

No. 48009

**Switzerland
and
Serbia**

Agreement between the Swiss Confederation and the Republic of Serbia on the facilitation of the issuance of visas. Belgrade, 30 June 2009

Entry into force: *1 July 2010 by notification, in accordance with article 14*

Authentic texts: *English, German and Serbian*

Registration with the Secretariat of the United Nations: *Switzerland, 14 December 2010*

**Suisse
et
Serbie**

Accord entre la Confédération suisse et la République de Serbie visant à faciliter la délivrance de visas. Belgrade, 30 juin 2009

Entrée en vigueur : *1^{er} juillet 2010 par notification, conformément à l'article 14*

Textes authentiques : *anglais, allemand et serbe*

Enregistrement auprès du Secrétariat des Nations Unies : *Suisse, 14 décembre 2010*

AGREEMENT

BETWEEN

THE SWISS CONFEDERATION

AND

THE REPUBLIC OF SERBIA

ON THE FACILITATION OF THE ISSUANCE OF VISAS

THE SWISS CONFEDERATION

AND

THE REPUBLIC OF SERBIA

(hereinafter referred to as the Contracting Parties);

DESIRING, as a first concrete step towards the visa free travel regime, to facilitate people-to-people contacts as an important condition for a steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of the Republic of Serbia;

BEARING IN MIND that all citizens of the Swiss Confederation are exempted from the visa requirement when travelling to the Republic of Serbia for a period of time not exceeding 90 days or transiting through the territory of the Republic of Serbia;

RECOGNISING that if the Republic of Serbia were to reintroduce the visa requirement for the citizens of the Swiss Confederation, the same facilitations granted under this agreement to the citizens of the Republic of Serbia would automatically, on the basis of reciprocity, apply to the citizens of the Swiss Confederation;

RECOGNISING that visa facilitation should not lead to illegal migration and paying special attention to security and readmission;

CONSIDERING the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis signed on 26 October 2004;

CONSIDERING the Agreement between the European Community and the Republic of Serbia on the facilitation of the issuance of visas signed on 18 September 2007.

HAVE AGREED AS FOLLOWS:

Article 1 - Purpose and scope of application

1. The purpose of this Agreement is to facilitate the issuance of visas for an intended stay of no more than 90 days per period of 180 days to the citizens of the Republic of Serbia.
2. If the Republic of Serbia were to reintroduce the visa requirement for the citizens of the Swiss Confederation or certain categories of the citizens of the Swiss Confederation, the same facilitations granted under this agreement to the citizens of the Republic of Serbia would automatically, on the basis of reciprocity, apply to the citizens of the Swiss Confederation.

Article 2 - General clause

1. The visa facilitations provided in this Agreement shall apply to citizens of the Republic of Serbia only insofar as they are not exempted from the visa requirement by the laws and regulations of the Swiss Confederation, the present Agreement or other international agreements.
2. The national law of the Swiss Confederation or of the Republic of Serbia shall apply to issues not covered by the provisions of this Agreement, such as the refusal to issue a visa, recognition of travel documents, proof of sufficient means of subsistence and the refusal of entry and expulsion measures.

Article 3 - Definitions

For the purpose of this Agreement

- a) "Citizen of the Swiss Confederation" shall mean a person who holds the citizenship of the Swiss Confederation in accordance with its national legislation;
- b) "Citizen of the Republic of Serbia": shall mean a person who holds the citizenship of the Republic of Serbia in accordance with its national legislation;
- c) "Visa" shall mean an authorization issued by the Swiss Confederation or a decision taken by the Swiss Confederation which is required with a view to:
 - entry for an intended stay of no more than 90 days in total in the territory of the Swiss Confederation or of several Schengen Member States,
 - entry for transit through the territory of the Swiss Confederation or of several Schengen Member States.
- d) "legally residing person" shall mean a citizen of the Republic of Serbia authorized or entitled to stay for more than 90 days in the territory of the Swiss Confederation, on the basis of its national legislation.
- e) "Schengen Member State" shall mean any State applying the Schengen acquis in full within the meaning of the Agreement of 26 October 2004 between the European Union, the European Community and the Swiss Confederation's association with the implementation, application and development of the Schengen acquis.

Article 4 - Documentary evidence regarding the purpose of the journey

1. For the following categories of citizens of the Republic of Serbia the following documents are sufficient for justifying the purpose of the journey to the other Contracting Party:
 - a) for members of official delegations who, following an official invitation addressed to the Republic of Serbia, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events

held in the territory of the Swiss Confederation by intergovernmental organisations:

- a letter issued by an authority from the Republic of Serbia confirming that the applicant is a member of its delegation travelling to the territory of the Swiss Confederation to participate in the aforementioned events, accompanied by a copy of the official invitation;

b) for business people and representatives of business organisations:

- a written request from a host legal person or company, organisation, or an office or branch of such legal person or company, state or local authorities of the Swiss Confederation or organising committees of trade and industrial exhibitions, conferences and symposia held in the territory of the Swiss Confederation, endorsed by the Chamber of Commerce of the Republic of Serbia;

c) for drivers conducting international cargo and passenger transportation services to the territory of the Swiss Confederation in vehicles registered in the Republic of Serbia:

- a written request from a national company or association of carriers of the Republic of Serbia providing for international road transportation, proving the purpose, duration and frequency of the trips;

d) for members of train, refrigerator and locomotive crews in international trains, travelling to the territory of the Swiss Confederation:

- a written request from the competent railway company of the Republic of Serbia stating the purpose, duration and frequency of the trips;

e) for journalists:

- a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work;

f) for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes:

- a written request from the host organisation to participate in those activities;

g) for pupils, students, post-graduate students and accompanying teachers who undertake trips for the purposes of study or educational training, including in the framework of exchange programmes as well as other school-related activities: