

Z A K O N

O POTVRĐIVANJU SPORAZUMA IZMEĐU SAVETA MINISTARA BOSNE I HERCEGOVINE, VLADE REPUBLIKE BUGARSKE, VLADE REPUBLIKE HRVATSKE, VLADE MAĐARSKE, VLADE REPUBLIKE SEVERNE MAKEDONIJE, VLADE CRNE GORE, VLADE REPUBLIKE SRBIJE, VLADE SLOVAČKE REPUBLIKE I VLADE REPUBLIKE SLOVENIJE O SARADNJI I KOORDINACIJI U TRAGANJU I SPASAVANJU U VAZDUHOPLOVSTVU

Član 1.

Potvrđuje se Sporazum između Saveta ministara Bosne i Hercegovine, Vlade Republike Bugarske, Vlade Republike Hrvatske, Vlade Mađarske, Vlade Republike Severne Makedonije, Vlade Crne Gore, Vlade Republike Srbije, Vlade Slovačke Republike i Vlade Republike Slovenije o saradnji i koordinaciji u traganju i spasavanju u vazduhoplovstvu, potpisan* u Ohridu, 22. februara 2023. godine, u originalu na engleskom jeziku.

Član 2.

Tekst Sporazuma između Saveta ministara Bosne i Hercegovine, Vlade Republike Bugarske, Vlade Republike Hrvatske, Vlade Mađarske, Vlade Republike Severne Makedonije, Vlade Crne Gore, Vlade Republike Srbije, Vlade Slovačke Republike i Vlade Republike Slovenije o saradnji i koordinaciji u traganju i spasavanju u vazduhoplovstvu, u originalu na engleskom jeziku i u prevodu na srpski jezik, glasi:

* od strane predstavnika Vlade Republike Srbije, Vlade Republike Severne Makedonije, Vlade Crne Gore i Vlade Republike Slovenije

AGREEMENT BETWEEN
THE COUNCIL OF MINISTERS OF BOSNIA AND HERZEGOVINA, THE GOVERNMENT
OF THE REPUBLIC OF BULGARIA, THE GOVERNMENT OF THE REPUBLIC OF
CROATIA, THE GOVERNMENT OF HUNGARY, THE GOVERNMENT OF THE
REPUBLIC OF NORTH MACEDONIA, THE GOVERNMENT OF MONTENEGRO,
THE GOVERNMENT OF THE REPUBLIC OF SERBIA, THE GOVERNMENT OF
THE SLOVAK REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF
SLOVENIA

ON
AERONAUTICAL SEARCH AND RESCUE COOPERATION AND COORDINATION

The Council of Ministers of Bosnia and Herzegovina, the Government of the Republic of Bulgaria, the Government of the Republic of Croatia, the Government of Hungary, the Government of the Republic of North Macedonia, the Government of Montenegro, the Government of the Republic of Serbia, the Government of the Slovak Republic and the Government of the Republic of Slovenia (*hereinafter referred to as "the Parties"*),

Considering that the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December 1944 (*hereinafter referred to as "the Chicago Convention"*) and its Annexes provide the essential framework for an international civil aviation system on Search and Rescue (*hereinafter referred to as "SAR"*) operations,

Bearing in mind the importance of SAR, as an operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety,

Being aware that immediate rescue measures are of vital importance for persons in distress,

Recognising the necessity of full compliance with the Standards and Recommended Practices of the International Civil Aviation Organization (*hereinafter referred to as "ICAO SARPs"*) in the area of SAR, set out in Annex 12 to the Chicago Convention on Search and Rescue (*hereinafter referred to as "Annex 12"*), and further developed in the International Aeronautical and Maritime Search and Rescue Manual (IAMSAR) and other related SAR documents (*hereinafter referred to as "the international SAR provisions"*),

Recognising that Annex 12 is applicable to the establishment, maintenance and operation of SAR services in the territories of the States of the Parties and over the High Seas, and to the coordination of such services between States,

Having regard to the ICAO SARPs set out in Annex 9 to the Chicago Convention on Facilitation, and in particular Chapter 8 on the facilitation of, *inter alia*, search and rescue,

Recognising the need for harmonising and strengthening international cooperation and especially regional cooperation for the efficient organisation and conduct of aeronautical SAR operations and associated training,

Recognising the provisions laid down in the Memorandum of Understanding (*hereinafter referred to as "MoU"*), which was signed on 3 November 2016 in Belgrade, on the establishment of the Regional Aeronautical SAR Advisory Committee,

Considering that the Parties to this Agreement are, at the same time, Members or Observers to the Regional Aeronautical SAR Advisory Committee.

Have agreed as follows:

Article 1 – Objective and scope

This Agreement establishes a framework for cooperation among the Parties in conducting aeronautical SAR operations and sets out their various respective responsibilities in order to fully comply with their obligations as set out in ICAO SARPs.

The Parties agree that aeronautical SAR operations in or over the territorial sea, internal waters and land of the State each Party are to be carried out in accordance with the national legislation or legislation in force in the territories of the States of the respective Parties, taking into account the relevant international SAR provisions.

The Parties shall ensure close coordination with their respective national aeronautical SAR authorities to help promote common and effective SAR services under this Agreement in assisting each other, to the extent possible, in the conduct of SAR operations by authorising their Rescue Coordination Centres (*hereinafter: RCCs*) to request assistance from the RCC of the other Party or to promptly respond to distress calls and requests for assistance from the RCC of the other Party.

Terms and definitions shall for the purpose of this Agreement have the meaning laid down in Chapter 1 of the Annex 12.

Article 2 – SAR regions

For aeronautical SAR purposes the boundaries of neighbouring SAR regions shall, in principle and in so far as practicable, coincide with the corresponding boundaries between the States of the Parties' Flight Information Regions (*hereinafter referred to as "FIR"*).

Situations where the FIRs and the SAR regions do not correspond will be detailed in the separate bilateral agreement between the Parties concerned. The Contracting Parties of the later shall notify the depositary of this Agreement through diplomatic channels about the conclusion of internal procedures of such agreement. The depositary of this Agreement shall inform Parties on the conclusion on any of such bilateral agreement.

The delineation of the SAR regions between the Parties as defined in the paragraph 1 of this Article is to ensure the availability of SAR services, to improve or simplify SAR operations, and to facilitate proper distribution of distress alerts to RCCs. Hence, it is not related to and shall not prejudice the delineation of any other boundary between the Parties.

Article 3 – Authorities / [Entity]

The responsible aeronautical SAR authorities, RCCs and Maritime Rescue Coordination Centres (hereinafter: MRRCs) of the Parties are listed in the Annex of this Agreement.

Article 4 – Communication and cooperation

To ensure the proper coordination of SAR operations, the Parties should keep each other fully and promptly informed. If the RCC of a State of a Party considers that assistance from the RCCs of a State of another Party is needed, it may request such assistance.

If the RCC of a State of a Party receives information that human life is, or is believed to be, in distress within the SAR region of the State of one of the other Parties, that RCC shall, without delay, inform the RCC of the State of the other Party (-ies) concerned. Assistance to any aircraft either in distress or believed to be in distress, and to survivors of an aircraft accident within the SAR region of any Party, shall be rendered regardless of the State of registry or status of the aircraft, or the nationality or status of the persons in the aircraft, or the circumstances in which the aircraft or persons are found.

Article 5 – Facilitation of transit through the territory of the States of the Parties

Subject to conditions imposed by Annex 12, each Party will allow emergency transit without delay to the SAR units of another Party through or over its State's territorial sea, internal waters and land for the purpose of conducting SAR operations.

Article 6 – Operational agreements

The responsible authorities [entities], as defined in the Annex to this Agreement, shall conclude bilateral operational agreements on cooperation for the practical implementation of this Agreement with the responsible authorities of all the neighbouring States Parties of this Agreement. Such cooperation shall include, *inter alia*, joint SAR exercises and training, regular checks of relevant communication channels, liaison visits by SAR experts, the exchange of SAR information, procedures, techniques and experiences, and coordinating national positions on international SAR issues of mutual interest. The Parties shall establish appropriate procedures in the operational agreement to provide for the most effective and efficient means of communication.

The responsible authorities shall lay down detailed measures in the operational agreement in order to facilitate border crossings, stopovers in the territory of the State of another Party and the temporary import/export of aircraft, tools, spare parts and equipment required in search and rescue operations.

The temporary admission of items described shall be relieved from customs duties and other import duties and charges value add taxes, in accordance with the national legislation of the Parties.

Unless otherwise agreed between the Parties in the operational agreements, the carrying of weapons, ammunition and explosive ordnance is not allowed in the course of the SAR operations under this Agreement.

Article 7 – Costs

The Parties shall resolve the issue of bearing the expenses incurred by their participation in SAR operations in the operational agreement in accordance with the national legislation or legislation in force in the territories of the States of the Parties.

If the issue of bearing the expenses is not defined by the operational agreement or bilateral agreements, each Party shall bear the expenses incurred by its participation in SAR operations in conformity with this Agreement.

If, in the course of a SAR operation in conformity with this Agreement, damage is caused to a third party, the Party requiring assistance shall assume the responsibility as if the damage were caused by the members of its SAR units participating in the SAR operation, unless the damage is caused intentionally or through gross negligence.

Article 8 – Rights and obligations

Nothing in this Agreement shall affect in any way the rights and obligations of any Party, arising from international agreements or other arrangements between the Parties.

Parties shall not transfer their rights, obligations and participation in this Agreement to other entities without the expressed consent of all the Parties.

All activities conducted under this Agreement are subject to the regulations and policies of the States of the Parties and to all laws, regulations and policies to which the Parties are subject.

Article 9 - Consultations

In the spirit of close cooperation, each Party shall consult with one another from time to time, with a view to ensuring the implementation of satisfactory compliance with the provisions of this Agreement and the Annex thereto, and any Party may at any time request consultations on the implementation, interpretation, application or amendment of this Agreement. No dispute shall be referred to an international body or third party for settlement.

Such consultations, which may transpire through discussion or correspondence, shall begin within a period of sixty (60) days from the date of the receipt of such a request, unless otherwise agreed by Parties.

Article 10 - Amendment of the Agreement

If any Party considers it desirable to amend any provision of this Agreement, such amendment shall be agreed upon in accordance with the provisions of Article 9. Such amendment shall enter into force when the Parties have notified each other through diplomatic channels on the fulfilment of their internal legal procedures relating to the conclusion and the entry into force of the international agreement.

Notwithstanding the provisions of paragraph (1) above, each Party may amend its SAR authorities as listed in the Annex to this Agreement. Such amendment shall enter into force when this Party notifies other Parties through diplomatic channels on the amendment of the Annex.

The term "Agreement" means this Agreement, its Annex and any amendment to the Agreement or to the Annex. The term "Annex" means the list of SAR Authorities, the list of RCCs and/or MRCCs of the States of the Parties.

Article 11 - Entry into force, duration and withdrawal

This Agreement shall be subject to ratification, acceptance or approval by the Parties in accordance with their respective national legislations.

This Agreement shall enter into force on the first day of the month following the date on which the third Party has deposited its instrument of ratification, acceptance or approval with the Depositary.

For the Party that ratifies, accepts or approves this Agreement after the date of its entry into force, in accordance with the Paragraph 2 of this Article, this Agreement shall enter into force for that Party on the first day of the month following the date of deposit of its instrument of ratification, acceptance or approval with the Depositary.

This Agreement is concluded for an indefinite period of time.

Any Party may withdraw from this Agreement at any time by written notification of withdrawal to the Depositary. The withdrawal shall take effect six months after the receipt of the notification by the Depositary.

Article 12 – Settlement of Disputes

In case of a dispute between two or more Parties concerning the interpretation or application of this Agreement, the Parties concerned shall seek a solution through the mutual consultations and negotiations and shall not refer to an international body or third party for settlement.

Article 13 - Accession

After the entry into force of this Agreement, this Agreement shall be opened for accession.

For the accession Party, this Agreement shall enter into force on the first day of the month following the date of the deposit of its instrument of accession with the Depositary.

The accession Party shall be an ICAO Contracting State.

Article 14 – Depositary

The Government of the Republic of Serbia shall act as the Depositary of this Agreement.

Upon its entry into force in accordance with the provisions of the paragraph 2 of Article 11, this Agreement and any amendments thereto shall be registered by the Depositary with the International Civil Aviation Organization (ICAO).

Article 15 – Final Provision

If the need to exchange sensitive information arises, the Parties may use as a guideline the Policy on the Confidentiality, Protection and Appropriate Use of

Information Relative to the Activities of the Regional Aeronautical SAR Advisory Committee.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective governments have signed this Agreement.

The original of this Agreement in a single original in the English language shall be deposited with the Depositary which shall transmit a certified copy thereto to each Party.

Done at Ohrid on 22/02/2023

For the Council of Ministers of Bosnia
and Herzegovina

For the Government of Montenegro

For the Government of the Republic of
Bulgaria

For the Government of the Republic of
Serbia

For the Government of the Republic of
Croatia

For the Government of the Slovak
Republic

For the Government of Hungary

For the Government of the Republic of
Slovenia

For the Government of the Republic of
North Macedonia

ANNEX

SAR Authorities, RCCs and MRCCs

Bosnia and Herzegovina:

- Aeronautical SAR Authority: Bosnia and Herzegovina Directorate of Civil Aviation (BHDCA);
- RCC: Rescue Coordination Centre of Bosnia and Herzegovina (BHRCC), Bosnia and Herzegovina Air Navigation Services Agency (BHANSA);

Republic of Bulgaria:

- Aeronautical SAR Authority: Directorate General Civil Aviation Administration, The Republic of Bulgaria;
- RCC: RCC Varna;

Republic of Croatia:

- Aeronautical SAR Authority: Civil Protection Directorate, Ministry of the Interior, Republic of Croatia;
- RCC: Operational Centre, Civil Protection Directorate, Ministry of the Interior, Republic of Croatia;
- MRCC: MRCC Rijeka;

Hungary:

- Aeronautical SAR Authority: Ministry of Interior of Hungary;
- RCC: Hungarian Defence Forces Air Operation Command and Control Centre, Air Operation Centre;

Republic of North Macedonia:

- Aeronautical SAR Authority: Civil Aviation Agency of the Republic of North Macedonia;
- RCC: RCC Skopje;

Montenegro:

- SAR Authority:
 - SAR Authority responsible for land:
 - Ministry of the Interior of Montenegro; Directorate for Protection and Rescue; Department 112 – Operational communication centre 112;
 - SAR Authority responsible at the sea:
 - Ministry of Capital Investments of Montenegro; Administration for Maritime Safety and Port Management; Sector for Safety of Navigation;
 - Authority responsible for SAR oversight:
 - Civil Aviation Agency Montenegro;
- RCC: Operational communication centre 112 – Aeronautical Rescue Coordination Centre of Directorate for Protection and Rescue of Ministry of the Interior;
- MRCC: Maritime Rescue Coordination Centre of Administration for Maritime Safety and Port Management of Ministry of Capital Investments;

Republic of Serbia:

- Aeronautical SAR Authority: Civil Aviation Directorate of the Republic of Serbia;

- RCC: Rescue Coordination Centre Belgrade of the Civil Aviation Directorate of the Republic of Serbia;

Slovak Republic:

- Aeronautical SAR Authority: *(will be subsequently listed, in accordance with the provisions of Article 10 (2) of this Agreement);*
- RCC: *(will be subsequently listed, in accordance with the provisions of Article 10 (2) of this Agreement);*

Republic of Slovenia:

- Aeronautical SAR Authority: Administration of the Republic of Slovenia for Civil Protection and Disaster Relief;
- RCCs:
 - o Slovenian Air Navigation Services, Limited;
 - o Ministry of the Interior, Police;
 - o Ministry of Defence, Administration of the Republic of Slovenia for Civil Protection and Disaster Relief;
- MRCC: Ministry of Infrastructure, Slovenian Maritime Administration;

Sporazum između Saveta ministara Bosne i Hercegovine, Vlade
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Vlade Republike Severne Makedonije, Vlade Crne Gore, Vlade
Republike Srbije, Vlade Slovačke Republike i Vlade Republike
Slovenije o saradnji i koordinaciji u traganju i spasavanju u
vazduhoplovstvu

Savet ministara Bosne i Hercegovine, Vlada Republike Bugarske, Vlada Republike Hrvatske, Vlada Mađarske, Vlada Republike Severne Makedonije, Vlada Crne Gore, Vlada Republike Srbije, Vlada Slovačke Republike i Vlada Republike Slovenije (u daljem tekstu: „Strane”),

Uzimajući u obzir da Konvencija o međunarodnom civilnom vazduhoplovstvu, otvorena za potpisivanje u Čikagu 7. decembra 1944. godine (u daljem tekstu: „Čikaška konvencija”) i njeni aneksi daju suštinski okvir sistema operacija traganja i spasavanja u vazduhoplovstvu (u daljem tekstu: „traganje i spasavanje”),

Imajući u vidu važnost traganja i spasavanja, kao operacije kojom se pronalaze lica u nevolji, pruža im se prva pomoć ili im se pomaže na drugi način i odvođe se na sigurno mesto,

Imajući u vidu da su neodložne mere spasavanja od vitalne važnosti za lica u nevolji,

Prepoznajući neophodnost potpunog usklađivanja sa Standardima i preporučenim praksama Međunarodne organizacije civilnog vazduhoplovstva (u daljem tekstu: „ICAO SARPs”) u oblasti traganja i spasavanja, utvrđenim u Aneksu 12 Čikaške konvencije, Traganje i spasavanje (u daljem tekstu: „Aneks 12”) i dalje razrađenim u Priručniku o međunarodnom traganju i spasavanju u vazduhoplovstvu i pomorstvu (IAMSAR) i drugim povezanim dokumentima iz oblasti traganja i spasavanja (u daljem tekstu: „međunarodne odredbe o traganju i spasavanju”),

Prepoznajući da se Aneks 12 odnosi na uspostavljanje, održavanje i pružanje usluga traganja i spasavanja na teritorijama država Strana i iznad otvorenog mora i na koordinaciju između država u pružanju takvih usluga,

Uzevši u obzir ICAO SARPS utvrđene u Aneksu 9 Čikaške konvencije, Olakšice, a posebno Deo 8 o olakšicama u, između ostalog, oblasti traganja i spasavanja,

Prepoznajući potrebu za usklađivanje i jačanje međunarodne saradnje, a posebno regionalne saradnje u cilju efikasne organizacije i sprovođenja operacija traganja i spasavanja u vazduhoplovstvu i s njima povezanih obuka,

Prepoznajući odredbe utvrđene u Memorandumu o razumevanju o osnivanju Regionalnog komiteta za traganje i spasavanje u civilnom vazduhoplovstvu, potpisanom 3. novembra 2016. godine u Beogradu (u daljem tekstu: „Memorandum”),

Imajući u vidu da su Strane ovog sporazuma istovremeno i članovi ili posmatrači u Regionalnom komitetu za traganje i spasavanje u civilnom vazduhoplovstvu, Dogovorile su se o sledećem:

Član 1.

Cilj i predmet

Ovim sporazumom se uspostavlja okvir za saradnju između Strana u sprovođenju operacija traganja i spasavanja u vazduhoplovstvu i utvrđuju različite odgovornosti kako bi se postigla puna usklađenost sa obavezama utvrđenim u *ICAO SARPs*.

Strane su saglasne da se operacije traganja i spasavanja u vazduhoplovstvu na ili iznad teritorijalnog mora, unutrašnjih voda ili kopna države bilo koje Strane sprovode u skladu sa nacionalnim zakonodavstvom ili zakonodavstvom koje je na snazi na teritorijama država odnosnih Strana, uzimajući u obzir primenjive međunarodne odredbe o traganju i spasavanju.

Strane obezbeđuju blisku koordinaciju sa njihovim odnosnim nacionalnim nadležnim organima za traganje i spasavanje u vazduhoplovstvu radi promovisanja zajedničkog i efikasnog pružanja usluga traganja i spasavanja prema ovom sporazumu kako bi pomogle jedne drugima, koliko je moguće, u sprovođenju operacija traganja i spasavanja tako što ovlašćuju svoje centre traganja i spasavanja (u daljem tekstu: „*RCC*”) da traže pomoć od *RCC* druge Strane ili da neodložno odgovore na pozive u slučaju nužde i da zahtevaju pomoć od *RCC* druge Strane.

Pojmovi i definicije za potrebe ovog sporazuma imaju značenje utvrđeno u delu 1 Aneksa 12.

Član 2.

Područja traganja i spasavanja

Za potrebe traganja i spasavanja u vazduhoplovstvu granice susednih područja traganja i spasavanja se, u principu i u meri u kojoj je to moguće, podudaraju sa odgovarajućim granicama oblasti informisanja u letu (u daljem tekstu: „*FIR*”) država Strana.

Situacije u kojima se *FIR* i područja traganja i spasavanja ne podudaraju biće razmotrene u posebnom bilateralnom aranžmanu između zainteresovanih Strana. Strane bilateralnog aranžmana obaveštavaju, diplomatskim putem, depozitara ovog sporazuma o završetku unutrašnjih procedura u vezi sa tim aranžmanom. Depozitar ovog sporazuma obaveštava Strane o zaključivanju svakog takvog bilateralnog aranžmana.

Razgraničenje područja traganja i spasavanja između Strane, kao što je utvrđeno u stavu 1. ovog člana, ima za cilj dostupnost usluga traganja i spasavanja, unapređenje ili pojednostavljenje operacija traganja i spasavanja i olakšavanje dostavljanja poziva u nuždi *RCC*. Stoga, isto nije povezano i ne utiče na bilo koje drugo razgraničenje između Strana.

Član 3.

Nadležna tela

Nadležni organi za traganje i spasavanje u vazduhoplovstvu, *RCC* i *RCC* u pomorstvu Strana su navedeni u Aneksu ovog sporazuma.

Član 4.

Komunikacija i saradnja

U cilju obezbeđivanja odgovorajuće koordinacije operacija traganja i spasavanja, Strane se međusobno obaveštaju u potpunosti i što je pre moguće. Ako *RCC* države neke Strane smatra da mu je neophodna pomoć *RCC* države druge Strane, on može da zahteva takvu pomoć.

Ako *RCC* države jedne od Strana dobije informaciju da ljudski život jeste, ili se veruje da je u opasnosti u području traganja i spasavanja neke od ostalih država Strana, taj *RCC* neodložno obaveštava *RCC* druge ili drugih zainteresovanih država Strana. Pomoć svakom vazduhoplovu koji je, ili se veruje da je u nuždi, i preživelim u udesu vazduhoplova u području traganja i spasavanja bilo koje Strane pruža se bez obzira na državu registra ili status vazduhoplova ili državljanstvo ili status lica u vazduhoplovu, ili okolnosti u kojima se vazduhoplov ili lica nalaze.

Član 5.

Olakšice u tranzitu preko teritorija država Strana

U skladu sa uslovima propisanim u Aneksu 12, svaka Strana dozvoljava bez odlaganja hitan tranzit jedinicama traganja i spasavanja druge Strane preko ili iznad teritorijalnog mora, unutrašnjih voda i kopna za potrebe sprovođenja operacija traganja i spasavanja.

Član 6.

Operativni sporazumi

Nadležna tela za traganje i spasavanje Strana, navedena u Aneksu ovog sporazuma, zaključuju bilateralne operativne sporazume o saradnji radi praktične primene ovog sporazuma sa nadležnim telima za traganje i spasavanje svih susednih država Strana ovog sporazuma. Takva saradnja uključuje, između ostalog, zajedničke vežbe i obuke u oblasti traganja i spasavanja, redovne provere relevantnih kanala komunikacije, posete stručnjaka za traganje i spasavanje, razmenu informacija, procedura, tehnika i iskustava u oblasti traganja i spasavanja i usklađivanje nacionalnih stavova o međunarodnim pitanjima u oblasti traganja i spasavanja od zajedničkog interesa. U operativnim sporazumima Strane uspostavljaju odgovarajuće procedure radi obezbeđivanja najefikasnijih načina komunikacije.

Nadležna tela za traganje i spasavanje Strana utvrđuju u operativnom sporazumu detaljne mere u cilju olakšavanja prelaska granice, zaustavljanja na teritoriji države druge Strane i privremeni uvoz/izvoz vazduhoplova, alata, rezervnih delova i opreme potrebne za operacije traganja i spasavanja.

Privremeni uvoz navedenih dobara oslobađa se od plaćanja carine i drugih uvoznih dažbina, poreza na dodatu vrednost, u skladu sa nacionalnim zakonodavstvom Strana.

Ako nije drugačije utvrđeno operativnim sporazumima između Strana, nije dozvoljeno nošenje oružja, municije i eksplozivnih sredstava tokom sprovođenja operacija traganja i spasavanja prema ovom sporazumu.

Član 7.

Troškovi

Strane rešavaju pitanja snošenja troškova njihovog učešća u operacijama traganja i spasavanja u operativnom sporazumu, u skladu sa nacionalnim zakonodavstvom ili zakonodavstvom koje je na snazi na teritorijama država Strana.

U slučaju da pitanje snošenja troškova nije uređeno operativnim sporazumom ili bilateralnim sporazumima, svaka strana snosi troškove nastale njenim učešćem u operacijama traganja i spasavanja u skladu sa ovim sporazumom.

Ako se, tokom operacije traganja i spasavanja u skladu sa ovim sporazumom, načini šteta trećoj strani, Strana koja je zahtevala pomoć preuzima odgovornost kao da su štetu načinili članovi njenih jedinica traganja i spasavanja koji su učestvovali u operaciji traganja i spasavanja, izuzev ako je šteta načinjena namerno ili krajnjom nepažnjom.

Član 8.

Prava i obaveze

Odredbe ovog sporazuma ne utiču ni na koji način na prava i obaveze bilo koje Strane koje proističu iz međunarodnih ugovora ili drugih aranžmana između Strana.

Strane ne prenose svoja prava, obaveze ili učešće u ovom sporazumu na druge subjekte bez izričite saglasnosti svih Strana.

Sve aktivnosti koje se sprovode prema ovom sporazumu podležu propisima i politikama država Strana, kao i zakonima, propisima i politikama koji su obavezujući za Strane.

Član 9.

Konsultacije

U duhu bliske saradnje, Strane se povremeno međusobno konsultuju kako bi se osiguralo zadovoljavajuće poštovanje odredbi ovog sporazuma i njegovog aneksa, a bilo koja Strana može da zahteva u bilo koje vreme konsultacije o sprovođenju, tumačenju, primeni ili izmeni ovog sporazuma. Nijedan spor se ne upućuje međunarodnom telu ili trećoj strani na rešavanje.

Takve konsultacije, koje se mogu obaviti usmeno ili pisanim putem, počinju u roku od šezdeset (60) dana od dana prijema takvog zahteva, osim ako se strane ne dogovore drugačije.

Član 10.

Izmene Sporazuma

Ako bilo koja Strana smatra da je poželjno izmeniti bilo koju odredbu ovog sporazuma, takva izmena se dogovara u skladu sa odredbama člana 9. Takva izmena stupa na snagu kada se Strane međusobno obaveste diplomatskim putem o ispunjenju njihovih unutrašnjih pravnih procedura koje se odnose na zaključivanje i stupanje na snagu međunarodnog sporazuma.

Bez obzira na odredbe stava 1. ovog člana, svaka Strana može da izmeni svoja nadležna tela za traganje i spasavanje navedena u Aneksu ovog sporazuma. Takva izmena stupa na snagu kada ta Strana diplomatskim putem obavesti druge Strane o izmeni Aneksa.

Izraz „Sporazum” označava ovaj sporazum, njegov Aneks i bilo koju izmenu Sporazuma ili Aneksa. Izraz „Aneks” označava listu nadležnih tela za traganje i spasavanje, *RCC* i *RCC* u pomorstvu Strana.

Član 11.

Stupanje na snagu, važenje i povlačenje

Ovaj sporazum podleže potvrđivanju, prihvatanju ili odobravanju Strana u skladu sa njihovim nacionalnim zakonodavstvima.

Ovaj sporazum stupa na snagu prvog dana onog meseca koji sledi nakon datuma kada treća Strana deponuje kod depozitara svoj instrument o potvrđivanju, prihvatanju ili odobravanju.

Za Stranu koja ovaj sporazum potvrđuje, prihvata ili odobrava nakon datuma njegovog stupanja na snagu u skladu sa stavom 2. ovog člana, ovaj sporazum stupa na snagu prvog dana onog meseca koji sledi nakon datuma deponovanja kod depozitara njenog instrumenta o potvrđivanju, prihvatanju ili odobravanju.

Ovaj sporazum se zaključuje na neodređeno vreme.

Svaka Strana može da se povuče iz ovog sporazuma u bilo kom trenutku dostavljanjem depozitaru pisanog obaveštenja o povlačenju. Povlačenje stupa na snagu šest meseci nakon prijema obaveštenja od strane depozitara.

Član 12.

Rešavanje sporova

U slučaju spora između dve ili više Strana u pogledu tumačenja ili primene ovog sporazuma, Strane pokušavaju da iznađu rešenje kroz međusobne konsultacije i pregovore i ne upućuju ga međunarodnom telu ili trećoj strani na rešavanje.

Član 13.

Pristupanje

Nakon njegovog stupanja na snagu, ovaj sporazum je otvoren za pristupanje.

Za Stranu koja pristupa Sporazumu, ovaj sporazum stupa na snagu prvog dana onog meseca koji sledi nakon datuma deponovanja kod depozitara instrumenta o pristupanju.

Strana koja pristupa Sporazumu je *ICAO* država članica.

Član 14.

Depozitar

Vlada Republike Srbije je depozitar ovog sporazuma.

Po njegovom stupanju na snagu u skladu sa odredbama člana 11. stav 2, ovaj sporazum i sve njegove izmene depozitar registruje kod Međunarodne organizacije civilnog vazduhoplovstva (*ICAO*).

Član 15.

Završne odredbe

U slučaju da postoji potreba za razmenom osetljivih informacija, Strane mogu da koriste kao uputstvo Politiku o poverljivosti, zaštiti i odgovarajućem korišćenju informacija u vezi sa aktivnostima Regionalnog savetodavnog komiteta za traganje i spasavanje u civilnom vazduhoplovstvu.

U POTVRDU TOGA, dole potpisani, propisno ovlašćeni od svojih vlada, potpisali su ovaj sporazum.

Ovaj sporazum se sačinjava u jednom originalnom primerku na engleskom jeziku i deponuje se kod depozitara koji dostavlja overeni primerak svakoj Strani.

Sačinjeno u Ohridu, 22. februara 2023. godine.

Za Savet ministara Bosne i Hercegovine

Za Vladu Republike Bugarske

Za Vladu Republike Hrvatske

Za Vladu Mađarske

Za Vladu Republike Severne Makedonije

Za Vladu Crne Gore

Za Vladu Republike Srbije

Za Vladu Slovačke Republike

Za Vladu Republike Slovenije

Aneks

Nadležni organi za traganje i spasavanje u vazduhoplovstvu, *RCC* i *RCC* u pomorstvu

Bosna i Hercegovina:

- Nadležni organi za traganje i spasavanje: Direkcija za civilno vazduhoplovstvo Bosne i Hercegovine;
- *RCC*: Spasilačko-koordinacioni centar Bosne i Hercegovine/ Agencija za pružanje usluga u vazdušnoj plovidbi;

Republika Bugarska:

- Nadležni organi za traganje i spasavanje: Generalni direktorat uprave za civilno vazduhoplovstvo, Republika Bugarska;
- *RCC*: *RCC* Varna;

Republika Hrvatska:

- Nadležni organi za traganje i spasavanje: Ravnateljstvo civilne zaštite, Ministarstvo unutarnjih poslova, Republika Hrvatska;
- *RCC*: Operativni centar, Ravnateljstvo civilne zaštite, Ministarstvo unutarnjih poslova, Republika Hrvatska;
- *RCC* u pomorstvu: MRCC Rijeka;

Mađarska:

- Nadležni organi za traganje i spasavanje: Ministarstvo unutrašnjih poslova Mađarske;
- *RCC*: Centar za komandu i kontrolu vazdušnih operacija, Odbrambenih snaga Mađarske, Centar za vazdušne operacije;

Republika Severna Makedonija:

- Nadležni organi za traganje i spasavanje: Agencija za civilno vazduhoplovstvo Republike Severne Makedonije;
- *RCC*: *RCC* Skoplje;

Crna Gora:

- Nadležni organi za traganje i spasavanje:
 - Nadležni organ za traganje i spasavanje na kopnu:
 - Ministarstvo unutrašnjih poslova Crne Gore;
 - Direktorat za zaštitu i spasavanje;
 - Direkcija 112 – Operativno-komunikacioni centar.
 - Nadležni organ za traganje i spasavanje u pomorstvu:
 - Ministarstvo kapitalnih investicija Crne Gore;
 - Uprava pomorske sigurnosti i upravljanja lukama;
 - Sektor sigurnosti plovidbe.
 - Nadležni organ za sprovođenje nadzora u traganju i spasavanju:
 - Agencija za civilno vazduhoplovstvo Crne Gore.
- *RCC*: Operativno komunikacioni centar 112 – Vazduhoplovno-spasilačko-koordinacioni centar Direktorata za zaštitu i spasavanje Ministarstva unutrašnjih poslova;
- *RCC* u pomorstvu: Pomorsko-spasilačko-koordinacioni centar Uprave pomorske sigurnosti i upravljanja lukama Ministarstva kapitalnih investicija.

Republika Srbija:

- Nadležni organi za traganje i spasavanje: Direktorat civilnog vazduhoplovstva Republike Srbije;
- *RCC*: Spasilačko-koordinacioni centar Beograd Direktorata civilnog vazduhoplovstva Republike Srbije;

Slovačka Republika:

- Nadležni organi za traganje i spasavanje: (biće naknadno navedeni u skladu sa stavom 2. člana 10. ovog sporazuma);
- RCC: (biće naknadno navedeni u skladu sa stavom 2. člana 10. ovog sporazuma);

Republika Slovenija:

- Nadležni organi za traganje i spasavanje: Uprava Republike Slovenije za civilnu zaštitu i pomoć u katastrofama;
- RCC:
 - o Kontrola vazdušnog saobraćaja, d.o.o;
 - o Ministarstvo unutrašnjih poslova, Policija;
 - o Ministarstvo odbrane, Uprava Republike Slovenije za civilnu zaštitu i pomoć u katastrofama;
- RCC u pomorstvu: Ministarstvo infrastrukture, Slovenačka uprava za pomorstvo.

Član 3.

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u „Službenom glasniku Republike Srbije – Međunarodni ugovori”.