

# **PROTOCOL**

**BETWEEN**

**THE GOVERNMENT OF THE CZECH REPUBLIC**

**AND**

**THE GOVERNMENT OF THE REPUBLIC OF SERBIA**

**TO THE AGREEMENT ON ECONOMIC COOPERATION**

**BETWEEN**

**THE GOVERNMENT OF THE CZECH REPUBLIC**

**AND**

**THE COUNCIL OF MINISTERS OF SERBIA AND MONTENEGRO**

The Government of the Czech Republic and the Government of the Republic of Serbia (hereinafter referred to as “the Contracting Parties”),

Recognising that the Agreement on Economic Cooperation between the Government of the Czech Republic and the Council of Ministers of Serbia and Montenegro, signed on 20<sup>th</sup> July 2005 in Prague is in force for the relations between the Czech Republic and the Republic of Serbia,

In compliance with Article 2, subparagraph i) and Article 5, paragraph 2 of the Agreement on Economic Cooperation between the Government of the Czech Republic and the Council of Ministers of Serbia and Montenegro,

Wishing to promote bilateral cooperation in all areas relevant to both Contracting Parties, especially in the field of infrastructure,

Have agreed as follows:

## **Article 1**

The aim of the Protocol is to promote cooperation in the field of infrastructure projects between the subjects of the two states, based on the principle of mutual convenience, in accordance with laws valid on the territories of states of the Contracting Parties and their obligations resulting from other international agreements, including those arising from its membership in a customs, economic or monetary union, a common market or a free trade area.

## Article 2

The cooperation under this Protocol shall be carried out in the following forms:

- 1) Promotion of development and implementation of infrastructure projects carried out by the subjects of both states, which may include supply and/or purchase of machinery, equipment and materials, rendering of services, necessary for construction and maintenance of infrastructure projects,
- 2) Preparation of studies and projects for modernization, expansion and construction of new infrastructure, as well as the construction and renovation of infrastructure, as agreed between the Contracting Parties,
- 3) Technical assistance of experts, professionals specialized in the training of national staff to draw up development plans and other areas related to infrastructure projects,
- 4) Any other agreed form of cooperation in the field of infrastructure projects.

## Article 3

The Ministry of Industry and Trade of the Czech Republic and the Ministry of Economy and Regional Development of the Republic of Serbia are, within their competences, assigned to monitor and implement this Protocol.

## Article 4

Activities under this Protocol shall be implemented by conclusion of financial and commercial contracts, programmes or projects created by competent subjects and institutions of the two states, which shall specify the work, plan, financial specification and deal with other issues agreed on by this Protocol in accordance with law valid on the territory of the receiving state.

## Article 5

Programs and projects and specific contracts referred to in Article 4 of this Protocol shall be evaluated and concluded in accordance with law valid on the territory of the receiving state, considering among others their competitiveness on the international market, especially in terms of price, payment, conditions of execution and delivery, as well as the level and quality and origin of equipment, goods and services and/or other criteria established by the responsible authority of the receiving state.

## Article 6

In accordance with the law valid in the territory of the receiving state, the subjects of the states of the Contracting Parties to perform activities referred to in Article 2 and 9 of this Protocol in the Czech Republic shall be considered by the responsible authority of the Czech Republic, based on the proposal of the Serbian side of the Joint Committee.

In accordance with the law valid on the territory of the receiving state, the subjects of the states of the Contracting Parties to perform activities referred to in Article 2 and 9 of this Protocol in the Republic of Serbia shall be considered by the responsible authority of the Republic of Serbia, based on the proposal of the Czech side of the Joint Committee.

#### Article 7

The Contracting Parties shall provide, within the limits given by the laws valid on the territories of their states, each other all necessary assistance to facilitate the entry, stay and departure of the personnel engaged in activities carried out under this Protocol.

#### Article 8

The financing of the projects under this Protocol, which shall be the subject of particular consideration and agreement of the relevant institutions of both states, shall be carried out in accordance with their budgetary possibilities.

#### Article 9

The Contracting Parties agree that the priority project of cooperation at the present is the modernization and reconstruction of the railway Corridor X (Project: Niš – Dimitrovgrad). The Joint Committee may come to an agreement on other priorities.

For the priority project mentioned in paragraph 1 of this Article, the Serbian side will establish project implementation unit composed from the representatives of responsible authorities, which will decide about the conditions mentioned in the Article 5 of this Protocol.

In pursuit of financing priority project referred to above, relevant authorities of both states shall consider the arrangement of financial facility from the Czech Export Bank providing that it is acceptable for the Contracting Party acting as Borrower or its Guarantor.

#### Article 10

The Contracting Parties shall provide all possible assistance and support that delivery and purchase of goods, works and services, necessary for the construction of facilities stipulated in Article 2 and 9, are performed according to the provisions of this Protocol.

#### Article 11

This Protocol may be amended upon mutual agreement of the Contracting Parties. The amendments shall enter into force in accordance with the procedures determined in Article 13 of this Protocol.

#### Article 12

Any differences and disputes which may arise from the interpretation and/or in the course of implementation of this Protocol shall be settled by negotiations through diplomatic channels.

## Article 13

This Protocol shall be temporarily applied from the date of signature and shall enter into force on the date of receipt of the last notification by which the Contracting Parties inform each other that all internal procedures necessary for its entry into force were fulfilled.

This Protocol shall remain in force as long as the Agreement on Economic Cooperation between the Government of the Czech Republic and the Council of Ministers of Serbia and Montenegro is in force for the relations between the Czech Republic and the Republic of Serbia.

Unless otherwise agreed by the Contracting Parties, termination of this Protocol shall not affect the implementation of the programs, projects and activities which are in progress.

Done in Belgrade, on 4<sup>th</sup>, May 2010, in two originals, each in the Czech, Serbian and English languages, all text being equally authentic. In case of divergences in interpretation, the English text shall prevail.

For the Government of  
the Czech Republic

Vladimír Tošovský  
Minister of Industry and Trade

For the Government of  
the Republic of Serbia

Mladan Dinkić  
Deputy Prime Minister  
and Minister of Economy  
and Regional Development