

AGREEMENT

BETWEEN

**THE GOVERNMENT OF
THE CZECH REPUBLIC**

AND

**THE GOVERNMENT OF
MONTENEGRO**

ON

COOPERATION IN THE FIELD OF DEFENCE

The Government of the Czech Republic and the Government of Montenegro, hereinafter each referred to as a "Party" and collectively as the "Parties",

Taking into account the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces (hereinafter referred to as "NATO SOFA"), signed in London on 19 June 1951,

Noting the obligations both Parties are subject to, due to their membership to the North Atlantic Treaty Organization,

Desiring to contribute to peace and security in Europe, in accordance with the will to deepen and expand their bilateral cooperation in the field of defence,

Recognizing the democratic values and human rights,

Desiring to strengthen friendly ties and cooperation between both countries,

Have agreed as follows:

Article 1

Objective

1. The objective of this Agreement is to establish the general principles of cooperation in the field of defence.

2. The modalities for implementing this Agreement may be defined through separate agreements or arrangements.

3. The cooperation between the Parties shall be conducted in accordance with the applicable laws and regulations of their respective States, as well as relevant norms of international law.

4. Subject to the applicable laws and regulations of the Parties' respective States, the implementation of this cooperation may require the prior approval of the competent national authorities. This Agreement, in and of itself, does not constitute an entitlement to implement such cooperation without obtaining the necessary approvals from the relevant authorities of the Parties' States.

Article 2

Areas of Cooperation

The Parties shall cooperate especially in the following areas:

- a) defence policy, defence planning and military doctrine;
- b) organization and functioning of the armed forces;
- c) research and development of defence materiel and equipment;
- d) defence industry;
- e) procurement of defence materiel and equipment, their repair, overhaul, maintenance, modernization, training and other associated services;

- f) international peacekeeping and humanitarian operations;
- g) military medicine, logistics, and military technical issues;
- h) military education and training;
- i) crisis management;
- j) military geography.

Article 3

Forms of Cooperation

Cooperation of the Parties shall be implemented primarily through the following forms:

- a) official and working visits;
- b) exchange of experience and information;
- c) consultations, conferences, seminars, and other meetings of mutual interest;
- d) military exercises and training;
- e) demonstration of military equipment;
- f) joint scientific and research activities;
- g) realization of procurement and other defence industry projects.

Article 4

Implementing Authorities

Bodies responsible for implementation of the cooperation in accordance with this Agreement (hereinafter referred to as "Implementing Authorities") shall be: the Ministry of Defence on behalf of the Government of the Czech Republic and the Ministry of Defence on behalf of the Government of Montenegro.

Article 5

Bilateral Consultations

1. Bilateral consultations on current political-military matters, as well as on topics related to bilateral cooperation, shall be convened by the Implementing Authorities as necessary.

2. Such consultations shall be co-chaired by the competent representatives of the Implementing Authorities. To the extent possible, the consultations should be held in the presence of the defence attachés of both Parties and, depending on the subject matter, may include representatives of relevant institutions of Parties' States, or other competent experts.

3. The date, place and agenda for each round of consultations shall be established by the Implementing authorities in advance.

Article 6
Cooperation in the Field of Defence Industry and Procurement

1. The Parties will focus on and promote cooperation in the area of procurement, development, production, and modernization of defence materiel and equipment and their associated services in compliance with national regulations governing export and import procedures.

2. The Parties agree that the procurement of defence materiel and equipment and its associated services may be realised on interstate basis through various forms including joint procurements, cooperation through companies owned or controlled by Parties' States, other means of joint cooperation between relevant institutions of Parties' State, or through commercial contracts.

3. Specific cooperation will be established within the framework of joint or mutually agreed projects initiated by one of the Parties, in accordance with the national legislation of the Party responsible for the procurement. Details of such specific cooperation shall be subject to implementing agreements or arrangements to this Agreement.

4. The Parties shall not sell or transfer the defence materiel and equipment delivered in the scope of this Agreement to any third party, including international organizations, foreign legal entities or individuals, without prior written consent of the supplying Party.

Article 7
Status and Financial Provisions

1. Legal status, including taxation, of military and civilian personnel of the Parties to whom the NATO SOFA is applicable and who are present in the territory of the other Party's State shall be governed by the NATO SOFA.

2. Unless the Parties agree otherwise, each Party shall be responsible for its own costs relating to the cooperation under this Agreement.

Article 8
Taxes and Customs

Defence materiel and equipment procured by the Ministry of Defence of Montenegro in accordance with Article 2(e) of this Agreement shall be exempt from any customs duties, import VAT, sales taxes and any other indirect taxes or property taxes and similar charges imposed in the territory of Montenegro.

Article 9
Protection of Information and Intellectual Property

1. The exchange and protection of classified information shall be carried out in accordance with the Agreement between the Government of the Czech Republic and the Government of Montenegro on the Exchange and Mutual Protection of Classified Information, signed in Podgorica on 29 April 2010.

2. The Parties acknowledge that any information obtained during the cooperation in the scope of this Agreement may not be disclosed to third parties without prior consent of the other Party and shall not be used against the interests of the Parties' States.

3. The Parties acknowledge that rights to intellectual property transferred or created within the framework of this Agreement shall be protected in accordance with relevant national laws and regulations and applicable international treaties.

Article 10 Settlement of Disputes

Any disputes between the Parties arising out of interpretation and implementation of this Agreement shall be settled only through negotiation and consultation between the Parties.

Article 11 Final Provisions

1. This Agreement shall enter into force on the date of receipt of the later note by which the Parties inform each other that their respective internal procedures necessary for entry into force of this Agreement have been completed. This Agreement shall remain in force for an indefinite period.

2. This Agreement may be amended by written agreement of the Parties and shall enter into force in accordance with the procedure set forth in paragraph 1 of this Article.

3. Either Party may terminate this Agreement by giving written notice to the other Party. In such case, the Agreement shall cease to be in force six (6) months from the date of receipt of the termination notice by the other Party.

4. Unless the Parties agree otherwise, termination of this Agreement shall not affect the completion of projects, activities and contracts under this Agreement.

5. The Agreement between the Ministry of Defence of the Czech Republic and the Ministry of Defence of Montenegro on Defence Cooperation, signed in Bratislava on 19 April 2013, shall be terminated on the date of entry into force of this Agreement.

In witness whereof, the duly authorized representatives of the Parties have signed this Agreement.

Done in PRAGUE on 19/05/2020 in two originals, both in the Czech, Montenegrin and English languages, all texts being equally valid. In case of any divergence between texts of this Agreement, the English language text shall prevail.

**FOR THE GOVERNMENT
OF THE CZECH REPUBLIC**

Jaromír Zůna

Minister of Defence

**FOR THE GOVERNMENT
OF MONTENEGRO**

Dragan Krapović

Minister of Defence