

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 OKVIRNOG SPORAZUMA O EKONOMSKOJ I TEHNIČKOJ SARADNJI IZMEĐU
VLADE CRNE GORE I VLADE MAĐARSKE U OBLASTI INFRASTRUKTURNIH PROJEKATA**

Član 1

Objavljuje se Okvirni sporazum o ekonomskoj i tehničkoj saradnji između Vlade Crne Gore i Vlade Mađarske u oblasti infrastrukturnih projekata, potpisan u Vašingtonu, 17. jula 2019. godine, u originalu na engleskom jeziku.

Član 2

Tekst Sporazuma iz člana 1 ove odluke, u originalu na engleskom i u prevodu na crnogorski jezik glasi:

**FRAMEWORK AGREEMENT ON COOPERATION BETWEEN THE GOVERNMENT OF
MONTENEGRO AND THE GOVERNMENT OF HUNGARY IN THE FIELD OF INFRASTRUCTURE
PROJECTS**

The Government of Montenegro and the Government of Hungary (hereinafter referred to collectively as the „Parties”),

DESIRING to enhance bilateral economic cooperation in the field of infrastructure development,

BEARING IN MIND the Agreement on Economic Cooperation between Montenegro and the Republic of Hungary, signed on 3 October 2008,

Have agreed as follows:

ARTICLE 1

The objective of this Framework Agreement is to promote cooperation between the Parties in the field of infrastructure development. Based on the principle of mutual convenience, the Parties shall abide by relevant provisions of their national legislation and international agreements, including obligations arising from their memberships in a customs, economic or monetary union, a common market or a free trade area.

ARTICLE 2

Cooperation under this Framework Agreement include primarily but not exclusively the following areas:

- 1) water management (wastewater, water protection and flood protection),
- 2) transport and sustainable mobility,
- 3) solid waste management,
- 4) remediation and recultivation,
- 5) environmental protection,
- 6) energy.

ARTICLE 3

Cooperation under this Framework Agreement shall be carried out in the following forms:

- 1) development and implementation of infrastructure projects,
- 2) preparation of strategic and feasibility studies, impact analysis, initiating projects for the modernization and reconditioning of existing infrastructure, expansion and construction of new infrastructure, as well as the construction and rehabilitation of infrastructure, as agreed between the Parties,
- 3) technical assistance of experts, professionals specialized in the capacity building of national employees 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 4

The Ministry of Sustainable Development and Tourism of Montenegro and the Ministry of Foreign Affairs and Trade of Hungary are assigned to monitor and implement this Framework Agreement.

ARTICLE 5

Activities under this Framework Agreement shall be implemented by conclusion of agreements, contracts, programmes or projects of competent institutions and private entities of the Parties that will set out the work plan and the special procedures for the use of funds. Furthermore, the abovementioned documents shall deal with other issues of mutual interest with the consent of state authorities of the Parties.

ARTICLE 6

Proposals and bids submitted by the competent authorities, institutions and/or companies responsible for the implementation of programs and projects and specific agreements referred to in Article 5 of this Framework Agreement, shall be evaluated on the basis of "best value for money" principle, conditions of execution and delivery as well as the level and quality of services and shall be concluded in accordance with applicable rules of the Parties.

The Government of Hungary is responsible to develop a specialised practical handbook, to be agreed and adopted by the Steering committee, for tendering and contracting of funds that shall serve as an easy-to-use manual. The detailed rules of procedures as well as the handbook shall be agreed by the designated authorities of the Parties.

ARTICLE 7

The Parties agree that the preparation and implementation of infrastructure projects in the areas defined under Article 2 represent the priority of cooperation under the present Framework Agreement.

ARTICLE 8

The financial activities arising from the implementation of this Framework Agreement shall be decided by mutual agreement between the Parties, subject to their respective budgetary availability.

ARTICLE 9

For the purposes of the implementation of this Framework Agreement, the Parties shall establish a Steering committee consisting of representatives of relevant ministries and/or state authorities mutually agreed by the assigned Ministries who meet periodically in Montenegro and in Hungary. The dates and agendas of their meetings shall be determined by mutual agreement in writing.

ARTICLE 10

This Framework Agreement may be amended by mutual consent of the Parties. The amendments shall enter into force in accordance with the procedures determined in Article 13 of this Framework Agreement.

ARTICLE 11

Differences and disputes that may arise from the interpretation and/or implementation of this Framework Agreement shall be settled by friendly negotiations through diplomatic channels.

ARTICLE 12

The provisions of this Agreement shall not be applied or interpreted so that they impair or otherwise affect the obligations of Hungary arising from its membership of the European Union. The Agreement cannot be interpreted or invoked in a way so as to rescind or otherwise affect the obligations arising from any agreements concluded between the European Union and Montenegro or between European Union and its Member States on the one side and Montenegro on the other side.

ARTICLE 13

This Framework Agreement shall enter into force thirty (30) days after the date of receipt of the last notification by which the Parties inform each other that all internal procedures necessary for its entry into force were fulfilled.

This Framework Agreement shall be concluded for a period of five (5) years, with the possibility of its automatic renewal for a further five-(5)-year term, unless one of the Parties notifies the other Party, in writing or through diplomatic channels, about its intention not to renew the Agreement, at least three (3) months prior the date of expiry of the specified period.

Unless otherwise agreed by the Parties, cancellation of this Framework Agreement shall not affect the implementation of programs, projects and activities already underway.

Done in Washington D.C. on the 18 of July 2019, in two originals, in English language.

FOR THE GOVERNMENT
OF MONTENEGRO

FOR THE GOVERNMENT
OF HUNGARY

Prof. Dr Srđan Darmanović, sign.
Minister of Foreign Affairs

Péter Szijjártó, sign.
Minister of Foreign Affairs and Trade

**OKVIRNI SPORAZUM O EKONOMSKOJ I TEHNIČKOJ SARADNJI
IZMEĐU VLADE CRNE GORE I VLADE MAĐARSKE
U OBLASTI INFRASTRUKTURNIH PROJEKATA**

Vlada Crne Gore i Vlada Mađarske (u daljem tekstu pod zajedničkim imenom: Strane),

PREDLAŽUĆI unaprjeđenje bilateralne ekonomske saradnje u oblasti infrastrukturnog razvoja,

Sporazumjele su se kako slijedi:

Član 1

Cilj ovog Okvirnog sporazuma je unaprjeđenje saradnje Strana u oblasti infrastrukturnog razvoja. U skladu s principom međusobne koristi, Strane će poštovati odgovarajuće odredbe svog nacionalnog zakonodavstva i međunarodnih sporazuma, uključujući obaveze koje proističu iz njihovog članstva u carinskoj, ekonomskoj ili monetarnoj uniji, zajedničkom tržištu ili slobodnoj trgovinskoj zoni.

Član 2

Saradnja u skladu sa ovim Okvirnim sporazumom prije svega uključuje, ali nije ograničena isključivo na sljedeće oblasti:

- 1) upravljanje vodom za piće i otpadnim vodama;
- 2) saobraćaj i održiva mobilnost;
- 3) upravljanje čvrstim otpadom;
- 4) remedijacija i rekultivacija;
- 5) zaštita životne sredine;
- 6) energetika.

Član 3

Saradnja u skladu sa ovim Okvirnim sporazumom obavljaće se u sljedećim oblicima:

- 1) razvoj i sprovođenje infrastrukturnih projekata;
- 2) priprema strateških i studija izvodljivosti, analiza uticaja, pokretanje projekata modernizacije i adaptacije postojeće infrastrukture, proširenje i izgradnja nove infrastrukture, kao i izgradnja i rekonstrukcija infrastrukture, u skladu sa dogovorom Strana;
- 3) tehnička pomoć stručnjaka, profesionalaca specijalizovanih za usavršavanje državnih službenika zaduženih za izradu razvojnih planova i drugih oblasti u vezi sa infrastrukturnim projektima;
- 4) bilo koji drugi dogovoreni oblik saradnje u oblasti infrastrukturnih projekata.

Član 4

Ministarstvo vanjskih poslova Crne Gore i Ministarstvo spoljnih poslova i trgovine Mađarske određeni su za praćenje ovog Okvirnog sporazuma.

Član 5

Aktivnosti u skladu sa ovim Okvirnim sporazumom sprovodiće se zaključivanjem sporazuma, ugovora, programa ili projekata nadležnih institucija i privatnih subjekata Strana koji će sačinjavati planove rada i specijalne procedure za korišćenje sredstava. Osim toga, gorenavedena dokumenta baviće se i drugim pitanjima od međusobnog interesa uz saglasnost državnih organa Strana.

Član 6

Predlozi i ponude koje podnesu nadležni organi, institucije i/ili kompanije zadužene za sprovođenje programa i projekata i specifičnih sporazuma iz člana 5 ovog Okvirnog sporazuma, ocjenjivaće se na bazi „najisplativije“ ponude, uslova izvršenja i isporuke, kao i nivoa i kvaliteta usluga, a zaključivaće se u skladu sa važećim propisima Strana. Vlada Mađarske će biti zadužena da sačini specijalni praktični priručnik za tendere i ugovaranje sredstava, koji treba da bude jednostavan za korišćenje. Nadležni organi država dve Strane će usaglasiti detaljna pravila procedure kao i priručnik.

Član 7

Strane su saglasne da priprema i realizacija infrastrukturnih projekata u oblastima definisanim u članu 2 predstavljaju prioritete za saradnju u skladu sa ovim Okvirnim sporazumom.

Član 8

O finansijskim aktivnostima vezanim za sprovođenje ovog Okvirnog sporazuma Strane će donositi odluke uz obostranu saglasnost, u skladu sa svojim raspoloživim budžetskim sredstvima.

Član 9

Za svrhe sprovođenja ovog Okvirnog sporazuma, Strane će osnovati Nadzorni odbor koji će se sastojati od predstavnika odgovarajućih ministarstava i/ili državnih organa o kojima se zajednički dogovore nadležna ministarstva koji će održavati periodične sastanke u Crnoj Gori i Mađarskoj. Termini kao i dnevni red sastanaka utvrđivaće se međusobnim dogovorom u pisanoj formi.

Član 10

Ovaj Okvirni sporazum može se mijenjati i dopunjavati uz zajedničku saglasnost Strana. Izmjene i dopune stupaju na snagu u skladu sa utvrđenim procedurama iz člana 12 ovog Okvirnog sporazuma.

Član 11

Razlike i sporovi koji mogu nastati u vezi sa tumačenjem i/ili sprovođenjem ovog Okvirnog sporazuma rješavaće se mirnim putem i pregovorima, diplomatskim kanalima.

Član 12

Ovaj Okvirni sporazum stupa na snagu trideset (30) dana od prijema poslednjeg pisanog obavještenja kojim Strane informišu jedna drugu da su ispunjene sve domaće procedure za njegovo stupanje na snagu.

Ovaj Okvirni sporazum zaključuje se na period od pet (5) godina, s mogućnošću automatskog produženja na dodatni period od pet (5) godina, osim ako jedna od Strana ne obavijesti drugu Stranu, u pisanoj formi diplomatskim kanalima, o svojoj namjeri da ne produži ovaj sporazum, najkasnije tri (3) mjeseca prije isteka navedenog perioda.

Osim ako se Strane drugačije ne dogovore, otkazivanje ovog Okvirnog sporazuma neće uticati na sprovođenje već započetih programa, projekata i aktivnosti.

Sačinjeno u Vašingtonu, dana 17. jula 2019. godine, u dva originalna primjerka na engleskom jeziku.

ZA VLADU CRNE GORE

Prof. dr Srđan Darmanović, s.r.
Ministar vanjskih poslova

ZA VLADU MAĐARSKE

Petar Sijarto, s.r.
Ministar vanjskih poslova i trgovine

Član 3

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

Broj: _____

Podgorica, _____ 2019. godine

Vlada Crne Gore

Predsjednik,

Duško Marković