

No. 47497

**France
and
Australia**

Agreement between the Government of the French Republic and the Government of Australia regarding defence cooperation and status of forces (with annexes). Paris, 14 December 2006

Entry into force: *7 July 2009 by notification, in accordance with article 11*

Authentic texts: *English and French*

Registration with the Secretariat of the United Nations: *France, 10 May 2010*

**France
et
Australie**

Accord entre le Gouvernement de la République française et le Gouvernement de l'Australie concernant la coopération en matière de défense et le statut des forces (avec annexes). Paris, 14 décembre 2006

Entrée en vigueur : *7 juillet 2009 par notification, conformément à l'article 11*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat des Nations Unies : *France, 10 mai 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

**THE GOVERNMENT
OF
THE FRENCH REPUBLIC**

AND

**THE GOVERNMENT
OF
AUSTRALIA**

REGARDING

DEFENCE COOPERATION

AND

STATUS OF FORCES

THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF AUSTRALIA (hereinafter referred to as « the Parties ») ;

HAVING REGARD to their historical friendly relationship ;

NOTING their mutual commitment to the peaceful settlement of international disputes, to the development of bilateral military and defence cooperation and to the enhancement of international security and to lasting peace in the Pacific region ;

WISHING to facilitate defence relations between the Parties ;

CONSIDERING that the conduct of defence cooperative activities between them is in the national interest of both their countries ;

DESIRING to define the status of the armed forces of one Party while in the territory of the other Party ;

FURTHER DESIRING to make provision for the settlement of claims arising out of cooperative activities conducted pursuant to this Agreement ;

HAVE AGREED as follows :

Article 1
Definitions

In this Agreement, and its Annexes :

- (a) "Authorities of the Receiving State" means the authority or authorities from time to time authorised or designated under the law of the Receiving State or by the Government of the Receiving State, for the purpose of exercising the powers or responsibilities pursuant to this agreement ;
- (b) "Authorities of the Sending State" means the authority or authorities from time to time authorised or designated under the law of the Sending State or by the Government of the Sending State, for the purpose of exercising the powers or responsibilities in relation to which the expression is used ;
- (c) "Civilian component" means the personnel accompanying a Visiting Force and who are employed by or in the service of the Visiting Force having functions relating to defence matters and who are not members of the Visiting Force, nor nationals of, nor ordinarily resident in the Receiving State ;
- (d) "Dependant" means a person who :
 - (i) is not a Member of a Visiting Force or of its Civilian Component ;
 - (ii) is neither a national of or nor ordinarily resident in the Receiving State; and
 - (iii) is accompanying a Member of a Visiting Force or of its Civilian Component and is :
 - (I) the spouse of the Member ;
 - (II) wholly or mainly maintained by the Member ;

- (III) in the custody, care or charge of the Member ; or
- (IV) one of the family of the Member residing with the Member ;
- (c) "Member of a Visiting Force" means a person who, in accordance with the law of the Sending State or as mutually determined, is serving as a Member of a Visiting Force ;
- (f) "Receiving State" means the State of the Party in whose territory a Visiting Force is located ;
- (g) "Sending State" means the State of the Party to which the Visiting Force belongs ;
- (h) "Visiting Force" means any body, contingent or detachment of the armed forces of one Party, who, with the consent of the other Party, is present in the territory of the other Party pursuant to a cooperative activity as outlined in Article 2.

Article 2

Cooperative Activities

- (1) The Parties shall facilitate defence relations between each other by undertaking such cooperative activities between them pursuant to this Agreement as they mutually determine.
- (2) Cooperative activities pursuant to this Agreement may include :
 - (a) the conduct of joint or unilateral visits and military exchanges, exercises or other activities, particularly between the Australian Defence Force and the French Armed Forces ;
 - (b) the provision of joint or unilateral training of military personnel ;
 - (c) the conduct of logistic support ;
 - (d) the exchange of defence information ;
 - (e) the exchange of intelligence ;
 - (f) joint activities in the fields of armament, defence technology and research ;
 - (g) activities to enhance and broaden the interaction of their respective military cultures ;
 - (h) the exchange of space information and services, including geospatial information and services ;
 - (i) the provision of international humanitarian assistance ; and
 - (j) such other cooperative activities related to defence as the Parties mutually determine.
- (3) Cooperative activities under this Agreement shall be implemented by both Parties' national defence organisations. Such cooperative activities may be specifically defined by means of agreements or arrangements.

Article 3
Coordination

- (1) Coordination of cooperative activities pursuant to this Agreement shall be undertaken using existing mechanisms for military and defence consultations. Proposed cooperative activities may be made agenda items for the defence military talks held between the Parties.
- (2) The Parties may create additional coordination mechanisms as they mutually determine.

Article 4
Logistics Support

To facilitate cooperative logistics support between the Parties as outlined in Article 2, the Parties shall negotiate a mutual logistics support instrument. This instrument will provide for the supply of logistics support on the basis of either reimbursement, exchange in kind, or exchange for equal value and will include costing and financial details, in addition to the conditions under which various transactions may occur.

Article 5
Status of Forces

The provisions set out in Annex 1 concerning Status of Forces shall apply, according to their terms, to cooperative activities pursuant to this Agreement.

Article 6
Claims

The provisions set out in Annex 2 concerning Claims shall apply, according to their terms, to cooperative activities pursuant to this Agreement.

Article 7
Security of Classified Information

All classified information exchanged or communicated between the Parties in cooperative activities pursuant to this Agreement shall be protected in accordance with the Agreement between the Government of Australia and the Government of the French Republic relating to the Exchange and Communication of Classified Information which entered into force on 15 July 1985 or any successor agreements or arrangements.