

ZAKON
O POTVRĐIVANJU PROTOKOLA O PRAVNOM POLOŽAJU MEĐUNARODNIH
VOJNIH KOMANDI USPOSTAVLJENIH NA OSNOVU SJEVERNOATLANTSKOG
UGOVORA

Član 1

Potvrđuje se Protokol o pravnom položaju međunarodnih vojnih komandi uspostavljenih na osnovu Sjevernoatlantskog ugovora, sačinjen u Parizu 28. avgusta 1952. godine, u originalu na engleskom i francuskom jeziku.

Član 2

Tekst Protokola iz člana 1 ovog zakona, u originalu na engleskom jeziku i u prevodu na crnogorski jezik, glasi:

PROTOCOL ON THE STATUS OF INTERNATIONAL MILITARY HEADQUARTERS SET UP
PURSUANT TO THE NORTH ATLANTIC TREATY

The parties to the North Atlantic Treaty signed in Washington on 4th April, 1949,
Considering that international military Headquarters may be established in their territories, by separate arrangement, under the North Atlantic Treaty, and
Desiring to define the status of such Headquarters and of the personnel thereof within the North Atlantic Treaty area,
Have agreed to the present Protocol to the Agreement signed in London on 19th June, 1951, regarding the Status of their Forces:

ARTICLE 1

In the present Protocol the expression

- (a) "the Agreement" means the Agreement signed in London on 19th June, 1951, by the Parties to the North Atlantic Treaty regarding the status of their Forces;
- (b) "Supreme Headquarters" means Supreme Headquarters Allied Powers in Europe, Headquarters of the Supreme Allied Commander Atlantic and any equivalent international military Headquarters set up pursuant to the North Atlantic Treaty;
- (c) "Allied Headquarters" means any Supreme Headquarters and any international military Headquarters set up pursuant to the North Atlantic Treaty which is immediately subordinate to a Supreme Headquarters;
- (d) "North Atlantic Council" means the Council established by Article IX of the North Atlantic Treaty or any of its subsidiary bodies authorised to act on its behalf.

ARTICLE 2

Subject to the following provisions of this Protocol, the Agreement shall apply to Allied Headquarters in the territory of a Party to the present Protocol in the North Atlantic Treaty area, and to the military and civilian personnel of such Headquarters and their dependents included in the definitions in sub-paragraphs (a), (b) and (c) of paragraph 1 of Article III of this Protocol, when such personnel are present in any such territory in connection with their official duties or, in the case of dependents, the official duties of their spouse or parent.

ARTICLE 3

1. For the purpose of applying the Agreement to an Allied Headquarters the expressions "force", "civilian component" and "dependent", wherever they occur in the Agreement shall have the meanings set out below:

(a) "force" means the personnel attached to the Allied Headquarters who belong to the land, sea or air armed services of any Party to the North Atlantic Treaty;

(b) "civilian component" means civilian personnel who are not stateless persons, nor nationals of any State which is not a Party to the Treaty, nor nationals of, nor ordinarily resident in the receiving State, and who are (i) attached to the Allied Headquarters and in the employ of an armed service of a Party to the North Atlantic Treaty or (ii) in such categories of civilian personnel in the employ of the Allied Headquarters as the North Atlantic Council shall decide;

(c) "dependent" means the spouse of a member of a force or civilian component, as defined in sub-paragraphs a. and b. of this paragraph, or a child of such member depending on him or her support.

2. An Allied Headquarters shall be considered to be a force for the purposes of Article II, paragraph 2 of Article V, paragraph 10 of Article VII, paragraphs 2,3,4,7 and 8 of Article IX, and Article XIII, of the Agreement.

ARTICLE 4

The rights and obligations which the Agreement gives to or imposes upon the sending State or its authorities in respect of its forces or their civilian components or dependents shall, in respect of an Allied Headquarters and its personnel and their dependents to whom the Agreement applies in accordance with Article II of the present Protocol, be vested in or attached to the appropriate Supreme Headquarters and the authorities responsible under it, except that:

(a) the right which is given by Article VII of the Agreement to the military authorities of the sending State to exercise criminal and disciplinary

jurisdiction shall be vested in the military authorities of the State, if any, to whose military law the person concerned is subject;

(b) the obligations imposed upon the sending state or its authorities by Article II, paragraph 4 of Article III, paragraphs 5 a. and 6 a. of Article VII paragraphs 9 and 10 of Article VIII, and Article XIII, of the Agreement , shall attach both to the Allied Headquarters and to any State whose armed service, or any member or employee of whose armed service, or the dependent of such member or employee, is concerned;

(c) for the purposes of paragraphs 2 a. and 5 of Article III, and Article XIV, of the Agreement the sending State shall be, in the case of members of a force and their dependents, the State to whose armed service the member belongs, or, in the case of members of a civilian component and their dependents, the State, if any, by whose armed service the member is employed;

(d) the obligations imposed on the sending State by virtue of paragraphs 6 and 7 of Article VIII of the Agreement shall attach to the State to whose armed service the person belongs whose act or omission has given rise to the claim or, in the case of a member of a civilian component, to the State by whose armed service he is employed or, if there is no such State, to the Allied Headquarters of which the person concerned is a member.

Both the State, if any, to which obligations attach under this paragraph and the Allied Headquarters concerned shall have the rights of the sending State in connection with the appointment of an arbitrator under paragraph 8 of Article VIII.

ARTICLE 5

Every member of an Allied Headquarters shall have a personal identity card issued by the Headquarters showing names, date and place of birth, nationality, rank or grade, number (if any), photograph and period of validity. This card must be presented on demand.

ARTICLE 6

1. The obligations to waive claims imposed on the Contracting Parties by Article VIII of the Agreement shall attach both to the Allied Headquarters and to any Party to this Protocol concerned.

2. For the purposes of paragraphs 1 and 2 of Article VIII of the Agreement,

(a) property owned by an Allied Headquarters or by a Party to this Protocol and used by an Allied Headquarters shall be deemed to be property owned by a Contracting Party and used by its armed services;

(b) damage caused by a member of a force or civilian component as defined in paragraph 1 of Article III of this Protocol or by any other employee of an Allied Headquarters shall be deemed to be damage caused by a member or employee of the armed services of a Contracting Party;

(c) the definition of the expression "owned by a Contacting Party" in paragraph 3 of Article VIII shall apply in respect of an Allied Headquarters.

3. The claims to which paragraph 5 of Article VIII of the Agreement applies shall include claims (other than contractual claims and claims to which paragraphs 6 or 7 of that Article apply) arising out of acts or omissions of any employees of an Allied Headquarters, or out of any other act, omission or occurrence for which an Allied Headquarters, or out of any other act, omissions or occurrence for which an Allied Headquarters is legally responsible, and causing in the territory of a receiving State to third parties, other than any of the Parties to this Protocol.

ARTICLE 7

1. The exemption from taxation accorded under Article X of the Agreement to members of a force or civilian component in respect of their salaries and emoluments shall apply, as regards personnel of an Allied Headquarters within the definitions in paragraph 1 a. and b. (i) of Article 3 of this Protocol, to salaries and emoluments paid to them as such personnel by the armed service to which they belong or by which they are employed, except that this paragraph shall not exempt any such member or employee from taxation imposed by a State of which he is a national.

2. Employees of an Allied Headquarters of categories agreed by the North Atlantic Council shall be exempted from taxation on the salaries and emoluments paid to them by the Allied Headquarters in their capacity as such employees. Any Party to the present Protocol may, however, conclude an arrangement with the Allied Headquarters whereby such Party will employ and assign to the Allied Headquarters all of its nationals (except, if such Party so desires, any not ordinarily resident within its territory) who are to serve on the staff of the Allied Headquarters and pay the salaries and emoluments of such persons from its own funds, at a scale fixed by it. The salaries and emoluments so paid may be taxed by the Party concerned but shall be exempted from taxation by any other Party. If such an arrangement is entered into by any Party to the present Protocol and is subsequently modified or terminated, Parties to the present Protocol shall no longer be bound under the first sentence of this paragraph to exempt from taxation the salaries and emoluments paid to their nationals.

ARTICLE 8

1. For the purpose of facilitating the establishment, construction, maintenance and operation of Allied Headquarters, these Headquarters shall be relieved, so far as practicable, from duties and taxes, affecting expenditures by them in the interest of common defence and for their official and exclusive benefit, and each Party to the present Protocol shall enter into negotiations with any Allied Headquarters operating in its territory for the purpose of concluding an agreement to give effect to this provision.

2. An Allied Headquarters shall have the rights granted to a force under Article XI of the Agreement subject to the same conditions.

3. The provisions in paragraphs 5 and 6 of Article XI of the Agreement shall not apply to nationals of the receiving States, unless such nationals belong to the armed services of a Party to this Protocol other than the receiving State.

4. The expression "duties and taxes" in this Article does not include charges for services rendered.

ARTICLE 9

Except in so far as the North Atlantic Council may decide otherwise,

(a) any assets acquired from the international funds of an Allied Headquarters under its capital budget and no longer required by the Headquarters shall be disposed of under arrangements approved by the North Atlantic Council and the proceeds shall be distributed among or credited to the Parties to the North Atlantic Treaty in the proportions in which they have contributed to the capital costs of the Headquarters. The receiving State shall have the prior right to acquire any immovable property so disposed of in its territory provided that it offers terms no less favourable than those offered by any third party;

(b) any land, buildings or fixed installations provided for the use of an Allied Headquarters by the receiving State without charge to the Headquarters (other than a nominal charge) and no longer required by the Headquarters shall be handed back to the receiving State, and any increase or loss in the value of the property provided by the receiving State resulting from its use by the Headquarters shall be determined by the North Atlantic Council (taking into consideration any applicable law of the receiving State) and distributed among or credited or debited to the Parties to the North Atlantic Treaty in the proportions in which they have contributed to the capital costs of the Headquarters.

ARTICLE 10

Each Supreme Headquarters shall possess juridical personality; it shall have the capacity to conclude contracts and to acquire and dispose of property. The receiving State may, however, make the exercise of such capacity subject to special arrangements between it and the Supreme Headquarters or any subordinate Allied Headquarters acting on behalf of the Supreme Headquarters.

ARTICLE 11

1. Subject to the provisions of Article VIII of the Agreement, a Supreme Headquarters may engage in legal proceedings as claimant or defendant. However, the receiving State and the Supreme Headquarters or any subordinate Allied Headquarters authorized by it may agree that the receiving State shall act on behalf of the Supreme Headquarters in any legal proceedings to which that Headquarters is a party before the courts of the receiving State.

2. No measure of execution or measure directed to the seizure or attachment of its property or funds shall be taken against any Allied Headquarters, except for the purposes of paragraph 6 a. of Article VII and Article XIII of the Agreement.

ARTICLE 12

1. To enable it to operate its international budget, an Allied Headquarters may hold currency of any kind and operate accounts in any currency.

2. The Parties to the present Protocol shall, at the request of an Allied Headquarters, facilitate transfers of the funds of such Headquarters from one country to another and the conversion of any currency held by an Allied Headquarters into any other currency, when necessary to meet the requirements of any Allied Headquarters.

ARTICLE 13

The archives and other official documents of an Allied Headquarters kept in premises used by those Headquarters or in the possession of any properly authorized member of the Headquarters shall be inviolable, unless the Headquarters has waived this immunity. The Headquarters shall, at the request of the receiving State and in the presence of a representative of that State, verify the nature of any documents to confirm that they are entitled to immunity under this Article.

ARTICLE 14

1. The whole or any part of the present Protocol or of the Agreement may be applied, by decision of the North Atlantic Council, to any international military Headquarters or organization (not included in the definitions in paragraphs b. and c. of Article I of this Protocol) which is established pursuant to the North Atlantic Treaty.

2. When the European Defence Community comes into being, the present Protocol may be applied to the personnel of the European Defence Forces attached to an Allied Headquarters and their dependents at such time and in such manner as may be determined by the North Atlantic Council.

ARTICLE 15

All differences between the Parties to the present Protocol or between any such Parties and any Allied Headquarters relating to the interpretation or application of the Protocol shall be settled by negotiation between the parties in dispute without recourse to any outside jurisdiction. Except where express provision is made to the contrary in the present Protocol or in the Agreement, differences which cannot be settled by direct negotiation shall be referred to the North Atlantic Council.

ARTICLE 16

1. Articles XV and XVII to XX of the Agreement shall apply as regards the present Protocol as if they were an integral part thereof, but so that the Protocol may be reviewed, suspended, ratified, acceded to, denounced or extended in accordance with those provisions independently from the Agreement.

2. The present Protocol may be supplemented by bilateral agreement between the receiving State and a Supreme Headquarters, and the authorities of a receiving State and a Supreme Headquarters may agree to give effect, by administrative means in advance of ratification, to any provisions of this Protocol or of the Agreement as applied by it.

In witness whereof the undersigned Plenipotentiaries have signed the present Protocol. Done in Paris this 28th day of August 1952, in the English and French languages, both texts being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the signatory and acceding States.

PROTOKOL O PRAVNOM POLOŽAJU MEĐUNARODNIH VOJNIH KOMANDI USPOSTAVLJENIH NA OSNOVU SJEVERNOATLANTSKOG UGOVORA

Strane Sjevernoatlantskog ugovora potpisanog u Vašingtonu 4. aprila 1949. godine,

Uzimajući u obzir da se međunarodne vojne komande mogu osnivati na njihovim teritorijama posebnim sporazumima na osnovu Sjevernoatlantskog ugovora i

Želeći da utvrde pravni položaj takvih komandi i njihovog osoblja u okviru područja Sjevernoatlantskog ugovora,

Sporazumjele su se o ovom Protokolu uz Sporazum, potpisanom u Londonu 19. juna 1951. godine, o pravnom položaju njihovih snaga:

Član 1

U ovom Protokolu izraz:

(a) "*Sporazum*" podrazumijeva Sporazum koji su potpisale Strane Sjevernoatlantskog ugovora u Londonu, 19. juna 1951. godine o pravnom položaju njihovih snaga;

(b) "vrhovna komanda" podrazumijeva Vrhovnu komandu savezničkih snaga u Evropi, Komandu vrhovnog savezničkog komandanta za Atlantik i svaku sa njima izjednačenu međunarodnu vojnu komandu uspostavljenu na osnovu Sjevernoatlantskog ugovora;

(c) "saveznička komanda" podrazumijeva bilo koju vrhovnu komandu i bilo koju međunarodnu vojnu komandu uspostavljenu na osnovu Sjevernoatlantskog ugovora koja je neposredno podređena vrhovnoj

komandi.

(d) "Sjevernoatlantski savjet" podrazumijeva Savjet koji je osnovan članom 9 Sjevernoatlantskog ugovora ili bilo koje od njegovih pomoćnih tijela koje je ovlašteno da djeluje u njegovo ime.

Član 2

U skladu sa sljedećim odredbama ovog Protokola, Sporazum se primjenjuje na savezničku komandu na državnoj teritoriji Strane ovog Protokola na području Sjevernoatlantskog ugovora, i na vojno i civilno osoblje takve komande i članove njihovih porodica koji su obuhvaćeni definicijama iz člana 3 stava 1 tač. (a), (b) i (c) ovog Protokola, kada je takvo osoblje prisutno na bilo kojoj takvoj teritoriji u vezi sa njihovim službenim dužnostima ili, u slučaju članova njihovih porodica, službenim dužnostima njihovih supružnika ili roditelja.

Član 3

1. U svrhu primjene Sporazuma na savezničke komande izrazi "snage" "civilna komponenta" i "član porodice", gdje god se pojavljuju u Sporazumu, imaju sljedeća značenja:

- (a) "snage" podrazumijevaju osoblje pridruženo savezničkoj komandi koje pripada kopnenoj vojsci, mornarici ili vazduhoplovstvu oružanih snaga bilo koje Strane Sjevernoatlantskog ugovora;
- (b) "civilna komponenta" podrazumijeva civilno osoblje, koje nijesu lica bez državljanstva, niti su državljani bilo koje države koja nije Strana Sporazuma, niti su državljani države prijema, niti u njoj imaju prebivalište, (i) koji su priključeni savezničkim komandama i zaposleni su u oružanim snagama Strane Sjevernoatlantskog ugovora ili (ii) u takvim kategorijama civilnog osoblja zaposlenog u savezničkoj komandi u skladu sa odlukom Sjevernoatlantskog savjeta;
- (c) "član porodice" podrazumijeva supružnika pripadnika snaga ili civilne komponente kako su utvrđeni u tač. (a) i (b) ovog stava, ili dijete tog pripadnika koje on ili ona izdržava.

2. Saveznička komanda se odnosi na snage u svrhu člana II, člana V stav 2, člana VII stav 10, člana IX st. 2, 3, 4, 7. i 8 i člana XIII Sporazuma.

Član 4

Prava i obaveze koje Sporazum daje ili nameće državi odašiljanja ili njenim organima u pogledu njenih snaga ili njihovih civilnih komponenti ili članova njihovih porodica biće, u pogledu savezničke komande i njenog osoblja i članova njihovih porodica na koje se primjenjuje Sporazum u skladu sa članom 2 ovog Protokola, dodijeljeni ili priključeni odgovarajućoj vrhovnoj komandi i organima, osim što će:

- (a) pravo koje je članom VII Sporazuma dato vojnim organima države

odašiljanja da ostvaruju krivičnu i disciplinsku nadležnost biti dodijeljeno vojnim organima države, ako ih ima, čijem vojnom zakonodavstvu lice podliježe;

(b) obaveze nametnute državi odašiljanja ili njenim organima članom II, članom III stav 4, članom VII stav 5 (a) i 6 (a), članom VIII stav 9 i 10 i članom XIII Sporazuma, biti dodate i savezničkoj komandi i svakoj državi kojoj pripadaju oružane snage ili bilo koji pripadnik ili zaposleni oružanih snaga, ili član porodice takvog pripadnika ili zaposlenog, na kojeg se to odnosi;

(c) u svrhu člana III stav 2 (a) i 5 i člana XIV Sporazuma država odašiljanja biće, u slučaju pripadnika snaga ili članova njihovih porodica, država čijim oružanim snagama on pripada, ili u slučaju pripadnika civilne komponente i članova njihovih porodica, država, ako takva postoji, u čijim je oružanim snagama pripadnik zaposlen;

(d) obaveze nametnute državi odašiljanja na osnovu člana VIII stav 6 i 7 Sporazuma biće dodate državi čijim oružanim snagama lice pripada čija radnja ili propust je dovela do potraživanja ili, u slučaju pripadnika civilne komponente, državi u čijim je oružanim snagama zaposlen ili, ako nema takve države, savezničkoj komandi čiji je pripadnik odnosno lice.

I država, ukoliko postoji, na koju se obaveze iz ovog stava odnose i odnosna saveznička komanda imaju prava države odašiljanja u vezi sa imenovanjem arbitra na osnovu člana VIII stav 8.

Član 5

Svaki pripadnik savezničke komande imaće ličnu legitimaciju koju je izdala komanda sa imenom i prezimenom, datumom i mjestom rođenja, državljanstvom, činom ili redom, brojem (ako postoji), fotografijom i rokom važenja. Ova legitimacija mora se pokazati na zahtjev.

Član 6

1. Obaveze odricanja od potraživanja nametnute ugovornim Stranama članom VIII Sporazuma odnose se na savezničku komandu i na bilo koju stranu ovog Protokola na koju se to odnosi.

2. U svrhe člana VIII st. 1 i 2 Sporazuma,

(a) imovina u vlasništvu savezničke komande ili Strane ovog Protokola koju koristi saveznička komanda smatra se imovinom u vlasništvu ugovorne Strane koju koriste njene oružane snage;

(b) šteta koju je prouzrokovao pripadnik snaga ili civilne komponente kako su utvrđeni u članu 3 stav 1 ovog Protokola ili bilo koji zaposleni u savezničkoj komandi smatraće se štetom koju je prouzrokovao pripadnik ili zaposleni oružanih snaga ugovorne Strane;

(c) definicija izraza "vlasništvo ugovorne Strane" u članu VIII stav 3 primjenjuje se u odnosu na savezničku komandu.

Potraživanja na koja se primjenjuje član VIII stav 5 Sporazuma uključuje potraživanja (osim ugovornih potraživanja i potraživanja na koja se primjenjuju stavovi 6 ili 7 toga člana) koja proizlaze iz djela ili propusta bilo kojeg zaposlenog savezničke komande ili iz bilo kojeg drugog djela, propusta ili događaja za koje je saveznička komanda pravno odgovorna i koja su prouzrokovala štetu na teritoriji države prijema trećoj strani, koja nije ni jedna od strana ovog Protokola.

Član 7

1. Oslobođanje od plaćanja poreza odobreno na osnovu člana X Sporazuma pripadnicima snaga ili civilne komponente u pogledu njihovih zarada i primanja primijenije se, što se tiče osoblja savezničke komande u okviru definicija iz člana 3 stava 1 (a) i (b) (i) ovog Protokola, na zarade i primanja isplaćena od strane oružanih snaga kojima pripadaju ili čiji su zaposleni, osim što ovaj stav ne oslobađa bilo kojeg takvog pripadnika ili zaposlenog od oporezivanja od strane države čiji je on državljanin.

2. Kategorije zaposlenih savezničke komande koje utvrdi Sjevernoatlantski savjet oslobođene su od oporezivanja zarada i primanja koje im je isplatila saveznička komanda u njihovom svojstvu takvih zaposlenih. Međutim, bilo koja Strana ovog Protokola može da zaključi sporazum sa savezničkom komandom gdje će takva Strana zaposliti i dodijeliti savezničkoj komandi sve svoje državljane (osim, ako Strana tako želi, lica koje nemaju stalno prebivalište na njenoj državnoj teritoriji) koji će služiti kao osoblje savezničke komande i isplaćivati zarade i primanja takvim licima iz svojih sredstava prema utvrđenoj tablici. Tako isplaćene zarade i primanja odnosna Strana može da oporezuje, ali se na njih neće plaćati porezi ni jednoj drugoj strani. Ako takav sporazum zaključi bilo koja Strana ovog Protokola i nakon toga bude izmijenjen ili okončan, Strane ovog Protokola neće dalje biti vezane prvom rečenicom ovog stava da oslobode od oporezivanja zarade i primanja isplaćena njihovim državljanima.

Član 8

1. U svrhu olakšavanja uspostavljanja izgradnje, održavanja i djelovanja savezničkih komandi, ove komande će, u mjeri u kojoj je to moguće, biti oslobođene od plaćanja carina i poreza koji se odnose na njihove troškove u interesu zajedničke odbrane i isključivo njihovih benefita i svaka Strana ovog Protokola će započeti pregovore sa bilo kojim savezničkom komandom koja djeluje na njenoj teritoriji u smislu zaključivanja sporazuma radi sprovođenja ove odredbe.

2. Saveznička komanda ima prava dodijeljena snagama na osnovu člana XI Sporazuma pod istim uslovima.

3. Odredbe člana XI u stavovima 5 i 6 Sporazuma ne primjenjuju se na državljane država prijema, osim ako oni pripadaju oružanim snagama Strane ovog Protokola koja nije država prijema.

4. Izraz "carine i porezi" u ovom članu ne obuhvata naknade za pružene usluge.

Član 9

Osim ako Sjevernoatlantski savjet ne odluči drugačije,

(a) svaka imovina stečena iz međunarodnih sredstava savezničkih komandi u okviru njihovog kapitalnog budžeta koja više nije potrebna komandi biće rashodovana u skladu sa postupcima koje odobri Sjevernoatlantski savjet, a prihodi će biti raspodijeljeni ili pripisani Stranama Sjevernoatlantskog ugovora u udjelima u kojima su učestvovala u kapitalnim troškovima komande. Država prijema ima pravo prvenstva prilikom sticanja tako rashodovanih nekretnina na njenoj teritoriji, pod uslovom da njena ponuda nije nepovoljnija od ponude bilo koje treće strane;

(b) svako zemljište, zgrade ili fiksne instalacije koje je država prijema dala na korišćenje savezničkoj komandi bez naknade (osim nominalne) i koje više nijesu potrebne komandi vratiće se državi prijema, a svako povećanje ili smanjenje vrijednosti imovine koju je država prijema dala na korišćenje, nastalo usljed njenog korišćenja od strane komandi utvrdiće Sjevernoatlantski savjet (uzimajući u obzir sve primjenjive propise države prijema), te će raspodijeliti između ili pripisati ili teretiti Strane Sjevernoatlantskog ugovora u udjelima u kojima su one doprinosile kapitalnim troškovima komande.

Član 10

Svaka vrhovna komanda ima pravnu sposobnost; ima sposobnost da zaključuje ugovore te da stiče i raspolaže imovinom. Država prijema može međutim ostvarivanje ove sposobnosti usloviti posebnim sporazumima između nje i vrhovne komande ili bilo koje podređene savezničke komande koja djeluje u ime vrhovne komande.

Član 11

U skladu sa odredbama člana VIII Sporazuma, vrhovna komanda može učestvovati u sudskom postupku kao tužilac ili tuženi. Međutim, država prijema i vrhovna komanda ili bilo koja podređena saveznička komanda koja je dobila od nje ovlašćenje, mogu se sporazumjeti da će država prijema da zastupa vrhovnu komandu u svakom sudskom postupku u kojem je ta komanda Strana pred sudovima države prijema.

U odnosu na bilo koju savezničku komandu neće se preduzimati nikakve mjere izvršenja ili mjere usmjerene na oduzimanje ili preuzimanje njene imovine ili sredstava, osim u svrhe člana VII stav 6 (a) i člana XIII Sporazuma.

Član 12

1. Radi omogućavanja upravljanja njenim međunarodnim budžetom, saveznička komanda može držati bilo koju valutu i upravljati računima u bilo kojoj valuti.

2. Strane ovog Protokola će, na zahtjev savezničke komande olakšati prenos sredstava takve komande iz jedne države u drugu i zamjenu valute koju posjeduje saveznička komanda u bilo koju drugu valutu, kada je to potrebno radi izlaženja u susret bilo kojoj savezničkoj komandi.

Član 13

Arhivi i drugi službeni dokumenti savezničke komande deponovani u objektima koje koristi ta komanda ili u posjedu bilo kojeg odgovarajućeg ovlašćenog pripadnika komande nepovredivi su, osim ukoliko se komanda odrekla ovog imuniteta. Komanda na zahtjev države prijema i u prisustvu predstavnika te države, potvrđuje vrstu bilo kojih dokumenata radi potvrde da oni podliježu imunitetu prema ovom članu.

Član 14

1. Ovaj Protokol u cjelosti, ili njegov dio ili dio Sporazuma se može primijeniti, po odluci Sjevernoatlantskog savjeta, na svaku međunarodnu vojnu komandu ili organizaciju (koja nije uključena u definicije u članu 1 tač. (b) i (c) ovog Protokola) koja je uspostavljena na osnovu Sjevernoatlantskog ugovora.

2. Po početku rada Evropske odbrambene zajednice, ovaj Protokol se može primijeniti na osoblje evropskih odbrambenih snaga pridruženih savezničkoj komandi, na članove njihovih porodica u vremenu i na način kako utvrdi Sjevernoatlantski savjet.

Član 15

Sve razlike između Strana ovog Protokola ili između bilo koje takve Strane i bilo koje savezničke komande u vezi sa tumačenjem i primjenom ovog Protokola, rješavaće se pregovorima između strana u sporu bez obraćanja trećem. Osim ukoliko izričitom odredbom ovog Protokola ili Sporazuma nije određeno drugačije, razlike koje se ne mogu riješiti neposrednim pregovorima podnijeeće se Sjevernoatlantskom savjetu.

Član 16

1. Čl. XV i XVII do XX Sporazuma primjenjuju se u odnosu na ovaj Protokol kao da su njegov sastavni dio, ali na način da Protokol može da se izmijeni, suspenduje, potvrdi, da mu se pristupi, otkaže ili proširi u skladu sa tim odredbama nezavisno od Sporazuma.

2. Ovaj Protokol se može dopuniti bilateralnim sporazumom između države prijema i vrhovne komande, a organi države prijema i vrhovne komande mogu se sporazumjeti o primjeni, upravnim sredstvima prije potvrđivanja bilo kojih odredaba ovog Protokola ili Sporazuma koje su njima predviđene.

U potvrdu gore navedenog, dolje potpisani opunomoćenici potpisali su ovaj Protokol.

Sačinjeno u Parizu, 28. avgusta 1952. godine, na engleskom i francuskom jeziku, pri čemu su oba teksta jednako vjerodostojna, u jednom originalu koji će biti deponovan u

arhivu Vlade Sjedinjenih Američkih Država. Vlada Sjedinjenih Američkih Država dostaviće njegove ovjerene kopije svim državama potpisnicama i državama koje mu pristupe.

Član 3

Ovaj zakon stupa na snagu danom objavljivanja u "Službenom listu Crne Gore – Međunarodni ugovori".