No. 52924*

Turkey
and
Lebanon

Memorandum of Understanding (MOU) between the Government of the Republic of Turkey and the Government of the Republic of Lebanon on the cooperation in military training. Ankara, 21 April 2009

Entry into force: *23 March 2015 by notification, in accordance with article XI*

Authentic texts: *Arabic, English and Turkish*

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Turquie
et
Liban

Mémorandum d'accord entre le Gouvernement de la République turque et le Gouvernement de la République libanaise relatif à la coopération en matière d'instruction militaire. Ankara, 21 avril 2009

Entrée en vigueur : *23 mars 2015 par notification, conformément à l'article XI*

Textes authentiques : *arabe, anglais et turc*

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[ENGLISH TEXT – TEXTE ANGLAIS]

MEMORANDUM OF UNDERSTANDING (MOU)

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF TURKEY

AND

THE GOVERNMENT OF THE REPUBLIC OF LEBANON

ON THE COOPERATION IN MILITARY TRAINING

MEMORANDUM OF UNDERSTANDING (MOU)
BETVVEEN THE GOVERNMENT OF THE REPUBLIC OF TURKEY
AND THE GOVERNMENT OF THE REPUBLIC OF LEBANON
ON THE COOPERATION IN MILITARY TRAINING

The government of the Republic of Turkey and the Government of the Republic of Lebanon (hereinafter referred to as "The Parties");

Desiring that the existing friendship and cooperation relations between the two countries be also extended to include the military field, have agreed as follows;

ARTICLE-I
PURPOSE

The purpose of this MOU is to provide military training to Lebanese Armed Forces members by Turkish Armed Forces in Turkey.

ARTICLE-II
SCOPE

This MOU covers Guest Personnel who will be educated and trained in the military institutions and units of the Parties, and those military institutions and units in which education and training will be given.

ARTICLE-III
DEFINITIONS

1. "The Sending State" means the Republic of Lebanon and the term "Receiving State" means the Republic of Turkey.

2. The "Competent Authority":

a. In Turkey;

The competent authority of the Government of the Republic of Turkey means the Turkish General Staff and the competent authority of the Government of the Republic of Lebanon means the Embassy of the Republic of Lebanon to Turkey,

b. In Lebanon;

The competent authority of the Republic of Lebanon means the High Command of the Army and the competent authority of the Republic of Turkey means the Embassy of the Republic of Turkey to Lebanon.

3. The term "Memorandum of Understanding" means the Memorandum of Understanding between the Government of the Republic of Lebanon and the Government of the Republic of Turkey on the Cooperation in the Military Training.

4. "Guest Personnel" means the personnel being member of the armed forces of one of The Parties who stay in the territory of other State for the purposes of the Memorandum of Understanding.

5. The term "Dependants" means those family members whom the guest personnel is responsible to look after according to its national legislation.

6. The term "Commander" or "Superior" means the commander of the unit and headquarters or the superior of the institution where the Guest Personnel perform their duty under the existing legislation of the Receiving State.

7. The terms "Official Duty" means the performance of duties and tasks for the purposes of this MOU.

8. The term "Chief of Group/Chief of Delegation" means the Guest Personnel of the highest rank assigned according to the legislation of the Sending State who superintends the activities of the military group, who is sent for the training or temporary duty,

9. The term "Official Duty-Connected Offences" means those offences which were done during the performance of official duty and resulted from those acts and negligence that cannot be separated from the official duty.

ARTICLE-IV

TRAINING/EDUCATIONAL GUIDELINES AND OBLIGATIONS

1. This MOU covers the following subjects regarding the cooperation fields in military training. These courses will be given at the Turkish Armed Forces Partnership for Peace Training Center in Turkey;

a. Border Security,

b. Civil Military Cooperation (CIMIC),

c. The Law of Armed Conflict,

d. United Nations (UN) Observer and Joint Operation,

e. Humanitarian Relief Operations in Disasters.

2. The education and training will be provided in English or Turkish. Interpreters will be assigned, if requested.

3. The Parties shall establish the details regarding the field/fields in which they will cooperate by technical arrangements or lower-level arrangements.

ARTICLE-V
MISCELLANEOUS

1. Payments and Expenses:

a. Transportation expenses of the Military Personnel and their dependants for arrival in/departure from the Receiving State shall be paid by the Sending State.

b. No payment shall be requested by the Receiving State for food, accommodation, medical treatment, training and education provided to Guest Personnel.

c. The personal and on-leave expenses of Guest Personnel will be covered by themselves.

2. Taxes: Guest personnel and their dependants, shall be subject to the current tax regulations of the Receiving State when entering/leaving the Receiving State and during their stay in that country.

3. Personal Rights: Every financial and personal right of Guest Personnel and their dependants shall be provided by the Sending State.

4. Customs and Passports Procedures: Guest personnel and their dependants shall be subject to the customs and other regulations of the Receiving State on their entry to and exit from the country of the Receiving State and during their stay in that country.

5. Death: In case a Guest Personnel or his/her dependant dies in the territory of the Receiving State, the Receiving State shall inform the Sending State of the situation, whereby the Sending State shall determine whether the deceased should be buried in the territory of the Receiving State or be delivered by aircraft to the Sending State. In all cases, the Receiving State shall be liable for covering the burial expenses as well as handling all undertaking arrangements.

6. Medical Services: The Guest Personnel and his/her dependants shall benefit from the medical examination, medical treatment and dental care provided to the equivalents in the Receiving State. All kinds of emergency medical services shall be paid by the Receiving State. Training of the personnel who has permanent illness or need long-term medical treatment shall be terminated and he/she shall be sent to his/her country.

7. Dress and Uniform: The Guest Personnel shall wear the uniform of their own armed forces in the military training/education institutions of the Receiving State during the course period. They shall wear civilian dress outside the working hours.

ARTICLE-VI
LEGAL MATTERS

1. Jurisdiction:

a. Guest Personnel and their dependants shall be subject to the current laws and regulations of the Receiving State and criminal jurisdiction shall belong to the Receiving State.

b. Guest Personnel shall be considered as military persons with respect to penal and disciplinary regulations of the Receiving State.

c. In cases of the exercise of jurisdictional right of the Receiving State, if the verdict foresees a penalty which does not exist in the legislation of the Sending State, then a penal system, which is present in the laws of both states or which is in harmony with these laws, shall be valid.

2. Disciplinary Actions:

a. Guest Personnel shall obey the present disciplinary rules applied in their units, headquarters or institutions.

b. Guest Personnel is subject to the regulations of the Sending State in matter of disciplinary penalties.

3. Indemnity Claims:

a. For intentional or unintentional loss and damages inflicted by the Guest Personnel on the goods and properties of the Receiving State during the performance of their duties, indemnity will be demanded by the Receiving State. The Parties shall commit themselves not to demand indemnity from the other State in case of wounds, injury or deaths of their guest personnel during the fulfillment of their duty.

b. In case of damage inflicted on goods belonging to the Receiving State, a three-member experts commission is formed by the Receiving State to find out whether the damage was done intentionally or not and the amount to be covered by the indemnity. The Sending State may have a representative in this commission as an observer.

c. The competent authority of the Sending State shall send the indemnity notified by the competent authority of the Receiving State within 90 days to the competent authority of the Receiving State. In case of a disagreement between the two parties, the final decision shall be that of the authorized and competent courts of the Receiving State and this decision shall be accepted by both parties.

d. Damages inflicted on goods and properties belonging to real or legal persons (intentional or unintentional) are outside the provision (a) mentioned above. Regarding the loss and damages inflicted on real or legal persons by the Guest Personnel or by their Dependants the following procedures shall apply.

(1) By getting the consent of the damaged person, a three-member commission of experts to be designated by the Receiving State shall assess the loss and damage. The Sending State may have a representative in this commission as an observer.

(2) The amount of indemnity to be determined by the experts commission shall be notified by the Receiving State to the competent authority of the Sending State. The competent authority of the Sending State shall make the payment to the Receiving State within 90 days and send the receipt to the competent authority of the Receiving State.

(3) If the damage-affected persons object to the amount of the indemnity, the issue shall be dealt with by the courts of the Receiving State. The indemnities and trial expenses determined by the judicial authorities shall be paid by the Sending State in accordance with the above-mentioned procedures.

ARTICLE-VII
SOCIAL SERVICES

Within the status of the counterparts of the Guest Personnel and their dependants in the armed forces of the receiving State; they benefit from;

1. The social facilities (excluding recreation camps) located in the garrison and officially allowed by the Receiving StateState, if available, on a daily basis.

2. The social facilities (excluding recreation camps) in the other garrisons that are officially allowed by the Receiving State on a daily basis or for the accommodation purposes according to the legislation and the defined price list,

3. The Guest Personnel benefit from other facilities such as canteen, table d'hôte placed in the troop, headquarters and institutions where the Guest Personnel serve at or receive education with the permission of troop commander.

ARTICLE-VIII

SECURITY OF THE CLASSIFIED INFORMATION

1. Guest Personnel shall obey the rules regarding the secrecy and protection of classified information of the Receiving State.

2. Either State shall classify the information, documents and materials, which are provided by the other State, at least with an equal classification degree, as used by the other State, and shall take the necessary measures to that end.

3. Guest Personnel shall continue to protect the classified information, which they obtained, after the completion of their training or their official duty according to this MOU.

4. The news and information, which are obtained as a result of military cooperation, can only be given to a third state or any other firms/persons with written approval of the owner of the information.

5. The access to the classified military information shall be limited to persons who must know it.

6. The Parties shall respect their security laws.

ARTICLE-IX

AMENDMENT AND REVIEW

Either State, if it deems necessary, may propose in written an amendment or review of this MOU. In this case, the Parties shall begin discussions for the amendment or review within 30 days. If no result can be obtained within 45 days, either State may terminate this MOU with a 30-day written pre-notification. The amendment or changes agreed shall come into effect under the provision of article XI.

ARTICLE-X

DURATION AND TERMİNATİON

1. This MOU shall be valid for 3 years. Unless one of the parties notifies the other State of the termination of this MOU 90 days prior to the end of this period or of each subsequent year, this MOU shall remain effective for one-year periods.

2. If one of the parties deems that the other State does not or cannot comply with the provisions of this MOU, it may give a written pre- notification. The termination is valid 90 days after receiving that written pre-notification.

ARTICLE-XI

RATIFICATION AND ENTRY INTO FORCE

This MOU shall enter into force on the date of receipt of the last notification by which one of the Parties informs the other State of the ratification of the MOU in accordance with legal procedures

ARTICLE-XII
TEXT AND SIGNATURE

1. This MOU is done in duplicate in the Turkish , Arabic, and English languages. In case of any divergence on interpretation, the English text shall prevail.

2. In witness whereof, this MOU was signed on April 21, 2009 in Ankara, Turkey.

FOR THE GOVERNMENT OF THE REPUBLIC OF TURKEY

SIGNATURE

NAME : Maj.Gen.Yaşar GÜLER

TITLE : Chief of TGS Training Department

FOR THE GOVERNMENT OF THE REPUBLIC OF LEBANON

SIGNATURE

NAME : Fawzi SALLOUKH

TITLE : Minister Of The Foreign Affairs and İmmigrants