

Na osnovu člana 21 stav 2 Zakona o zaključivanju i izvršavanju međunarodnih ugovora („Službeni list CG“, broj 77/08), Vlada Crne Gore na sjednici od _____ 2019. godine, donijela je

**ODLUKU
O OBJAVLJIVANJU SPORAZUMA O SARADNJI IZMEĐU VLADE CRNE GORE I VLADE
REPUBLIKE KOSOVO U KONTEKSTU PRISTUPANJA EVROPSKOJ UNIJI**

Član 1

Objavljuje se Sporazum o saradnji između Vlade Crne Gore i Vlade Republike Kosovo u kontekstu pristupanja Evropskoj Uniji, potpisan u Prištini, 21. marta 2019. godine, u originalu na crnogorskom, albanskom, srpskom i engleskom jeziku.

Član 2

Tekst Sporazuma iz člana 1 ove odluke, u originalu na crnogorskom i engleskom jeziku, glasi:

**SPORAZUM O SARADNJI
IZMEĐU
VLADE CRNE GORE
I
VLADE REPUBLIKE KOSOVO
U KONTEKSTU PRISTUPANJA EVROPSKOJ UNIJI**

Vlada Crne Gore i Vlada Republike Kosovo (u daljem tekstu: ugovorne strane);

POLAZEĆI od strateškog cilja ostvarivanja punopravnog članstva u Evropskoj uniji (u daljem tekstu: „EU“);

POLAZEĆI od Zaključaka predsjedništva Evropskog savjeta u Solunu i Samita EU i zemalja u Procesu stabilizacije i pridruživanja iz juna 2003;

OHRABRENE obnovljenim konsenzusom o proširenju, kako je utvrđeno u zaključcima predsjedništva Evropskog savjeta u Briselu iz 2006, kao i ponovljenom podrškom EU politici proširenja iskazanoj u Kredibilnoj strategiji proširenja EK iz februara 2018. i Deklaraciji Samita u Sofiji iz maja 2018;

POZDRAVLJAJUĆI stupanje na snagu Sporazuma o stabilizaciji i pridruživanju između EU i Republike Kosovo 1. aprila 2016. godine, kao prvog formalnog obligacionog odnosa između EU i Republike Kosovo;

PODSJEĆAJUĆI na značaj individualnog pristupa u procjeni ispunjenja kriterijuma za članstvo u EU;

SVJESNE važnosti obostranog doprinosa napretku u postizanju trajne afirmacije evropskih vrijednosti u regionu;

NAGLAŠAVAJUĆI značaj institucionalnih, ekonomskih i pravnih reformi u postizanju standarda EU;

PODSJEĆAJUĆI na opredjeljenje EU da podrži reforme u regionu kroz različite programe i instrumente za finansijsku i stručnu pomoć;

ODLUČNE da dalje razvijaju dobrosusjedske odnose i regionalnu saradnju;

SVJESNE značaja daljeg unapređenja saradnje u područjima od obostranog interesa u cilju bržeg usaglašavanja nacionalnog zakonodavstva s pravnom tekovinom EU;

U ŽELJI da unaprijede politički dijalog s posebnim akcentom na saradnju koja ima za cilj integraciju u evropske strukture;

UZIMAJUĆI U OBZIR sve bilateralne sporazume zaključene između ugovornih strana;

SAGLASILE SU SE O SLJEDEĆEM:

POGLAVLJE I

Politički dijalog

Član 1

Ugovorne strane su saglasne da intenziviraju svoj politički dijalog u cilju unapređenja saradnje u kontekstu evropskih integracija i pristupanja i afirmacije evropskih vrijednosti u bilateralnoj i regionalnoj saradnji.

Član 2

Politički dijalog će se odvijati putem sastanaka ministra vanjskih poslova Crne Gore i ministra vanjskih poslova Republike Kosovo ili putem godišnjih sastanaka predstavnika dva ministarstva na visokom nivou.

Politički dijalog će podsticati saradnju u oblastima od zajedničkog interesa u procesu pristupanja EU i na pitanjima vezanim za stabilnost u regionu i za unapređenje regionalne saradnje.

Ugovorne strane će biti otvorene za saradnju s drugim državama u procesu proširenja.

Član 3

Ugovorne strane će jačati politički dijalog između Ministarstva vanjskih poslova Crne Gore i Ministarstva vanjskih poslova Republike Kosovo i ostalih relevantnih vladinih institucija.

U okviru ove saradnje, ugovorne strane, uključujući ostale relevantne vladine institucije, će na operativnom nivou vršiti konsultacije o:

- reformi zakonodavstva i usklađenosti nacionalnog pravnog poretka s pravnom tekovinom EU;
- tekućim i nastupajućim trendovima u procesu pristupanja EU;
- upravljanju Instrumentom za pretpristupnu pomoć i drugom pomoći vezanom za integraciju dvije države u EU;
- razmjeni eksperata u oblastima od zajedničkog interesa;
- stručnoj i administrativnoj pomoći.

Član 4

U cilju razvoja ukupnih odnosa u regionu i ubrzavanja procesa evropske integracije i pristupanja, ugovorne strane će podsticati saradnju između skupština, naročito između odbora nadležnih za pristupanje EU, i doprinosiće unapređenju međuskupštinske saradnje u regionu.

POGLAVLJE II

Privredna i trgovinska saradnja

Član 5

Ugovorne strane će sarađivati kako bi osigurale sprovođenje Sporazuma o izmjeni i pristupanju Centralnoevropskom sporazumu o slobodnoj trgovini, sačinjenom u Bukureštu 19. decembra 2006. godine.

Član 6

Ugovorne strane će razmatrati potencijale jačanja ekonomske saradnje i nastojeće da ostvare napredak u oblastima od uzajamnog interesa.

Član 7

Ugovorne strane će obezbijediti zaštitu prava intelektualne svojine, uključujući i mjere za osiguranje i ostvarivanje tih prava u skladu sa međunarodnim standardima i njihovim odgovarajućim nacionalnim zakonodavstvom.

POGLAVLJE III

Kretanja radnika i kapitala, poslovno nastanjivanje i pružanje usluga

Član 8

U pogledu kretanja radnika i kapitala, ugovorne strane će obezbijediti jedna drugoj jednak tretman.

Uzimajući u obzir mogućnosti zapošljavanja na osnovu situacije na tržištu rada svake od ugovornih strana, kretanje radnika može se urediti posebnim sporazumom.

Član 9

Ugovorne strane će omogućiti slobodno kretanje kapitala i u tom cilju obezbijediće adekvatne podsticaje i zaštitu. Tekuća plaćanja između ugovornih strana će se izvršiti u skladu s odredbama Statuta Međunarodnog monetarnog fonda u konvertibilnoj valuti prema uobičajenoj praksi međunarodnog bankarstva.

Član 10

Ugovorne strane su saglasne da podstiču međusobnu saradnju u pružanju usluga u skladu s odgovarajućim odredbama CEFTA 2006 Sporazuma.

POGLAVLJE IV

Usklađivanje zakonodavstva s pravnom tekovinom EU

Član 11

S obzirom na proces pristupanja Evropskoj uniji, ugovorne strane ističu značaj usklađivanja svojih postojećih i budućih zakona s pravnom tekovinom EU, jačanja saradnje i razmjenu iskustava u tom cilju.

POGLAVLJE V

Saradnja u oblasti vladavine prava

Član 12

Ugovorne strane su saglasne da intenziviraju saradnju u oblasti vladavine prava, a naročito u pogledu razmjene informacija o politici azila, migracija, readmisije, borbe protiv organizovanog kriminala, trgovine ljudima, viznog režima, pranja novca, korupcije, krijumčarenja, ilegalne trgovine narkoticima i oružjem, borbe protiv međunarodnog terorizma i nasilnog ekstremizma, zaštite ličnih podataka, reforme pravosuđa i usvajanja evropskih standarda u ovim oblastima.

Član 13

Ugovorne strane saglasne su da saraduju u sprečavanju upotrebe svojih finansijskih sistema za pranje prihoda od kriminalnih aktivnosti, naročito prihoda stečenog organizovanim kriminalom.

Saradnja na ovom polju fokusiraće se na sprovođenje pravne tekovine EU i djelotvornu primjenu međunarodnih standarda i mehanizama za borbu protiv pranja novca.

Član 14

Ugovorne strane će saradivati na povećanju efikasnosti politika i mjera za suzbijanje protivzakonite nabavke i trgovine narkoticima i psihotropnih supstanci i prekursora, te na smanjenju zloupotrebe narkotika i drugih psihotropnih supstanci.

Član 15

U cilju poboljšanja kapaciteta javne uprave, kao i jačanja nezavisnosti, nepristrasnosti i odgovornosti pravosuđa, ugovorne strane mogu da saraduju u programima obuka službenika, odnosno nosilaca pravosudnih funkcija.

POGLAVLJE VI

Saradnja u drugim oblastima

Član 16

Ugovorne strane će podsticati saradnju u oblasti zaštite životne sredine, naročito u zajedničkom upravljanju zaštitom biodiverziteta, zaštitom vazduha, sprečavanjem ilegalnog prekograničnog kretanja otpada i usaglašavanjem zakonodavstva s pravnom tekovinom EU da bi se postigao jedinstveni pravni okvir za zaštitu i unapređenje životne sredine.

Ugovorne strane će raditi na jačanju administrativnih kapaciteta javne uprave i podsticati saradnju između jedinica lokalne samouprave u oblasti funkcionisanja lokalne samouprave, pripreme jedinica lokalne samouprave za pristup EU, pristupa i korišćenja fondova iz finansijskih instrumenata EU, unapređenja regionalnog razvoja i teritorijalne saradnje, saradnje između planskih regija i saradnje između regionalnih institucija i tijela.

Ugovorne strane će gdje je neophodno podsticati saradnju i u drugim oblastima koje su od zajedničkog interesa.

POGLAVLJE VII
Institucionalni mehanizmi i opšte odredbe

Član 17

Ovaj sporazum će uspostaviti institucionalne mehanizme kako slijedi:

- Sastanak ministra vanjskih poslova Crne Gore i ministra vanjskih poslova Republike Kosovo u okviru političkog dijaloga, koji obuhvata razvoj saradnje, rješavanje pitanja u vezi s pristupom ugovornih strana EU, kao i pitanja od interesa za region i za zajedničku vanjsku i bezbjednosnu politiku EU;
- Zajednički odbor sastavljen od predstavnika Ministarstva vanjskih poslova Crne Gore i Ministarstva vanjskih poslova Republike Kosovo, koji na operativnom nivou raspravlja o sprovođenju ovog sporazuma i priprema sastanke na ministarskom nivou, zajedno s predstavnicima drugih ministarstava i institucija koje se bave evropskim poslovima;
- Zajedničke radne grupe za unapređenje saradnje u konkretnim oblastima.

Član 18

Ugovorne strane će o jačanju svoje saradnje obavještavati i konsultovati se s EU.

Evropska komisija može biti pozvana da kao posmatrač prisustvuje sastancima koji se organizuju u okviru ovog sporazuma.

POGLAVLJE VIII

Završne odredbe

Član 19

Ovaj sporazum zaključuje se na neodređeni period.

Svaka od ugovornih strana može otkazati ovaj sporazum tako što će o tome obavijestiti drugu stranu, diplomatskim putem, najmanje šest mjeseci unaprijed.

Član 20

Svaki spor koji nastane u tumačenju ili primjeni ovog sporazuma rješavaće se putem bilateralnih konsultacija.

Član 21

Ovaj sporazum stupa na snagu na dan prijema posljednje diplomatske note kojom ugovorne strane obavještavaju jedna drugu da su ispunjeni zahtjevi predviđeni njihovim unutrašnjim zakonodavstvom za njegovo stupanje na snagu.

Član 22

Ovaj Sporazum ne dovodi u pitanje prava i obaveze koje proizilaze iz ugovora koji su na snazi za ugovorne strane.

Član 23

Stupanjem na snagu ovog sporazuma, prestaje da važi *Sporazum o saradnji između Vlade Republike Kosovo i Vlade Crne Gore u procesu evropskih integracija*, potpisan 27. februara 2014. godine.

Sačinjeno u Prištini, dana 21. marta 2019. godine, u dva originalna primjerka, svaki na albanskom, srpskom, crnogorskom i engleskom jeziku pri čemu su svi tekstovi jednako vjerodostojni. U slučaju razlika u tumačenju, mjerodavan je tekst na engleskom jeziku.

ZA VLADU CRNE GORE

Srđan Darmanović, s.r.
Ministar vanjskih poslova

ZA VLADU REPUBLIKE KOSOVO

Behgjet Pacolli, s.r.
Prvi zamjenik premijera i ministar vanjskih poslova

**AGREEMENT ON COOPERATION
BETWEEN
THE GOVERNMENT OF MONTENEGRO
AND
THE GOVERNMENT OF THE REPUBLIC OF KOSOVO
IN THE CONTEXT OF THE ACCESSION TO THE EUROPEAN UNION**

The Government of Montenegro and the Government of the Republic of Kosovo (hereinafter referred to as: “the Contracting Parties”);

STEMMING from the strategic objective to achieve full membership to the European Union (hereinafter referred to as: “the EU”);

STEMMING from the conclusions of the Presidency of the European Council in Thessaloniki and the Summit of the EU and countries covered by the Stabilisation and Association Process of June 2003;

ENCOURAGED by the renewed consensus on enlargement, as defined in the European Council Presidency conclusions of December 2006 in Brussels, as well as the reaffirmed support of the EU to the enlargement process expressed in the EC Credible Enlargement Strategy issued in February 2018 and the Declaration of the Sofia Summit of May 2018;

WELCOMING the entering into force of the Stabilization and Association Agreement between the EU and the Republic of Kosovo on 1 April 2016, as the first formal contractual relationship between the EU and the Republic of Kosovo;

RECALLING the significance of individual approach in assessment of fulfilling the criteria for the membership in the EU;

AWARE of the importance of mutual contribution to the progress in attaining the permanent affirmation of the European values in the region;

REAFFIRMING the significance of institutional, economic and legal reforms in achieving the EU standards;

RECALLING the dedication of the EU to support the reforms in the region through different programmes and instruments for financial and expert assistance;

DETERMINED to continue the development of good-neighbourly relations and regional cooperation;

AWARE of the significance of further development of cooperation in the areas of mutual interest with a view to accelerating the harmonisation of national legislation with the *acquis*;

WILLING to enhance the political dialogue with the special focus on cooperation aimed at integration in the European structures;

TAKING INTO ACCOUNT all bilateral agreements concluded between the Contracting Parties;

HAVE AGREED AS FOLLOWS:

CHAPTER I

Political dialogue

Article 1

The Contracting Parties agree to intensify their political dialogue with a view to enhancing the cooperation in the context of the European integration and accession and the affirmation of European values in bilateral and regional cooperation.

Article 2

The political dialogue shall be conducted through meetings of the Minister of Foreign Affairs of Montenegro and the Minister of Foreign Affairs of the Republic of Kosovo or high-level meetings of the representatives of the respective ministries on an annual basis.

The political dialogue shall foster the cooperation in the areas of mutual interest in the process of the EU accession and matters related to the stability in the region and the improvement of regional cooperation.

The Contracting Parties shall be open to cooperate with other countries in the accession process.

Article 3

The Contracting Parties shall strengthen the political dialogue between the Ministry of Foreign Affairs of Montenegro and the Ministry of Foreign Affairs of the Republic of Kosovo and other relevant government institutions.

Within the framework of this dialogue, the Contracting Parties, including other relevant government institutions, shall have consultations at operational level regarding:

- the reform of legislation and harmonization of the national legislation with the *acquis*;
- the current and evolving trends in the accession process to the EU;
- the management of the Instrument for Pre-accession Assistance and other assistance related to the integration of the two countries to the EU;
- the exchange of experts in the areas of mutual interest;
- the expert and administrative assistance.

Article 4

With a view to developing the overall relations in the region and accelerating the European integration and accession process, the Contracting Parties shall encourage the cooperation between their parliaments, especially between the committees competent for the accession to the EU and shall contribute to the enhancement of inter-parliamentary cooperation in the region.

CHAPTER II

Economic and trade cooperation

Article 5

The Contracting Parties shall cooperate to ensure the implementation of the Agreement on Amendment of and Accession to the Central European Free Trade Agreement, done in Bucharest on 19 December 2006.

Article 6

The Contracting Parties shall consider the potentials of strengthening the economic cooperation and shall seek to make progress in the fields of mutual interest.

Article 7

The Contracting Parties shall ensure the protection of intellectual property rights, including the measures for granting and enforcing such rights in accordance with international standards and their respective domestic legislation.

CHAPTER III

Movement of workers and capital, establishment and supply of services

Article 8

With respect to the movement of workers and capital, the Contracting Parties shall grant each other equal treatment.

Takin into consideration the employment options determined by the situation in the labour market in each of the Contracting Parties, the movement of workers could be regulated by a special agreement.

Article 9

The Contracting Parties shall facilitate the free movement of capital and exercising the right of establishment and shall provide adequate incentives and protection to this end. Current payments between the Contracting Parties shall be effectuated pursuant to the provisions of the Statute of the International Monetary Fund, in a convertible currency according to the usual international banking practice.

Article 10

The Contracting Parties agree to encourage mutual cooperation in the supply of services in accordance with the corresponding provisions of the CEFTA 2006 Agreement.

CHAPTER IV

Harmonisation of legislation with the Acquis

Article 11

With a view to the process of their accession to the European Union, the Contracting Parties emphasise the importance of harmonising their existing and future laws with the acquis, strengthening of the cooperation and exchange of expertise in this regard.

CHAPTER V

Cooperation in the field of rule of law

Article 12

The Contracting Parties agree to intensify cooperation in the field of rule of law, in particular with regard to the asylum policy, migrations, readmission, fight against organised crime, human trafficking, visa regime, money laundering, corruption, smuggling, illegal trade in narcotics and arms, combating international terrorism and violent extremism, personal data protection, judiciary reform.

Article 13

The Contracting Parties agree to cooperate in the prevention of use of their financial systems for laundering of proceeds from criminal activities, especially the proceeds from organised crime.

The cooperation in this field shall be focused on the implementation of acquis and the effective implementation of international standards and mechanisms to combat money laundering.

Article 14

The Contracting Parties shall cooperate to increase the efficiency of policies and measures to combat illicit supply and trafficking in narcotics and psychotropic substances and precursors, and to reduce the abuse of narcotics and other psychotropic substances.

Article 15

With a view to improving the capacity of the public administration, as well as strengthening the independence, impartiality and accountability of the judiciary, the Contracting Parties may cooperate in the field of training programs for officers and/or holders of judicial functions.

CHAPTER VI

Cooperation in other fields

Article 16

The Contracting Parties shall promote cooperation in the field of environmental protection, particularly for the joint management of biodiversity protection, air protection, prevention of illegal cross-border movements of waste and aligning of the legislation with the acquis with a view to achieving the unified legal framework for protection and improvement of the environment.

The Contracting Parties shall work on strengthening administrative capacities of public administration and promote cooperation between the local government units in the field of local government functioning, preparation of local government units for accession to the European Union, access and usage of funds from the financial instruments of the European Union, promotion of regional development and territorial cooperation, cooperation between the planning regions and between the regional institutions and bodies.

The Contracting Parties shall promote cooperation in other fields of mutual interest as necessary.

CHAPTER VII

Institutional mechanisms and general provisions

Article 17

This Agreement shall establish the institutional mechanisms as follows:

- Meeting of the Minister of Foreign Affairs of Montenegro and the Minister of Foreign Affairs of the Republic of Kosovo in the framework of political dialogue, including the development of cooperation, addressing issues related to the accession of the Contracting Parties to the EU, as well as the issues of interest for the region and for the Common Foreign and Security Policy of the EU;
- Joint Committee composed of the representatives of the Ministry of Foreign Affairs of Montenegro and the Ministry of Foreign Affairs of the Republic of Kosovo, who shall, at operational level, review the implementation of this Agreement and make necessary arrangements for meetings at ministerial level, together with the representatives from other ministries and institutions in charge of European Affairs;
- Joint working groups for improvement of cooperation in specific fields.

Article 18

The Contracting Parties shall consult and advise with the EU of the strengthening of their cooperation.

The European Commission may be invited to attend the meetings organised under this Agreement as an observer.

CHAPTER VIII

Final provisions

Article 19

This Agreement shall be concluded for an indefinite period of time.

Either of the Contracting Parties may terminate this Agreement by informing the other Party through diplomatic channels at least six months in advance.

Article 20

Any dispute arising from the interpretation or implementation of this Agreement shall be resolved through bilateral consultations.

Article 21

This Agreement shall enter into force on the date of receipt of the last written notification, through diplomatic channels, by which the Contracting Parties inform each other that the requirements stipulated by their national legislation for its entry into force have been fulfilled.

Article 22

This Agreement shall not prejudice the rights and obligations deriving from the treaties in force for the Contracting Parties.

Article 23

By entry into force of this Agreement, the *Agreement on Cooperation between Government of Montenegro and the Government of the Republic of Kosovo in the process of European Integration* signed on 27 February 2014 shall cease to be valid.

Done in Prishtina, on 21 March 2019, in two originals, each in Montenegrin, Albanian, Serbian, and English languages, all texts being equally authentic. In case of divergences in interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF MONTENEGRO	FOR THE GOVERNMENT OF THE REPUBLIC OF KOSOVO
Srđan Darmanović, s.r. Minister of Foreign Affairs	Behgjet Pacolli, s.r. Principal Deputy Prime-Minister and Minister of Foreign Affairs

Član 3

Ova odluka stupa na snagu osmog dana od dana objavljivanja u „Službenom listu Crne Gore-Međunarodni ugovori“.

Broj: _____
Podgorica, _____ 2019. godine

Vlada Crne Gore

**Predsjednik,
Duško Marković**