

Agreement

between

the Government of
the Republic of Lithuania

and

the Government of
the Federal Republic of Germany

on Defence Cooperation

The Government of the Republic of Lithuania (“Lithuania”)
and the Government of the Federal Republic of Germany (“Germany”), –
hereinafter referred to collectively as “the Parties”
and individually as a “Party”–;

Cognizant of the rights and obligations deriving from the North Atlantic Treaty,
signed at Washington on the 4th of April 1949,

Recognizing the need to enhance their common security, to contribute to
international peace and stability, and to deepen cooperation in the areas of defence and
security,

Considering that German forces, their dependants, and German contractors shall be
present in the territory of the Republic of Lithuania and that the purpose of such presence
of German forces is to further the efforts of the Parties to promote peace and security in the
areas of mutual interest and benefit, including to take part in common defence efforts,

Acknowledging that the presence of German forces contributes to strengthening the
security and stability of the Republic of Lithuania and the region,

Desiring to share in the responsibility of supporting those German forces that are
present in the territory of the Republic of Lithuania,

Recognizing the applicability of the Agreement between the Parties to the North
Atlantic Treaty Regarding the Status of their Forces, signed at London on 19 June 1951
(hereinafter called the “NATO SOFA”), including its provision regarding separate
arrangements supplementary to that Agreement,

Recognizing the applicability of the Agreement between the Government of the
Republic of Lithuania and the Government of the Federal Republic of Germany concerning
Temporary Stays of Members of the Armed Forces of the Republic of Lithuania and the

Armed Forces of the Federal Republic of Germany in the Territory of the Other State, signed in Vilnius on 30 June 2020, (“Lithuanian-German Visiting Forces Agreement”),

Recognizing the applicability of the Agreement between the Government of the Republic of Lithuania and the Government of the Federal Republic of Germany on the Exchange and Mutual Protection of Classified Information, signed in Vilnius on 25 June 2020, (the “Classified Information Handling Agreement”), and

Desiring to conclude an agreement on the enhanced cooperation between the Government of the Republic of Lithuania and the Government of the Federal Republic of Germany –

Have agreed as follows:

Article 1

Scope and Purpose

- (1) This Agreement sets forth the framework for enhanced partnership and defence and security cooperation between Lithuania and Germany and supplements the terms and conditions set forth in the NATO SOFA that govern the presence of German forces, their civilian component, German government companies and deployed German personnel in the territory of the Republic of Lithuania.
- (2) For matters not covered by this Agreement, the relevant provisions of the NATO SOFA shall apply.

Article 2

Definitions

For purposes of this Agreement the following terms are hereunder defined:

- (1) “German forces” means the entity comprising the members of the force and the civilian component and all property, equipment, and material of the German Armed Forces (including vehicles, vessels, and aircraft operated by or for the German Party present in the territory of the Republic of Lithuania).
- (2) “Force” has the meaning set forth in Article I, paragraph 1 (a) of the NATO SOFA.
- (3) „German Government Companies” are commercial legal entities which are majority owned by the Federal Republic of Germany and have as primary business purpose rendering services to the German Armed Forces and stay in the Republic of Lithuania in connection with activities under this Agreement; they are listed in Annex B and treated equivalent to the civilian component;
- (4) “Civilian component” has the meaning set forth in Article I, paragraph 1(b) of the NATO SOFA, and also includes:
 - a) employees of non-Lithuanian, non-commercial organizations who are nationals or permanent residents of Germany and who are not nationals or permanent residents of the Republic of Lithuania, and who, solely for the purpose of contributing to the welfare, morale, or education of the German forces, are accompanying those forces in the territory of the Republic of Lithuania;
 - b) dependants, who are neither nationals nor permanent residents of the Republic of Lithuania, employed by the German forces, including for the purposes of the military service activities contemplated in Articles 22 and 23, and by the non-commercial organisations referred to in paragraph 4 lit. a);
 - c) employees of German Government Companies who are neither nationals nor permanent residents of the Republic of Lithuania and stay in the Republic of

Lithuania in connection with activities under this Agreement.

- (5) “Dependant” has the meaning set forth in Article I, paragraph 1 (c) of the NATO SOFA, in this Agreement it also includes any person having a legal bond to a member of the force or the civilian component, as defined above, recognized by the family law of the sending state, “dependant” also includes a family member of a member of the force or the civilian component who
 - a) is financially, legally, or for reasons of health dependent upon and supported by such member;
 - b) and shares the quarters occupied by such member;
 - c) and is present in the territory of the Republic of Lithuania with the consent of the authorities of the force.
- (6) The term “deployed German personnel” comprises all members of the force, members of the civilian component, and employees of German Government Companies and all their respective dependants, but does not include any person who is a national or permanent resident of the Republic of Lithuania. The Parties agree that the list of dependants and employees of German Government Companies is collated by German Forces and constitutes the basis for their legal status.
- (7) “Agreed Facilities and Areas” means such facilities and areas listed in Annex A, including buildings and structures, in the territory of the Republic of Lithuania, owned by the Republic of Lithuania and used for military cooperation and defence purposes under this Agreement with the consent of the Republic of Lithuania.
- (8) “Executive Agent” means the Ministries of Defence of either Party, or their respective designees.
- (9) “Official German Information” means information that is owned by, produced by, or is subject to the control of the German Government.
- (10) “Official duty” means any duty, service, or act required, or authorized to be done

by statute, regulation, or order of a military superior or of the member of the civilian component issued in his or her supervisory capacity. "Official duty" is not meant to include all acts done by an individual during the period while on duty, but is meant to apply only to acts that are required or authorized to be done as a function of that duty or service that the individual is performing. The German Party decides in cases of doubt.

Article 3

Access to and Use of Agreed Facilities and Areas

- (1) Deployed German personnel, and others, as mutually agreed by the Executive Agents, shall use the Agreed Facilities and Areas in accordance with this Agreement and with full respect for the sovereignty and laws of the Republic of Lithuania.
- (2) German forces, as mutually agreed by the Executive Agents, are granted operational control of Agreed Facilities and Areas for visits; training; exercises; manoeuvres; transit; support and related activities; refuelling of aircraft; bunkering of vessels; landing and recovery of aircraft; maintenance of vehicles, vessels, and aircraft; accommodation of personnel; medical care and supply; communications; staging and deploying of forces and materiel; pre-positioning of equipment, supplies, and materiel; security assistance and cooperation activities; joint and combined training activities; humanitarian and disaster relief activities; contingency operations; construction in support of mutually agreed activities; and such other purposes as the Parties or their Executive Agents may agree, including those undertaken in the framework of the North Atlantic Treaty.
- (3) Such Agreed Facilities and Areas provided by Republic of Lithuania may be designated as for exclusive use by German forces, for joint use by German forces, Lithuanian Armed Forces and other NATO, EU or Partners forces.

(4) In furtherance of activities and purposes mentioned in paragraph 2, the Republic of Lithuania hereby authorises German forces to control entry to Agreed Facilities and Areas that have been provided for exclusive use by German forces. The entry for jointly used facilities and areas is to be coordinated with Lithuanian authorities. The Executive Agents may conclude arrangements for attributing responsibilities for entry and exit controls for jointly used areas.

(5) When requested, the Lithuanian Executive Agent shall facilitate, as far as possible, temporary access by German forces and German Government Companies to public land and facilities (including roads, railroads, ports, and airfields) that are not a part of an Agreed Facility and Area, including those owned or controlled by Republic of Lithuania or by its municipalities, and to private land and facilities (including roads, ports, and airfields) for use in support of German forces. Activities of German forces in the areas mentioned in this paragraph may be conducted only with the consent of the competent authorities of the Republic of Lithuania.

(6) In making Agreed Facilities and Areas available and in the use of such facilities and areas, the Parties shall give due regard to operational and security concerns.

(7) The Republic of Lithuania shall provide, without rental or similar costs to German forces, all Agreed Facilities and Areas, including those jointly used by German forces and Lithuanian Armed Forces.

(8) German forces and German Government Companies may undertake, as mutually agreed between the Executive Agents, construction activities on, and make alterations and improvements to, Agreed Facilities and Areas in furtherance of the activities and purposes set forth in Article 3, paragraph 2. German forces shall coordinate according to mutually agreed procedures, with the competent authorities of the Republic of Lithuania on issues regarding such construction, alterations, and improvements based on the Parties shared intent that the technical requirements and construction standards of any such projects undertaken by or on behalf of German forces should be consistent with the requirements and standards of both Parties. German forces may carry out such

construction, alterations, and improvements with members of its force or contractors.

(9) The Republic of Lithuania shall be responsible for the construction, development, and restoration costs for Agreed Facilities and Areas, unless otherwise agreed by the Executive Agents.

(10) The Parties shall be responsible on the basis of proportionate use for the operations and maintenance costs of Agreed Facilities and Areas, unless otherwise agreed by their Executive Agents.

(11) The Lithuanian Executive Agent shall facilitate the efforts of German forces in implementation of this Agreement, if necessary, by providing sufficient building plots and by obtaining Lithuanian authorizations and permits and completing any other internal Lithuanian requirements for such construction, alterations, and improvements, performed by or on behalf of German forces. On request, the German forces shall expeditiously provide information required to obtain these authorisations and permits.

(12) The Parties shall cooperate on planning regarding the use and development around and adjacent to Agreed Facilities and Areas to ensure the implementation of this Agreement over the long term.

Article 4

Prepositioning of Defence Equipment, Supplies, and Material

(1) German forces shall transport, preposition and store defence equipment, supplies and material, including food and drinking water, ("prepositioned material") at Agreed Facilities and Areas and at other locations in the Republic of Lithuania as mutually agreed by the Executive Agents. German forces shall coordinate, in advance, with Lithuanian Armed Forces regarding the types, quantities, and delivery schedules of such prepositioned materiel, as well as regarding the companies contracted by German forces who will make such deliveries.

(2) The prepositioned material of German forces and the facilities designated for storage of such prepositioned materiel shall be for the exclusive use by German forces or joint use of German forces and Lithuanian Armed Forces, as agreed by the Executive Agents. German forces shall have the access to, use of and right of disposition of prepositioned materiel of German forces and shall have the unencumbered right to remove such prepositioned materiel at any time from the territory of the Republic of Lithuania.

(3) German forces, and Germany Government Companies shall have unimpeded access to and use of storage facilities for all matters related to the prepositioning and storage of prepositioned material of German Armed Forces, including delivery, management, inspection, use, maintenance, and removal of such prepositioned materiel, regardless of whether these storage facilities are Agreed Facilities and Areas. Aircraft, vehicles, and vessels operated by or for German forces shall have access to aerial ports, seaports and railway stations of the Republic of Lithuania and other locations, as agreed, for the delivery to, storage and maintenance in, and removal from the territory of the Republic of Lithuania of German forces prepositioned material.

Article 5

Property Ownership

(1) All buildings, non-relocatable structures, and assemblies affixed to the land in Agreed Facilities and Areas, including those altered or improved by German forces, remain the property of the Republic of Lithuania. All such buildings, structures, and assemblies constructed by the German forces become the property of the Republic of Lithuania, once constructed, but shall be used by German forces until no longer needed by German forces. German forces shall notify the Lithuanian Executive Agent when an Agreed Facility or Area, or any portion thereof, is no longer needed.

(2) German forces shall return as the sole and unencumbered property of Lithuania any Agreed Facility or Area, or any portion thereof including buildings, non-relocatable

structures, and assemblies constructed by German forces once no longer used by German forces. The Parties or their Executive Agents shall consult regarding the terms of return of any Agreed Facility or Area, including compensation for the residual value of improvements or construction made by Germany.

(3) The German forces and German Government Companies shall retain title to all equipment, material, supplies, relocatable structures, and other movable property they have installed, imported into or acquired within the territory of the Republic of Lithuania in connection with this Agreement until such time as they surrender title.

(4) The Parties or their Executive Agents may consult regarding the possible transfer or purchase of German forces' equipment determined to be excess to the needs of Germany, as may be authorized by German laws and regulations.

Article 6

Security

(1) The Parties mutually agree that the Republic of Lithuania retains primary responsibility for security outside of Agreed Facilities and Areas, but the Republic of Lithuania will not exclude the right of the German Military Police (Feldjäger) to maintain discipline and order among German Forces under Article VII, paragraph 10 (b) of the NATO SOFA.

(2) The Republic of Lithuania shall take such measures as are necessary to ensure the protection, safety, and security of German forces, German Government Companies, deployed German personnel, and prepositioned material, and the protection and security of official German information. In furtherance of this responsibility, Lithuanian and German military authorities shall cooperate closely to ensure that security and protection is provided. Further details may be regulated in Technical Arrangements (TA) between corresponding authorities.

(3) The Republic of Lithuania hereby authorises German forces to exercise rights and authorities in accordance to this Agreement, necessary for German forces' use, operation, defence, or control of Agreed Facilities and Areas, including taking appropriate measures to maintain or restore order and to protect German forces, German Government Companies, and dependants. For this purpose, German Military Police (Feldjäger) and appropriately marked military personnel will be accorded authority as the Lithuanian Military Police, though limited to the mobility and protection tasks of German forces, German Government Companies, dependants and premises in their use in accordance with the laws and regulations in force in the Republic of Lithuania. German military authorities shall coordinate such measures and shall coordinate force protection plans with the appropriate Lithuanian authorities.

(4) The authority to possess and carry arms under Article VI of the NATO SOFA is extended to members of the civilian component and other persons employed by or contracted for the German forces, insofar as such persons are responsible for the safeguarding of property or persons, or are particularly endangered by the special nature of their official position or activities and only if in possession of a firearms certificate issued by the German authorities.

(5) German authorities shall issue firearms certificates only to persons that are not less than 18 years of age, and which underwent specialised training, especially on handling and use of arms, and which meet requirements established by the German authorities on mental and physical health and reliability. The German authorities shall withdraw a firearms certificate on their own decision or at the request of the Lithuanian authorities if it is established that the holder has misused his firearm or if reasonable doubt exists as to his health or reliability. Members of the civilian component and other persons employed by or contracted for the German forces may use force, including armed force, only in accordance with regulations, issued by German authorities and coordinated with Lithuanian competent authorities. The use of force by persons employed by or contracted for the German forces for the safeguarding of property or persons will not exceed the limits stipulated in the Law of the Republic of Lithuania on Private Security.

(6) Upon request, military and civilian personnel who have been security-cleared according to the standards of the Classified Information Handling Agreement shall be granted access to all barracks, training areas, storage areas and other installations under the supervision or the operational control of the Executive Agent of either Party. The Executive Agents of either Party may restrict access to selected installations which are deemed to be especially security sensitive. The Executive Agent of the German Party shall give sympathetic consideration to requests by the Executive Agent of Lithuania or its representatives for access, inspections or visits to especially security sensitive areas situated in the Republic of Lithuania and provided for the exclusive or joint use for the German Armed Forces, if such access is necessary to fulfil cogent obligations under the laws and regulations of the Republic of Lithuania.

Article 7

Entry and Exit

(1) Unless otherwise mutually agreed by Executive Agents, the Republic of Lithuania waives its authority under Article III, paragraph 2(b) of the NATO SOFA to require countersignature of movement orders.

(2) For entry into and departure from the territory of the Republic of Lithuania, it shall be sufficient for the members of civilian component and dependants to be in possession of personal identification card of the European Union Member State or a valid passport, and a certificate issued by the competent authority of the German Executive Agent indicating their status under this Agreement.

(3) Deployed German Personnel shall be exempt from regulations governing the registration and control of aliens.

Article 8

Logistic and Other Support

- (1) The Republic of Lithuania shall use best efforts, considering its national requirements and available capabilities, to provide to German forces and German Government Companies, upon request, logistic support to conduct activities under this Agreement. The Executive Agents shall conclude arrangements to detail the specifics of logistic support and a cost-share.
- (2) For any logistic support German forces and German Government Companies shall pay reasonable costs for logistic support requested and received. In this regard, Lithuania shall accord to the German forces treatment no less favourable than is accorded to the Lithuanian Armed Forces, including charging the German forces and German government companies rates no less favourable than those paid by the Lithuanian Armed Forces for similar logistic support, less taxes, fees, or similar charges.
- (3) Geo-Meteorological and Oceanographic support for military planning and decision process shall be arranged as a mutual exchange of data, products and assistance in a subsequent detailed arrangement.
- (4) The Executive Agents of both Parties shall each operate liaison offices, serving as points of contact for implementation matters arising under this Agreement. The liaison offices shall be authorised to send or receive official communication within the scope of their responsibility. The Executive Agents shall inform each other on the establishment and scope of responsibility of such liaison offices.

Article 9

Status Certificate

- (1) Deployed German personnel shall receive a status certificate if their planned stay in the Republic of Lithuania exceeds three months. The Lithuanian-German Visiting Forces

Agreement will be applied for temporary visits of German Forces not planned for permanent attachment to stationed German Forces and for stays not exceeding 3 months. The German military authorities shall notify the competent Lithuanian authorities which personnel is eligible for what status.

(2) The status certificate is considered to be a document, confirming personal identity, which will also confirm the person's right to temporary residence in the Republic of Lithuania for the period specified in the document and his or her status according to this Agreement. A personal identification number is granted upon issuing the status certificate.

(3) The status certificate will be issued in accordance with the procedure described in the laws and regulations in force in the Republic of Lithuania.

(4) Should a member of the German forces die or leave the territory of the Republic of Lithuania on transfer, the dependants of such member, while such dependants are present in the territory of the Republic of Lithuania, shall continue to be accorded the status of dependants under this Agreement for a period of three months after such death or transfer. In cases where dependent children are enrolled in education facilities in the territory of the Republic of Lithuania prior to the member's death or transfer the dependants shall continue to be accorded the status of dependants for a period of not less than 30 calendar days after the end of the school year or termination of enrolment.

Article 10

Official Vehicles

(1) Lithuanian authorities shall honour the registration and licensing by German military and civilian authorities of motor vehicles and trailers of the German forces. Upon the request of German military authorities, Lithuanian authorities shall issue without charge military license plates for German forces official, non-tactical vehicles in accordance with procedures established for the Lithuanian Armed Forces.

(2) German military authorities shall take adequate safety measures with respect to motor vehicles and trailers registered and licensed by them or used by German forces in the territory of the Republic of Lithuania.

(3) Use of sound and light signals for ambulances, German military police, fire brigades and other official vehicles is authorised under conditions stipulated in laws and regulations of the Republic of Lithuania. The Executive Agents of both Parties will coordinate administrative details in an implementing arrangement.

Article 11

Private Vehicles

(1) Lithuanian authorities shall honour the registration and licensing by German civilian authorities of motor vehicles and trailers of private motor vehicle of deployed German personnel for a period not exceeding 6 months after arrival.

(2) For private motor vehicles of the members of the deployed German personnel Lithuanian authorities shall issue license plates that are indistinguishable from those issued to the Lithuanian population at large, subject to usual fees and charges.

(3) For the registration of private vehicles of deployed German personnel, the laws and regulations in force in the Republic of Lithuania apply, except for the requirement to have a residence permit and registration of domicile in the Republic of Lithuania, if they are in possession of the status certificate.

(4) For the insurance of private vehicles European Union regulations apply. Third-party liability insurance has to be provided by a private insurance company which has a right to provide third party liability insurance services in the Republic of Lithuania in accordance with the laws and regulations in force in the Republic of Lithuania.

(5) The provisions in paragraphs 1 through 4 also apply *mutatis mutandis* to official

vehicles of German Government Companies and German Forces if they require civilian licence plates. The requirement for the legal entity to be registered in the Republic of Lithuania will not apply for the registration of vehicles of German Government Companies or German Forces.

Article 12

Licences and Professional Qualification

- (1) A license or other permit issued by German authorities to a member of the German forces or a German Government company, empowering the holder to operate vehicles, vessels, or aircraft of the force shall be valid for such operation within the territory of the Republic of Lithuania.
- (2) Lithuanian authorities shall accept as valid, without a driving test or fee, and for the duration of their stay in connection with activities under this Agreement, military or civil driving licenses of members of the deployed German personnel, issued by German authorities for the operation of private motor vehicles, provided the holder of the license is 18 years or older or has reached the required minimum age for the license in accordance with the regulations applicable to the Republic of Lithuania.
International drivers' licenses shall not be required.
- (3) The German forces are authorised to operate military driving schools and training centres, and to conduct road training and testing to obtain a military driving license or other permits for ground-based vehicles, if they comply with relevant German military requirements. This does not impede the application of laws and regulations of the Republic of Lithuania regarding the traffic regulations and safety.
- (4) Lithuania shall not require members of the deployed German Personnel to obtain professional licenses or professional qualifications issued by Lithuania in relation to the provision of services provided as part of their official or contractual duties under

this agreement for German forces, deployed German personnel and their dependants, as well as to other persons if mutually agreed by competent authorities.

- (5) Lithuania shall recognise the professional qualification obtained by the dependants, in accordance with the procedure set forth in laws and regulations of the Republic of Lithuania, if they wish to pursue a regulated profession in the Republic of Lithuania.

Article 13

Movement of Aircraft, Vessels, and Vehicles

(1) Vehicles and vessels operated by or exclusively for German forces may enter, exit, and move within the territory of the Republic of Lithuania with respect for the relevant rules of land and maritime safety and movement, including respect for private property and identified restricted area and on permission of the authorities of the Republic of Lithuania granted in accordance with established procedures. German Government aircraft and civil aircraft that are at the time operating exclusively under contract to the German Ministry of Defence are authorized to overfly, conduct aerial refuelling, land, and take off within the territory of the Republic of Lithuania, with respect for the relevant rules of air safety and navigation on permission of the authorities of the Republic of Lithuania granted in accordance with established procedures. German Government aircraft, vessels, and vehicles shall be free from boarding and inspection without the consent of German authorities.

(2) For movements of land vehicles within the Republic of Lithuania requirements for NATO movement credits are waived. In cases where special or exceptional authorisations and exemptions for military movements and transportation are required, they shall be processed by the competent authorities of Lithuania. Lithuanian military authorities shall coordinate the representation of German military interests in traffic matters vis-a-vis civilian agencies and enterprises.

(3) The competent authorities of the Parties shall coordinate regarding procedures for German transportation of arms, heavy equipment and hazardous materials within the territory of the Republic of Lithuania. German Forces including the Civilian Component and German contractors will transport dangerous goods (hazardous materials) in the Republic of Lithuania in accordance with the European signed 30th September 1957 : European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR), (ADR); exemptions hereof result only from the specific organization and mission of the German Forces.

(4) Users of German Government aircraft and civil aircraft that are at the time operating exclusively under contract to the German Ministry of Defence shall not be subject to payment of charges for using the state managed airports located in the territory of the Republic of Lithuania and for air navigation services in the airspace of the Republic of Lithuania. Vessels owned or operated by or exclusively for German forces shall not be subject to payment of pilotage or port fees, lighterage charges, harbour dues, or similar charges at government-owned and operated ports in the Republic of Lithuania. German forces and German Government Companies operating on behalf of German forces shall pay reasonable charges for services requested and received, at rates no less favourable than those paid by the Lithuanian Armed Forces less taxes and similar charges.

(5) Motor vehicles and trailers registered and licensed by German military authorities shall be exempt from Lithuanian road taxes, tolls for the use of roads, bridges, and tunnels, registration or license fees, and similar charges.

Article 14

Criminal Jurisdiction and Coercive Measures

(1) NATO SOFA Article VII applies for the criminal jurisdiction of deployed German personnel under this Agreement present in the Republic of Lithuania, regardless of the duration of stay. NATO SOFA Article VII also applies for jurisdiction in case of

administrative offences.

(2) As soon as it is disclosed that a person is entitled to a status under this Agreement, the authorities of both Parties shall notify one another of each such case in which the authorities intend to exercise jurisdiction.

(3) If the competent authorities of Lithuania waive the exercise of criminal jurisdiction, the competent authorities of the German Party shall submit the case to their competent authorities for a decision on the institution of criminal proceedings and, to the extent that the German legal system permits, remove the suspect from the territory of the Republic of Lithuania without delay.

(4) The competent courts and authorities of the two States shall, within the limits imposed by their national legislation and obligations under international agreements, render each other legal assistance in criminal proceedings. If the authorities of the Republic of Lithuania do not waive the exercise of criminal jurisdiction, the competent authorities of the German Party shall use their influence, to the extent that the legal system applicable to them permits, to induce deployed German personnel suspected of having committed a criminal offence while staying in the Republic of Lithuania, to turn themselves in to the courts and authorities of the Republic of Lithuania, insofar as the law of the Republic of Lithuania obliges them to do so.

(5) The competent courts and authorities of the Republic of Lithuania shall have the right, within the limits of their jurisdiction and competence, to order and carry out coercive measures against deployed German personnel during their stay in the Republic of Lithuania.

(6) When a member of the deployed German personnel has been arrested by the authorities of the Republic of Lithuania or other coercive measures are taken resulting in detention, the competent authority of the Republic of Lithuania shall notify the German liaison office established in the Republic of Lithuania without delay. This notification shall state which court or authority has competence over the further proceedings.

(7) The courts and authorities of the Federal Republic of Germany shall not exercise their

criminal jurisdiction in the Republic of Lithuania.

(8) Deployed German personnel is obliged to disclose their status under this Agreement to police, military police and any other competent authority of the Republic of Lithuania.

Article 15

Custody and Imprisonment

(1) Lithuanian authorities shall notify German liaison office immediately when a member of the deployed German personnel is arrested or detained by Lithuanian authorities. German competent authorities shall have prompt access to any such individual whenever requested, and shall be permitted, with the consent of the prosecutor, responsible for organizing and controlling the activities of pre-trial investigation, to be present during all proceedings, including interrogations by Lithuanian authorities.

(2) Lithuanian authorities shall permit German competent authorities under this Agreement to visit persons in confinement imposed by a court of the Republic of Lithuania during and outside of regular visiting hours and to provide such persons with assistance, including for their health, welfare, and morale, such as clothing, food, bedding, medical and dental care, and religious counselling upon coordination with appropriate Lithuanian officials. Lithuanian authorities shall permit family members to visit such persons in accordance with regular visiting hours and as also may be agreed by special arrangement, and to provide such persons with assistance, including for their health, welfare, and morale, such as clothing, food, bedding, medical and dental care, and religious counselling upon coordination with appropriate Lithuanian officials. Persons in confinement are granted to have telephone calls with German military authorities, no acoustic surveillance or interruption of those calls shall take place for confined personnel. Correspondence of confined personnel with German military authorities shall not be monitored.

Article 16

Claims

(1) Persons, regardless of their nationality or place of residence, who are employees of the German Government or of political subdivisions of the German state, acting in the performance of official duty as assigned by the German forces, but not including employees of German Government Companies, other contractors and employees of contractors, or non-commercial organisations, regardless of their nationality or place of residence (Government employees) shall not be subject to any proceedings for civil claims arising out of acts or omissions attributable to such persons done in the performance of their official duties. Such claims may be presented to the appropriate Lithuanian authorities and shall be processed according to the provisions contained in NATO SOFA, Article VIII.

(2) Government employees shall not suffer default judgements or actions prejudicial to their interests when undelayable official duties or duly authorised absences temporarily prevent their attendance at non-criminal proceedings. The competent authorities of the German Party shall use their influence, to the extent that the German legal system permits, to induce Government employees to attend such proceedings.

(3) For purposes of determining whether potential civil liability has arisen out of any act or omission done in the performance of official duty by a Government employee, certification by the highest appropriate German military authority in the Republic of Lithuania that such act or omission was done in the performance of official duty shall constitute a conclusive determination of the fact.

Article 17

Official Tax Exemptions

(1) With respect to value added taxes (“VAT”), use taxes, excise taxes, or similar or

successor taxes, an exemption shall apply in the Republic of Lithuania to purchases by German forces and by German Government Companies for German forces of material, supplies, services, equipment and other property. German forces and German Government Companies, when purchasing for German Forces, shall not be subject to taxation in respect of matters falling exclusively within the scope of their official activities nor in respect of property devoted to such activities. This shall, however, not apply in respect of taxes which may arise from commercial trading by the force in the Lithuanian economy or in respect of property devoted to this purpose. Deliveries made and services rendered by the force to German deployed personnel shall not be regarded as commercial trading in the Lithuanian economy.

(2) The tax relief provided in this Article shall be also granted in the Republic of Lithuania when goods or services are procured by an official procurement agency of a force or a civilian component for the use of, or consumption by, the force, the civilian component and German deployed personnel. Germany will notify Lithuania of the respective official procurement agencies. The Lithuanian Party retains the authority to specify the types of goods and services, quantities, limitations and procedures for the implementation of the tax relief provided in this Article.

(3) The exemption shall be applied according to the conditions and procedures established by the Republic of Lithuania at the point of purchase, if the transaction is accompanied by the certification that such materiel, supplies, services, equipment, and other property are for German forces. In the case of goods subject to excise tax, the excise exemption shall be applied at the point of purchase only if the goods are acquired from a tax warehouse and the transaction is accompanied by the certification referenced above. In all other cases, the exemption shall be granted by reimbursement or as mutually agreed otherwise.

(4) German forces may establish and operate in accordance with German law, either directly or through a contracted entity on behalf of the German forces the following installations which are entitled to the reliefs according to this Article:

a) Cafeterias, understood as fixed dining facilities serving the deployed German

personnel;

- b) Mobile dining facilities, serving deployed German personnel;
- c) Canteens, understood as shops or exchanges, facilitating the provision of and reselling of tax - and duty-free goods, including tobacco products and alcohol, and services to the members of deployed German personnel in reasonable quantities.
- d) Messes, understood as facilities serving light meals, beverages, and promoting socialization among the members of deployed German personnel.

The German Executive Agent shall establish rules of use and access for these installations which ensure that only authorised persons will enjoy the above-mentioned reliefs.

(5) Members of the force of NATO Member States, other than the Republic of Lithuania, participating in joint military operations, exercise and other military cooperation events, are permitted to use installations mentioned in paragraph 4.

(6) German forces shall be exempt from taxes on income deriving from sales and services rendered in their cafeterias, or the canteens, messes, or from other morale and welfare activities, whether operated directly or through a contracted entity on their behalf. The tax exemption enjoyed by the German forces does not extend to income or profit earned by a contracted entity and which such entity may be responsible to report for tax purposes under the laws and regulations in force in the Republic of Lithuania.

(7) Any resale, other than to the deployed German personnel and, in accordance to paragraph 5 of this Article, to the Members of the force of the NATO Member State, other than the Republic of Lithuania, of the items procured exempt from taxes and duties under this Article is subject to taxation under the laws and regulations in force in the Republic of Lithuania.

Article 18

Personal Tax Exemptions

- (1) Deployed German Personnel shall not be liable to pay tax, fee, license charge, or similar charges, in the territory of the Republic of Lithuania on the ownership, possession, use, transfer between themselves, or transfer in connection with death of their tangible movable property imported into the Republic of Lithuania or acquired there for their own personal use.
- (2) Motor vehicles and trailers owned by deployed German personnel shall be exempt from Lithuanian road taxes and similar charges, but not from the payment of tolls and ecological fees paid by members of the general public or covering the expenses of services rendered.
- (3) With regard to income tax liability, Article X of the NATO SOFA shall apply. In all other respects, the applicable Agreement between the Federal Republic of Germany and the Republic of Lithuania for the avoidance of double taxation with respect to taxes on income and capital and the applicable national law of both countries shall remain unaffected, unless otherwise provided for in this Agreement.
- (4) Dependants as defined in Article 2 paragraph 5 shall be treated for the purposes of Article X of the NATO Status of Forces Agreement in the same manner as members of a force or of a civilian component.
- (5) Except as provided in Article 25 of this Agreement the provisions of Lithuanian laws and regulations pertaining to the obligation of an employer or self-employed individual to withhold or prepay income taxes and social security contributions shall not be applicable to income exempt from taxation in the Republic of Lithuania.
- (6) Reimbursement upon exportation is not precluded under this Article.

Article 19

Official Importation and Exportation

- (1) With reference to NATO SOFA Article XI, and Article 143 Paragraph 1 lit. h of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (VAT Directive), as amended, material, supplies, equipment, and other property imported by the German forces and German Government Companies listed in Annex B, shall be permitted entry into the Republic of Lithuania. Such entry shall be free from duties, import or registration fees, and other similar charges, including but not limited to use taxes, excise taxes, and VAT.
- (2) The Parties shall cooperate as necessary to ensure that the quantities of materiel, supplies, equipment, and other property imported are reasonable.
- (3) German forces shall provide the authorities of the Republic of Lithuania an appropriate certificate that such material, supplies, equipment, and other property qualify for the exception under the terms of this paragraph. Deposit of the certificate (as provided for in NATO SOFA Article XI, paragraph 4) shall be accepted by customs authorities of the Republic of Lithuania as a customs declaration of the items. When materiel, supplies, equipment, and other property are imported by German Government Companies enlisted in Annex B under the terms of this paragraph, German forces shall require those German Government Companies to use the items exclusively for the execution of German forces' contracts.
- (4) The materiel, supplies, equipment, and other property referred to in paragraph 1 shall be exempt from any tax or other charge that would otherwise be assessed upon such property after its importation or acquisition.
- (5) The exportation from the Republic of Lithuania of the materiel, supplies, equipment, and other property referred to in paragraph 1 of this Article shall be exempt from Lithuanian export duties.

Article 20

Personal Importation and Exportation

- (1) Deployed German personnel may bring their personal property into the territory of the Republic of Lithuania without paying import duties and VAT in accordance with Council Regulation (EC) No. 1186/2009 of 16 November 2009 setting up a Community system of reliefs from customs duty (Regulation) and Council Directive 2009/132/EC determining the scope of Article 143(b) and (c) of Directive 2006/112/EC as regards exemption from value added tax on the final importation of certain goods (Directive) and the conditions laid down by other legislation implementing aforementioned Regulation and Directive.
- (2) Deployed German personnel may re-export (or export) free of export duties or charges, any goods imported (or acquired) by them into the Republic of Lithuania during their period of duty.

Article 21

Customs Procedures

- (1) The Republic of Lithuania shall take all appropriate measures to ensure the smooth and rapid clearance of imports and exports contemplated under this Agreement for German Forces and German Government Companies listed in Annex B. Any customs inspection shall take place expeditiously.
- (2) Competent Lithuanian authorities and competent German Authorities may enter into agreements regarding the more detailed customs procedures for inspections.
- (3) German forces' classified information may be imported into and exported from the Republic of Lithuania without being subjected to a custom inspection. Classified

information has the meaning set forth in Article 3 of the Classified Information Handling Agreement and shall be handled in accordance with the terms of said Agreement, or successor agreements.

(4) German military authorities shall establish the necessary measures at facilities where German forces are located to prevent abuses of the rights granted under the customs provisions of the NATO SOFA and this Agreement. German authorities and Lithuanian authorities shall cooperate in the investigation of any alleged customs violations.

Article 22

Military Service Activities

(1) German forces may establish cafeterias, dining facilities, canteens, messes, social and educational centres, pastoral care and recreational service areas in the Republic of Lithuania at the Agreed Facilities and Areas or other mutually agreed locations for use by members of the deployed German personnel, and other authorised personnel as mutually agreed. In above mentioned installations and in Agreed Facilities and Areas designated exclusively for German use for the sale, acquisition and consumption of alcoholic beverages, German legislation and military regulations apply, though limited to German nationals. German forces may operate and maintain the foregoing military service activities directly or through contract with other entities. No license, permit, inspection, or other regulatory control shall be required by the Republic of Lithuania for these military service activities.

(2) German forces and German Government Companies may enter into contracts with financial institutions to open and operate banking accounts in the Republic of Lithuania for their exclusive use.

(3) The activities and organizations referred to in this Article shall be accorded the same fiscal and customs exemptions granted to the German forces. Such activities and

organisations shall be maintained and operated in accordance with applicable German regulations. Such activities and organizations shall not be required to collect or pay taxes or other fees for activities related to their operations.

(4) German forces shall adopt appropriate measures to prevent the sale of goods and property imported into or acquired in the territory of the Republic of Lithuania by the activities and organisations referred to in paragraphs 1 and 2 to persons who are not authorised to patronize such activities or organizations.

Article 23

Military Post Offices

(1) The German forces may establish, maintain, and operate military post offices for use by them, German Government Companies and deployed German personnel. Mail posted at such post offices may bear German stamps.

(2) Subject to any provision to the contrary in the NATO SOFA or in the present Agreement, archives, documents, official mail recognizable as such and property of a force shall be immune from inspection, search, seizure or censorship by the Lithuanian authorities except where immunity is waived.

Article 24

Currency and Exchange

(1) German forces and German Government Companies shall have the right, exclusively for official use, to import, export, and use European currency or instruments expressed in the currency of the Euro in any amount.

(2) German military authorities may distribute to or exchange for deployed German

personnel currency of and instruments denominated in the currency valid in:

- a) the Republic of Lithuania,
- b) any other country, to the extent required for the purpose of authorised travel, including travel on leave.

(3) Deployed German personnel may:

- a) import and export Euro currency and instruments denominated in Euro into the Republic of Lithuania, and
- b) export from the Republic of Lithuania any currency. and instruments denominated in any such currency, provided that such deployed German personnel have either imported such currency or instruments into the Republic of Lithuania, or received such currency or instruments from German forces,

(4) Import or export for private purposes is subject to general regulations, especially such regulations combating illicit trafficking in goods or services.

Article 25

Labour

(1) German forces and organizations conducting those military service activities described in Articles 22 and 23 of this Agreement may recruit and employ dependants, as well as other persons authorized to be employed in the territory of the Republic of Lithuania.

(2) Dependants may be employed or self-employed in the Republic of Lithuania. A Status certificate under this Agreement confirms their right to work in the Republic of Lithuania.

(3) Terms and conditions of employment and state social insurance contributions of the dependants and locally hired personnel shall be in accordance with the legislation of the Republic of Lithuania and European Union regulations.

Article 26

Medical Services

(1) German forces may provide personal health care services to deployed German personnel and veterinary health care for military working animals in the Republic of Lithuania in accordance with German laws and military regulations. Supervising compliance with European Union and German laws and regulations with regard to supply chains of medicines, medicinal products, regulated substances (e.g. narcotics), medical devices, transfusion products and the operation of military pharmacies is the exclusive responsibility of the competent authorities of the German forces. Lithuania does not require a license, permit, inspection or other regulatory control for this activity.

(2) Pursuant to Article IX, paragraph 5 of the NATO SOFA, the Republic of Lithuania shall permit deployed German personnel and their dependants to receive medical and dental care, including medical evacuation within the territory of Lithuania, hospitalization, and also veterinary care on terms established or to be agreed between competent national authorities.

(3) The Republic of Lithuania will enable the utilization of special regulations and exception for German ambulances in case of emergency.

(4) For the purpose of providing healthcare services to the deployed German personnel, German forces may establish, contract, maintain and operate medical, dental and veterinary facilities as well as military pharmacies and storage facilities for medicines including blood, blood products and regulated substances as well as medical devices, their accessories, in-vitro diagnostics and other medical supplies in the

Republic of Lithuania. Those facilities will not trade with the Lithuanian market. The competent national authorities may enter into procedural arrangements to established the details.

(5) Without separate decision or permission of Lithuanian Authorities the German forces may ship in and out of the Republic of Lithuania sample materials of humans or animals, pharmaceuticals, medical products, food, and water, direct import and export to and from non-European Union Member States is excluded. Under the same conditions they may ship medical supplies and provision their aforementioned facilities with aforementioned products. For handling and documentation of the aforementioned material and samples German legal rules and military regulations apply. If necessary, medicines and other medical supplies are returned to Germany.

Article 27

Public Health and Hygiene

(1) Control of drinking water and food will be carried out by military or civil competent authorities and specialists of the State Food and Veterinary Service of the Republic of Lithuania in accordance with their national legislations; this may be supplemented by controls of the German Forces experts in consultation with Lithuanian Armed Forces. Results and measures will be shared and communicated.

(2) Notwithstanding paragraph 1, the control of facilities according to Article 22 paragraph 1 will be carried out by German forces experts. Results and measures will be shared and communicated.

(3) Control, fight and monitoring of animal diseases is the primary responsibility of Lithuanian authorities; they inform about necessary national measures to avoid spreading. In general, Article 6 paragraph 2 of Lithuanian-German Visiting Forces Agreement applies accordingly.

(4) Hygiene measures and vaccination of German Forces is the primary responsibility of German forces. Lithuanian and German forces inform each other immediately about outbreak, suspected outbreak, development, and elimination of communicable and notifiable diseases or zoonoses and measures taken and about special environmental and health threats. Necessary legal measures to be taken by competent Lithuanian authorities shall be taken in consensus with the German forces.

(5) The Lithuanian regulations for the prevention and control of infectious diseases of humans, animals and plants as well as for the prevention and control of plant pests shall apply to German Forces and their civilian component insofar as the regulations of the Force in these fields do not prescribe equal or higher standards. Within the agreed facilities and areas, German forces may apply their own regulations, provided that neither public health nor the cultivation of plants is endangered thereby.

(6) Health authorities of the Republic of Lithuania and of the German forces will inform each other of their respective regulations concerning communicable or notifiable diseases, health, hygiene and other regulations and hold regular consultations.

Article 28

Contracting Procedures

(1) German forces may contract for any materiel, supplies, equipment and services (including construction) to be furnished or undertaken in the Republic of Lithuania 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 applicable European Union or German laws and regulations.

(2) The Republic of Lithuania shall accord to German forces treatment in the matter of procurement of goods, services, and utilities no less favourable than is accorded to the

Lithuanian Armed Forces.

(3) When Lithuanian authorities procure goods, services and construction work for the German Forces in accordance with requirements established by the German forces, the procedural rules for the award of such contracts jointly determined in an arrangement by the Executive Agents shall apply, in accordance with Article 12 (b) of Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 and in accordance with Article 17 (b) of Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014. These rules include, inter alia, transparency requirements, requirements for negotiated procedures, criteria for the invitation to negotiate, the verification of the suitability and the selection of suppliers, the award of the contract and the review procedure.

Article 29

Status of German Government Companies

German Government Companies shall be exempt from Lithuanian laws and regulations with respect to the terms and conditions of their employment to perform work under contracts with German forces, and with respect to the licensing and registration of businesses and corporations solely with regard to the provision of goods and services to German forces in the Republic of Lithuania. Such German Government Companies also shall not be subject to any form of income or profits tax by Lithuania or its political subdivisions on that portion of its income or profits derived from a contract or subcontract with German forces. The Parties agree that – preceding to other national laws and the Double Taxation Agreement – German Government Companies as far as they provide services on the basis of this Agreement do not establish a permanent establishment in Lithuania as defined in Article 5 of the Double Taxation Agreement. Annex B lists German Government Companies for which aforementioned provisions are to be applicable.

Article 30

Environmental Protections, Safety, and Health

(1) The Parties intend to implement this Agreement in a manner consistent with the protection of the natural environment and human health and safety. Germany confirms its intent to respect relevant Lithuanian environmental, health, and safety laws in the execution of its policies. The Republic of Lithuania confirms its policy of taking due account of the health and safety of German forces, German Government Companies, and deployed German personnel when implementing laws, regulations and standards relating to environmental protection, health and safety. The competent authorities of the Parties intend to consult in matters relating to the environment, human health, and safety.

(2) To implement the environmentally sound management of hazardous wastes, Lithuania shall designate an entity as the competent authority for the purpose of required notifications under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, done at Basel on March 22, 1989, and Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste as amended by Commission Delegated Regulation (EU) 2020/2174 of 19 October 2020 amending Annexes IC, III, IIIA, IV, V, VII and VIII to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. German forces shall provide the information required for Lithuania to comply with its obligations.

(3) Article 9 paragraphs 2, 3, 5, 6, and 7 of the Lithuanian-German Visiting Forces Agreement apply accordingly.

Article 31

Utilities and Communications

(1) German forces and German Government Companies shall be allowed to use water, electricity, and other public utilities on terms and conditions, including rates or charges, no

less favourable than those available to Lithuanian Armed Forces or the Government of the Republic of Lithuania in like circumstances, free from taxes or other government fees or charges. German forces costs shall be equal to their pro rata share of the use of such utilities.

(2) The Parties recognize that it may be necessary for German forces to use the radio spectrum. German forces shall be allowed to operate its own telecommunication systems (as "telecommunication" is defined in the Constitution and Convention of the International Telecommunication Union of 1992, as amended). This shall include the right to utilize such means and services as required to ensure full ability to operate telecommunication systems, and the right to use necessary radio spectrum for this purpose. This may also include the operation of a proprietary German language radio station with limited terrestrial coverage, utilized exclusively for morale, welfare, and recreation purposes. German forces, in the interest of avoiding mutually disruptive interference, shall submit the requirement for use of radio frequency to the Lithuanian Executive Agent. The right to use the requested frequencies and the radio spectrum necessary to fulfil operational requirements shall be granted unless harmful interference to legally used stations, the radio services and the communication network in the Republic of Lithuania is predicted. If certain frequencies cannot be granted the Parties will consult on the level of technical experts to resolve the issue. In case of no consensus the procedures under Article 33 shall be used. Use of the radio spectrum shall be free of cost to German forces.

(3) In coordination with Lithuanian authorities German forces may use communication access points to support the operation of military Communication and Information Systems. Furthermore, the German Forces shall be granted permission to co-use the digital radio system Terrestrial Trunked Radio 25 (TETRA 25) in accordance to the procedures set forth in the laws and regulations of the Republic of Lithuania.

Education

(1) Deployed German personnel shall be given the opportunity to attend all education establishments, which provide all levels of formal and non-formal education, under the same conditions and subject to the same rate of tuition fees as applicable to the respective nationals of the Republic of Lithuania.

(2) The German Executive Agent is authorised to set up and operate general education schools as a branch of the German Executive Agent teaching in German language in accordance with German education programmes and awarding German school-leaving qualifications in the Republic of Lithuania. Such schools shall not be subject to Lithuanian rules and regulations and shall be operated by the German Executive Agent in accordance with the applicable German regulations (e.g. regarding curricula, teachers). Their main objective shall be to provide the children of deployed German personnel with education. Children of other groups shall be allowed to attend such schools, subject to the provisions of the German Executive Agent, if this is in accordance with the intended purpose of the schools.

(3) The Republic of Lithuania shall recognize the education provided by schools referred to in paragraph 2, the documents validating academic achievement and school-leaving certificates (for access to colleges and universities, among other things) issued by said schools, in accordance with the procedures established by the laws and regulations of the Republic of Lithuania and applicable international law. In accordance with the laws and other regulations of the Republic of Lithuania, students of schools referred to in paragraph 2 shall have the right to begin schooling or to transition to other schools anywhere within the educational system of the Republic of Lithuania.

(4) The German Executive Agent shall be authorised to establish early childhood education and care facilities in the Republic of Lithuania for the care and education of the deployed German personnel's children aged from zero up to seven years. Those facilities shall be operated by their own personnel or by an educational provider (as a contractor) qualified under European Union law. Early childhood education and care shall be provided

in German language. These German (preschool and pre-primary) facilities shall provide education-oriented preparation for school. In accordance with the laws and other regulations of the Republic of Lithuania, children that have attended these German facilities shall have the right to begin schooling or to transition to other preschool and pre-primary facilities anywhere within the educational system of the Republic of Lithuania.

(5) In addition, the German Executive Agent shall be authorised to establish afternoon care for school children (after-school care) in the Republic of Lithuania within the schools referred to in paragraph 2 of this Article, operated by their own personnel or by an educational provider (as a contractor) qualified under European Union law.

(6) Early childhood education and care in the German day-care facilities and after-school care facilities shall be conducted and operated in accordance with the educational requirements of German law.

(7) The German Executive Agent shall grant an operating licence for the early childhood education and care facilities and the after-school care facilities in accordance with the requirements of German law and shall assume legal and functional supervision of these facilities and the responsible educational providers.

(8) Teaching funds for educational establishments referred to in paragraphs 2 and 4 may be allocated from the state budget or other fund of the Republic of Lithuania as a grant in accordance with procedure established by the Government of the Republic of Lithuania or its authorised institution under equal conditions as accorded to non-state schools in the Republic of Lithuania. This shall apply for each respective year to implement pre-school, pre-primary, primary, lower secondary and upper secondary education programmes. To qualify for funds provided by the Republic of Lithuania, the above-mentioned educational establishments shall be included in the national registers, if this is necessary for the calculation of funding due to Lithuanian legal requirements.

(9) Due to an increase in the number of students during the school year at educational establishments referred to in paragraphs 2 and 4, additional teaching funds may be allocated for implementation of pre-school, pre-primary, primary, lower secondary and

upper secondary education programmes under conditions and procedure established by the Government of the Republic of Lithuania or its authorised institution.

(10) The educational providers responsible for the German after-school care facilities may be provided with the same financial support from municipalities' budgets that the municipal schools are provided with for after-school care facilities (after-school care or all-day schools) in Lithuania in accordance with the legal requirements of the State and respective municipality of the Republic of Lithuania.

(11) The Municipality of Kaunas city and the Municipality of Vilnius city, or other municipalities in the Republic of Lithuania, if so agreed by competent authorities of both Parties, shall provide infrastructure for the educational establishments referred to in paragraphs 2 and 4, including construction or development, if necessary. The Lithuanian Party shall finance the construction or development of the above-mentioned infrastructure.

(12) The infrastructure referred to in paragraph 11 shall be transferred for temporary use and management by decision of municipalities to the German Executive Agent or its authorised representative for a period not exceeding the duration of validity of this Agreement defined in paragraph 3 of the Article 34. The conditions for the use and management of the infrastructure, including cost share if necessary, shall be set in an arrangement between the respective municipality and the German Executive Agent or its authorised representative.

(13) The Lithuanian Party may provide additional financial and other support not specified in paragraphs 1 to 12 of this Article, related to educational needs of the deployed German personnel (including funding, provision of infrastructure or other needs).

Article 33

Implementation and Dispute Resolution

(1) All obligations under this Agreement are subject to the availability of appropriated

funds authorized for these purposes.

(2) As appropriate, the Parties or their Executive Agents may enter into implementing arrangements to carry out the provisions of this Agreement.

(3) The Parties or their Executive Agents shall meet at least annually at a mutually determined location to consult on the defence relationship, activities undertaken pursuant to this Agreement, and other matters of mutual interest.

(4) The Executive Agents shall consult as necessary, but not less often than annually, to ensure the proper implementation of this Agreement. The Executive Agents shall develop procedures for consultation between their respective staffs on all matters concerning the effective implementation of this Agreement.

(5) Disputes shall be resolved at the lowest level possible and, as necessary, elevated to the Executive Agents for consideration and resolution. Those disputes that cannot be resolved by the Executive Agents shall be referred to the Parties for consultation and resolution, as appropriate.

(6) Disputes and other matters subject to consultation under this Agreement shall not be referred to any national court or to any international court, tribunal or similar body or to any other third party for settlement.

Article 34

Entry into Force, Amendment, and Duration

(1) This Agreement shall enter into force on the date of the receipt of the later diplomatic note in an exchange of notes between the Parties indicating that each Party has completed its internal procedures necessary for entry into force of this Agreement.

(2) This Agreement with exception of Articles 6, 14, 15, 16, and 29 shall be applied provisionally from the date the Lithuanian Party had informed the German Party by

diplomatic note that the Lithuanian Party has completed its internal procedures necessary for provisional application of this Agreement. The German Party shall apply this Agreement after signature provisionally within the limits of the existing legislation.

(3) The present Agreement shall remain in force for 10 years, it will be extended automatically for the subsequent periods of five years unless one Party gives due notice of its intention to terminate the agreement in writing via diplomatic channels. The Agreement terminates at the end of the third full year after which the note to terminate was received.

(4) This Agreement may be amended by written agreement of the Parties. Any amendments shall enter into force according to procedure defined in paragraph 1 of this Article.

(5) Annexes A and B appended to this Agreement may be amended by written agreement of the Executive Agents. The amendments shall enter into force according to the procedure in paragraph 1.

DONE at Berlin, this 13th day of September, 2024, in duplicate in the Lithuanian, German and English languages, all texts being authentic. In case of divergence in interpretation of the provisions of this Agreement, the English text shall prevail.

FOR THE GOVERNMENT OF THE
REPUBLIC OF LITHUANIA

FOR THE GOVERNMENT OF THE
FEDERAL REPUBLIC OF GERMANY

Annex A to
the Agreement
between
the Government of the Republic of Lithuania
and
the Government of the Federal Republic of Germany
on Defence Cooperation

Agreed Facilities and Areas

1. Rukla Military Garrison, and Gaižiūnai training area.
2. Rūdninkai Training area
3. Ukmergė Storage Area A
4. Zapalskiai Storage Area B
5. Pabradė, Camp Adrian Rohn

Annex B to
the Agreement
between
the Government of the Republic of Lithuania
and
the Government of the Federal Republic of Germany
on Defence Cooperation

List of legal entities that are majority owned by the Government of the Federal Republic of
Germany

1. HIL Heeresinstandsetzungslogistik GmbH
2. BWI GmbH
3. BwFuhrparkService GmbH
4. Bw Bekleidungsmanagement GmbH