PROTOCOL

between the Government of the Republic of Latvia and the Government of the Republic of Macedonia on the Implementation of the Agreement

on the Readmission of Persons Residing without Authorisation

The Parties to the Protocol,

The Government of the Republic of Latvia, hereinafter referred to as “the Republic of Latvia”,

and the Government of the Republic of Macedonia, hereinafter referred to as “the Republic of Macedonia”, hereinafter jointly referred to as “the Parties”,

desiring to facilitate the implementation of the Agreement on the readmission of persons residing without authorization as published in the Official Journal of the European Union, L334/1-L334/24 on December 19, 2007 hereinafter referred to as the Agreement on readmission,

in accordance with the provisions of Article 19 of the Agreement on readmission,

have agreed as follows:

Article 1

Competent Authorities

The Parties have designated the following competent authorities for implementation of the Agreement on readmission:

 1) Reception, submission and processing of readmission and transit applications:

 - For the Republic of Latvia:

Operational Management Board of the Central Board of the State Border Guard

Address: Rūdolfa str. 5

 Rīga, LV-1012

Tel: (+371) 67075641, (+371) 67075630 or

 (+371) 67075686

Fax: (+371) 67075641

e-mail: Return.Latvia@rs.gov.lv

 - For the Republic of Macedonia:

Ministry of Interior

Sector for Border Affairs and Migrations

Address: “Dimce Mircev” No. 9

 1000 Skopje

 The Republic of Macedonia

 Tel: ++389 2 333 44 78

 Fax: ++389 02 322 3803

 ++389 02 314 2434

2) In accordance with Article 8 (3) of the Agreement on readmission, the competent diplomatic orconsular representations that arrange the interview so as to establish the nationality of the person to be readmitted shall be:

- For the Republic of Latvia:

The Embassy of the Republic of Latvia in Stockholm

Odengatan 5,

Box 191 67,

104 32 Stockholm

Tel: **+** 46 8 700 63 00

Fax: + 46 8 14 01 51

e-mail: embassy.sweden@mfa.gov.lv

- For the Republic of Macedonia:

The Embassy of the Republic of Macedonia in Warsaw

„Krolowej Marysienki” 40

02-954 Warsaw

Tel: ++48 22 651 72 91

Fax: ++48 22 651 72 92

e-mail: Warsaw@mfa.gov.mk

**Article 2**

**Border** Crossing Points

The readmission or transit may be carried out on the following border crossing points:

* For the Republic of Latvia:

 Riga International Airport

 Tel: (+371) 67207308

 (+371) 67207208

 Fax: (+371) 67207308

- For the Republic of Macedonia:

The Police Station for Border Checks Airport Skopje

 Tel: ++ 389 2 3222850

 Fax: ++ 389 2 3143331

 Article 3

Language of Communication

The Parties shall use the English language within the procedures conducted in accordance with the Agreement on readmission and this Protocol.

**Article 4**

**Other documents**

If the Requesting State considers that other documents not listed in Annexes 1 to 5 to the Agreement on readmission may be essential for establishing the nationality of the person to be readmitted, such documents may be submitted to the Requested State together with the readmission application.

 **Article 5**

**Readmission Applications**

1. The readmission application shall be submitted by the competent authority of the Requesting State to the competent authority of the Requested State using post or any other means of communication which provide the transmission of the text (hereinafter referred to as technical means).
2. The date of receiving the readmission application is its registration date at the competent authority of the Requested State.
3. In accordance with Article 10 (2) of the Agreement on readmission the reply to the readmission application shall be submitted to the competent authority of the Requesting State by the competent authority of the Requested State using post or technical means.

4. Additional to Article 10 (3) of the Agreement on readmission the competent authority of the Requested State provides available information on the person in question, which is held by the authorities of the Requested State.

**Article 6**

**Transit Applications**

1. Transit application shall be sent by the competent authority of the Requesting State to the competent authority of the Requested State using post or technical means at least seven (7) working days prior to the planned transit.
2. The date of receiving the transit application is its registration date at the competent authority of the Requested State.

3. In accordance with Article 14 (2) of the Agreement on readmission the reply to the transit application shall be provided to the competent authority of the Requesting State by the competent authority of the Requested State using post or technical means within five (5) working days from the date of the receipt of the transit application.

**Article 7**

**Interview**

1. If it is necessary to make an interview in accordance with Article 8 (3) of the Agreement on readmission the competent authority of the Requesting State submits the request for the interview using post or technical means to the competent diplomatic or consular representation of the Requested State.

2. The competent official of the diplomatic or consular representation (hereinafter – interviewer) interviews the person to be readmitted in presence of the representatives of the competent authority of the Requesting State.

3. The interviewer shall inform the competent authority of the Requesting State on the results of the interview within the maximum of three (3) working days from the date when the interview was carried out.

4. In case the relevant diplomatic or consular representation of the Requested State presenting information deriving from the interview and on the basis of which the nationality of the person concerned can be reasonably assumed, the competent authority of the Requesting State shall submit the reply on the results of the interview to the competent authority of the Requested State as well as the request for readmission if it was not submitted before.

Article 8

Transfer of person to be readmitted

1. The competent authority of the Requesting State provides the competent authority of the Requested State with the information provided in Article 11 (1) using post or technical means at the latest three (3) working days before the planned return.

2. If the term of transfer is extended due to any legal or practical obstacles, the competent authority of the Requesting State shall immediately notify the competent authority of the Requested State of the elimination of such obstacles and shall indicate the envisaged time and location of transfer.

3. The persons shall be readmitted at the border crossing point specified in Article 2 of this Protocol.

Article **9**

Conditions concerning escorted transfer

Pursuant to Article 19 (1) point c) of the Agreement on readmission, the Parties agree to the following conditions relating to escorted transfers or transit on their territories:

1. In case of escorted transfers or transit on the territories of the Parties the competent authority of the Requesting State notifies the name, surname, position, number and date of issuance of travel document of escorts;
2. The escort shall be responsible for escorting the person to be readmitted and transferring him or her to a representative of the competent authority of the country of destination;
3. The escort shall be responsible for carrying the travel document and other required certificates or data of the person to be readmitted, and for handing over such items to the representative of the competent authority of the State of destination. The escort may not leave the agreed location of transfer before the transfer of the person to be readmitted is completed;
4. The escort shall perform his or her duties unarmed and in civilian clothing. The leader of the escort should carry documents proving that readmission or transit has been approved;
5. The Requested State shall ensure an adequate protection and assistance to the escort during the performance of his or her duties in order to carry out the official authorizations in performing such duties;
6. The escort shall in all cases be subject to the legislation of the Requested State. In situations of risk the escort may take reasonable and commensurate measures to prevent the person to be readmitted from escaping, injuring himself or herself, the member of escort or injuring any other third persons, or causing damage to property.

Article 10

Assistance for Transit

If the competent authority of the Requesting State considers it necessary to seek assistance from the competent authorities of the Requested State for a specific transit operation this is to be indicated in the form of the transit application (Annex 7 of the Agreement on readmission). In its reply the competent authorities of the Requested State are required to inform whether it is possible to provide such an assistance.

**Article 11**

**Costs**

Pursuant to Article 15 of the Agreement on readmission costs within thirty (30) days upon submission of the evidence of costs shall be borne in euro.

**Article 12**

**Notification**

The competent authorities of the Parties shall notify each other in written of any changes concerning the contact details of the competent authorities as well as the border crossing points. The changes shall enter into force as of the receipt of the notification.

**Article 13**

**Settlement of disputes**

1. Any disputes which may emerge in connection with the interpretations and/or application of this Protocol shall be settled by means of consultations between the Parties.

2. In case when disputes cannot be settled in accordance with paragraph 1 of the present article, those will be settled by the Parties through diplomatic channels.

 Article 14

Entry into Force, Termination and Amendments

1. Each Party shall notify the other Party through diplomatic channels of the completion of the internal procedures necessary for the entry into force of the Protocol. The Party which receives the last notification shall notify the Joint Readmission Committee of the conclusion of the Protocol and shall inform the other Party about such notification.

2. This Protocol is concluded for an indefinite period of time.

3. This Protocol shall enter into force in accordance with Article 19 (2) of the Agreement on readmission.

4. This Protocol shall cease to be in force on the same date as the Agreement on readmission.

5. Each Party may denounce this Protocol by written notification submitted to the other Party through diplomatic channels. In such case the denouncement shall enter into force after six months from the date of receipt of the notification. The Parties shall inform the Joint Readmission Committee on such denouncement.

6. The Parties may amend this Protocol by mutual consent. The amendments are a part of this Protocol and shall enter into force in accordance with paragraph 3 of this Article.

Done at \_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_ 2014 in two original copies each in Latvian, Macedonian and English, all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.

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| **For the Government of** **the Republic of Latvia** | **For the Government of** **the Republic of Macedonia** |

Iekšlietu ministrs R.Kozlovskis

Valsts sekretāre  I.Pētersone-Godmane

07.10.2014. 10:29

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