

T.I.A.S. No. 12236 (Treaty), 1991 WL 787771 (Treaty)

United States of America

Bahrain

Agreement Between the Government of the United States of America and the  
Government of the State of Bahrain Concerning the Deployment of United States Forces

**Defense**

Entered into force January 13, 1991. with exchange of letters  
Agreement signed at Manama January 13, 1991

**[EXCHANGE OF LETTERS]**

**\*1** The Government of the State of Bahrain and the Government of the United States of America,

Out of the deep ties of friendship and cooperation, and as a result of the present unsettled conditions in the Gulf area, which threaten the security and safety of Bahrain, and in recognition of the grave breach of the peace of the region and of United Nations Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670 and 674 have agreed as follows:

1. At the request of the Government of Bahrain, the Government of the United States is deploying forces to the sovereign territory of Bahrain in the exercise of the inherent right of individual or collective self-defense recognized in Article 51 of the United Nations Charter.<sup>1</sup>

2. the Government of Bahrain will make additional facilities available for such United States forces, beyond those facilities provided for United States use in Bahrain under existing agreements.

3. the mission of the United States Forces in Bahrain under this agreement is to assist in deterring the aggression which threatens Bahrain and other Gulf Cooperation Council countries and preserve the territorial integrity and the political independence of the State of Bahrain and in any other objectives agreed to by the parties to this Agreement.

4. United States Forces in Bahrain are obligated to respect the laws and regulations of Bahrain, and shall have a duty not to interfere in the internal affairs of Bahrain. the Government of the United States will use all reasonable endeavors to ensure that members of the United States Forces respect the customs and traditions of Bahrain.

5. the Government of the United States shall exercise criminal jurisdiction over members of the United States 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 United States forces, except for those matters arising in the course of the performance of their official duties.

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 Agreement; provided that the United States will pay just and reasonable compensation in settlement of civil claims (other than contractual claims) on the part of any third party arising out of any non-combat act or omission of the United States Government or any service personnel or civilian employees of the United States Government done in the performance of official duties in connection with this agreement.

**\*2** 7. the United States forces sent to Bahrain under this agreement, whether military or civilian, may enter Bahrain with military or United States Government identification cards, and their orders. Passports and visas will not be required. Military or United States Government identification cards shall be produced, when required, to the appropriate authorities of the Government of Bahrain.

8. Military and civilian personnel of the United States forces may operate vehicles owned or leased by the United States Government with a valid United States driving license and military identification.

9. the two parties will establish a Joint Consultative Committee (JCC) to ensure the implementation of this agreement.

10. Military personnel of the United States forces, and other personnel as agreed by the Joint Consultative Committee, may possess and carry arms if required in the performance of their official duties.

11. the United States forces and their members may import into Bahrain, without license or other restriction or registration and free of customs, duties and taxes, equipment and other supplies required by the forces for the purpose of their operations in Bahrain together with the personal effects and items for the personal consumption or use of the members of the forces. Any items imported under this paragraph may be exported freely without customs, duties and taxes. Personal purchases by members of the United States forces from Bahraini sources shall not be exempt from Bahrain customs duties and taxes. Any property of any kind imported duty 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 their value at the time of sale. Members of the United States forces shall not be subject to taxation of their salary and emoluments received from United States sources during their presence in Bahrain.

12. This agreement shall enter into force upon the date of signature. It may be terminated by either party on six months notice. IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this agreement.

DONE AT Manama, in duplicate, in English,

THIS 13th day of January, 1991

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

Charles W. Hostler

FOR THE GOVERNMENT OF BAHRAIN

Mohammed bin Mubarak Al-Khalifa

[EXCHANGE OF LETTERS]

January 13, 1991

His Excellency,

Shaikh Mohammed bin Mubarak Al-Khalifa,

Minister of Foreign Affairs,

Manama.

Excellency:

I have the honor to refer to the agreement of today's date between our two governments and to inform Your Excellency of the agreement of the United States to the following:

A) in relation to Clause 5 of the Agreement which provides that the Government of the United States will exercise criminal jurisdiction over members of the United States forces except as may be otherwise agreed by our two governments. for the

purposes of Clause 5, the Government of the United States shall, when appropriate, hold negotiations with the Government of Bahrain regarding exceptions to the general practice stated in Clause 5.

\*3 In addition, the authorities of both governments will assist each other in carrying out all necessary investigations into offences and in the collection and production of evidence relating to an offence.

B) in relation to Clause 6 of the Agreement any contractual dispute arising in the course of the performance of official duties shall be governed by the United States Federal Acquisition Regulation implementing the Contract Disputes Act 1978. Any such claims shall be submitted to a contracting officer who will review the evidence and render a decision which will be final unless the contractor appeals to the Board of Contract Appeals or files a lawsuit in the United States of America.

Sincerely

Charles W. Hostler  
United States Ambassador

STATE OF BAHRAIN

MINISTRY OF FOREIGN AFFAIRS

*Ref. 6/100/231 - 446*

*Date 13th January 1991*

H.E. Dr Charles W Hostler

U.S. Ambassador

Embassy of the United States of America

Manama

Your Excellency,

I refer to your Excellency's letter of today's date relating to the provisions of paragraphs 5 and 6 of the Agreement of today's date between the Government of the State of Bahrain and the Government of the United States of America concerning the deployment of United States Forces in Bahrain.

I confirm that the provisions as contained in the above-mentioned letter are acceptable and in accordance with the understanding of the Government of the State of Bahrain.

Please accept, your Excellency, the assurances of my highest consideration.

Mohammed bin Mubarak Al-Khalifa  
Minister of Foreign Affairs  
State of Bahrain

Footnotes

1 TS 993; 59 Stat. 1031.

T.I.A.S. No. 12236

**End of Document**

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