

AGREEMENT
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ESTONIA, THE
GOVERNMENT OF THE REPUBLIC OF LATVIA AND THE GOVERNMENT OF
THE REPUBLIC OF LITHUANIA ON THE CONFIGURATION OF THE BALTIC
AIR SURVEILLANCE NETWORK AND CONTROL SYSTEM

The Government of the Republic of Estonia, the Government of the Republic of Latvia and the Government of the Republic of Lithuania, hereinafter referred to as *the Parties*,

Taking into consideration the membership in the North Atlantic Treaty Organisation (hereinafter *NATO*), the contribution to the enforcement of sovereignty of the national airspace of the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania and the efforts to promote common development of the national air defence systems within the structures of NATO and its Member States, so that the national defence systems would meet the common standards and requirements of NATO,

Seeking to contribute to the promotion of international co-operation among the Parties,

Having the need for further development of the Baltic Air Surveillance Network and Control System with a clearly defined organizational, administrative and financial status as specified below, for the implementation of tasks arising out of the participation in the NATO air defence system,

Implementing recommendations to the Parties on the termination of the functioning of the Control and Reporting Centre and on the most efficient and effective solution of Baltic Air Surveillance Network and Control System future configuration (BFC) following preparation for implementation of Air Command and Control System (ACCS),

Aiming to define the framework for co-operation of the Parties in the development and management of Baltic Air Surveillance Network and Control System,

Recognising that the provisions of the Agreement between the Parties to the North Atlantic Treaty Regarding the Status of Forces, done on 19 June 1951, shall apply to the co-operation established by the present Agreement,

Noting that the provisions of the Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Estonia on Mutual Protection of Classified Information, done at Vilnius on 28 May 2013, the Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Latvia on Mutual Protection of Classified Information, done at Vilnius on 3 December 2014, the Agreement between the Government of the Republic of Latvia and the Government of the Republic of Estonia on the Exchange and Mutual Protection of Classified Information, which entered into force on 20 July 2011, shall apply to the classified information stored, handled, generated, transmitted or exchanged as a result of the execution of this Agreement, and

Acknowledging that the Parties shall commonly assume the responsibility for implementation of this Agreement,

Have agreed as follows:

ARTICLE I ACRONYMS AND ABBREVIATIONS

As used throughout this Agreement the following acronyms and abbreviations are identified below:

- a) **BALTNET** – Baltic Air Surveillance Network and Control System;
- b) **CRC** – Control and Reporting Centre;
- c) **CRCiB** – Control and Reporting Centre in Back-Up;
- d) **CRCiC** – Control and Reporting Centre in Charge;
- e) **MC** – Ministerial Committee;
- f) **MCG** – Military Co-ordination Group;
- g) **MiIC** – Military Committee;
- h) **NATO** – North Atlantic Treaty Organization;
- i) **NATO SOFA** – Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, done in London on 19 June 1951;
- j) **NATINAMDS** – NATO Integrated Air and Missile Defence System;
- k) **RP** – Radar Post.

ARTICLE II DEFINITIONS

As used throughout this Agreement, the following definitions shall have the meanings stated below:

- a) Weapons – in the scope of this Agreement are air policing/defence fighters.
- b) BALTNET is an integral part of NATINAMDS that performs air surveillance, weapons control, command and control and training activities in the territories of the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania. It comprises CRCs, RPs and BALTNET assigned equipment.
- c) CRCs are nationally manned and organized tactical air command and control units that conduct air surveillance and weapons control operations and are established respectively in the territory of each of the Parties, and are an integral part of BALTNET.
- d) CRCiC is a respective CRC that at a time on rotational basis is responsible for weapons control operations covering the territories of the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania.
- e) CRCiB is a respective CRC that at a time on rotational basis is a back-up unit for CRCiC.
- f) RPs are nationally manned and organized tactical units, established respectively in the

territory of each of the Parties, and are an integral part of BALTNET.

g) BALTNET assigned equipment – radars, radios, communicational lines and other equipment necessary for the activities of BALTNET.

ARTICLE III GENERAL

1. The aim of BALTNET is to secure the sovereignty of the national airspace of the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania by continuously using nationally owned air surveillance assets and air command and control systems, hence contributing to the safeguarding of the integrity of NATO airspace.

2. The purpose of this Agreement is to define the framework for cooperation between the Parties in the organisation and management of BALTNET.

ARTICLE IV ORGANIZATION AND MANAGEMENT

1. For the organization and management of BALTNET the Parties agree to employ the existing format for Baltic states cooperation: MC, consisting of the respective Parties' Ministers of (National) Defence or their designated representatives, MilC, consisting of the respective Parties' Chiefs of Defence or their designated representatives and MCG, consisting of the respective Parties' Commanders of Air Forces or their designated representatives.

2. MC embodies the highest political authority over BALTNET and shall be solely responsible for:

- a) making policy decisions and providing political guidance;
- b) approving the overall configuration of BALTNET;
- c) settling disputes that occur in MilC.

3. MilC embodies the military command authority over BALTNET and shall be responsible for:

- a) providing recommendations to the MC on policy and further development of BALTNET;
- b) providing military advice to MC regarding further BALTNET developments;
- c) approving a BALTNET concept of operations and other operational documents.

4. MCG shall be responsible for:

- a) co-ordinating and managing BALTNET;
- b) providing all necessary information and assistance to MilC regarding BALTNET issues.

5. MC and MilC may establish subordinated working groups to accomplish their tasks.

ARTICLE V
ESTABLISHMENT OF CRCs

1. Parties agree to establish three separate national CRCs, one in the Republic of Estonia, one in the Republic of Latvia and one in the Republic of Lithuania. All three national CRCs will conduct air surveillance respectively in their territories, and share Recognized Air Picture (RAP), Radar Data, Flight Plan Information (FPI) and ground-air-ground radio communication capabilities among each other in order to enable all national units to perform CRCiC duties.
2. Exact functions of CRCs, CRCiB, CRCiC, the practical aspects of command, control and organization of CRCs, training, standards of equipment, back-up functionality to cover surveillance functions and weapons control, CRCiB and CRCiC rotational procedures and conditions, readiness times, concept of operations and other operational documents will be specified in separate agreements between the respective Ministries of (National) Defence of the Parties.

ARTICLE VI
LEGAL STATUS

1. Law and regulations in force in the territories of the respective Parties govern the established national CRCs and RPs.
2. NATO SOFA governs the status of personnel, which performs duties in the territory of another Party, due to activities connected to BALTNET.

ARTICLE VII
OWNERSHIP AND ASSETS

1. Each Party shall be the owner or custodian of BALTNET assigned equipment, facilities, hardware and software that is located in its territory and shall be responsible for its operation and maintenance, unless otherwise agreed.
2. No Party may alter, substitute or change any equipment or software which affects the data content or electronic characteristics of it, except when this is agreed by MilC.

ARTICLE VIII
RESPONSIBILITIES

1. The Parties agree to develop BALTNET and ensure functioning of CRCs according to applicable NATO procedures and standards, and laws and regulations in force in the territories of the respective Parties.
2. Each Party is responsible for the adequate manning of the respective CRC and RPs, and training of its personnel.
3. Each Party agrees to provide the necessary and capable infrastructure for the establishment and functioning of the respective CRCs and to assign the necessary equipment for BALTNET in order to ensure the functioning of BALTNET.
4. Each Party shall ensure that information on accidents, incidents and airspace violation by third parties will be provided to Parties in a timely manner.

5. Each Party shall cooperate and facilitate investigations, carried out by one of the Parties, on accidents, incidents and airspace violation by third parties.

ARTICLE IX FINANCIAL ARRANGEMENTS

1. Each Party shall bear its' own cost incurred by the respective national CRCs and RPs, unless otherwise agreed.

2. Whereas the financial matters of the activities related to BALTNET are not covered by the separate agreements mentioned in paragraph 2 of Art. V, the Parties agree, that the Ministries of (National) Defence of the Parties will agree on financial matters in separate arrangements or on a case-by-case basis.

ARTICLE X PROTECTION OF INFORMATION

Classified information stored, handled, generated, transmitted or exchanged as a result of the execution of this Agreement will be treated in accordance with international agreements among the Parties and applicable international regulations governing protection of classified information.

ARTICLE XI SETTLEMENT OF DISPUTES

Disputes between the Parties regarding the interpretation or application of this Agreement shall be resolved by negotiations between the Parties at the lowest possible level and shall not be referred to any international tribunal or third party for settlement.

ARTICLE XII DEPOSITORY

The Government of the Republic of Lithuania shall act as the Depository for this Agreement.

ARTICLE XIII ENTRY INTO FORCE, DURATION AND DENUNCIATION

1. This Agreement shall enter into force 90 (ninety) days after the Depository has received through diplomatic channels the last written notification stating that the necessary national legal requirements for this Agreement to enter into force have been completed. The Depository shall inform the Parties of each notification received and the entry into force date of this Agreement.

2. On the date of the entry into force of this Agreement, the Agreement between the Government of the Republic of Estonia, the Government of the Republic of Latvia and the Government of the Republic of Lithuania on the development of the Baltic Air Surveillance Network and control system, signed on March 2, 2007 in Wiesbaden, and Protocol between the Government of the Republic of Estonia, the Government of the Republic of Latvia and the Government of the Republic of Lithuania concerning the status of Combined Control and Reporting Centre Karmélava and its Personnel, signed on March 2, 2007 in Wiesbaden, are terminated.

3. This Agreement is concluded for an unlimited period of time. It may be denounced by any

of the Parties by a written notification to the Depository, which shall notify the other Parties through diplomatic channels on each such notification and the date of the receipt thereof. The denunciation shall take effect 6 (six) months after the receipt of the notification by the Depository. In case of denunciation of this Agreement by any of the Parties, it shall cease to be in effect regarding that specific Party.

4. Pending the completion of the procedure for the entry into force of this Agreement, the provisions of this Agreement shall be applied provisionally upon its signature to the extent that is compatible with the constitutions, laws and regulations of the Parties.

ARTICLE XIV AMENDMENTS

Any of the Parties may initiate amendments to this Agreement at any time. The request shall be addressed to the Depository, which shall notify through diplomatic channels the other Parties of each such notification and the date of the receipt thereof. Such amendments shall come into force pursuant to paragraph 1 of Article XIII of this Agreement.

DONE in Brussel on 24th Oct, 2019 in a single copy in the Estonian, Latvian, Lithuanian and English languages, all texts being equally authentic, which shall be deposited into the archives of the Depository. The Depository shall transmit certified copies of the Agreement to all of the Parties. In any case of divergence, the text in the English language shall prevail.

For the Government of the
Republic of Estonia
Jüri Luik

For the Government of the
Republic of Latvia
Artis Pabriks

For the Government of the
Republic of Lithuania
Raimundas Karoblis