

**PROTOCOL TO AMEND AND EXTEND
THE AGREEMENT
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA
CONCERNING
COOPERATION IN THE AREA OF THE PREVENTION OF PROLIFERATION OF
WEAPONS OF MASS DESTRUCTION, AND THE PROMOTION OF DEFENSE
AND MILITARY RELATIONS**

The Government of the United States of America and the Government of the Republic of Lithuania,

Acting pursuant to Article XIII of the Agreement between the Government of the United States of America and the Government of the Republic of Lithuania Concerning Cooperation in the Area of the Prevention of Proliferation of Weapons of Mass Destruction, and the Promotion of Defense and Military Relations of October 10, 2002 (the "Agreement"),

Have agreed as follows:

Article 1

Article II, paragraph 1, of the Agreement shall be deleted and replaced with the following new paragraph:

“1. The Executive Agents of the Parties, as well as other ministries, departments, and other state institutions of the Parties, may enter into implementing agreements or arrangements as appropriate to accomplish the objectives set forth in Article I of this Agreement.”

Article 2

Article III of the Agreement shall be deleted and replaced with the following new text:

“Each Party shall designate an Executive Agent to implement this Agreement. For the Government of the United States of America, the Executive Agent shall be the Department of Defense. For the Government of the Republic of Lithuania, the Executive Agent shall be the Ministry of Foreign Affairs.”

Article 3

Article X, paragraph 2, of the Agreement shall be deleted and replaced with the following new paragraph:

“2. The Government of the United States of America, its personnel, contractors, and contractors’ personnel may import into, and export out of, the Republic of Lithuania any equipment, supplies, material or other goods, technology, training, or services required to implement this Agreement. Such importation and exportation of articles or services shall not be subject to any customs inspections and shall be exempt from any license and other restrictions. The Government of the United States of America, its personnel, contractors, and contractors’ personnel shall not be liable to pay any customs duties, taxes or any other charges assessed within the territory of the Republic of Lithuania for importation and exportation of articles or services required to implement this Agreement.”

Article 4

Article XI of the Agreement shall be deleted and replaced with the following new text:

“In the event that the Government of the United States of America awards contracts for the acquisition of articles and services, including construction, to implement this Agreement, such contracts shall be awarded in accordance with the laws and regulations of the Government of the United States of America. The Government of the United States of America, its personnel, contractors, and contractors’ personnel shall not be liable to pay any taxes, customs duties or similar charges assessed within the territory of the Republic of Lithuania for acquisition of articles and services in the Republic of Lithuania by or on behalf of the Government of the United States of America in implementing this Agreement.”

Article 5

The term of the Agreement shall be extended for seven years, from April 24, 2010, to April 24, 2017.

Article 6

This Protocol shall enter into force on the date of a note from the Ministry of Foreign Affairs of the Republic of Lithuania to the Department of State of the United States of America confirming that the Government of the Republic of Lithuania has completed all of its internal procedures required for entry into force of the Protocol.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Protocol.

DONE at Vilnius, in duplicate, this 30th day of November, 2009, in the English and Lithuanian languages, both texts being equally authentic.

**FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:**

A handwritten signature in black ink, appearing to read "Anne E. Gre". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

**FOR THE GOVERNMENT OF THE
REPUBLIC OF LITHUANIA:**

A handwritten signature in black ink, consisting of several stylized, overlapping loops and curves. The signature is cursive and difficult to decipher as a name.

AGREED MINUTE

During the negotiation of the Protocol to Amend and Extend the Agreement between the Government of the United States of America and the Government of the Republic of Lithuania Concerning Cooperation in the Area of the Prevention of Proliferation of Weapons of Mass Destruction, and the Promotion of Defense and Military Relations of October 10, 2002 (the "Agreement"), signed today, the following understanding was reached:

The Government of the United States of America does not intend to export from the Republic of Lithuania any dual use items that may be provided by the Government of the United States of America to the Republic of Lithuania under the terms of the Agreement, as amended and extended.

As used herein, "dual use items" means items, including software and technology, which can be used for both civil and military purposes.

**FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:**



**FOR THE GOVERNMENT OF
THE REPUBLIC OF LITHUANIA:**

