

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE
CANBERRA

AGREEMENT

BETWEEN

THE GOVERNMENT OF AUSTRALIA

AND

THE GOVERNMENT OF THE UNITED ARAB EMIRATES

CONCERNING

DEFENCE COOPERATION

Not yet in force
[2007] ATNIF 10

AGREEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED ARAB EMIRATES CONCERNING DEFENCE COOPERATION

The Government of Australia, represented by the Department of Defence and the Government of the United Arab Emirates, represented by General Head Quarters of the Armed Forces, hereinafter referred to as the "Parties"

Considering the friendly and cooperative relations existing between the two countries;

Desiring to enhance and strengthen the existing bilateral relationship through Defence cooperation and promote cooperative activities in the field of defence between the two countries based on the principles of independence, sovereignty, mutual benefit and **non-interference in the domestic affairs of each country**;

Confirming their obligations under the United Nations Charter;

Adhering to the principles of full respect of their sovereignty, independence, and territorial integrity;

Have agreed on the following:

Article 1

The Parties shall work in accordance with the national laws and international obligations of each Party in order to encourage, facilitate and develop cooperation in the field of Defence on mutually beneficial basis.

Article 2

1. The Parties shall create a Joint Defence Cooperation Committee composed of representatives of each Party which will establish suitable mechanisms for the implementation of this Agreement, oversight the Memoranda of Understanding or Protocols or arrangements implemented under this Agreement and nominate points of contact to organise specific activities between the Parties as required. The Joint Defence Cooperation Committee will meet regularly alternately in each country, or as otherwise determined by the Parties.

2. Each Party shall nominate one person to be the head of its representatives to the Joint Defence Cooperation Committee. Decisions of the Joint Defence Cooperation Committee will be by consensus. The heads of each Party's representatives will jointly chair meetings of the Joint Defence Cooperation Committee. Records of each meeting will be made by the host Party and signed by the heads of each Party's representatives. The host Party will be responsible for providing meeting facilities and secretarial support.

3. The Parties shall advise each other in writing of the names and contact details of their representatives to the Joint Defence Cooperation Committee within three months of entry into force of this Agreement. Thereafter, each Party shall advise the other in writing at any time of any changes to its representatives.

4. Nominated points of contact organising specific activities pursuant to this Agreement shall consult or meet as required to effect the specific activity. The nominated points of contact for each activity shall report to each meeting of the Joint Defence Cooperation Committee on progress in that activity.

Article 3

1. The Cooperation between the Parties shall include the following fields:

- a. Security and defence policy;
- b. Defence Industry;
- c. Materiel Cooperation;
- d. Military and technical training;
- e. Academic education;
- f. Studies and mutual scientific research in military industries and in technical fields and exchange findings of such work;
- g. Contribution to transfer of technology and knowledge in the fields of military and technical manufacture;
- h. Military logistics support and medical services;
- i. Military cultural and sports activities;
- j. Military history, military archives and publications;
- k. Training in disaster relief and management of potential disaster effects;
- l. Humanitarian and peace keeping operations;
- m. Environmental issues and pollution caused by military facilities;
- n. Cooperation in the field of protection from Weapons of Mass Destruction (WMD);
- o. Joint military exercises; and
- p. Any other fields as agreed by the Parties.

2. To implement cooperative activities in any of the fields of cooperation stipulated in this Agreement, special Protocols or Memorandums of Understanding or other arrangements may be prepared and implemented between the Parties.

3. The Parties note that implementing cooperative activities may require their consideration and implementation of:

- a. measures concerning the status of their respective forces when in the host country; and
- b. the facilitation of the import and export of defence related equipment and material.

Article 4

Cooperation between the Parties shall include the following:

- a. Official visits and bilateral meetings;
- b. Official visits of military and civilian personnel, warships and warplanes;
- c. Exchange of military or civilian defence experience by exchange or loan of military and civilian personnel;
- d. Attendance of military or civilian courses, training and exercises; and
- e. Participation in other official activities organised by the Parties.

Article 5

1. This Agreement shall be limited to the exchange of unclassified information or material until such time as the Parties conclude a General Security of Information Agreement or Arrangement. Where there is an earlier requirement to exchange national security classified information or material, specific security assurances may be arranged between the Parties on each occasion the requirement arises.

2. Both Parties shall protect unclassified information or material in accordance with any privacy or other marking it might carry, and protect classified information or material in accordance with its security marking, when such information or material is exchanged during the implementation of this Agreement and continue to protect such information or material after this Agreement's termination.

3. For the purposes of this Agreement:

“unclassified information” means any information or material that does not or is not notified as carrying a national security classification but may include information which carries a privacy marking or restricted access caveat; and

“classified information” means any information or material that carries or is notified as having a national security classification. The corresponding national security classifications used by the two Parties will be:

Australia
Top Secret
Secret
Confidential
Restricted

UAE
للغاية يرس
يرس
مكتوم
روظحم

Article 6

Regarding the implementation of this Agreement, or any other activities arising thereof, unless otherwise mutually determined in the relevant Memorandum of Understanding or Protocol, each Party shall bear its own costs. Where a separate Memorandum of Understanding or Protocol is to be implemented by the Parties, that Memorandum of Understanding or Protocol will include financial provisions which are consistent with the national policies, rules and regulations of the Parties.

Article 7

1. During their stay in the host country, the personnel of the sending Party shall observe the laws, rules and regulations of the host country. They shall not act in a manner prejudicial to the security and territorial integrity of the host country.
2. The personnel of the sending country shall be subject to the laws and regulations of the host country during their period of stay on its territory.
3. If the personnel of the sending party violate its Military laws and regulations during their period of stay in the host country, the authorities of the sending party shall take appropriate action in accordance with its own military laws and rules.

Article 8

Any dispute arising from this Agreement with respect to its interpretation, application or implementation shall be settled amicably based on mutual consultations and direct negotiations between the Parties' representatives on the Joint Defence Cooperation Committee and, if necessary, through diplomatic channels and shall not be referred to any third party, national or international tribunal.

Article 9

1. This Agreement shall enter into force upon exchange of written letters through diplomatic channels between the two Parties informing each other of their completion of their relevant domestic and constitutional requirements for entry into force.
2. This Agreement shall remain in force for a period of five (5) years commencing from the date of its entry into force and it can be renewed for similar periods by written consent of the Parties.
3. Each Party has the right to terminate the Agreement at any time by informing the other Party through written notice. The termination of this Agreement shall become effective after

six (6) months from the date of notification. The Parties may mutually agree to terminate this Agreement at any time.

4. In the event that this Agreement is terminated (or not renewed), each Party shall be obliged to continue to fulfil all the obligations arising therefrom.

Article 10

Either Party may propose amendments to this Agreement. If the other Party approves such amendments they shall be valid after completion of the procedure provided in Article (9), paragraph (1) of this Agreement.

Article 11

This Agreement has been done in two original copies in each of the Arabic and English languages, each language text being equally authentic.

In witness whereof, the undersigned representatives, duly authorised by their respective Governments, have signed this Agreement.

Done at Abu Dhabi, on this twenty-third day of April 2007.

**FOR THE GOVERNMENT OF
AUSTRALIA:**

**FOR THE GOVERNMENT OF THE
UNITED ARAB EMIRATES:**