

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF FINLAND

AND

THE GOVERNMENT OF THE KINGDOM OF SWEDEN

ON

DEFENCE COOPERATION

INTRODUCTION

The Government of the Republic of Finland represented by the Ministry of Defence and the Government of the Kingdom of Sweden, hereinafter referred to as the Participants;

Respecting the long-standing security and defence policy cooperation that exists between Finland and Sweden and wishing to continue and further develop the relation in the field of defence;

Recognizing that the Participants share common geostrategic interests and views on the security challenges and that a strengthened bilateral defence cooperation is of mutual benefit;

Wishing to contribute to the security in Europe and the steadfast enhancement of stability in the Baltic Sea Region, as well as to international peace and security;

Noting that the ability to act jointly also raises the threshold against incidents and armed attacks;

Aiming to increase operational effect and to optimise the use, sustainability and development of the Participants' defence capabilities;

Continuing to develop our bilateral defence cooperation to cover operational planning for all situations. Examples of this may include the defence of territorial integrity or exercising the inherent right of collective self-defence pursuant to Article 51 of the UN Charter;

Considering the Action Plan for Deepened Defence Cooperation (May 2014) signed by the Ministers of Defence, the Final reports by the Ministries of Defence of Finland and Sweden, The Finnish Defence Forces and the Swedish Armed Forces on deepened defence cooperation between Finland and Sweden (January 2015) and the Joint Statement regarding deepened defence cooperation between Finland and Sweden (May 2015) signed by the Permanent Secretary of the Ministry of Defence of Finland and the State Secretary of the Ministry of Defence of Sweden;

Considering the national decisions and guidance in Finland and Sweden respectively on deepened defence cooperation in specific areas of cooperation;

Acknowledging the annual military level implementation plan of the defence cooperation between Finland and Sweden;

Acknowledging any obligation that may follow from the Participants' membership of the European Union (EU);

Taking into account the development of the EU's defence cooperation;

Respecting the Memorandum of Understanding between the Ministry of Defence of the Kingdom of Denmark and the Ministry of Defence of the Republic of Finland and the Ministry for Foreign Affairs of Iceland and the Ministry of Defence of the Kingdom of Norway and the Government of the Kingdom of Sweden on Nordic Defence Cooperation (NORDEFECO) dated 4 November 2009;

Have resolved to conclude this Memorandum of Understanding (MoU) to establish the basis for further bilateral defence cooperation.

Section 1

PURPOSE OF THE MoU

1. This MoU provides the framework for the bilateral defence cooperation between the Participants.
2. The MoU identifies the aim and scope of the cooperation and provides a non-exhaustive list of areas of cooperation.
3. Additional agreements or arrangements under the auspices of this MoU may be concluded between the Participants or between any subordinate authorities duly authorised by the respective Participant.
4. This MoU is not intended to conflict with national legislation of the Participants or with international law. In case of conflict, national legislation or international law will prevail. The Participants will notify each other in the event of any conflict arising.

Section 2

AIM AND SCOPE OF THE DEFENCE COOPERATION

1. The defence cooperation between the Participants aims at strengthening the defence capabilities of the Participants, creating prerequisites for combined joint military action and operations in all situations, and to further common interests in the defence domain, including strengthening the security of the Baltic Sea region.
2. The Participants will achieve increased operational effect through combined use of resources, increased interoperability, increased capability to act jointly both domestically and internationally and a closer dialogue on common security interests and challenges.
3. The defence cooperation covers peace, crisis and war. No predetermined limits will be set on deepening the bilateral defence cooperation. This MoU does not contain mutual defence obligations. Execution of bilateral military action and operations is subject to separate national decisions.
4. The defence cooperation includes all levels of the Participants defence, the policy and military levels including the strategic, operational and tactical level.

Section 3 AREAS OF COOPERATION

1. The areas of cooperation include, but are not limited to:
 - a. Defence and security policy dialogue.
 - b. Prerequisites for combined joint military action and operations, including operational and tactical planning and interoperability.
 - c. Procedures for transfer of operational command and control authority (TOA).
 - d. Host nation support.
 - e. Territorial surveillance and protection of territorial integrity.
 - f. Situational awareness including exchange of classified information.
 - g. Access to each other's territory for military forces of the Participants.
 - h. Common use of resources, logistics and infrastructure, including access to military bases and exercise/training areas.
 - i. Training, exercises and education.
 - j. Personnel exchange on the ministerial as well as the military level.
 - k. Interoperable communications and information systems capabilities, including secure communication on all levels.
 - l. Logistics and armament, including security of supply.
 - m. Research and development.
 - n. Cooperation within the field of Chemical, Biological, Radiological and Nuclear (CBRN) protection.
 - o. Cyber and countering hybrid threats.
 - p. Strategic communication.
 - q. Military crisis management.
 - r. Cooperation within the EU as well as in other regional and international organisations and initiatives.
 - s. Legal issues related to the areas of cooperation.

2. Defence cooperation activities under this MoU will be subject to separate national decisions when needed. Detailed procedures and conditions regarding the areas of cooperation will be based upon directives and guidance from the respective Ministries and Governments.

Section 4 FINANCIAL ARRANGEMENTS

Unless otherwise agreed each Participant will cover its own expenses derived from activities and projects conducted under this MoU.

Section 5 STATUS OF FORCES

The Agreement among the States participating in the Partnership for Peace regarding the Status of their Forces, done in Brussels on 19 June 1995 (NATO/PfP SOFA), apply together with its Additional Protocol to the status of forces of the Participants while conducting activities or projects under the auspices of this MoU on the territory of the other Participant.

Section 6 SECURITY OF CLASSIFIED INFORMATION

The General Security Agreement on the Mutual Protection and Exchange of Classified Information between Denmark, Finland, Iceland, Norway and Sweden, dated 7th May 2010 (GSA) apply to classified information provided or generated under this MoU or subordinate agreements or arrangements. Specific rules concerning security of information provided or generated under this MoU may be laid down in subordinate arrangements.

Section 7 DISPUTES

Any dispute concerning the interpretation or application of this MoU and its subordinate agreements or arrangements will be resolved by negotiations between the Participants and will not be referred to any national or international tribunal or third party for settlement.

Section 8 FINAL PROVISIONS

1. This MoU may be amended or modified at any time. Any amendment to this MoU will be made in writing by mutual consent by the Participants.
2. This MoU may be terminated at any time by mutual written consent of the Participants.
3. Any of the Participants may withdraw from this MoU within 12 months by written notice.
4. In the event that this MoU is terminated, or a Participant makes a formal notification of its withdrawal from the MoU, the provisions of this MoU will continue to apply until any outstanding matters relating to this MoU have been resolved.
5. This MoU will enter into effect on the date of the last signature of the Participants.

Signed,

Date: 9 July 2018

FOR THE GOVERNMENT OF THE REPUBLIC OF FINLAND

Jussi Niinistö
Minister of Defence

Date: 9 July 2018

FOR THE GOVERNMENT OF THE KINGDOM OF SWEDEN

Peter Hultqvist
Minister for Defence