

No. 50412

European Union and Georgia

Agreement between the European Union and Georgia on the readmission of persons residing without authorisation (with annexes and joint declarations). Brussels, 22 November 2010

Entry into force: *1 March 2011, in accordance with article 23*

Authentic texts: *Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, Georgian, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish and Swedish*

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Only the authentic English, French and Georgian texts are published herein. The other authentic texts are not published herein, in accordance with article 12 (2) of the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the Secretariat.

Union européenne et Géorgie

Accord entre l'Union européenne et la Géorgie concernant la réadmission des personnes en séjour irrégulier (avec annexes et déclarations communes). Bruxelles, 22 novembre 2010

Entrée en vigueur : *1^{er} mars 2011, conformément à l'article 23*

Textes authentiques : *bulgare, tchèque, danois, néerlandais, anglais, estonien, finnois, français, géorgien, allemand, grec, hongrois, italien, letton, lituanien, maltais, polonais, portugais, roumain, slovaque, slovène, espagnol et suédois*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Conseil de l'Union européenne, 15 janvier 2013*

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AGREEMENT
BETWEEN THE EUROPEAN UNION
AND GEORGIA
ON THE READMISSION OF PERSONS RESIDING
WITHOUT AUTHORISATION

THE HIGH CONTRACTING PARTIES,

THE EUROPEAN UNION, hereinafter referred to as "the Union",

and

GEORGIA,

DETERMINED to strengthen their co-operation in order to combat illegal immigration more effectively;

DESIRING to establish, by means of this Agreement and on the basis of reciprocity, rapid and effective procedures for the identification and safe and orderly return of persons who do not, or no longer, fulfil the conditions for entry into, presence in, or residence on the territories of Georgia or of one of the Member States of the European Union, and to facilitate the transit of such persons in a spirit of co-operation;

EMPHASISING that this Agreement shall be without prejudice to the rights, obligations and responsibilities of the Union, its Member States and Georgia arising from international law and, in particular, from the European Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms and the Convention of 28 July 1951 on the Status of Refugees as amended by the Protocol of 31 January 1967;

CONSIDERING that in accordance with Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, Ireland will not take part in this Agreement unless it notify its wish to that effect in accordance with that Protocol;

CONSIDERING that the provisions of this Agreement, which falls within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union, do not apply to the Kingdom of Denmark, in accordance with the Protocol on the position of Denmark Annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Definitions

For the purpose of this Agreement:

- (a) "Contracting Parties" shall mean Georgia and the Union;
- (b) "National of Georgia" shall mean any person who holds the citizenship of Georgia;
- (c) "National of a Member State" shall mean any person who holds the nationality, as defined for Union purposes, of a Member State;
- (d) "Member State" shall mean any Member State of the European Union bound by this Agreement;
- (e) "Third-country national" shall mean any person who holds a nationality other than that of Georgia or one of the Member States;
- (f) "Stateless person" shall mean any person who does not hold a nationality of any State;
- (g) "Residence permit" shall mean a permit of any type issued by Georgia or one of the Member States entitling a person to reside on its territory. This shall not include temporary permissions to remain on its territory in connection with the processing of an asylum application or an application for a residence permit;