

EXPLANATORY MEMORANDUM ON THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE REPUBLIC OF UZBEKISTAN ON THE AIR TRANSIT OF CARGO AND PERSONNEL THROUGH THE TERRITORY OF THE REPUBLIC OF UZBEKISTAN IN CONNECTION WITH THE PARTICIPATION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND IN EFFORTS TO ENSURE THE SECURITY, STABILISATION AND RECONSTRUCTION OF THE ISLAMIC REPUBLIC OF AFGHANISTAN

Title of the Agreement

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Uzbekistan on the Air Transit of cargo and personnel through the territory of the Republic of Uzbekistan in connection with the participation of the United Kingdom of Great Britain and Northern Ireland in efforts to ensure the Security, Stabilisation and Reconstruction of the Islamic Republic of Afghanistan.

Command Paper No:

CM 8524.

Subject matter

This Agreement sets out the procedures agreed for UK equipment and personnel to overfly the territory of the Republic of Uzbekistan, in relation to the recovery of UK equipment and personnel from Afghanistan.

Policy considerations

The combat mission of the International Security Assistance Force (ISAF) in Afghanistan is due to complete by the end of 2014. The Ministry of Defence has already begun to plan and execute the progressive recovery of its equipment and personnel. The drawdown operation will be complex: Afghanistan's remote location, the difficult terrain and the potentially volatile regional security conditions all present significant challenges, which could be exacerbated by capacity constraints as other ISAF nations seek to recover their equipment and personnel at the same time.

Currently, the only route for recovery of equipment and personnel (with the exception of humanitarian and medical evacuation flights) is surface and air transit via Pakistan. The surface routes through Pakistan were closed for much of 2012. Although now re-opened, concerns remain about the routes' condition, fragility and physical security, as well as their susceptibility to future no-notice denial or closure. As a national strategic

priority, therefore, the UK has been seeking to extend the number of potential recovery options by securing surface and air reverse transit permissions through Central Asia and Russia.

A primary northern air route for the recovery of UK equipment and personnel will be through the airspace of the Republic of Uzbekistan. This Agreement provides the permissions required for overflight of the territory of the Republic of Uzbekistan.

Ministerial responsibility

The Secretary of State for Defence is responsible for the recovery in good order of UK equipment and personnel deployed in support of the ISAF mission in Afghanistan. The Secretary of State for Foreign and Commonwealth Affairs is responsible for political relations with the Government of the Republic of Uzbekistan.

Financial

This Agreement in itself does not commit the UK to any expenditure. The establishment of these transit permissions provides options and resilience for the recovery of equipment and personnel from Afghanistan.

Implementation

No specific legislation is needed to implement the Agreement, which shall enter into force on the date of receipt of the later of the two written notifications by which the Parties shall notify each other, through diplomatic channels, of the completion of respective internal and legal procedures required for entry into force of the Agreement. The Uzbekistan Government has already completed its procedures.

Consultations

Relevant Government Departments and Agencies were consulted during negotiations and gave their approval to the final draft of the Agreement. Further consultations will be ongoing with relevant parties on the detailed implementing arrangements.



ANDREW ROBATHAN

MINISTER OF STATE FOR THE ARMED FORCES