AGREEMENT

BETWEEN

THE CABINET OF MINISTERS OF UKRAINE

AND

THE GOVERNMENT OF THE REPUBLIC OF CROATIA

ON COOPERATION IN THE FIELD OF MINE ACTION

The Cabinet of Ministers of Ukraine and the Government of the Republic of Croatia (hereinafter referred to as "the Parties"),

Acknowledging the successful cooperation that has developed between Ukraine and the Republic of Croatia in the field of mine action;

Considering

- the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, done at Geneva on 10 October 1980;

- the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II, as amended on 3 May 1996) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, done at Geneva on 3 May 1996;

- the Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol V), done at Geneva on 28 November 2003;

- the Agreement between the Republic of Croatia and the Cabinet of Ministers of Ukraine on Mutual Protection of Classified Information, done at Kyiv on 14 July 2005;

- the 2022/2023 Action Plan Croatian-Ukrainian Working Group for Cooperation, signed on 9 December 2021;

Realizing that cooperation in the field of mine action will promote progress and safety for both States;

Recognizing the need for coordinated efforts to mitigate and eliminate the harmful consequences in the areas contaminated by explosive ordnance - remnants of war (hereinafter referred to as ERW);

In the spirit of friendly relations and with the intention of further strengthening the cooperation between the two States,

Have agreed as follows:

Article 1
Scope of the Agreement and Competent Authorities

1. This Agreement shall be concluded with the aim to promote the development of cooperation and assistance to the other Party in the field of mine action in order to mitigate socio-economic, safety, environmental, and other consequences resulting from the threat posed by ERW.

2. The competent authorities of the Parties for the implementation of the provisions of this Agreement shall be the following:

- for the Cabinet of Ministers of Ukraine: Secretariat of the Cabinet of Ministers of Ukraine, Centre for Humanitarian Demining; Ministry of Economy of Ukraine, Department for Humanitarian Demining; Ministry of Defense of Ukraine, Mine Action, Civil Protection and Environmental Safety Directorate; Ministry of Internal Affairs of Ukraine, State Emergency Service of Ukraine; Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine, Department of Temporarily Occupied Territories and Information Sovereignty;

- for the Government of the Republic of Croatia: Ministry of the Interior of the Republic of Croatia, Civil Protection Directorate.

3. The Competent Authorities shall inform each other of their contact details within thirty (30) calendar days from the date of the entry into force of this Agreement, after which they shall notify each other as soon as possible of any changes to those contact details.

Article 2
Definitions

For the purposes of this Agreement, the following definitions shall apply:

a) "mine action" means activities which aim to reduce the social, economic and environmental impact of mines, and ERW including unexploded sub-munitions. Mine action comprises five complementary groups of activities:
- mine risk education;
- humanitarian demining, i.e. mine and ERW survey, mapping, marking and clearance;
- victim assistance, including rehabilitation and reintegration;
- stockpile destruction; and
- advocacy against the use of anti-personnel mines;

b)"demining (humanitarian demining)" means a set of measures carried out by mine action operators to eliminate hazards associated with explosive ordnance, including a non-technical and technical survey of territories, mapping, detection, neutralization and/or disposal of explosive ordnance, marking, preparation of post-action documentation, provision of information to communities on mine action, and handover of cleared areas;

c) "explosive ordnance" (hereinafter referred to as EO) means industrial and home-made explosive materials, ammunition containing explosives, as well as biological and chemical substances: bombs and warheads; guided and ballistic missiles; artillery, mortar, rocket

ammunition and ammunition for small arms; all mines, torpedoes and depth charges; pyrotechnic items for military and special purposes; cluster bombs and cassettes; electric explosive devices; improvised explosive devices and other items that are explosive in nature;

d) "unexploded ordnance" (hereinafter referred to as UXO) means explosive ordnance that has been primed, fuzed, armed or otherwise prepared for use or used. It may have been fired, dropped, launched or projected yet remains unexploded either through malfunction or design or for any other reason;

e) "Abandoned explosive ordnance" (hereinafter referred to as AXO) means explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under the control of the party that left it behind or dumped it;

f) "explosive remnants of war" (hereinafter referred to as ERW) means unexploded ordnance (UXO) and abandoned explosive ordnance (AXO);

g) "expert" means a specialist in a particular area of mine action;

h) "competent authority" means the authority responsible for coordinating the implementation of this Agreement;

i) "equipment" means material and technical resources necessary to carry out mine action activities.

Article 3
Forms and Means of Cooperation

1. For the purposes set forth in Article 1 of this Agreement, the Parties may cooperate on the following:

a) measures of non-technical and technical survey, minefield clearance and battle area clearance, quality management (quality assurance and quality control) of demining measures (humanitarian demining);

b) explosive ordnance risk education for the population, providing assistance to mine and ERW victims;

c) developing a regulatory framework in the field of mine action, developing standard operating procedures that meet international mine action standards;
d) conducting trainings for specialists in non-technical survey, demining, quality control, information management, public awareness and explosive ordnance risk education, and other personnel in the field of mine action;

e) exchange of experience among experts, transfer of expert knowledge and best practices for demining (humanitarian demining) on the territories contaminated with mines and ERW;

f) identification of needs for the supply/purchase of equipment necessary to maintain an effective mine action system;

g) exchange of knowledge and experience on the development of capacities for the production of protective equipment for demining operational personnel, systems for the production of the equipment for the detection of mines, ERW and demining equipment, electronic services, as well as knowledge and experience in the training and certification of mine-detection dogs;

h) exchange of experience between teachers of demining training institutions on preparing of demining specialists;

i) joint planning, design and application of research projects and development of new demining methods;

j) facilitating the exchange of experience in the practical use of equipment used in demining;

k) organizing international conferences to raise funds to promote the clearance of mine and ERW contaminated areas, exchange of experience and expert knowledge;

l) encouraging the development of cooperation between the authorized departments of the Parties, mine action operators, non-governmental organizations and associations in the field of mine action.

2. The procedure for crossing the state border by representatives of the Parties for the implementation of these measures, transportation of equipment and machinery shall be carried out in accordance with the procedure provided for by national legislation.

3. Import of vehicles into the customs territory of the Parties for the purpose of technical inspection, exportation of goods and vehicles outside the customs territory of the Parties shall be carried out in accordance with the requirements of the national legislation of the importing Party.

4. The competent authorities of the Parties may also establish other forms of cooperation for the purpose of implementation of this Agreement.

Article 4
Relation with National Laws, International Treaties and Arrangements

The Parties shall implement the provisions of this Agreement in line with the relevant national legislation of the States of the Parties, as well as applicable international treaties, arrangements or other international obligations, the consent to be bound by which has been given.

Article 5
Protocols and Cooperation on the Implementation of the Agreement

1. The Parties may conclude protocols through their competent authorities or otherwise, for the purpose of carrying out cooperation under this Agreement.

2. In the implementation of this Agreement, the competent authorities may, in accordance with the procedure provided for by national legislation, involve civil society organisations and legal entities and/or private entrepreneurs in the field of mine action.

Article 6
Expenses

1. Each Party shall bear its own expenses related to the implementation of this Agreement, unless otherwise agreed by the Parties.

2. The ability to carry out activities in accordance with the provisions of this Agreement depends on the availability of personnel, funds and other resources.

Article 7
Exchange of Information and Data Confidentiality

1. The exchange and protection of the information necessary for the implementation of this Agreement shall be carried out in accordance with the relevant national legislation of the States of the Parties and applicable international treaties.

2. The Parties shall guarantee the confidentiality of all data received and marked as confidential in accordance with the provisions of this Agreement and national legislation.

3. Information exchanged by the Parties in accordance with the provisions of this Agreement may be used only for the purposes provided for in this Agreement, and must not be disclosed to any third party without the written permission of the Party that provided it.

Article 8
Language

For the purpose of implementing this Agreement, the competent authorities shall use the English language in their mutual communication, unless they otherwise agree.

Article 9
Settlement of Disputes

1. Any dispute related to the interpretation or application of the Agreement shall be settled through consultations between the Parties and shall not be referred to any international court or third party.

2. At the request of either Party, a meeting between representatives of the competent authorities may be convened.

Article 10
Amendments

This Agreement may be amended in writing by mutual agreement of the Parties. Unless otherwise provided by the Parties, any amendments shall enter into force in accordance with Article 11 of this Agreement.

Article 11
Final Provisions

1. This Agreement shall enter into force on the date of receipt of the last written notification by which the Parties inform each other through diplomatic channels that their internal procedures for the entry into force of this Agreement have been completed.

2. This Agreement is concluded for an unlimited period.

3. Either Party may terminate this Agreement at any time by sending written notice to the other Party through diplomatic channels. In such case, the Agreement shall terminate ninety (90) calendar days from the date of the notice of termination.

4. Each Party may suspend, in whole or in part, the application of the provisions of this Agreement for reasons of national security, including public safety, order and health. Any such suspension shall be immediately notified to the other Party through diplomatic channels.

5. The termination of this Agreement or the suspension of the application of any provision of this Agreement shall not affect the implementation of activities arising from its provisions, which started before its termination or suspension, unless the Parties agree otherwise.

Done at ZAGREB on 10.10.2023 in two originals in the Ukrainian, Croatian and English languages, all texts being equally authentic. In the event of any differences in the interpretation, the English text shall prevail.

For the Cabinet of Ministers of Ukraine

For the Government of the Republic of Croatia