

No. 47164

**International Organization for Migration, Slovakia
and
United Nations (Office of the United Nations High Commissioner for Refugees)**

Agreement between the Government of the Slovak Republic, the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration concerning humanitarian transfer of refugees in need of international protection through the Slovak Republic. Bratislava, 20 July 2009

Entry into force: *20 July 2009 by signature, in accordance with article 7*

Authentic texts: *English and Slovak*

Registration with the Secretariat of the United Nations: *ex officio, 1 February 2010*

**Organisation internationale pour les migrations, Slovaquie
et
Organisation des Nations Unies (Haut-Commissariat des Nations Unies pour les réfugiés)**

Accord entre le Gouvernement de la République slovaque, le Haut-Commissariat des Nations Unies pour les réfugiés et l'Organisation internationale pour les migrations relatif au transfert humanitaire de réfugiés en besoin de protection internationale à travers la République slovaque. Bratislava, 20 juillet 2009

Entrée en vigueur : *20 juillet 2009 par signature, conformément à l'article 7*

Textes authentiques : *anglais et slovaque*

Enregistrement auprès du Secrétariat des Nations Unies : *d'office, 1^{er} février 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN THE GOVERNMENT OF THE SLOVAK REPUBLIC, THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES AND THE INTERNATIONAL ORGANIZATION FOR MIGRATION CONCERNING HUMANITARIAN TRANSFER OF REFUGEES IN NEED OF INTERNATIONAL PROTECTION THROUGH THE SLOVAK REPUBLIC

The Government of the Slovak Republic

and

the Office of the United Nation High Commissioner for Refugees

and

the International Organization for Migration

(hereinafter referred to as “Contracting Parties”),

WHEREAS, the Government of the Slovak Republic is a signatory to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol and has an institutionalized Asylum Act,

WHEREAS, recognizing that there are Palestinian Refugees stranded at Al Waleed camp in Iraq at the border of the Syrian Arab Republic and who are under threat of refoulement or in need of international protection and who are pending the processing of their onward resettlement to a third country,

WHEREAS, recalling the provisions of the Memorandum of Understanding between the Office of United Nation High Commissioner for Refugees and the International Organization for Migration signed on 15th of May, 1997,

Have agreed as follows:

Article 1

Objectives and Definitions

1. The objective of this Agreement is to set terms and conditions for humanitarian transfer of Palestinian Refugees and other Persons of Concern from Iraq recognized by the Office of the United Nations High Commissioner for Refugees (hereinafter referred to as "UNHCR") and who are under threat of refoulement or in need of international protection pending the processing of their onward resettlement to a third country through the Slovak Republic.

2. For the purpose of this Agreement the term "humanitarian transfer" means departure from Iraq, temporary stay on the territory of the Slovak Republic and departure to a country of resettlement.

3. The term "Refugees" and "Person of Concern" in this Agreement refers to individuals and any accompanying family members recognized by UNHCR under its mandate as Refugees or Persons of Concern and considered in need of humanitarian transfer to the Slovak Republic in view of their onward resettlement to a third country.

Article 2

Responsibilities of the Government of the Slovak Republic

1. The Government of the Slovak Republic shall admit 101 Palestinian Refugees and Persons of Concern for the period of six (6) months from the date of entering the territory of the Slovak Republic under the fulfillment of the conditions set forth in this Agreement. Provision of this Agreement shall be applied also to the children born to persons defined in par. 3 of the Article 1 of this Agreement during the humanitarian transfer on the territory of the Slovak Republic.

2. The Government of the Slovak Republic shall, in consultation with the UNHCR, review the list of names of Refugees and Persons of Concern submitted by the latter for humanitarian transfer, and communicate to UNHCR, within seven (7) working days from the receipt of the required information, the approval or denial of humanitarian transfer under this Agreement. The grounds for such approval or denial need not be disclosed. In exceptional cases, this time frame can be extended and competent authority of the Slovak Republic shall inform UNHCR accordingly.

3. Relevant authority of the Slovak Republic shall grant national long – term visa free of charge to Refugees and Persons of Concern in accordance with its national law before entering the territory of the Slovak Republic.

4. The Government of the Slovak Republic in accordance with its commitment to protection of Refugees and Persons of Concern as well as burden-sharing in this regard, shall provide accommodation, food and elementary hygienic items for Refugees and Persons of Concern in the Asylum Centre of the Ministry of Interior of the Slovak Republic in Humenné (hereinafter referred to as "asylum centre") in the same extension as provided to asylum seekers according to national law.

5. The competent authority of the Slovak Republic shall issue a document authorizing the Refugees and Persons of Concern to have access to health services as necessary.

6. The Government of the Slovak Republic shall facilitate the departure of the Refugees and Persons of Concern for onward resettlement to a third country.

7. The Government of the Slovak Republic shall provide appropriate office space for Contracting Parties and their partners in asylum centre.

8. The Ministry of Interior of the Slovak Republic (hereinafter referred to as "Ministry of Interior") shall be the competent authority of the Slovak Republic for the implementation of this Agreement on the part of the Government of the Slovak Republic.

Article 3
Responsibilities of the Office of the United Nations
High Commissioner for Refugees

UNHCR shall assume following responsibilities:

- a. Communicate to the Ministry of Interior the nominal list of Refugees and Persons of Concern proposed for humanitarian transfer; UNHCR shall provide the Ministry of Interior with the individual case information as is necessary or requested to enable a review of the list,
- b. Communicate to the Contracting Parties any information available from resettlement countries to accept Refugees and Persons of Concern whose humanitarian transfer is requested,
- c. Issue mandate refugee documents and facilitate issuance of travel documents for Refugees and Persons of Concern who are being subject of humanitarian transfer under this Agreement,
- d. Through competent authority of the Slovak republic covers health service expenses provided for Refugees and Persons of Concern in necessary and urgent extension,

- e. Communicate to competent authority, as soon as possible, the names of the organizations to which UNHCR shall entrust the execution of social services and activities pertaining to the implementation of the present agreement,
- f. Undertake best efforts to facilitate the onward resettlement of the Refugees and Persons of Concern under this Agreement to a third country.

Article 4
Responsibilities of the International
Organization for Migration

1. The International Organization for Migration (hereinafter referred to as "IOM") shall assume following responsibilities:

- a. Organize the international transportation to the Slovak Republic and provide local transportation for Refugees and Persons of Concern to the asylum centre,
- b. Organize the transportation of Refugees and other Persons of Concern subject to this agreement from the asylum centre to the countries of resettlement under the framework of the agreements between IOM and the resettlement countries and/or under the 1997 MoU between IOM and UNHCR,
- c. Provide services related to the relocation of Refugees and Persons of Concern to the resettlement country including:
 - 1. health assessment for purposes of resettlement and pre – departure medical check prior to their effective departure to the resettlement country,
 - 2. cultural orientation and/or language training for the purpose of the resettlement, and
 - 3. other related services as requested or required by the resettlement countries for persons subject to this Agreement in accordance with the requirements of resettlement countries.

2. Funding for the activities stipulated in paragraph 1 of this Article shall be covered by IOM within the framework of the specific Agreement signed between IOM and the resettlement countries and/or the 1997 MoU between UNHCR and IOM.

Article 5
General Provisions

1. All the Contracting Parties shall respect the right to privacy of Refugees and Persons of Concern and ensure the protection and confidentiality of all personal data of individual Refugees and Persons of Concern, subject to the national law of the Slovak Republic, and without prejudice to UNHCR's privileges and immunities under the Convention on the Privileges and Immunities