

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTRY OF DEFENCE
OF THE REPUBLIC OF SLOVENIA
AND
THE MINISTRY OF DEFENCE
OF MONTENEGRO
ON THE EDUCATION
AND TRAINING
OF A MEMBER
OF THE MONTENEGRIN ARMED FORCES
AT THE SENIOR STAFF
COURSE
IN THE REPUBLIC OF SLOVENIA

The Ministry of Defence of the Republic of Slovenia

and

the Ministry of Defence of Montenegro,

hereinafter referred to as "the participants";

Having regard to the provisions of

the Agreement among the States Parties to the North Atlantic Treaty and Other States Participating in the Partnership for Peace regarding the Status of their Forces (hereinafter referred to as PfP SOFA), signed on 19 June 1995 in Brussels;

Taking into account

the provisions of the Agreement between the Government of the Republic of Slovenia and the Government of Montenegro on defence cooperation, signed on 18 June 2007 in Ljubljana;

Desiring to develop cooperation between the Government of the Republic of Slovenia and the Government of Montenegro in the area of defence;

Have agreed to the following:

Article 1

Definitions of Terms

The terms used in this Memorandum shall have the following meanings:

- a) "Host Nation" refers to the Republic of Slovenia, represented by its Ministry of Defence, which welcomes and hosts forces – a member of the Montenegrin Armed Forces – on the territory of the Republic of Slovenia.
- b) "Sending Nation" refers to the Montenegro, represented by its Ministry of Defence, which deploys forces – a member of the Montenegrin Armed Forces – outside its own borders to participate in education and training.
- c) "Candidate" is a member of the Sending Nation's armed forces who is referred to the education and training in the Host Nation.
- d) "Education and training" includes participation in the Slovenian language course and the Senior Staff Course at the Doctrine, Development, Education and Training Command of the Slovenian Armed Forces.
- e) "Host Nation Support" includes logistics support and emergency medical care, provided by the Host Nation to the Candidate at the time of the education and training.

Article 2

Subject of the Memorandum

This Memorandum defines the rights and obligations of participants, obligations of the Candidate, and procedures for the implementation of the education and training of one member of the Montenegrin Armed Forces in the Republic of Slovenia between 9th September 2012 and 31st March 2013.

Article 3

Purpose and Scope

1. This Memorandum sets out arrangements for the education and training, as well as the content and conditions for the provision of logistics support.
2. The purpose of the Memorandum is to facilitate the implementation of the education and training of officers at the Senior Staff Course. In the course, students are trained to autonomously perform tactical-level command duties, and manage staff bodies at the joint tactical unit headquarters as well as in development and leadership positions within the defence system.

Article 4

Host Nation Support

The Host Nation shall ensure:

- a) Board and lodging for the Candidate in its facilities.
- b) Accommodation of the Candidate for the duration of study trips in accordance with the education and training plan, to the same standards as apply to members of the Slovenian Armed Forces.
- c) Logistics support to the Candidate for the implementation of the education and training, specified in the command act of the Doctrine, Development, Education and Training Command.
- d) Study material and a mentor.
- e) Internet access in Host Nation facilities.

Article 5

Obligations of the Sending Nation

The Sending Nation shall ensure:

- a) Documents for the entry and stay of the Candidate on the territory of the Host Nation.
- b) Proof of eligibility for the Candidate's enrolment in the education and training in accordance with the tender.
- c) NATO Personnel Security Clearance at the minimum level of CONFIDENTIAL.
- d) The Candidate's physical and mental ability to complete the education and training, as evidenced by a medical certificate, the form of which shall be prescribed by the Host Nation.
- e) Announcement of the Candidate not less than 14 days prior to the start of the education and training.
- f) Supplementary health insurance.

Article 6

Obligations of the Candidate

The Candidate shall:

- a) Comply with the laws of the Host Nation.
- b) Comply with the house rules.
- c) Comply with the education and training plan.
- d) Complete all study requirements.
- e) Open a transaction account on the territory of the Host Nation and obtain a tax ID number.

Article 7

Criminal and Damage Liability

Criminal liability shall be asserted in accordance with Article VII of the PfP SOFA.

To enforce liability for damages, provisions of Article VIII of the PfP SOFA shall apply.

Article 8

Disciplinary Responsibility

Disciplinary responsibility of the Candidate shall be subject to the authority of the Sending Nation.

If the Candidate violates the obligations arising from this Memorandum, the Host Nation shall inform the Defence Attaché of the Montenegro in the Republic of Slovenia of the violation.

The Host Nation reserves the right to demand return of the Candidate back to the Sending Nation before the end of the education and training.

Article 9

Financial Provisions

The Host Nation shall bear the costs of the Candidate's education and training, the costs of board and lodging in its facilities, the costs of board and lodging during study trips in accordance with the education and training plan, and the costs of local transportation on the territory of the Host Nation for the purpose of the education and training.

The Sending Nation shall bear the costs of international transportation upon the arrival and departure of the Candidate for the purpose of the education and training, as well as the costs of supplementary health insurance.

Article 10

Medical and Dental Care

The Host Nation is obliged to provide emergency medical and dental care in accordance with Article IX, Paragraph 5 of the PfP SOFA.

Article 11

Protection of Classified Information

Classified information, documents and material shall be protected in accordance with the national laws of the Host Nation. The manner of classified information exchange and relevant protection measures shall be determined by a special international agreement concluded prior to the exchange of such information.

The participants shall ensure that all documents, material and technology, exchanged under this Memorandum, are used solely for the purpose of completing the final assignment.

The Host Nation reserves the right to prevent the Candidate from participating in individual education and training activities if the Candidate fails to meet the security clearance requirements.

Article 12

Environmental Protection

The Candidate shall comply with the regulations governing environmental protection in force on the territory of the Host Nation.

Article 13

Wearing of Uniforms and Carrying of Weapons

The Candidate shall wear a uniform (battle dress, service dress, full-dress) in military installations of the Host Nation, in line with Article V of the PfP SOFA. At all other occasions, civilian dress is worn.

The Candidate is not required to bring a personal weapon to participate in the education and training.

Article 14

Settlement of Disputes

All disputes arising from the interpretation or application of this Memorandum shall be resolved through consultation between the participants themselves, without the involvement of any national or international court or third party.

Article 15

Supplements and Amendments

This Memorandum may be amended or supplemented at any time by written agreement between both participants, following the procedure applicable to the conclusion of this Memorandum.

Article 16

Entry into Force, Validity, Signature

This Memorandum shall enter into force on the date of the last signature and shall remain valid until the departure of the member of the Sending Nation's armed forces from the territory of the Host Nation. The financial provisions shall remain valid until the settlement of all outstanding bills and claims.

Signed in the English language in two copies. Each participant shall receive one copy.

For the Ministry of Defence
of the Republic of Slovenia

Signature:

Vladimir Mahe

Commandant of the DDETC

Date: 25. 09. 2012

Place: Maribor, Slovenija

For the Ministry of Defence
of the Montenegro

Signature:

Branislav Keković

Military Attaché

Date: 25. 09. 2012

Place: Maribor, Slovenija

