

*Ministry of Foreign Affairs
Republic of Estonia*

No. 8.2-1/748

NOTE VERBALE

The Ministry of Foreign Affairs of the Republic of Estonia presents its compliments to the Ministry of Foreign Affairs of the Czech Republic and with reference to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), has the honour to propose that the Czech Republic would represent the Republic of Estonia for the purpose of issuing Schengen visas on the following conditions.

1. Extent of Representation

The Czech Republic shall represent the Republic of Estonia for the purpose of examining applications and issuing short stay Schengen visas in the following locations: 1) the Republic of Iraq (Baghdad), 2) Malaysia (Kuala Lumpur), 3) Mongolia (Ulaanbaatar).

2. Legal Basis

- (a) The basis of this representation is the Schengen *acquis* and what is stated in this Agreement
- (b) The practical conditions of implementation of this Agreement may be agreed upon by mutual written consent of the Ministries of Foreign Affairs.
- (c) The Ministries of Foreign Affairs of the Republic of Estonia and the Czech Republic may agree upon the modification of the list of representing Missions by an exchange of notes.

3. Visa procedures

- (a) The Mission of the representing State shall process visa applications of persons legally residing in the country in which the relevant Mission operates.
- (b) The Mission of the representing State shall issue visas only to holders of those travel documents recognised in the Republic of Estonia and in the Czech Republic.

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- (c) No visa with limited territorial validity (VLTV) can be issued without authorisation from the Ministry of Foreign Affairs of the represented State. This does not, however, apply if the limitation is solely due to the fact not all Schengen Member States recognise the travel document of the applicant, but this travel document is recognised in the Czech Republic and in the Republic of Estonia.
- (d) If the Mission of the representing State finds that all the conditions for issuing a visa are met, the Mission shall issue a short stay visa.
- (e) If the Mission of the representing State in a respective country considers that the conditions for issuing a visa are not met, the Mission is entitled to refuse to issue the visa on behalf of the represented State after examination of the application according to Art. 8.4 (d) of the Visa Code
- (f) In the event of doubt concerning an inviting or invited person, or with respect to documents attached to the visa application, the Mission of the representing State may contact the competent official of represented State as provided in Annex of this Note.
- (g) On a yearly basis or upon request by the represented State, the representing State shall provide statistical data for each location on visas issued and refused on behalf of the represented State.

4. Visa fees

- (a) Fees for visa applications are to be charged in accordance with the Schengen *acquis*.
- (b) The representing State is entitled to collect all visa fees. Besides, the represented State shall not give any financial compensation to the representing State for handling visa applications.
- (c) In case there is an interest of the represented State to exceptionally exempt a visa applicant or a travelling group from paying a visa application fee in all other cases not specified in the Visa Code, the represented State will send a written request directly to the respective representing Mission, which will subsequently make a decision in compliance with its national legislative acts.

5. Final clauses

- (a) This Agreement is concluded for an unlimited period of time.
- (b) This Agreement may be amended or terminated at any time by exchange of notes. The application of this Agreement may be suspended or the Agreement may be withdrawn by a written notification to the other Party. Such suspension or withdrawal shall take effect from the day of the receipt of such a notification by the other Party.

If the foregoing proposal is acceptable to the Czech side, the Ministry of Foreign Affairs of the Republic of Estonia has the honour to suggest that the present note and the reply note from the Ministry of Foreign Affairs of the Czech Republic shall constitute *the Agreement between the Government of the Republic of Estonia and the Government of the Czech Republic on Mutual Visa Representation* which shall enter into force upon the expiry of fourteen days from the date of delivery of the note responding to this note.

The Ministry of Foreign Affairs of the Republic of Estonia avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Czech Republic the assurances of its highest consideration.

Tallinn, 30 January 2013