

**Treaty Series No. 49 (2000)**

**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**

**Cm 4701**

**ISBN 0 10 147012 6**

**CORRECTION**

**Page 7**

*Delete* Section “(8)” in its entirety

*replace* Section “(8)” corrected text as below

(8) Ratification by Austria includes the following statements:

Statements by Austria made at the occasion of the ratification of 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 (‘PfP-SOFA’)”

In entering into this Agreement, the Government of Austria wishes to put the PfP signatories on notice that the acceptance of the jurisdiction by military authorities of the sending state in accordance with Article VII of the “Agreement between the Parties to the North Atlantic Treaty Regarding the Status of their Forces” (“NATO-SOFA”) by Austria does not apply to the exercise, on the territory of Austria, of the jurisdiction by courts of a sending state;

Austria will hand over members of a force or civilian component or their dependents to the authorities of the sending state in accordance with Article VII, Sect. 5a, of this agreement under the condition that the death penalty will not be imposed by the sending state when exercising criminal jurisdiction according to the provisions of Art. VII of this agreement.

Statement by Austria regarding the interpretation of 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 (‘PfP-SOFA’)”

It is the understanding of Austria

1. that Article II of the “Agreement between the Parties to the North Atlantic Treaty Regarding the Status of their Forces” (“NATO-SOFA”) also applies to the activities of military authorities under Article VII of this Agreement.
2. that the law of Austria, which is to be respected in accordance with Article II of the NATO SOFA, comprises *inter alia*
  - (i) the relevant international instruments applicable under Austrian law;
  - (ii) Austrian legislation relevant to the import, export and transfer of war material under this agreement (see attached list); [List not attached]
3. and that existing Austrian constitutional legislation in the field of security and defence will not be affected by the application of this agreement.

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Miscellaneous No. 12 (1996)  
Cm 3237

NORTH ATLANTIC  
TREATY  
ORGANIZATION



Treaty Series No. 49 (2000)

## 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

Brussels, 19 June 1995

[The United Kingdom instrument of ratification was deposited on 22 June 1999 and the Agreement entered into force for the United Kingdom on 22 July 1999]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
May 2000*

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**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 AT  
BRUSSELS ON 19 JUNE 1995**

The States Parties to the North Atlantic Treaty done at Washington on 4 April 1949<sup>1</sup> 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<sup>2</sup> 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<sup>3</sup>;

Have agreed as follows:

**ARTICLE I**

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 II**

(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 deemed 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 III**

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.

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<sup>1</sup> Treaty Series No. 56 (1949), Cmd. 7789.

<sup>2</sup> Not Published.

<sup>3</sup> Treaty Series No. 3 (1955), Cmd. 9363.

#### ARTICLE IV

The present agreement may be supplemented or otherwise modified in accordance with international law.

#### ARTICLE V

(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 Partnership 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 instrument.

#### ARTICLE VI

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 agreement.

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.

SIGNATURES, RATIFICATIONS, ACCESSIONS, ETC,  
EFFECTIVE DATES AND DECLARATIONS

<i>State</i>	<i>Action</i>	<i>Date</i>	<i>Effective Date</i>
Albania	Signature	10 Oct 1995	
	Accession	9 May 1996	8 June 1996
Austria <sup>3</sup>	Signature	16 Jan 1997	
	Ratification	3 Aug 1998 <sup>8</sup>	2 Sept 1998
Azerbaijan	Signature	15 Jan 1998	
Belgium	Signature	31 Oct 1995	
	Ratification	10 Oct 1997	9 Nov 1997
Bulgaria	Signature	16 Oct 1995	
	Ratification	29 May 1996	28 June 1996
Canada	Signature	13 Oct 1995	
	Ratification	2 May 1996	1 June 1996
Czech Republic	Signature	2 Nov 1995	
	Ratification	27 Mar 1996	26 Apr 1996
Denmark <sup>11</sup>	Signature	3 July 1995	
	Ratification	8 July 1999	7 Aug 1999
Estonia	Signature	29 Aug 1995	
	Ratification	7 Aug 1996	6 Sept 1996
Finland <sup>5</sup>	Signature	16 Dec 1996	
	Ratification	2 July 1997	1 Aug 1997
France	Signature	1 Dec 1995	
Georgia	Signature	18 Jul 1995	
	Ratification	19 May 1997	18 June 1997
Germany <sup>9</sup>	Signature	20 July 1995	
	Ratification	24 Sept 1998	24 Oct 1998
Greece <sup>6</sup>	Signature	9 Oct 1997	
Hungary	Signature	21 June 1995	
	Ratification	14 Dec 1995	13 Jan 1996
Iceland	Signature	10 Mar 1997	
Italy	Signature	14 Mar 1996	
	Ratification	23 Sept 1998	23 Oct 1998
Kazakhstan	Signature	31 July 1996	
	Ratification	6 Nov 1997	6 Dec 1997
Latvia	Signature	13 Dec 1995	
	Ratification	19 Apr 1996	19 May 1996
Lithuania	Signature	31 Jan 1996	
	Ratification	15 Aug 1996	14 Sept 1996
Luxembourg	Signature	18 Feb 1997	
Macedonia	Signature	30 May 1996	
Former Yugoslav Republic of Moldova	Ratification	19 June 1998	19 July 1996
	Signature	6 Sept 1996	
	Ratification	1 Oct 1997	31 Oct 1997
Netherlands <sup>4</sup>	Signature	5 Feb 1996	
	Acceptance	26 June 1997	26 July 1997
Norway <sup>2</sup>	Signature	19 June 1995	
	Ratification	4 Oct 1996	3 Nov 1996
Poland	Signature	3 Nov 1995	
	Ratification	4 April 1997	4 Apr 1997
Portugal	Signature	8 Sept 1997	
Romania	Signature	3 Nov 1995	
	Ratification	5 June 1996	5 July 1996
Slovakia	Signature	4 Aug 1995	
	Approval	13 Dec 1995	13 Jan 1996
Slovenia	Signature	31 July 1995	
	Ratification	18 Jan 1996	17 Feb 1996
Spain <sup>7</sup>	Signature	16 Dec 1996	
	Ratification	4 Feb 1998	6 Mar 1998
Sweden <sup>1</sup>	Signature	4 Apr 1996	
	Ratification	13 Nov 1996	13 Dec 1996

<i>State</i>	<i>Action</i>	<i>Date</i>	<i>Effective Date</i>
Turkey	Signature	5 Feb 1996	
Ukraine	Signature	6 May 1996	
United Kingdom of Great Britain and Northern Ireland <sup>10</sup>	Signature	5 Mar 1996	
	Ratification	22 June 1999	22 July 1999
United States of America	Signature	19 June 1995	
	Application	9 Aug 1995	13 Jan 1996
Uzbekistan	Signature	24 July 1996	
	Ratification	30 Jan 1997	1 Mar 1997

(1) The Government of Sweden does not consider itself bound by Article 1 of 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 the IR forces, to the extent that this Article refers to the provisions of Article VII of the Agreement between the Parties to the North Atlantic Treaty regarding the status of their Forces, which gives sending States the right to exercise jurisdiction within the territory of a receiving State, when Sweden is such a receiving State. The reservation does not cover appropriate measures taken by the military authorities of sending States which are immediately necessary to ensure the maintenance of order and security within the force.

(2) Accompanied by the following reservation:

“The Government of Norway will be bound by 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 only with respect to those other States participating in the Partnership for Peace which in addition to ratifying the Agreement, also ratify the 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.”

(3) Signature accompanied by Note Verbale of 16 January 1997, stating that “with reference to the signing by Austria of 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, has the honour to draw the attention of NATO to the fact that the Republic of Austria, subject to the approval by the Austrian Parliament, intends to make the attached statements at the occasion of the ratification of the above mentioned agreement by the Republic of Austria” See footnote 8.

(4) Accepted For the Kingdom in Europe and accompanied by the following reservation:

“The Kingdom of the Netherlands will be bound by the Agreement among the States Parties to the North Atlantic Treaty and the other States participating in the Partnership for Peace which in addition to ratifying, accepting or approving the Agreement, also ratify, accept or approve the Additional Protocol to the Agreement.”

(5) Ratification by Finland includes the following declaration:

“The acceptance of the jurisdiction by military authorities of a sending state in accordance with Article VII of the Agreement between the Parties to the North Atlantic Treaty regarding the status of their Forces by Finland does not apply to the exercise, on the territory of Finland, of the jurisdiction by courts of a sending state.”

(6) Accompanied by the following declaration:

“Regarding the signing of this Agreement by the former Yugoslav Republic of Macedonia, the Hellenic Republic declares that its own signing of the said Agreement can in no way be interpreted as an acceptance from its part, or as recognition in any form and content of a name other than that of “the former Yugoslav Republic of Macedonia” under which the Hellenic Republic has recognised the said country and under which the latter has joined the NATO “Partnership for Peace” Programme, where resolution 817/93 of the UN Security Council was taken into consideration.”

(7) Ratification includes the following reservation:

“Spain shall remain bound by 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 only with respect to the other States participating in the Partnership for Peace that shall have ratified the Agreement and its Additional Protocol.”

(8) Ratification includes the following statement:

Statements by Austria made at the occasion of the ratification of the “Agreement among the States Parties to the North Atlantic and the Other States Participating in the Partnership for Peace Regarding the Status of their Forces (PFP-SOFA).

In entering into this Agreement, the Government of Austria wishes to put the PFP signatories on notice that.

The acceptance of the jurisdiction by military authorities of the sending state in accordance with Article VII. Section 5a of this agreement under the condition that the death penalty will not be imposed by the sending state when exercising criminal jurisdiction according to the provisions of Article VII to this agreement.

Statement by Austria regarding the interpretation of 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 (PFP-SOFA).

It is the understanding of Austria

(1) That Article II of the “Agreement between the Parties to the North Atlantic Treaty Regarding the Status of their forces” (“NATO-SOFA”) also applies to the activities of military authorities under Article VII of this agreement;

(2) The law of Austria, which is to be respected in accordance with Article II of the NATO SOFA, comprises inter alia:

(i) the relevant international instruments applicable under Austrian law,

(ii) Austrian Legislation relevant to the import, export and transfer of war material under this agreement

(iii) and that existing Austrian Constitutional legislation in the field of security and defence will not be affected by the application of this agreement.

(9) Ratification deposited by the Federal Republic of Germany accompanied by two understandings:

“It is the understanding of the Federal Republic of Germany that Article 1 of the Agreement of 19 June 1995 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 shall not affect the EU Legislation applicable in the Federal Republic of Germany with regard to the exemption of foreign armed forces and their members from taxes and duties:

“It is the understanding of the Federal Republic of Germany that, in accordance with the meaning and purpose of the Agreement of 19 June 1995 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, Article II thereof does not conflict with the application of the Agreement throughout the whole territory of the Federal Republic of Germany.”



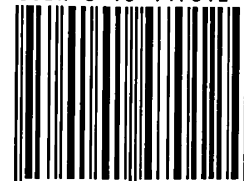
(10) Ratification includes the following reservation:

“Ratification by the United Kingdom is subject to the reservation that any exemptions from duties or taxes shall apply to the extent permissible under the laws of the European Community.”

(11) Ratification by Denmark contains a reservation that pending further decision, the Agreement will not apply to the Faroe Islands or to Greenland.

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