

**No. 50030\***

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**United States of America  
and  
Bosnia and Herzegovina**

**Agreement between the Government of the United States of America and the Government of Bosnia and Herzegovina concerning economic, technical and related assistance for Bosnia and Herzegovina (with related letters). Sarajevo, 3 May 1996**

**Entry into force:** *3 May 1996 by signature, in accordance with article 7*

**Authentic texts:** *Bosnian and English*

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**États-Unis d'Amérique  
et  
Bosnie-Herzégovine**

**Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la Bosnie-Herzégovine relatif à l'assistance économique, technique et connexe à la Bosnie-Herzégovine (avec lettres connexes). Sarajevo, 3 mai 1996**

**Entrée en vigueur :** *3 mai 1996 par signature, conformément à l'article 7*

**Textes authentiques :** *bosniaque et anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *États-Unis d'Amérique, 24 août 2012*

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[ BOSNIAN TEXT – TEXTE BOSNIAQUE ]

SPORAZUM IZMEĐU  
VLADE SJEDINJENIH AMERIČKIH DRŽAVA  
I  
VLADE BOSNE I HERCEGOVINE  
O EKONOMSKOJ, TEHNIČKOJ I SRODNOJ POMOĆI  
ZA BOSNU I HERCEGOVINU

Vlada Sjedinjenih Američkih država i Vlada Bosne i Hercegovine (u daljem tekstu "Ugovorne Strane")

- uvažavajući činjenicu da Vlada Sjedinjenih Američkih Država poduzima, uz dogovor i saradnju sa Vladom Bosne i Hercegovine, program pomoći za Državu Bosnu i Hercegovinu ( Bosna i Hercegovina ) u cilju podrške miru, ekonomskoj i političkoj reformi;
- uvažavajući značaj uloge koju imaju privatne organizacije Sjedinjenih Američkih Država u realiziranju takvih programa pomoći;
- želeći da poveže i potvrdi određene sporazume i da ustanovi okvir za vođenje i unapređenje davanja pomoći koja je bila data do sada i koja može biti data u budućnosti od strane Vlade Sjedinjenih Američkih Država, uz poštivanje odgovarajućih zakona i propisa Sjedinjenih Američkih Država; i
- uvažavajući činjenicu da se Bosna i Hercegovina sastoji od dva Entiteta, Federacije Bosne i Hercegovine i Republike Srpske, kao što je navedeno i prihvaćeno u skladu sa Ustavom Bosne i Hercegovine, kako stoji u Aneksu 4 Općeg okvirnog sporazuma o miru u Bosni i Hercegovini,

Ovim su se sporazumjele kako slijedi:

## Član 1

Diplomatska misija Sjedinjenih Američkih Država u Bosni i Hercegovini je ovlaštena da izvršava i ispunjava obaveze Vlade Sjedinjenih Američkih Država prema ovome Sporazumu i u ovome cilju je formirano jedno odjeljenje diplomatske misije.

## Član 2

Vlada Bosne i Hercegovine i Vlada Entiteta koji dobija takvu pomoć će:

(a) Pružiti odgovarajuću i uzajamno dogovorenu pomoć, kakvu omogućuju njeni kadrovi, resursi, infrastrukturni i opšti ekonomski uvjeti, radi unapređenja ciljeva davanja pomoći;

(b) Poduzeti odgovarajuće korake radi osiguranja učinkovitog korišćenja takve pomoći;

(c) Dati Vladi Sjedinjenih Američkih Država potpunu i kompletnu informaciju u vezi sa realiziranjem pomoći koju je dala Vlada Sjedinjenih Američkih Država, kao i druge značajne informacije koje mogu biti potrebne predstavnicima Vlade Sjedinjenih Američkih Država u cilju ocjene prirode, obima i učinkovitosti takvih programa, projekata i aktivnosti pomoći.

(d) U razumnom roku, omogućiti predstavnicima Vlade Sjedinjenih Američkih Država uvid i pregled bilo kojeg programa, projekta i aktivnosti pomoći, kao i dokumenata koji se odnose na njih; i

(e) Ograničiti zahtjeve u pogledu registriranja i prijavljivanja za svaku javnu ili privatnu organizaciju koja je odgovorna za realiziranje programa pomoći Sjedinjenih Američkih Država u Bosni i Hercegovini, na jednu registraciju za svaku organizaciju isključivo kod Vlade Bosne i Hercegovine, koju će sama organizacija svake godine obnavljati, sve dok ta organizacija djeluje u Bosni i Hercegovini, podrazumijevajući, međutim, da drugi zahtjevi registriranja i prijavljivanja neće biti nametnuti takvim organizacijama od strane vlade Entiteta ili njegove niže administrativne jedinice.

### Član 3

U cilju osiguranja maksimalne koristi za stanovništvo Bosne i Hercegovine od pomoći koja će biti data, i osim uz eventualni zajednički sporazum:

(a) Usluge, robe, isporuke, oprema ili druga imovina, uključujući nekretnine, koji se koriste u vezi sa programima pomoći SAD, mogu se uvesti, izvesti, kupiti, koristiti ili rashodovati u Bosni i Hercegovini bez plaćanja bilo kakve carine, carinskih dažbina, uvoznih poreza, izvoznih poreza, poreza na dodatu vrijednost (VAT), poreza na kupovinu ili rashodovanje imovine i drugih poreza ili sličnih dažbina.

(b) Svaka javna ili privatna organizacija koja je odgovorna za realiziranje programa pomoći Sjedinjenih Država u Bosni i Hercegovini bit će oslobođena svih poreza na dohodak, dažbina za socijalno osiguranje i drugih dažbina koje su na snazi u Bosni i Hercegovini u pogledu dohotka ostvarenog na osnovu realiziranja programa pomoći Sjedinjenih Država. Dohodak ostvaren drugim aktivnostima u Bosni i Hercegovini nije ovim Sporazumom oslobođen oporezivanja prema zakonima koji važe u Bosni i Hercegovini.

(c) Svo osoblje (i njihove porodice), izuzimajući državljane Bosne i Hercegovine ili stalno nastanjene u Bosni i Hercegovini, koji rade na osnovu ugovora sa ili su zaposleni u bilo kojoj javnoj ili privatnoj organizaciji koja je odgovorna za realiziranje programa pomoći Sjedinjenih Država i koji borave u Bosni i Hercegovini radi izvršavanja poslova u vezi sa programima pomoći Sjedinjenih Država, bit će oslobođeni od:

(1) svih poreza na dohodak, dažbina za socijalno osiguranje i drugih dažbina koje važe u Bosni i Hercegovini u pogledu dohotka ostvarenog na osnovu programa pomoći Sjedinjenih Država;

(2) svih carina, carinskih dažbina, uvoznih taksi, VAT i drugih sličnih poreza i dažbina koje su određene za robe lične potrošnje i robe za domaćinstva koje se uvoze u Bosnu i Hercegovinu u periodu od šest mjeseci od datuma njihovog dolaska u Bosnu i Hercegovinu, i to za robe koje su namijenjene ličnom korišćenju takvog osoblja i članova njihovih porodica i takve robe za ličnu potrošnju ili za domaćinstva mogu se koristiti u ili izvesti iz Bosne i Hercegovine bez plaćanja bilo kakvog poreza;

(3) svih poreza na iznajmljivanje ili drugih poreza na lizing za stambene jedinice takvog osoblja i njihovih porodica u Bosni i Hercegovini; i

(4) svih plaćanja za vize, boravišne, radne i druge dozvole, kao i obaveze da se lično prijavljuju za takve dokumente koji se zahtijevaju u Bosni i Hercegovini, podrazumijevajući, međutim, da će Vlada Bosne i Hercegovine, putem Ministarstva inostranih poslova ili nekog drugog odgovarajućeg ministarstva, olakšati i ubrzati proces dobijanja viza, boravišnih, radnih i drugih dozvola, koje se mogu zahtijevati za osoblje (i njihove porodice) opisane u Članu 3 (c) ovdje.

(d) Zaposleni u Vladi Sjedinjenih Američkih Država (i njihove porodice), izuzimajući državljane Bosne i Hercegovine ili stalno nastanjene u Bosni i Hercegovini, koji borave u Bosni i Hercegovini radi izvršavanja poslova u vezi sa programima pomoći SAD, i koji nisu članovi diplomatske misije, dobit će status jednak onom statusu koji se odobrava administrativnom i tehničkom osoblju prema Bečkoj konvenciji o diplomatskim odnosima.

(e) U slučaju da u Bosni i Hercegovini ne postoje procedure oslobađanja od plaćanja VAT, prema Članu 3, na lokaciji prodaje ili uvoza, Vlada Entiteta koji prima pomoć će refundirati plaćanje takvih poreza prema razumnom sistemu refundiranja.

(f) Ništa u ovom Sporazumu neće se tumačiti tako da poništi privilegije i imunitete na koje osoblje inače ima pravo.

#### Član 4

Finansijska sredstva unijeta u Bosnu i Hercegovinu za programe pomoći bit će:

(a) Konvertibilna u bilo koju valutu koja se koristi u Bosni i Hercegovini uz kurs koji obezbjeđuje najveći broj jedinica takve valute na jedan US dolar i koji, u vrijeme kada se vrši konverzija, nije protivzakonit; i

(b) Izuzeta od svih deviznih kontrola ili zahtijeva u pogledu investiranja i depozita, koji mogu važiti u Bosni i Hercegovini.

Član 5

Odredbe ovoga sporazuma odnosit će se na, biti na snazi u i primjenjivati se od strane svakog Entiteta i niže administrativne jedinice Bosne i Hercegovine.

Član 6

Vlada Sjedinjenih Američkih Država i Vlada Bosne i Hercegovine mogu, povremeno, stupiti u operativne sporazume koji će pomoći realiziranje ovoga Sporazuma.

Član 7

(a) Ovaj Sporazum će stupiti na snagu nakon što ga potpišu obje Ugovorne Strane. Odredbe ovoga Sporazuma primjenjivat će se na organizacije i osobe od datuma njihovog dolaska u Bosnu i Hercegovinu u vezi sa programima pomoći Sjedinjenih Država, bilo da je taj datum prije ili poslije datuma stupanja na snagu ovoga Sporazuma i također će se primjenjivati na pomoć datu prije ili poslije tog datuma. Ovaj Sporazum može biti proširen ili promijenjen na osnovu pismenog sporazuma Ugovornih Strana.

(b) Ovaj Sporazum će ostati na snazi do isteka trideset (30) dana nakon što bilo koja od Ugovornih Strana primi pismenu obavijest od druge Ugovorne Strane o namjeri prekidanja Sporazuma. Uprkos tom prekidu, ovaj Sporazum će biti primjenjivan na pomoć datu prije datuma prekida.

DOGOVORENO I POTPISANO u Sarajevu, u dva teksta istovjetnog sadržaja i istovjetne validnosti na Engleskom i Bosanskom jeziku, na dan 3. mjeseca Maja 1996.g.

Za Vladu Sjedinjenih  
Američkih Država

John K. Menzies  
Ambasador

Za Vladu Bosne i  
Hercegovine

Dr. Hasan Muratovic  
Predsjednik Vlade  
Bosne i Hercegovine

[ ENGLISH TEXT – TEXTE ANGLAIS ]

AGREEMENT BETWEEN  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND  
THE GOVERNMENT OF BOSNIA AND HERZEGOVINA  
CONCERNING  
ECONOMIC, TECHNICAL AND RELATED ASSISTANCE  
FOR BOSNIA AND HERZEGOVINA

The Government of the United States of America and the Government of Bosnia and Herzegovina (hereinafter referred to as the "Parties")

- recognizing that the Government of the United States of America is undertaking, in consultation and cooperation with the Government of Bosnia and Herzegovina, a program of assistance for the State of Bosnia and Herzegovina ("Bosnia and Herzegovina") in support of peace, and economic and political reform;
- recognizing the important role played by United States private organizations in implementing such assistance programs;
- desiring to consolidate and confirm certain arrangements and to establish a framework to govern and facilitate the provision of 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
- recognizing that Bosnia and Herzegovina consists of two Entities, the Federation of Bosnia and Herzegovina, and the Republika Srpska, as stated and agreed to in accordance with the Constitution of Bosnia and Herzegovina, as set forth in Annex 4 of the General Framework Agreement for Peace in Bosnia and Herzegovina,

Hereby agree as follows:

TR/240812/I-50030

### **Article 1**

The diplomatic mission of the United States of America to Bosnia and Herzegovina is authorized to 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 Bosnia and Herzegovina, and the Government of the Entity receiving such assistance shall:

(a) Make such contribution as may be appropriate and as mutually agreed, 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;

(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; and

(e) Limit registration and notification requirements. for any public or private organization that has responsibility for implementing United States assistance programs in Bosnia and Herzegovina, to one registration by organization solely with the Government of Bosnia and Herzegovina, which shall be updated by the organization on an annual basis, as long as the organization is working in Bosnia and Herzegovina, provided, however, that other registration and notification requirements shall not be imposed on such organizations by any Entity or subdivision thereof.

### Article 3

In order to assure the maximum benefit to the people of Bosnia and Herzegovina from the assistance to be furnished hereunder, and except as may be mutually agreed:

(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 or disposed of in Bosnia and Herzegovina 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 Bosnia and Herzegovina shall be exempt from any income, social security or other taxes imposed in Bosnia and Herzegovina with respect to income derived from the implementation of United States assistance programs. Income derived from other activities in Bosnia and Herzegovina is not exempted by this Agreement from taxation under the laws in force in Bosnia and Herzegovina.

(c) All personnel (and their families), except nationals or permanent residents of Bosnia and Herzegovina, 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 Bosnia and Herzegovina to perform work in connection with United States assistance programs, shall be exempt from:

(1) any income, social security or other taxes levied in Bosnia and Herzegovina with respect to income derived from United States assistance programs;

(2) any tariffs, customs duties, import taxes, VAT and other similar taxes and charges assessed upon personal or household goods imported into Bosnia and Herzegovina within a period of six months from the date of their arrival in Bosnia and Herzegovina for the personal use of such personnel and members of their families, and such personal or household goods may be used in and exported from Bosnia and Herzegovina free from any such taxes;

(3) any taxes on rent or other taxes on leases for the personal residences of such personnel and their families in Bosnia and Herzegovina; and

(4) any visa, resident, work and other permit fees, as well as the obligation to personally apply for such documents which are required in Bosnia and Herzegovina, provided, however, that the Government of Bosnia and Herzegovina shall, through the Ministry of Foreign Affairs, or such other Ministry as may be appropriate, facilitate and expedite the process of obtaining visas, resident, work and other permits, as may be required for the personnel (and their families) described in Article 3(c) hereof.

(d) Employees of the Government of the United States of America (and their families), except nationals or permanent residents of Bosnia and Herzegovina, who are present in Bosnia and Herzegovina to perform work in connection with United States assistance programs, and who are not members of the diplomatic mission, shall be accorded status equivalent to that accorded to administrative and technical staff personnel under the Vienna Convention on diplomatic relations.<sup>1</sup>

(e) In the event that procedures to exempt payment of VAT, pursuant to Article 3, at the point of sale or importation do not exist in Bosnia and Herzegovina, the Government of the Entity which receives the assistance shall rebate the payment of such taxes pursuant to a reasonable rebate system.

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

#### **Article 4**

Funds brought into Bosnia and Herzegovina for assistance programs shall be:

(a) Convertible into any currency used in Bosnia and Herzegovina at the rate providing the largest number of units of such currency per United States dollar which, at the time the conversion is made, is not unlawful; and

(b) Exempt from any currency controls or investment or deposit requirements which may be in effect in Bosnia and Herzegovina.

**Article 5**

The provisions of this Agreement shall apply to, and be enforced in, and by, every Entity and governmental subdivision of Bosnia and Herzegovina.

**Article 6**

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

**Article 7**

(a) This Agreement shall enter into force upon signature by both Parties. The provisions of this Agreement shall apply to organizations and individuals as of the date of their arrival in Bosnia and Herzegovina in connection with U.S. assistance programs, whether before or after the date this Agreement enters into force and shall also apply to assistance provided before or after such date. This Agreement may be amended or revised by written agreement of the Parties.

(b) This Agreement shall remain in force until thirty (30) days after the receipt by either Party of written notification by the other Party of its intention to terminate the Agreement. Notwithstanding any such termination, this Agreement shall be applicable to assistance furnished before the date of termination.

DONE at Sarajevo, in the English and Bosnian languages, both texts being equally authentic, on the 3rd day of May, 1996.

For the Government of the  
United States of America:

John K. Menzies  
Ambassador

For the Government of  
Bosnia and Herzegovina:

Hasan Muratovic  
Prime Minister

[RELATED LETTERS]

*United States Agency for International Development*  
Office of the Director  
Sarajevo, Bosnia and Herzegovina

May 3, 1996

Excellency:

The purpose of this letter is to inform you that, depending on future developments, the United States Government may request a side letter, signed by an appropriate official of Republika Srpska, confirming that the terms and conditions set forth in the "Agreement Between the Government of the United States of America and the Government of Bosnia and Herzegovina Concerning Economic, Technical and Related Assistance for Bosnia and Herzegovina" (Bilateral), are acceptable to the Government of Republika Srpska, and will be enforced by the Government of Republika Srpska within all subdivisions thereof.

Sincerely yours,

Craig G. Buck  
Director  
USAID/Bosnia and Herzegovina

His Excellency  
Jadranko Prlic  
Minister of Foreign Affairs  
Bosnia and Herzegovina

*United States Agency for International Development*  
Office of the Director  
Sarajevo, Bosnia and Herzegovina

May 3, 1996

Excellency:

The purpose of this letter is to set forth procedures for implementing certain of the terms and conditions set forth in the "Agreement Between the Government of the United States of America and the Government of Bosnia and Herzegovina Concerning Economic, Technical and Related Assistance for Bosnia and Herzegovina" (Bilateral). Specifically, we hereby request that you indicate, by your signature below, that the Government of Bosnia and Herzegovina will immediately inform the Entities, as defined in the Bilateral, in writing upon the occurrence of each organizational registration, as well as annual updates thereof, in accordance with Article II(e) of the Bilateral. Such timely notification will assist the Entities in meeting their responsibilities in providing the necessary privileges, immunities and exemptions stated in the Bilateral. To further facilitate effective implementation of the Bilateral, in accordance with Article VII(a), the Government of Bosnia and Herzegovina will also notify the Entities of any such organizational registration which occurred prior to the signing of the Bilateral.

We look forward to effective and successful implementation of our assistance programs in Bosnia and Herzegovina.

Sincerely yours,

Craig G. Buck  
Director  
USAID/Bosnia and Herzegovina

Countersignature:

Hasan Muratovic  
Prime Minister  
Bosnia and Herzegovina

MAY 7 1996

cc: Federation of Bosnia and Herzegovina

His Excellency  
Hasan Muratovic  
Prime Minister  
Bosnia and Herzegovina

*Embassy of the United States of America*

May 3, 1996

Excellencies:

In conjunction with the signing of the "Agreement Between the Government of the United States of America and the Government of Bosnia and Herzegovina Concerning Economic, Technical and Related Assistance for Bosnia and Herzegovina" (Bilateral), we hereby request the countersignatures indicated below on behalf of the Federation of Bosnia and Herzegovina (Federation), confirming the following:

The Federation recognizes that the Government of Bosnia and Herzegovina is undertaking certain obligations by executing the Bilateral. The terms and conditions set forth in the Bilateral are acceptable to the Government of the Federation and will be enforced within all subdivisions of the Federation.

We look forward to working with the Federation of Bosnia and Herzegovina to successfully implement our assistance programs.

Sincerely yours,

John K. Menzies Ambassador

Countersignature:

Kresimir Zubak  
President  
Federation of Bosnia  
and Herzegovina

May 3, 1996

Countersignature:

Ejup Ganic  
Vice President  
Federation of Bosnia  
and Herzegovina

May 3, 1996

His Excellency

Kresimir Zubak  
President  
Federation of Bosnia and Herzegovina

and

His Excellency

Eyup Ganic  
Vice President  
Federation of Bosnia and Herzegovina