

Agreement
on Disaster Relief Mutual Assistance between the Governments of the
Member States of the Shanghai Cooperation Organization

The Governments of the Member States of the Shanghai Cooperation Organization that are parties to this Agreement (hereinafter referred to as “the Parties”),

Conscious of the danger posed by emergencies,

Recognizing that cooperation in the field of emergency prevention and relief will contribute to the welfare and security of the Member States of the Shanghai Cooperation Organization,

Based on the interdependence of the ecological systems of the Member States of the Shanghai Cooperation Organization that requires a coordinated policy of emergency prevention and relief, as well as environmental monitoring,

Taking into account the possibility of emergency situations that cannot be managed by a Party itself, as well as the resulting need for coordinated actions by the Parties for emergency prevention and relief,

Desiring to apply the principles of regional cooperation to emergency assistance and making concerted efforts to ensure an effective and coordinated assistance to affected population,

Supporting the efforts of the United Nations and other international organizations to provide international assistance in emergency situations,

Based on the principles of humanism,

Have agreed as follows:

Article 1
Definitions

For the purposes of this Agreement:

The “requesting Party” means the Party requesting the other Parties to send rescue teams, equipment and relief supplies.

The “providing Party” means the Party sending rescue teams, equipment and relief supplies in response to the request of the requesting Party.

The “Competent Authority” means the state body designated by each of the Parties to lead, coordinate and implement works relevant to the implementation of this Agreement.

“Rescue teams” mean the teams sent by the providing Party composed of properly equipped professional rescue workers (with sniffer dogs if necessary) responsible for emergency disaster relief assistance. With the consent of the requesting Party, military personnel may be included in the rescue team.

The “emergency” means the situation in a certain area resulting from accident, hazardous natural phenomena, catastrophe, natural or other disasters that may lead or have already led to casualties, damages to people’s health and surrounding environment, major material losses, and undermined human living conditions.

The “emergency relief” means the relief and other urgent works carried out during the disaster to save lives and protect people’s health, reduce environmental damage and material losses, as well as prevent the damages from spreading, and eliminate typical risk factors.

“Emergency prevention” means comprehensive measures taken in advance to minimize the possibility of disasters, as well as protect human health and reduce environmental damages and material losses during the disaster.

The “disaster area” means the territory of the requesting Party struck by the disaster.

“Disaster relief works” mean actions taken to rescue the people, property and cultural property, protect the environment in the disaster area, control the damage from spreading and minimize the disaster risk factors.

“Equipment” means the supplies, technical equipment, vehicles, outfit of rescue teams and rescue team members that are needed for emergency disaster relief works other than weapons and ammunition.

“Relief supplies” mean the supplies provided to victims in disaster-stricken areas.

The “transit state” means a Party to this Agreement other than the requesting and providing Parties, through whose territory rescue teams, equipment and relief supplies are transported.

The “third Party” means the states that are not parties to this Agreement that are recognized by all the Member States of the Shanghai Cooperation Organization

Article 2

Principles and Forms of Cooperation

1. The Parties shall cooperate in accordance with the provisions of this Agreement in compliance with the universally recognized principles and norms of the international law and legislation of the Parties in order to provide immediate assistance in emergency situations.

2. Should an emergency or the threat of emergency occur in the territory of one of the Parties, that Party may approach the other Party or Parties with a request for assistance.

3. The Parties shall voluntarily assist each other according to their capacity. Terms of assistance shall be determined by agreement of the Parties.

4. The requesting Party shall ensure fair and rational distribution of supplies to the affected population without any discrimination as to race, ethnicity, religion, language or other feature. The requesting Party shall inform the providing Party about the targeted use of the supplies received as aid.

5. The Parties shall develop mutually beneficial cooperation in the field of emergency prevention through planning joint actions in case of emergencies, environmental monitoring, information exchange and training.

6. The information obtained as a result of the activities under this Agreement other than that not subject to disclosure in accordance with the legislation of the Parties, shall be published and used in accordance with customary practices and

regulatory requirements of each of the Parties unless otherwise agreed by the competent authorities of the Parties in advance in writing.

Article 3

Requesting Assistance and Exchanging Information

1. The Parties shall be the bodies forwarding requests for assistance.
2. The assistance is provided based on a written request where the requesting Party shall indicate the location, time, nature, scope and the status of the emergency at the moment, as well as the priorities of the assistance sought.
3. The delivering Party shall review the request of the Requesting Party as soon as possible and inform it about the types and scope, as well as terms of assistance. In case of inability to provide assistance, this information shall be sent to the requesting Party immediately.
4. Each Party shall take all necessary measures to prevent the spread of an emergency situation in its territory to the territory of the other Party. In the event of the threat thereof and inability to prevent it on its own, that Party shall immediately inform the other interested Parties and it may submit a request for assistance in accordance with this Agreement, if necessary.
5. The data referred to in paragraph 2 of this Article shall be routinely updated to reflect the latest developments and changes in the operational situation in the disaster area.

Article 4

Types of Assistance

The emergency response assistance shall be provided by sending rescue teams, supplies or in any other form requested.

Article 5

Competent Authorities and Liaison Offices

1. Each Party shall appoint a competent authority to manage, coordinate and implement the works related to the implementation of the provisions of this Agreement.
2. The Parties shall inform the Depositary of this Agreement through diplomatic channels in writing of the designated competent authority. The Depositary shall transmit this information to the other Parties.
3. The competent authorities of the Parties shall establish direct contacts between themselves to arrange cooperation on matters relating to the implementation of the provisions of this Agreement.
4. In the case of designating different competent authorities, the Parties through diplomatic channels shall notify the Depositary that shall communicate this information to each of the Parties.
5. The competent authorities of the Parties shall designate the liaison offices

for the expeditious exchange of information under this Agreement and inform each other thereof through diplomatic channels.

Article 6

Management of Rescue Teams in the Event of Emergency

1. The overall management of the rescue teams shall be provided by the competent authority of the requesting Party through the leaders of these teams.

2. The Requesting Party shall inform the team leaders about the situation prevailing in the emergency area in respect of specific facilities and, if necessary, shall provide these teams with interpreters, communications, transport, protection and medical care free of charge.

3. The rescue teams should be sufficiently equipped to autonomously conduct rescue and other urgent works in the emergency area for at least 72 hours. Once the supplies expire, the requesting Party shall provide these teams with the necessary means to continue their work, unless otherwise agreed by the Parties additionally.

4. Upon works completion, the rescue team leader shall report to the competent authority of the requesting Party on the relief activities of his (her) team and their results.

Article 7

Terms for Crossing State Borders by Rescue Teams and Their Stay in the Territory of the Transit and Requesting Parties

1. The members of rescue teams shall cross the state border of the requesting Party or transit Party against the documents recognized by the requesting Party and transit Party through the international travel checkpoints agreed by the Parties. If necessary, the requesting Party and transit Party shall ensure timely processing of their entry visas. The leader of the rescue team should carry a list of team members and the document issued by the competent authority of the providing Party confirming his (her) powers.

2. The procedure for crossing the state border by canine rescue teams and their stay in the territories of the transit and requesting Parties shall be established according to the quarantine regulations in force in the territory of the requesting Party.

3. During their stay in the territory of the transit and requesting Parties, the rescue team members shall be required to comply with the legislation of those States. At the same time they shall fall within the jurisdiction of the providing Party in terms of insurance and labor legislation, as well as related issues.

4. Rescue teams and their equipment and supplies shall be transported by road, rail, water or air.

5. The procedure for transporting rescue teams, their equipment and supplies shall be determined by the competent authorities of the providing and requesting Parties.

Article 8 Transit

1. In accordance with their national legislation the Parties shall facilitate unimpeded transit through their territory of the rescue teams, equipment and supplies of the providing Parties transported to the territory of the requesting Party for emergency relief.

2. Paragraph 1 of this Article shall apply as agreed between the Parties concerned in each case, in respect of the transit through their territories of rescue teams, equipment and supplies of the Parties transported to the territory of the third countries for emergency relief.

Article 9 Entry, Exit and Transit of Rescue Equipment and Supplies

1. Equipment and supplies shall be exported from the territory of the providing Party in accordance with its laws.

Equipment and supplies shall be imported into the territory of the requesting Party in accordance with its laws. They can be used only for emergency relief and rescue teams' life support.

2. The customs clearance of equipment and supplies shall be made under simplified procedure as a priority based on the notifications issued by the competent authorities of the Parties indicating the rescue teams' composition, list of imported or exported equipment and supplies.

3. The rescue teams shall be allowed to import into the territory of the requesting Party and transport through the territory of transit States only the equipment and supplies specified in the list provided for in paragraph 2 of this Article.

4. If needed for the provision of emergency medical assistance, in agreement with the requesting Party and in accordance with its laws the required number of medications containing narcotic drugs and psychotropic substances may be imported into the territory of the requesting Party

In this case, the rescue team leader shall declare the medications containing narcotic drugs and psychotropic substances to the customs authorities of the providing and requesting Parties indicating their nomenclature and amount.

5. Only qualified medical personnel of the providing Party shall have the right to use the medications containing narcotic drugs and psychotropic substances.

Relevant officials of the requesting Party shall have the right to control the use and storage of medications containing narcotic drugs and psychotropic substances.

6. The unused medications containing narcotic drugs and psychotropic substances should be removed from the territory of the requesting Party on the basis of the documents confirming the range and number of these drugs. In respect of the used medications containing narcotic drugs and psychotropic substances, the customs authorities of the requesting Party shall be presented with act confirming their use, signed by the rescue team's leader and doctor and certified by a

representative of the competent authority of the requesting Party.

7. Following the completion of the emergency assistance, the equipment imported into the territory of the requesting Party (other than that fully used or destroyed) must be removed to the territory of the providing Party within the timeframe agreed by the competent authorities of the Parties.

The destruction or full use of equipment and the distribution of supplies among the affected population must be documented.

Article 10 Use of Aircraft

1. The competent authority of the providing Party shall send in advance through diplomatic channels the request informing the requesting Party and transit State about the decision to use aircrafts for assistance showing each aircraft's nationality, supplying Party's carrier, type, model and number, markings, call and type of aircraft operations, number of the rescue team members, name and position of its leader, number, names and positions of the crew members, nature of the cargo, takeoff and landing airports, flight destination, route, alternate airports, air corridors, flight altitude, takeoff and landing time, frequency of communication channels with land services, the worst weather conditions acceptable for the flight.

2. With the permission of the requesting Party and transit Party, the aircrafts used for providing assistance shall fly to a specific location in the territory of the requesting Party by an approved route. The Requesting Party and transit Party shall provide conditions for the flight of the aircraft used for providing assistance through their territory, as well as for its landing and takeoff.

3. The aircrafts used for providing assistance shall fly in accordance with the rules established by the International Civil Aviation Organization and each of the Parties.

Article 11 Costs of Assistance

1. By decision of the providing Party, the assistance can be provided free of charge. Otherwise, the requesting Party shall reimburse the providing Party the costs associated with providing assistance.

2. The requesting Party may at any time cancel its request for assistance, however, in this case the providing Party shall be entitled to reimbursement of the costs of assistance incurred, unless the parties agree otherwise.

3. The reimbursement referred to in paragraphs 1 and 2 of this Article shall be effected in a freely convertible currency based on a bilateral act on the financial costs of providing assistance signed by the competent authorities of the Parties, within 10 days of receipt of the requesting Party of the respective claim by the providing Party, unless the Parties agree otherwise.

4. In accordance with its laws, the providing Party shall insure the rescue teams' members.

Article 12

Compensation for Damages

1. The requesting Party shall bear medical and transportation expenses related to injury or death of the rescue teams' members, should it occur during the execution of tasks related to emergency relief pursuant to this Agreement.

2. In the event of damages to a legal entity or an individual inflicted by a rescue team member of the group in performing tasks related to the implementation of this Agreement in the territory of the requesting Party, the damage shall be reimbursed by the requesting Party in accordance with its legislation.

3. The deliberate damage caused by a rescue team member shall be reimbursed by the providing Party in accordance with the laws of the requesting Party.

Article 13

Relationship with Other International Treaties

This Agreement shall not affect the rights and obligations of the Parties under other international treaties they are parties to.

Article 14

Settlement of Disputes

Disagreements over the interpretation or application of the provisions of this Agreement shall be settled through consultations or negotiations.

Article 15

Changes and Amendments

By mutual consent of the Parties, this Agreement may be changed and amended by separate protocols that form an integral part thereof and enter into force in accordance with the procedure set forth in Article 16 of this Agreement.

Article 16

Effectiveness and Term of Agreement

1. This Agreement is concluded for an indefinite period.

2. This Agreement shall enter into force on the 30th day after the date of the deposit with the Depository of the fourth notification on the completion by the Parties of the internal procedures necessary for its entry into force.

3. In respect of a Party that have signed this Agreement and submitted the notice of the completion of the internal procedures necessary for its entry into force after the date specified in paragraph 2 of this Article, the Agreement shall enter into force on the day of the deposit with the Depository of the above mentioned notice.

Article 17
Depositary

The Secretariat of the Shanghai Cooperation Organization shall be the Depositary of this Agreement that within 15 days from the date of this Agreement signing shall send certified copies thereof to all the Parties.

Article 18
Accession

This Agreement shall be open for accession by any State that has become a member of the Shanghai Cooperation Organization.

For the acceding State, this Agreement shall enter into force on the 30th day from the date of the receipt by the Depositary of an instrument of accession, but not earlier than the date specified in paragraph 2 of Article 16 of this Agreement. The Depositary shall notify all the Parties of the entry into force of this Agreement for the acceding State.

Article 19
Withdrawal

1. Each Party may withdraw from this Agreement by giving a written notice to the Depositary no later than 3 months before the intended date of withdrawal. The Depositary shall notify the other Parties of this intention within 30 days of the receipt of the notification of withdrawal.

2. Termination of this Agreement shall not affect ongoing activities there under, initiated but not completed before its termination, unless the Parties agree otherwise.

Done at Moscow, on October 26, 2005, in a single original, in the Russian and Chinese languages, both texts being equally authentic.

signatures