

## Status of Forces Agreement 7-3.02-K

KNOW what a Status of Forces Agreement (SOFA) is, as presented in the E-PME Study Guide.

### ***Status of Forces Agreement***

A Status of Forces Agreement (SOFA) is an international agreement providing approval of certain foreign governments for U.S. personnel to enter their territory for defense purposes.

Some agreements require U.S. personnel to have a specific type of order or specific identification documents. These requirements are identified in the individual country pages of the Department of Defense Foreign Clearance Guide (DoD FCG).

SOFAs play a vital role in preserving command authority, guaranteeing fair treatment of individual service members, and conserving scarce resources. They define the legal status of U.S. personnel and property in another country.

SOFAs set forth the rights, privileges, and conditions under which military personnel of one contracting nation may enter, transit, or perform official duties within the territory of another contracting nation. They establish rights and responsibilities between the U.S. and host governments on such matters as:

- Criminal and civil jurisdiction
- Wearing of the uniform
- Carrying of arms
- Tax and customs relief
- Entry and exit of personnel
- Entry and exit of personal property (i.e., automobiles)
- Resolving damage claims

SOFAs uniformly provide that the U.S. has the primary right to exercise criminal jurisdiction over U.S. personnel for offenses arising out of official duty performance. This ensures that our military personnel remain accountable for the way in which they perform their functions and duties.

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(continued)*

Where host nations are given primary jurisdiction over criminal offenses other than official duty, SOFAs provide military personnel with fair trial guarantees.

If U.S. forces are to be in a host country for a lengthy period of time, SOFAs may also address additional activities such as postal offices and recreation and banking facilities.

Each SOFA is unique and usually addresses one of three types of status:

- Administrative and technical staff status under the Vienna Convention on Diplomatic Privileges (commonly referred to as A & T status)
- A mini status-of-forces agreement (often used for a short-term presence, such as an exercise)
- A permanent status-of-forces agreement

The nature and duration of U.S. military activity within the host country, the maturity of our relationship with that country, and the prevailing political situation in the host nation determine the appropriate agreement.

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