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ACORD,
încheiat prin schimb de scrisori, dintre Guvernul Republicii Moldova şi Organizaţia Tratatului Atlanticului de Nord cu privire la participarea Republicii Moldova în operaţiunea Forţei Multinaţionale din Kosovo (KFOR)

Bruxelles, 18 decembrie 2013

COPIE CERTIFICATĂ
TEXT ÎN LIMBA ENGLEZĂ

SECRETARY GENERAL
LE SECRÉTAIRE GÉNÉRAL
Anders Fogh Rasmussen

SG(2013)0420

17 December 2013

Your Excellency,

I have the honour to refer to the United Nations Security Council Resolution (UNSCR) n° 1244 dated 10 June 1999 providing in the deployment in Kosovo of an international security presence.

In accordance with this UNSCR, the North Atlantic Treaty Organization has decided to establish a multinational KFOR involving NATO and non-NATO forces.

Therefore, based upon previous discussions and communications, I accept with appreciation the offer of the Government of the Republic of Moldova to provide to KFOR an infantry Manoeuvre Platoon, one Explosive Ordnance Disposal (EOD) Team and one meteorological specialist. It is my understanding that it is the intention of the Government of the Republic of Moldova to maintain its participation in KFOR for a period of at least 6 months starting from November 2013, which may be extended by mutual agreement.

The principles concerning the establishment, functions, and responsibilities of the KFOR are set out in the UNSCR and NATO's operational planning documents. It is understood that your ultimate decision with respect to participation will be contingent upon your acceptance of the provisions of these documents. I seek your agreement that the Moldovan contingent shall conduct itself in accordance with the terms of these documents and any changes to them throughout the course of the operation. Also, I would like to emphasize the importance of continuity of service of units in the KFOR and to seek your agreement that the Moldovan contingent will not be withdrawn without at least 4 months prior notification to the Commander, KFOR (COMKFOR), except as otherwise agreed.

I draw your attention to the United Nations Security Council Resolution 1244, the Military Technical Agreement and other agreements which may be concluded relating to the rights, obligations, privileges, and immunities of KFOR and its members when present in the Area of Operations. I trust you will confirm that the appropriate authorities of your national contingent shall take the necessary measures to assure the maintenance of proper discipline of your personnel and to exercise jurisdiction with respect to any crime or disciplinary offence which might be committed by your personnel.

With reference to SACEUR OPLAN 10501 REV3 for the Balkans Joint Operations Area and its further revisions, I seek your agreement that national contingents provided to the KFOR, having fully arrived in the Area of Operations and having been assessed as

capable of performing its assigned KFOR mission, shall be placed under the operational command and operational control of the Supreme Allied Commander Europe (SACEUR) and subject to NATO Rules of Engagement. SACEUR, who will assume overall authority and operational command or control, will further designate the Commander Joint Force Command NAPLES, as Joint Force Commander (JFC) and designate a Commander Kosovo Force (COMKFOR). COMKFOR will issue orders to the national contingents through the chain of command established by him. Non-NATO nations will retain national command of their own contingents.

The exchange of KFOR classified information between NATO and the Republic of Moldova will be carried out in accordance with the Security Agreement, dated 28 October 1994.

Any issues not covered in the present letter remain the responsibility of the Government of the Republic of Moldova and will not entail any financial responsibility of NATO or any of the national constituent elements of KFOR.

Troop contributing nations can address issues of a political nature concerning the operation to the NATO Secretary General.

COMKFOR will utilize national contingents in accordance with their capabilities taking into account the advice of the contingent Commander.

I have the honour to propose that this letter and your reply letter, attached for your convenience, will constitute an agreement between NATO and the Government of the Republic of Moldova which will be applied provisionally from the date of your reply and enter into force on the date of the receipt by NATO of the notification from the Government of the Republic of Moldova that the internal procedures necessary for the entry into force of the agreement have been fulfilled.

Yours sincerely,

Anders Fogh Rasmussen

Encl.

His Excellency
Mr Mihai Gribincea
Head of Mission of the Republic of Moldova to the North Atlantic Treaty Organization

EMBASSY OF THE REPUBLIC OF MOLDOVA
TO THE KINGDOM OF BELGIUM

Mission of the Republic of Moldova to NATO

Nr. 768

Brussels, December 18, 2013

Dear Secretary General,

I have the honour to acknowledge the receipt of your letter dated 17 December 2013 which reads as follows:

"I have the honour to refer to the United Nations Security Council Resolution (UNSCR) n° 1244 dated 10 June 1999 providing in the deployment in Kosovo of an international security presence.

In accordance with this UNSCR, the North Atlantic Treaty Organization has decided to establish a multinational KFOR involving NATO and non-NATO forces.

Therefore, based upon previous discussions and communications, I accept with appreciation the offer of the Government of the Republic of Moldova to provide to KFOR an infantry Manoeuvre Platoon, one Explosive Ordnance Disposal (EOD) Team, and one meteorological specialist. It is my understanding that it is the intention of the Government of the Republic of Moldova to maintain its participation in KFOR for a period of at least 6 months starting from November 2013, which may be extended by mutual agreement.

The principles concerning the establishment, functions, and responsibilities of the KFOR are set out in the UNSCR and NATO's operational planning documents. It is understood that your ultimate decision with respect to participation will be contingent upon your acceptance of the provisions of these documents. I seek your agreement that the Moldovan contingent shall conduct itself in accordance with the terms of these documents and any changes to them throughout the course of the operation. Also, I would like to emphasize the importance of continuity of service of units in the KFOR and to seek your agreement that the Moldovan contingent will not be withdrawn without at

least 4 months prior notification to the Commander, KFOR (COMKFOR), except as otherwise agreed.

I draw your attention to the United Nations Security Council Resolution 1244, the Military Technical Agreement and other agreements which may be concluded relating to the rights, obligations, privileges, and immunities of KFOR and its members when present in the Area of Operations. I trust you will confirm that the appropriate authorities of your national contingent shall take the necessary measures to assure the maintenance of proper discipline of your personnel and to exercise jurisdiction with respect to any crime or disciplinary offence which might be committed by your personnel.

With reference to SACEUR OPLAN 10501 REV3 for the Balkans Joint Operations Area and its further revisions, I seek your agreement that national contingents provided to the KFOR, having fully arrived in the Area of Operations and having been assessed as capable of performing its assigned KFOR mission, shall be placed under the operational command and operational control of the Supreme Allied Commander Europe (SACEUR) and subject to NATO Rules of Engagement. SACEUR, who will assume overall authority and operational command or control, will further designate the Commander Joint Force Command NAPLES, as Joint Force Commander (JFC) and designate a Commander Kosovo Force (COMKFOR). COMKFOR will issue orders to the national contingents through the chain of command established by him. Non-NATO nations will retain national command of their own contingents.

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Any issues not covered in the present letter remain the responsibility of the Government of the Republic of Moldova and will not entail any financial responsibility of NATO or any of the national constituent elements of KFOR.

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COMKFOR will utilize national contingents in accordance with their capabilities taking into account the advice of the contingent Commander.

I have the honour to propose that this letter and your reply letter will constitute an agreement between NATO and the Government of the Republic of Moldova which will be applied provisionally from the date of your reply and enter into force on the date of the receipt by NATO of the notification from the Government of the Republic of Moldova that the internal procedures necessary for the entry into force of the agreement have been fulfilled."

I have the honour to inform you of the Government of the Republic of Moldova's acceptance of said letter which, together with this reply, constitute the Agreement between the Government of the Republic of Moldova and the North Atlantic Treaty Organization. The Agreement will be applied provisionally from the date of this reply and enter into force on the date of the receipt by NATO of the notification from the Government of the Republic of Moldova that the internal procedures necessary for the entry into force of the agreement have been fulfilled.

Sincerely yours,

Mihai Gribincea

Ambassador

Head of the Mission of Moldova to NATO

H.E. Anders Fogh Rasmussen

Secretary General

North Atlantic Treaty Organization

Prin prezenta confirm că textul alăturat este o copie certificată de pe Acordul, încheiat prin schimb de scrisori, dintre Guvernul Republicii Moldova şi Organizaţia Tratatului Atlanticului de Nord cu privire la participarea Republicii Moldova în operaţiunea Forţei Multinaţionale din Kosovo (KFOR) (Bruxelles, 18 decembrie 2013), originalul căruia este depozitat la Arhiva Tratatelor a Ministerului Afacerilor Externe şi Integrării Europene.

Dumitru SOCOLAN,
Şef al Direcţiei Generale Drept Internaţional a Ministerului Afacerilor Externe şi Integrării Europene al Republicii Moldova