

**No. 46584**

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**Latvia  
and  
Georgia**

**Agreement between the Government of the Republic of Latvia and the Government of Georgia on the readmission of persons who do not fulfill conditions for entry or residence in the territory of the other State. Riga, 11 July 2008**

**Entry into force:** *13 January 2009 by notification, in accordance with article 14*

**Authentic texts:** *English, Georgian and Latvian*

**Registration with the Secretariat of the United Nations:** *Latvia, 12 October 2009*

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**Lettonie  
et  
Géorgie**

**Accord entre le Gouvernement de la République de Lettonie et le Gouvernement de la Géorgie relatif à la réadmission des personnes qui ne remplissent pas les conditions d'entrée ou de résidence sur le territoire de l'autre État. Riga, 11 juillet 2008**

**Entrée en vigueur :** *13 janvier 2009 par notification, conformément à l'article 14*

**Textes authentiques :** *anglais, géorgien et letton*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Lettonie, 12 octobre 2009*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT  
BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF LATVIA  
AND THE GOVERNMENT OF GEORGIA  
ON THE READMISSION OF PERSONS, WHO DO NOT FULFILL  
CONDITIONS FOR ENTRY OR RESIDENCE IN THE TERRITORY OF  
THE OTHER STATE**

The Government of the Republic of Latvia and the Government of Georgia (hereinafter referred to as the Contracting Parties),

proceeding from the desire to further improve and advance the relations between the Contracting Parties,

being aware of need to mutually facilitate the readmission and transportation of persons illegally entering and staying in the territories of their respective states,

have agreed as follows:

**Article 1  
Use of Terms**

In this Agreement the following terms shall have the following meaning:

- (1) The Requesting Party is the Contracting Party which requests readmission or transit of persons under the provided conditions of this Agreement;
- (2) The Requested Party is the Contracting Party which receives request of readmission or transit of persons under the provided conditions of this Agreement;
- (3) The readmission request is the demand by which the Requesting Party appeals to the Requested Party to readmit a person to its territory;
- (4) The transit request is the demand by which the Requesting Party appeals to the Requested Party to permit the transit of a person to be readmitted through its territory;
- (5) The reply to the request is the notice by which the Requested Party replies to the request of readmission or transit;
- (6) A visa is a valid permission issued by the competent authorities of the Contracting Parties, for one or more entries, granting a person entrance and stay in the territory of the State of the Contracting Parties for a period of time in accordance with the legislation of the State of the Contracting Parties, except transit visa;
- (7) A residence permit is a valid permission issued by the competent authorities of the Contracting Parties granting a person residence in the country. The residence permit does not mean a visa or a possibility to stay in the territory of the States of the Contracting Parties during the processing of an application for asylum or residence permit or during an expulsion procedure;

- (8) Third country national – a person who is a national of neither of the Contracting Parties.

## **Article 2**

### **Readmission of the Nationals of the Contracting Parties**

- (1) The Contracting Parties shall, without any particular formalities apart from those stipulated herein, upon readmission request readmit the persons, who do not or no longer fulfill the conditions for entry to or staying in the territory of the State of the Requesting Party, provided that it is ascertained or presumed on good grounds that the person is a national of the Requested Party.
- (2) The provisions of section one of this Article shall be applied also in the case of a person who has been deprived nationality of the Contracting Party or has renounced the nationality of the Requested Party after he or she had entered the territory of the State of the Requesting Party without having obtained the nationality of any other State or at least an assurance of naturalization from the Requesting Party.
- (3) Upon the receipt of an affirmative reply to the readmission request, the Diplomatic or Consular mission of the Requested Party shall issue travel document, whose expiry period should be no less than thirty (30) days, for the person to be readmitted, who has no valid travel documents. The travel documents shall be issued immediately, but no later than within three (3) working days.
- (4) The Requesting Party shall readmit such person again if it is ascertained within thirty (30) days from readmission that the person concerned did not have the nationality of the Requested Party when he or she left the territory of the State of the Requested Contracting Party.

## **Article 3**

### **Readmission of Third Country Nationals**

- (1) Each Contracting Party, at the request of the other Contracting Party shall readmit persons who are third country nationals, if they entered the territory of the Requesting Party illegally provided it is ascertained that the person concerned arrived directly from the territory of the Requested Party.
- (2) The provisions of section one of this Article shall not apply if the third country national has been granted a visa or residence permit by the other Contracting Party after his entry to the territory of its State.
- (3) The Contracting Parties shall, upon readmission request of the other Contracting Party, readmit a third country national who do not or no longer fulfill the conditions for entry to or staying in the territory of the State of the Requesting Party and who possesses a valid residence permit, a valid visa, except transit visa, or a valid travel document, issued by the Requested Party. In cases when both Contracting Parties have issued a residence permit or a visa to a third country national, the readmission obligation lies with that Party which has issued the residence permit or the visa containing the latest date of expiration.

- (4) The readmission obligation under the provision of Articles 3 and 4 of this Agreement shall not apply if persons are:
- (a) third country nationals whose readmission was not requested by the competent authorities within one (1) year from the date when the competent authorities have revealed the fact of the illegal entry or illegal staying;
  - (b) nationals of a third country with which the Requesting Party has common borders.

#### **Article 4**

##### **Readmission of Third Country Nationals on the Basis of the Advance Notification**

The Contracting Parties shall, without any particular formalities and after advance notification of the other Contracting Party, readmit the third country nationals who illegally entered the territory of the State of the Contracting Party directly from territory of the State of the other Contracting Party provided that readmission is requested within seventy two (72) hours from illegal entry.

#### **Article 5**

##### **Conditions of the Third Country Nationals Readmission**

- (1) The Requesting Party shall readmit third country nationals without any particular formalities if the Requested Party establishes within thirty (30) days from readmission that the conditions stipulated in sections one and three of Article 3 and in Article 4 hereof did not obtain at the time of readmission.
- (2) Persons shall be readmitted exclusively at the border crossing points designated by the Contracting Parties in a Protocol on Implementation of this Agreement.
- (3) The Contracting Parties shall do everything in their power to return third country nationals directly to their countries of permanent residence or nationality (citizenship).

#### **Article 6**

##### **Deadlines**

- (1) The Requested Party shall reply to the readmission request not later than within fourteen (14) days from the date when the readmission request is received.
- (2) Following the response of the Requested Party, readmission shall take within thirty (30) days.
- (3) The time limits stipulated in section one and two of this Article may be extended upon mutual agreement of the Contracting Parties in case of legal or factual hindrances related to readmission, but only until such hindrances are eliminated.

#### **Article 7**

##### **Transit of Third Country Nationals**

- (1) Upon a transit request of a Contracting Party, the other Contracting Party shall enable the transit of third country nationals by air, who are subjects to expulsion procedures in the Requesting Party with the objective of being readmitted by a third

country and whose readmission and transportation across additional transit states to the state of destination is guaranteed.

- (2) A transit request shall not be submitted or it may be rejected when it can be presumed on good grounds that:
- (a) the third country national is threatened by the death penalty or may be subject to torture, inhuman or humiliating treatment or persecution on grounds such as race, religion, nationality, belonging to a social group or political affiliation in the state of destination or any transit country;
  - (b) the third country national is threatened by prosecution on a criminal offense or the enforcement of a penalty either in the state of destination or in any transit country, with the exception of forbidden border crossing;
  - (c) the transit of third country national may be a threat to national security, public security, public order, public health or to international relations of the Requested Party;
  - (d) there is no practical possibility to execute transit.
- (3) The transit request shall be submitted by the competent authorities directly to one another no later than three (3) days before planned transit. The competent authorities of the Contracting Parties shall agree on the directly time, place and mode of transit.
- (4) Transit by air can only be provided without leaving the transit lounge of the airport of the Requested Party.
- (5) The Requested Party may require that the representative of the competent authority of the Requesting Party be present as an escort during transit through its territory.
- (6) The Requesting Party shall provide all the documents required for the purposes of the travel, valid travel documents, other necessary permits and valid tickets required for traveling to the state of destination and through the territories of the transit states, and the declaration of admission of the state of destination.
- (7) If the transit request is rejected by the Requested Party because any of the necessary conditions stipulated in section two of this Article is met, the Requesting Party shall be informed in writing about the grounds for the rejection.
- (8) Third country nationals may be returned to the Requesting Party if facts are discovered or circumstances are set which frustrate transit or onward journey. Once such reasons are stated, the Requesting Party shall be obliged to readmit the persons earlier admitted for transit.

## **Article 8**

### **Costs**

- (1) All costs arising in relation to the transportation of persons readmitted under Articles 2, 3, 4 and 5 of this Agreement up to the border of the Requested Party and the costs of an eventual return shall be born by the Requesting Party.