

[Excerpt from: Mohamed el Baradei, *Model Rules for Disaster Relief Operations* (United Nations Institute for Training and Research, 1982). © UNITAR, 1982. Used with permission of the publisher]

## ANNEX

### A. MODEL RULES FOR BILATERAL AGREEMENT BETWEEN AN ASSISTING STATE AND A RECEIVING STATE

#### Rule 1

The receiving State shall designate a national relief authority to coordinate the relief activities.

#### Rule 2

The assisting State shall, *inter alia*,

- (1) Give to the designated national authority information about the assistance it can immediately provide.
- (2) Ensure that the relief assistance it provides is restricted to appropriate relief needs. In particular, it shall consult the designated national authority with respect to the needs of the receiving State.
- (3) Ensure that the relief assistance it provides is correctly timed. In particular, it shall promptly notify the designated national authority of impending relief shipments.

#### Rule 3

The receiving State shall employ disaster assistance exclusively for the purpose for which it has been supplied. Relief supplies shall be distributed without discrimination.

#### Rule 4

The assisting State shall, in accordance with agreed standards, appropriately pack, classify and mark relief supplies, and shall include detailed manifests with each shipment.

#### Rule 5

The receiving State and the assisting State shall waive normal commercial document requirements or use simplified documentation and procedures in regard to designated relief supplies. The receiving State shall duly notify the assisting State of the precise documentation and procedures required. In any event absolute priority shall be granted to relief supplies.

#### Rule 6

The receiving State and the assisting State shall exempt the designated relief supplies from customs duties, taxes, fees, or tolls chargeable by reason of exportation or importation.

#### Rule 7

The receiving State and the assisting State shall relax to the extent compatible with standards of hygiene and animal protection normal requirements regarding fumigation and prohibitions and restrictions on food imports and exports in regard to the designated relief supplies.

#### Rule 8

(1) The receiving State and the assisting State shall take all possible measures for their airlines to provide transport on a priority basis for designated relief personnel and relief supplies.

(2) The receiving State and the assisting State shall take all possible measures so that their airlines accord free transportation or transportation at minimal fares or rates for the designated relief personnel and relief supplies.

#### Rule 9

The receiving State and the assisting State shall waive limitations imposed on aircraft not possessing traffic rights when such waiver is necessary for taking on or discharging the designated relief personnel and relief supplies.

#### Rule 10

The receiving State shall grant permission for overt light and landing of aircraft transporting designated relief personnel and relief supplies.

#### Rule 11

(1) The receiving State and the assisting State shall provide, subject to availability, adequate means of transport and handling equipment on a priority basis for the movement of designated relief supplies.

(2) The receiving State and the assisting State shall provide, to designated relief supplies using facilities operated or administered by the State, free transportation or tariffs or charges that are reasonable as regards both their rates and the method of their application. These charges shall not be higher than the charges applied by the State for the transport of its own supplies.

#### Rule 12

The receiving State shall authorize the designated relief personnel in the performance of their duties to use on a priority basis, free or at rates not higher than the rates applied by the receiving State, telex, cable, wire, telephone, and other means of communication. The receiving State may also authorize the designated relief personnel to establish a system of radio communication.

#### Rule 13

The receiving State shall allow the assisting State to maintain bank accounts and to convert currency held by it into local currency as necessitated by the relief function and at the most favourable rate of exchange.

#### Rule 14

The receiving State shall extend to the designated relief personnel the necessary facilities with a view to securing the expeditious performance of relief functions. Relief personnel shall cooperate at all times with the appropriate authorities of the receiving State to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the facilities granted.

#### Rule 15

The receiving State shall waive requirements for entry and exit visas, provide with minimum delay visas at points of entry and exit, or issue multiple entry and exit visas, for the designated relief personnel. The assisting State shall waive requirements for, or provide with

the minimum delay, exit visas for its designated relief personnel.

#### Rule 16

The receiving State shall permit the designated relief personnel freedom of access to, and freedom of movement within, disaster stricken areas that are necessary for the performance of their specifically agreed functions.

#### Rule 17

The receiving State shall take all necessary measures to ensure the security and safety of the designated relief personnel and of all premises, facilities, means of transport and equipment used in connection with relief activities.

### B. MODEL RULES FOR BILATERAL AGREEMENT BETWEEN AN ASSISTING ORGANIZATION AND A RECEIVING STATE

#### Rule 1

The receiving State shall designate a national relief authority to coordinate the relief activities.

#### Rule 2

The assisting organization shall, *inter alia*,

- (1) Give to the designated authority information about the assistance it can immediately provide.
- (2) Ensure that the relief assistance it provides is restricted to appropriate relief needs. In particular, it shall consult the designated national authority with respect to the needs of the receiving State.
- (3) Ensure that the relief assistance it provides is correctly timed. In particular, it shall promptly notify the designated national authority of impending relief shipments.

#### Rule 3

The receiving State shall employ disaster assistance exclusively for the purpose for which it has been supplied. Relief supplies shall be distributed without discrimination.

#### Rule 4

The assisting organization shall, in accordance with agreed standards, appropriately pack, classify and mark relief supplies, and shall include detailed manifests with each shipment.

#### Rule 5

The receiving State shall waive normal commercial documentation requirements or use simplified documentation and procedures in regard to designated relief supplies. The receiving State shall duly notify the assisting organization of the precise documentation and procedures required. In any event absolute priority shall be granted to relief supplies.

#### Rule 6

The receiving State shall exempt the designated relief supplies from customs duties, fees or tolls chargeable by reason of importation

#### Rule 7

The receiving State shall relax to the extent compatible with standards of hygiene and animal protection normal requirements regarding fumigation and prohibitions and restrictions on food imports and exports in regard to the designated relief supplies.

#### Rule 8

(1) The receiving State shall take all possible measures for its airlines to provide transport on a priority basis for designated relief personnel and relief supplies.

(2) The receiving State shall take all possible measures so that its airlines accord free transportation or transportation at minimal fares or rates for designated relief personnel and relief supplies.

#### Rule 9

The receiving State shall waive limitations imposed on aircraft not possessing traffic rights when such waiver is necessary for taking on or discharging the designated relief personnel and relief supplies.

#### Rule 10

The receiving State shall grant permission for overflight and landing of aircraft in porting designated relief personnel and relief supplies.

#### Rule 11

(1) The receiving State shall provide, subject to availability adequate means of transport and handling equipment on a priority basis for the movement of designated relief supplies.

(2) The receiving State shall provide to designated relief supplies using facilities operated or administered by the State free transport, freight or tariffs or charges that are reasonable as regards both their rates and the method of their application. These charges shall not be higher than the charges applied by the State for the transport of its own supplies.

#### Rule 12

The receiving State shall authorize the designated relief personnel in the performance of their duties to use on a priority basis, free or at rates not higher than the rates applied by the receiving State, telex, cable, wire, telephone, and other means of communication. The receiving State may also authorize the designated relief personnel to establish a system of radio communication.

#### Rule 13

The receiving State shall allow the assisting organization to maintain bank accounts and to convert currency held by it into local currency as necessitated by the relief function and at the most favourable rate of exchange.

#### Rule 14

(1) (i) The receiving State shall extend to disaster relief units that are subsidiary organs of the United Nations or are made available through the United Nations the privileges and immunities contained in article I, II and III of the Convention on the Privileges and Immunities of the United Nations. It shall also extend to relief personnel who are:

(a) Officials of United Nations, the privileges and immunities contained in article V and sections 24 and 25 of article VII of the Convention; (b) experts on missions for the United Nations, the privileges and immunities contained in article VI of the Convention; (c) holders of certificates that they are travelling on the business of the United Nations, the privileges contained in section 26 of article VII of the Convention.

(ii) The receiving State shall extend to disaster relief units that are subsidiary organs of the United Nations Specialized Agencies the privileges and immunities contained in article II,

III and IV of the Convention on the Privileges and Immunities of the Specialized Agencies. It shall also extend to relief personnel who are: (a) officials of the Specialized Agencies the privileges contained In article VI and section 27 and 28 of article VII of the Convention; (b) experts and other persons, holders of certificates that they are travelling on the business of the Specialized Agency, the privileges contained in section 29 or article VIII of the Convention.

(iii) The receiving State shall extend to disaster relief units that are subsidiary organs of the International Atomic Energy Agency the privileges and Immunities contained in articles II, III and IV of the agreement on the Privileges and Immunities of the International Atomic Energy Agency. It shall also extend to relief personnel who are: (a) officials of the Agency, the privileges and immunities contained In article VI and sections 29 and 30 of article IX of the agreement; (h) experts on missions for the Agency, the privileges and immunities contained in article VII of the Agreement; (c) holders of certificates that they are travelling on the business of the Agency the Privileges contained in section 31 of article IX of the Agreement.

(iv) Relief personnel shall cooperate at all times with the appropriate authorities of the receiving State to facilitate the pro per administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with privileges, immunities and facilities granted.

(2) The receiving State shall extend to designated relief personnel the necessary facilities with a view to securing the expeditious performance of relief functions. Relief personnel shall cooperate at all times with the appropriate authorities of the receiving State to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the facilities granted.

#### Rule 15

The receiving State shall waive requirements for entry and exit visas, provide with minimum delay visas at points of entry and exit or issue multiple entry and exit visas for designated relief personnel

#### Rule 16

The receiving State shall permit the designated relief personnel freedom of access to, and freedom of movement within, disaster-stricken areas that are necessary for the performance of their specifically agreed functions.

#### Rule 17

The receiving State shall take all necessary measures to ensure the security and safety of the designated relief personnel and of all premises, facilities, means of transport used in connection with relief activities.

### C. MODEL RULES FOR BILATERAL AGREEMENT BETWEEN AN ASSISTING STATE OR ORGANIZATION OR A RECEIVING STATE AND A TRANSIT STATE

#### Rule 1

The transit State shall waive normal commercial documentation requirements or use simplified documentation and procedures in regard to designated relief supplies. The transit State shall duly notify the requesting party of the precise documentation and procedures required. In any event absolute priority shall be granted to relief supplies.

#### Rule 2

The transit State shall exempt the designated relief supplies from customs duties, taxes, fees or tolls chargeable by reason of Importation or exportation or any special dues in respect to transit.

#### Rule 3

The transit State shall relax to the extent compatible with standards of hygiene and animal protection normal requirements regarding fumigation and prohibitions and restrictions on food Imports and exports in regard to the designated relief supplies.

#### Rule 4

(1) The transit State shall take all possible measures for its airlines to provide transport on a priority basis for designated relief personnel and relief supplies.

(2) The transit State shall take all possible measures so that its airlines accord free transportation or transportation at minimal fares or rates for designated relief personnel and relief supplies.

#### Rule 5

The transit State shall waive or relax to the minimum limitations imposed on aircraft not possessing traffic rights when such action is necessary for taking on or discharging the designated relief personnel and relief supplies.

#### Rule 6

The transit State shall grant permission for overflight and landing of aircraft transporting designated relief personnel and relief supplies

#### Rule 7

(1) The transit State shall grant freedom of transit for the designated relief supplies.

(2) The transit State shall provide, subject to availability at all points of entry and exit, and as required at points of trans-shipments, adequate means of transport and handling equipment on a priority basis for the movement of designated relief supplies.

(3) The transit State shall provide to designated relief supplies in transit using facilities operated or administered by the State tariffs or charges that are reasonable as regards both their rates and the method of their application. These charges shall not higher than the charges applied by the transit State for the transport of its own supplies.

#### Rule 8

The transit State shall waive requirements for entry and exit visas, provide with minimum delay visas at points of entry and exit, or Issue multiple entry and exit visas, for designated relief personnel.