

No. 31546

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**CANADA
and
BAHRAIN**

**Memorandum of Agreement concerning the deployment of
Canadian forces. Signed at Manama on 16 January 1991**

Authentic texts: English and French.

Registered by Canada on 27 January 1995.

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**CANADA
et
BAHREÏN**

**Protocole d'entente concernant le déploiement de forces
canadiennes. Signé à Manama le 16 janvier 1991**

Textes authentiques : anglais et français.

Enregistré par le Canada le 27 janvier 1995.

MEMORANDUM OF AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE STATE OF BAHRAIN CONCERNING THE DEPLOYMENT OF CANADIAN FORCES

The Government of Canada and the Government of the State of Bahrain,

Out of the ties of friendship and co-operation, and as a result of the present unsettled conditions in the Gulf area, which threaten the security and safety of Bahrain, and other countries in the region, and in recognition of the grave breach of the peace of the region and of United Nations Security Council Resolutions 660,² 661,² 662,³ 664,⁴ and 665⁴ have agreed as follows:

1. The Government of Canada is deploying forces to the sovereign territory of Bahrain in exercise of the inherent right of individual or collective self-defence recognised in Article 51 of the United Nations Charter.
2. The Government of Bahrain will make facilities available for such Canadian forces in Bahrain. The number and nature of the Canadian forces and the facilities to be made available shall from time to time be agreed by a Joint Consultative Committee to be established under paragraph 13 below.
3. The deployment of Canadian forces in Bahrain under this Memorandum of Agreement is to assist in deterring the aggression which threatens Bahrain and other Gulf Co-operation Council countries and to support the outstanding

¹ Came into force on 16 January 1991 by signature, in accordance with paragraph 14.

² United Nations, *Official Records of the Security Council, Forty-fifth year, Resolutions and Decisions of the Security Council (S/INF/46)*, p. 19.

³ *Ibid.*, p. 20.

⁴ *Ibid.*, p. 21.

United Nations Security Council Resolutions as part of the multi-national military force in and around the Arabian peninsula and to meet any other objectives agreed by the parties to this Memorandum of Agreement.

4. The Canadian forces in Bahrain will observe and respect the laws, regulations, customs and traditions of Bahrain, and have a duty not to interfere in the internal affairs of Bahrain. The Government of Canada shall ensure respect and compliance thereof.

5.
 - (a) The Government of Canada shall exercise criminal jurisdiction over members of the Canadian forces except as may be otherwise agreed by the governments of both countries. The Government of Bahrain shall exercise civil jurisdiction over members of the Canadian forces, except for those matters arising in the course of the performance of their official duties.

 - (b) In relation to criminal jurisdiction the Government of Canada shall, when requested, hold negotiations with the Government of Bahrain for the purpose of implementing exceptions to the general rule regarding cases of criminal jurisdiction which may be retained by the Government of Bahrain.

 - (c) The authorities of both governments shall assist each other in carrying out all necessary investigations into alleged offences and in the collection and production of evidence relating to an alleged offence.

6. Each government waives any claim it has or may have against the other government or any service personnel or civilian employees of the other government for injury (including

injury resulting in death) suffered by its service personnel or civilian employees or for damage to or loss of property owned by it if such injury, death, damage or loss was caused by acts or omissions of the other government or any such service personnel or civilian employees of the other government in the performance of official duties in connection with this Memorandum of Agreement.

7. The Government of Canada shall pay just and reasonable compensation in settlement of civil claims on the part of any third party arising out of any act or omission of the Canadian Government or any service personnel or civilian employees of the Canadian Government done in the performance of official duties in connection with this Memorandum of Agreement. All such claims shall be expeditiously processed and settled by the authorities of Canada.
8. In relation to civil claims over which the Government of Bahrain has jurisdiction the Government of Canada will endeavour to assist third party claims resulting from any act or omission of any service personnel or civilian employee of the Government of Canada causing injury, death, loss or damage other than in performance of official duties in connection with this Memorandum of Agreement and to obtain satisfaction of any judgment rendered in respect of any such claims.
9. The Canadian forces sent to Bahrain under this Memorandum of Agreement, whether military or civilian, may enter Bahrain with military or Canadian Government identification cards, and their orders. Passports and visas will not be required. Military or Canadian Government identification cards shall be produced, when required, to the appropriate authorities of the Government of Bahrain.

10. Military and civilian personnel of the Canadian forces may operate vehicles owned or leased by the Canadian Government with a valid Canadian driving licence and military identification.

11. The Canadian forces and its members may import into Bahrain without licence or other restriction or registration and free of customs, duties and taxes, equipment, and other supplies required by the forces for the purpose of its operations in Bahrain together with the personal effects of and items for the personal consumption or use of the members of the forces. Any item imported under this paragraph may be exported freely without customs duties and taxes. Personal purchases by members of the Canadian forces from Bahraini sources shall not be exempt from Bahrain customs duties and taxes. Any property of any kind imported entry-free under this paragraph which is sold in Bahrain to persons other than those entitled to duty free import privileges shall be subject to customs and other duties on its value at the time of the sale. Members of the Canadian forces shall not be subject to taxation on their salary and emoluments received from Canadian sources.

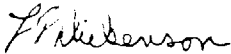
12. The term "member of the Canadian forces" means members of the armed forces of Canada and the civilian employees of the Government of Canada.

13. The two parties shall establish a Joint Consultative Committee (JCC) to ensure the implementation of this Memorandum of Agreement.

14. This Memorandum of Agreement shall enter into force upon the date of signature. It may be terminated by either party on three month's notice. In the event of the withdrawal of the

Canadian forces, this Memorandum of Agreement shall terminate with the exception of paragraphs 7 and 8, on the departure of the last element of the Canadian forces from Bahrain.

SIGNED in Manama, Bahrain by the duly authorised representatives of the respective governments, in duplicate in the English and French languages, each language version being equally authentic, on the 16th day of January, 1991.



For the Government of Canada:

L. T. DICKENSON



For the Government
of the State of Bahrain:

SHEIK MUHAMMAD
