



REPUBLIKA E KOSOVËS – PRESIDENTI
REPUBLIC OF KOSOVO – THE PRESIDENT
REPUBLIKA KOSOVA – PREDSIEDNIK

**DECREE FOR RATIFICATION OF THE
INTERNATIONAL AGREEMENT**

Pursuant to Article 18, paragraph 2 of the Constitution of the Republic of Kosovo and Article 4, paragraph 3 of the Law Nr.03/L-004 for the Ministry of Foreign Affairs and Diplomatic Service, I hereby issue the following;

Decree

On the ratification of the Agreement on Readmission of Persons residing without Authorization and relevant Protocol of this Agreement, between the Republic of Kosovo and the the Czech Republic, signed in Prishtina on June 24, 2011, and received by the Office of the President of the Republic of Kosovo on 05 July 2011.

Pursuant to Article 18, paragraph 3 of the Constitution of the Republic of Kosovo, the ratified agreement shall be forwarded to the Parliament of the Republic of Kosovo as a notification.

The ratified agreement shall enter into force on the day of its publication in the Official Gazette.

Decree No: DMN-015-2011

Prishtina, 11 July 2011

Atifete Jahjaga
President of the Republic of Kosovo

Agreement
between the Republic of Kosovo
and
the Czech Republic
on the readmission of persons residing without authorization

The Republic of Kosovo

and

The Czech Republic,

hereinafter referred to as "the Contracting Parties",

determined to strengthen their cooperation 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 to or stay in the territories of the Republic of Kosovo or of the Czech Republic, and to facilitate the transit of third country citizens or stateless persons in a spirit of cooperation,

have agreed as follows:

SECTION I

Definitions

Article 1

For the purpose of this Agreement:

- a) "*Requesting Party*" shall mean the Contracting Party submitting a readmission application pursuant to Article 5 or a transit application pursuant to Article 12 of this Agreement;

- b) *"Requested Party"* shall mean the Contracting Party to which a readmission application pursuant to Article 5 or a transit application pursuant to Article 12 of this Agreement is addressed;
- c) *"Third-country citizen"* shall mean any person who holds a citizenship other than that of the Contracting Parties;
- d) *"Stateless person"* shall mean any person who does not hold the citizenship of any country;
- e) *"Residence permit"* shall mean a permit of any type issued by the Contracting Party 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 application for asylum or for another form of international protection or an application for a residence permit;
- f) *"Visa"* shall mean an authorisation issued or a decision taken by the Contracting Party which is required with a view to entering its territory. This shall not include airport transit visa and transit visa;
- g) *"Competent authority"* shall mean any national authority of the Contracting Party entrusted with the implementation of this Agreement in accordance with Article 17 lit. c) thereof;
- h) *"Transit"* shall mean the passage of a third-country citizen or a stateless person through the territory of the Requested Party while travelling from the Requesting Party to the state of destination;
- i) *"Border area"* shall mean any international airports of the Contracting Parties.

SECTION II

Readmission obligations

Article 2

Readmission of own citizens

(1) Each Contracting Party shall readmit, upon application by the other Contracting Party and without further formalities other than those provided for in this Agreement, any person who does not, or no longer, fulfil the legal conditions in force for entry to, or stay in the territory of the Requesting Party provided that it is proved, or may be validly assumed on the basis of prima facie evidence furnished that he/she is a citizen of the Requested Party.

(2) Each Contracting Party shall readmit at the same time:

- a) minor unmarried children of the person mentioned in paragraph 1 regardless of their place of birth or their citizenship, unless they have an independent right of residence on the territory of the Requesting Party;
- b) spouse of the person mentioned in paragraph 1 holding another citizenship provided he/she has the right to enter and stay or receives the right to enter and stay in the territory of Requested Party, unless he/she has an independent right of residence on the territory of the Requesting Party.

(3) Each Contracting Party shall also readmit any person who has been deprived, or has renounced the citizenship of the Requested Party after entering the territory of the Requesting Party, unless such person has at least been promised naturalization by the Requesting Party.

(4) Where the person to be readmitted possesses the citizenship of a third country in addition to the citizenship of the Requested Party, the Requesting Party shall take into consideration the will of such person to be readmitted to the state of his/her choice.

Article 3

Readmission of third-country citizens and stateless persons

(1) Each Contracting Party shall readmit, upon application by the other Contracting Party and without further formalities other than those provided for in this Agreement, any third-country citizen or stateless person who does not, or no longer, fulfil the conditions in force for entry to, or stay in the territory of the Requesting Party, provided that it is proved or may be validly assumed on the basis of prima facie evidence furnished, that such person:

- a) holds or at the time of entering the territory of the Requesting Party held a valid visa or residence permit issued by the Requested Party on the grounds of which he/she stayed in its territory; or
- b) unlawfully entered the territory of the Requesting Party from the territory of the Requested Party directly by air, or by land via a third country.

(2) The readmission obligation in paragraph 1 shall not apply if:

- a) the Requesting Party has issued to the third-country citizen or the stateless person a visa or a residence permit before or after entering its territory unless:
 - such person is in possession of a visa or a residence permit issued by the Requested Party which expires later; or

- the visa or the residence permit issued by the Requesting Party has been obtained by using forged or falsified documents, or by making false statements; or
- such person fails to observe any condition attached to the visa;
- b) such person is citizen of a state with which the Requesting Party shares common state borders;
- c) the third-country citizen or the stateless person has only been in airside transit via an international airport of the Requested Party.

(3) The Republic of Kosovo shall also readmit a former citizen of the former Federal Republic of Yugoslavia who has acquired no other citizenship and whose place of birth and place of permanent residence on 1st January 1998 was on the territory of Kosovo, provided that the latter can be confirmed by the authorities of the Republic of Kosovo.

SECTION III

Readmission procedure

Article 4 Principles

(1) Except for the cases covered by paragraph 2, any transfer of a person to be readmitted on the basis of one of the obligations contained in Articles 2 and 3 of this Agreement shall require the submission of a readmission application to the competent authority of the Requested Party.

(2) No readmission application shall be needed where the citizen to be readmitted is in possession of a valid travel document or an identity card and in case of a third-country citizen or a stateless person also a valid visa or a residence permit of the Requested Party.

(3) If a person to be readmitted has been apprehended in the border area of the Requesting Party after illegally crossing the border coming directly from the territory of the Requested Party, the Requesting Party may submit a readmission application within two working days following this person's apprehension (hereinafter referred to as "accelerated procedure").

Article 5
Readmission application

(1) To the extent possible any readmission application is to contain, in particular, the following information:

- a) the particulars of the person to be readmitted (given names, surnames, father's name, maiden name, other names used/by which known or aliases, date and place of birth, and the last place of residence);
- b) indication of the means by which proof or prima facie evidence of the fulfilment of the conditions for the readmission will be provided;
- c) photograph of the person to be readmitted;
- d) person's biometric data, in particular finger prints.

(2) A common form to be used for readmission applications is attached as annex to the Implementing Protocol to this Agreement.

Article 6
Means of evidence

(1) Documents and other means by which the citizenship pursuant to Article 2 (1) of this Agreement or the fulfilment of the conditions for the readmission of a person pursuant to Article 3 (1) or (3) of this Agreement shall be proven or validly assumed shall be listed in the Implementing Protocol to this Agreement. Proof or prima facie evidence of citizenship or fulfilment of the conditions for the readmission cannot be furnished through false documents.

(2) Proven citizenship or fulfilment of the conditions for the readmission shall be mutually recognised by the Contracting Parties without further investigation being required. Where citizenship or fulfilment of the conditions for the readmission is validly assumed on the basis of prima facie evidence furnished, the Contracting Parties shall deem the citizenship or the conditions for the readmission to be established unless they can prove otherwise.

(3) If none of the means of evidence of citizenship listed in the Implementing Protocol to this Agreement can be presented, the competent diplomatic and consular representations of the Requested Party shall, upon request, interview the person to be readmitted without undue delay, at the latest within five working days from the date of receipt of the readmission application, in order to obtain information on his/her citizenship.

(4) If none of the means of evidence of fulfilment of the conditions for the readmission of the former citizen of the former Federal Republic of Yugoslavia pursuant the Article 3 (3) of this Agreement listed in the Implementing Protocol to this Agreement can be presented, the competent diplomatic and consular representations of the Republic of Kosovo shall, upon request, interview the person to be readmitted without undue delay, at the latest within five working days from the date of receipt of the readmission application, in order to obtain information on his/her citizenship.

Article 7 Time limits

(1) A readmission application concerning a third-country citizen or a stateless person must be submitted to the competent authority of the Requested Party within a maximum of one year after the Requesting Party's competent authority has gained knowledge that the third-country citizen or the stateless person does not, or no longer, fulfil the conditions in force for entry or stay in the territory of the Requesting Party. Where there are legal or factual obstacles to the application being submitted in time, the time limit shall, upon request by the Requesting Party, be extended but only until the obstacles have ceased to exist.

(2) A readmission application must be replied to in writing without undue delay within thirty (30) calendar days in all cases. This time limit begins to run on the date of receipt of the readmission application. The reasons for an eventual rejection must be given in writing.

(3) Where there are legal or factual obstacles to an application being replied to within thirty (30) calendar days, this time limit may, upon duly motivated request, be extended up to a maximum of forty (40) calendar days.

(4) In the case of a readmission application submitted under the accelerated procedure pursuant to Article 4 (3) of this Agreement, a reply has to be given within three working days after the date of receipt of such application.

(5) If there was no reply within the time limits referred to in paragraphs 2, 3 and 4, the readmission shall be deemed to have been agreed to.

(6) After approval has been given or, where appropriate, after expiry of the time limit laid down in paragraphs 2, 3 and 4, the person concerned shall be

transferred within three months. On request of the Requesting Party, this time limit may be extended by the time taken to deal with legal or factual obstacles.

Article 8 Travel documents

(1) In case of a readmission of citizens of the Contracting Parties the Requested Party shall, if necessary, issue to the citizen to be readmitted within three working days from the date of notification of the affirmative reply to the readmission application, or, where applicable, from the expiry of the time limit pursuant to Article 7 (2), (3) and (4) of this Agreement, a travel document required for the return of the citizen with a validity of at least thirty (30) days. Where due to a delay in readmission pursuant to Article 7 (6) of this Agreement the transfer of the citizen cannot take place within the period of validity of the travel document originally issued, the Requested Party shall, upon request, issue a new travel document with the same period of validity within three working days. Should the Requested Party fail to issue a travel document in the time limits stated above, it shall be assumed that it agrees with the use of an emergency travel document issued by the Requesting Party. The same procedure applies where the citizen is a holder of a valid identity card, but is not a holder of a valid travel document.

(2) If a third-country citizen or a stateless person to be readmitted is not a holder of a valid travel document, the Requesting Party shall issue a travel document for foreigners to him/her for the purpose of return journey.

Article 9 Transfer modalities

(1) Before returning a person, the competent authorities of the Contracting Parties shall agree in advance and in writing on the transfer date, the point of entry, possible escorts and other details relevant to the transfer. In the case of readmission under Article 4 (2) taking place without escort such arrangements are not necessary and the return of the person shall be notified to the competent authority of the Requested Party at least three (3) working days in advance of the transfer.

(2) To the extent possible and if necessary, the written arrangements mentioned in paragraph 1 shall also contain the following information:

- a) a statement indicating that the person to be readmitted may need help or care, if this is in the interest of the person concerned or of the protection of public health;
- b) any other protection or security measure, which may be necessary in the individual return case.

(3) Transportation may take place by air or land. Transfer by air shall not be restricted to the use of the national carriers of the Contracting Parties and may take place by using scheduled or charter flights.

(4) In case of an escorted transfer, escorts shall be obliged to comply with the legislation of the Requested Party. They shall not exercise any authority on the territory of the Requested Party and shall not bear weapons and other restricted objects on the territory of the Requested Party.

(5) Escorts shall be exempted from having to obtain an airport transit visa.

Article 10 Readmission in error

(1) The Requesting Party shall take back any person readmitted by the Requested Party if it is established, within a period of three months after the transfer of the person concerned that the requirements for the readmission laid down in Articles 2 and 3 of this Agreement were not met at the time of submission of the readmission application.

(2) In such cases the procedural provisions of this Agreement shall apply *mutatis mutandis* and the Requested Party shall provide the Requesting Party with all available information relating to the actual identity and citizenship of the person to be taken back.

SECTION IV

Transit operations

Article 11

Principles

(1) The Contracting Parties should restrict the transit of third-country citizens or stateless persons to cases where such persons cannot be returned to the state of destination directly.

(2) The Requested Party shall allow the transit of third-country citizen or stateless person if the Requesting Party so requests and if the onward journey of such person through possible other states of transit and the readmission by the state of destination is ensured.

(3) Transit can be refused by the Requested Party:

- a) if the third-country citizen or the stateless person runs a real risk of being subjected to torture or to inhuman or degrading treatment or punishment or the death penalty or of persecution because of his/her race, religion, nationality, membership of a particular social group or political conviction in the state of destination or another state of transit; or
- b) if the third-country citizen or the stateless person shall be subject to criminal sanctions in the Requested Party or in another state of transit; or
- c) on grounds of public health, domestic security, public order or other national interests of the Requested Party.

(4) The Contracting Parties may revoke any authorization issued if circumstances referred to in paragraph 3 subsequently arise or come to light which stand in the way of the transit operation, or if the onward journey in possible other states of transit or the readmission by the state of destination is no longer assured. In this case the Requesting Party shall take back the third-country citizen or the stateless person as necessary and without delay.

Article 12

Transit procedure

(1) A transit application must be submitted to the competent authority of the Requested Party in writing and is to contain, in particular, the following information:

- a) type of transit (by air or land), possible other states of transit, if any, and intended final destination;

- b) to the extent possible, the particulars of the person concerned (e.g. given names, surnames, maiden name, date of birth, sex and – where possible – place of birth, citizenship, language, type and number of travel document);
- c) envisaged point of entry, time of transfer and the details of escorts, if any;
- d) a declaration that in the view of the Requesting Party the conditions pursuant to Article 11 (2) of this Agreement are met, and that no reasons for a refusal pursuant to Article 11 (3) of this Agreement are known.

A common form to be used for transit applications is attached as annex to the Implementing Protocol to this Agreement.

(2) The Requested Party shall, within three working days after the receipt of the application and in writing, inform the Requesting Party of the admission, confirming the point of entry and the envisaged time of admission, or inform it of the transit refusal and of the reasons for such refusal.

(3) If the transit operation takes place by air the person concerned and possible members of the escort shall be exempted from having to obtain an airport transit visa.

(4) The competent authorities of the Requested Party shall, subject to mutual consultations, assist in the transit operations, in particular through the surveillance of the persons in question and the provision of suitable amenities for that purpose.

(5) If the transit operation takes place by air, competent authorities of the Requested Party ensure that the person concerned boards the aircraft in order to travel to the state of destination or another state of transit.

(6) If the transit operation takes place by land, the person concerned shall be handed over at the state border to officials of the competent authority of the Requested Party, who shall accompany the person to the border of the state of destination or of another state of transit.

(7) In case of an escorted transit Article 9 (4) shall apply *mutatis mutandis*.

SECTION V

Costs

Article 13

(1) Without prejudice to the right of the competent authorities to recover the costs associated with the readmission from the person to be readmitted or third parties, all transport costs incurred in connection with readmission, readmission in error and transit operations pursuant to this Agreement as far as the border of the state of final destination shall be borne by the Requesting Party.

(2) The Requesting Party shall reimburse reasonable costs in connection with presence of the person subject to transit in the territory of the Requested Party, including assistance provided by the officials of the Requested Party.

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

SECTION VI

Data protection and non-affected clause

Article 14

Data protection

(1) The communication of personal data shall only take place if such communication is necessary for the implementation of this Agreement by the competent authorities of the Contracting Parties as the case may be. The processing and treatment of personal data in a particular case shall be subject to the national laws of Contracting Parties.

Additionally the following principles shall apply:

- a) personal data must be processed fairly and lawfully;
- b) personal data must be collected for the specified, explicit and legitimate purpose of implementing this Agreement and not further processed by the communicating authority nor by the receiving authority in a way incompatible with that purpose;
- c) personal data must be adequate, relevant and not excessive in relation to the purpose for which they are collected and/or further processed; in particular, personal data communicated may concern only the following:

- the particulars of the person to be transferred (e.g. given names, surnames, father's name, maiden name, other names used/by which known or aliases, sex, civil status, date and place of birth, current and any previous citizenship);
 - travel documents, identity documents or driving licence (number, period of validity, date of issue, issuing authority, place of issue);
 - stop-overs and itineraries;
 - other information needed to identify the person to be transferred or to examine the readmission requirements pursuant to this Agreement and to ensure the readmission or transit of such person, including information on health of the person to be transferred, if it is in his/her interest or in the interest of the protection of public health;
- d) personal data must be accurate and, where necessary, kept up to date;
- e) personal data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purpose for which the data were collected or for which they are further processed;
- f) both the communicating authority and the receiving authority shall take every reasonable step to ensure as appropriate the rectification, erasure or blocking of personal data where the processing does not comply with the provisions of this Article, in particular because those data are not adequate, relevant, accurate, or they are excessive in relation to the purpose of processing. This includes the notification of any rectification, erasure or blocking to the other Contracting Party;
- g) upon request, the receiving authority shall inform the communicating authority of the use of the communicated data and of the results obtained therefrom;
- h) personal data may only be communicated to the competent authorities. Further communication to other bodies requires the prior written consent of the communicating authority;
- i) personal data must be effectively protected from any unauthorized access, loss, accidental or unauthorized modification, accidental or unauthorized exchange, or accidental or unauthorized publication;
- j) the communicating and the receiving authorities are under an obligation to make a written record of the communication and receipt of personal data;
- k) the person whose data are being communicated shall have the right to request and to obtain information on the data communicated in accordance with the national legislation of the Contracting Party which was requested to provide such information.

(2) The Contracting Parties shall cooperate in the field of protection of the exchanged data. They shall, in particular, inform each other of the capacity of the persons concerned to seek protection of their rights pursuant to paragraph 1 lit. k).

Article 15
Non-affection clause

(1) This Agreement shall be without prejudice to the rights and obligations of Contracting Parties arising from international law and, in particular, from:

- the Convention of 28 July 1951 relating to the Status of Refugees as amended by the Protocol of 31 January 1967 relating to the Status of Refugees;
- international conventions determining the state responsible for examining applications for asylum or for another form of international protection;
- the European Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms;
- the Convention of 10 December 1984 against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;
- international conventions on extradition;
- multilateral international conventions and agreements containing the rules on the readmission of foreign citizens.

(2) Nothing in this Agreement shall prevent the return of a person under other formal or informal arrangements.

SECTION VII

Implementation

Article 16
Cooperation and expert meetings

(1) The competent authorities of the Contracting Parties shall provide each other with mutual assistance in the application and interpretation of this Agreement.

(2) Each Contracting Party may request the convocation of a meeting of experts of both Contracting Parties for the clarification of any questions arising from the implementation of this Agreement.

(3) The Contracting Parties shall settle the difficulties related to the interpretation and implementation of this Agreement via diplomatic channels.

Article 17
Implementing Protocol

The Ministry of Internal Affairs of the Republic of Kosovo and the Ministry of the Interior of the Czech Republic shall conclude an Implementing Protocol to this Agreement, which shall, in particular, stipulate the following:

- a) documents and other means of evidence under Article 6 of this Agreement;
- b) the form of the readmission and transit application under Article 5 and Article 12 of this Agreement;
- c) the competent authorities, which will implement this Agreement, including the mode of their mutual communication;
- d) airports and other border crossing points of the Contracting Parties, which will be used for the implementation of this Agreement;
- e) detailed description of costs under Article 13 of this Agreement and the ways of their reimbursement.

SECTION VIII

Final Provisions

Article 18

(1) This Agreement is subject to ratification in accordance with the respective procedures of the Contracting Parties. The ratification instruments shall be exchanged in PRAGUE

(2) This Agreement shall enter into force on the first day of the second month following the date of the exchange of the ratification instruments.

(3) This Agreement is concluded for an indefinite period.

(4) Each Contracting Party may propose amendments to this Agreement. Such amendments to this Agreement shall be ratified and enter into force pursuant to paragraph 2.

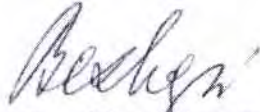
(5) Each Contracting Party may, by officially notifying the other Contracting Party, completely or partly, temporarily suspend the implementation of the readmission obligation under Article 3 of this Agreement, for reasons of domestic

security, protection of public order or public health. The suspension shall enter into force on the second day following the day of such notification.

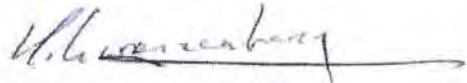
(6) Each Contracting Party may denounce this Agreement by officially notifying the other Contracting Party. This Agreement shall cease to apply six months after the date of such notification.

(7) The registration of this Agreement according to Article 102 of the United Nations Charter shall be arranged immediately after its entry into force by the Czech Republic. The Republic of Kosovo shall be notified about the UN registration number, when this number has been confirmed by the United Nations Secretariat.

Done at PRISTINA on the 24 Day of JUNE. In the year 2011... in duplicate, in the Albanian, Serbian, Czech and English languages, each of these texts being equally authentic. In case of differences in interpretation of the provisions of this Agreement, the English text shall prevail.



For the Republic of Kosovo



For the Czech Republic

Protocol
between the Ministry of Internal Affairs of the Republic of Kosovo
and
the Ministry of the Interior of the Czech Republic
Implementing the Agreement between the Republic of Kosovo and the Czech Republic on
the readmission of persons residing without authorization

The Ministry of Internal Affairs of the Republic of Kosovo
and
the Ministry of the Interior of the Czech Republic,
hereinafter referred to as the "Contracting Parties",

for the purposes of the implementation of the Agreement between the Republic of Kosovo
and the Czech Republic on the readmission of persons residing without authorization,
hereinafter referred to as the „Agreement“ and in accordance with its Article 17,

have agreed as follows:

Article 1
Definitions

This Protocol provides detailed rules for the implementation of the Agreement. For
the purposes of this Protocol:

- a) "*Requesting State*" shall mean the state, whose competent authority is submitting a
readmission application or a transit application in accordance with the Agreement;
- b) "*Requested State*" shall mean the state, whose competent authority a readmission
application or a transit application in accordance with the Agreement is addressed
to;

Other terms and expressions used in this Protocol shall be interpreted as defined in
the Agreement.

Article 2
Competent authorities

(1) The competent authorities for the implementation of the Agreement are:

for the Republic of Kosovo:

for readmission operations:
Ministry of Internal Affairs (MoIA)
Department for Citizenship, Asylum and Migration

Str. Luan Haradinaj
New building of MoIA
10000 Prishtinë - Kosovë

for transit operations:
Ministry of Internal Affairs (MoIA)
Kosovo Police
Directorate for Foreigners and Migration
Str. Luan Haradinaj
10000 Prishtinë – Kosovë;

for the Czech Republic:

Police of the Czech Republic
Directorate of the Alien Police Service
Olšanská 2
PO box 78
130 51 Praha 3.

(2) The telephone numbers, fax numbers, e-mail addresses and other contact details of the competent authorities shall be exchanged upon signing of this Protocol. The competent authorities shall notify each other any later changes of their contact details or names.

(3) The Contracting Parties shall without undue delay notify each other of any change in the competent authorities and their addresses.

Article 3 Means of communication

(1) Readmission applications and the transit applications and replies thereto shall be submitted in writing by the competent authorities by post, by fax or via secured communication channels.

(2) Other related communication, not containing personal data of the person to be transferred, shall take place via electronic means or by using other technical means of communication.

Article 4 Means of evidence of citizenship

(1) The citizenship of the Requested State pursuant to Article 2 (1) of the Agreement can be proven by any of the following documents:

for the Republic of Kosovo:

- passport of the Republic of Kosovo of any kind (an ordinary passport, a diplomatic passport, an official passport),
- identity card of the Republic of Kosovo,
- citizenship certificate of the Republic of Kosovo,
- birth certificate of the Republic of Kosovo;

for the Czech Republic:

- travel document of the Czech Republic of any kind (a national passport, a diplomatic passport, a service passport, an emergency travel document),
- identity card of the Czech Republic,
- citizenship certificate of the Czech Republic.

(2) The citizenship of the Requested State pursuant to Article 2 (1) of the Agreement can be validly assumed on the basis of the following prima facie evidence:

- a) photocopies of any of the documents listed in paragraph 1;
- b) any official document that mentions or indicates the citizenship or photocopies thereof;
- c) military service books and military identity cards or photocopies thereof;
- d) seaman's registration books or photocopies thereof;
- e) driving licenses or photocopies thereof;
- f) company identity cards or photocopies thereof;
- g) official statements made by the person concerned in judicial or administrative proceedings;
- h) official statements made by witnesses who can testify that the person concerned has the citizenship of the Requested State;
- i) in case of citizens of the Czech Republic certificate of legal competence to enter into marriage, provided that it specifies citizenship of the Czech Republic or photocopies thereof;
- j) in case of citizens of the Czech Republic birth certificates or photocopies thereof;
- k) in case of citizens of the Czech Republic, an identity card of the Czechoslovak Republic, the Czechoslovak Socialist Republic, or the Czech and Slovak Federative Republic indicating the citizenship of the Czech Republic;
- l) in case of nationals of the Republic of Kosovo also a birth certificate, a travel document or an identity card issued by the Interim Administration Mission of the United Nations in Kosovo (UNMIK) or photocopies thereof.

(3) The Contracting Parties shall exchange specimen of documents listed in paragraph 1. The Contracting Parties shall notify each other, without undue delay, of any modifications in the specimen of documents mentioned above or new specimen issued, and shall provide the modified or new specimen of documents to the other Contracting Party.

Article 5

Means of evidence for the readmission of third-country citizens and stateless persons

(1) The fulfilment of the conditions for the readmission of third-country citizens and stateless persons pursuant to Article 3 (1) of the Agreement can be proven by any of the following means of evidence:

- a) valid visas or residence permits issued by the Requested State;
- b) entry/departure stamps or similar endorsement in the travel document of the person concerned or other evidence of entry/departure;
- c) official statements made by border authority staff of the Requesting State who can testify that the person concerned has entered the territory of the Requesting State coming directly by air from the territory of the Requested State;
- d) named travel tickets, which testify to the itinerary of the person concerned from the territory of the Requested State directly to the territory of the Requesting State;
- e) passenger lists stating names of persons travelling by air, train or bus which testify to the itinerary of the person concerned from the territory of the Requested State directly to the territory of the Requesting State.

(2) The existence of the conditions for the readmission of third-country citizens and stateless persons pursuant to Article 3 (1) of the Agreement can be validly assumed on the basis of the following prima facie evidence:

- a) photocopies of any of the documents listed in paragraph 1;
- b) international travel tickets;
- c) documents, certificates and bills of any kind (e.g. hotel bills, appointment cards for doctors/dentists, entry cards for public/private institutions, car rental agreements, credit card receipts etc.) which clearly show that the person concerned stayed on the territory of the Requested State;
- d) information showing that the person concerned has used the services of a courier or travel agency;
- e) official statements made by the person concerned in judicial or administrative proceedings;
- f) official statements made by witnesses who can testify that the person concerned has entered the territory of the Requesting State coming directly by air from the territory of the Requested State;
- g) other real or material evidence corresponding in time with the stay of the person concerned in the territory of the Requested State, and with his/her illegal entry to or stay in the territory of the Requesting State.

(3) The existence of the conditions for the readmission of former citizens of the former Federal Republic of Yugoslavia in accordance with Article 3 (3) of the Agreement can be proven by the following documents issued by the authorities of the former Federal Republic of Yugoslavia in the territory of Kosovo before 10 June 1999:

- a) birth certificates or photocopies thereof,
- b) public documents or photocopies thereof, stating place of birth and/or place of permanent residence in the territory of Kosovo.

(4) The existence of the conditions for the readmission of former citizens of the former Federal Republic of Yugoslavia in accordance with Article 3 (3) of the Agreement can be validly assumed on the basis of the following prima facie evidence:

- a) other documents or certificates or photocopies thereof which point to the place of birth in the territory of Kosovo;
- b) official statement by the person concerned in judicial or administrative proceedings.

Article 6 Other documents

(1) If the competent authority of Requesting State considers that other documents not listed in Articles 4 and 5 of this Protocol may be essential for establishing the citizenship of the Requested State or the fulfilment of conditions for readmission of a third-country citizen or a stateless person, such documents may be submitted to the Requested State with the readmission application.

(2) The decision as to whether the documents mentioned in paragraph 1 may be taken into account in processing the readmission application shall be made by the competent authority of the Requested State.

Article 7 Readmission application and request for interview

(1) A readmission application in accordance with Article 5 of the Agreement shall be submitted on a form, the specimen of which forms Annex 1 to this Protocol.

(2) If an interview pursuant to Article 6 (2) and (3) of the Agreement is needed, the request for the interview shall be entered in section F of the readmission application.

(3) A readmission application shall be supplemented by copies of documents by which the citizenship of the Requested State or the fulfilment of the conditions for the readmission of the third-country national or the stateless person is proven or on the basis of which it can be validly assumed.

Article 8
Readmission procedure

(1) The proposed transfer date, point of entry and details concerning possible escorts shall be in principle inserted directly into section F of the readmission application, if known. The competent authority of the Requested State shall answer to the proposal in the reply to the readmission application.

(2) If information under paragraph 1 is not inserted in the readmission application, the competent authority of the Requesting State shall notify it to the competent authority of the Requested State no later than seven calendar days before the envisaged transfer date. The competent authority of Requested State shall send a reply to this proposal as promptly as possible, but within a maximum of four calendar days from the date of receipt of the proposal. Where the competent authority of the Requesting State does not receive a reply within the stated time limit, the proposal shall be considered accepted.

(3) In case of an escorted transfer of the person to be readmitted a record of the hand-over of such person shall be produced in duplicate on a form, the specimen of which forms Annex 2 to this Protocol.

Article 9
Transit procedure

(1) A transit application in accordance with Article 12 of the Agreement shall be submitted on a form, the specimen of which forms Annex 3 to this Protocol.

(2) In principle transit operations shall be effected by air.

Article 10
Escorts

(1) This article concerns all kinds of escorts (e.g. police, medical or social escorts).

(2) If a person in the process of readmission or transit is to be accompanied by escorts, the competent authority of the Requesting State shall give, where appropriate, the following information: first names, surnames, ranks and positions of escorting persons, type, number and date of issue of their passports and service identification cards.

(3) The escorts shall carry valid passports and copy of the affirmative reply to the readmission or transit application. In case of police escorts, the members of escorts shall be in plain clothes and carry service identification cards.

(4) The number of escorts shall be agreed upon in advance by the competent authorities of the Contracting Parties on a case-by-case basis.

Article 11
Border crossing points

(1) For readmission and transit operations the following border crossing points shall be used, unless agreed otherwise by the competent authorities on a case-by-case basis:

in the Republic of Kosovo: the International Airport "Adem Jashari", Prishtinë,
in the Czech Republic: the Prague Ruzyně Airport.

(2) The Contracting Parties shall immediately inform each other through diplomatic channels of any change in the list of the border crossing points provided in paragraph 1.

Article 12
Coverage of costs

(1) Transport costs pursuant to Article 13 (1) of the Agreement include costs incurred by the use of an official car or means of public transport with the exception of a taxi.

(2) The competent authority of the Requesting State shall refund the competent authority of the Requested State for costs pursuant to Article 13 (1) and (2) of the Agreement by bank transfer to the account of the competent authority of the Requested State within sixty (60) calendar days from the date of receipt of the invoice. The Contracting Parties shall notify each other of their respective bank account numbers through diplomatic channels. The rate of refund shall be governed by the legislation of the Requested State and shall be based on documents proving the actual amount of costs.

Article 13
Languages

The competent authorities of the Contracting Parties shall, when implementing the Agreement, communicate in English, unless agreed otherwise on a case-by-case basis.

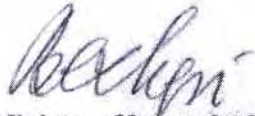
Article 14
Final provisions

(1) This Protocol shall enter into force on the same day as the Agreement.

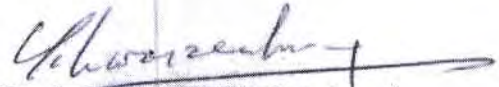
(2) Each Contracting Party may propose amendments to this Protocol. Such amendments shall be approved by the Contracting Parties in accordance with their respective procedures.

(3) This Protocol shall be terminated at the same time as the Agreement.

Done at PRISTINA on the 24 day of JUNE in the year 2011... in duplicate, each in the Albanian, Serbian, Czech and English languages, each of these texts being equally authentic. In case of differences in interpretation of the provisions of this Protocol, the English text shall prevail.



For the Ministry of Internal Affairs of
the Republic of Kosovo



For the Ministry of the Interior of
the Czech Republic

Annex 1
to the Protocol between the Ministry of Internal Affairs of the Republic of Kosovo and
the Ministry of the Interior of the Czech Republic Implementing the Agreement between
the Republic of Kosovo and the Czech Republic on the readmission of persons residing
without authorization

[Emblem of]

.....
..... (Place and date)
.....
(Designation of competent authority of the
Requesting State)

Reference:

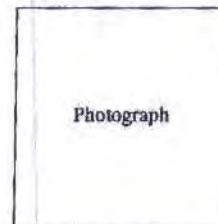
ACCELERATED PROCEDURE

To
.....
.....
.....
(Designation of competent authority of the
Requested State)

READMISSION APPLICATION
in accordance with Article 5 of the Agreement
between the Republic of Kosovo and the Czech Republic
on the readmission of persons residing without authorization

A. PERSONAL DETAILS

1. Full name (underline surname):
2. Father's name:
3. Maiden name/name at birth:
4. Date and place of birth:
5. Address of residence in the state of origin or permanent residence:
6. Nationality and language:
7. Civil status: married single divorced widowed
8. Sex and physical description (height, colour of eyes, distinguishing marks etc.):
9. Also known as (earlier names, other names used/by which known or aliases):



If married: name of spouse

Names and age of children (if any)
.....
.....
.....

10. Last address in the Requesting State:
.....

B. PERSONAL DETAILS OF SPOUSE (IF APPROPRIATE)

1. Full name (underline surname):
2. Maiden name/name at birth:
3. Date and place of birth:
4. Sex and physical description (height, colour of eyes, distinguishing marks etc.):
.....
5. Also known as (earlier names, other names used/by which known or aliases):
.....
6. Nationality and language:
.....

C. PERSONAL DETAILS OF CHILDREN (IF APPROPRIATE)

1. Full name (underline surname):
2. Date and place of birth:
3. Sex and physical description (height, colour of eyes, distinguishing marks etc.):
.....
4. Nationality and language:
.....

D. MEANS OF EVIDENCE ATTACHED

- | | |
|--|------------------------------------|
| 1.
(Passport No.) |
(date and place of issue) |
|
(issuing authority) |
(expiry date) |
| 2.
(Identity card No.) |
(date and place of issue) |
|
(issuing authority) |
(expiry date) |
| 3.
(Driving license No.) |
(date and place of issue) |
|
(issuing authority) |
(expiry date) |
| 4.
(Other official document No.) |
(date and place of issue) |
|
(issuing authority) |
(expiry date) |

E. SPECIAL CIRCUMSTANCES RELATING TO THE TRANSFEREE

1. State of health

(e.g. possible reference to special medical care; Latin name of disease):

.....

2. Indication of particularly dangerous person

(e.g. suspected of offence; aggressive behaviour):

.....

F. OBSERVATIONS

.....

.....

.....

.....
(Signature of the competent authority of the Requesting State) (Seal/stamp)

Annex 2

to the Protocol between the Ministry of Internal Affairs of the Republic of Kosovo and the Ministry of the Interior of the Czech Republic Implementing the Agreement between the Republic of Kosovo and the Czech Republic on the readmission of persons residing without authorization

.....
Competent authority of the Requesting State

Reference No:

.....
Competent authority of the Requested State

RECORD OF TRANSFER OF READMITTED PERSON
in accordance with Article 8(3) of the Protocol between the Ministry of Internal Affairs of the Republic of Kosovo and the Ministry of the Interior of the Czech Republic Implementing the Agreement between the Republic of Kosovo and the Czech Republic on the readmission of persons residing without authorization

A. PERSONAL DETAILS

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

B. PERSONAL DETAILS OF ACCOMPANYING SPOUSE

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

C. PERSONAL DETAILS OF ACCOMPANYING CHILDREN

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

D. PERSONAL BELONGINGS AND CASH CARRIED BY THE PERSON TO BE READMITTED

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:

Annex 3

**to the Protocol between the Ministry of Internal Affairs of the Republic of Kosovo and
the Ministry of the Interior of the Czech Republic Implementing the Agreement between
the Republic of Kosovo and the Czech Republic on the readmission of persons residing
without authorization**

[Emblem of]

.....
.....
..... (Place and date)
(Designation of the competent authority of the
Requesting State)

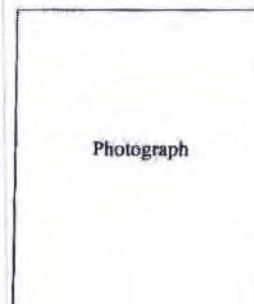
Reference:

To
.....
.....
.....
(Designation of competent authority of the
Requested State)

TRANSIT APPLICATION
in accordance with Article 12 of the Agreement
between the Republic of Kosovo and the Czech Republic
on the readmission of persons residing without authorization

A. PERSONAL DETAILS

1. Full name (underline surname):
.....
2. Maiden name/name at birth:
.....
3. Date and place of birth:
.....
4. Sex and physical description (height, colour of eyes, distinguishing marks etc.):
.....
5. Also known as (earlier names, other names used/by which known or aliases):
.....
6. Nationality and language:
.....



B. TRANSIT OPERATION

1. Type of transit
by air _____ by land _____
2. State of destination _____
3. Possible other States of transit _____
4. Proposed border crossing point, date, time of transfer and details of possible escort (including names of members of the escort)

5. Admission ensured in any other State of transit and in the State of destination (Article 11 (2) of the Agreement)
yes _____ no _____
6. Knowledge of any reason for a refusal of transit (Article 11 (3) of the Agreement)
yes _____ no _____

C. SPECIAL CIRCUMSTANCES RELATING TO THE TRANSFEREE

1. State of health
(e.g. possible reference to special medical care; Latin name of disease):

2. Indication of particularly dangerous person
(e.g. suspected of offence; aggressive behaviour):

D. OBSERVATIONS

(Signature of the competent authority of the Requesting State) (Seal/stamp)