

## TECHNICAL ANNEX 1

### Status of Locally Engaged Personnel

#### Employment — General Principles:

Nationals and permanent residents, in accordance with the legislation of the Republic of Macedonia, may be recruited as local personnel of the Headquarters as necessary.

The conditions of employment and work of the locally engaged personnel shall be regulated in conformity with Art. 9, paragraph 4 of the Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces (SOFA) dated 19 June 1951 and the legal regulations of the Republic of Macedonia.

Upon the request of the Headquarters, the competent organs of the Republic of Macedonia undertakes to facilitate the recruitment of qualified local staff by the Headquarters and to accelerate the process of such recruitment including appropriate security background investigations.

#### Employment — Employers Obligations:

The employer is obliged to conclude a written contract of employment with the person.

When determining the salary of the employee, the employer shall take into account the employer's obligation for payment of taxes and other mandatory contributions.

The employer is obliged to present the employee with an annual report on the total salaries received in the previous year. This report shall also contain information about the taxes and social benefits contributions paid by the employer, as well as information on the institutions and state with which such taxes and contributions have been paid.

The employer is obliged to present the employee with such a report within one month from the eventual termination of the employment contract.

This category of employees shall be insured and the contributions shall be paid in conformity with the pension, disability, health, and unemployment insurance in force in the Republic of Macedonia.

Employment — Employee's Obligations:

Nationals or permanent residents of the Republic of Macedonia, locally engaged, are not tax exempt. Financial income tax liability will remain the responsibility of the employee concerned

The locally engaged personnel are not exempt from payment of customs duties.

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## TECHNICAL ANNEX 2

### Tax Payment Exemption

#### Privileges

The NATO personnel, as well as their family members, who are part of their households, enjoy the privilege of being exempt from payment of existing tax liabilities in the Republic of Macedonia in conformity with Art. 10 of SOFA, provided that they are given a corresponding certificate for such exemption issued by competent bodies, except for the fiscal liabilities mentioned in Art. 34 of the Vienna Convention on Diplomatic Relations dated 18 April 1961.

The Mission is exempt from tax liabilities in force in the Republic of Macedonia for purchased or imported goods or for provided services, provided that these are intended for official use. Such goods cannot be resold, given to someone else for using or renting or in any other way put to the disposal of a third party, without a prior permission obtained from the competent bodies and regulated customs and tax liabilities for which such permission is given.

The privilege of being exempt from tax liabilities is valid till the completion of the mission of a member of the NATO personnel.

A member of the NATO personnel is not allowed to perform commercial and professional activity on the territory for personal profit.

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## TECHNICAL ANNEX 3

### Customs Exemption

#### Import of goods

The Mission shall import goods intended for official use through its warehouses, which will be stationed at the Mission and to where (already packaged) goods shall be directly transported from the official border crossings of the Republic of Macedonia.

The physical inspection of the goods and their franchising shall be performed in the presence of representatives of the authorities. Such goods shall be specified to the Mission.

Representatives of the competent organs of the Republic of Macedonia shall control the import of goods at border crossings.

The organization of the transport of goods from the border crossings to the warehouses is part of the competencies of the Mission.

The request for franchising goods intended for official use by the Mission or intended for private use by the Mission personnel is to be submitted to the competent organs, accompanied by copies of eligible filled in forms for the goods for which franchising is requested.

Certified forms and the issued certificate containing the legal grounds upon which franchising has been granted shall be submitted to the organ competent for franchising.

Goods intended for personal use are to be specified to the person to use the goods.

Excise goods for personal use shall be ordered: (a) on behalf of the Chief of the Mission, for the official use, and (b) for private needs on behalf of the holder of the right.

The competent organs of the Republic of Macedonia shall be forwarded and informed of the appointment of a person authorized to sign the certificates and the specimen of the signatures and seals of the Mission to be used.

### Temporary import

The Mission may temporarily import all the necessary equipment. The temporary import of goods is approved for the duration of the mission.

### Import of food products, plants and animals

The import of food products, animals and plants is subject to special control regime.

Upon import of food products, a specimen shall be submitted for health and quality control and a certificate for referring to the healthiness and the quality of the products from the country of origin should be provided.

Shipments of plants imported in the Republic of Macedonia shall be accompanied by phyto-sanitary certificate issued by the competent organ for protection of plants of the exporting (sending) state.

The licenses for import of animals are issued by the competent organ upon a filed request for import, on the basis of the following presented documents: (a) certificate of pedigree, vaccination registry; (b) certificate of the medical condition of the animal issued by the competent veterinary inspection or other identical competent organ of the state exporting the animal.

The imported animals are kept for a certain period of time in quarantine, in accordance with the legal regulations of the former Yugoslav Republic of Macedonia.

### Export of goods

The procedure for export of goods, which have been used for official use by the Mission or for personal use by the Mission members, is identical to the procedure for their import.

A member of the Mission personnel may export all imported goods, as well as goods purchased in the Republic of Macedonia.

Members of the Mission, i.e., the Mission may not export from the Republic of Macedonia goods which are considered monuments of culture and which are under state protection. Each piece of art intended for export must be accompanied by appropriate export license issued by the competent organ.

### Disposal of imported goods

Goods exempt from customs, within three years from the day of import (when the customs liability occurred), must not be disposed of or given for use to another person in the Republic of Macedonia before customs is paid.

Goods exempt from customs may not be disposed of or be given to another person for use before the registration at the customs office and completion of the customs clearance procedure.

In case the customs organ, at the request of the holder of the right, before the expiration of the three year period, allows different use of such goods (their disposal of to persons or institutions which do not enjoy such privileges) the amount of the customs debt is calculated on the basis of the information on the goods relevant at the moment of filing the application for payment of customs debt, (the moment of import, i.e., the moment when the customs liability has occurred and the goods have been exempt).

### Supply of excise goods

The competent organs of the Republic of Macedonia, after consultation with the Headquarters, shall determine the quotas and control the quantities of excise goods to be franchised, having in mind the needs of the Mission.

The Headquarters will establish an appropriate control in order to avoid any abuse.

### Motor vehicles

The Mission and the personnel with diplomatic status employed at the Mission (and their family members) may import or purchase vehicles without payment of customs or taxes, on the basis of the privileges envisaged in Articles 36 and 37, i.e. in accordance with Articles 29-35 of the Vienna Convention on Diplomatic Relations dated 18 April 1961 and pursuant to Article 50 of the Vienna Convention on Consular Relations dated 24 April 1963, and finally in accordance with the domestic legislation.

The Mission and persons without diplomatic status employed at the Mission (as well as their family members) may import or purchase vehicles for their personal use without payment of custom and tax on their first entry, i.e., if the household items are imported within 12 months from the day of their

assuming office in the Republic of Macedonia and if not nationals or residents of the Republic of Macedonia.

### Import of Passenger Cars

The competent organ shall issue a certificate for exemption from payment of customs, upon the submitted request for such exemption, accompanied by:

- (a) Documentation for the vehicles (translated into Macedonian language),
- (b) Documentation on the status of the person (representative office or employee) who imports the vehicle.

Imported motor vehicles are also exempt from tax on turnover of goods.

The request for import of the vehicle through the regime of temporary import is filed to the competent organs, and shall be accompanied with: (a) translation of the appropriate vehicle documentation; (b) certificate issued by the Mission that if it is not acted as stated in the request, the Mission will pay the appropriate customs and tax liabilities.

In the request it shall also be stated that the vehicle shall be used for official purposes and that the same shall be exported from the Republic of Macedonia when the need for its temporary import shall have ceased, with the possibility of its remaining in the Republic of Macedonia if the appropriate customs and tax liabilities are paid.

### Disposing of passenger vehicles

Imported vehicle that is exempt from customs duties may be disposed of to a natural person (national or permanent resident) or to a legal entity in the Republic of Macedonia, before the expiration of three years of its import and registration in the Republic of Macedonia. The owner must pay customs duties and tax for it in conformity with legal regulations in force.

If the buyer of the vehicle is another diplomatic representation accredited to the Republic of Macedonia or a person having a diplomatic or similar status, the sale of the vehicle is not conditioned by the observance of the above-mentioned regulation.

Motor vehicles bought or imported without customs payment may at any time be exported from the Republic of Macedonia.

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## TECHNICAL ANNEX 4

### Military police and mutual assistance

The Chief of the Headquarters will undertake all the necessary measures in order to secure and provide maintenance of the order, discipline and good behavior among the Headquarters' personnel members, as well as among the locally employed population.

For that reason, the Headquarters may create military police which will have the authority to maintain order in any camp, institution or other facility that is established by the Headquarters.

The military police have the authority towards the Headquarters' personnel members, for their actions in the area of the Headquarters' premises and accommodations.

Outside these facilities, the military police of the Headquarters, in co-ordination with the Military Police or the Police of the Republic of Macedonia, will undertake activities only if its action is necessary for the maintenance of the order and the discipline among the Headquarters' members, according to previously defined regulations with the authorities of the Republic of Macedonia for this kind of activities.

If a Headquarters' member is detained by the Police of the Republic of Macedonia, the authorized person at the Headquarters will be immediately notified of the circumstances surrounding the detention as well as a time and location for the prompt transfer of the member concerned to the Military Police or other authorities of the NATO forces.

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## TECHNICAL ANNEX 5

### Uniforms and weapons

Military personnel members will normally wear uniforms. The wearing of the civilian clothes will be under the same conditions as for the members of the military forces of the Republic of Macedonia, except if otherwise decided. The regularly established units and force formations will be in uniform when they cross the state border.

The Headquarters personnel may possess and carry arms only if they are authorized to do so by their orders.

The Headquarters is the owner of the weapons and is responsible for their storage, carriage, or possible use.

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## TECHNICAL ANNEX 6

### Border Crossing and Movement on the Territory

The members of the Mission shall cross the border of the Republic of Macedonia at official border crossings and via the international air corridors.

In accordance with the article 3 of NATO SOFA, NATO personnel shall carry identification and a travel order issued by the NATO and countersigned by the Macedonian authorities, which they may be requested to produce for the authorities of the Republic of Macedonia.

Visits of officials from the countries contributing troops stationed in the Republic of Macedonia may be realized by informing the competent body through diplomatic channels, the latest seven days prior to the visit, whereby the permission shall be considered as given provided that in the next three days there is no reply from the competent body.

The members of the Headquarters, together with their transport facilities shall enjoy freedom of movement throughout the territory, in accordance with Article 26 of the Vienna Convention on Diplomatic Relations dated 18 April 1961.

Organized large movements of personnel, stores or vehicles through airports, or on railways or roads used for general traffic within the territory shall be previously announced to and co-ordinated with the Coordinative Group. The Government undertakes to supply the Headquarters, if necessary, with maps and other information, which may be useful in facilitating its movement through the Territory.

The Headquarters may use public road, bridges and airports in accordance with its needs, and has free use over land, premises and accommodations without payment of duties, dues, tolls, charges or any other taxes.

The Headquarters shall not be exempt from reasonable charges for services requested and received.

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## TECHNICAL ANNEX 7

### Communication and communication systems

The Headquarters shall have the authority to install and operate radio sending and receiving stations, as well as other satellite systems to connect appropriate points within the territory with each other, and with other appropriate NATO Headquarters, for official use. The telecommunication services shall operate in accordance with the International Communication Convention and Rules, and the Plan for the Use of the Radio Frequency Ranges. The frequencies on which any such station may be operated shall be decided upon in co-operation with the Government and shall be communicated by the Headquarters to the International Frequency Registration Bureau.

The Headquarters shall enjoy, in the territory, the right to unrestricted communication by radio (including satellite, mobile or hand-held radio), telephone, telegraph, facsimile and other means, as well as the right to install the necessary facilities for maintaining such communications within and between the Headquarters' premises and accommodations, including the laying of cables and ground lines and the establishment of fixed and mobile radio sending, receiving and repeater stations, for official use.

The connections with the local systems of telegraphs, telex and telephone may be made only after consultations and in accordance with arrangements concluded with the competent institutions. The use of the local systems of telegraphs, telex and telephones will be charged at the usual rate.

The Headquarters may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of the Headquarters. The Government shall be informed of the nature of such arrangements and shall not interfere with or apply censorship to the mail of the Headquarters of its members. In the event that postal arrangements applying to private mail of members of the Headquarters are extended to transfer of currency or the transport of packages and parcels to the conditions under which such operations are conducted shall be agreed with the Government.

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## TECHNICAL ANNEX 8

### Protection of the Environment and Cultural Treasures

The Headquarters, in cooperation with the competent organs of the Republic of Macedonia, will respect the protection of the human environment, cultural treasures and values, and other humanitarian values, as regulated in respect of the international conventions and the existing legislation in the Republic of Macedonia that covers these specific areas.

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## TECHNICAL ANNEX 9

### Driving Licenses

The Headquarters personnel, as well as the members of their families, may drive motor vehicles in the Republic of Macedonia provided they have a valid national, international or military driving license. An approved translation of national driving licenses will be carried with the national driving license at all times.

National and/or international driving license for driving motor vehicles of "D" category shall not be acceptable for persons who are under the age of 21. National and/or international driving licenses for driving motor vehicles of the "B" and "C" categories shall not be acceptable for persons who are under the age of 18.

The Headquarters personnel as well as the members of their families may take their driving examination in the Republic of Macedonia under the same conditions enforced for national citizens.

A valid national or international driving license may be exchanged for a driving license issued by the Republic of Macedonia in accordance with the provisions as prescribed by national regulations.

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## TECHNICAL ANNEX 10

### Access to Medical Facilities

The Headquarters personnel as well as members of their families may have access to all levels of medical or dental services, including hospitalisation, within the Republic of Macedonia .

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## TECHNICAL ANNEX 11

### Coordination of Information Activities

COMARRC is responsible for all NATO information activities in Macedonia.

NATO Public Information (PI) will be co-ordinated with the Macedonian Ministry of Information and conducted in co-operation with the Ministry of Defence, Ministry of Internal Affairs, and the Ministry of Foreign Affairs as may be appropriate. The NATO point of contact in Macedonia for PI policy co-ordination is the Public Information Office (PIO) in the Headquarters ARRC.

Major PI events will be co-ordinated as and when necessary. Routine PI co-ordination meetings will be arranged between the Headquarters and the Ministry of Information.

NATO PI activities will be conducted through the NATO Press Information Centre (PIC). It will conduct, inter alia, press conferences and briefings; issue press statements and media advisories; and arrange media facilities and visits to NATO forces deployed in Macedonia.

Press releases and statements relating to NATO forces in Macedonia that are issued by the NATO PIC will be forwarded on to the Macedonia Information Agency (MIA) for translation and further distribution.

The Headquarters may request assistance for PI activities from the Macedonian Ministry of Information, the Ministry of Defence, the Ministry of Internal Affairs, and the Ministry of Foreign Affairs.

Journalists will be accredited by the Ministry of Information. Once this process has been completed, local and foreign journalists will be permitted to have unimpeded access to the same geographical areas, locations and NATO military facilities as the NATO PIC, provided that the said journalists are accompanied at all times by a representative from the NATO PIC. The NATO PIC will register all domestic and foreign journalists covering NATO military activities in Macedonia.

The Headquarters, in co-operation with the Ministry of Information, may issue information products, including but not limited to brochures, films, information sheets and radio broadcasts that support NATO's mission in the Republic of Macedonia and its contribution to peace and stability in the Region.