AGREEMENT

between

the Government of the Republic of Slovenia

and

the Government of the Republic of Serbia

on co-operation in protection against natural and other disasters
The Government of the Republic of Slovenia

and

the Government of the Republic of Serbia

(hereinafter referred to as “the Parties”);

Convinced of the necessity of mutual co-operation in preventing and mitigating the consequences of natural and other disasters (hereinafter referred to as "disasters");

Considering the role of the European Union, the United Nations, and other international organisations in terms of protection against natural and other disasters;

Have agreed as follows:

Article 1
Purpose of the Agreement

(1) This Agreement shall regulate the framework of conditions for co-operation in disaster prevention and preparedness, for the voluntary provision of mutual assistance in the event of disasters in the territory of the other Party, and other forms of mutual co-operation.

(2) Co-operation between the Parties shall follow the principles of reciprocity and shall be conducted within the capacities of the Parties.

Article 2
Areas of Co-operation

(1) Co-operation between the Parties shall mainly include the following areas:
(a) the exchange of scientific and technical knowledge as well as the transfer of expertise and experience in protection against natural and other disasters;
(b) education and training of personnel who participate in protection and rescue activities;
(c) development and production of protection and rescue equipment;
(d) mutual notification of disaster risks and their consequences;
(e) assistance in the event of natural and other disasters in protection and rescue, as well as mitigation and elimination of their consequences.

(2) For the implementation of this Agreement and the realisation of co-operation in the areas referred to in the previous paragraph, the Parties may conclude implementing arrangements.

(3) The Parties shall advance co-operation between national authorities, governmental and non-governmental institutions, and organisations engaged in protection against natural and other disasters.

Article 3
Definitions of Terms

The terms used in this Agreement shall have the following meaning:
a) "natural and other disasters" are disasters caused by natural forces, industrial activity, and human activities, excluding war, which endanger life, property, and the environment, and significantly worsen living conditions;
b) "data and information on hazards" are data on natural and other disasters whose purpose is early notification of imminent danger and implementation of protection and other measures in ensuring security for people, property, and the environment;
c) "rescue and disaster relief" are the activities of all rescue forces and resources whose purpose is direct and indirect mitigation and elimination of the consequences of natural and other disasters;

d) "rescue teams and individual experts" are adequately trained and equipped teams and individual persons designated by the sending State for the provision of assistance;

e) "protection, rescue, and other equipment" are means of personal and collective protection, including medication and medical devices, rescue equipment, means of transport (vehicles, vessels and aircraft), and technical and other means used by rescue teams and individual experts providing assistance;

f) "humanitarian aid" is food, potable water, medications, medical devices and other items intended for free distribution to the affected or threatened population as assistance in mitigating the consequences of disasters;

g) "receiving State" is the Party whose competent authorities request disaster relief from the other Party;

h) "sending State" is the Party whose competent authorities grant the other Party's request for assistance;

i) "country of transit" is a country whose territory is crossed by rescue teams, individual experts and equipment for the needs of the Parties.

Article 4
Competent Authorities

(1) The competent authority for the implementation of this Agreement shall be:
- in the Republic of Slovenia: Ministry of Defence – Administration of the Republic of Slovenia for Civil Protection and Disaster Relief;

(2) The competent authorities shall meet as necessary for the efficient implementation of the Agreement.

(3) In implementing this Agreement, the competent authorities shall be authorised to establish direct contacts and connections. In this regard, the competent authorities shall exchange addresses and data on telecommunication links (telephone, fax and electronic mail) and points of contact.

(4) The Parties shall inform each other in writing of any subsequent changes to the competent authorities and their addresses, telecommunication links, and points of contact, no later than 30 days following the date of change.

Article 5
Co-operation between Humanitarian Organisations

The Parties shall encourage co-operation between the humanitarian organisations of both Parties in protection against disasters.

Article 6
Exchange of Knowledge and Experience

(1) The Parties shall inform each other of scientific and technical findings and experience for the purpose of anticipating and eliminating disasters as well as more efficient protection and rescue, and shall ensure the exchange and transfer of expertise and experience in protecting against natural and other disasters.

(2) The Parties shall exchange information on applicable national law in the area of protection against disasters.
(3) The Parties shall also strive for efficient use of the results and findings of scientific and technical co-operation in protection against disasters in economic and other forms of co-operation.

Article 7
Education and Training

The Parties shall promote mutual co-operation in education and training of personnel who participate in protection and rescue activities in the following manner:

a) through the establishment of direct links and co-operation between educational organisations and the exchange of lecturers, instructors, and other experts;

b) through the organisation of education and training of personnel;

c) through the exchange of educational and teaching materials, as well as experience gained during protection and rescue activities;

d) through the organisation of joint exercises in protection and rescue.

Article 8
Development and Production of Protection and Rescue Equipment

The Parties shall encourage co-operation between government institutions and business entities in technological development and the production of protection and rescue equipment.

Article 9
Notification of Threats and Disasters

(1) The competent authorities of the Parties shall inform each other of threats and disasters that may threaten or affect either Party.

(2) Notification of a threat or disaster shall contain: a description of the threat or disaster, information on the location, time, scale, and consequences of the disaster as well as on protective measures taken.

(3) In the event of a disaster, the competent authorities of the Parties shall also inform each other about the required and available assistance and the possibilities and manner of its provision.

(4) Notification of a threat or disaster may be communicated in writing or orally in the languages of the Parties. Oral notification must be confirmed in writing.

(5) In order to facilitate the exchange of information on meteorological and hydrological hazards, direct links may be established between the Parties’ authorities who are competent for this area.

Article 10
Providing Assistance

(1) The competent authority of the Party affected by a disaster may request assistance from the competent authority of the other Party. Assistance may include rescue teams and individual experts, protection and rescue equipment, and humanitarian aid.

(2) A request for assistance as referred to in paragraph 1 of this Article must contain: information on the type and scope of required assistance, information on institutions and persons with which a connection is to be established and which are responsible for accepting particular types of assistance, as well as a proposal for the manner of providing assistance.
(3) A request for humanitarian aid in the form of medication and medical devices must, in addition to the information referred to in the paragraph 2 of this Article, include a list of all necessary documents required by the receiving State for medication and medical devices crossing its borders.

(4) Assistance shall be provided in accordance with the regulations of the Parties.

**Article 11**

**Crossing the State Border and Stay in the Territory of the Other Party**

(1) In order to provide faster and more efficient assistance in protection and rescue as well as elimination of disaster consequences, the Parties shall grant rescue teams and individual experts providing assistance a simplified procedure for crossing the state border.

(2) Competent authorities shall agree on the time and location of crossing the state border, on the manner of arrival and departure, and on the duration of the stay of rescue teams and individual experts providing assistance in the territory of the other Party.

(3) Rescue teams and individual experts providing assistance must possess relevant documents issued by the competent authorities of the sending State that prove their identity.

(4) Members of rescue teams and individual experts providing assistance shall be entitled to wear their uniforms in the territory of the other Party.

(5) It shall be prohibited to bring weapons, ammunition, or explosive ordnance to the territory of the other Party.

(6) The Parties shall also ensure the implementation of this Article in the case that one of them is a country of transit. The competent authorities of the Parties shall, within the shortest time possible, inform each other of transit requirements, specify implementation procedures, and, if necessary, provide the rescue teams and individual experts with official escort during transit.

**Article 12**

**Temporary Import and Export of Protection, Rescue and Other Equipment**

(1) In the event of disasters, the Parties shall simplify procedures regarding the temporary import, export, and transportation of protection, rescue, and other equipment across the state border. When crossing the state border, the rescue team leader and individual expert must submit a list of protection, rescue, and other equipment to the competent authority of the receiving State.

(2) Rescue teams and individual experts providing assistance may only take across the state border such protection, rescue, and other equipment as is required for their own provision and operation.

(3) No international prohibitions or restrictions as apply for the temporary import and export of commercial goods shall apply for the import and export of protection, rescue, and other equipment. Should protection, rescue, and other equipment go unused, it must be returned to the sending State. In the case of protection, rescue, and other equipment remaining as aid in the receiving State, the competent authority of the receiving State must be notified of the type, quantity, and location of said equipment. This authority shall relay this information to the relevant customs authorities. In this case, the regulations of the receiving State shall apply.
(4) The provisions of paragraph 3 of this Article shall also apply to the import into the receiving State of medications containing narcotics and psychotropic substances, and to the return of unused quantities thereof to the sending State. The import and export of narcotics and psychotropic substances within international agreements shall not be considered as import and export of goods in foreign trade. Medications containing narcotics and psychotropic substances may only be imported in the quantities required for urgent medical assistance and used under the supervision of medical professionals with proper medical training, in accordance with the regulations of the sending State.

(5) The Parties shall simplify procedures regarding the temporary import, export, and transportation of protection, rescue, and other equipment across the state border for conducting joint education and training in protection and rescue under Article 7 of this Agreement.

Article 13
Use of Aircraft and Vessels

(1) Aircraft and vessels may be used for emergency transportation of rescue teams or individual experts providing assistance, of protection, rescue, and other equipment, and of other types of assistance in accordance with this Agreement.

(2) The competent authority of the receiving State must be immediately informed about the provision of disaster relief and the use of aircraft and vessels for protection and rescue, and given detailed information on the types and codes of the aircraft or vessels, their crews, cargo, and other required parameters. The receiving State shall specify the time, planned flight or navigation route, and location of the arrival.

(3) The provisions of Article 11 of this Agreement shall apply as appropriate for aircraft and vessel crews, and for rescue teams and individual experts providing assistance, with regard to crossing the state border. The provisions of Article 12 of this Agreement shall apply to aircraft and vessels, protection and rescue equipment transported, and disaster relief.

(4) The regulations of the Parties managing aircraft flights shall apply to the use of aircraft. Each flight plan must contain required information concerning the planned aircraft flight or part thereof and must be submitted to Air Traffic Service units. The Parties shall be bound by the standards and guidelines of the International Civil Aviation Organization.

(5) Regulations of the Parties regarding inland water traffic and international regulations and standards shall apply for the use of vessels.

Article 14
Use of Military Aircraft and Military Vessels

The use of military aircraft and military vessels for the purposes of this Agreement shall only be permitted in agreement with the receiving State.

Article 15
Responsible Management Authorities

(1) The competent authorities of the receiving State shall in all cases be responsible for the management of rescue operations and the provision of assistance.
(2) The authorities referred to in paragraph 1 of this Article shall only entrust tasks to heads of rescue teams and individual experts of the sending State, who shall in turn inform their subordinates of the details of execution.

**Article 16**

**Protection and Support of Rescue Teams' and Individual Experts' Operations**

The authorities of the receiving State shall provide those rescue teams and individual experts of the sending State who perform rescue tasks and provide assistance with emergency medical care as well as proper protection and support.

**Article 17**

**Costs of Assistance**

(1) The sending State shall not be entitled to claim reimbursement of costs from the receiving State for the provided assistance. This shall also apply to costs incurred through the use, damage, or loss of protection, rescue, and other equipment, including means of transportation.

(2) The costs of assistance provided by legal or natural persons through the sending State shall be covered by the receiving State. The receiving State must request this assistance directly and agree to reimburse the costs of assistance provided.

(3) The transportation means used for the provision of assistance shall be exempt from payment for the use of traffic infrastructure and possible charges or other contributions.

(4) Should rescue teams and individual experts providing assistance run out of the supplies brought with them, the receiving State shall cover the costs of their upkeep and the needed supplies until the completion of their task of assistance. If necessary, proper logistical support and medical care shall be provided for them.

(5) Before arriving in the receiving State’s territory, rescue teams and individual experts providing assistance must have appropriate health insurance to cover potential treatment costs.

**Article 18**

**Reimbursements and Damages**

(1) The Parties shall renounce all claims for reimbursement for damage to protection, rescue, and other equipment, provided that said damage is caused by the rescue team or individual expert assisting in performing rescue and disaster relief tasks according to this Agreement and that damage is not intentional.

(2) The Parties shall renounce every entitlement to reimbursement in the case of personal injuries and permanent consequences for health and in the case of death of a participant in a rescue operation, when this occurs during the performance of rescue tasks under this Agreement, except in cases when damage is inflicted intentionally.

(3) In the case of damage inflicted on third persons when performing tasks covered by this Agreement, the receiving State shall assume responsibility as if the damage was caused by its rescue teams and individual experts in providing assistance, except in cases when damage is inflicted intentionally by the sending State’s rescue teams or individual experts providing assistance.

(4) The damage liability specified in paragraph 1, 2, and 3 of this Article shall arise upon arrival at the territory or airspace of the receiving State and continue until departure
from its territory or airspace.

(5) The Parties shall also implement the provisions of this Article in the case they are countries of transit.

Article 19
Use of Information and Communication Means

(1) The competent authorities of the Parties shall provide mutual information and communication links, in particular telephone, radio, and other links with rescue teams and individual experts providing assistance, in accordance with this Agreement, while respecting internationally agreed upon rules of communication. The Parties’ competent authorities shall also provide internet access.

(2) The Parties shall exchange lists of radio frequencies authorised for use in their territories for the purposes of mutual communication, based on the prior obtainment of radio licences.

Article 20
Entry into Force

(1) The Agreement is concluded for an indefinite period of time.

(2) The Agreement shall enter into force on the date of the receipt of the last notification that the internal legal requirements necessary for its entry into force have been fulfilled.

Article 21
Impact of this Agreement on Other Agreements

This Agreement does not prejudice the rights and obligations of the Parties arising from other international agreements.

Article 22
Settlement of Disputes

The Parties shall resolve disputes regarding the interpretation or implementation of this Agreement exclusively by mutual consultation and negotiation.

Article 23
Amendments

(1) The Parties may amend this Agreement by signing a separate protocol that shall enter into force in accordance with paragraph 2 of Article 20 of this Agreement.

(2) Written notices from the Parties regarding changes to the data on competent authorities and their addresses, telecommunication links, and points of contact shall not be regarded as amendments to this Agreement.

Article 24
Termination of the Agreement

(1) Either Party has the right to terminate this Agreement in writing through diplomatic channels. Termination of the Agreement shall take effect three months from the date of receipt of the notification of its termination.
(2) Termination of this Agreement shall not prejudice the obligations regarding its implementation, which are still applicable at the date of its termination.

Signed at _______ on _________ 2015, in two original copies in Slovene, Serbian, and English, all texts being equally authentic. In case of divergence of interpretation or application of the provisions of this Agreement, the English version shall prevail.

For the Government of the Republic of Slovenia: __________________________

For the Government of the Republic of Serbia: __________________________