

AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF ESTONIA,

THE GOVERNMENT OF THE REPUBLIC OF LATVIA

AND

THE GOVERNMENT OF THE REPUBLIC OF
LITHUANIA

ON ENHANCED DEFENCE COOPERATION

The Government of the Republic of Estonia, the Government of the Republic of Latvia and the Government of the Republic of Lithuania, hereinafter referred to as „the Parties“,

Recalling the common interests, values and responsibilities,

Wishing to provide immediate military assistance to the Parties,

Confirming their support and readiness to fulfil the obligations under the North Atlantic Treaty,

Noting the importance of the inherent right of each state to individual or collective self-defence in the case of an armed attack under the Charter of the United Nations,

Determined to enhance the defence cooperation and interoperability of the Parties to a new level,

Reaffirming their commitment to supporting the role of the European Union's Common Security and Defence Policy in strengthening international security,

Noting the provisions of the Treaty on Unity and Cooperation and the resulting Declaration signed by Estonia, Latvia and Lithuania in Geneva on September 12, 1934, which was illegally suspended in 1940,

In the spirit of the Declaration on Unity and Cooperation of the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania done at Tallinn on May 12, 1990, where the commitment of the Signatories to improve the mechanism of mutual relations was repeated,

Considering the Agreement between the Government of the Republic of Estonia and the Government of the Republic of Latvia on the Exchange and Mutual Protection of Classified Information done at Budapest on June 7, 2011; the Agreement between the Government of the Republic of Estonia and the Government of the Republic of Lithuania on Mutual Protection of Classified information done at Vilnius on May 28, 2013 and the Agreement between the Government of the Republic of Latvia and the Government of the Republic of Lithuania on Mutual Protection of Classified Information done at Vilnius on December 3, 2014.

Recognizing the Agreement between the Parties to the North Atlantic Treaty Regarding the Status of their Forces, done at London on June 19, 1951, and entered into force August 23, 1953 (the “NATO SOFA”),

Have agreed as follows:

Article 1

Scope and Objective

- (1) The objective of this Agreement on Enhanced Defence Cooperation (hereinafter referred to as “the Agreement”) is to enhance the Parties’ capacity to resist and counter threats to their national security and support each other in peacetime, crisis and conflict.
- (2) The enhanced cooperation undertaken under the provisions of this Agreement shall include military assistance in all defence domains, including the use of force in accordance with national laws and the international law. Military assistance shall be provided in the territories of the states of the Parties and shall mean the deployment and employment of forces, including the civilian component, provision of material, equipment and services and use of national capabilities in a coordinated way to provide effects on the territories of the states of the Parties.

Article 2

Initiation of Military Assistance

- (1) In case any of the Parties assesses their national security to be threatened, the concerned Party may send the request to other Parties for support indicating the form and extent of military assistance it requests.
- (2) The formal request for military assistance shall be made to:

In the Republic of Estonia:
The Ministry of Defence.

In the Republic of Latvia:
The Ministry of Defence.

In the Republic of Lithuania:
The Ministry of National Defence.

- (3) Military assistance is granted upon a decision of:
 - a. for the Republic of Estonia the Minister of Defence, except the cases of participation in military operations where the competent authority is the Government;
 - b. for the Republic of Latvia the Government;
 - c. for the Republic of Lithuania competent authorities established by the national law.
- (4) Upon request, the Parties shall afford one another means of military assistance appropriate and within their power in a speedy and seamless manner.
- (5) The Parties shall undertake military planning activities together for the purposes of conducting military assistance tasks.

Article 3

Status of forces

NATO SOFA and national laws of the Parties' shall apply to the status of personnel, while in the territory of any of the Parties', due to the activities undertaken under this Agreement.

Article 4 Deployment and employment

- (1) The deployment and employment of the forces of each Party, including the civilian component thereto, shall lay within authority of the supporting Party.
- (2) The Parties waive the requirement of diplomatic clearances, permits to deploy or similar movement permissions for the movement of the forces, including the civilian component, of the Parties across the national borders when executing military assistance under this Agreement. The competent authorities of the Parties shall notify each other of the movement of the forces, including the civilian component.
- (3) The forces and civilian component of the supporting Party while executing military assistance in the territory of the supported Party have the same rights as the forces and civilian component of the supported Party.
- (4) The rules of engagement and use of force principles of the supported Party shall be implemented, while taking in consideration supporting Party's national limitations, restrictions or constraints.

Article 5 Related Agreements and Arrangements

The Parties may decide to enter into written agreements or arrangements between appropriate authorities of the Parties to implement specific aspects of the enhanced defence cooperation under this Agreement.

Article 6 Protection of information

Classified information stored, handled, generated, transmitted or exchanged as a result of the execution of this Agreement will be treated in accordance with international agreements among the Parties and applicable international regulations governing protection of classified information.

Article 7 Settlement of Disputes

Any dispute regarding the interpretation or application of the provisions of this Agreement shall be resolved by consultations between the Parties and shall not be referred to any national or international court, tribunal or other similar body for settlements.

Article 8

Depositary

- (1) The Depositary of this Agreement shall be the Government of the Republic of Latvia.
- (2) The Depositary shall inform the Parties of the entry into force date of this Agreement in accordance with Article 9 (1) of this Agreement; communication received in accordance with Article 9 (2) of this Agreement and withdrawal in accordance with Article 9 (3) of this Agreement.

Article 9

Final Provisions

- (1) This Agreement shall enter into force on the date of receipt of the last notification on which the Parties have notified the Depositary through diplomatic channels that the national requirements for this Agreement to enter into force have been fulfilled.
- (2) This Agreement may be amended at any time by mutual written consent of the Parties. The request shall be addressed to the Depositary, which shall notify through diplomatic channels the other Parties of each such notification and the date of the receipt thereof. Such amendments shall enter into force in accordance with Article 9 (1) of this Agreement.
- (3) This Agreement shall remain in force for an unlimited period. Any Party may withdraw from the Agreement by giving written notification to the Depositary through diplomatic channels, which shall notify through diplomatic channels the other Parties of such request and the date of the receipt thereof. The withdrawal shall enter into force one year after the date of receipt of that notice by the Depositary. In such case this Agreement remains in force for the other Parties.
- (4) In the event of withdrawal, this Agreement shall be applied until all disputes and claims arising out of the application of the provisions of this Agreement have been settled.
- (5) The provisions of this Agreement shall not affect the rights and obligations of any Party under other defence and security agreements to which it is a Party.

DONE in on, 2022 in a single copy in the Estonian, Latvian, Lithuanian and English languages, all texts being equally authentic, which shall be deposited into the archives of the Depositary. The Depositary shall transmit certified copies of the Agreement to all of the Parties. In any case of divergence, the text in the English language shall prevail.

For the Government of the Republic of Estonia

For the Government of the Republic of Latvia

For the Government of the Republic of Lithuania
