

DEFENSE

Cooperation

**Agreement Between the
UNITED STATES OF AMERICA
and LATVIA**

Effected by Exchange of Notes at
Riga June 19 and July 15, 2015



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.”

LATVIA

Defense: Cooperation

*Agreement effected by exchange of notes at
Riga June 19 and July 15, 2015;
Entered into force July 15, 2015.*

No. 083-15

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Latvia and has the honor to recall the rights and obligations of the United States of America and the Republic of Latvia in the North Atlantic Treaty, done at Washington, April 4, 1949; and the Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of their Forces, done at London June 19, 1951 (hereinafter "the NATO SOFA"). The Embassy has the further honor to propose the following agreement between the Government of the United States of America and the Government of the Republic of Latvia (hereinafter collectively referred to as "the Parties" and individually as "Party") regarding access to and use of facilities and areas located within the Republic of Latvia (the "Access Agreement"), for the purposes of enhanced defense cooperation:

"United States forces" shall be defined as the entity comprising members of the force and civilian employees of the United States Department of Defense, and all property, equipment, and materiel of the United States Armed Forces present in the Republic of Latvia. "United States contractors" shall be defined as non-Latvian companies and firms, and their employees who are not nationals of the Republic of Latvia, under contract or subcontract with or in support of the United States Department of Defense present in the Republic of Latvia. "Members of the force" means the "force" as used in Article I of the NATO SOFA.

Recognizing the mutual benefit of the presence of United States forces in the territory of the Republic of Latvia, the Republic of Latvia shall furnish the following agreed facilities and areas, to which United States forces and United States contractors shall have unimpeded access, for activities undertaken in connection with this Access Agreement: 1. Lielvarde Air Base; 2. Adazi Training Area; and 3. such other facilities and areas in the territory of the Republic of Latvia as may be provided by the Republic of Latvia in the future and as agreed by the Parties. Facilities and areas provided by the Republic of Latvia may be designated either for the exclusive use of United States forces or for joint use by United States forces and Latvian National Armed Forces as set out in separate implementing arrangements.

DIPLOMATIC NOTE

“Unimpeded access” shall include the unrestricted right of United States forces, United States contractors, and vehicles, vessels, and aircraft operated by or for the United States forces to access and use facilities and areas for visits, training, exercises, combined training activities, transit, support and related activities, refueling of aircraft, temporary maintenance of vehicles, vessels and aircraft, accommodation of personnel, communications, prepositioning of equipment, staging and deploying of forces and materiel, humanitarian activities, and such other activities as mutually agreed to by the Parties. United States forces shall have freedom of movement and access to and use of mutually agreed transportation, storage, training, and other facilities required in connection with activities under this Access Agreement. The activities of United States contractors at the above mentioned areas and facilities shall be for the purposes of fulfilling their contracts with the United States Department of Defense.

Procedures on the use of such facilities and areas shall take into account operational and security concerns of the Republic of Latvia and the United States of America.

United States forces shall be authorized by this Access Agreement to exercise all rights and authorities within those agreed facilities and areas that are provided for the exclusive use of United States forces that are necessary for their use, operation, defense, or control, including to take appropriate measures to maintain or restore order and to protect United States forces and United States contractors. United States forces should coordinate such measures with the appropriate authorities of the Republic of Latvia.

The Republic of Latvia shall furnish the agreed facilities and areas to United States forces without rental or similar costs, including facilities and areas jointly used by United States forces and Latvian National Armed Forces. United States forces shall cover all necessary operations and maintenance expenses associated with their use of facilities and areas.

United States forces and United States contractors shall be authorized by this Access Agreement to undertake construction activities on, and make alterations and improvements to, agreed facilities

and areas covered by this Access Agreement. The Parties intend that they or their designees mutually determine the technical details regarding such construction, alterations, or improvements to agreed facilities and areas. The Republic of Latvia shall facilitate United States forces' efforts in these undertakings by ensuring that such construction, alterations, and improvements have the necessary authorizations of the appropriate institutions in the Republic of Latvia. United States forces shall consult with authorities of the Republic of Latvia on issues regarding such construction, alterations, and improvements based on the two governments' shared intent that the technical requirements and construction standards associated with any such projects undertaken by or on behalf of United States forces should be consistent with the laws and regulations of both Governments. United States forces may carry out construction works with its members of the force.

All existing buildings, non-relocatable structures, and assemblies affixed to the land in agreed facilities and areas, including ones altered or improved by United States forces, remain the property of Republic of Latvia. Permanent buildings constructed by United States forces shall become the property of Republic of Latvia, once constructed, but shall be used by United States forces until no longer needed by United States forces. United States forces shall return as the sole and unencumbered property of Republic of Latvia any agreed facility or area, or any portion thereof, including non-relocatable structures and assemblies constructed by United States forces once no longer needed by United States forces. The Parties or their designees shall consult regarding the terms of return of any agreed facility or area, including possible compensation for improvements or construction.

United States forces shall be authorized by this Access Agreement to preposition and store defense equipment, supplies, and materiel to and within the agreed facilities and areas, and to and within other locations as mutually agreed, and the locations where such defense equipment, supplies, and materiel are stored shall be for the exclusive use of United States forces. The United States shall retain title to all equipment, materiel, and supplies, relocatable structures, and other

moveable property that have been imported into or acquired within the territory of the Republic of Latvia in connection with this Access Agreement.

The Governments of the United States of America and the Republic of Latvia shall take all reasonable measures to ensure the protection, safety, and security of United States property from seizure or conversion without the prior written consent of the Government of the United States of America.

United States forces may contract for any materiel, supplies, equipment, and services (including construction) to be furnished or undertaken in the Republic of Latvia without restriction as to choice of contractor, supplier, or person who provides such materiel, supplies, equipment, or services. Such contracts shall be solicited, awarded, and administered in accordance with the laws and regulations of the Government of the United States of America. Acquisition of articles and services in the Republic of Latvia by or on behalf of the United States forces in connection with activities under this Access Agreement shall not be subject to any taxes or similar charges in the Republic of Latvia.

All obligations of United States forces under this Access Agreement are subject to the availability of appropriated funds authorized for these purposes.

The Parties or their designees may enter into implementing arrangements to carry out the provisions of this Access Agreement.

Any divergence in views or disputes regarding the interpretation or application of this Access Agreement are to be resolved at the lowest competent level. Should those efforts be unsuccessful, such divergences and disputes shall be resolved by the Parties through further consultations and shall not be referred to any national or international court, tribunal, or other similar body, or any third party for settlement.

This Access Agreement shall remain in force for two (2) years. It may be extended by mutual agreement of the Parties or terminated by either Party with one (1) year's notice.

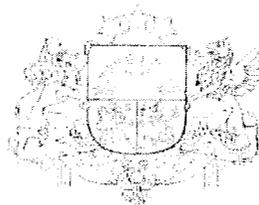
The Embassy further proposes that, if the abovementioned proposal is acceptable to the Government of the Republic of Latvia, this note, together with the Ministry's affirmative reply note, shall constitute an agreement between the Government of the United States of America and the Government of the Republic of Latvia, which shall enter into force on the date of the Ministry's reply note.

The Embassy of the United States of America avails itself of this opportunity to renew to the esteemed Ministry of Foreign Affairs of the Republic of Latvia the assurances of its highest consideration.



Embassy of the United States of America,

Riga, June 19, 2015.



LATVIJAS REPUBLIKAS ĀRLIETU MINISTRIJA

MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF LATVIA

No.41/426-2919

The Ministry of Foreign Affairs of the Republic of Latvia presents its compliments to the Embassy of the United States of America and has the honour to confirm receipt of Note No.083-15 of 19 June 2015 concerning the Agreement between the Government of the United States of America and the Government of the Republic of Latvia regarding access to and use of facilities and areas located within the Republic of Latvia (the "Access Agreement"), which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Latvia and has the honor to recall the rights and obligations of the United States of America and the Republic of Latvia in the North Atlantic Treaty, done at Washington, April 4, 1949; and the Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of their Forces, done at London June 19, 1951 (hereinafter "the NATO SOFA"). The Embassy has the further honor to propose the following agreement between the Government of the United States of America and the Government of the Republic of Latvia (hereinafter collectively referred to as "the Parties" and individually as "Party") regarding access to and use of facilities and areas located within the Republic of Latvia (the "Access Agreement"), for the purposes of enhanced defense cooperation:

"United States forces" shall be defined as the entity comprising members of the force and civilian employees of the United States Department of Defense, and all property, equipment, and materiel of the United States Armed Forces present in the Republic of Latvia. "United States contractors" shall be defined as non-Latvian companies and firms,

To the Embassy of the United States of America
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and their employees who are not nationals of the Republic of Latvia, under contract or subcontract with or in support of the United States Department of Defense present in the Republic of Latvia. "Members of the force" means the "force" as used in Article I of the NATO SOFA.

Recognizing the mutual benefit of the presence of United States forces in the territory of the Republic of Latvia, the Republic of Latvia shall furnish the following agreed facilities and areas, to which United States forces and United States contractors shall have unimpeded access, for activities undertaken in connection with this Access Agreement: 1. Lielvarde Air Base; 2. Adazi Training Area; and 3. such other facilities and areas in the territory of the Republic of Latvia as may be provided by the Republic of Latvia in the future and as agreed by the Parties. Facilities and areas provided by the Republic of Latvia may be designated either for the exclusive use of United States forces or for joint use by United States forces and Latvian National Armed Forces as set out in separate implementing arrangements.

"Unimpeded access" shall include the unrestricted right of United States forces, United States contractors, and vehicles, vessels, and aircraft operated by or for the United States forces to access and use facilities and areas for visits, training, exercises, combined training activities, transit, support and related activities, refueling of aircraft, temporary maintenance of vehicles, vessels and aircraft, accommodation of personnel, communications, prepositioning of equipment, staging and deploying of forces and materiel, humanitarian activities, and such other activities as mutually agreed to by the Parties. United States forces shall have freedom of movement and access to and use of mutually agreed transportation, storage, training, and other facilities required in connection with activities under this Access Agreement. The activities of United States contractors at the above mentioned areas and facilities shall be for the purposes of fulfilling their contracts with the United States Department of Defense.

Procedures on the use of such facilities and areas shall take into account operational and security concerns of the Republic of Latvia and the United States of America.

United States forces shall be authorized by this Access Agreement to exercise all rights and authorities within those agreed facilities and areas that are provided for the exclusive use of

United States forces that are necessary for their use, operation, defense, or control, including to take appropriate measures to maintain or restore order and to protect United States forces and United States contractors. United States forces should coordinate such measures with the appropriate authorities of the Republic of Latvia.

The Republic of Latvia shall furnish the agreed facilities and areas to United States forces without rental or similar costs, including facilities and areas jointly used by United States forces and Latvian National Armed Forces. United States forces shall cover all necessary operations and maintenance expenses associated with their use of facilities and areas.

United States forces and United States contractors shall be authorized by this Access Agreement to undertake construction activities on, and make alterations and improvements to, agreed facilities and areas covered by this Access Agreement. The Parties intend that they or their designees mutually determine the technical details regarding such construction, alterations, or improvements to agreed facilities and areas. The Republic of Latvia shall facilitate United States forces' efforts in these undertakings by ensuring that such construction, alterations, and improvements have the necessary authorizations of the appropriate institutions in the Republic of Latvia. United States forces shall consult with authorities of the Republic of Latvia on issues regarding such construction, alterations, and improvements based on the two governments' shared intent that the technical requirements and construction standards associated with any such projects undertaken by or on behalf of United States forces should be consistent with the laws and regulations of both Governments. United States forces may carry out construction works with its members of the force.

All existing buildings, non-relocatable structures, and assemblies affixed to the land in agreed facilities and areas, including ones altered or improved by United States forces, remain the property of Republic of Latvia. Permanent buildings constructed by United States forces shall become the property of Republic of Latvia, once constructed, but shall be used by United States forces until no longer needed by United States forces. United States forces shall return as the sole and unencumbered property of Republic of Latvia any agreed facility or area, or any portion thereof, including non-relocatable structures and assemblies constructed by United States forces once no longer needed by United States forces. The Parties or their designees shall consult regarding the terms of return of any

agreed facility or area, including possible compensation for improvements or construction.

United States forces shall be authorized by this Access Agreement to preposition and store defense equipment, supplies, and materiel to and within the agreed facilities and areas, and to and within other locations as mutually agreed, and the locations where such defense equipment, supplies, and materiel are stored shall be for the exclusive use of United States forces. The United States shall retain title to all equipment, materiel, and supplies, relocatable structures, and other moveable property that have been imported into or acquired within the territory of the Republic of Latvia in connection with this Access Agreement.

The Governments of the United States of America and the Republic of Latvia shall take all reasonable measures to ensure the protection, safety, and security of United States property from seizure or conversion without the prior written consent of the Government of the United States of America.

United States forces may contract for any materiel, supplies, equipment, and services (including construction) to be furnished or undertaken in the Republic of Latvia without restriction as to choice of contractor, supplier, or person who provides such materiel, supplies, equipment, or services. Such contracts shall be solicited, awarded, and administered in accordance with the laws and regulations of the Government of the United States of America. Acquisition of articles and services in the Republic of Latvia by or on behalf of the United States forces in connection with activities under this Access Agreement shall not be subject to any taxes or similar charges in the Republic of Latvia.

All obligations of United States forces under this Access Agreement are subject to the availability of appropriated funds authorized for these purposes.

The Parties or their designees may enter into implementing arrangements to carry out the provisions of this Access Agreement.

Any divergence in views or disputes regarding the interpretation or application of this Access Agreement are to be resolved at the lowest competent level. Should those efforts be unsuccessful, such divergences and disputes shall be resolved by the Parties through

further consultations and shall not be referred to any national or international court, tribunal, or other similar body, or any third party for settlement.

This Access Agreement shall remain in force for two (2) years. It may be extended by mutual agreement of the Parties or terminated by either Party with one (1) year's notice.

The Embassy further proposes that, if the abovementioned proposal is acceptable to the Government of the Republic of Latvia, this note, together with the Ministry's affirmative reply note, shall constitute an agreement between the Government of the United States of America and the Government of the Republic of Latvia, which shall enter into force on the date of the Ministry's reply note.

The Embassy of the United States of America avails itself of this opportunity to renew to the esteemed Ministry of Foreign Affairs of the Republic of Latvia the assurances of its highest consideration."

The Ministry is pleased to accept, on behalf of the Government of the Republic of Latvia, the Agreement proposed in the Embassy's Note, which shall enter into force on the date of this note.

The Ministry of Foreign Affairs of the Republic of Latvia avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Riga, 15 July 2015

