#### No. 51135\*

# United States of America and North Atlantic Treaty Organization

Memorandum of Agreement between the Department of Defense of the United States of America and the North Atlantic Treaty Organization Consultation, Command and Control Organization (NC3O) concerning air command, control, communications and intelligence capabilities. Washington, 23 April 2002, and Brussels, 7 May 2002

**Entry into force:** 7 May 2002 by signature, in accordance with article 16

Authentic text: English

Registration with the Secretariat of the United Nations: United States of America, 15 July

2013

Note: See also annex A, No. 51135.

No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.

## États-Unis d'Amérique et Organisation du Traité de l'Atlantique Nord

Mémorandum d'accord entre le Département de la défense des États-Unis d'Amérique et l'Organisation de consultation, de commandement et de contrôle (NC3O) de l'Organisation du Traité de l'Atlantique Nord relatif au commandement de l'air, au contrôle, aux communications et aux capacités de renseignement. Washington, 23 avril 2002, et Bruxelles, 7 mai 2002

Entrée en vigueur: 7 mai 2002 par signature, conformément à l'article 16

**Texte authentique:** anglais

Enregistrement auprès du Secrétariat des Nations Unies : États-Unis d'Amérique, 15 juillet

2013

**Note:** Voir aussi annexe A, No. 51135.

<sup>\*</sup>Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.

[ ENGLISH TEXT – TEXTE ANGLAIS ]

#### MEMORANDUM OF AGREEMENT BETWEEN

#### THE DEPARTMENT OF DEFENSE

#### OF THE UNITED STATES OF AMERICA

#### AND THE

NORTH ATLANTIC TREATY ORGANIZATION CONSULTATION, COMMAND AND CONTROL ORGANIZATION (NC3O)

#### **CONCERNING**

AIR COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE CAPABILITIES

### TABLE OF CONTENTS

PREAMBLE	3
ARTICLE I	
DEFINITIONS	4
ARTICLE II	
OBJECTIVES	8
ARTICLE III	
SCOPE OF WORK	8
ARTICLE IV	
MANAGEMENT (ORGANIZATION AND RESPONSIBILITY)	11
ARTICLE V	
FINANCIAL PROVISIONS	12
ARTICLE VI	
CONTRACTING PROVISIONS	13
ARTICLE VII	
DISCLOSURE AND USE OF PROJECT INFORMATION	14
ARTICLE VIII	
CONTROLLED UNCLASSIFIED INFORMATION	16
ARTICLE IX	
VISITS TO ESTABLISHMENTS	17
ARTICLE X	
SECURITY	18
ARTICLE XI	
THIRD PARTY SALES AND TRANSFERS AND ALTERNATE	
USES	20
ARTICLE XII	
LIABILITY AND CLAIMS	21
ARTICLE XIII	
CUSTOMS DUTIES, TAXES, AND SIMILAR CHARGES	22
ARTICLE XIV	
SETTLEMENT OF DISPUTES	22
ARTICLE XV	
LANGUAGE	23
ARTICLE XVI	
AMENDMENT, TERMINATION, ENTRY INTO FORCE	
AND DURATION	23

#### PREAMBLE

The Department of Defense (DOD) of the United States of America, as represented by the Department of the Air Force, and the North Atlantic Treaty Organization (NATO) Consultation, Command and Control Organization, as represented by the General Manager, NATO Consultation, Command and Control Agency (NC3A), hereinafter referred to as the "Parties":

Having a common interest in defense;

Recognizing the benefits to be obtained from standardization, rationalization, and interoperability of military equipments;

Desiring to improve their mutual conventional defense capabilities through the application of emerging technology;

Having a mutual need for the Air Command, Control, Communications and Intelligence Capabilities to satisfy common operational requirements;

Having independently conducted studies, research, exploratory development, and testing of the applications of various technologies, recognize the benefits of cooperation in the Air Command, Control, Communications and Intelligence Capabilities;

Have agreed as follows:

#### ARTICLE I

#### **DEFINITIONS**

The Parties have agreed upon the following definitions for terms used in this Agreement:

C3I

Command, Control, Communications and Intelligence represents the full spectrum of air campaign planning culminating in the commitment of a force to battle. In exercising direction and control of the air battle, the Joint Forces Air Component Commander (JFACC) conducts the following specific tasks:

- a. The determination of when and where to apply air power in concert with the force commanders.
- b. The creation of conditions to give the supported forces the best chance of success.
- c. The adjustment of the air campaign according to mission results and the revised intentions of the joint force commander.
- d. The exploitation of opportunities arising from combat, often within a limited time frame.

CAOC

Combined Air Operations Center. The CAOC plans air operations in accordance with orders and directives received from its higher headquarters. This includes the planning of offensive, defensive and support missions, as well as the development of an air defense posture within an assigned area. The CAOC develops air tasking orders tasking subordinate units to execute the planned air operations.

Classified Information Official information that requires protection in the interests of national security and/or NATO and is so designated by the application of a security classification marking.

Contract

Any mutually binding legal relationship which obligates a Contractor to furnish supplies or services, and obligates one or both of the Parties to pay for them.

Contracting

The obtaining of supplies or services by Contract from sources outside the organizations of the Parties.