

TECHNICAL AGREEMENT

BETWEEN

THE MINISTRY OF DEFENCE OF THE ITALIAN REPUBLIC

AND

THE MINISTRY OF DEFENCE OF MONTENEGRO

CONCERNING

**THE COOPERATION IN THE FRAMEWORK OF THE
OPERATION "ATALANTA"**

Preamble

The Ministry of Defence of the Italian Republic and the Ministry of Defence of Montenegro, hereinafter referred to as the "Parties":

HAVING REGARD TO

- a) the Agreement between the Government of the Italian Republic and the Council of Ministers of Serbia and Montenegro on defence cooperation, done at Rome on November 19th 2003, herewith referred as the "Co-operation Agreement";
- b) the Agreement between the European Union and Montenegro on the participation of Montenegro in the European Union military to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali Coast (Operation ATALANTA);

DESIRING to enhance co-operation between their Ministries of Defence and sharing the common understanding that mutual co-operation in the field of Defence will enhance the relationship between the Parties;

Have agreed as follows:

Article I: Co-operation Principles

The cooperation between the parties is inspired by the principles of equality, reciprocity and mutual interest within the Framework and in compliance with the principles of the Cooperation Agreement, the Agreement between the EU and Montenegro. Montenegrin Personnel will be embarked on Italian Ships, as contributions to Operation ATALANTA.

Article II: Status of Montenegrin Personnel embarked in Italian Ship (ITS)

1. Montenegrin personnel embarked on ITS as contributions to Operation ATALANTA will be regarded as a visiting force within the territorial

jurisdiction of the Italian Party under the terms of the NATO/PFP *Status of Forces Agreement* as applicable.

2. Status granted to Montenegrin personnel is without prejudice of the provisions of the agreement between the EU and Montenegro.

Article III: Responsibilities

1. Montenegrin personnel will comply with all ATALANTA regulations, policies and SOPs and with instructions issued by the Italian Commanding Officer (CO) and/or delegated personnel for the safety and security of the ITS, its crew and embarked personnel and will refrain from any incompatible activity
2. Montenegrin personnel embarked on ITS will try to reach the highest level of integration and uniform its operational procedures to those used by the Italian party.
3. Access to EU classified information is dealt in accordance with the Agreement between the EU and Montenegro.
4. Access to Italian national information is dealt in accordance with applicable agreements.

Article IV: Command and control

1. Without prejudice of Article III, paragraph 1, Montenegrin personnel transferred under the Operational Command or Control of the Operation Commander, once embarked on ITS will be regarded as "organic" to the ITS and will contribute to the mission in accordance with the instructions received by the ITS CO.
2. The parties will consult over any Command and Control issue.


2. Any Party may withdraw from this TA at any time by giving 30 days prior notice in writing to the other Party.
3. This TA is written in English and each Party may prepare its own authentic translation. In case of dispute regarding its interpretation, the English language will prevail.

In witness thereof, the undersigned, being duly authorized thereto by their respective Ministries of Defence, have signed the present TA.

For the Ministry of Defense of the
Italian Republic

For the Ministry of Defense of
Montenegro

Gen. B. Mauro De Vincentis
name MAURO DE VINCENTIS
rank GENERALE DI BRIGATA
position ADDEITO PER LA DIFESA
place PODGORICA


name DEPUTY MINISTER
rank OF DEFENCE
position DRAŠKO JOVANOVIĆ
place PODGORICA

14th August 2010

14. 08. 2010.