

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF KOSOVO
AND
THE GOVERNMENT OF MONTENEGRO
ON
REGULATING BORDER TRAFFIC REGIME**

The Government of the Republic of Kosovo and the Government of Montenegro (hereinafter referred to as: „Signatories“),

Considering the friendly and good-neighbouring relations and cooperation between the two countries,

Taking into consideration the realistic possibilities for further strengthening and enhancing of the mutually beneficial and long-term cooperation between the two countries, and their desire to ensure the most favorable conditions for the development of such cooperation,

In the light of their intention to implement the solution aimed at improving the European and regional traffic infrastructure,

With the intention to open the new border crossing points aimed at developing and improving the cooperation between the residents of the border areas, which is the foundation for a good cooperation between the neighbouring countries, and to prevent organised crime incidents and illegal crossings of the state border,

Responding to the demands of the local authorities to ease the common border crossing of for border residents of the Signatory territories, aimed to regulate everyday necessities of life, and having been confirmed at different political levels,

have agreed as follows:

CHAPTER I

GENERAL PROVISIONS

**Article 1
Subject**

This Agreement establishes a border traffic regime at the common state border of the Signatories.

Article 2

This Agreement shall not affect the provisions of the national law of Signatories relating to:

1. the permanent residence;
2. access to and exercise of the economic activities;
3. customs and taxation matters.

Article 3 Definition

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

1. „state border“ defines the common land border between the Republic of Kosovo and Montenegro;
2. „border area“ defines an area on territories of the Signatories, which extends no more than 30 km from the state border. The local administrative districts to be considered as the border area, shall be specified by the Signatories.

If part of any such administrative district in the border area extends more than 30 km from the border line, but not more than 35 km, it shall be considered in its entirety as part of the border area.

3. „border residents“ defines the Signatory nationals who have been lawfully residing in the border area for the period of at least 3 (three) years;
4. „border traffic“ defines the regular crossing of the state border by border residents in order to stay in the border area of the other Signatory for social, cultural, sport, educational, economic, family, religious or other justifiable causes, for the period not exceeding the time limit laid down in this Agreement.
5. „permit–approval for the border traffic“ (hereinafter referred to as the „permit -approval“) defines a travel document, entitling border residents to cross the state border and to stay in the border area of the other Signatory, under the provisions of this Agreement.

CHAPTER II

BORDER TRAFFIC REGIME

Article 4

Entry requirements for the crossing of the state border

Border residents may cross the state border under the border traffic regime, on the condition that they:

1. are in the possession of the permit for border traffic;
2. are not individuals who are prohibited from entering the country, for the reasons of a pending alert being issued for their name in the Information System (IT System)

3. are not considered to be a threat to public safety, public health and international relations.

Article 5
Stay in the border area

Border residents may stay in the border area of the other Signatory for the time span no longer than 3 (three) months, in the time frame of 6 (six) months during one calendar year.

In the case that the duration of residing in a border area of other Signatory exceeds 3 (three) months for the reason of attending regular education, provisions of the Signatories' national laws shall be applicable.

Article 6
Entry and exit border checks

Affixing of stamps on travel documents of the border residents shall be done in line with the national laws of the Signatories.

For the purpose of keeping the entry, exit and stay records of the border residents, a special supplementary declaration can be issued which stamps are affixed on.

Signatories may exempt the border residents who cross the state border under the border traffic regime, from the obligatory affixing of stamps on documents.

CHAPTER III
PERMIT FOR BORDER TRAFFIC

Article 7

Permit – approval for the border traffic shall be issued by a competent institution of the Signatory.

Border permit – approval shall be issued by the Border Police of the Republic of Kosovo for staying in the border area of Republic of Kosovo.

Border permit – approval shall be issued by the Border Police of Montenegro for staying in the border area of Montenegro.

The list of submitted applications for the issuance of permits-approvals for the border traffic shall be done by the competent border bodies - Border Police of Republic of Kosovo and Border Police of Montenegro and mutual sharing among them with the aim of its issuance.

Competent bodies of the Signatories shall keep evidence on the submitted and rejected applications and issued, extended, lost and revoked permits.

Article 8
Permit

Permit shall contain:

1. title „Permit –approval for the border traffic“ and its number;
2. name and surname, date of birth, nationality, place of permanent residence and a photograph (in colour) of the holder, no older than 6 months;
3. the issuing authority, date of issue and period of validity;
4. the border area within which the holder of the permit is authorised to move and stay;
5. the number of the document proving the identity of the permit holder;
6. the warning that the permit holder shall be authorised to move and stay only in the border area and that any abuse shall be subject to penalties;
7. the border permit –approval shall contain technical characteristics – specifications, as laid down by the provisions of the Signatories.

Article 9 **Agriculture supplementary declaration**

Assuming an individual carries the border permit, and has previously applied for the agriculture supplementary declaration (hereinafter referred to as: „Supplementary declaration“), he/she can be issued with it taken that he/she is:

1. the owner, co-owner, dual owner, lessee or user of an agricultural land which is divided by the border line or such land is in its entirety located in the border area of the other Signatory;
2. a family member or a farmer under contractual relation with a person specified in the subparagraph 1;
3. the owner of domestic animals and bees, which are going to the pasture or work in the neighbouring border area, as well as a shepherd or stock breeder who is in a contractual relation with the owner;
4. a person entitled to use the forest or water in the border area of the other Signatory;
5. an owner, co-owner, lessee or user of the agricultural land, as well as a member of their closer family and a farmer who is in a contractual relation with them, and who has to cross the border crossing points between the Signatories, being the most suitable path to their agricultural land, although that land and their place of residence is located in the border area of the same Signatory;
6. an employee of a private company or another legal entity which has such land.

Article 10

Holders of the border permit – approval with the supplementary declaration shall be entitled, under the laws and other regulations of the Signatories, to: