ACORD PRIVIND STATUTUL FORȚELOR ÎNTRE STATELE PĂRȚI LA TRATATUL ATLANTICULUI DE NORD ȘI CELELALTE STATE PARTICIPANTE LA PARTENERIATUL PENTRU PACE PRIVIND STATUTUL FORȚELOR LOR ARMATE

ÎNCHEIAT LA BRUXELLES LA 19 IUNIE 1995

AGREEMENT AMONG THE STATES PARTIES TO THE NORTH ATLANTIC TREATY AND THE OTHER STATES PARTICIPATING IN THE PARTNERSHIP FOR PEACE REGARDING THE STATUS OF THEIR FORCES,

DONE IN BRUSSELS ON JUNE 19, 1995

The states parties to the North Atlantic Treaty done in Washington on 4 April 1949 and the states which accept the invitation to partnership for peace issued and signed by the heads of state and Government of the member states of the North Atlantic Treaty Organisation in Brussels on 10 January 1994 and which subscribe to the Partnership for peace framework document;

Constituting together the states participating in the Partnership for peace;

Considering that the forces of one state party to the present Agreement may be sent and received, by arrangement, into the territory of another state party;

Bearing in mind that the decisions to send and to receive forces will continue to be the subject of separate arrangements between the states parties concerned;

Desiring, however, to define the status of such forces while in the territory of another state party;

Recalling the Agreement between the states parties to the North Atlantic Treaty regarding the status of their forces done at London on 19 June 1951;

Have agreed as follows:

Article 1

Except as otherwise provided for in the present Agreement and any additional protocol in respect to its own parties, all states parties to the present Agreement shall apply the provisions of the Agreement between parties to the North Atlantic Treaty regarding the status of their forces, done at London on 19 June 1951, hereinafter referred to as the NATO SOFA, as if all states parties to the present Agreement were parties to the NATO SOFA.

Article 2

1) In addition to the area to which the NATO SOFA applies the present Agreement shall apply to the territory of all states parties to the present Agreement which are not parties to the NATO SOFA.

2) For the purposes of the present Agreement, references in the NATO SOFA to the North Atlantic Treaty area shall be deemeed also to include the territories referred to in paragraph 1 of the present Article, and references to the North Atlantic Treaty shall be deemed to include the partnership for peace.

Article 3

For purposes of implementing the present Agreement with respect to matters involving parties that are not parties to the NATO SOFA , provisions of the NATO SOFA that provide for requests to be submitted, or differences to be referred to the North Atlantic Council, the chairman of the North Atlantic Council deputies or an arbitrator shall be construed to require the parties concerned to negotiate between or among themselves without recourse to any outside jurisdiction.

Article 4

The present Agreement may be supplimented or otherwise modified in accordance with international law.

Article 5

1) The present Agreement shall be open for signature by any state that is either a contracting party to the NATO SOFA, or that accepts the invitation to the partnership for peace and subscribes to the partnership for peace framework document.

2) The present Agreement shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America, which shall notify all signatory states of each such deposit.

3) Thirty days after three signatory states, at least one of which is a party to the NATO SOFA and one of which has accepted the invitation to the partnership for peace and subscribed to the pertnership for peace framework document, have deposited their instruments of ratification, acceptance or approval, the present Agreement shall enter into force in respect of those states. It shall enter into force in respect of each other signatory state thirty days after the date of deposit of its instruments.

Article 6

The present Agreement may be denounced by any party to this Agreement by giving written notification of denunciation to the Government of the United States of America, which will notify all signatory states of each such notification. The denunciation shall take effect one year after receipt of the notification by the Government of the United States of America. After the expiration of this period of one year, the present Agreement shall cease to be in force as regards the party that denounces it, except for the settlement of outstanding claims that arose before the day on which the denunciation takes effect, but shall continue to be in force for the remaining parties.

In witness whereof, the undersigned, being duly authorised by their respective Governments, have signed this Agreemnet.

Done in Brussels, this nineteenth day of June, 1995 in the english and french languages, both texts being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the signatory states.

ADDITIONAL PROTOCOL

TO THE AGREEMENT AMONG THE STATES PARTIES TO THE NORTH ATLANTIC TREATY AND THE OTHER STATES PARTICIPATING IN THE PARTNERSHIP FOR PEACE REGARDING THE STATUS OF THEIR FORCES

The state parties to the present Additional Protocol to the Agreement among the state parties to the North Atlantic Treaty and the other states participating in the partnership for peace regarding the status of their forces, hereinafter referred to as the Agreement;

Considering that the death penalty is not provided for under the domestic legislation of some parties to the Agreement;

Have agreed as follows:

Article 1

Insofar as it has jurisdiction according to the provisions of the Agreement, each state party to the present Additional Protocol shall not carry out a death sentence with regard to any member of a force and its civilian component, and their dependents from any other state party to the present Additional Protocol.

Article 2

(1) The present Protocol shall be open for signature by any signatory of the Agreement.

(2) The present Protocol shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America, which shall notify all signatory states of each such deposit.

(3) The present Protocol shall enter into force 30 days after the date of deposit of the instruments of ratification, acceptanu or approval by three signatory states, at least one of which is a party to the NATO SOFA and one of which is a state having accepted the invitation to join the parthership for peace and having subscribed to the partnership for peace framenork document.

4. The present protocol shall come into force in respect of each other signatory states on the date of the deposit of its instrument of ratification, acceptance or approval. with the Government of the United States of America.

DONE at Brussells, this 19th day of June 1995, in the english and french lanyuayes, both texts being equally, authoritative, in a singyle original, which shall be deposited in the archives, of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to the signatory states.