

**FOREIGN ASSISTANCE**

**Agreement Between the  
UNITED STATES OF AMERICA  
and the FEDERAL REPUBLIC OF  
YUGOSLAVIA**

Signed at Belgrade March 6, 2001



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966  
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

**FEDERAL REPUBLIC OF YUGOSLAVIA**

**Foreign Assistance**

*Agreement signed at Belgrade March 6, 2001;  
Entered into force May 11, 2001.*

**AGREEMENT BETWEEN  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND  
THE GOVERNMENT OF THE FEDERAL REPUBLIC OF YUGOSLAVIA  
CONCERNING ECONOMIC, TECHNICAL AND RELATED ASSISTANCE**

The Government of the United States of America and the Government of the Federal Republic of Yugoslavia,

Recognizing the substantial efforts and progress that the Federal Republic of Yugoslavia has made to advance its economic and political development;

Recognizing that the Government of the United States of America has initiated a program of assistance in the Federal Republic of Yugoslavia, in support of economic and democratic reform, involving activities in areas such as economic stabilization, reform and growth, energy and environment, support for democratic initiatives and institutions, and improvement in the quality of life;

Recognizing the important, positive role played by United States, Yugoslav and third country private organizations in implementing such assistance;

Desiring to establish a framework to govern and facilitate the provision of the assistance which has been provided to date and which may be provided in the future by the Government of the United States of America, subject to the applicable laws and regulations of the United States of America; and

Desiring to ensure the highest efficiency and effectiveness in the provision of such assistance,

HEREBY AGREE AS FOLLOWS:

**Article 1**

The diplomatic mission of the United States of America to the Federal Republic of Yugoslavia will carry out and discharge the responsibilities of the Government of the United States of America under this Agreement, and a section of that diplomatic mission has been established for this purpose.

**Article 2**

The Government of the Federal Republic of Yugoslavia shall:

- (a) Make such contribution as may be appropriate and as agreed to by both governments, permitted by its personnel, resources, facilities, and general economic condition, in furtherance of the purposes for which assistance may be provided;
- (b) Take appropriate steps to ensure the effective use of such assistance;
- (c) Provide the Government of the United States of America with full and complete information concerning the implementation of assistance provided by the Government of the United States of America, as well as other relevant information which representatives of the Government of the United States of America may need in order to assess the nature, scope and effectiveness of such assistance programs, projects, and operations; and

- (d) Upon reasonable notice, permit observation and review by representatives of the Government of the United States of America of any assistance programs, projects, and operations, and records pertaining thereto.

### Article 3

In order to assure the maximum benefit to the people of the Federal Republic of Yugoslavia from United States assistance programs and except as may be agreed by the two governments:

- (a) Services, commodities, supplies, equipment or other property, including real property, utilized in connection with United States assistance programs may be imported, exported, purchased, used, sold, donated or disposed of in the Federal Republic of Yugoslavia free from any tariffs, customs duties, import taxes, export taxes, value-added taxes (VAT), taxes on purchase or disposition of property and other taxes or similar charges;
- (b) Any public or private organization that has responsibility for implementing United States assistance programs in the Federal Republic of Yugoslavia to perform work in connection with United States assistance programs, and that is paid from the financial resources of the United States assistance programs, shall be exempt from any income, social security or other taxes imposed in the Federal Republic of Yugoslavia, or any subdivision thereof, with respect to income derived from the implementation of United States assistance programs. Income derived from other activities in the Federal Republic of Yugoslavia is not exempted by this Agreement from taxation under the laws in the Federal Republic of Yugoslavia.
- (c) All personnel (and their families), except nationals or permanent residents of the Federal Republic of Yugoslavia, who are under contract with, or are employees of, any public or private organization that has responsibility for implementing United States assistance programs, and who are present in the Federal Republic of Yugoslavia to perform work in connection with United States Assistance programs, shall be exempt from:
- (i) any income, social security or other taxes levied under the laws of the Federal Republic of Yugoslavia with respect to income derived from United States assistance programs:
  - (ii) any tariffs, customs duties, import taxes, value-added taxes and other similar taxes and charges upon personal or household goods imported into the Federal Republic of Yugoslavia for the personal use of such personnel and members of their families, and such personal and household goods may be used in and exported from the Federal Republic of Yugoslavia free from any such taxes, duties and charges;
  - (iii) any taxes on rent or other taxes on leases for the personal residences of such personnel and their families.
  - (iv) visa fees and residence permit fees, as well as the obligation to personally apply for visas and residence permits.
- (d) Employees of the Government of the United States of America (and their families), except nationals or permanent residents of the Federal Republic of Yugoslavia, who are present in the Federal Republic of Yugoslavia to perform work in connection with United States assistance programs, shall be accorded status equivalent to that accorded to administrative and technical staff personnel under the Vienna Convention on diplomatic relations.
- (e) In the event that the Government of the Federal Republic of Yugoslavia does not have procedures to exempt payment of value-added taxes at the point of sale or importation, the parties agree that the Government of the Federal Republic of Yugoslavia may satisfy the requirements of this Article 3 with respect to value-added taxes by refunding such value-added taxes pursuant to a reasonable refund system.

- (f) Nothing in this Agreement shall be construed to derogate from the privileges and immunities to which personnel are otherwise entitled.

#### Article 4

- (a) Funds brought into the Federal Republic of Yugoslavia for purposes of United States assistance programs may be convertible into the currency of the Federal Republic of Yugoslavia at the rate providing the largest number of units of such currency per unit of United States currency which, at the time the conversion is made, is not unlawful in the Federal Republic of Yugoslavia. The existence in the Federal Republic of Yugoslavia of a market-determined, floating exchange rate shall fully satisfy the requirements of the foregoing sentence.
- (b) Funds brought into the Federal Republic of Yugoslavia for purposes of United States assistance programs shall be exempt from any currency controls or investment or deposit requirements which may be in effect in the Federal Republic of Yugoslavia (except for normal notification and reporting requirements).

#### Article 5

The Government of the United States of America and the Government of the Federal Republic of Yugoslavia may, from time to time, enter into implementing arrangements to assist in the implementation of this Agreement.

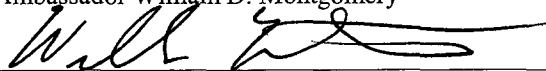
#### Article 6

- (a) This Agreement shall enter into force upon the exchange of diplomatic notes confirming that the parties have completed their respective internal requirements necessary for the entry into force of this Agreement. The provisions of this Agreement shall apply to organizations and individuals and assistance associated with existing and future United States assistance programs and activities. Provisions pertaining to taxes and duties shall become applicable upon entry into force of this Agreement.
- (b) This Agreement may be amended or revised by written consent of the parties.
- (c) This Agreement shall remain in force until thirty (30) days after the receipt by either Party of written notification of the intention of the other party to terminate the Agreement. Notwithstanding any such termination, this Agreement shall be applicable to assistance furnished before the termination.

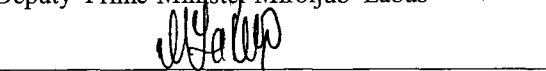
IN WITNESS WHEREOF, the undersigned, duly authorized for this purpose, have signed this Agreement.

Done at Belgrade, in duplicate, in the English and Serbian languages, the texts being equally authentic, on March 6, 2001.

For the Government of the United States of America  
Ambassador William D. Montgomery



For the Government of the Federal Republic of Yugoslavia  
Deputy Prime-Minister Miroslav Labus



**SPORAZUM IZMEDJU  
VLADE SJEDINJENIH AMERICKIH DRZAVA  
i  
VLADE SAVEZNE REPUBLIKE JUGOSLAVIJE  
O EKONOMSKOJ, TEHNICKOJ I DRUGOJ SRODNOJ POMOCI**

Vlada Sjedinjenih Americkih Drzava i Vlada Savezne Republike Jugoslavije,

Konstatujuci znacajne napore i napredak koji je Savezna Republika Jugoslavija postigla u unapredjenju svog privrednog i politickog razvoja;

Konstatujuci da je Vlada Sjedinjenih Americkih Drzava pokrenula program pomoci u Saveznoj Republici Jugoslaviji, u znak podrške privrednoj i demokratskoj reformi koja obuhvata aktivnosti u oblastima kao sto su privredna stabilizacija, reforma i razvoj, energetika i zivotna sredina, i podrške demokratskim inicijativama i institucijama i poboljsanju kvaliteta zivota;

Konstatujuci vaznu, pozitivnu ulogu koju su odigrale privatne organizacije Sjedinjenih Drzava, Jugoslavije i trecih zemalja u realizaciji takve pomoci;

U zelji da uspostave okvir koji ce rukovoditi i olaksati pruzanje pomoci koja je do sada obezbedjena i koja moze biti pruzena u buducnosti od strane Vlade Sjedinjenih Americkih Drzava, a u skladu sa pozitivnim zakonima i propisima Sjedinjenih Americkih Drzava; i

U zelji da obezbede najveću moguću efikasnost i efektivnost u pruzanju takve pomoci,

OVIM SU SE SAGLASILE O SLEDECEM:

**Clan 1**

Diplomatska misija Sjedinjenih Americkih Drzava u Saveznoj Republici Jugoslaviji izvrsavace i ispunjavati obaveze Vlade Sjedinjenih Americkih Drzava iz ovog Sporazuma, u koje svrhe je oformljena i posebna sekcija u okviru pomenute diplomatske misije.

**Clan 2**

Vlada Savezne Republike Jugoslavije obavezuje se da:

- (a) Da adekvatan doprinos, u skladu sa dogovorom obeju Vlada, u meri u kojoj joj to dozvoljava stanje kadrova, sredstava, objekata i opsta ekonomska situacija, u cilju unapredjenja ciljeva za koje moze da se pruzi pomoc;
- (b) Preuzima odgovarajuće mere za obezbedjivanje efikasnog koriscenja takve pomoci;
- (c) Pruzi Vladi Sjedinjenih Americkih Drzava potpune i sveobuhvatne informacije u vezi s realizacijom pomoci koju daje Vlada Sjedinjenih Americkih Drzava, kao i druge relevantne informacije koje predstavnicima Vlade Sjedinjenih Americkih Drzava mogu da zatrebaju u cilju procene prirode, sadrzaja i efikasnosti programa, projekata i akcija

pomoci; i

- (d) Uz obavest unapred u razumnom vremenskom roku, dozvoli predstavnicima Vlade Sjedinjenih Americkih Drzava da posmatraju i revidiraju sve programe, projekte i akcije pomoci, kao i evidencije s njima u vezi.

### Clan 3

U cilju obezbedivanja maksimalne koristi za narod Savezne Republike Jugoslavije od programa pomoci Sjedinjenih Drzava, izuzev u slucajevima o kojima se dogovore dve vlade:

- (a) Usluge, artikli, pribor, oprema i druga imovina, ukljucujuci nekretnine, koje se koriste u vezi sa programima pomoci SAD mogu da se uvezu, izvezu, kupe, koriste, prodaju, poklone ili da se njima raspolaze u Saveznoj Republici Jugoslaviji bez ikakvih dazbina, carina, uvozne takse, izvozne takse, takse na dodatnu vrednost (VAT), poreza na promet ili raspolaganje imovinom i drugih taksi i slicnih nameta;
- (b) Svaka drzavna ili privatna organizacija odgovorna za realizaciju programa pomoci Sjedinjenih Drzava u Saveznoj Republici Jugoslaviji, koja obavlja poslove u vezi sa programima pomoci Sjedinjenih Drzava i koja se placa iz finansijskih sredstava programa pomoci Sjedinjenih Drzava, bice izuzeta od svakog poreza na prihod, poreza za socijalno osiguranje i drugih poreza koji vaze u Saveznoj Republici Jugoslaviji, ili bilo kojoj njenoj jedinici, u vezi sa dohotkom ostvarenim po osnovu aktivnosti u Saveznoj Republici Jugoslaviji. Prihod ostvaren po osnovu drugih aktivnosti u Saveznoj Republici Jugoslaviji ne izuzima se ovim Sporazumom od poreza shodno zakonima Savezne Republike Jugoslavije.
- (c) Celokupno osoblje (i clanovi njihovih porodica), izuzev drzavljana SRJ ili lica sa stalnim boravkom u Saveznoj Republici Jugoslaviji, koje je pod ugovorom sa, ili je zaposleno kod, bilo koje javne ili privatne organizacije zaduzene za realizaciju programa pomoci Sjedinjenih Drzava, i koje boravi u Saveznoj Republici Jugoslaviji radi vršenja poslova u vezi sa programima pomoci Sjedinjenih Drzava, izuzima se od:
- (i) svakog poreza na prihod, za socijalno osiguranje i drugih poreza propisanih zakonima Savezne Republike Jugoslavije, u vezi sa prihodom ostvarenim po osnovu programa pomoci SAD;
- (ii) svih poreza, carinskih dazbina, uvozne takse, poreza na dodatnu vrednost i drugih slicnih poreza i dazbina na licnu imovinu i predmete za domacinstvo uvezene u Saveznu Republiku Jugoslaviju za licnu upotrebu pomenutog osoblja i clanova njihovih porodica, i takva licna imovina i predmeti za domacinstvo mogu se koristiti i izvesti iz Savezne Republike Jugoslavije bez ikakvih poreza, dazbina ili nameta;
- (iii) svih poreza na iznajmljivanje i drugih dazbina na najam licnih rezidencija takvog personala i njihovih porodica
- (iv) naknada za vize i dozvole boravka, kao i obaveze licnog podnosenja zahteva za vize i dozvole boravka.
- (d) Sluzbenici Vlade Sjedinjenih Americkih Drzava (i njihove porodice), izuzev drzavljana SRJ i lica sa stalnim boravkom u Saveznoj Republici Jugoslaviji, koji borave u Saveznoj Republici Jugoslaviji radi vršenja poslova u vezi sa programima pomoci Sjedinjenih Drzava, dobice status u skladu sa statusom koji se dodeljuje administrativnom i tehnickom osoblju shodno Beckovj konvenciji o diplomatskim odnosima.
- (e) U slucaju da Vlada Savezne Republike Jugoslavije nema procedure za izuzimanje od placanja poreza na dodatnu vrednost prilikom prodaje ili uvoza, Strane su saglasne da Vlada Savezne Republike Jugoslavije moze zadovoljiti uslove iz clana 3 ovog



Sporazuma u vezi sa porezom na dodatu vrednost refundiranjem takvog poreza u skladu sa razumnim sistemom za refundiranje.

- (f) Nista u ovom Sporazumu ne moze se tumaciti tako da derogira privilegije i imunitete na koje osoblje ima pravo shodno drugim propisima.

#### Clan 4

- (a) Sredstva uneta u Saveznu Republiku Jugoslaviju za svrhe programa pomoci Sjedinjenih Drzava mogu se pretvoriti u valutu Savezne Republike Jugoslavije, po kursu koji daje najveći broj jedinica te valute po jedinici valute Sjedinjenih Drzava, a koji, u trenutku konverzije, nije protivzakonit u Saveznoj Republici Jugoslaviji. Postojanje trzisno utvrđenog, plivajućeg deviznog kursa u Saveznoj Republici Jugoslaviji, u celini bi zadovoljilo uslove iz prethodne recenice.
- (b) Sredstva koja se unesu u Saveznu Republiku Jugoslaviju za svrhe programa pomoci Sjedinjenih Drzava bice izuzeta od svake devizne kontrole ili zahteva za investicije ili depozite koji su eventualno na snazi u Saveznoj Republici Jugoslaviji izuzev za potrebe uobicajenog informisanja i izvestavanja.

#### Clan 5

Vlada Sjedinjenih Americkih Drzava i Vlada Savezne Republike Jugoslavije moze, s vremena na vreme, da udje u implementacione aranžmane kojima se pomaze realizacija ovog Sporazuma.

#### Clan 6

- (a) Ovaj Sporazum stupa na snagu po razmeni diplomatskih nota kojima se potvrđuje da su Strane ispunile svoje interne uslove neophodne za stupanje na snagu ovog Sporazuma. Odredbe ovog Sporazuma primenjuju se na organizacije i pojedince, i na pomoc u vezi sa postojećim i budućim programima i aktivnostima pomoci Sjedinjenih Drzava. Odredbe koje se odnose na poreze i dazbine pocinju da se primenjuju stupanjem na snagu ovog Sporazuma.
- (b) Ovaj Sporazum moze se menjati, dopunjavati ili revidirati pismenim pristankom obeju strana.
- (c) Sporazum ostaje na snazi jos 30 (trideset) dana posto jedna od Strana primi pismeno obavestenje o nameri druge Strane da raskine Sporazum. Bez obzira na eventualan raskid iz ovog clana, Sporazum se i dalje primenjuje na pomoc obezbedjenu pre raskida.

U POTVRDU CEGA su dolepotpisani, za to propisno ovlašćeni, potpisali ovaj Sporazum.


Sacinjeno u Beogradu na engleskom i srpskom jeziku, pri cemu su oba teksta jednako autenticna, na dan 6. marta 2001.

Za Vladu Sjedinjenih Americkih Drzava  
William D. Montgomery, Ambasador



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Za Vladu Savezne Republike Jugoslavije  
Miroslav Labus, Potpredsednik Vlade



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