

PROTOCOL

**BETWEEN THE GOVERNMENT OF THE CZECH REPUBLIC AND THE GOVERNMENT
OF THE REPUBLIC OF ARMENIA**

**IMPLEMENTING THE AGREEMENT BETWEEN THE EUROPEAN UNION
AND THE REPUBLIC OF ARMENIA ON THE READMISSION OF PERSONS RESIDING
WITHOUT AUTHORISATION**

THE GOVERNMENT OF THE CZECH REPUBLIC

AND

THE GOVERNMENT OF THE REPUBLIC OF ARMENIA

(hereinafter referred to as “the Contracting Parties”)

DESIRING to facilitate the implementation of the Agreement between the European Union and the Republic of Armenia on the readmission of persons residing without authorization, signed in Brussels on 19 April 2013, (hereinafter referred to as “the Agreement”) and pursuant to Article 20 thereof

HAVE AGREED AS FOLLOWS:

Article 1 GENERAL PROVISION

This Protocol provides detailed rules for the implementation of the Agreement in the relations between the Czech Republic and the Republic of Armenia. The terms and expressions used in this Protocol shall be interpreted as defined in the Agreement.

Article 2 COMPETENT AUTHORITIES

(1) The competent authorities pursuant to Article 1 lit. k) of the Agreement entrusted with the implementation of the Agreement in accordance with Article 20(1) lit. a) thereof shall be:

for the Czech side:

the Police of the Czech Republic
Directorate of the Alien Police Service
Address: Olsanska 2, P.O. BOX 78
130 51 Prague 3,

for the Armenian side:

Migration Service
Ministry of Territorial Administration and Infrastructure of the Republic of Armenia
Address: 31. K. Ulnetsi
0037 Yerevan.

(2) Within thirty (30) calendar days from the entry into force of this Protocol, as defined in Article 11, the Contracting Parties shall exchange through diplomatic channels contact details of the competent

authorities. The competent authorities of the Contracting Parties shall notify each other of any change in these contact details.

(3) The Contracting Parties shall without undue delay notify each other through diplomatic channels of any change in the competent authorities.

Article 3

MEANS OF COMMUNICATION

(1) Readmission and transit application shall be generally submitted via the Readmission Case Management Electronic System (hereinafter referred to as "RCMES"). If needed, the application may be submitted by mail, fax or secured e-mail.

(2) Replies to readmission and transit application and other related communication shall be generally submitted via RCMES. If needed, they may be submitted by mail, fax or secured e-mail. Communication not containing personal data of the person subject to readmission or transit, may take place also via unsecured technical means of communication, and shall refer to the reference number of the relevant application.

Article 4

ADDITIONAL DOCUMENTS

(1) Pursuant to Article 20, paragraph 1 lit. c) of the Agreement, presentation of documents or written confirmation issued by the air carrier which transported the person concerned is also considered as prima facie evidence of nationality additional to those listed in Annex 2 to the Agreement.

(2) Where the competent authority of the requesting Contracting Party considers that other documents than those listed in Annexes 1 to 4 of the Agreement may be relevant to the establishing of nationality or condition for the readmission of third country nationals and stateless persons, these documents may be attached to the readmission application. Nationality or the conditions for the readmission of third country nationals and stateless persons shall be deemed to have been established if in the above cases the requested Contracting Party confirms it.

(3) The competent authorities of the Contracting Parties shall exchange specimen of passports and identity cards.

Article 5

INTERVIEW

(1) The request for an interview pursuant to Article 9, paragraph 3 of the Agreement shall be entered into the readmission application, a copy of which shall be sent at the same time to the diplomatic or consular representation of the State of the requested Contracting Party.

(2) The interview shall be conducted at a place specified by the competent authority of the requesting Contracting Party.

(3) The competent authority of the requesting Contracting Party shall be notified of the result of the interview within a maximum of three (3) working days following the interview.

Article 6
READMISSION PROCEDURE

- (1) The competent authority of the requesting Contracting Party shall enter the proposed transfer date, the point of entry and details concerning possible escorts in Section F of the readmission application, if these details are known at the time of submission of the application. The competent authority of the requested Contracting Party shall answer to the proposal in the reply to the readmission application.
- (2) If information under paragraph 1 of this Article is not inserted in the readmission application, the competent authority of the requesting Contracting Party shall notify it to the competent authority of the requested Contracting Party within the time limits set forth in Article 12, paragraph 1 of the Agreement. The competent authority of the requested Contracting Party shall send a reply to this proposal as promptly as possible, but within a maximum of two (2) working days from the receipt of the proposal. Where the competent authority of the requesting Contracting Party does not receive a reply within the stated time limit, the proposal shall be considered as accepted.
- (3) Details concerning the members of escort pursuant to paragraph 1 of this Article include the first names and surnames, ranks and positions of the escorts, and the type, number and date of issue of their travel documents. Any changes concerning these data must be notified without delay.
- (4) A written record of the escorted transfer of the person concerned shall be produced in two copies. The competent authorities of each Contracting Party shall keep one of the copies. A model record is contained in the Annex to this Protocol and forms an integral part of the Protocol.
- (5) If the term of transfer was extended due to any legal or practical obstacles in accordance with Article 11, paragraph 4 of the Agreement, the competent authority of the requesting Contracting Party shall immediately notify the competent authority of the requested Contracting Party of the elimination of obstacles as it occurs and shall indicate information under paragraph 1 of this Article.

Article 7
TRANSIT PROCEDURE

- (1) Transit application must be submitted to the competent authority of the requested Contracting Party at least ten (10) calendar days prior to the planned transit. The transit application shall contain, if necessary, information in accordance with Article 8, paragraph 2 of the Agreement. This information shall be entered into section C of the transit application.
- (2) In principle, the transit operation shall be effected by air. Details regarding the possible escorts, as set forth in Article 6, paragraph 3 of this Protocol, shall be entered in Section B of the transit application. Any changes concerning these data must be notified without delay.
- (3) Members of escort shall not exercise any authority on the territory of the State of the requested Contracting Party, they shall not be armed, they shall be obliged to respect the legal system of the State of the requested Contracting Party and shall carry a copy of the consent to transit granted by the competent authority of the requested Contracting Party.
- (4) The competent authority of the requested Contracting Party shall give the members of escort of the requesting Contracting Party the necessary support and assistance. In case of transit by air, officials of the competent authority of the requested Contracting Party shall, as part of the surveillance of the person concerned in accordance with Article 15, paragraph 4 of the Agreement, above all, ensure that the person concerned does not leave the transit area of the airport and boards the aircraft.

(5) In case of transit by land, the person concerned shall be handed over at the state border to officials of the competent authority of the requested Contracting Party, who shall accompany the person to the border of the State of destination, or of another transit state, as the case may be.

Article 8 **BORDER CROSSING POINTS**

(1) Pursuant to Article 20, paragraph 1 lit. a) of the Agreement readmission and transit carried out by air shall take place at the following border crossing points unless agreed otherwise:

in the Czech Republic: Václav Havel Airport Prague,
in the Republic of Armenia: Zvartnots International Airport.

(2) In case of transfer by land, the competent authorities of the Contracting Parties shall agree on a border crossing point on a case-by-case basis.

Article 9 **COVERAGE OF COSTS**

(1) The competent authority of the requesting Contracting Party shall refund the competent authority of the requested Contracting Party for costs pursuant to Article 16 of the Agreement, including reasonable costs relating to granting assistance pursuant to Article 15, paragraph 4 of the Agreement, by bank transfer to the account of the competent authority of the requested Contracting Party within thirty (30) calendar days from the date of receipt of the invoice. The invoice shall contain the respective bank account number for the refund of the costs. Such costs shall concern in particular the following:

- a) transportation;
- b) board;
- c) accommodation;
- d) urgent medical care;
- e) service of an interpreter if needed;
- f) other fundamental expenses agreed in advance by the competent authorities of Contracting Parties.

(2) The rate of refund shall be governed by the legislation of the State of the requested Contracting Party and shall be based on documents proving the actual amount of costs.

(3) The possible cost of issuing a substitute travel document for the person to be readmitted is borne by the Contracting Party issuing the document.

Article 10 **LANGUAGES**

(1) Readmission and transit applications and replies thereto shall be submitted in English or, where appropriate, in the language of the Contracting Party to which they are addressed. Other documents shall be submitted if possible in the language of the Contracting Party to which they are addressed, or in English.

(2) The competent authorities of the Contracting Parties shall subsequently communicate in English unless agreed otherwise on a case-by-case basis.

Article 11
FINAL PROVISIONS

- (1) This Protocol is concluded for an indefinite period of time.
- (2) The Contracting Parties shall notify each other through diplomatic channels of the completion of their internal legal procedures required for the entry into force of this Protocol.
- (3) The Contracting Party receiving the last notification shall notify the Joint Readmission Committee referred to in Article 19 of the Agreement about the completion by the Contracting Parties of the internal procedures required for the entry into force of this Protocol and shall inform the other Contracting Party of the fact that the notification has been effected. This Protocol shall enter into force on the first day of the second month following the notification to the Joint Readmission Committee.
- (4) Amendments and additions may be made to this Protocol, in writing, by a mutual consent of the Contracting Parties. Such amendments and additions shall enter into force in accordance with paragraphs 2 and 3 of this Article and shall constitute an integral part of this Protocol.
- (5) This Protocol shall cease to be in effect on the same day as the Agreement.

Done at Prague on 21st October 2019 in two original versions in the Czech, Armenian and English languages, all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.

For the Government of
the Czech Republic

Aleš Chmelař
Deputy Minister of Foreign Affairs

For the Government of
the Republic of Armenia

Avet Adonts
Deputy Minister of Foreign Affairs

**ANNEX TO THE PROTOCOL BETWEEN THE GOVERNMENT OF THE CZECH
REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF ARMENIA
IMPLEMENTING THE AGREEMENT BETWEEN THE EUROPEAN UNION AND THE
REPUBLIC OF ARMENIA ON THE READMISSION OF PERSONS RESIDING WITHOUT
AUTHORISATION**

Competent authority of the Requesting State:

Reference number:

Competent authority of the Requested State:

RECORD OF TRANSFER OF READMITTED PERSON

in accordance with Article 6, paragraph 4 of the Protocol between
the Government of the Czech Republic and the Government of the Republic of Armenia implementing
the Agreement between the European Union and the Republic of Armenia on the readmission of persons
residing without authorisation

A. PERSONAL DETAILS

1. Full name (underline surname):
2. Date and place of birth:
3. Sex:
4. Nationality:
5. State of health of transferred person:

B. PERSONAL DETAILS OF ACCOMPANYING SPOUSE

1. Full name (underline surname):
2. Date and place of birth:
3. Sex:
4. Nationality:
5. State of health:

C. PERSONAL DETAILS OF ACCOMPANYING CHILDREN

1. Full name (underline surname):
2. Date and place of birth:
3. Sex:
4. Nationality:
5. State of health:

D. PERSONAL BELONGINGS AND CASH CARRIED BY THE TRANSFERRED PERSON

1.
2.
3.

E. OBSERVATIONS:

(Date)

(Place)

For the competent authority of the Requesting State:

Name:

Surname:

Position:

Signature:

For the competent authority of the Requested State:

Name:

Surname:

Position:

Signature: