

ZAKON

**O POTVRĐIVANJU SPORAZUMA IZMEĐU VLADE CRNE GORE I KABINETA
MINISTARA UKRAJINE O SARADNJI U OBLASTI ZAŠTITE OD PRIRODNIH I
DRUGIH KATASTROFA**

Član 1

Potvrđuje se Sporazum između Vlade Crne Gore i Kabineta ministara Ukrajine o saradnji u oblasti zaštite od prirodnih i drugih katastrofa, potpisan u Kijevu 13. juna 2013. godine, u originalu na crnogorskom, ukrajinskom i engleskom jeziku.

Član 2

Tekst Sporazuma iz člana 1 ovog zakona, u originalu na crnogorskom i engleskom jeziku, glasi:

SPORAZUM

**IZMEĐU VLADE CRNE GORE I KABINETA MINISTARA UKRAJINE O SARADNJI
U OBLASTI ZAŠTITE OD PRIRODNIH I DRUGIH KATASTROFA**

Vlada Crne Gore i Kabinet ministara Ukrajine (u daljem tekstu: ugovorne strane), uvjerene u neophodnost međusobne saradnje u prevenciji i ublažavanju posljedica prirodnih i drugih katastrofa (u daljem tekstu: katastrofe), imajući u vidu ulogu Evropske unije, Organizacije ujedinjenih nacija i ostalih međunarodnih organizacija u oblasti zaštite od prirodnih i drugih katastrofa,

sporazumjele su se o sljedećem:

Cilj Sporazuma

Član 1

Ovim sporazumom se regulišu okvirni uslovi za: međusobnu dobrovoljnu pomoć u slučaju katastrofe na teritoriji države druge ugovorne strane; saradnju u oblasti prevencije katastrofa i druge oblike međusobne saradnje.

Ugovorne strane će kroz saradnju ispoštovati princip reciprociteta koji će se obavljati unutar kapaciteta ugovornih strana.

Oblasti saradnje

Član 2

Saradnja između ugovornih strana će uglavnom uključivati sljedeće oblasti:

- razmjena naučnog i tehničkog znanja iz oblasti zaštite od katastrofa;
- obrazovanje i trening osoblja koje učestvuje u aktivnostima zaštite i spašavanja;
- razvoj i proizvodnja zaštitne i spasilačke opreme;
- međusobno obavješćavanje o opasnostima od rizika katastrofa i njihovim posljedicama;
- pomoć u slučaju katastrofa u oblasti zaštite i spašavanja kao i otklanjanje njihovih posljedica.

Ugovorne strane će unapređivati saradnju među nacionalnim organima, vladinim i nevladinim institucijama i organizacijama koje su uključene u zaštitu od prirodnih i drugih katastrofa.

Značenje izraza

Član 3

U ovom sporazumu koriste se sljedeći izrazi:

1. **prirodne i druge katastrofe** su katastrofe uzrokovane prirodnom silom, industrijskom aktivnošću i ostali događaji čiji uzrok je čovjek, isključujući rat, kojima se ugrožavaju životi, imovina, životna sredina i značajno pogoršavaju uslovi života;
2. **podaci i informacije o opasnostima** su podaci o prirodnim i drugim katastrofama čija svrha je rano obavješćavanje o neposrednoj opasnosti i implementacija zaštitnih i drugih mjera radi obezbjeđenja sigurnosti ljudi, imovine i okruženja;
3. **pomoć u spašavanju i katastrofi** su aktivnosti svih spasilačkih snaga i resursa čija svrha je direktno i indirektno umanjeње ili eliminacija posljedica prirodnih i drugih katastrofa;
4. **spasilački timovi** su adekvatno trenirani i opremljeni timovi koje država pošiljalac odredi radi pružanja pomoći;
5. **pojedinci (eksperti)** su stručnjaci u određenoj oblasti koji su poslani da pruže pomoć državi primaocu;
6. **zaštitna, spasilačka i druga oprema** su sredstva lične i kolektivne zaštite, spasilačka oprema, prevozna sredstva (vozila, brodovi i vazduhoplovi), kao i tehnička i druga sredstva koje koriste spasilački timovi i pojedinci koji pružaju pomoć;
7. **humanitarna pomoć** je hrana, pitka voda, lijekovi, medicinski artikli i ostale stavke namijenjene slobodnoj distribuciji stanovništvu koje je izloženo ili se nalazi pod prijetnjom katastrofe kao pomoć u umanjeњу posljedica katastrofe;
8. **država primalac** je ugovorna strana čiji ovlašćeni organi traže pomoć u slučaju katastrofa od druge ugovorne strane;
9. **država pošiljalac** je ugovorna strana čiji ovlašćeni organi odobravaju zahtjev za pomoć drugoj ugovornoj strani;
10. **zemlja tranzita** je zemlja čija teritorija se koristi radi prelaska spasilačkih i jedinica za pomoć u slučaju katastrofa i opreme radi potreba ugovornih strana.

Nadležni organi

Član 4

Nadležni organi za implementaciju ovog sporazuma su:

- u Crnoj Gori: Ministarstvo unutrašnjih poslova;
- u Ukrajini: Državna Služba za vanredne situacije Ukrajine.

Nadležni organi će se po potrebi sastajati radi efikasne implementacije Sporazuma.

U implementaciji ovog sporazuma, nadležni organi iz stava 1 ovog člana su ovlašćeni za uspostavljanje direktnih kontakata i veza. S tim u vezi, nadležni organi će razmijeniti adrese i podatke o telekomunikacionim vezama (telefon, faks i e-mail), te kontakt osobe.

Ugovorne strane će u pisanoj formi, najkasnije u roku od trideset dana, jedna drugu obavještavati o promjenama nadležnih tijela i njihovim adresama, telekomunikacionim vezama i kontakt osobama.

Saradnja među humanitarnim organizacijama

Član 5

Ugovorne strane će podsticati saradnju između humanitarnih organizacija obje ugovorne strane u oblasti zaštite od katastrofa.

Razmjena znanja i iskustava

Član 6

Ugovorne strane će jedna drugu informisati o naučnim i tehničkim saznanjima i iskustvima od interesa za anticipaciju i eliminaciju katastrofa kao i efikasnije zaštite i spašavanja.

Ugovorne strane će razmjenjivati informacije o aktuelnim nacionalnim zakonima iz oblasti zaštite od katastrofa.

Obrazovanje i usavršavanje

Član 7

Ugovorne strane će na sljedeći način, promovisati međusobnu saradnju u oblasti obrazovanja i usavršavanja osoblja koje učestvuje u aktivnostima zaštite i spašavanja kroz:

- 1) uspostavljanje direktnih veza i saradnje između obrazovnih organizacija i kroz podsticanje razmjene predavača, instruktora i ostalih eksperata;
- 2) organizaciju obrazovanja i usavršavanja osoblja;
- 3) razmjenu obrazovnih materijala i spedstava, kao i iskustava stečenih kroz aktivnosti u zaštiti i spašavanju;
- 4) organizacije zajedničkih vježbi iz oblasti zaštite i spašavanja.

Razvijanje i proizvodnja zaštitne i spasilačke opreme

Član 8

Ugovorne strane će podsticati saradnju između državnih institucija i privrednih društava u oblasti tehnološkog razvoja i proizvodnje zaštitne i spasilačke opreme.

Obavještenje o prijetnjama i katastrofama

Član 9

Ugovorne strane će međusobno jedna drugu obavještavati o prijetnjama i katastrofama koje mogu predstavljati prijetnju ili biti od uticaja po bilo koju od ugovornih strana.

Obavještenje o prijetnji ili katastrofi će biti u pisanoj formi, na engleskom jeziku, i sadržaće: opis prijetnje ili katastrofe, informacije o lokaciji, vremenu, obimu i posljedicama katastrofe kao i preduzetim zaštitnim mjerama.

U slučaju katastrofe, ugovorne strane će takođe jedna drugu informisati i o traženoj i raspoloživoj pomoći, mogućnostima i načinu njenog pružanja.

Nadležni organi ugovornih strana za obavještenje o prijetnji i katastrofi za slanje i prijem zahtjeva za pomoć su:

- u Crnoj Gori:

Ministarstvo unutrašnjih poslova

- u Ukrajini:

Državna Služba za vanredne situacije Ukrajine.

Pružanje pomoći

Član 10

Pomoć u spašavanju može se pružiti angažovanjem spasilačkih timova, pojedinaca kao i pružanjem zaštitne i spasilačke opreme i humanitarne pomoći.

Molba za pomoć mora sadržati: informaciju o tipu i obimu potrebne pomoći, informaciju o ustanovama i licima sa kojima je potrebno stupiti u kontakt, kao i predloženi način pružanja pomoći.

Pomoć će biti obezbijeđena u skladu sa propisima ugovornih strana.

Prelazak državne granice i zadržavanje na teritoriji druge ugovorne strane

Član 11

U namjeri pružanja brže i efikasnije pomoći u zaštiti i spašavanju, kao i smanjenja posljedica, ugovorne strane će spasilačkim timovima i pojedincima pomoći u obezbjeđivanju pojednostavljene procedure za prelazak državne granice.

Vođa spasilačkog tima podnosi službenom licu granične kontrole države primaoca sljedeća dokumenta, na engleskom jeziku, ovjerena od strane nadležnih organa ugovorne strane pošiljaoca:

a) dokument koji je popunjen u standardnom obrascu dogovorenom između nadležnih organa ugovornih strana, u kojem se navode ovlašćenja spasilačkog tima i/ili pojedinaca i svrha njihovog dolaska na teritoriju države ugovorne strane primaoca;

b) spisak članova spasilačkog tima i/ili pojedinaca;

c) spisak opreme i humanitarne pomoći.

Nadležni organi iz stava 1 člana 4 će se saglasiti o vremenu i mjestu prelaska državne granice, o načinu dolaska i odlaska i trajanju boravka spasilačkih timova i pojedinaca koji pružaju pomoć na teritoriji druge ugovorne strane.

Spasilački timovi i/ili pojedinci koji pružaju pomoć moraju imati odgovarajuća dokumenta koja izdaje država pošiljalac, kojim se dokazuje njihov identitet.

Članovi spasilačkih timova i/ili pojedinci koji pružaju pomoć imaju pravo da nose pripadajuće uniforme na teritoriji druge ugovorne strane.

Zabranjeno je unošenje oružja, municije i eksplozivnih sredstava na teritoriju druge ugovorne strane.

Ugovorne strane će takođe osigurati implementaciju ovog člana u slučaju da je jedna od njih zemlja tranzita. Nadležni organi iz člana 4 stav 1 će u najkraćem mogućem periodu informisati jedni druge o drugim zahtjevima u vezi tranzita, navodeći implementacione procedure, te po potrebi, tokom tranzita obezbijediti za tranzitnu grupu zaštitu od strane državnih organa.

Privremeni uvoz i izvoz opreme i pomoći tokom katastrofa

Član 12

U slučaju katastrofe ugovorne strane će pojednostaviti procedure koje se tiču privremenog uvoza i izvoza i transporta opreme i pomoći u slučaju katastrofa duž državne granice.

Prilikom prelaska državne granice vođa spasilačkog tima mora, organu granične kontrole države koja prima pomoć, dati na uvid listu opreme kao i sredstava pomoći u slučaju katastrofa.

Spasilački timovi i/ili pojedinci koji pružaju pomoć mogu jedino prenijeti preko državne granice zaštitnu i spasilačku opremu i sredstva koja su potrebna za njihove vlastite potrebe i rad kao i pomoć u slučaju katastrofa.

Na uvoz i izvoz opreme i sredstava pomoći u slučaju katastrofa, se neće primjenjivati nikakve međunarodne zabrane i ograničenja, koji se inače primjenjuju na uvoz i izvoz komercijalnih roba. Ako oprema ne bude korišćena, ona se mora vratiti državi koja je pošiljalac. U slučaju da sredstva i oprema ostaju kao pomoć državi koja je njen primalac, nadležni organ države koja je primalac mora biti obaviješten o tipu, količini i lokaciji opreme. Taj organ zatim informiše relevantne carinske organe. U tom slučaju se primjenjuju odredbe države koja je primalac pomoći.

Odredbe iz stava 4 ovog člana će se takođe primjenjivati na uvoz medikamenata koji sadrže narkotike i psihotropne supstance u državi koja je primalac pomoći, te povraćaj neiskorišćenih količina državi koja je pošiljalac. Uvoz i izvoz narkotika i psihotropnih supstanci u okviru međunarodnih ugovora se neće smatrati spoljno trgovinskim uvozom i izvozom. Medikamenti koji sadrže narkotike i psihotropne supstance mogu se isključivo uvoziti u količinama koje su neophodne radi hitne medicinske pomoći i korišćeni uz kontrolu medicinskih profesionalaca sa odgovarajućom medicinskom obukom, u skladu sa regulativom ugovorne strane spasilačkog tima. Vođa spasilačkog tima prezentuje deklaraciju u kojoj se navodi

nomenklatura i količine lijekova koji sadrže narkotike i psihotropne supstance, carinskom organu ugovorne strane primaoca.

Država koja je pošiljalac pomoći će informisati državu koja je primalac pomoći o iskorišćenim količinama medikamenata koji sadrže narkotike i psihotropne supstance.

Upotreba vazduhoplova i plovila

Član 13

Vazduhoplovi i plovila se mogu upotrijebiti radi hitnog transporta spasilačkih timova ili pojedinaca koji pružaju pomoć, opreme i drugih vrsta pomoći u skladu sa ovim sporazumom.

Organ koji traži pomoć mora odmah biti informisan o pružanju pomoći u slučaju katastrofa i upotrebi vazduhoplova ili plovila za zaštitu i spašavanje te mu se mora pružiti detaljna informacija o tipovima i oznakama vazduhoplova ili plovila, njihovoj posadi, teretu i ostalim parametrima. Država koja je primalac pomoći će navesti vrijeme, rutu planiranog leta ili plovidbe i mjesto dolaska.

U odgovarajućem slučaju se odredbe člana 11 ovog sporazuma primjenjuju na posadu vazduhoplova ili plovila, spasilačke timove ili pojedince koji pružaju pomoć, u odnosu na prelazak državne granice. Odredbe člana 12 ovog sporazuma primjenjuju se na vazduhoplove i plovila, transportovanu opremu i pomoć u slučaju katastrofa.

Za korišćenje vazduhoplova primjenjuju se propisi o vazdušnom saobraćaju ugovornih strana, naročito obaveza javljanja podataka o letovima nadležnim organima za vazdušni saobraćaj. Svaki plan leta mora da sadrži podatke koji povezuju let sa ovim sporazumom.

Na upotrebu plovila će se primjenjivati regulativa ugovornih strana iz oblasti pomorstva i međunarodne odredbe. Ugovorne strane će takođe morati ispoštovati standarde i smjernice Međunarodne organizacije za pomorstvo.

Upotreba vojnih vazduhoplova i plovila

Član 14

Upotreba vojnih vazduhoplova i plovila u svrhu ovog sporazuma će biti dozvoljena isključivo uz saglasnost ugovorne strane koja je primalac pomoći.

Nadležni organi

Član 15

Nadležni organi države koja je primalac pomoći će u svim slučajevima biti odgovorni za upravljanje operacijama spašavanja i za pružanje pomoći.

Nadležni organi iz stava 1 ovog člana će isključivo povjeravati zadatke vođama spasilačkih timova države koja šalje pomoć koji će za uzvrat informisati njima podređene o detaljima izvršenja.

Zaštita i podrška u radu spasilačkih timova

Član 16

Nadležni organi države koja je primalac pomoći će spasilačkim timovima i pojedincima države koja šalje pomoć koji izvršavaju spasilačke zadatke i pružaju pomoć obezbijediti hitnu medicinsku pomoć, kao i odgovarajuću zaštitu i podršku.

Troškovi pomoći

Član 17

Država koja šalje pomoć neće biti ovlaštena da traži nadoknadu troškova od države koja prima pomoć za pruženu pomoć. To se takođe primjenjuje na troškove nastale korišćenjem, oštećenjem ili gubitkom zaštitne, spasilačke ili druge opreme, uključujući troškove prevoza.

Troškove pomoći koju obezbijedi pravno ili fizičko lice preko države koja šalje pomoć snosi država koja prima pomoć. Država koja prima pomoć mora takvu pomoć tražiti direktno i saglasiti se da nadoknadi troškove ponuđene pomoći.

Prevozna sredstva korišćena za obezbjeđenje pomoći će biti izuzeta od plaćanja taksi za korišćenje saobraćajne infrastrukture te mogućih drugih taksa.

U slučaju da spasilački timovi i pojedinci koji pružaju pomoć istroše zalihe koje nose sa sobom, država koja je primalac pomoći snosi troškove njihovog smještaja i potrebnih namirnica radi zadovoljenja njihovih potreba do završetka pružanja pomoći. Po potrebi biće im obezbijeđena odgovarajuća logistička podrška i medicinska njega.

Nadoknade i štete

Član 18

Ugovorne strane se odriču svakog zahtjeva za nadoknadu štete na zaštitnoj, spasilačkoj i drugoj opremi, u slučaju da je šteta pričinjena od strane spasilačkog tima ili pojedinca koji pomaže u spašavanju i zadacima pomoći u slučaju katastrofa u skladu sa ovim sporazumom, i u slučaju da šteta nije namjerna.

Ugovorne strane se odriču svih prava na nadoknadu štete u slučaju ličnog povređivanja i trajnih posljedica po zdravlje i u slučaju smrti učesnika u operaciji spašavanja, u slučaju da se to dogodi tokom izvršenja zadataka spašavanja, u skladu sa ovim sporazumom, osim ako nije prouzrokovano namjerno.

U slučaju da je šteta pričinjena trećem licu prilikom izvršenja zadataka u skladu sa ovim sporazumom, država koja je primila pomoć preuzima odgovornost kao da je šteta pričinjena od spasilačkog tima ili pojedinaca koji pružaju pomoć, osim u slučaju kada je šteta pričinjena namjerno od strane spasilačkog tima ili pojedinaca koji pružaju pomoć države koja šalje pomoć.

Odgovornost za štetu iz st. 1 i 2 ovoga člana, nastaje od trenutka dolaska na teritoriju ili u vazdušni prostor države koja prima pomoć i traje do napuštanja njene teritorije ili vazdušnog prostora.

Ugovorne strane će takođe implementirati odredbe ovog člana u slučaju kada su one zemlje tranzita.

Upotreba informaciono komunikacionih sredstava veze

Član 19

Nadležni organi ugovornih strana obezbijavaju međusobne informaciono komunikacione veze, konkretno telefonske, radio i druge veze između organa, spasilačkih timova i pojedinaca koji pružaju pomoć, u skladu sa ovim sporazumom, uz poštovanje međunarodno dogovorenih pravila komunikacije. Nadležni organi ugovornih strana takođe obezbijavaju pristup internetu.

Ugovorne strane će razmijeniti liste radio frekvencija koje su dozvoljene na njihovoj teritoriji u svrhu međusobne komunikacije.

Stupanje na snagu

Član 20

Sporazum se zaključuje na neodređeno vrijeme.

Ovaj sporazum stupa na snagu danom prijema posljednjeg pisanog obavještenja, poslanog diplomatskim putem, kojim se ugovorne strane obavještavaju da su ispunjeni njeni unutrašnji pravni uslovi za stupanje na snagu ovog sporazuma.

Uticaj Sporazuma na ostale sporazume

Član 21

Ovaj sporazum neće imati uticaja na prava i obaveze ugovornih strana koja proizilaze iz drugih međunarodnih sporazuma.

Rješavanje sporova

Član 22

Ugovorne strane će sporove u vezi interpretacije i implementacije ovog sporazuma rješavati isključivo međusobnim konsultacijama i pregovorima.

Izmjene

Član 23

Ugovorne strane mogu putem potpisivanja posebnog protokola vršiti izmjene Sporazuma koji stupa na snagu u skladu sa članom 20 stav 2 ovog sporazuma.

Obavještenja u pisanoj formi ugovornih strana o promjenama podataka o nadležnim organima i njihovim adresama, telekomunikacionim vezama i kontakt osobama, neće se smatrati izmjenama Sporazuma.

Raskid Sporazuma

Član 24

Bilo koja od ugovornih strana može raskinuti ovaj sporazum u pisanoj formi diplomatskim putem. Raskid sporazuma postaje pravosnažan tri mjeseca od dana prijema službenog obavještenja o njegovom raskidu.

Raskid Ugovora neće imati uticaja na obaveze u vezi njegove implementacije, koje su još uvijek važeće na dan njegovog raskida.

Sastavljeno u Kijevu dana 13. juna 2013. godine, u dva originala, na crnogorskom, ukrajinskom i engleskom jeziku, pri čemu su svi tekstovi jednako vjerodostojni. U slučaju neslaganja koje se tiče tumačenja primjene odredaba ovog sporazuma, mjerodavan je tekst na engleskom jeziku.

Za Vladu Crne Gore
Ukrajine

Branimir Gvozdenović s.r.
S.r.

Za Kabinet ministara

Mykhaylo Bolotskykh

**AGREEMENT
BETWEEN THE GOVERNMENT OF UKRAINE AND THE GOVERNMENT OF
MONTENEGRO ON COOPERATION IN THE AREA OF PROTECTION AGAINST
NATURAL AND OTHER DISASTERS**

The Government of Ukraine and the Government of Montenegro (hereinafter referred to as "the Parties");

Convinced of the necessity of mutual co-operation in prevention and mitigation of consequences of natural and other disasters (hereinafter referred to as "disasters");

Considering the role of the European Union, the United Nations Organization and other international organizations in the area of protection against natural and other disasters;

Have agreed as follows:

Article 1

Purpose of the Agreement

This Agreement shall regulate the framework conditions for voluntary provision of mutual assistance in the event of disasters in the territory of the other Party's State, conditions for co-operation in the area of disaster prevention and other forms of mutual co-operation.

Co-operation between the Parties shall follow the principles of reciprocity and shall be conducted within the capabilities of the Parties.

Article 2

Areas of Cooperation

Cooperation between the Parties shall include mainly the following areas:

- the exchange of scientific and technical knowledge and expertise in the field of protection against disasters;
- education and training of personnel who participate in protection and rescue activities;
- development and production of protection and rescue equipment;
- mutual notification of disaster risks and their consequences;
- assistance in the case of natural and other disasters in the areas of protection and rescue, as well as elimination of their consequences.

The Parties shall advance co-operation between national authorities, governmental and non-governmental institutions and organizations engaged in protection against natural and other disasters.

Article 3

Definitions of Terms

Terms used in this Agreement have the following meaning:

1. **"natural and other disasters"** are disasters caused by natural forces, industrial activity and other man-made events, excluding war, which endanger life, property and the environment and significantly worsen the living conditions;
2. **"data and information on hazards"** are data on natural and other disasters whose purpose is early notification of imminent danger and implementation of protection and other measures in ensuring security for people, property and the environment;
3. **"disaster relief"** are activities of all rescue forces and resources whose purpose is direct and indirect mitigation and elimination of the consequences of natural and other disasters;
4. **"assistance teams"** are adequately trained and equipped teams designated by the assisting Party for the provision of assistance;

5. **"expert"** is a specialist in a certain field sent to provide assistance to a requesting Party;

6. **"equipment"** are means of personal and collective protection, rescue equipment, means of transport (vehicles, vessels and aircraft), and technical and other means used by assistance teams and experts providing assistance;

7. **"relief goods"** is food, potable water, medications, medical supplies and other items intended for free distribution to the affected or threatened population as assistance in mitigating the consequences of disasters;

8. **"requesting Party"** is the Party whose competent authorities request disaster relief from the other Party;

9. **"assisting Party"** is the Party whose competent authorities grant the assistance request of the other Party;

10. **"transit State"** is a country whose territory is crossed by rescue and disaster relief units and equipment for the needs of the Parties.

Article 4

Competent Authorities

For the purpose of implementation of this Agreement, the Parties shall appoint the following Competent Authorities:

- for Ukraine: the State Emergency Service of Ukraine;
- for Montenegro: the Ministry of Internal Affairs.

Competent authorities shall meet as necessary for efficient implementation of the Agreement.

In implementing this Agreement, the competent authorities referred to in paragraph 1 of this Article shall be authorized to establish direct contacts and connections. In this regard, the competent authorities shall exchange addresses and data on telecommunication links (telephone, fax and electronic mail) and points of contact.

The Parties shall inform each other in writing of any subsequent changes of competent authorities and their addresses, telecommunication links and points of contact, no later than 30 days following the date of change.

Article 5

Cooperation between Humanitarian Organizations

The Parties shall encourage co-operation between the humanitarian organizations of both Parties in the area of protection against disasters.

Article 6

Exchange of Knowledge and Experience

The Parties shall inform each other of scientific and technical findings and experience for the purpose of anticipating and eliminating disasters as well as more efficient protection and rescue.

The Parties shall exchange information on applicable national law in the area of protection against disasters.

Article 7

Education and Training

The Parties shall promote mutual co-operation in the area of education and training of personnel who participate in protection and rescue activities in the following manner:

1. through establishment of direct links and co-operation between educational organizations and the exchange of lecturers, instructors and other experts;
2. through organization of education and training of personnel;
3. through the exchange of educational and teaching materials, as well as experience gained during protection and rescue activities;
4. through organization of joint exercises in the area of protection and rescue.

Article 8

Development and Production of Protection and Rescue Equipment

The Parties shall encourage co-operation between government institutions and business entities in the areas of technological development and production of protection and rescue equipment.

Article 9

Notification of Threats and Disasters

The Parties shall inform each other of threats and disasters that may threaten or affect either Party.

Notification of a threat or disaster shall be made in writing in English language and shall contain: a description of the threat or disaster, information on location, time, scale and consequences of a disaster as well as on protective measures taken.

In the event of a disaster, the Parties shall also inform each other on the required and available assistance, and the possibilities and manner of its provision.

Competent authorities of the Parties for notification of threats and disasters and for sending and receiving requests for assistance are:

- in Ukraine:

the State Emergency Service of Ukraine;
- in Montenegro:
the Ministry of the Internal Affairs;

Article 10

Providing Assistance

Disaster relief may be provided by the deployment of assistance teams, experts as well as by the provision of protection and rescue equipment, relief goods.

A request for assistance must contain: information on the type and scope of required assistance, information on institutions and persons that a connection is to be established with, as well as a proposal for the manner of providing assistance.

Assistance shall be provided in accordance with the regulations of the Parties States.

Article 11

Crossing the State Border and Stay in the Territory of the Other Party

In order to provide faster and more efficient assistance in protection and rescue as well as elimination of disaster consequences, the Parties shall promote assistance teams and experts providing assistance a simplified procedure for crossing the state border.

The leader of the assistance team shall submit to the respective border guard official of the requesting Party the following documents, in the English language, certified by the Competent Authority of the assisting Party:

- a) the document of prescribed sample agreed upon by the Competent Authorities of the Parties, indicating powers of the assistance team and/or experts and the aim of arrival to the territory of the State of the requesting Party;
- b) the list of members of the assistance team and/or experts;
- c) the list of equipment and relief goods.

Competent authorities referred to in paragraph 1 of Article 4 shall agree on the time and location of crossing the state border, on the manner of arrival and departure, and on the duration of stay of assistance teams and experts providing assistance in the territory of the other Party's State.

Members of assistance teams and/or experts providing assistance must possess valid travel documents issued by the competent authorities of the State of Assisting Party that prove their identity.

Members of assistance teams and/or experts assistance shall be entitled to wear their uniforms in the territory of the other Party's State.

It shall be prohibited to bring weapons, ammunition and explosive ordnance to the territory of the other Party's State.

The Parties shall also ensure implementation of this Article in the event of one of them being a transit State. Competent authorities referred to in paragraph 1 of Article 4 shall within the shortest time possible inform each other of transit requirements specify implementation procedures and, if necessary, provide the transit group official escort during transit.

Article 12

Temporary Importation and Exportation of Equipment and Relief Goods

In the event of disasters, the Parties shall simplify procedures regarding temporary importation, exportation and transportation of equipment and relief goods across the state border.

When crossing the state border, the assistance team leader must submit a list of equipment and relief goods to the border control authority of the State of requesting Party.

Assistance teams and/or experts providing assistance may only take across the state border such protection and rescue equipment and means as are required for their own provision and operation as well as for disaster relief.

No international prohibitions and restrictions, as apply for the import and export of commercial goods, shall apply for importing and exporting equipment and relief goods. Should equipment not be used, it must be returned to the sending State. In the case of resources or equipment remaining as aid in the receiving State, the competent authority of the receiving State must be notified of the type, quantity and location of equipment. This authority shall relay this information to the relevant customs authorities. In this case, the regulations of the receiving State shall apply.

Provisions of paragraph 4 of this Article shall also apply to the import into the receiving State of medications containing narcotics and psychotropic substances, and to the return of unused quantities of these to the sending State. Import and export of narcotics and psychotropic substances within international agreements shall not be considered as import and export of goods in foreign trade. Medications containing narcotic and psychotropic substances may only be imported in the quantities required for urgent medical assistance and used under supervision of medical professionals having proper medical training, in accordance with the regulations of the Party of the rescue team. The leader of the assistance team shall present to the customs control bodies of the requested Party a declaration listing medicines containing narcotic and psychotropic substances and indicating their nomenclature and amount.

The assisting Party shall inform the requesting Party of the quantities of medication containing narcotics and psychotropic substances used.

Article 13

Use of Aircraft and Vessels

Aircraft and vessels may be used for emergency transportation of assistance teams or experts providing assistance, equipment and of other types of assistance in accordance with this Agreement.

The requesting Party must be immediately informed of the provision of relief goods and the use of aircraft and vessels for protection and rescue, and given detailed information on the types and codes of the aircraft or vessels, their crews, cargo and other required parameters. The requesting Party shall specify the time, planned flight or navigation route and location of the arrival.

The provisions of Article 11 of this Agreement shall apply as appropriate for aircraft and vessel crews, for assistance teams and individuals providing assistance, with regard to crossing the state border. The provisions of Article 12 of this Agreement shall apply to aircraft and vessels, equipment transported, and relief goods.

Regarding the use of aircrafts, the air transport legislation of contractual Parties is applied, and in particular the obligation on reporting the data on flights to competent government bodies in charge of air-transport. Every flight plan must contain data linking the flight with the Agreement.

Regulations of the Parties in the area of maritime affairs and international regulations shall apply for the use of vessels. The Parties shall be bound by the standards and guidelines of the International Maritime Organization.

Article 14

Use of Military Aircraft and Military Vessels

Use of military aircraft and military vessels for the purposes of this Agreement shall only be permitted in agreement with the State of requested Party.

Article 15

Responsible Authorities

Competent authorities of the requesting Party shall in all cases be responsible for the management of rescue operations and provision of assistance.

The authorities referred to in paragraph 1 of this Article shall only entrust tasks to heads of assistance teams of the assisting Party, who shall in turn inform their subordinates of the details of execution.

Article 16

Protection and Support of Assistance Teams' Operations

The competent authorities of the Requesting Party shall provide those assistance teams and experts of the assisting Party who perform rescue tasks and provide assistance with emergency medical care as well as proper protection and support.

Article 17

Costs of Assistance

The assisting Party shall not be entitled to claim reimbursement of costs from the requesting Party for the provided assistance. This shall also apply to costs incurred through the use, damage or loss of protection, rescue and other equipment, including transportation means.

Costs of assistance provided by legal or natural persons through the assisting Party shall be covered by the requesting Party. The requesting Party must request this assistance directly and agree to reimburse the costs of assistance provided.

Transportation means used for provision of assistance shall be exempt from payment for the use of traffic infrastructure and possible charges or other contributions.

Should assistance teams and experts providing assistance run out of the supplies brought with them, the requesting Party shall cover the costs of their upkeep, accommodation and the needed supplies until the completion of their task of assistance. If necessary, proper logistical support and medical care shall be provided for them.

Article 18

Reimbursements and Damages

The Parties shall renounce all claims for reimbursement for damage to protection, rescue and other equipment, provided that damage is caused by the assistance team or experts assisting in performing rescue and disaster relief tasks according to this Agreement, and that damage is not intentional.

The Parties shall renounce every entitlement to reimbursement in the case of personal injuries and permanent consequences for health and in the event of death of a participant in a rescue operation, when this occurred during the performance of rescue tasks under this Agreement, except in cases when it is intentional.

In the case of damage inflicted on third persons when performing tasks covered by this Agreement, the requesting Party shall assume responsibility as if the damage was caused by its rescue teams and individuals providing assistance, except in cases when damage is inflicted deliberately by assistance teams or experts providing assistance of the assisting Party.

The damage liability specified in paragraph 1 and 2 of this Article shall arise upon arrival at the territory or airspace of State of the requesting Party and continue until departure from its territory or airspace.

The Parties shall also implement the provisions of this Article in the event of them being countries of transit.

Article 19

Use of Information and Communication Means

The competent authorities of the Parties shall provide mutual information and communication links, in particular telephone, radio and other links between the authorities, assistance teams and experts providing assistance, in accordance with this Agreement, while respecting internationally agreed rules of communication. The competent authorities of the Parties shall also provide Internet access.

The Parties shall exchange lists of radio frequencies authorized for use in their territories of their States for the purposes of mutual communication.

Article 20

Entry into Force

The Agreement is concluded for an indefinite period of time.

The Agreement shall enter into force on the date of the receipt of the last written notification, through diplomatic channels, that the necessary requirements for its entry into force have been fulfilled.

Article 21

Impact of this Agreement on Other Agreements

This Agreement does not prejudice the rights and obligations of the Parties arising from other international agreements.

Article 22

Settlement of Disputes

The Parties shall resolve disputes regarding the interpretation or implementation of this Agreement exclusively by mutual consultation and negotiation.

Article 23

Amendments

The Parties may amend the Agreement by signing a separate protocol that shall enter into force in accordance with the paragraph 2 of Article 20 of this Agreement.

Written notices of the Parties on data modification of competent authorities and their addresses, telecommunication links and points of contact shall not be regarded as amendments to the Agreement.

Article 24

Termination of the Agreement

Either Party has the right to terminate this Agreement in writing through diplomatic channels. Termination of the Agreement shall take effect three months from the date of receipt of the notification of its termination.

Termination of this Agreement shall not prejudice the obligations regarding its implementation, which are still applicable at the date of its termination.

Done at Kiev on 13. June 2013. year, in two original copies in the, Montenegrin, Ukrainian and English languages, all texts being equally authentic. In case of divergence of interpretation or application of the provisions of this Agreement, the English version shall prevail.

**For the Government of
Montenegro**

Branimir Gvozdenovic

**For the Government of
Ukraine**

Mykhaylo Bolotskykh

Član 3

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u „Službenom listu Crne Gore - Međunarodni ugovori“.