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ASIA-PACIFIC FORESTRY COMMISSION

TWENTIETH SESSION

Nadi, Fiji, 19-23 April 2004

WILDLAND FIRE AGREEMENTS

1. Wildfires in forests and other lands continue to be a major concern locally as well as globally and pose challenges for sustainable forest management. This information note provides an update of FAO activities to help countries prevent and suppress forest fires.
2. Wildfires are predominantly human-induced and can be predicted, controlled, and prevented in many cases. Although fire is a component in many traditional land-use systems and natural ecosystem processes, it can also result in the destruction of productivity, biodiversity, and human life. The current state of science provides sufficient knowledge to develop policies and programmes that improve the management of wildfire but, in many countries, the capacity to effectively manage wildfires is lacking.
3. The work of FAO Forestry Department on forest fire involves:
 - a) facilitating the establishment of international agreements on mutual aid in the case of emergencies;
 - b) managing global forest fire information;
 - c) supporting participatory forest fire management.
4. Preventing forest fires through sound management practices is usually much more cost-effective than suppressing and combating them in emergency situations. By the same token, managing and disseminating information on forest fire increase knowledge and awareness of the issues. Yet, efficient arrangements to extinguish fire or reduce its damage must also be in place. For this reason, FAO is promoting international agreements that can facilitate rapid aid in case of emergencies.
5. A number of organizations, including FAO, are developing a global network of regional and national focal points with a view to sharing approaches on early warning, monitoring, impact assessment, prevention, control and management of wildfires. The FAO Regional Forestry Commissions serve as an important venue for informing decision-makers of the progress and potential of this network and can help facilitate a global agreement on wildfires.
6. The International Wildland Fire Summit in Sydney, Australia, in October 2003 proposed regional conferences, summits, or roundtables during 2004–2007 to promote networks and agreements to suppress wildfires, and further suggested that an international wildland fire

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conference take place. If there was sufficient support from countries to establish a global agreement, possibly one could be put into place by 2007.

7. The Sydney Conference agreed on a number of guiding principles on wildfire management, including:

- land and resource management objectives that reflect society expectations should be compatible with the dynamics of the fire regime for which they apply and be consistent with community and fire fighter safety;
- the holistic management of wildfire should be based upon fire protection planning, prevention, suppression and rehabilitation;
- all wildfire management activities should be safe, cost effective and support sound natural resource management.

8. The Summit also agreed on the need to elaborate the concept of community participation in wildland fire management. This effort will require governments to develop enabling conditions, policies and guidelines for such participation. In addition, the Summit requested FAO to draft a position paper on community based fire management.

9. FAO and its global fire partners developed a list of elements to be considered in drafting international cooperation agreements which can also be used for bilateral, sub-regional or eco-regional agreements. Elements pertaining to procedures for standardized incident command systems for joint fire management operations, including requirements to facilitate logistics, are contained in Appendix 1.

10. During the last two decades, the Asia and Pacific region has witnessed major forest fires. The fires of 1997 were the most catastrophic, affecting more than 70 million people across Southeast Asia and causing economic damages in excess of US\$10 billion. Successful forest fire management requires political commitment, clear policies and comprehensive regulatory frameworks. In recent years, numerous countries have taken steps to improve the efficiency and effectiveness of fire management programs at national levels.

11. At the international level, Mongolia and the Russian Federation drafted an agreement on co-operation for forest and steppe fire protection. Also, Indonesia and Malaysia have established a bilateral memorandum of understanding on transboundary haze.

12. The Association of Southeast Asian Nations (ASEAN) has been most active in formulating regional strategies and agreements to combat fire and resulting haze. These include the ASEAN Co-operation Plan on Transboundary Pollution (1995), the Haze Technical Task Force (1995), and the Regional Haze Action Plan.

13. On 25 November 2003, the ASEAN Agreement on Transboundary Haze Pollution entered into force. The Agreement, signed by the ten member countries of ASEAN on 10 June 2002, contains provisions for monitoring, assessing and preventing fire-generated haze; technical cooperation and scientific research; mechanisms for coordination; lines of communication; simplified customs and immigration procedures for disaster relief; and establishment of an ASEAN Coordinating Centre for Transboundary Haze Pollution Control. Parties to the Agreement are required to develop and implement measures to prevent and monitor transboundary haze pollution, control sources of fires, develop early warning systems, exchange information and technology, and provide mutual assistance. The Parties are required to take legal, administrative and/or other measures to implement their obligations under the Agreement.

14. Members of the Asia-Pacific Forestry Commission may wish to consider the viability of developing fire agreements, taking into account particular situations in the region. They may also wish to comment on the advisability and feasibility of developing and implementing a global agreement on forest fire.

APPENDIX 1

ELEMENTS OF INTERNATIONAL WILDLAND FIRE MANAGEMENT AGREEMENTS

Appendix 1 contains elements that countries may wish to consider when developing international cooperative agreements on forest fire emergency aid. The list is not all inclusive but is drawn from an annex to FAO's *Legal Frameworks for Forest Fire Management: International Agreements and National Legislation*. This document provides material, including lessons learned from a number of regional bilateral arrangements, which should be reviewed prior to entering into international agreements.

It is recommended that:

- non-governmental organizations be part of any bilateral or multilateral arrangement,
- parties to agreements conduct exchanges, field exercises and low-level assistance prior to crisis situations.

Elements

1. Parties to the agreement
 - may include governmental and non-governmental agencies and organizations at international, national and sub-national levels.
2. Purpose
 - defines the areas, forms and scope of cooperation.
3. Definition of terms
 - defines terms to avoid confusion or misinterpretation of the contents.
4. Expenses and costs
 - defines how personnel costs will be established, e.g., per person, per crew, per day or per assignment,
 - defines how the cost of using the equipment will be set, e.g., per day or per assignment,
 - proposes procedures, amount, and criteria for reimbursing costs, e.g., after a certain time or level of support has been reached,
 - under certain agreements, parties assist each other on a non-reimbursable basis.
5. Information and coordination
 - defines protocols and methods to coordinate and exchange information,
 - defines the types, amount and timing of information exchange,
 - establishes notification procedures for emergencies or for other significant events,
 - defines how and under what organizational structure the coordination of work will take place.
6. Liabilities, claims and compensations
 - lists and defines how and when cross-waivers and exemptions are in force for personnel that are being exchanged,
 - lists and defines areas or circumstances where exemptions do not pertain to personnel that are being exchanged,
 - outlines remediation methods and limitations for third party damage,
 - defines the protocols and procedures for assisting and evacuating injured personnel,
 - defines the timing, levels and limitations of compensation for injury or death (may also be addressed in the section on cross-waivers and exemptions),
 - defines the levels and limitations of privileges and immunities that the receiving country will provide to assisting personnel.

7. Operating plans and guidelines

- defines specific operational areas so that the agreement can be implemented in a timely and efficient manner, e.g., points of contact, procedures for requesting resources, entry procedures, annual updates of costs, reimbursements, cross waivers, updated standards, qualifications or training requirements, how often and by whom the plans and guidelines will be reviewed and updated, and the method for revalidating the contents of the plans and guidelines.

8. Border crossings re: agreements between bordering countries

- sets protocols and procedures for simplifying border crossing, taking into account sovereignty issues, including the following:
 - opening of alternative border-crossing points to facilitate the assistance,
 - customs provisions concerning:
 - personnel
 - equipment and materials
 - officer responsible for equipment
 - aircraft.

Portions of this information will also be included in the operational plans and guidelines.

9. Link to disaster management plan for the receiving country

- explains how the fire assistance fits within the wider disaster management plan for the receiving country.

10. General provisions

- defines when the agreement comes into force,
- specifies how long the agreement will remain in force,
- defines how countries or organizations can withdraw from the agreement,
- defines under what circumstances the agreement will terminate,
- provides understandings and interpretations concerning circumstances and limitations of each party,
- defines the method to resolve disputes,
- defines when and how amendments may be submitted, reviewed, and acted upon.

11. Standard operation procedures

- describes the methodology and procedures to be followed when the agreement is activated, especially in relation to command and control, fire suppression, communications systems and safety,
- notes the importance of testing and refining standard operating procedures in tabletop exercises, dry field exercises and low scale operations before being deployed in an emergency.

12. Other provisions

- provides the opportunity for any signatory country, agency or organization to define other areas of cooperation for inclusion in the agreement such as:
 - shared training activities, including materials
 - study tours, technical exchanges, and joint exercises
 - relationship of this agreement to other agreements
 - standards for personnel
 - safety equipment
 - limitations on the type and use of telecommunications equipment
 - method of recall of fire-fighting resources

13. Participating countries/agencies/organizations signature page

- provides for participants to review and confirm their authorities to sign such an agreement.