

PŘEKLAD

AGREEMENT

BETWEEN

**THE GOVERNMENT OF
THE CZECH REPUBLIC**

AND

**THE GOVERNMENT OF
THE FEDERATIVE REPUBLIC OF BRAZIL**

ON

**COOPERATION IN DEFENCE RELATED
MATTERS**

The Government of the Czech Republic

and

The Government of the Federative Republic of Brazil

(hereinafter referred to as the "Parties"),

Sharing the common conviction that mutual cooperation in the field of defence is certain to enhance the relationship between the Parties;

Seeking to contribute to international peace and prosperity;

Wishing to develop and strengthen various forms of collaboration between the Parties on the basis of reciprocity,

Have agreed as follows:

ARTICLE 1

Objectives

The Parties shall cooperate on the principles of equality, reciprocity and mutual interest, in compliance with national legislation and international law obligations of States of the Parties in order:

- a) to promote cooperation between the Parties in defence related matters, especially in the fields of research and development, logistic support, and acquisition of defence products and services;
- b) to exchange knowledge and experiences acquired in operations of armed forces, including international peacekeeping operations, and in the use of foreign and national military equipment;
- c) to share knowledge and experience in the scientific and technological areas;
- d) to engage in mutual military education and training, in joint military exercises, as well as to exchange information related to those issues;
- e) to collaborate in subjects related to systems and equipment in the field of defence;
- f) to cooperate in other fields of defence that may be of mutual interest to both Parties.

ARTICLE 2
Forms of Cooperation

1. Cooperation between the Parties on defence related matters shall be implemented in the following forms:

- a) mutual visits by high-ranking delegations and meetings of representatives of equivalent defence institutions;
- b) exchange of instructors as well as of students from military educational institutions;
- c) participation in theoretical and practical training courses, seminars, conferences, discussions and symposiums in institutions of the Parties;
- d) visits of military aircraft;
- e) cultural and sports events;
- f) cooperation related to defence material and services linked to defence matters in accordance with national legislation of States of the Parties;
- g) implementation and development of programmes and projects on defence technology application, considering the participation of institutions of each Party and the defence industry of the Czech Republic and the Federative Republic of Brazil;
- h) other forms of cooperation that may be of mutual interest to both Parties.

2. Unless otherwise mutually agreed, all communication during cooperation under this Agreement shall be held in English.

ARTICLE 3
Assurances

When carrying out cooperation activities under this Agreement, the Parties commit themselves to respect the principles and purposes of the Charter of the United Nations, which include sovereign equality of States, territorial integrity and inviolability, and non-intervention in the internal affairs of other States.

ARTICLE 4
Financial Responsibilities

1. Unless otherwise mutually agreed, each Party shall be responsible for all the expenses incurred by its personnel connected with fulfillment of official duties under this Agreement.
2. All activities carried out under this Agreement shall be subject to the availability of funds of the Parties.

ARTICLE 5
Claims

1. When a member of the Armed Forces of the sending Party causes in the execution of duties performed under the scope of this Agreement loss or damage to the host Party and its personnel or a third party, the sending Party shall be responsible for such loss or damage.
2. If the Armed Forces of both Parties are jointly responsible for any loss and damage caused to a third party in the execution of duties performed under the scope of this Agreement, the Parties shall solidarily reimburse that third party.
3. When a member of the Armed Forces of the sending Party or when members of the Armed Forces of both Parties causes loss or damage other than loss and damage caused in the execution of duties performed under the scope of this Agreement, responsibility for such loss or damage will be determined in accordance with national legislation of State of the host Party.

ARTICLE 6
Protection of Classified Information

The protection of classified information exchanged within the framework of this Agreement shall be established by the Parties in a specific agreement.

ARTICLE 7

Supplementary Protocols, Implementing Arrangements and Amendments

1. Supplementary Protocols to this Agreement may be concluded in writing by the Parties, through diplomatic channels, and will be part of this Agreement.
2. Implementing Arrangements for implementation of programs and specific activities undertaken under this Agreement in order to achieve the objectives of this Agreement or its Supplementary Protocols, may be developed and implemented by the Ministry of Defence of the Czech Republic and the Ministry of Defence of the Federative Republic of Brazil. Such Implementing Arrangements must be restricted to the subjects of this Agreement, and must be consistent with the Parties' respective laws.
3. This Agreement may be amended in writing by mutual consent of the Parties, through diplomatic channels.
4. Supplementary Protocols and Amendments shall enter into force as specified in Article 10 of this Agreement.

ARTICLE 8

Joint Working Group

1. The Parties shall establish a joint working group with the aim of coordinating the activities of cooperation under this Agreement.
2. The joint working group shall consist of representatives from the Ministry of Defence of the Czech Republic, and from the Ministry of Defence of the Federative Republic of Brazil, as well as from any other institutions of the Parties, where appropriate.
3. The place and date for meetings of the joint working group shall be defined by common agreement between the Parties.

ARTICLE 9

Dispute Settlement

1. Any dispute regarding specific cooperation activity under this Agreement shall be settled, in the first instance, exclusively through consultations and negotiations between the appropriate participants of such specific cooperation activity.
2. If, however, the participants mentioned in paragraph 1 fail to reach such settlement, then the dispute shall be submitted to the Parties for settlement by direct negotiation between the Parties, through diplomatic means.

ARTICLE 10
Entry into Force

This Agreement shall enter into force on the thirtieth (30) day after the date of the last written notification by which one Party informs the other, through diplomatic channels, of the fulfillment of its respective domestic requirements for the entry into force of this Agreement.

ARTICLE 11
Termination

Either Party may, at any time, notify the other, in writing and through the diplomatic channels, of its intention to terminate the present Agreement. Termination shall be effective ninety (90) days after the date of the notification and shall not affect the ongoing programs and activities under this Agreement, unless otherwise agreed upon by the Parties.

In witness whereof, the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement in two originals in Czech, Portuguese and English languages, all texts being equally authentic. In case of any divergence in the interpretation of this Agreement, the English text shall prevail.

Done in Prague, on the 13 of September of 2010

For
the Government
of the Czech Republic

Alexandr Vondra
Minister of Defence

For
the Government
of the Federative Republic of Brazil

Nelson Jobim
Minister of Defence