

MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE MINISTRY OF NATIONAL DEFENCE OF
ROMANIA**

AND

**THE MINISTER OF DEFENCE OF
THE KINGDOM OF BELGIUM**

ON

**COOPERATION IN THE FIELD OF DEFENCE
AND MILITARY RELATIONS**

The Ministry of National Defence of Romania and the Minister of Defence of the Kingdom of Belgium, hereinafter referred to as “the Participants”,

Referring to the provisions of the North Atlantic Treaty, dated 4th April, 1949;

Having regard to the Agreement between the Parties to the North Atlantic Treaty regarding the status of their Forces (NATO SOFA), signed in London on 19th June, 1951;

Contributing to the enhancement of international security and stability within the framework of UN, NATO, as well as OSCE and the EU;

Willing to intensify their good and cordial relations;

Desiring to complement and reinforce cooperation on subjects of common interest;

Have reached the following understanding:

SECTION 1 PURPOSE AND SCOPE

1.1. This Memorandum of Understanding concerning defence and military relations (hereinafter referred to as “the MoU”) establishes the framework for cooperation in defence and military matters between the Participants in areas of mutual interest.

1.2. The MoU is not intended to conflict with national law, the existing bilateral or multilateral international agreements of the Participants. Should such a conflict arise, the Participants will notify each other, and appropriate consultations will be established.

SECTION 2 AREAS AND FORMS OF COOPERATION

2.1. Cooperation will be carried out in the English or the French language and may include, among others, the following topics:

- a) defence policy and military aspects of security;
- b) budgeting and financial issues;
- c) structure of logistics support;

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- d) environmental issues;
- e) military education and training;
- f) humanitarian, peacekeeping and crisis management operations;
- g) other areas upon mutual written consent of the Participants.

2.2. The forms of the cooperation can be as follows:

- a) official visits, working meetings and seminars;
- b) consultations, exchange of experience;
- c) military training and exercises;
- d) exchange of information, material and personnel;
- e) cultural and sports activities;
- f) other activities upon mutual consent of the Participants.

2.3. The execution of provisions of the MoU can be subject of and detailed in separate arrangements.

SECTION 3 PLANNING

By the end of each year, the Participants will agree on common activities for the next year and, if necessary, may prepare a detailed plan of cooperation. Such plan may be changed at any time upon mutual consent.

SECTION 4 FINANCIAL ASPECTS

Unless otherwise decided by the Participants, each Participant will incur its own costs in relation to the execution of the MoU.

SECTION 5 PROTECTION OF CLASSIFIED INFORMATION

5.1. The provisions of this Section will be applied until the bilateral security agreement on protection of the exchanged classified information concluded between the Participants will enter into force.



5.2. The Participants commit themselves to use, handle and safeguard any classified information to which they may have access in the framework of this MoU in accordance with the national laws and regulations of the states of the Participants on protection of classified information.

5.3. Each Participant affords to classified information received from the other Participant at least the same protection as it is provided to its own classified information of equivalent level.

5.4. Classified information will be transmitted only through official channels between the competent authorities of the Participants.

5.5. Access to classified information will be confined only to those persons whose duties require such access and who have been security cleared in accordance with their national law. In accordance with their national law, regulations and procedures, each Participant will be responsible for the security clearing of all of its nationals authorized to have access to any classified information.

5.6 The classified information received in the framework of this MoU will not be released or disclosed to third parties, without previous written approval of the other Participant.

5.7 The originating Participant will be immediately notified about all cases of loss or compromise or the possibility of loss or compromise of its classified information. The receiving Participant will carry out explanatory activities to determine the circumstances of loss or compromise of classified information and will also notify the originating Participant of results of those activities and measures taken to prevent such cases in the future.

SECTION 6 CLAIMS

Any claim arising out or occurring under this MoU will be dealt with in accordance with the provisions of the NATO SOFA.

SECTION 7 DISPUTES

Any dispute arising from the interpretation or implementation of this MoU will be resolved amicably by negotiations between the Participants.

SECTION 8 FINAL PROVISIONS

8.1. This MoU will come into effect on the date when the Belgian Participant receives by official channels the notification by which the Romanian

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Participant informs on the completion of the internal legal procedures necessary in this regard. It will remain in effect for an unlimited period of time, unless either Participant notifies the other in writing six months in advance of its intention to terminate the MoU.

8.2. Notwithstanding the termination of this MoU, the provisions of Section 5 (Protection of Classified Information) will remain in effect and the provisions of Section 4 (Financial aspects), Section 6 (Claims) and Section 7 (Disputes) will remain in effect until all outstanding payments and claims are settled.

8.3. The MoU may be amended at any time by mutual written consent of the Participants. Such amendments will come into effect on the date of the last signature.

8.4 The “Protocole d’accord entre le Ministère de la Défense nationale du Royaume de Belgique et le Ministère de la Défense nationale de la Roumanie sur la coopération dans le domaine militaire” done in Bucharest on 12th of November 1993 will be terminated at the date of entry into effect of the present MoU.

Signed in Brussels, on the 18th of April 2012 in two originals in the English language, one for each Participant.

FOR THE MINISTRY OF NATIONAL
DEFENCE OF ROMANIA

FOR THE MINISTER OF DEFENCE
OF THE KINGDOM OF BELGIUM

VIOREL OANCEA

PIETER DE CREM

SECRETARY OF STATE FOR
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THE MINISTER OF DEFENCE