

No. 16/2007

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Republic of Montenegro and has the honor to refer to earlier discussions between representatives of the two Governments regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and the furnishing of defense articles, related training, and other defense services, including pursuant to the United States International Military Education and Training Program, from the United States of America to the Government of the Republic of Montenegro pursuant to the Foreign Assistance Act of 1961, or successor legislation.

In accordance with these discussions, it is proposed that the Government of the Republic of Montenegro agree:

A. That unless the consent of the Government of the United States of America has been first obtained, the Government of the Republic of Montenegro shall not:

(I) Permit any use of such defense articles, related training, including training materials, or other defense services by anyone not an officer, employee, or agent of the Government of the Republic of Montenegro;

(II) Transfer, or permit any officer, employee, or agent of the Government of the Republic of Montenegro to transfer, such defense articles, related training, including training materials, or other defense services by gift, sale, or otherwise; or

(III) Use, or permit the use of, such defense articles, related training, including training materials, or other defense services for purposes other than those for which provided;

B. That such defense articles, related training, including training materials, or defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of the Republic of Montenegro in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America;

D. That the Government of the Republic of Montenegro shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, or other defense services by the Government of the United States of America; that it shall, as the United

States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Montenegro; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of the Republic of Montenegro shall, together with this note, constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's note.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Montenegro the assurances of its highest consideration.

Embassy of the United States of America

Podgorica, May 4, 2007





Republic of Montenegro
Ministry of Foreign Affairs

No. 04/08-1223/2

The Ministry of Foreign Affairs of the Republic of Montenegro presents its compliments to the Embassy of the United States of America in Podgorica and acknowledges receipt of the Embassy's note No. 16/2007 dated May 4, 2007, which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Republic of Montenegro and has the honor to refer to earlier discussions between representatives of the two Governments regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and the furnishing of defense articles, related training, and other defense services, including pursuant to the United States International Military Education and Training Program, from the United States of America to the Government of the Republic of Montenegro pursuant to the Foreign Assistance Act of 1961, or successor legislation.

In accordance with these discussions, it is proposed that the Government of the Republic of Montenegro agree:

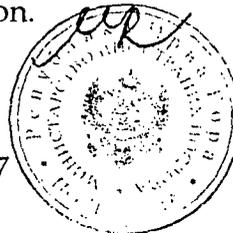
- A. That unless the consent of the Government of the United States of America has been first obtained, the Government of the Republic of Montenegro shall not:
- (I) Permit any use of such defense articles, related training, including training materials or other defense services by anyone not an officer, employee, or agent of the Government of the Republic of Montenegro;
 - (II) Transfer, or permit any officer, employee, or agent of the Government of the Republic of Montenegro to transfer, such defense articles, related training, including training materials or other defense services by gift, sale, or otherwise, or

- (III) Use, or permit the use of, such defense articles, related training, including training materials or other defense services for purposes other than those for which provided;
- B. That such defense articles, related training, including training materials or other defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another deposition;
- C. That the net proceeds of sale received by the Government of the Republic of Montenegro in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America;
- D. That the Government of the Republic of Montenegro shall maintain the security such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, and other defense services by the Government of the United States of America; that it shall, as the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Montenegro; and
- E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

The Ministry of Foreign Affairs of the Republic of Montenegro has the honor to confirm that the proposals set forth in the Embassy's note are acceptable to the Government of the Republic of Montenegro and that the Embassy's note and this note in reply shall constitute an Agreement between the governments which shall enter into force on this date.

The Ministry of Foreign Affairs of the Republic of Montenegro avails itself of this opportunity to renew to the Embassy of the United States of America in Podgorica the assurances of its highest consideration.

Podgorica, May 18, 2007



EMBASSY OF THE UNITED STATES OF AMERICA
Podgorica