

**No. 55799\***

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**Turkey  
and  
Pakistan**

**Agreement between the Government of the Republic of Turkey and the Government of the Islamic Republic of Pakistan on readmission of persons residing without authorisation (with appendices). Ankara, 7 December 2010**

**Entry into force:** *12 August 2016, in accordance with article 23*

**Authentic texts:** *English and Turkish*

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**Turquie  
et  
Pakistan**

**Accord entre le Gouvernement de la République turque et le Gouvernement de la République islamique du Pakistan relatif à la réadmission des personnes en séjour irrégulier (avec annexes). Ankara, 7 décembre 2010**

**Entrée en vigueur :** *12 août 2016, conformément à l'article 23*

**Textes authentiques :** *anglais et turc*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Turquie, 1<sup>er</sup> avril 2019*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF TURKEY**

**AND**

**THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF PAKISTAN**

**ON READMISSION OF PERSONS RESIDING WITHOUT  
AUTHORISATION**

THE HIGH CONTRACTING PARTIES,

The Government of the Republic of Turkey

hereinafter referred to as "Turkey"

and

The Government of the Islamic Republic of Pakistan

hereinafter referred to as "Pakistan"

hereinafter also referred to individually as "a Party" and collectively as "the Parties".

Desiring to strengthen their cooperation to combat illegal immigration 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 to, presence in, or residence on the territories of Turkey or Pakistan and to facilitate the transit of such persons in a spirit of cooperation;

Emphasizing that this Agreement shall be without prejudice to the rights, obligations and responsibilities of Turkey and Pakistan under International law;

HAVE AGREED AS FOLLOWS

## ARTICLE 1

### Definitions

For the purposes of this Agreement:

- (a) "Nationality of Turkey" any person who holds the nationality of Turkey;
- (b) "National of Pakistan" any person who holds the nationality of Pakistan;
- (c) "Third-country national" shall mean any person who holds a nationality other than that of Turkey or Pakistan.
- (d) "Stateless person" any person who does not hold a nationality;
- (e) "Residence authorization" an official permit of any type issued by Turkey or Pakistan entitling a person to reside on the territory of the issuing State;
- (f) "Visa" shall mean an authorization issued or a decision taken by Turkey or Pakistan, which is required with a view to entry into, or transit through, its territory. This shall not include the specific category of airport transit visa;
- (g) "Readmission" the transfer by the requesting State and admission by the requested State, of persons (own national of the requested State, third-country nationals or Stateless persons) who does not, or who no longer fulfil the conditions in force for entry to, presence in, or residence on the territory of the requesting State, in accordance with the provisions of this Agreement;
- (h) "Transit" shall mean the passage of a third country national or a Stateless person through the territory of the requested State, while travelling from the requesting State to the country of destination, in accordance with the provisions of this Agreement;
- (i) "Requesting State" shall mean the Party submitting readmission application pursuant to Section I and II or a transit application pursuant to Section III.
- (j) "Requested State" shall mean the Party to which a readmission application pursuant to Section I and II or a transit application pursuant to Section III is made.

## **SECTION I**

### **READMISSION OBLIGATION**

#### **ARTICLE 2**

##### **Readmission of nationals**

1. The Requested State shall readmit, upon application by the Requesting State and in accordance with the procedure provided for in this Agreement, any person who does not, or who no longer fulfils the conditions in force for entry to, presence in, or residence on, the territory of the Requesting State provided it is established, in accordance with Article 7 of this Agreement, that such person is a national of the Requested state.
2. After the Requested State has given a positive reply to the readmission application, the Requested State shall, as necessary and without delay, issue a travel document required for the return of the person to be readmitted, which shall be valid for at least 60 days. If, for legal or factual reasons, the person concerned cannot be transferred within the period of validity of the travel document, the Requested State shall issue or renew travel document with the same period of validity within 7 days.

#### **ARTICLE 3**

##### **Readmission of Third-Country nationals and Stateless Persons**

1. The Requested State shall readmit, upon application by the Requesting State and without further formalities other than those provided for in this Agreement, any third country national or Stateless person who does not, or who no longer, fulfils the conditions in force for entry to, presence in, or residence on the territory of the Requesting State, provided that evidence has been furnished in accordance with Article 8 of this Agreement that such persons;
  - a) hold, at the time of submission of the readmission application, a valid visa or residence authorization issued by the Requested State; or
  - b) unlawfully entered the territory of the Requesting State directly from the territory of the Requested State, by air or by sea without having entered another country-in-between.
2. The readmission obligation in paragraph 1 shall not apply if
  - a) The third-country national or Stateless person has only been in airside transit via an international airport of the Requested State; or
  - b) The Requested State has issued to the third country national or Stateless person a visa or residence authorization before or after entering its territory unless that

person is in possession of a visa or residence authorization issued by the Requested State, which has a longer period of validity.

3. After the Requested State has given a positive reply to the readmission application, the Requested State shall, as necessary and without delay, issue a travel document required for the return of the person to be readmitted, which shall be valid for at least sixty days. If, for legal or factual reasons, the person concerned cannot be transferred within the period of validity of the travel document, the Requested State shall issue or renew travel document with the same period of validity within 7 days.

## **SECTION-II**

### **READMISSION PROCEDURE**

#### **ARTICLE 4**

##### **Principles**

1. Subject to paragraph 2, any transfer of a person to be readmitted on the basis of the obligations contained in Articles 2 and 3 shall require the submission of a readmission application to the competent authority of the Requested State.
2. Without prejudice to Articles 2 (1) and 3 (1), no readmission application shall be needed, where the person to be readmitted is in possession of a valid travel document and, where applicable, a valid visa or residence authorization of the Requested State.
3. No person shall be readmitted only on the basis of prima facie evidence of nationality.

#### **ARTICLE 5**

##### **Readmission Application**

1. A readmission application shall contain the following information:
  - (a) the particulars of the persons to be readmitted (e.g. given name, surname, date of birth, place of birth, and the last place of residence);
  - (b) indication of the means of evidence regarding nationality, the conditions for the readmission of third-country nationals and Stateless persons and unlawful entry and residence.
2. The readmission application, to the extent possible, should also contain the following information:
  - (a) a statement indicating that the person to be readmitted may need help or care, provided the person concerned has explicitly consented to the statement;