DEFENSE

Assistance

Memorandum of Understanding
Between the
UNITED STATES OF AMERICA
and NORWAY

Signed at Stavanger June 8, 2005

NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

". . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

NORWAY

Defense: Assistance

Memorandum of understanding signed at
Stavanger June 8, 2005;
Entered into force February 27, 2007.

MEMORANDUM OF UNDERSTANDING (MOU)

GOVERNING

PRESTOCKAGE AND REINFORCEMENT OF NORWAY

MEMORANDUM OF UNDERSTANDING (MOU)

GOVERNING

PRESTOCKAGE AND REINFORCEMENT OF NORWAY

The Government of the United States of America and the Government of the Kingdom of Norway, hereinafter referred to collectively as "the Parties" and individually as "Party";

Committed to strengthening the security of the North Atlantic Treaty Organization and enhancing operational responsiveness;

Taking into account Article 5 of the North Atlantic Treaty; and

Recalling the Agreement between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces, done at London on June 19, 1951;

Have agreed as follows:

1.

The Government of the United States will provide, consistent with U.S. Secretary of Defense requirements and implementing agreements, a Marine Corps Prepositioning Program in Norway (MCPP-N).

2.

The MCPP-N will support the reinforcement of Norway, as well as global U.S. Marine Corps expeditionary operations, including establishment of forward operating bases and selected security cooperation activities in support of U.S. Regional Combatant Commanders, and such other purposes as the Parties may mutually agree.

3.

For all activities listed in paragraph 2, the Government of the Kingdom of Norway shall make available adequate means to load, transport, and protect equipment of the MCPP-N from Central Norway to mutually agreed Norwegian sea or air ports of embarkation. In the event the MCPP-N is used to reinforce Norway, the Government of the Kingdom of Norway shall make available adequate means to load, transport, and protect equipment of the MCPP-N, as well as receive, stage and move onward personnel and equipment to predesignated areas within Norway.

4.

The Government of the Kingdom of Norway shall provide adequate prepositioning facilities, airbase reception facilities and operating air bases, and shall assume responsibility for security and general maintenance of prepositioned equipment and supplies. The Parties agree to cost-share such operations and maintenance expenses in support of the MCPP-N. The Government of the Kingdom of Norway contribution will be limited to half of the total costs incurred or the ceiling set in U.S. dollars to be negotiated by the Parties, whichever is less. Any expenses to be paid by the Parties will be agreed to in advance, subject to the respective laws of each Party. As appropriate, logistics supplies, support and services may be provided under the Mutual Logistics Support Agreement of August 20, 1982, as amended.

5.

In the event of the reinforcement of Norway, the Government of the Kingdom of Norway shall make available host nation support for the MCPP-N including over-snow vehicles, motor transport assets, medical support, refueling capability for ground equipment and aviation assets, and necessary engineering and airbase support equipment as mutually agreed. MCPP-N will draw on Norwegian stocks of available "common user" items such as munitions, food, and fuel, to allow time for the establishment of U.S. logistical support.

6.

Consistent with paragraph 7, the Government of the United States of America confirms Norwegian ownership and control of the prepositioning and other facilities and installations that are the subject of this MOU.

7.

The Government of the United States of America shall retain ownership of all prepositioned stocks of the MCPP-N, and may withdraw such stocks from the MCPP-N pursuant to paragraph 2 in consultation with the Government of Norway.

8.

Norwegian policies with respect to the stationing of foreign troops on Norwegian territory and the stockpiling or deployment of nuclear weapons on Norwegian territory will not be altered by this MOU. The Government of the United States of America will respect Norwegian international legal obligations with regard to the stockpiling of certain types of weapons on Norwegian territory.

9.

This MOU is subject to amendment by mutual written agreement of the Parties. As appropriate, the Parties may enter into Implementing Agreements or Arrangements to carry out the provisions of this MOU. Activities covered by this MOU are subject to the availability of funds, appropriated for such purposes.

10.

This MOU supersedes the Memorandum of Understanding Governing Prestockage and Reinforcement of Norway, between the Government of the United States and the Government of the Kingdom of Norway, signed in Washington, D.C. on January 16, 1981. The Parties confirm the application of the Agreement between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces, signed June 19, 1951, to all activities conducted pursuant to the MCPP-N and this MOU. This MOU shall enter into force on the date on which the Parties have informed each other through

diplomatic channels that they have fulfilled their respective internal requirements necessary to bring it into force. It shall continue in force until terminated by one year's written notice by either Party to the other through diplomatic channels.

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

Done in duplicate at Stavanger this 8th day of June, 2005.

For the Government
of the United States of America

Donald H. Rumsfeld
Secretary of Defense
United States of America

For the Government
of the Kingdom of Norway

Kristin Krohn Devold
Minister of Defence
The Kingdom of Norway