

PROTOCOL
BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA

AND

THE GOVERNMENT OF THE REPUBLIC OF NORTH MACEDONIA

IMPLEMENTING
THE AGREEMENT

ON THE READMISSION OF PERSONS RESIDING

WITHOUT AUTHORISATION

The Government of the Republic of Lithuania and the Government of the Republic of North Macedonia the hereinafter referred to as “the Parties”,
desiring to facilitate the implementation of the Agreement on the Readmission of Persons Residing without Authorization done at Brussels on the day of 18th of September 2007, confirmed by the Council Decision 2007/817/EC of 8 November 2007, and entered into force on 1st of January 2008, hereinafter referred to as “the Agreement on Readmission”,
in accordance with the provisions of Article 19 of the Agreement on Readmission
have agreed as follows:

Article 1
Designated Competent Authorities

1. The Parties have designated the following competent authorities for implementation:
 - 1) reception, submission and processing of readmission applications:

For the Republic of Lithuania:

Migration Department under the Ministry of the Interior of the Republic of Lithuania
L. Sapiegos str. 1, LT-10312 Vilnius
Tel.: +370 5 271 7112
E-mail: info@migracija.gov.lt

For the Republic of North Macedonia:

Ministry of Interior
Bureau for Public Security
Department for Border Affairs and Migration
Unit for Foreigners and Readmission
“Dimce Mircev”, No. 9
1000 Skopje
The Republic of North Macedonia
Tel: +389 2 333 4478
Fax: +389 2 322 3803
+389 2 314 2434
E-mail: sgrm_osr@moi.gov.mk

2) reception, submission and processing of transit applications:

For the Republic of Lithuania:

State Border Guard Service of the Ministry of the Interior of the Republic of Lithuania
Savanorių av. 2, LT-03116 Vilnius
Tel.: +370 707 59 301
E-mail: dvks@vsat.vrm.lt

For the Republic of North Macedonia:

Ministry of Interior
Bureau for Public Security
Department for Border Affairs and Migration
Unit for Foreigners and Readmission
“Dimce Mircev”, No.9
1000 Skopje

The Republic of North Macedonia

Tel: +389 2 333 4478

Fax: +389 2 322 3803

+ 389 2 314 2434

E-mail: sgrm_osr@moi.gov.mk

- 3) Pursuant to Article 8 paragraph 3 of the Agreement on Readmission, the competent diplomatic and consular missions that organize the interview in order to determine the nationality of the person to be readmitted are:

For the Republic of Lithuania:

The Embassy of the Republic of Lithuania to the Republic of Croatia, to Montenegro, to the Republic of Kosovo and to the Republic of North Macedonia

Ulica Ivana Lučića 2A,

10000 Zagreb

Tel: +385 164 47785

E-mail: amb.hr@urm.lt

For the Republic of North Macedonia:

The Embassy of the Republic of North Macedonia in Warsaw

“Krolowej Marysienki” 40

02-954 Warsaw

Tel: +48 22 651 72 91

Fax: +48 22 651 72 92

E-mail: warsaw@mfa.gov.mk

Article 2

Border Crossing Points

The readmission and transit may be carried out on the following border crossing points:

For the Republic of Lithuania:

Vilnius International Airport

Rodunios kelias 2, LT-02189 Vilnius, Lithuania

Tel.: +370 5 219 84 85, +370 655 00 176

E-mail: vsat.vou.ob@vsat.vrm.lt

State Enterprise Lithuanian Airports Kaunas Branch

Oro uosto str. 4, Karmelava, LT-54460 Kaunas district, Lithuania

Tel.: +370 707 42 460

E-mail: vsat.kauno.ob@vsat.vrm.lt

State Enterprise Lithuanian Airports Palanga Branch

Liepojos plentas 1, LT-00170 Palanga, Lithuania

Tel.: +370 610 97 495

E-mail: ws72105@vsat.vrm.lt

For the Republic of North Macedonia:

The Police Station for Border Checks, International Airport – Skopje.

Tel. +389 72333900

Fax. +389 232382039

E-mail: airport_SK@moi.gov.mk

Article 3

Language of Communication

For the purpose of the implementation of the Agreement on Readmission and Protocol between the Government of the Republic of Lithuania and the Government of the Republic of North Macedonia implementing the Agreement on the Readmission of Persons Residing without Authorization (hereinafter referred to as the “Implementing Protocol”), the Parties shall communicate in the English language.

Article 4

Documents to be Submitted with an Readmission Application

1. A standard readmission application form, enclosed in Annex 6 to the Agreement on Readmission (hereinafter referred to as “Readmission Application”), shall be completed in accordance with Article 7 of the Agreement on Readmission and shall be sent to the competent authority of the state of the Requested Party by post or via a courier together with supplementary documents listed in paragraph (2) of this Article. A Readmission Application may be submitted via any means of communication, including electronic means of communication. An electronic delivery report shall constitute a proof of delivery of a Readmission Application.
2. Apart from a Readmission Application, the competent authority of the state of the Requesting Party shall submit to the competent authority of the state of the Requested Party the relevant completed documents listed in Annexes 1, 2, 3, 4 or 5 to the Agreement on Readmission, a completed standard form “European Fingerprints’ Standard” with fingerprints and a photograph of the person with regard to which a Readmission Application is submitted (not a scanned or otherwise made copy of the photograph). If the evidence provided for in Annexes 2, 3, 4 and 5 is to be submitted, it must be clear and accurate in order to enable its verification which would lead to determination whether the readmission obligation of the Requested Party exists.

Article 5

Interview

1. If it is necessary an interview to be conducted in accordance with Article 8, paragraph 3 of the Agreement on Readmission, the competent authority of the Requesting Party shall submit a request for an interview with the use of technical means to the competent diplomatic – consular mission of the Requested Party.
2. The competent official of the diplomatic – consular mission shall notify the competent authority of the Requesting Party on the results of the interview within three (3) working days from the date of the conducted interview.
3. In a case the relevant diplomatic – consular mission of the Requested Party shall display information on the interview, on the basis of which the citizenship of the person concerned can be reasonably presumed, the competent authority of the Requesting Party shall submit the response on the results of the interview to the competent authority of the Requested Party together with the Application for Readmission unless it was previously submitted.

Article 6

Time limits

1. Once the Requested Party has responded positively to the request for readmission, the travel document for the return of the person shall be issued immediately but no later than within 3 working days, with a validity period of 30 days:

On behalf of the Republic of Lithuania: officials of the diplomatic representation of the Republic of Lithuania accredited to the Republic of North Macedonia.

On behalf of the Republic of North Macedonia: officials of the diplomatic representation of the Republic of North Macedonia accredited to the Republic of Lithuania.

2. If, due to legal or factual obstacles, the person concerned cannot be readmitted within the validity period of the travel document that was originally issued, the Requested Party shall issue, within 14 calendar days, a new travel document with the same period of validity.

3. If the Republic of North Macedonia does not issue a new travel document within 14 calendar days, it shall be considered that the use of the standard EU travel document for expulsion is accepted.

Article 7

Transfer of Persons to be Readmitted

1. The transfer of the person to be readmitted shall take place at the time, place and under escort agreed upon in writing by the competent authorities of the Parties. A notification containing information on the time and location of the transfer of the person to be readmitted shall be submitted by e-mail or fax to the competent authority of the state of the Requested Party not later than three (3) working days before the date of transfer of a person to be readmitted.
2. If the term of the transfer of the person to be readmitted is extended due to any legal or practical impediments, the competent authority of the Requesting State shall immediately notify the competent authority of the Requested State of the elimination of such impediments and shall indicate the envisaged time and location of transfer.

Article 8

Conditions Concerning Escorted Transfer

In pursuance with Article 19, paragraph (1), line (c) of the Agreement on Readmission, the Parties agree to the following conditions relating to escorted transfers or transit of the person to be readmitted on their territories:

- 1) the escort shall be responsible for escorting the person to be readmitted and transferring him or her to the State of destination;

2) the escort shall perform his or her duties unarmed and in civilian clothing. He or she must carry documents proving that readmission or transit has been approved of, and he or she shall be able at all times to prove his or her identity and official authorization through relevant documents;

3) the Requested State shall ensure an adequate protection and assistance to the escort during the performance of his or her duties in order to carry out the official authorizations in performing such duties;

4) the escort shall in all cases be subject to the legislation of the Requested State. In discharge of duties, the escort shall not act in excess of necessary defence. The content of necessary defence shall be established by the national law of the state where relevant action takes place. In case of unavailability of officials of the Requested State authorized to carry out the necessary activities or in order to support such officials in situations of immediate and serious risk, the escort may take reasonable and commensurate measures to prevent the person to be readmitted from escaping, injuring himself or herself or injuring any other third persons, or causing damage to property;

5) the escort shall be responsible for carrying the travel documents and other required certificates or data of the person to be readmitted, and for handing over such items to the representative of the competent authority of the State of destination. The escort may not leave the agreed location of transfer of the person to be readmitted before the transfer of the person to be readmitted is completed;

6) the competent authorities of the Requesting State shall ensure that, when necessary, the escort have visas of the State (States) of transit and destination.

Article 9

Modalities and Assistance for Transit

1. The Parties shall use the following practical modalities for transit operations:
 - 1) an application for transit (of the form and content as specified in Annex 7 of the Agreement on Readmission) must be submitted by fax or e-mail to the competent authority of the Requested State at least six (6) working days prior to the planned transit;
 - 2) the competent authority of the Requested State must respond by e-mail within five (5) working days from the receipt of a transit application notifying the competent authority of the Requesting State about its consent to such a transit and the time planned, the border crossing point designated, the method of transportation of the person to be readmitted and the escort;
 - 3) if the Requesting State considers it necessary to seek assistance from the competent authorities of the Requested State for a specific transit operation, this is to be indicated in the transit application (Annex 7 of the Agreement on Readmission). In the response to such an application, the competent authorities of the Requested State are required to inform whether it is possible to provide such assistance;
 - 4) in the case the person to be readmitted is transported by air or is escorted, the competent authorities of the Requested State shall ensure the security of the person to be readmitted on its territory.
2. The Requesting State undertakes the obligation to receive the person to be readmitted in accordance with Article 13 paragraph (3) and (4) of the Agreement on Readmission without any delay, provided:
 - 1) the consent to transit is refused or withdrawn in accordance with Article 13 paragraph (3) and (4) of the Agreement on Readmission;
 - 2) the person to be readmitted has illegally entered into the territory of the Requested State during the transit;
 - 3) the transfer of the person to be readmitted in another state of transit or destination is unsuccessful, or
 - 4) the transit is not possible for any other reason.

Article 10

Coverage of Costs

Costs related to readmission or transit operations incurred by the Requested Party, which shall be covered by the Requesting Party in accordance with Article 15 of the Agreement on Readmission, shall be reimbursed by the Requesting Party in euros within thirty (30) days from the date of receipt of the invoice.

Article 11

Personal Data Protection

The exchange, transfer and protection of personal data for the purpose of implementation of the Implementing Protocol shall be conducted in accordance with Article 16 of the Agreement on Readmission.

Article 12

Notification

The Parties, through diplomatic channels, shall notify each other of any changes concerning the contact details and the list of the competent authorities specified in Article 1 of the Implementing Protocol as well as the border crossing points specified in Article 2 of the Implementing Protocol. The changes shall enter into force as of the date of the receipt of the notification.

Article 13

Entry into Force, Termination and Amendments

1. The Implementing Protocol shall be concluded for an indefinite period of time. The Parties shall notify each other through diplomatic channels of the completion of internal legal procedures necessary for the entry into force of the Implementing Protocol. After the Party receives the last notification, it shall notify the Joint Readmission Committee on the conclusion of the Implementing Protocol. The Implementing Protocol shall enter into force on the date of the receipt of such notification by the Joint Readmission Committee.
2. This Protocol shall cease to be in force on the date of cessation of the Agreement on Readmission.
3. Subject to mutual written consent, the Parties may amend the Implementing Protocol. Amendments to the Implementing Protocol shall form an integral part of the Implementing Protocol and enter into force following the procedure established in Article 13, paragraph (1) of the Implementing Protocol.
4. The Parties may, by mutual consent, denounce the Implementing Protocol in writing through diplomatic channels. In this case, the denunciation shall take effect following six (6) months from the date of the receipt of the last notification on denunciation.
5. In pursuance with Article 18 of the Agreement on Readmission, the Parties shall inform the Joint Readmission Committee about the conclusion, denunciation and amendments of the Implementing Protocol and other matters related with the implementation of the Agreement on Readmission.

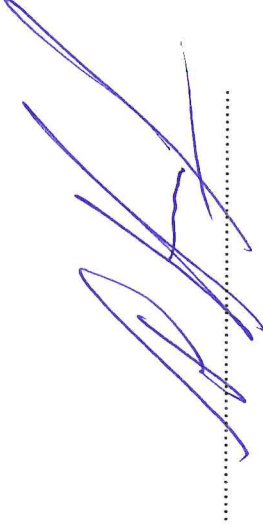
Article 14

Dispute Resolution

1. Any disputes arising from the interpretation and/or application of the Implementing Protocol shall be settled by means of consultations between the Parties within the Joint Readmission Committee.
2. Failing to settle disputes in accordance with Article 14 paragraph (1) of the Implementing Protocol, the Parties shall settle them through diplomatic channels.

Done at Skopje on 1 July 2015 in two (2) copies in Lithuanian, Macedonian and English, each of these texts being equally authentic. In case of divergence in interpretation of the Implementing Protocol, the English text shall prevail.

FOR THE GOVERNMENT OF THE
REPUBLIC OF LITHUANIA



FOR THE GOVERNMENT OF
THE REPUBLIC OF NORTH
MACEDONIA

