

AGREEMENT

BETWEEN

**THE GOVERNMENT OF THE
ITALIAN REPUBLIC**

AND

**THE GOVERNMENT OF THE
REPUBLIC OF KOREA**

ON DEFENSE COOPERATION



The Government of the Italian Republic and the Government of the Republic of Korea (hereinafter referred to as the “Parties”);

Confirming their commitment to the Charter of the United Nations;

Desiring to enhance cooperation between their Ministries of Defense; and

Sharing the understanding that mutual cooperation in the field of defense will enhance the relationship between the Parties;

Have agreed as follows:

ARTICLE 1 PURPOSE AND PRINCIPLES

The Parties shall encourage, facilitate and develop cooperation in the field of defense, on the basis of the principles of equality, reciprocity and mutual interest, and in accordance with their respective domestic legislation, international commitments and, as far as the Italian Party is concerned, with the obligations ensuing from its membership of the European Union.

ARTICLE 2 SCOPE OF COOPERATION

1. The organization and conduct of cooperative activities in the defense field shall be carried out by the Ministry of Defense of the Italian Republic and the Ministry of National Defense of the Republic of Korea.
2. The cooperation between the Parties may include, but is not limited to, the following areas:
 - a. security and defense policy;
 - b. research and development, logistics support and the acquisition of defense products and services;
 - c. military medical services;
 - d. military history;
 - e. military sports;
 - f. defense industry;
 - g. logistics; and
 - h. any other areas of cooperation that may be of mutual interest to the two Parties.
3. The cooperation between the Parties may take the following forms:
 - a. mutual visits by delegations of the Parties to civilian and military entities;
 - b. exchange of experiences between the experts of the two Parties;
 - c. meetings between defense institutions;
 - d. participation in theoretical and practical training courses, orientation periods,



- seminars, conferences, round table discussions and symposiums, offered by military and civilian entities in the field of defense, by mutual agreement between the Parties;
- e. visits by military ships and aircrafts;
 - f. exchange of cultural and sporting activities;
 - g. technical and administrative support for commercial initiatives related to defense materiel and services linked to defense matters; and
 - h. any other forms of cooperation that may be of mutual interest to the Parties.

ARTICLE 3 FINANCIAL MATTERS

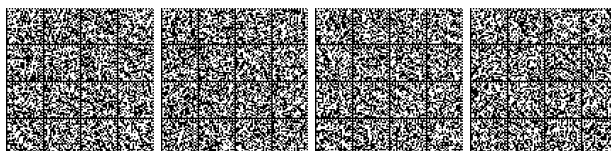
1. Each Party shall be responsible for its own expenses incurred in the implementation of this Agreement, including:
 - a. travel expenses, salaries, health and accident insurance and any other allowances due to its own personnel under its regulations;
 - b. medical and dental expenses, as well as any expenses related to the removal or evacuation of its own sick, injured or deceased personnel.
2. Notwithstanding paragraph 1(b) above, the host Party shall provide emergency treatment at the medical facilities of its Armed Forces to any personnel of the sending Party who requires medical assistance during the implementation of bilateral cooperation activities under this Agreement and, if necessary, at other health care establishments, provided that the sending Party reimburses the host Party for these expenses.
3. All activities carried out under this Agreement shall be subject to the availability of funds and other resources of the Parties.

ARTICLE 4 COMPENSATION FOR DAMAGE

1. Compensation for any loss or damage to the host Party, caused intentionally or negligently, by a member of the sending Party in the course of performing official duties under this Agreement, shall be paid by the sending Party, by mutual agreement between the Parties and in accordance with their national laws and regulations.
2. If the Parties are jointly responsible for any loss or damage caused during or in connection with the activities under this Agreement, the Parties shall, by mutual agreement, pay compensation for that loss or damage and in accordance with their national laws and regulations.

ARTICLE 5 INTELLECTUAL PROPERTY

The Parties shall take necessary measures to ensure the safeguarding of all intellectual property, including patents, exchanged or generated in connection with the activities carried out under this Agreement, in accordance with their national laws and regulations and any



international agreements in this area to which they are a party and, as far as the Italian Party is concerned, with the obligations ensuing from its membership of the European Union.

ARTICLE 6 SECURITY OF CLASSIFIED MILITARY INFORMATION

1. “Classified military information” means any defense-related information, document and material of all types, classified by the competent security authorities of either Party according to its national laws and regulations, that require protection against unauthorized disclosure.
2. All classified military information exchanged or generated in connection with this Agreement shall be used, transmitted, stored, handled and/or protected in accordance with the Parties’ applicable national laws and regulations.
3. Classified military information shall be transferred only through government-to-government channels approved by the competent security authorities designated by the Parties.
4. The corresponding security classifications are:

For the Italian Republic	Corresponding to (in English)	For the Republic of Korea
SEGRETO	SECRET	2급 비밀
RISERVATISSIMO	CONFIDENTIAL	3급 비밀
RISERVATO	RESTRICTED	대외비

5. Military information with the security classification of “SEGRETISSIMO - TOP SECRET - 1급비밀” cannot be exchanged under this Agreement.
6. Access to classified military information exchanged or generated under this Agreement is permitted to the personnel of the Parties who have a need-to-know and an adequate level of security clearance in compliance with their national laws and regulations.
7. The Parties shall ensure that all classified military information exchanged or generated shall be used only for the intended purposes within the objectives and scope of this Agreement.
8. The transfer of classified military information, obtained as a result of cooperation under this Agreement, to third parties/international organizations shall be subject to the prior written consent of the competent security authority of the providing Party.
9. Without prejudice to the immediate effect of the provisions of this Article, further aspects of security relating to classified military information not contained in this Agreement may be governed by separate agreements or arrangements which were signed or will be signed between the respective competent security authorities of the Parties.



ARTICLE 7 SETTLEMENT OF DISPUTES

Any dispute regarding the interpretation or application of this Agreement shall be resolved exclusively through consultations and negotiations between the Parties, through diplomatic channels.

ARTICLE 8 ENTRY INTO FORCE

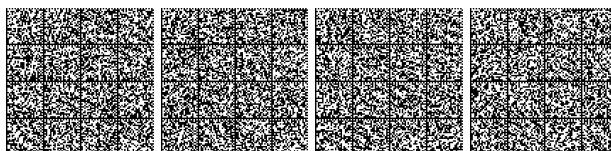
This Agreement shall enter into force thirty (30) days after the date of the receipt of the last of the two written notifications by which the Parties shall inform each other, through diplomatic channels, of the fulfillment of their respective domestic requirements for the entry into force of this Agreement.

ARTICLE 9 SUPPLEMENTARY PROTOCOLS, AMENDMENT, REVISION AND PROGRAMS

1. With the consent of both Parties, supplementary protocols may be signed on specific areas of cooperation on defense matters involving military entities, in accordance with the provisions of this Agreement.
2. Supplementary protocols which are negotiated between the Parties shall be elaborated according to national procedures and shall be restricted to the purposes of this Agreement and not interfere with the respective national legislation of the Parties.
3. Implementation programs that will give effect to this Agreement or its supplementary protocols shall be elaborated, developed and implemented by the personnel authorized by the Ministry of Defense of the Italian Republic and the Ministry of National Defense of the Republic of Korea, on the basis of mutual benefit, in close coordination with the Ministries of Foreign Affairs of the two Parties and the competent security authorities for the aspects concerning the classified information, where applicable.
4. This Agreement may be amended or revised by mutual consent through an exchange of notes between the Parties, through diplomatic channels.
5. Supplementary protocols, amendments and revisions shall enter into force following the procedure specified in Article 8 (ENTRY INTO FORCE).

ARTICLE 10 DURATION AND TERMINATION

1. This Agreement shall remain in force for a period of five (5) years and its validity shall be automatically extended for consecutive periods of one (1) year unless one of the Parties notifies the other Party of its intent to terminate this Agreement.
2. Either Party may terminate this Agreement by written notification to the other Party,



through diplomatic channels. Such termination shall be effective ninety (90) days after the receipt of the notification by the other Party.

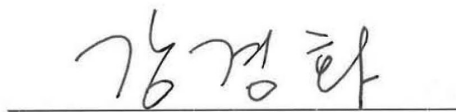
3. The termination of this Agreement shall not affect any on-going programs or activities under this Agreement, unless otherwise mutually agreed by the Parties.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

Done in duplicate at Rome, on 17th October 2018, in the Italian, Korean and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

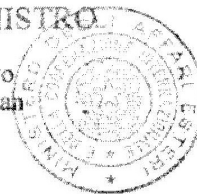
**FOR THE GOVERNMENT OF THE
ITALIAN REPUBLIC**

**FOR THE GOVERNMENT OF THE
REPUBLIC OF KOREA**

D'ORDINE DEL MINISTRO

Il Capo Ufficio Legislativo
Cons. Amb. Stefano Soliman

LAVORI PREPARATORI

Senato della Repubblica (atto n. 1085):

Presentato dal Ministro degli affari esteri e della cooperazione internazionale Enzo MOAVERO MILANESI e dal Ministero della difesa Elisabetta TRENTA (Governo Conte-I) il 22 febbraio 2019.

Assegnato alla 3^a Commissione (Affari esteri, emigrazione) in sede referente, il 7 marzo 2019, con pareri delle Commissioni 1^a (Affari costituzionali), 2^a (Giustizia), 4^a (Difesa) e 5^a (Bilancio).

Esaminato dalla 3^a Commissione (Affari esteri, emigrazione) in sede referente, il 25 giugno 2019 e il 18 febbraio 2020.

Esaminato in Aula e approvato il 27 maggio 2020.

Camera dei deputati (atto n. 2524):

Assegnato alla III Commissione (Affari esteri e comunitari) in sede referente, il 4 giugno 2020, con pareri delle Commissioni I (Affari costituzionali), II (Giustizia), IV (Difesa), V (Bilancio) e X (Attività produttive).

Esaminato dalla III Commissione (Affari esteri e comunitari) in sede referente, il 1^o settembre 2020 e il 28 ottobre 2020.

Esaminato in Aula il 2 novembre 2020 e approvato definitivamente il 23 marzo 2021.

21G00058

