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**Switzerland
and
Ghana**

Memorandum of Understanding (MOU) between the Swiss Federal Council and the Government of the Republic of Ghana on bilateral cooperation on training by deploying and financing staff to the Kofi Annan International Peacekeeping Training Centre (KAIPTC). Accra, 18 July 2012

Entry into force: *17 September 2012 by notification, in accordance with article 16*

Authentic texts: *English and German*

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**Suisse
et
Ghana**

Protocole d'accord (MoU) entre le Conseil fédéral suisse, et le Gouvernement de la République du Ghana concernant la collaboration bilatérale en matière d'instruction par l'envoi et le financement de personnel au Centre International Kofi Annan de Formation au Maintien de la Paix (KAIPTC). Accra, 18 juillet 2012

Entrée en vigueur : *17 septembre 2012 par notification, conformément à l'article 16*

Textes authentiques : *anglais et allemand*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Suisse, 21 août 2013*

MEMORANDUM OF UNDERSTANDING (MOU)

between

the Swiss Federal Council

and

the Government of the Republic of Ghana

on

bilateral cooperation on training by deploying and financing staff to the Kofi Annan International Peacekeeping Training Centre (KAIPTC)

*The Swiss Federal Council
and
the Government of the Republic of Ghana*

hereinafter referred to as "the Parties",

taking into account the need to contribute, in the spirit of the Charter of the United Nations, to strengthening peace, confidence and stability in the world,

stressing the importance to assist in building up regional capabilities and training institutions in the field of peace support operations (conflict prevention peacekeeping, peace-building etc.) throughout Africa and elsewhere,

in accordance with the respective national laws of the Parties, and their international obligations,

have agreed as follows:

Article 1

For the purpose of this MOU, the following definitions shall apply:

- a) *Receiving Party* means the Republic of Ghana;
- b) *Sending Party* means the Swiss Confederation;
- c) *Sending Party Personnel* means the military and civilian personnel of the Sending Party that participate in activities of bilateral cooperation related to training activities at the KAIPTC and their dependants.

Article 2

1. The purpose of this MOU is to set out the conditions and forms of activities of bilateral co-operation in the field of training to be provided to the KAIPTC and to determine the status of military and civilian personnel as well as their dependants sent by the Sending Party to the KAIPTC.

2. This MOU shall not cover the planning, preparation and conduct of combat and other active military operations by the Parties.

Article 3

Agencies competent for the implementation of this MOU, hereinafter referred to as the "Authorized Agencies", shall be:

in the Republic of Ghana - Ministry of Defence/KAIPTC and

in the Swiss Confederation - the Federal Department of Defence, Civil Protection and Sports.

Article 4

1. Within the framework of this MOU, the Sending Party may contribute to the activities of the KAIPTC by seconding military or civilian personnel on request from the KAIPTC in order to support training activities at the KAIPTC in designated appointments to be agreed by the Authorised Agencies.

2. With the consent of the Authorized Agencies, contributions to the activities of the KAIPTC may be carried out in other forms.

Article 5

The Sending Party Personnel shall benefit from the same privileges and immunities set forth in the Vienna Convention on Diplomatic Relations of 18 April 1961 for diplomatic agents.

Article 6

1. The Receiving Party shall provide the necessary administrative conditions to include permits, licences, identity cards etc, to the Sending Party Personnel for its stay on the territory of the Receiving Party and support it in all administrative and technical issues.

2. The Sending Party Personnel, while staying in the territory of the Receiving Party, shall be allowed to wear uniform in accordance with the rules and regulations of the Sending Party.

Article 7

1. The Sending Party Personnel shall remain under Full Command of the respective authorities of the Sending Party, retaining normal national chain of command, but shall respect the rules and regulations of the Receiving Party.

2. Operational Control of the Sending Party personnel shall reside in the Commandant of KAIPTC. The Commandant may delegate operational control, as necessary.

3. The Sending Party shall withdraw individual members of the Sending Party Personnel in the event of considerable incompetence, incapability to perform the assigned duties or in the event of any other reason which, in good faith, makes it impossible for the Receiving Party to accept further services of that individual upon written request by the Receiving Party.

Article 8

1. The Receiving Party shall assume responsibility for all activities of the KAIPTC regarding this MOU.

2. The Parties agree to waive any claims against each other with respect to injury of personnel or damage to goods and equipment of the other Party resulting from the implementation of this MOU.

3. Claims of third parties, other than contractual claims, resulting from acts or omissions of the Sending Party Personnel in performance of official duties under this MOU, shall be filed, considered and settled according to the legislation of the Party on whose territory the claim has been filed. That Party shall provide any resulting compensation, to which the claiming party is entitled, at its own charge, at first instance. In the case of willful misconduct or gross negligence of the Sending Party Personnel, the Sending Party shall reimburse any such compensation, whereas in all other cases the Parties agree to negotiate on an amicable solution.

Article 9

1. The Receiving Party shall take all appropriate measures to provide security as well as to prevent and suppress any unlawful act against the Sending Party personnel and its property.

2. In accordance with the national law of the Receiving Party, the Sending Party Personnel shall cooperate in its daily activities with the respective authorities of the Receiving Party.

Article 10

The Sending Party personnel shall be unarmed.

Article 11

1. The Sending Party shall not deploy Sending Party Personnel to the territory of the Receiving Party without sufficient health insurance coverage.