

# **LAW ON INTERNATIONAL DEVELOPMENT COOPERATION AND SENDING INTERNATIONAL HUMANITARIAN AID**

## **Subject**

### **Article 1**

Montenegro shall conduct international development cooperation, i.e. send humanitarian aid in accordance with this Law and international acts. conducts, i.e. sending in accordance with this Law and international acts.

## **International Development Cooperation**

### **Article 2**

International development cooperation shall include activities, programs and projects of Montenegro aimed at:

- contributing to the eradication of poverty;
- providing support to partner countries in achieving balanced and sustainable development in order to meet the basic interests, equal rights and freedoms of people, strengthen the capacities of the partner country, ensure long-term prosperity, achieve peace and security, and establishment of strong partnerships for sustainable development;
- strengthening cooperation with partner countries, in accordance with the priorities of Montenegro's foreign policy.

International development cooperation shall be realized through:

- bilateral development cooperation that includes activities, programs and projects of Montenegro intended for the partner country;
- trilateral development cooperation that includes activities, programs and projects implemented by Montenegro, the partner country and the third interested party;
- multilateral development cooperation that includes financial contributions of Montenegro to international organizations;
- and other forms of developmentcooperation.

## **International Humanitarian Aid**

### **Article 3**

International humanitarian aid shall include activities of Montenegro that are carried out for the purpose of:

- protecting and saving lives, preventing and alleviating suffering and preserving human dignity during and after an accident or catastrophe caused by natural or human activity or in some other unforeseen circumstances;
- providing aid and support in the programs to prevent and mitigate the long-term consequences and impacts of accidents or disasters caused by natural or human activity or any other unforeseen circumstances in the country in which they occurred.

## **Principles of International Development Cooperation and Sending International Humanitarian Aid**

### **Article 4**

International development cooperation and sending international humanitarian aid shall be based on the:

- principle of respect for human rights, according to which international development cooperation contributes to political, social and institutional reforms in partner countries that promote the realization of equal rights and freedoms for all people, while respecting the freedom of choice;

- principle of policy coherence for development, according to which international development cooperation objectives will be taken into account in defining and implementing policies which are likely to affect developing countries and will contribute to capacity building in partner countries in order to achieve the coherence and integrity of all policies for the purpose of promoting sustainable development;

- principle of an inclusive partnership for sustainable development, which stipulates cooperation of all stakeholders in the conduct of international development cooperation and sending of international humanitarian aid for the purpose of contributing to sustainable development;

- principles of humanity, impartiality, neutrality and independence, according to which international humanitarian aid is delivered irrespective of racial, ethnic, religious, gender and age, nationality or political commitment, in accordance with the stated needs and interests, respect for the culture and customs of the country to which it is delivered;

- principle of comparative advantage, according to which Montenegro, in accordance with national policies, achieves international development cooperation and sending international humanitarian aid in areas in which it has specific knowledge and experience, adequate human and material resources of benefit to the partner country;

- principle of good governance, according to which the decisions on international development cooperation and international humanitarian aid of Montenegro are adopted and implemented in a timely and efficient manner, in an open and clear manner in cooperation with the interested parties and with a focus on results;

- principle of transparency, according to which information on international development cooperation and sending international humanitarian aid is available to the public and to interested parties, in line with international standards;

- principle of international solidarity, according to which international development cooperation of Montenegro is implemented, i.e. international humanitarian aid is sent with the aim of contributing to the development and resolution of humanitarian issues and their consequences.

- principles of development effectiveness which enables the ownership of development priorities by the partner country, focus on results, inclusive partnerships and transparency and accountability.

## **Use of Gender-Sensitive Language**

### **Article 5**

The terms used in this Law for masculine natural persons shall imply the same terms in the feminine gender.

## **Definition of Terms**

### **Article 6**

Specific terms, within the meaning of this Law, shall have the following meaning:

1) The **partner country** means the countries or territories that the Organization for Economic Cooperation and Development (OECD) has placed on the DAC List of Official development assistance Recipients;

2) **Official development assistance** means the contributions of Montenegro to international organizations; and activities, programs and projects implemented by Montenegro in partner countries in accordance with the methodology and regulations of the Organization for Economic Cooperation and Development;

3) **Partnership for sustainable development** means joint activities of the entities - state bodies, state administration bodies, local self-government and local government bodies, public institutions, legal entities with public authorities, companies and entrepreneurs, non-governmental and other domestic and international organizations, institutions, citizens and other stakeholders through the pooling of knowledge, technologies, financial resources, material and other resources, for the purpose of achieving the goals of sustainable development in partner countries.

## **Strategic Planning**

### **Article 7**

Priority objectives and areas of action for the implementation of international development cooperation and sending international humanitarian aid in accordance with international obligations of Montenegro and in consultations with stakeholders shall be determined by the Strategy adopted by the Government of Montenegro (hereinafter: the Government), upon proposal of the state administration body responsible for foreign affairs (hereinafter referred to as "the Ministry").

## **Decision on International Development Cooperation**

### **Article 8**

Pursuant to the strategy referred to in Article 7, the Government shall make a decision on international development cooperation, on the proposal of the Ministry.

The decision on international development cooperation the Government shall adopt on the basis of international treaties.

The decision referred to in paragraph 1 and 2 of this Article include activities, programs and projects for the implementation of international development cooperation and indicative amount of funds that will be allocated.

## **Implementation of International Development Cooperation**

### **Article 9**

International development cooperation can be carried out by state bodies, state administration bodies, local self-government and local government bodies, public institutions, legal entities with public authorities and other entities within their competencies or activities.

The implementation of international development cooperation may be participated by other entities within the framework of the partnership for sustainable development (companies and entrepreneurs, non-governmental and other domestic and international organizations, other departments and institutions, citizens and other interested parties).

The implementation modalities of international development cooperation shall be prescribed by the Ministry.

## **Decision on Sending International Humanitarian Aid**

### **Article 10**

Upon the proposal of the Ministry, the Government shall adopt a decision on providing international humanitarian aid.

Draft decision referred to in paragraph 1 of this Article shall be elaborated by the Ministry in cooperation with the state administration body responsible for the protection and rescue activities and the Red Cross of Montenegro.

The decision referred to in paragraph 1 of this Article shall include forms of international humanitarian aid, bodies, which sent international humanitarian aid and the indicative amount of the funds to be allocated.

## **Sending International Humanitarian Aid**

### **Article 11**

International humanitarian aid shall be provided by state authorities/bodies, state administration bodies, local self-government and local government bodies, public institutions, legal entities with public authority and other entities within their respective competencies or activities.

Within the framework of the partnership for sustainable development, other entities (companies and entrepreneurs, non-governmental and other domestic and international organizations, other departments and institutions, citizens and other interested parties) may also be involved in providing international humanitarian aid.

The method of providing international humanitarian aid shall be prescribed by the Ministry.

## **Collecting Data and Record Keeping**

### **Article 12**

The Ministry shall collect data on international development cooperation and international humanitarian aid from:

- bodies, legal entities and other entities that participate in the implementation of international development cooperation and international humanitarian aid referred to in Article 9 paragraph 1 and Article 11 paragraph 1 herein,
- other entities referred to in Article 9 paragraph 2 and Article 11 paragraph 2 of this Law.

The bodies, legal entities and other entities referred to in paragraph 1 indent 1 of this Article shall submit to the Ministry data on international development cooperation and international humanitarian aid, during and after the implementation of the international development cooperation and sending international humanitarian aid, in the electronic form.

The Ministry shall keep records of data collected in accordance with paragraph 1 of this Article in the electronic form. The submission of data and record keeping in the electronic form shall be done in accordance with the laws regulating electronic administration, electronic identification and electronic signature, electronic document, electronic trade and information security. The content and method of collecting data and keeping of records referred to in paragraphs 1 and 3 of this Article shall be prescribed by the Ministry.

## **Reporting**

### **Article 13**

The Ministry shall annually report to the Government on the implementation of the international development cooperation and international humanitarian aid of Montenegro.

## **Informing**

### **Article 14**

The Ministry, state bodies, legal entities and other entities referred to in Article 9 paragraph 1 and Article 11 paragraph 1, in coordination with the Ministry, shall inform interested entities and the public about the implementation of international development cooperation and sending international humanitarian aid within the scope of their respective competence or activities.

## **Coordination**

### **Article 15**

The Ministry shall coordinate the implementation of international development cooperation and sending international humanitarian aid of Montenegro.

## **Financing**

### **Article 16**

Funds for financing international development cooperation and international humanitarian aid shall be provided from:

- The Budget of Montenegro;
- The budget of the Capital City, Old Royal Capital and the municipalities;
- Funds - donation;
- Other sources of financing.

## **Public Procurement for International Development Cooperation and International Humanitarian Aid**

### **Article 17**

Procurement of goods, services and works for the implementation of international development cooperation shall be subject to the provisions of the law regulating public procurement or carried out in accordance with the international treaties.

Public procurement for sending international humanitarian aid shall be carried out as urgent procurement in accordance with the provisions of the law regulating public procurement. The manner of implementation of international development cooperation, which is not defined by the law governing public procurement or international treaties, shall be prescribed by the Ministry.

## **Supervision**

### **Article 18**

Implementation of this Law shall be supervised by the Ministry.

## **Adoption of By-Laws**

### **Article 19**

By-laws for the implementation of this Law shall be adopted within one year from the date of entry into force of this Law.

## **Entry into Force**

### **Article 20**

This Law shall enter into force on the eighth day from the day of its publication in the "Official Gazette of Montenegro".