

Na osnovu člana 21 stav 2 Zakona o zaključivanju i izvršavanju međunarodnih ugovora („Službeni list CG“, broj 77/08), Vlada Crne Gore na sjednici od \_\_\_\_\_ 2019. godine, donijela je

**ODLUKU  
O OBJAVLJIVANJU PROTOKOLA O IMPLEMENTACIJI FINANSIJSKE POMOĆI IZMEĐU  
VLADE CRNE GORE I VLADE REPUBLIKE TURSKJE**

**Član 1**

Objavljuje se Protokol o implementaciji finansijske pomoći između Vlade Crne Gore i Vlade Republike Turske, potpisan u Ankari, 1. oktobra 2019.godine, u originalu na crnogorskom, turskom i engleskom jeziku.

**Član 2**

Tekst Protokola iz člana 1 ove odluke, u originalu, na crnogorskom i engleskom jeziku, glasi

**PROTOKOL O IMPLEMENTACIJI FINANSIJSKE POMOĆI  
IZMEĐU VLADE CRNE GORE I VLADE REPUBLIKE TURSKJE**

**PREAMBULA**

Vlada Crne Gore i Vlada Republike Turske (u daljem tekstu '*strana*' pojedinačno i '*strane*' zajedno) usaglasile su se o sljedećim pitanjima kako bi se ojačala vojna saradnja i doprinijelo razvoju Oružanih snaga Crne Gore u okviru dugogodišnjih prijateljskih odnosa.

**ČLAN 1**

**SVRHA**

Svrha ovog Protokola je uspostavljanje načela implementacije finansijske pomoći u iznosu od 3.500.000 TL (slovima: trimilionaipehtohiljadaturskih lira) u protivvrijednosti američkog dolara koje će dodijeliti Vlada Republike Turske Vladi Crne Gore, u okviru nacionalnog zakonodavstva i godišnjeg budžetskog izdvajanja Republike Turske tokom godina.

**ČLAN 2**

**PODRUČJE**

Finansijska pomoć koju će pružiti Vlada Republike Turske uključuje prevoz, ishranu i troškove smještaja i naknade za treninge/kurseve (osim naknada za one treninge/kurseve za koje su turske Oružane snage naglasile da su skupe za pokrivanje) za pripadnike Oružanih snaga Crne Gore koji će prisustvovati treninzima/kursevima organizovanim/koordinisanim od strane trening centara koji postoje u okviru struktura Oružanih snaga Turske kao što su Centar za obuku Partnerstvo za mir, Centar izvrsnosti za suzbijanje terorizma i Multinacionalni centar izvrsnosti za pomorsku bezbjednost kao i troškovi prevoza za službene posjete turskom Ministarstvu nacionalne odbrane, načelniku Generalštaba, Komandi kopnenih snaga, Komandi pomorskih snaga i Komandi vazduhoplovnih snaga i njihovim podružnicama ili za individualne posjete u vezi sa aktivnostima koje se organizuju od strane gore-navedenih institucija i njihovih podružnica ali koje se ne sprovode u okviru područja bilo kojeg Sporazuma/Protokola/Memoranduma o saradnji itd. i za koje nije potpisana suprotna odredba za pokrivanje troškova prevoza od strane Republike Turske u relevantnom Sporazumu/Protokolu/Meomorandumu o saradnji itd.

### **ČLAN 3**

#### **NADLEŽNI ORGANI I KONTAKT TAČKE**

Ovaj Protokol sprovodi Ministarstvo nacionalne odbrane Republike Turske u ime Vlade Republike Turske i Ministarstvo odbrane Crne Gore u ime Vlade Crne Gore. Kontakt tačke za ovaj Protokol su Kancelarija vojnog atašea/Ambasada Crne Gore u Ankari/Republika Turska i Kancelarija vojnog atašea/Ambasada Republike Turske u Tirani/Republika Albanija.

### **ČLAN 4**

#### **NAČELA SPROVOĐENJA**

1. 3.500.000 TL (slovima: trimilionapetstohiljadaturskihlira) sredstava raspoređuje se na godine i u okviru nacionalnog zakonodavstva i godišnjih budžetskih izdvajanja Republike Turske.
2. Kancelarija vojnog atašea/Ambasade Republike Turske svake godine obavještava Crnu Goru o tome da li koji dio sredstava od 3.500.000 TL (slovima: trimilionapetstohiljadaturskihlira) izdvojiti i da li u kojim oblastima koristiti dodjeljeni dio.
3. Kancelarija turskog vojnog atašea Republike Turske u Crnoj Gori je ovlaštena da koristi finansijska sredstva koja Ministarstvo nacionalne odbrane Republike Turske uplaćuje i prenosi na bankovni račun Kancelarije turskog vojnog atašea Republike Turske u Crnoj Gori, u skladu sa instrukcijama načelnika Generalštaba Republike Turske.
4. Prijavljeni dio dodijeljenih sredstava se može koristiti 5 (pet) godina od dana obavještavanja Crne Gore od strane Kancelarije vojnog atašea/Ambasade Republike Turske . Pravo na korištenje dodijeljenih sredstava ističe ukoliko se ne iskoristi u ovom roku. Pravo na raspolaganje sredstvima sa istekom prava korištenja pripada Republici Turskoj.
5. Odredbe ovog Protokola ne utiču na obaveze strana koje proizilaze iz drugih međunarodnih sporazuma kojih su one potpisnice, i neće se koristiti protiv interesa, bezbjednosti i teritorijalnog integriteta drugih država.

### **ČLAN 5**

#### **ZAŠTITA TAJNIH PODATAKA**

Strane neće otkriti sadržaj i implementaciju Protokola ili klasifikovane podatke koji budu razmjenjivani između strana potpisnica trećim stranama bez pisane saglasnosti druge strane. Ovo načelo povjerljivosti se primjenjuje i nakon prestanka Protokola.

### **ČLAN 6**

#### **RJEŠAVANJE SPOROVA**

Svaki spor koji može nastati usljed primjene ili tumačenja ovog Protokola će se riješavati pregovorima diplomatskim kanalima bez uključivanja treće strane, arbitražnog tijela ili međunarodnog suda. Ukoliko se dogovor ne može postići kao rezultat pregovaranja putem diplomatskih kanala, ovaj Protokol može biti okončan u skladu sa procedurom definisanom u članu 9.

### **ČLAN 7**

#### **REVIZIJA I AMANDMAN**

1. Svaka strana može predložiti izmjenu ili dopunu ovog Protokola. U ovom slučaju, strane će započeti raspravu najkasnije u roku od 30 (trideset) dana od prijema pisanog obavještenja o tome.
2. Amandmani koje su strane usaglasile u pisanoj formi stupaju na snagu u skladu sa procedurama propisanim u članu 8.
3. Ukoliko rezultati nijesu postignuti u roku od 60 (šezdeset) dana od početka konsultacija, ovaj Protokol može biti okončan u skladu sa odredbama člana 9.
4. Strane će nastaviti ispunjavati svoje obaveze koje proizilaze iz ovog Protokola tokom trajanja pregovaračkog procesa.

## ČLAN 8

### RATIFIKACIJA I STUPANJE NA SNAGU

Ovaj Protokol stupa na snagu danom prijema posljednjeg pisanog obavještenja kojim strane obavještavaju jedna drugu, putem diplomatskih kanala, o završetku svojih internih zakonskih procedura potrebnih za stupanje na snagu ovog Protokola.

## ČLAN 9

### TRAJANJE I PRESTANAK

1. Ovaj Protokol ostaje na snazi 5 (pet) godina od dana stupanja na snagu.
2. Osim ukoliko jedna od strana u pisanoj formi putem diplomatskih kanala ne obavijesti drugu stranu o svojoj namjeri da okonča Protokol 60 (šezdeset) dana prije isteka datuma izvršenja, ovaj Protokol se po automatizmu produžava na period od jedne (1) godine.
3. U slučaju da se jedna strana ne pridržava ili zaključi da druga strana ne poštuje odredbe ovog Protokola, strane mogu da predlože konsultacije u pisanoj formi. Ove konsultacije započinju najkasnije u roku od 30 (trideset) dana od dana prijema pismenog obavještenja. Ukoliko rezultati nijesu postignuti u roku od 60 (šezdeset) dana, bilo koja strana raskida ovaj Protokol u roku od 60 (šezdeset) dana od dana prijema pisanog obavještenja.
4. U svakom slučaju, ukoliko se resursi dodijeljeni Vladi Crne Gore u skladu sa ovim Protokolom u potpunosti iskoriste, Protokol će se automatski završiti.
5. U slučaju da se ovaj Protokol iz bilo kog razloga okonča, dodijeljeni ali neiskorišteni resursi vraćaju se u kasu Republike Turske ne uzimajući u obzir datum obavještenja.
6. Raskid Protokola iz bilo kog razloga ne dovodi u pitanje odredbe člana 5 ovog Protokola.

## ČLAN 10

### TEKST I POTPIS

1. Ovaj Protokol je pripremljen u dva originalna primjerka na crnogorskom, turskom i engleskom jeziku, pri čemu je svaki tekst podjednako vjerodostajan. U slučaju bilo kakvog spora koji može proizaći usljed primjene ovog Protokola, engleski tekst ima prednost.
2. Ovaj Protokol, u znak svjedočenja, doljepotpisani, propisno ovlašćeni predstavnici obje strane su potpisali 1.oktobra2019. godine u Ankari.

**U IME VLADE  
CRNE GORE**

**mr Predrag BOŠKOVIĆ, s.r.**  
*Ministar odbrane*

**U IME VLADE  
REPUBLIKE TURSKJE**

**Halusi AKAR, s.r.**  
*Ministar nacionalne odbrane*

**THE IMPLEMENTATION PROTOCOL REGARDING THE FINANCIAL ASSISTANCE  
BETWEEN THE GOVERNMENT OF MONTENEGRO  
AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY**

### PREAMBLE

The Government of Montenegro and the Government of the Republic of Turkey (hereinafter shall be referred to as "Party" solely and "Parties" jointly) have agreed on the following issues so as to further strengthen the military cooperation and to contribute to development of Armed Forces of Montenegro within the scope of long standing friendship relations.

## **ARTICLE-I**

### **PURPOSE**

The purpose of this Protocol is to establish the implementation principles of the financial assistance in the amount of U.S Dollars equivalent to 3.500.000 TL (threemillionfivehundredthousandTurkishLiras) to be allocated by the Government of the Republic of Turkey to the Government of Montenegro, within the framework of national laws and annual budget appropriations of the Republic of Turkey extending to years.

## **ARTICLE-II**

### **SCOPE**

Financial Assistance to be provided by the Government of the Republic of Turkey involves the transportation, board and lodging expenses and training/course fees (except for the fees of those training/courses that are reported to be costly by the Turkish Armed Forces) of the personnel of the Armed Forces of Montenegro who will attend the training/courses given/coordinated by the training centers existing within the structure of the Turkish Armed Forces such as Partnership for Peace Training Centre, Centre of Excellence of Counter Terrorism and Multinational Maritime Security Center of Excellence as well as transportation expenses for the official visits to the Turkish Ministry of National Defense, Chief of General Staff, Land Forces Command, Naval Forces Command and Air Forces Command and to their subsidiaries or for the individual visits regarding the activities to be organized by the above-mentioned institutions and their subsidiaries but not carried out within the scope of any Agreement/Protocol/Memorandum of Understanding etc. and for which no contrary provision is laid down for covering of the transportation expenses by the Republic of Turkey in the relevant Agreement/Protocol/Memorandum of Understanding, etc.

## **ARTICLE-III**

### **COMPETENT AUTHORITIES AND POINTS OF CONTACT**

This Protocol shall be implemented by the Ministry of National Defense of the Republic of Turkey on behalf of the Government of the Republic of Turkey and by Ministry of Defence of Montenegro on behalf of the Government of Montenegro. The points of contact for this Protocol are the Office of the Military Attaché/Embassy of Montenegro in Ankara/the Republic of Turkey and the Office of the Military Attaché/Embassy of the Republic of Turkey in Tirana/Republic of Albania.

## **ARTICLE-IV**

### **IMPLEMENTATION PRINCIPLES**

1. 3.500.000 TL (threemillionfivehundredthousandTurkishLiras) resource is allocated extending to years and within the framework of national laws and annual budget appropriations of the Republic of Turkey.

It is notified each year by the Military Attaché Office/Embassy of the Republic of Turkey to Montenegro whether how much part of the 3.500.000 TL (threemillionfivehundredthousandTurkishLiras) resource shall be allocated and whether in which fields the allocated part shall be used.

3. The financial assistance to be made and transferred to the bank account of Turkish Military Attaché Office of the Republic of Turkey in Republic of Albania by the Ministry of National Defense of the Republic of Turkey is used in the power of Turkish Military Attaché Office of the Republic of Turkey at Republic of Albania in the framework of directives given by the Chief of General Staff of the Republic of Turkey.

4. The notified part of the allocated resource can be used for 5 (five) years after the date of notification to Montenegro by the Military Attaché Office/Embassy of the Republic of Turkey.

Usage right of the allocated resource expires if not used within this period. Disposition right of the resource with expired usage right belongs to the Republic of Turkey.

5. The provisions of this Protocol shall not affect the commitments of Parties arising from other international agreements to which they are parties, and shall not be used against interests, security and territorial integrity of other states.

#### **ARTICLE-V**

#### **SECURITY OF CLASSIFIED INFORMATION**

The Parties shall not disclose the content and implementation of the Protocol or the classified information which shall be exchanged between the Parties to third parties without written consent of the other Party. This principle of confidentiality shall continue to apply even after termination of the Protocol.

#### **ARTICLE-VI**

#### **SETTLEMENT OF DISPUTES**

Any dispute that may arise due to implementation or interpretation of this Protocol, shall be settled through negotiations via diplomatic channels without being brought to any third Party, arbitration board or international court. If a resolution cannot be reached as a result of negotiations through diplomatic channels, this Protocol can be terminated according to the procedure defined in Article IX.

#### **ARTICLE -VII**

#### **REVISION AND AMENDMENT**

1. Each Party may propose revision or amendment of this Protocol. In this case, the Parties will start discussions within 30 (thirty) days at the latest of receipt of written notification thereof.
2. Amendments agreed upon by the Parties in writing shall enter into force in accordance with the procedure prescribed in Article VIII.
3. If no results are obtained within 60 (sixty) days after consultations begin, this Protocol can be terminated in accordance with the provisions in Article IX.
4. The Parties shall continue to fulfill their obligations arising from this Protocol during the negotiation process.

#### **ARTICLE -VIII**

#### **RATIFICATION AND ENTRY INTO FORCE**

This Protocol shall enter into force on the date of receipt of the last written notification by which the Parties notify each other, through diplomatic channels, of the completion of their internal legal procedures required for the entry into force of the Protocol.

#### **ARTICLE -IX**

#### **DURATION AND TERMINATION**

1. This Protocol shall remain in force for a period of 5 (five) years as from the date of entry into force.
2. Unless one of the Parties notify as written their intention to terminate the Protocol to the other Party through diplomatic channels 60 (sixty) days before the end of the enforcement date, this Protocol shall be extended automatically for one-year (1) periods.
3. In the event that one of the Parties does not comply or concludes that the other Party is not complying with the provisions of this Protocol, the Parties shall be able to propose a

consultation in written form. These consultations shall be started within 30 (thirty) days at the latest after the written notification has been received. If no result is reached within following 60 (sixty) days, either Party shall terminate this Protocol within 60 (sixty) days from the date of receiving the written notification.

4. In any case, if the resource allocated to the Government of Montenegro pursuant to this Protocol is used completely, the Protocol shall end automatically.

5. In case this Protocol ends for any reason, the allocated but not used resource shall be returned to the treasury of the Republic of Turkey without considering the notification date.

6. Termination of Protocol for any reason shall not prejudice the provisions of Article V of this Protocol.

## **ARTICLE -X**

### **TEXT AND SIGNATURES**

1. This Protocol is prepared in two original copies in Montenegrin, Turkish and English languages, each text being equally authentic. In case of any dispute that may arise due to implementation of this Protocol, the English text shall prevail.

2. This Protocol, in witness whereof, the undersigned, being duly authorized representatives of both Parties was signed on 1 October, 2019, in Ankara/the Republic of Turkey.

**ON BEHALF OF THE GOVERNMENT OF  
MONTENEGRO**

**Predrag BOŠKOVIĆ, sign.**  
*Minister of Defence*

**ON BEHALF OF THE GOVERNMENT OF  
THE REPUBLIC OF TURKEY**

**Hulusi AKAR, sign.**  
*Minister of National Defence*

### **Član 3**

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

Broj: \_\_\_\_\_

Podgorica, \_\_\_\_\_2019. godine

**Vlada Crne Gore**

**Predsjednik,  
Duško Marković**