

DEFENSE

Cooperation

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

**Amending Agreement of
July 15, 2015**

Effectuated by Exchange of Notes at
Warsaw November 28 and December 21, 2018



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.”

POLAND

Defense: Cooperation

*Agreement amending agreement of
July 15, 2015.*

*Effectuated by exchange of notes at
Warsaw November 28 and
December 21, 2018;*

Entered into force December 21, 2018.

No. 18-0564

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Poland and has the honor to refer to the Agreement Between the Government of the United States of America and the Government of the Republic of Poland Concerning Cooperation, effected by exchange of notes at Warsaw, June 22 and July 15, 2015 (the “Cooperation Agreement”).

Following recent discussions between representatives of the two Governments regarding the implementation of the European Deterrence Initiative and in furtherance of common defense efforts, the Embassy has the honor to propose the following amendments to the Cooperation Agreement:

1. The second paragraph of the Cooperation Agreement is amended by removing “Ciechanów Military Complex K-0166 (“Ciechanów”)” and “Choszczno Military Complex K-1267 (“Choszczno”)” from the list of agreed facilities and areas.

2. The fourth paragraph of the Cooperation Agreement is amended to read as follows: “The Embassy also proposes that United States forces shall be authorized to preposition and store property, equipment, supplies, and materiel (“prepositioned materiel”) at all agreed facilities and areas within the territory of the Republic of Poland, whether designated now or in the future, and that, further, United States forces shall have exclusive control over prepositioned materiel present or stored in the territory of the Republic of Poland and shall have the unrestricted right to remove such items from the territory of the Republic of Poland. The United States forces shall notify, in advance, the Polish Armed Forces regarding prepositioning activities, including the types, quantities, and delivery schedules of prepositioned materiel that United States forces intend to transport or store in the territory of the Republic of Poland, as well as regarding United States contractors who will make such deliveries. The Parties shall consult regarding prepositioning activities.”.

3. The attachments to the Cooperation Agreement are amended by removing the depictions of Ciechanów and Choszczno.

If the foregoing proposals are acceptable to the Government of the Republic of Poland, it is further proposed that this Note, together with the Ministry's affirmative reply Note, shall constitute an agreement between the two Governments to amend the Cooperation Agreement, 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 occasion to renew to the Ministry of Foreign Affairs of the Republic of Poland the assurances of its highest consideration.

Embassy of the United States of America,
Warsaw, November 28, 2018.



The Ministry of Foreign Affairs of the Republic of Poland presents its compliments to the Embassy of the United States of America in Warsaw and acknowledges receipt of the Embassy's Note No. 18-0564 dated November 28, 2018, 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 Poland and has the honor to refer to the Agreement Between the Government of the United States of America and the Government of the Republic of Poland Concerning Cooperation, effected by exchange of notes at Warsaw, June 22 and July 15, 2015 (the "Cooperation Agreement").

Following recent discussions between representatives of the two Governments regarding the implementation of the European Deterrence Initiative and in furtherance of common defense efforts, the Embassy has the honor to propose the following amendments to the Cooperation Agreement:

1. The second paragraph of the Cooperation Agreement is amended by removing "Ciechanów Military Complex K-0166 ("Ciechanów")" and "Choszczno Military Complex K-1267 ("Choszczno")" from the list of agreed facilities and areas.
2. The fourth paragraph of the Cooperation Agreement is amended to read as follows:

Embassy of the United States of America
Warsaw

"The Embassy also proposes that United States forces shall be authorized to preposition and store property, equipment, supplies, and materiel ("prepositioned materiel") at all agreed facilities and areas within the territory of the Republic of Poland, whether designated now or in the future, and that, further, United States forces shall have exclusive control over prepositioned materiel present or stored in the territory of the Republic of Poland and shall have the unrestricted right to remove such items from the territory of the Republic of Poland. The United States forces shall notify, in advance, the Polish Armed Forces regarding prepositioning activities, including the types, quantities, and delivery schedules of prepositioned materiel that United States forces intend to transport or store in the territory of the Republic of Poland, as well as regarding United States contractors who will make such deliveries. The Parties shall consult regarding prepositioning activities."

3. The attachments to the Cooperation Agreement are amended by removing the depictions of Ciechanów and Choszczno.

If the foregoing proposals are acceptable to the Government of the Republic of Poland, it is further proposed that this Note, together with the Ministry's affirmative reply Note, shall constitute an agreement between the two Governments to amend the Cooperation Agreement, 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 occasion to renew to the Ministry of Foreign Affairs of the Republic of Poland the assurances of its highest consideration."

The Ministry of Foreign Affairs of the Republic of Poland has the honor to confirm that the proposals set forth in the Embassy's note are acceptable to the Government of the Republic of Poland and that the Embassy's note and this note in reply shall constitute an Agreement between the two Governments to amend the Cooperation Agreement, which shall enter into force on this date.

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

Warsaw, December 21 , 2018

