

**AMAZON COOPERATION TREATY ORGANIZATION - ACTO  
PERMANENT SECRETARIAT**

**PROPOSAL**

**FRAMEWORK AGREEMENT FOR COOPERATION AND MUTUAL ASSISTANCE  
FOR INTEGRATED MANAGEMENT OF FOREST FIRE BETWEEN THE MEMBER  
STATES OF THE ACTO**

**Preamble**

The Member Countries of the Amazon Cooperation Treaty;

*In Compliance* with the enshrined principles in the Treaty, especially related to the Articles I, II, XVI, XVII and XVIII;

*Recognizing* that, to reach the sustainable development, the protection of the environment should constitute integrant part of the development process;

*Reaffirming* that, in accordance with the United Nations letter and the principles of international right, the States have the utmost right of taking advantage of their own resources according to their environmental and development policies;

*Considering* the need to protect natural ecosystems, through prevention, mitigation, detection, alert, preparedness, response, control and extinction of forest fires, and recovery of affected areas;

*Recognizing* that the existence of common ecosystems and issues resulting from damages caused by forest fires in a country can affect and compromise the renewable natural resources of the other Member Countries, as well as cause losses to environmental and scenery assets;

*Bearing in mind* that the material, financial, human and technical resources available in each country may be insufficient for the management of forest fires;

*Observing* the interest of the parties in strengthening mutual understanding, cooperation, knowledge and experience sharing and mutual assistance;

*Mindful of* the existence of successful technical cooperation agreements between two or more Member Countries regarding training to manage forest fires;

*Taking into account* the necessity to strengthen regional cooperation to reduce the risk and impact of disasters/catastrophes of natural or anthropic origin that may be caused by forest fires.

**In accordance to sign the following COOPERATION FRAMEWORK AGREEMENT:**

**ARTICLE 1**

**PRINCIPLES**

Furthermore, of those established in international law and at the Amazon Cooperation Treaty, this Agreement shall be guided by the following principles:

Equal treatment, reciprocity and integration among Member Countries; conservation and sustainable use of environment and natural resources, solidarity, cooperation and complementary collaboration for integrated forest fire management.

## **ARTICLE 2**

### **OBJECTIVE**

The parties hereby agree to build a cooperation system for joint integral management of forest fires with emphasis in the Amazon region, without ignoring the other areas that are located in other regions of the Member Countries which because of their strategic value requires the application of this Agreement.

## **ARTICLE 3**

### **MEASURES TO ASSIST IN THE INTEGRAL MANAGEMENT OF FOREST FIRES**

1- Establish a mechanism of permanent exchange between the Member Countries about: (i) integral management of forest fires combat (State, actions accomplished, results, responsible persons, training conducted), and (ii) exchange of successful experiences.

2 -In the event that a fire occurs in the territory of one of the Member Countries, the highest technical liaison authority and national liaison authority of the country in whose territory the fire takes place will evaluate the possibility of propagation beyond its borders or that its national capacities of response has been overcome. In case it is determined these occurrences, will have to communicate immediately the authorities of the other parts.

3 – Once the communication is received, the parties will evaluate the possibility of adopting necessary measures to assist in the tasks of control and extinction, pursuant to the “Operating Regulations” found as Annex 1 to this Agreement, communicating to the requesting country its decision.

4- When the squads of forest fire combat and resources are mobilized in the territory of the requesting country, and one or various situations meriting the return of the assistance forces take place in the requested country, an immediate return of such forces and resources will be coordinated by both parties.

## **ARTICLE 4**

### **OPERATIONAL AND TECHNICAL ASSISTANCE**

1- Any request for staff along with tools, aircraft, machinery and equipment must be must be officially done by a specific action form by the signatory authorities of the current Agreement, or any person appointed for this purpose, provided the requested elements are available at the time of the request.

2- The action for support to forest fire operations will preferably utilize the Incident Command System. (ICS)

3 -Upon delivering assistance to the requested location, all the elements shall be placed at the disposal of the authority in charge of the fire. Without prejudice to the above, firefighting equipment will be managed by the staff of the party providing it. Each party is responsible for any damage or loss caused to its own equipment.

4 -The Fire Chief will be designated by the party in whose territory the fire occurs. The party requesting assistance may appoint a staff member from another party to act as Fire Chief in its territory. However, support brigades shall always be led by their own commanders.

5- The Chief of Fire will be designated by the requested country and informed to the requesting country.

6- The staff that integrates the Support Brigade must have a visible accreditation and identified uniform issued by the competent Authority of the Party that is provided, using for that the formats annexed to the operating regulations.

## **ARTICLE 5**

### **RIGHTS AND DUTIES**

1 - The Member Countries commit to promoting an exchange of experiences in the management of forest fires.

2 - The specialized staff or firefighters of one party that provide assistance in the territory of another party may not engage in any activities that are unrelated to the purpose of this Agreement.

3 - In the event of an accident causing injury to the staff of the requested party in the territory of the requesting country, whether it occurs during the travel or during the combat of forest firefighting, the latter shall provide timely medical care.

4 - The Member Countries will offer all of the immigration, customs and logistic facilitations necessary to the fulfillment of all the activities executed by the support brigades, included in this Agreement with procedures established by complementary Protocol.

5 - No member of the support brigades of the requested countries shall, during their permanence in the requesting country, report by any public means information regarding the incident, except when authorized by the requesting country.

6 - The Member Countries will evaluate the need for confidentiality regarding information related to the incidents.

## **ARTICLE 6**

### **OPERATIONAL COSTS**

1 – The operating costs of transportation such as fuel and tickets, among others, will be covered by the requested country for the first twenty-four hours, starting from the arrival to the formal

reception emplacement. After such period, all costs of local transport will be covered according to the agreement between the parties established before the beginning of the mission.

2 –The international travel expenses of return from the formal reception site will be in charge of assisting country.

3- The costs of food for the support brigades will be covered by the requested country, for the first twenty-four hours. After this period, the food costs will be covered by the requesting country. Optionally, however, the requested country may adopt the necessary measures to cover the costs of food for their respective brigades.

4- Without prejudice to the above, salaries, travel expenses, life insurance and overtime pay will be covered by the requested country (ies).

## **ARTICLE 7**

### **COMPETENT AUTHORITIES**

1 -Each party, according to its national legislation, will designate the national and technical liaison, responsible for the management of this Agreement. The liaisons should be communicated to the PS\ACTO by each Member Country.

2- Only the designated authority of the requesting country may provide public information about the incident.

## **ARTICLE 8**

### **OBLIGATIONS REGARDING THE USE OF FIRE**

1- The requesting country, in the framework of their legislation may authorize the use of counter-firing in their territory exclusively as a means to control wildfires, after an evaluation and justification has been made by the technical coordination of the incident.

2 - The Countries commit to inform the other Parties about their legal frameworks related to the integral management of forest fires, and the legal frameworks of each country should be respected by all Parties.

## **ARTICLE 9**

### **OPERATING REGULATIONS**

The “Operating Regulations” attached as Annex 1 are an integral part of this Agreement.

## **ARTICLE 10**

### **ENTRY INTO FORCE AND DENUNCIATION**

This Cooperation Framework Agreement shall enter into force for the Member Countries thirty (30) days after the date on which the Permanent Secretariat of the Organization of the Amazon

Cooperation Treaty received the fifth notification on compliance with the respective internal requirements and will last indefinitely.

#### **ARTICLE 11**

This Cooperation Framework Agreement may be terminated by the Member Countries, after its entry into force. To this end, it will be notified its decision ninety (90) days before the formal handover of the official communication, handing the instrument in question to the Permanent Secretariat of the Organization of the Amazon Cooperation Treaty, which will report the complaint to the other Member Countries.

Within sixty (60) days after formalized the complaint, rights and obligations of the complainant's Member Country shall cease automatically under this Cooperation Agreement.

#### **ARTICLE 12**

##### **AMENDMENTS AND OF ADDITIONAL PROTOCOL**

Once the Framework Cooperation Agreement becomes effective, the Member Countries will meet in a regular bases every three years to evaluate their results and consider possible changes and/or updates.

If necessary, at the request of one of the Member Countries, provided it has the support of at least four members, extraordinary meetings of evaluation shall be held.

#### **ARTICLE 13**

Modifications on this Cooperation Agreement will take effect immediately after its approval by the Meeting of Foreign Ministers.

#### **ARTICLE 14**

The Cooperation Framework Agreement may be supplemented by protocols, on topics of interest to the Member Countries, which will be part of it.

**ARTICLE 15**  
**OF DISPUTES SOLUTION**

Member Countries agree to make the necessary effort in order to settle disputes arising from the application or interpretation of this Cooperation Agreement, the Operating Regulations and its supplementary protocols through the following mechanisms: direct negotiation, consultation and conciliation.

**ARTICLE 16**

The dispute settlement will be direct negotiation between the Member Countries interested in it.

If Member Countries prefer, they may request technical assistance from the Permanent Secretariat of the Organization of the Amazon Cooperation Treaty.

If a solution is not reached through direct negotiations, any of the Member Countries may request a consultation with the Permanent Secretariat of the Organization of the Amazon Cooperation Treaty, the same to be held at the headquarters agreed, within ninety (90) days after the notification of the request.

If a solution is not reached through the consultation mechanism, the Member Countries may constitute a Conciliation Commission which shall consist of five members, two representing each Member Country in dispute, more like an Independent conciliatory appointed by joint agreement.

The Member Countries may have direct contact with each other to find a negotiated solution to disputes arising at any time.

**ARTICLE 17**

**FINAL PROVISIONS**

Each Member Country undertakes to keep available and updated data, documents, legislation and all information necessary to facilitate the implementation of this Framework Agreement of Cooperation, and report them to the Permanent Secretariat of the Organization of the Amazon Cooperation Treaty, for dissemination for the benefit of Member Countries.

In witness whereof, the undersigned, duly authorized by their respective governments, have signed this Agreement in XX original copies in SPANISH, PORTUGUESE, ENGLISH and DUTCH languages, all the texts being equally authentic.

**OPERATING REGULATION PROPOSED FIGHTING FOREST FIRES,  
ANNEX TO COOPERATION AGREEMENT FOR INTEGRATED  
MANAGEMENT OF FOREST FIRE BETWEEN THE MEMBER STATES OF  
THE ACTO**

As regards the framework of the Cooperation Agreement concluded between ACTO Member Countries for the fight against forest will take into consideration of the requesting affected country, which application will take place in the following terms:

1. Whenever there is a forest fire in the border area of the ACTO Member Countries, the competent authorities may conduct coordinated fire forest combat activities, supported by their own resources in the area of their respective jurisdiction, without necessarily crossing the border.
2. Transboundary fire situations are handled in practical terms by a coordinating shared incident by the Parties, who may reassign the resources, regardless of their origin, to any sector of the fire, once a satisfactory level of coordination and operational capacity is reached.
3. Situation of fire in one of the Member Country where the affected country evaluates the need of an international support.

**a. Procedures to request assistance :**

In the event of an emergency situation that occurs in one of the Parties' jurisdiction whose limited capacity to respond with its own resources justifies the use of assistance laid down in the Cooperation Agreement, the following steps shall be taken:

- The national liaison shall report the need for support through its chancellery to the Member Countries and to its Permanent Secretary of ACTO to deal with the assistance, which is the sole valid process for the request.

**b. Criteria for delivering assistance:**

- If, at the time assistance is requested, a fire took place or has started in the territory of the requested Parties, thereby preventing immediate help, the mentioned support will be offered when possible.
- When resources are available, support will be provided by ground combat units, with the minimum necessary equipment and logistics for the combat. The Parties will be careful not to engage more than 50% of the regional resources and ensure that units stay in place to deal with the emergency in their respective region or province.
- If more resources are required to respond to emergencies occurring in the territory of the requested countries, the early demobilization of the resources assigned for assistance may be decided in coordination with the requested country and the requesting country. The Chancellery of the Member Countries will be the responsible for this official communication without hindrance to the requested country. The Chief of Fire in the requesting country and the Mission Chief of the requested country will be responsible for the executing of the mentioned demobilization.
- If the Parties fail to fulfill the commitments pursuant to the Agreement and the present Regulation, consequently jeopardizing the safety of the requesting country staff, assistance may be terminated by a unilateral decision. The reasons of the decision must be duly justified and registered.

- Support will be provided until the fire occurrence is asserted as a Controlled Fire by the Chief of Fire. The fire liquidation actions are exclusively at the expense of the requesting Party.

### **Internal Procedures of the Member Countries**

- In the case of the requested country, the national liaison along with the the technical liaison will coordinate handling of the support resources.
- The Mission Chief shall be in charge of the staff nomination and communicate it to the competent authority.
- The supporting mobilized unit should be in charge of the Chief Mission, designated by the competent authority with demonstrated capacity in the management and conduction of this kind of situation.
- The Mission Chief also performs a complete inventory of the equipment to move in order to perform the customs formalities.
- The Mission Chief in charge of the requested country will be responsible for placing a detailed registration of the operation in a special registration which will be the main input for the incident evaluation, investigation and statistics.
- Each Member Country agree on informing the PS\ACTO the internal procedures above specified, as well as other additional, making it known to the other parties.

#### **c. Mobilization, transfer and travel :**

- Once the Unit is dispatched and all the formalities are fulfilled, the supporting brigade will proceed to travel to the reception point, and shall be welcomed thereby the Chief of Fire or someone designated that will guide the support units as well as coordinate and facilitate their transportation and other activities during the transfer to the affected area.
- During the meeting, the Mission Chief or someone designated thereof shall hand in to its counterpart the nomination of the brigadiers composing the unit, identifying at least the expertise of each one, their blood group, their body weight, their weight when equipped, their allergies and if they are under any medical treatment or any other non-disabling conditions. The Chief of Fire must know the content of this nomination in order to take all necessary measures.

#### **d. Forest fire combat operations:**

##### ***Logistics:***

- The requesting country will be in charge of providing accommodation and meals according to the requirements of the work undertaken by the staff during the full mission. Optionally, the requesting country can adopt the necessary measures to guarantee the accommodation and food to its respective brigades.
- After the first 24-hours of providing assistance, the requesting country will provide fuel and materials necessary for the operation and functioning of motor pumps, chain saws, generators, etc., as well as for the movement of the brigade vehicles during the forest fire combat operations.
- The implementation and basic sanitation of the posts bases (overnight stay and sanitary services) will be under the responsibility of the requesting country's support, under the condition, however, that the staff coming for assistance brings its own equipment of overnight stay (tents, sleeping bags, etc.)



### ***Equipment:***

- As far as possible, each supporting unit should use its own equipment and tools, being therefore responsible for any damage or loss caused to their possessions. Nevertheless, if their equipment is insufficient in term of quality or quantity, or in case of impairment during the operations which affects the quality and/or efficiency of the action, equipment and tools may be shared.
- In any case, the requested country must take the appropriate measures of precaution in order to easily identify its equipment and avoid confusions and loss (special color, marks, etc.)

### ***First aid:***

- The supporting unit should be composed of a brigadiers trained in first aid and full first aid kit, containing medicines and elements defined in the respective security regulation to deal with fire, as well as a stretcher and a spinal board.
- In the event of an accident requiring medical care, the requesting country that receives the assistance will be in charge of the costs of evacuation, emergency care and hospital care, until the stabilization and possible transfer of the patient to the agreed border crossing-point. The repatriation of the patient must be allowed by a certified medical decision.

### ***Work Methods:***

- Understanding the competence, the Chief of Fire will be under the responsibility of the staff whose country is affected by the fire. However, the cooperation of the supporting staff may be solicited, in order to carry out some of the guiding actions during the firefighting.
- In order to optimize and make the fire control action more efficient, the operating units of the participating Countries will retain their Head office, without being divided, that may be assigned to any sector of the fire, to work jointly with the Staff of the affected Country. In any case, at least one local brigadier must continuously accompany the foreign group with communication equipment, to serve as a guide and point of contact.

### ***Hours and shifts:***

- The supporting staff must fulfill work shifts according to conditions determined by the incident with resting and relief periods.

### ***Communications:***

- Will be the responsibility of the Chief of Fire and Brigade Chief that will put into practice a swift communication mechanism, to be used for routine contacts as well as for emergency, with a view to maintaining an appropriate coordination between them.
- The cooperating countries will coordinate the communication technologies/equipment. If necessary, the country that is supported on loan provide at least one squad communication equipment. The delivery of the equipment will be noted in a document wherein the brand, model, serial number and condition of the equipment must be

specified. The document (a type of delivery form) must be signed by the recipient of the equipment as well as the lender.

**e. Air Operations:**

- It will be evaluated by prior coordination, the importance of air operation support and the existence of infrastructure and inputs for the support of the operations with such media.
- In case the requesting country air means, the coordination of these operations is the responsibility of the requesting country. The air support in the jurisdiction of the requesting country depends on the corresponding prior permission of the competent authorities and compliance with current regulations.
- The air support can be given for the transfer of personnel, equipment, and support evaluation activities to combat forest fires, evacuations, etc.
- Previous coordination among countries, it will be the requesting country's responsibility providing fuel for the operation of air operations from moving from its displacement to the center of the the air operations of the requesting country; thereafter, the requested country provides the necessary fuel for air operations. Optionally, the requested country may adopt the necessary measures to ensure fuel and supplies for their aircraft.

**f. Evaluation:**

Immediately after the completion of the support activity of the brigades, a meeting must be held between the technical teams of both countries participating in the operations and the bodies of coordination and liaison, in order to assess the activities. This evaluation must be registered in a report relating the extent of all the joint operations, the results and the possible issues arising in the Agreement implementation. The report must also highlight the strengths and weaknesses of the Agreement and the present Regulation, with the aim of proposing appropriate amendments to enhance the implementation of the agreement.

**g. Training and Coordination:**

- Early training activities must be executed, if possible before or after the fire season, in order to avoid the weakening of the combat force of Member Countries ACTO.
- It should be promoted at least once a year, an exercise and/or drills of the agreement implementation.

**h. Security**

The Chief of Mission is responsible for the safety and protection of fire Brigades under his responsibility. However, all members of the requested country's fire brigade are responsible for their own safety and protection, including the need to identify, isolate, report and mitigate hazard situations.

Security actions must be followed in the preparation stages and transit of fire brigades as well as the protective and supplies equipment

During fire forest fighting operations the Chief of Mission should:

- Conduct an ongoing analysis of risks / hazards in the affected area, travel routes and assigned work area and take appropriate mitigation actions.
- Establish procedures for monitoring the perimeter of the affected area and workplace.
- Ensure the inclusion of safety and security considerations in the action plan and reports.
- Ensure the development of a plan of escape.
- Review list of all staff regularly throughout the mission.
- Ensure that all staff follows the forest fire combat system adopted by the requested country.
- Provide enough light for the safety of the affected area and the workplace.
- Monitor the weather forecast constantly.
- Investigate and document all accidents.
- Ensure that all squads work in coordinating manner in the territory, certifying that there is a communication that flows among the members. When possible, each support brigade's member should have trusted means of communication, at least, having one means of communication per squad.
- Ensure rest, rotation, adequate hydration and nutrition for all team members.
- Place the safety and security concerns in a report during and/or post-mission.
- Ensure that all the supporting brigade members have the updated vaccines of yellow fever and Tetanus.

***Annexes:***

- Agreement data (names, functions, radio keys, phone numbers, e-mail, etc...)
- Model Form of Identification.