendering of assistance and co-operation during an operation.

Article 9

Other Cooperative Measures

The collaboration shall also be developed by means of exchange of information in general, on results of research and development programmes and on experience of serious accidents. Other cooperative measures, such as common training, exercises and exchange of experts and seminars or workshops, shall also be undertaken, subject to the availability of necessary resources.

Article 10

Competent Authorities

Each of the Contracting Parties shall designate a competent authority 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. The Contracting Parties assign the following competent authorities for this purpose:

for the Republic of Lithuania — the Lithuanian Fire and Rescue Department under the Ministry of the Interior.

for the Kingdom of Sweden — the Swedish Rescue Services Agency.

Article 11

Meetings

Meetings within the framework of this Agreement shall be held annually, or as agreed upon by the Contracting Parties.