



TREATY SERIES 2000

No. 13

**Exchange of Letters
between the Government of Ireland and the
North Atlantic Treaty Organisation constituting an Agreement in relation to
the Provision of a contingent of the Permanent Defence Force for service with the
United Nations authorised international security presence in Kosovo (KFOR)**

ENTERED INTO FORCE FOR IRELAND ON 27 AUGUST 1999

**L Aid before Dáil Éireann
by the Minister for Foreign Affairs**

Pn. No. 8716

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ORGANISATION DU TRAITÉ
DE L'ATLANTIQUE NORD

LE SECRÉTAIRE GÉNÉRAL
SECRETARY GENERAL



NORTH ATLANTIC
TREATY ORGANIZATION

BOULEVARD LÉOPOLD III
B-1110 BRUXELLES

SG(99)1178.irelpa

26 August 1999

Dear Ambassador,

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 Ireland to provide to KFOR a transport company consisting of 105 personnel approximately. It is my understanding that it is the intention of the Government of Ireland to maintain its participation in KFOR until at least June 2000, 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 Irish 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of continuity of service of units in the KFOR and to seek your agreement that the Irish contingent will not be withdrawn without at least 4 months prior notification to the Commander, KFOR (COMKFOR), except as otherwise agreed.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 territory of the Federal Republic of Yugoslavia. 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 OPLAN 10413, Operation "JOINT GUARDIAN", I seek your agreement that national contingents provided to the KFOR, having fully arrived in the Theatre 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 in Chief Southern Europe (CINCSOUTH) as Joint Force Commander (JFC) and designate COMARRC as Commander Kosovo Force (COMKFOR). The 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 non-NATO nations will be carried out in accordance with Security Arrangements to be executed by all participating nations.

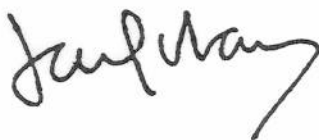
Any issues not covered in the present letter remain the responsibility of the Government of Ireland and will not entail any financial responsibility of NATO or any of the national constituent elements of the KFOR.

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 confirming the agreement of your Government to the terms thereof shall constitute an agreement which shall enter into force on the date of your reply.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Javier Solana', with a long, sweeping underline.

Javier Solana

His Excellency
Mr Eamonn Ryan
Ambassador
Embassy of the Republic of Ireland
Rue Froissart 89-93
1040 Brussels

AMBASSADE D'IRLANDE

89/93, rue Froissart

B-1040 Bruxelles



AMBASSADE VAN IERLAND

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B-1040 Brussel

Tel : 230.53.37 Fax : 230.53.12

27 August 1999

His Excellency Mr. Javier Solana
Secretary General,
North Atlantic Treaty Organisation
1110 Brussels

Dear Secretary General,

I have the honour to acknowledge receipt of your letter of 26 August 1999, 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.

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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 confirming the agreement of your Government to the terms thereof shall constitute an agreement which shall enter into force on the date of your reply. "

I am pleased to inform you of my Government's acceptance of said letter which, together with this reply, constitute an agreement which enters into force on the date of this reply.

Yours sincerely,


Eamonn Ryan
Ambassador of Ireland

