

CIVIL AFFAIRS, EMERGENCIES AND DEFENSE

Evacuation

**Agreement Between the
UNITED STATES OF AMERICA
and ITALY**

Effectuated by Exchange of Notes at
Rome August 20 and 21, 2021

Entered into force August 20, 2021



STATE00139

NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

N. 21-00575

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Italian Republic and refers to recent discussions regarding the need for urgent cooperation to relocate from the territory of Afghanistan into the territory of another State individuals who are at risk as a result of the situation in Afghanistan (hereinafter referred to as "identified individuals"). In order to address this urgent humanitarian situation, the Embassy of the United States proposes the following agreement:

1. The United States and the Italian Republic (hereinafter referred to as "the Parties") agree to cooperate regarding efforts to relocate from the territory of Afghanistan into the territory of another State identified individuals. The individuals hosted on a temporary basis in the Italian Republic shall respect the Italian laws and regulations on the sojourn of foreigners. The responsibility of a proper vetting process of each of them rests on the competent U.S. Authorities.
2. In furtherance of this cooperation, the Italian Republic agrees to host, on a temporary basis, identified individuals to facilitate efforts to resettle such individuals on a permanent basis in another location.

3. The United States agrees to relocate identified individuals to another location by the end of ten (10) to fourteen (14) days after the day such individuals arrived in the Italian Republic. Unless otherwise agreed, the Parties expect that the identified individuals will ultimately be resettled either in the United States or in another location outside of the United States and the Italian Republic. Such relocation shall be in compliance with applicable human rights law.

4. The Parties agree that identified individuals will be housed during their temporary stay in the Italian Republic at Aviano Air Force Base, NAS Sigonella Navy Base, or such other facilities as may be mutually agreed.

5. The Parties agree to coordinate regarding measures to ensure the maintenance of good order at Aviano Air Force Base, NAS Sigonella Navy Base, or such other facilities as may be mutually agreed where identified individuals are housed. Existing authorities to exercise any necessary law enforcement functions within Aviano Air Force Base, NAS Sigonella Navy Base or such other facilities as may be mutually agreed where identified individuals are housed remain. Identified individuals are subject to the laws of the Italian Republic for the period of their temporary presence, in compliance with the bilateral treaties in force which regulate the juridical status of the above mentioned bases.

6. The Parties agree to coordinate on matters related to COVID-19 mitigation, including with respect to any requirements for quarantine or other applicable public health guidelines established in the Italian Republic.

7. In carrying out their responsibilities under this agreement, the Parties agree to treat all identified individuals in accordance with their domestic law, as well as with the applicable international law, applicable international human rights law, refugee law obligations and, as for the Italian Party, with the obligations arising from its membership of the European Union.

8. Unless otherwise agreed, and subject to the availability of appropriated funds, the United States agrees to bear all costs related to housing identified individuals and to providing the necessary facilities and support to ensure their safety and comfort, including meals, appropriate medical care, security, and local transport as needed, as well as educational needs.

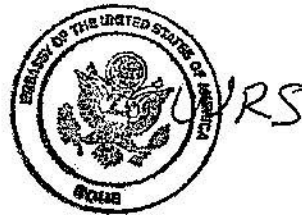
9. The Italian Republic authorizes U.S. medical professionals to provide necessary medical treatment to the identified individuals, provided that, if and when they need to interact with the Italian National Health System to treat cases of coronavirus patients, they respect Italian Regulations on the containment of COVID-19, including the duty to properly inform the Italian Health Authorities.

10. This agreement may be amended by mutual decision of the Parties.

11. The Parties agree to designate points of contact for the purposes of implementing this agreement. The United States identifies Counselor for Political Military Affairs Rohit Nepal and the Italian Republic identifies First Counselor Dino Sorrentino at the Ministry of Foreign Affairs as the designated points of contact.

If the proposals above are acceptable to the Italian Republic, the Embassy proposes that this note together with the Ministry's affirmative note in reply shall constitute an agreement between the United States and the Italian Republic that shall enter into force on the date of the Ministry's note in reply.

Embassy of the United States of America



Rome, August 20, 2021



*Ministero degli Affari Esteri
e della Cooperazione Internazionale*

Prot. N. 0115812

NOTA VERBALE

The Ministry of Foreign Affairs and International Cooperation of the Italian Republic presents its compliments to the Embassy of the United States of America and has the honour to refer to the Note of the Embassy of the United States of America n. 21-00575 of August 20, 2021, which reads as follows:

“ The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Italian Republic and refers to recent discussions regarding the need for urgent cooperation to relocate from the territory of Afghanistan into the territory of another State individuals who are at risk as a result of the situation in Afghanistan (hereinafter referred to as “identified individuals”). In order to address this urgent humanitarian situation, the Embassy of the United States proposes the following agreement:

1. The United States and the Italian Republic (hereinafter referred to as “the Parties”) agree to cooperate regarding efforts to relocate from the territory of Afghanistan into the territory of another State identified individuals. The individuals hosted on a temporary basis in the Italian Republic shall respect the Italian laws and regulations on the sojourn of foreigners. The responsibility of a proper vetting process of each of them rests on the competent U.S. Authorities.

STATE00145

2. In furtherance of this cooperation, the Italian Republic agrees to host, on a temporary basis, identified individuals to facilitate efforts to resettle such individuals on a permanent basis in another location.

3. The United States agrees to relocate identified individuals to another location by the end of ten (10) to fourteen (14) days after the day such individuals arrived in the Italian Republic. Unless otherwise agreed, the Parties expect that the identified individuals will ultimately be resettled either in the United States or in another location outside of the United States and the Italian Republic. Such relocation shall be in compliance with applicable human rights law.

4. The Parties agree that identified individuals will be housed during their temporary stay in the Italian Republic at Aviano Air Force Base, NAS Sigonella Navy Base, or such other facilities as may be mutually agreed.

5. The Parties agree to coordinate regarding measures to ensure the maintenance of good order at Aviano Air Force Base, NAS Sigonella Navy Base, or such other facilities as may be mutually agreed where identified individuals are housed. Existing authorities to exercise any necessary law enforcement functions within Aviano Air Force Base, NAS Sigonella Navy Base or such other facilities as may be mutually agreed where identified individuals are housed remain. Identified individuals are subject to the laws of the Italian Republic for the period of their temporary presence, in compliance with the bilateral treaties in force which regulate the juridical status of the above mentioned bases.

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6. The Parties agree to coordinate on matters related to COVID-19 mitigation, including with respect to any requirements for quarantine or other applicable public health guidelines established in the Italian Republic.

7. In carrying out their responsibilities under this agreement, the Parties agree to treat all identified individuals in accordance with their domestic law, as well as with the applicable international law, applicable international human rights law, refugee law obligations and, as for the Italian Party, with the obligations arising from its membership of the European Union.

8. Unless otherwise agreed, and subject to the availability of appropriated funds, the United States agrees to bear all costs related to housing identified individuals and to providing the necessary facilities and support to ensure their safety and comfort, including meals, appropriate medical care, security, and local transport as needed, as well as educational needs.

9. The Italian Republic authorizes U.S. medical professionals to provide necessary medical treatment to the identified individuals, provided that, if and when they need to interact with the Italian National Health System to treat cases of coronavirus patients, they respect Italian Regulations on the containment of COVID-19, including the duty to properly inform the Italian Health Authorities.

10. This agreement may be amended by mutual decision of the Parties.

11. The Parties agree to designate points of contact for the purposes of implementing this agreement. The United States identifies Counselor for Political Military Affairs Rohit Nepal and the Italian Republic identifies First Counselor Dino Sorrentino at the Ministry of Foreign Affairs as the designated points of contact.

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If the proposals above are acceptable to the Italian Republic, the Embassy proposes that this note together with the Ministry's affirmative note in reply shall constitute an agreement between the United States and the Italian Republic that shall enter into force on the date of the Ministry's note in reply.

Embassy of the United States of America

Rome, August 20, 2021 ”

The Ministry of Foreign Affairs on International Cooperation, on behalf of the Government of the Italian Republic, has the honour to accept the above mentioned proposal and to confirm that the Note N. 21-00575 of August 20, 2021 of the Embassy of the United States of America and the present reply Note constitute an agreement between the Italian Republic and the United States that enters into force on the date of this reply Note, it being understood that the Government of the United States of America will furthermore ensure, as far as practicable, that:

- a) during the transit period the identified individuals will not leave the bases or facilities where they will be housed;
- b) the identified individuals, before entering Italian territory, have manifested their desire to resettle in the U.S. or other location outside of the Italian Republic under paragraph 3 above.

The Ministry of Foreign Affairs and International Cooperation avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Rome, August 20, 2021



STATE00148

N. 21-00576

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Italian Republic and has the honor to acknowledge receipt of the Ministry's Note No. 0115812 dated August 20, 2021 in which the Ministry accepted the proposals contained in the Embassy's Note N. 21-00575 dated August 20, 2021 and further proposed the following additional conditions: "the Government of the United States of America will furthermore ensure, as far as practicable, that: a) during the transit period the identified individuals will not leave the bases or facilities where they will be housed; [and] b) the identified individuals, before entering Italian territory, have manifested their desire to resettle in the U.S. or other location outside of the Italian Republic under paragraph 3 [in the Embassy's Note N. 21-00575]."

The Embassy confirms that those additional conditions are acceptable to the United States. The Embassy further confirms that its Note N. 21-00575, the Ministry's Note in response, and this Note together constitute an agreement that enters into force on the date of the Ministry's Note.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Affairs of the Italian Republic the assurances of its highest consideration.

Embassy of the United States of America,

Rome, August 21, 2021

