

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA
AND
THE GOVERNMENT OF THE REPUBLIC OF MOLDOVA
ON COOPERATION AND MUTUAL ASSISTANCE IN THE FIELD OF
EMERGENCY PREVENTION AND RESPONSE**

The Government of the Republic of Lithuania and the Government of the Republic of Moldova (hereinafter referred to as the "Parties"),

adhering to the provisions of the Association Agreement between the Republic of Moldova and the European Union and the European Atomic Energy Community and their Member States;

guided by Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism;

recognising that the cooperation in the field of emergency prevention and response will contribute to the well-being and safety of both countries;

conscious of the danger posed by emergencies to both states;

noting the mutual benefit of the exchange of scientific and technical information on emergency prevention and response;

considering the possibility of emergencies that cannot be dealt with individually by the Parties with their own resources and means, and the need for coordinated actions by both Parties in terms of emergency prevention and response,

have agreed as follows:

Article 1

Definitions

For the purpose of the present Agreement, the following terms shall have these definitions:

- a) **the competent authority** shall mean an authority designated by each Party to manage and coordinate activities related to the implementation of this Agreement;
- b) **the Requesting Party** shall mean a Party that requests the other Party to send individual experts, response teams, equipment and emergency response resources;
- c) **the Assisting Party** shall mean a Party that fulfils the other Party's request for assistance by sending individual experts, response teams, equipment and emergency response resources;
- d) **individual expert** shall mean a professional in a specific field who is sent to the territory of the state of the Requesting Party to render assistance;
- e) **the response team** shall mean an organised group of specialists (experts) of the Assisting Party, assigned for rendering assistance and having the necessary equipment;
- f) **the emergency** shall mean a situation which occurs in certain area due to an accident, or dangerous natural phenomenon, calamity, natural disaster or any other disaster, which has claimed or may claim human lives, or which has caused or may cause damage to human health or environment as well as substantial material losses, and which has disturbed or is capable of disturbing human vital operating conditions;
- g) **the emergency area** shall mean a territory where an emergency has occurred;
- h) **emergency prevention** shall mean a complex of pre-arranged measures aimed to mitigate, to the extent possible, the risk of rise of an emergency, as well as to protect human health, and to minimize the actual damage to the environment and material losses;

i) **emergency response** shall mean rescue operations and other urgent works in the event of an emergency, aimed to save human lives and protect human health, mitigate damage to the environment and reduce material losses, as well as to localize the emergency area and stop the impact of the hazards intrinsic to it;

j) **rescue operations** shall mean actions, aimed at rescuing people, material and cultural property, protecting the environment in the emergency area, localizing the emergency and suppressing or mitigating, to the extent possible, the impact of the hazards intrinsic to it;

k) **the equipment** shall mean material, technical equipment, vehicles, equipment of the response team and personal gear of the response team members;

l) **emergency response resources** shall mean material supplies intended for distribution to the population, victims of the emergency;

m) **third countries** shall mean countries that are not Parties to this Agreement.

Article 2

Scope of the Agreement

The present Agreement shall cover issues of cooperation and mutual assistance in the field of emergency prevention and response.

Article 3

Competent authorities

1. The competent authorities of the Parties shall be as follows:

a) For the Republic of Lithuania: the Ministry of the Interior of the Republic of Lithuania;

b) For the Republic of Moldova: the Ministry of Internal Affairs of the Republic of Moldova.

2. If the Party appoints another authority as a competent authority, or renames the present competent authority, it shall notify the other Party thereof in writing through the diplomatic channels.

Article 4

Forms of cooperation

The cooperation under this Agreement shall include:

- a) ensuring cooperation between the competent authorities of the Parties, including assistance measures for the third countries in response to emergencies;
- b) forecasting emergencies and measuring their consequences;
- c) arranging for emergency response cooperation between public authorities concerned;
- d) planning and arranging for emergency prevention and response measures;
- e) cooperating in the evaluation of the potential risk of contamination to the environment and population, caused by industrial accidents, calamities and natural disasters;
- f) jointly planning, developing and implementing scientific and research projects, as well as exchanging scientific and technical literature and the outcomes of research;
- g) exchanging information on emergency prevention and response, as well as periodicals, methodical and other publications, video and photographic material;
- h) organising joint conferences, seminars, workshops, training, exercises and special exhibitions;
- i) preparing joint reports and publications;

j) training specialists under this Agreement in training institutions of the states of the Parties, as well as exchanging trainees, teachers, researchers and specialists;

k) other activities as agreed between the competent authorities of the Parties with respect to emergency prevention and response.

Article 5

Rendering of assistance in response to emergencies

1. Assistance shall be provided on the basis of a written request, where the Requesting Party provides information about the nature of an emergency and specifies the type and scale of the assistance required:

- location, time, the nature and scale of an emergency situation in the affected area due to an emergency;

- what measures have been taken, extent and type of assistance requested, what assistance is a priority;

- when assistance is expected to arrive, what state border crossing points or places for crossing the border of another state are recommended;

- information about assistance meeting points;

- contact data of the institution or person for coordination of acceptance of assistance, other important information.

2. The Party that received the request for assistance, shall, within the shortest possible time, examine it and inform the Requesting Party about the possibilities of providing assistance, its scope and conditions.

3. Emergency response assistance shall be provided by sending response teams or individual experts, emergency response resources or in any other requested form.

Article 6

Coordination of emergency response operations

1. The actions of the response teams of the Assisting Party shall be coordinated by the competent authority of the Requesting Party through the leaders of these response teams.

2. The response teams or individual experts shall be sent to complete rescue operations and other urgent works in the emergency area.

3. The Requesting Party shall inform the leaders of the response teams or individual experts about the situation and, if necessary, provide the teams or individual experts with an interpreter/translator or liaison officers and the means of communication, and it shall ensure protection and free medical assistance to the response teams or individual experts.

4. The life and health insurance shall be arranged for the response teams or individual experts by the Assisting Party.

5. The response teams must be adequately equipped to operate autonomously for 72 hours from their arrival to the emergency area. In case the response team runs out of the resources, the Requesting Party shall provide the said teams, at its own expense, with the means necessary for further operation.

Article 7

Procedures for border crossing of the response teams or individual experts and their presence in the territory of the state Requesting Party

1. In order to ensure effectiveness and timely operation, the members of a rescue team or individual experts dispatched to render assistance shall cross the state

border by way of a simplified procedure through border crossing points intended for international traffic.

2. The Requesting Party shall designate a responsible institution to facilitate the internal border crossing procedures and, if possible, the border crossing procedures of the neighbouring country through which the transit takes place.

3. The Assisting Party shall provide the responsible institution with the required information and data prior to the arrival of the rescue team or individual experts at the border crossing point of the state or the transit neighbouring country in order to facilitate the border crossing procedures.

4. The leader of the rescue team or individual experts shall present at the border crossing point valid travel identity documents, the list of the rescue team members, the list of equipment and emergency response resources, appropriate valid health insurance documents of the rescue team members or individual experts, the document issued by the competent authority of the Assisting Party, confirming the powers of the leader of the rescue team (or an individual expert) and, also, a written request for assistance of the Requesting Party and in the case of transit – a written request for assistance of a third country.

5. The border and customs control of an aircraft shall be performed at international airports or in other aircraft landing areas that have been agreed in advance.

6. The groups of cynologists that are part of the response teams shall cross the border of the state of the Requesting Party and stay in the territory of the state of the Requesting Party under quarantine rules, applicable in the territory of this state.

7. The members of the response teams or individual experts staying in the territory of the state of the Requesting Party shall comply with the legislation applicable in the territory of that state. Labour relations of these individuals as well as other related issues shall be subject to the legislation in force in the territory of the state of the Assisting Party.

8. The response teams or individual experts, their equipment and emergency response resources shall be carried by road, rail, water or air transport.

9. Vehicles must be insured under the legislation applicable in the territory of the state of the Assisting Party.

10. The provisions of this Article shall apply without prejudice to the legislation in force in the territory of the states of the Parties. The provisions of this Article shall also apply in the case of transit through the territory of the state of a Party and to joint training, when the response teams or individual experts of one Party enter the territory of the state of the other Party, and stay there.

Article 8

Bringing in and taking out of equipment and emergency response resources used for provision of assistance in response to emergencies

1. Equipment and emergency response resources shall be brought into the territory of the state of the Requesting Party and taken out of the territory of the state of the Assisting Party for the purpose of rendering assistance in elimination of emergencies, also, in the case of transit or exercises, and shall be exempted from customs duties and taxes following the procedure established by legislation in force in the territory of the state of each Party.

2. Customs clearance of the equipment and emergency response resources shall be subject to the simplified procedure and order of priority based on notices issued by competent authorities of the Parties, containing information on the composition of the response teams, and the list of brought in or taken out equipment and emergency response resources.

3. The response teams shall have the right to bring in only equipment and emergency response resources.

4. Once the response operation is complete, the equipment brought in shall be taken out from the territory of the state of the Requesting Party.

5. In case of need to provide emergency medical aid to victims, a fixed amount of pharmaceuticals containing narcotic and psychotropic substances shall be allowed to be brought into the territory of the state of the Requesting Party. The pharmaceuticals cannot be transferred to the Requesting Party, and they shall be used only by the qualified medical personnel of the response teams under the supervision of the representatives of the Requesting Party. The pharmaceuticals containing narcotic and psychotropic substances that have not been used for the response operations shall be transported to the territory of the state of the Assisting Party.

6. Bringing in and taking out of pharmaceuticals containing narcotic and psychotropic substances shall be subject to the procedure established by legislation in force in the territory of the state of each Party.

7. The provisions of this Article shall also apply to bringing in and taking out of equipment needed for joint training.

Article 9

Use of aircrafts

1. The competent authority of the Assisting Party shall inform the competent authority of the Requesting Party about the decision to provide assistance by an aircraft for emergency operations, and it shall specify aircraft registration states, a number of the crew and passengers at each aircraft and flight routes (location and time of the take-off and the landing), the air carrier, flight charterer, and the description of the cargo (listing the equipment and emergency response resources).

2. The Requesting Party shall grant to the aircraft, which carries the response teams or individual experts, equipment and emergency response resources, and which

takes off in the territory of the state of the other Party, the right to use air corridors in accordance with international treaties and navigation rules.

3. The flights shall be subject to the rules of the International Civil Aviation Organization and the legislation in force in the territory of the state of each Party.

Article 10

Transit

1. Each Party, in consultation with their respective public authorities, shall grant air transit to the other Party, when the latter provides assistance to a third country.

2. A transit by road of the response teams or individual experts, equipment and emergency response resources shall be subject to the provisions of Article 7 and 8 of the present Agreement.

Article 11

Assistance costs

1. The Assisting Party shall bear all its costs related to rendering of assistance, including the costs of transportation of the response team or an individual expert and equipment to the territory of the state of the Requesting Party and the return costs, unless the Parties agree to share the costs according to the bilateral cost report, signed by the representatives of the competent authorities of the Parties.

2. The provisions of the paragraph 1 of the present Article shall not be applicable, if the mentioned assistance costs are fully or partially covered by the Requesting Party or donor countries, international organizations or non-governmental organizations.

3. During the response operations, the Requesting Party shall, at its own expense, provide logistical support and necessary medical assistance to the response teams or an individual expert.

4. The Requesting Party shall pay or reimburse the charges for transit flight, landing, take-off and aeronautical services of the aircraft used for emergency assistance.

5. Where an aircraft is used for provision of assistance, the competent authorities of the Parties shall agree for each individual case on the coverage of the costs of fuel supply to an aircraft and its technical maintenance.

Article 12

Damage compensation

1. The Party shall waive all claims for damages by the other Party in the following cases:

a) where damage is caused to a natural or legal person of the Requesting Party, as well as to their property or to the environment by a member of the response team or an individual expert while they were performing tasks related to the implementation of this Agreement;

b) where injury, health damage or death of a member of the response team or an individual expert happens while they were carrying out tasks related to the implementation of this Agreement.

2. A deliberate damage caused by a member of the response team or an individual expert must be compensated by the Assisting Party.

Article 13
Use of information

Information received in connection with the activities specified in this Agreement, except the information which should not be disclosed according to the legislation in force in the territories of the states of the Parties, shall be made public and used according to the national legislation in force in the territory of the state of each Party, unless the Parties agree otherwise.

Article 14
Settlement of disputes

1. Any disputes between the Parties concerning the interpretation and application of this Agreement, shall be settled through negotiations between the competent authorities of the Parties.

2. Disputes that have not been resolved in that manner shall be further resolved through consultations and negotiations between the Parties.

Article 15
Relation with other international agreements

The provisions of the present Agreement shall not affect the rights and obligations of the Parties arising from other international agreements, to which the Parties or their states are parties.

Article 16

Amendments and supplements to the Agreement

This Agreement may be amended and supplemented by mutual consent of the Parties. Amendments and supplements shall be documented in separate protocols, which shall constitute an integral part of this Agreement and shall enter into force in accordance with the procedure established in Paragraph 1 of Article 17 of the present Agreement.

Article 17

Final provisions

1. This Agreement shall enter into force on the date of the receipt, through the diplomatic channels, of the last written notice by the Parties about the completion of the internal procedures of their states required for its entry into force.

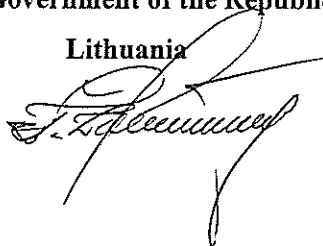
2. This Agreement shall be concluded for an indefinite period of time. Each Party may terminate this Agreement by a written notice. This Agreement shall be terminated upon the expiration of the six-month period after the day on which a Party receives a written notice of the other Party of its intention to terminate the Agreement.

3. The termination of this Agreement shall not affect the activities that were started under this Agreement and that were not completed by the date of the termination of the present Agreement, unless the Parties agree otherwise.

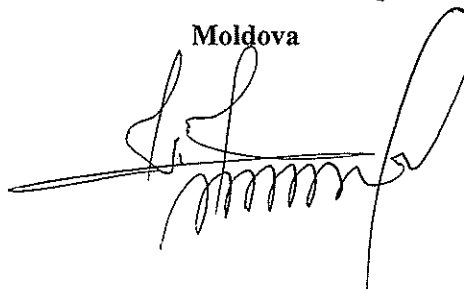
Signed at *Chipinav*, on the *28* day of *July*, 2016, in two original copies, in the Lithuanian, Romanian and English languages, all texts being

equally authentic. In case of any divergence in interpretation of this Agreement, the English text shall prevail.

For the Government of the Republic of
Lithuania

A handwritten signature in black ink, appearing to be 'S. Zilinskas', written in a cursive style.

For the Government of the Republic of
Moldova

A handwritten signature in black ink, appearing to be 'S. Stancu', written in a cursive style.