

3. Status of Forces: Framework Agreement
19 June 1951
Excerpts

Between the Parties to the North Atlantic Treaty
Regarding the Status of Their Forces

The parties to the North Atlantic Treaty signed in Washington on 4 April, 1949,

Considering that the forces of one Party may be sent, by arrangement, to serve in the territory of another Party;

Bearing in mind that the decision to send them and the conditions under which they will be sent, in so far as such conditions are not laid down by the present Agreement, will continue to be the subject of separate arrangements between the Parties concerned;

Desiring, however, to define the status of such forces while in the territory of another Party;

Have agreed as follows:

Article I

1. In this Agreement the expression
 - a. 'force' means the personnel belonging to the land, sea or air armed services of one Contracting Party when in the territory of another Contracting Party in the North Atlantic Treaty area in connection with their official duties, provided that the two Contracting Parties concerned may agree that certain individuals, units or formations shall not be regarded as constituting or included in a 'force' for the purpose of the present Agreement;
 - b. 'civilian component' means the civilian personnel accompanying a force of a Contracting Party who are in the employ of an armed service of that Contracting Party, and who are not stateless persons, nor nationals of any State which is not a Party to the North Atlantic Treaty, nor nationals of, nor ordinarily resident in, the State in which the force is located.
 - c. 'dependent' means the spouse of a member of a force or a civilian component, or a child of such member depending on him or her for support;
 - d. 'sending State' means the Contracting Party to which the force belongs;
 - e. 'receiving State' means the Contracting Party 'in the territory of which the force or civilian component is located, whether it be stationed there or passing in transit;

- f. 'military authorities of the sending State' means those authorities of a sending State who are empowered by its law to enforce the military law of that State with respect to members of its forces or civilian components;
 - g. 'North Atlantic Council' means the Council established by Article 9 of the North Atlantic Treaty or any of its subsidiary bodies authorised to act on its behalf
2. This Agreement shall apply to the authorises of political sub-divisions of the Contracting Parties, within their territories to which the Agreement applies or extends in accordance with Article XX, as it applies to the central authorities of those Contracting Parties, provided, however, that property owned by political sub-divisions shall not be considered to be property owned by a Contracting Party within the meaning of Article VIII.

Article II

It is the duty of a force and its civilian component and the members thereof as well as their dependents to respect the law of the receiving State, and to abstain from any activity inconsistent with the spirit of the present Agreement, and, in particular, from any political activity in the receiving State. It is also the duty of the sending State to take necessary of measures to that end.

Article III

1. On the conditions specified in paragraph 2 of this Article and subject to compliance with the formalities established by the receiving State relating to entry and departure of a force or the members thereof, such members shall be exempt from pas sport and visa regulations and immigration inspection on entering or leaving the territory of a receiving State. They shall also be exempt from the regulations of the receiving State on the registration and control of aliens, but shall not be considered as acquiring any right to permanent residence or domicile in the territories of the receiving State
(...)

Article V

1. Members of a force shall normally wear uniform. Subject to any arrangement to the contrary between the authorities of the sending and receiving States, the wearing of civilian dress shall be on the same conditions as for members of the forces of the receiving State. Regularly constituted units or formations of a force shall be in uniform when crossing a frontier.
2. Service vehicles of a force or civilian component shall carry, in addition to their registration number, a distinctive nationality mark.

Article VI

Members of a force may possess and carry arms, on condition that they are authorized to do so by their orders. The authorities of the sending State shall give sympathetic consideration to requests from the receiving State concerning this matter.

Article VII

Subject to the provisions of this Article,

1. a. the military authorities of the sending State shall have the right to exercise within the receiving State all criminal and disciplinary jurisdiction conferred on them by the law of the sending State over all persons subject to the military law of that State;
- b. the authorities of the receiving State shall have jurisdiction over the members of a force or civilian component and their dependents with respect to offences committed within the territory of the receiving State and punishable by the law of that State.
2. a. The military authorities of the sending State shall have the right to exercise exclusive jurisdiction over persons subject to the military law of that State with respect to offences, including offences relating to its security, punishable by the law of the sending State, but not by the law of the receiving State.
- b. The authorities of the receiving State shall have the right to exercise exclusive jurisdiction over members of a force or civilian component and their dependents with respect to offences, including offences relating to the security of that State, punishable by its law but not by the law of the sending state.
- c. For the purposes of this paragraph and of paragraph 3 of this Article a security offence against a State shall include:
 - i. treason against the State;
 - ii. sabotage, espionage or violation of any law relating to official secrets of that State, or secrets relating to the national defence of that State
3. In case where the right to exercise jurisdiction is concurrent the following rules shall apply:
 - a. The military authorities of the sending State shall have the primary right to exercise jurisdiction over a member of a force or of a civilian component in relation to
 - i. offences solely against the property or security of that State, or offences solely against the person or property of another member of the force or civilian component of that State or of a dependent;
 - ii. offences arising Out of any act or omission done in the performance of official duty.

- b. In the case of any other offence the authorities of the receiving State shall have the primary right to exercise jurisdiction.
 - c. If the State having the primary right decides not to exercise jurisdiction, it shall notify the authorities of the other State as soon as practicable. The authorities of the State having the primary right shall give sympathetic consideration to a request from the authorities of the other State for a waiver of its right in cases where that other state considers such waiver to be of particular importance.
4. The foregoing provisions of this Article shall not imply any right for the military authorities of the sending State to exercise jurisdiction over persons who are nationals of or ordinarily resident in the receiving State, unless they are members of the force of the sending State.
5.
 - a. The authorities of the receiving and sending states shall assist each other in the arrest of members of a force or civilian component or their dependents in the territory of the receiving State and in handing them over to the authority which is to exercise jurisdiction in accordance with the above provisions.
 - b. The authorities of the receiving State shall notify promptly the military authorities of the sending State of the arrest of any member of a force or civilian component or a dependent.
 - c. The custody of an accused member of a force or civilian component over whom the receiving state is to exercise jurisdiction shall, if he is in the hands of the sending State, remain with that State until he is charged by the receiving State.
6.
 - a. The authorities of the receiving and sending States shall assist each other in the carrying out of all necessary investigations into offences, and in the collection and production of evidence, including the seizure and, in proper cases, the handing over of objects connected with an offence. The handing over of such objects may, however, be made subject to their return within the time specified by the authority delivering them.
 - b. The authorities of the Contracting parties shall notify one another of the disposition of all cases in which there are concurrent rights to exercise jurisdiction.
7.
 - a. A death sentence shall not be carried out in the receiving State by the authorities of the sending State if the legislation of the receiving state does not provide for such punishment in a similar case.
 - b. The authorities of the receiving State shall give sympathetic consideration to a request from the authorities of the sending State for assistance in carrying out a sentence of imprisonment pronounced by the authorities of the sending State under the provision of this Article within the territory of the receiving State.
8. Where an accused has been tried in accordance with the provisions of this Article by the authorities of one Contracting Party and has been acquitted, or

has been convicted and is serving, or has served, his sentence or has been pardoned, he may not be tried again for the same offence within the same territory by the authorities of another Contracting Party. However, nothing in this paragraph shall prevent the military authorities of the sending State from trying a member of its force for any violation of rules of discipline arising from an act or omission which constituted an offence for which he was tried by the authorities of another Contracting Party.

9. Whenever a member of a force or civilian component of a dependent is prosecuted under the jurisdiction of a receiving State he shall be entitled:

- a. to a prompt and speedy trial;
 - b. to be informed, in advance of trial, of the specific charge or charges made against him;
 - c. to be confronted with the witnesses against him;
 - d. to have compulsory process for obtaining witnesses in his favour, if they are within the jurisdiction of the receiving State;
 - e. to have legal representation of his own choice for his defence or to have free or assisted legal representation under the conditions prevailing for the time being in the receiving State;
 - f. if he considers it necessary, to have the services of a competent interpreter; and
 - g. to communicate with a representative of the Government of the sending State and when the rules of the court permit, to have such a representative present at his trial.
10. a. Regularly constituted military units or formations of a force shall have the right to police any camps, establishment or other premises which they occupy as the result of an agreement with the receiving State. The military police of the force may take all appropriate measures to ensure the maintenance of order and security on such premises.
- b. Outside these premises, such military police shall be employed only subject to arrangements with the authorities of the receiving State and in liaison with those authorities, and in so far as such employment is necessary to maintain discipline and order among the members of the force.
11. Each Contracting Party shall seek such legislation as it deems necessary to ensure the adequate security and protection within its territory of installations, equipment, property, records and official information of other Contracting Parties, and the punishment of persons who may contravene laws enacted for that purpose.
- (...)

Article XIX

1. The present Agreement may be denounced by any Contracting Party after the expiration of a period of four years from the date on which the Agreement comes into force.
2. The denunciation of the Agreement by any Contracting Party shall be effected by a written notification addressed by that Contracting Party to the Government of the United States of America which shall notify all the other Contracting Parties of each such notification and the date of receipt thereof.
3. The denunciation shall take effect one year after the receipt of the notification by the Government of the United States of America. After the expiration of this period of one year, the Agreement shall cease to be in force as regards the Contracting Party which denounces it, but shall continue in force for the remaining Contracting Parties.

Article XX

1. Subject to the provisions of paragraphs 2 and 3 of this Article, the present Agreement shall apply only to the metropolitan territory of a Contracting Party.
2. Any State may, however, at the time of the deposit of its instrument of ratification or accession or at any time thereafter, declare by notification given to the Government of the United States of America that the present Agreement shall extend (subject, if the State making the declaration considers it to be necessary, to the conclusion of a special agreement between that State and each of the sending States concerned), to all or any of the territories for whose international relations it is responsible in the North Atlantic Treaty area. The present Agreement shall then extend to the territory or territories named therein thirty days after the receipt by the Government of the United States of America of the notification, or thirty days after the conclusion of the special agreements if required, or when it has come into force under Article XVIII, whichever is the later.
3. A State which has made a declaration under paragraph 2 of this Article extending the present Agreement to any territory for whose international relations it is responsible may denounce the Agreement separately in respect of that territory in accordance with the provisions of Article XIX.

In witness whereof the undersigned Plenipotentiaries have signed the present Agreement. Done in London this nineteenth day of June, 1951, 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 and acceding States.

**Protocol On the Status of International Military Headquarters Set up
Pursuant to the North Atlantic Treaty**

Paris, 28 Aug. 1952

The parties to the North Atlantic Treaty signed in Washington on 4th April, 1949,

Considering that international military Headquarters may be established in their territories, by separate arrangement, under the North Atlantic Treaty, and

Desiring to define the status of such Headquarters and of the personnel thereof within the North Atlantic Treaty area,

Have agreed to the present Protocol to the Agreement signed in London on 19th June, 1951, regarding the Status of their Forces:

Article I

In the present Protocol the expression

- a. 'the Agreement' means the Agreement signed in London on 19th June, 1951, by the Parties to the North Atlantic Treaty regarding the status of their Forces;
- b. 'Supreme Headquarters' means Supreme Headquarters Allied Powers in Europe, Headquarters of the Supreme Allied Commander Atlantic and any equivalent international military Headquarters set up pursuant to the North Atlantic Treaty;
- c. 'Allied Headquarters' means any Supreme Headquarters and any international military Headquarters set up pursuant to the North Atlantic Treaty which is immediately subordinate to a Supreme Headquarters;
- d. 'North Atlantic Council' means the Council established by Article IX of the North Atlantic Treaty or any of its subsidiary bodies authorised to act on its behalf

Article II

Subject to the following provisions of this Protocol, the Agreement shall apply to Allied Headquarters in the territory of a Party to the present Protocol in the North Atlantic Treaty area, and to the military and civilian personnel of such Headquarters and their dependents included in the definitions in subparagraphs a., b. and c. of paragraph I of Article III of this Protocol, when such personnel are present in any such territory in connection with their official duties or, in the case of dependents, the official duties of their spouse or parent.

Article III

For the purpose of applying the Agreement to an Allied Headquarters the expressions “force”, civilian component and “dependent”, wherever they occur in the Agreement shall have the meanings set out below:

- a. ‘force’ means the personnel attached to the Allied Headquarters who belong to the land, sea or air armed services of any Party to the North Atlantic Treaty;
 - b. ‘civilian component’ means civilian personnel who are not stateless persons, nor nationals of any State which is not a Party to the Treaty, nor nationals of, nor ordinarily resident in the receiving State, and who are (i) attached to the Allied Headquarters and in the employ of an armed service of a Party to the North Atlantic Treaty or (ii) in such categories of civilian personnel in the employ of the Allied Headquarters as the North Atlantic Council shall decide;
 - c. ‘dependent’ means the spouse of a member of a force or civilian component, as defined in sub-paragraphs a. and b. of this paragraph, or a child of such member depending on him or her support.
2. An Allied Headquarters shall be considered to be a force for the purposes of Article II, paragraph 2 of Article V, paragraph 10 of Article VII, paragraphs 2,3,4,7 and 8 of Article IX, and Article XIII, of the Agreement.

Article IV

The rights and obligations which the Agreement gives to or imposes upon the sending State or its authorities in respect of its forces or their civilian components or dependents shall, in respect of an Allied Headquarters and its personnel and their dependents to whom the Agreement applies in accordance with Article II of the present Protocol, be vested in or attached to the appropriate Supreme Headquarters and the authorities responsible under it, except that:

- a. the right which is given by Article VII of the Agreement to the military authorities of the sending State to exercise criminal and disciplinary jurisdiction shall be vested in the military authorities of the State, if any, to whose military law the person concerned is subject;
- b. the obligations imposed upon the sending state or its authorities by Article II, paragraph 4 of Article III, paragraphs 5 a and 6 a. of Article VII paragraphs 9 and 10 of Article VIII, and Article XIII, of the Agreement, shall attach both to the Allied Headquarters and to any State whose armed service, or any member or employee of whose armed service, or the dependent of such member or employee, is concerned;

- c. for the purposes of paragraphs 2 a. and 5 of Article III, and Article XIV, of the Agreement the sending State shall be, in the case of members of a force and their dependents, the State to whose armed service the member belongs, or, in the case of members of a civilian component and their dependents, the State, if any, by whose armed service the member is employed;
- d. the obligations imposed on the sending State by virtue of paragraphs 6 and 7 of Article VIII of the Agreement shall attach to the State to whose armed service the person belongs whose act or omission has given rise to the claim or, in the case of a member of a civilian component, to the State by whose armed service he is employed or, if there is no such State, to the Allied Headquarters of which the person concerned is a member.

Both the State, if any, to which obligations attach under this paragraph and the Allied Headquarters concerned shall have the rights of the sending State in connection with the appointment of an arbitrator under paragraph 8 of Article VIII.

Article V

Every member of an Allied Headquarters shall have a personal identity card issued by the Headquarters showing names, date and place of birth, nationality, rank or grade, number (if any), photograph and period of validity. This card must be presented on demand.

Article VI

1. The obligations to waive claims imposed on the Contracting Parties by Article VIII of the Agreement shall attach both to the Allied Headquarters and to any Party to this Protocol concerned.
2. For the purposes of paragraphs 1 and 2 of Article VIII of the Agreement,
 - a. property owned by an Allied Headquarters or by a Party to this Protocol and used by an Allied Headquarters shall be deemed to be property owned by a Contracting Party and used by its armed services;
 - b. damage caused by a member of a force or civilian component as defined in paragraph 1 of Article III of this Protocol or by any other employee of an Allied Headquarters shall be deemed to be damage caused by a member or employee of the armed services of a Contracting Party;
 - c. the definition of the expression 'owned by a Contracting Party' in paragraph 3 of Article VIII shall apply in respect of an Allied Headquarters.
3. The claims to which paragraph 5 of Article VIII of the Agreement applies shall include claims (other than contractual claims and claims to which

paragraphs 6 or 7 of that Article apply) arising out of acts or omissions of any employees of an Allied Headquarters, or out of any other act, omission or occurrence for which an Allied Headquarters, or out of any other act, omissions or occurrence for which an Allied Headquarters is legally responsible, and causing in the territory of a receiving State to third parties, other than any of the Parties to this Protocol.

Article VII

1. The exemption from taxation accorded under Article X of the Agreement to members of a force or civilian component in respect of their salaries and emoluments shall apply, as regards personnel of an Allied Headquarters within the definitions in paragraph 1 a. and b. (i) of Article 3 of this Protocol to salaries and emoluments paid to them as such personnel by the armed service to which they belong or by which they are employed, except that this paragraph shall not exempt any such member or employee from taxation imposed by a State of which he is a national.

2. Employees of an Allied Headquarters of categories agreed by the North Atlantic Council shall be exempted from taxation of the salaries and emoluments paid to them by the Allied Headquarters in their capacity as such employees. Any Party to the present Protocol may, however, conclude an arrangement with the Allied Headquarters whereby such Party will employ and assign to the Allied Headquarters all of its nationals (except, if such Party so desires, any not ordinarily resident within its territory) who are to serve of the staff of the Allied Headquarters and pay the salaries and emoluments of such persons from its own funds, at a scale fixed by it. The salaries and emoluments so paid may be taxed by the Party concerned but shall be exempted from taxation by any other Party. If such an arrangement is entered into by any Party to the present Protocol and is subsequently modified or terminated, Parties to the present Protocol shall no longer be bound under the first sentence of this paragraph to exempt from taxation the salaries and emoluments paid to their nationals.

Article VIII

1. For the purpose of facilitating the establishment, construction, maintenance and operation of Allied Headquarters, these Headquarters shall be relieved, so far as practicable, from duties and taxes, affecting expenditures by them in the interest of common defence and for their official and exclusive benefit, and each Party to the present Protocol shall enter into negotiations with any Allied Headquarters operating in its territory for the purpose of concluding an agreement to give effect to this provision.

2. An Allied Headquarters shall have the rights granted to a force under Article XI of the Agreement subject to the same conditions.

3. The provisions in paragraphs 5 and 6 of Article XI of the Agreement shall not apply to nationals of the receiving States, unless such nationals belong to the armed services of a Party to this Protocol other than the receiving State.
4. The expression 'duties and taxes' in this Article does not include charges for services rendered.

Article IX

Except in so far as the North Atlantic Council may decide otherwise,

- a. any assets acquired from the international funds of an Allied Headquarters under its capital budget and no longer required by the Headquarters shall be disposed of under arrangements approved by the North Atlantic Council and the proceeds shall be distributed among or credited to the Parties to the North Atlantic Treaty in the proportions in which they have contributed to the capital costs of the Headquarters. The receiving State shall have the prior right to acquire any immovable property so disposed of in its territory provided that it offers terms no less favourable than those offered by any third party;
- b. any land, buildings or fixed installations provided for the use of an Allied Headquarters by the receiving State without charge to the Headquarters (other than a nominal charge) and no longer required by the Headquarters shall be handed back to the receiving State, and any increase or loss in the value of the property provided by the receiving State resulting from its use by the Headquarters shall be determined by the North Atlantic Council (taking into consideration any applicable law of the receiving State) and distributed among or credited or debited to the Parties to the North Atlantic Treaty in the proportions in which they have contributed to the capital costs of the Headquarters.

Article X

Each Supreme Headquarters shall possess juridical personality; it shall have the capacity to conclude contracts and to acquire and dispose of property. The receiving State may, however; make the exercise of such capacity subject to special arrangements between it and the Supreme Headquarters or any subordinate Allied Headquarters acting on behalf of the Supreme Headquarters.

Article XI

1. Subject to the provisions of Article VIII of the Agreement, a Supreme Headquarters may engage in legal proceedings as claimant or defendant. However, the receiving State and the Supreme Headquarters or any subordinate Allied Headquarters authorized by it may agree that the receiving

State shall act on behalf of the Supreme Headquarters in any legal proceedings to which that Headquarters is a party before the courts of the receiving State.

2. No measure of execution or measure directed to the seizure or attachment of its property or funds shall be taken against any Allied Headquarters, except for the purposes of paragraph 6 a. of Article VII and Article XIII of the Agreement.

Article XII

1. To enable it to operate its international budget, an Allied Headquarters may hold currency of any kind and operate accounts in any currency

2. The Parties to the present Protocol shall, at the request of an Allied Headquarters, facilitate transfers of the finds of such Headquarters from one country to another and the conversion of any currency held by an Allied Headquarters into any other currency, when necessary to meet the requirements of any Allied Headquarters.

Article XII

The archives and other official documents of an Allied Headquarters kept in premises used by those Headquarters or in the possession of any properly authorized member of the Headquarters shall be inviolable, unless the Headquarters has waived this immunity. The Headquarters shall, at the request of the receiving State and in the presence of a representative of that State, verify the nature of any documents to confirm that they are entitled to immunity under this Article.

Article XIV

1. The whole or any part of the present Protocol or of the Agreement may be applied, by decision of the North Atlantic Council, to any international military Headquarters or organization (not included in the definitions in paragraphs b. and c. of Article 1 of this Protocol) which is established pursuant to the North Atlantic Treaty.

2. When the European Defence Community comes into being, the present Protocol may be applied to the personnel of the European Defence Forces attached to an Allied Headquarters and their dependents at such time and in such manner as may be determined by the North Atlantic Council

Article XV

All differences between the Parties to the present Protocol or between any such Parties and any Allied Headquarters relating to the interpretation or application of the Protocol shall be settled by negotiation between the parties in dispute without recourse to any outside jurisdiction. Except where express provision is made to the contrary in the present Protocol or in the Agreement, differences which cannot be settled by direct negotiation shall be referred to the North Atlantic Council.

Article XVI

1. Articles XV and XVII to XX of the Agreement shall apply as regards the present Protocol as if they were an integral part thereof, but so that the Protocol may be reviewed, suspended, ratified, acceded to, denounced or extended in accordance with those provisions independently from the Agreement.

2. The present Protocol may be supplemented by bilateral agreement between the receiving State and a Supreme Headquarters, and the authorities of a receiving State and a Supreme Headquarters may agree to give effect, by administrative means in advance of ratification, to any provisions of this Protocol or of the Agreement as applied by it.

In witness whereof the undersigned Plenipotentiaries have signed the present Protocol. Done in Paris this 28th day of August 1952, 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 and acceding States.

Defense of Iceland: Agreement Between the United States and the Republic of Iceland, May 5, 1951

PREAMBLE

Having regard to the fact that the people of Iceland cannot themselves adequately secure their own defenses, and whereas experience has shown that a country's lack of defenses greatly endangers its security and that of its peaceful neighbors, the North Atlantic Treaty Organization has requested, because of the unsettled state of world affairs, that the United States and Iceland in view of the collective efforts of the parties to the North Atlantic Treaty to preserve peace and security in the North Atlantic Treaty area, make arrangements for the use of facilities in Iceland in defense of Iceland and thus also the North Atlantic Treaty area.

In conformity with this proposal the following Agreement has been entered into.

Article I

The United States on behalf of the North Atlantic Treaty Organization and in accordance with its responsibilities under the North Atlantic Treaty will make arrangements regarding the defense of Iceland subject to the conditions set forth in this Agreement.

For this purpose and in view of the defense of the North Atlantic Treaty area, Iceland will provide such facilities in Iceland as are mutually agreed to be necessary.

Article II

Iceland will make all acquisitions of land and other arrangements required to permit entry upon and use of facilities in accordance with this Agreement, and the United States shall not be obliged to compensate Iceland or any national of Iceland or other person for such entry or use.

Article III

The national composition of forces, and the conditions under which they may enter upon and make use of facilities in Iceland pursuant to this Agreement, shall be determined in agreement with Iceland.

Article IV

The number of personnel to be stationed in Iceland pursuant to this Agreement shall be subject to the approval of the Icelandic Government.

Article V

The United States in carrying out its responsibilities under this Agreement shall do so in a manner that contributes to the maximum safety of the Icelandic people, keeping always in mind that Iceland has a sparse population and has been unarmed for centuries.

Nothing in this Agreement shall be so construed as to impair the ultimate authority of Iceland with regard to Icelandic affairs.

Article VI

The Agreement of October 7, 1946, between the United States and Iceland for interim use of Keflavik Airport (2) shall terminate upon the coming into force of this Agreement whereupon Iceland will assume direction of and responsibility for civil aviation operations at Keflavik Airport.

The United States and Iceland will negotiate appropriate arrangements concerning the organization of the Airport to coordinate the operation thereof with the defense of Iceland.

Article VII

Either Government may at any time, on notification to the other Government, request the Council of the North Atlantic Treaty Organization to review the continued necessity for the facilities and their utilization, and to make recommendations to the two Governments concerning the continuation of this Agreement, If no understanding between the two Governments is reached as a result of such request for review within a period of six months from the date of the original request, either Government may at any time thereafter give notice of its intention to terminate the Agreement, and the Agreement shall then cease to be in force twelve months from the date of such notice.

Whenever the contingency provided for in Articles 5 and 6 of the North Atlantic Treaty shall occur, the facilities, which will be afforded in accordance with this Agreement, shall be available for the same use.

While such facilities are not being used for military purposes, necessary maintenance work will be performed by Iceland or Iceland will authorize its performance by the United States.

Article VIII

After signature by the appropriate authorities of the United States and Iceland, this Agreement, of which the English and Icelandic texts are equally authentic, shall come into force on the date of receipt by the Government of the United States of America of a notification from the Government of Iceland of its ratification of the Agreement.

DONE at Reykjavik, this fifth day of May, 1951.

**Defense of Greenland: Agreement Between the United States and the
Kingdom of Denmark, April 27, 1951(1) Preamble**

The Government of the United States of America and the Government of the Kingdom of Denmark, being parties to the North Atlantic Treaty signed at Washington on April 4, 1949 having regard to their responsibilities thereunder for the defense of the North Atlantic Treaty area, desiring to contribute to such defense and thereby to their own defense in accordance with the principles of self-help and mutual aid, and having been requested by the North Atlantic Treaty Organization (NATO) to negotiate arrangements under which armed forces of the parties to the North Atlantic Treaty Organization may make use of facilities in Greenland in defense of Greenland and the rest of the North Atlantic Treaty area, have entered into an Agreement for the benefit of the North Atlantic Treaty Organization in terms as set forth below:

Article I

The Government of the United States of America and the Government of the Kingdom of Denmark, in order to promote stability and well-being in the North Atlantic Treaty area by uniting their efforts for collective defense and for the preservation of peace and security and for the development of their collective capacity to resist armed attack, will each take such measures as are necessary or appropriate to carry out expeditiously their respective and joint responsibilities in Greenland, in accordance with NATO plans.

Article II

In order that the Government of the United States of America as a party to the North Atlantic Treaty may assist the Government of the Kingdom of Denmark by establishing and/or operating such defense areas as the two Governments, on the basis of NATO defense plans, may from time to time agree to be necessary for the development of the defense of Greenland and the rest of the North Atlantic Treaty area, and which the Government of the Kingdom of Denmark is unable to establish and operate single-handed, the two Governments in respect of the defense areas thus selected, agree to the following:

- (1) The national flags of both countries shall fly over the defense areas.
- (2) Division of responsibility for the operation and maintenance of the defense areas shall be determined from time to time by agreement between the two Governments in each case.
- (3) In cases where it is agreed that responsibility for the operation and maintenance of any defense area shall fall to the Government of the United States of America, the following provisions shall apply:

- (a) The Danish Commander-in-Chief of Greenland may attach Danish military personnel to the staff of the commanding officer of such defense area, under the command of an officer with whom the United States commanding officer shall consult on all important local matters affecting Danish interests,
 - (b) Without prejudice to the sovereignty of the Kingdom of Denmark over such defense area and the natural right of the competent Danish authorities to free movement everywhere in Greenland, the Government of the United States of America, without compensation to the Government of the Kingdom of Denmark, shall be entitled within such defense area and the air spaces and waters adjacent thereto:
 - (i) to improve and generally to fit the area for military use;
 - (ii) to construct, install, maintain, and operate facilities and equipment, including meteorological and communications facilities and equipment, and to store supplies;
 - (iii) to station and house personnel and to provide for their health, recreation and welfare;
 - (iv) to provide for the protection and internal security of the area;
 - (v) to establish and maintain postal facilities and commissary stores;
 - (vi) to control landings, takeoffs, anchorages, moorings, movements, and operation of ships, aircraft, and water-borne craft and vehicles, with due respect for the responsibilities of the Government of the Kingdom of Denmark in regard to shipping and aviation;
 - (vii) to improve and deepen harbors, channels, entrances, and anchorages.
 - (c) The Government of the Kingdom of Denmark reserves the right to use such defense area in cooperation with the Government of the United States of America for the defense of Greenland and the rest of the North Atlantic Treaty area, and to construct such facilities and undertake such activities therein as will not impede the activities of the Government of the United States of America in such area.
- (4) In cases where it is agreed that responsibility for the operation and maintenance of any defense area shall fall to the Government of the Kingdom of Denmark, the following provisions shall apply:
- (a) The Government of the United States of America may attach United States military personnel to the staff of the commanding officer of such defense area, under the command of an officer with whom the Danish commanding officer shall consult on all important local matters affecting United States interests pursuant to the North Atlantic Treaty.

- (b) The Government of the United States of America, without compensation to the Government of the Kingdom of Denmark, may use such defense area in cooperation with the Government of the Kingdom of Denmark for the defense of Greenland and the rest of the North Atlantic Treaty area, and may construct such facilities and undertake such activities therein as will not impede the activities of the Government of the Kingdom of Denmark in such area.

Article III

(1) The operation of the United States naval station at Gronnedal will be transferred to the Government of the Kingdom of Denmark as soon as practicable and thereupon the Government of the Kingdom of Denmark will take over the utilization of the United States installations at Gronnedal on the following terms.

- (a) United States ships, aircraft and armed forces shall have free access to Gronnedal with a view to the defense of Greenland and the rest of the North Atlantic Treaty area.

The same right of access shall be accorded to the ships, aircraft and armed forces of other Governments parties to the North Atlantic Treaty as may be required in fulfillment of NATO plans.

- (b) The Government of the Kingdom of Denmark will assume responsibility for the operation, to the same extent as hitherto, of the meteorological reporting service at Gronnedal, except for such future changes as might be mutually agreed upon.

The Government of the Kingdom of Denmark likewise will assume responsibility for the maintenance of all United States buildings and equipment at Gronnedal

- (c) Details regarding the use by the Government of the Kingdom of Denmark of United States property remaining at Gronnedal, including provisions for reasonable protection thereof, the servicing of United States ships and aircraft, and the disposition of fuels and other stores, will be the subject of separate negotiations between represented parties of the two Governments.

It is agreed in this connection that, provided notification is given in each case to the Danish Commander-in-Chief of Greenland, the Government of the Kingdom of Denmark will have no objection to inspections of United States property remaining at Gronnedal, so long as that station is used by the Government of the Kingdom of Denmark.

- (2) If the obligations of either party under the North Atlantic Treaty should necessitate activities at Gronnedal in excess of what the Government of the Kingdom of Denmark is able to accomplish alone, it is agreed that the Government of the Kingdom of Denmark will request that this station shall

become a defense area according to the provisions of Article II of this Agreement.

Article IV

In connection with activities for the defense of Greenland and the rest of the North Atlantic Treaty area, the defense areas will, so far as practicable, be made available to vessels and aircraft belonging to other Governments parties to the North Atlantic Treaty and to the armed forces of such Governments.

Article V

(1) Under such conditions as may be agreed upon, the Government of the Kingdom of Denmark will, so far as practicable, provide such meteorological and communications services in Greenland as may be required to facilitate operations under this Agreement.

(2) The Government of the Kingdom of Denmark agrees, so far as practicable, to make and furnish to the Government of the United States of America topographic, hydrographic, coast and geodetic surveys and aerial photographs, etc. of Greenland as may be desirable to facilitate operations under this Agreement.

If the Government of the Kingdom of Denmark should be unable to furnish the required data, the Government of the United States of America, upon agreement with the appropriate Danish authorities, may make such surveys or photographs.

Copies of any such surveys or photographs made by the Government of the United States of America shall be furnished to the Government of the Kingdom of Denmark.

The Government of the United States of America may also, upon similar agreement, make such technical and engineering surveys as may be necessary in the selection of defense areas.

(3) In keeping with the provisions of Article VI of this Agreement, and in accordance with general rules mutually agreed upon and issued by the appropriate Danish authority in Greenland, the Government of the United States of America may enjoy, for its public vessels and aircraft and its armed forces and vehicles, the right of free access to and movement between the defense areas through Greenland, including territorial waters, by land, air and sea.

This right shall include freedom from compulsory pilotage and from light or harbor dues.

United States aircraft may fly over and land in any territory in Greenland, including the territorial waters thereof, without restriction except as mutually agreed upon.

Article VI

The Government of the United States of America agrees to cooperate to the fullest degree With the Government of the Kingdom of Denmark and its authorities in Greenland in carrying out operations under this Agreement.

Due respect will be given by the Government of the United States of America and by United States nationals in Greenland to all the laws, regulations and customs pertaining to the local population and the internal administration of Greenland, and every effort will be made to avoid any contact between United States personnel and the local population which the Danish authorities do not consider desirable for the conduct of operations under this Agreement.

Article VII

(1) All materials, equipment, and supplies required in connection with operations under this Agreement, including food, stores, clothing, and other goods intended for use or consumption by members of United States armed forces and civilians employed by or under a contract with the Government of the United States of America for the performance of work in Greenland in connection with operations under this Agreement, and members of their families, and the personal and household effects of such military and civilian personnel, shall be permitted entry into Greenland free of inspection, customs duties, excise taxes or other charges; and no export tax shall be charged on such materials, equipment, supplies or effects in the event of shipment from Greenland.

(2) The aforesaid military and civilian personnel, and members of their families, shall be exempt from all forms of taxation, assessments or other levies by the Government of the Kingdom of Denmark or by the Danish authorities in Greenland.

No national of the United States of America or corporation organized under the laws of the United States of America shall be liable to pay income tax to the Government of the Kingdom of Denmark or to the Danish authorities in Greenland in respect of any profits derived under a contract made with the Government of the United States of America in connection with operations under this Agreement or any tax in respect of any service or work for the Government of the United States of America in connection with operations under this Agreement.

Article VIII

The Government of the United States of America shall have the right to exercise exclusive jurisdiction over those defense areas in Greenland for which it is responsible under and over any offenses which may be committed

in Greenland by the aforesaid military or civilian personnel or by members of their families, as well as over other persons within such defense areas except Danish nationals, it being understood, however, that the Government of the United States of America may turn over to the Danish authorities in Greenland for trial any person committing an offense within such defense areas.

Article IX

The laws of the Kingdom of Denmark shall not operate to prevent the admission to or departure from the defense areas or other localities in Greenland of any military or civilian personnel whose presence in such defense areas or other localities in Greenland is required in connection with operations under this Agreement, or of members of their families.

Article X

Upon the coming into force of a NATO agreement to which the two Governments are parties to the subjects involved in Articles VII, VIII and IX of this Agreement, the provisions of the said articles will be superseded by the terms of such agreement to the extent that they are incompatible therewith. If it should appear that any of the provisions of such NATO agreement may be inappropriate to the conditions in Greenland, the two Governments will consult with a view to making mutually acceptable adjustments.

Article XI

All property provided by the Government of the United States of America and located in Greenland shall remain the property of the Government of the United States of America.

All removable improvements and facilities erected or constructed by the Government of the United States of America in Greenland and all equipment, material, supplies and goods brought into Greenland by the Government of the United States of America may be removed from Greenland free of any restriction, or disposed of in Greenland by the Government of the United States of America after consultation with the Danish authorities, at any time before the termination of this Agreement or within a reasonable time thereafter.

It is understood that any areas or facilities made available to the Government of the United States of America under this Agreement need not be left in the condition in which they were at the time they were thus made available.

Article XII

Upon the coming into force of this Agreement, the Agreement Relating to the Defense of Greenland between the two Governments signed in Washington on April 9, 1941(2) shall cease to be in force.

Article XIII

(1) Nothing in this Agreement is to be interpreted as affecting command relationships.

(2) Questions of interpretation which may arise in the application of this Agreement shall be submitted to the Minister for Foreign Affairs of the Kingdom of Denmark and to the United States Ambassador to Denmark.

(3) The two Governments agree to give sympathetic consideration to any representations which either may make after this Agreement has been in force a reasonable time, proposing a review of this Agreement to determine whether modifications in the light of experience or amended NATO plans are necessary or desirable.

Any such modifications shall be by mutual consent.

Article XIV

(1) This Agreement shall be subject to parliamentary approval in Denmark. It shall come into force on the day on which notice of such parliamentary approval is given to the Government of the United States of America.

(2) This Agreement, being in implementation of the North Atlantic Treaty, shall remain in effect for the duration of the North Atlantic Treaty.

Signed in Copenhagen in duplicate in the English and Danish languages, both texts being equally authentic, this twenty-seventh day of April, 1951, by the undersigned duly authorized representatives of the Government of the United States of America and the Government of the Kingdom of Denmark.
