Annex 1 Community readmission agreement with Albania


Agreement between the European Community and the Republic of Albania on the readmission of persons residing without authorisation

THE HIGH CONTRACTING PARTIES,

THE EUROPEAN COMMUNITY, hereinafter referred to as “the Community”, and

THE REPUBLIC OF ALBANIA, hereinafter referred to as “Albania”,

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, presence in, or residence on the territories of Albania or one of the Member States of the European Union, and to facilitate the transit of such persons in a spirit of cooperation, EMPHASISING that this Agreement shall be without prejudice to the rights, obligations and responsibilities of the Community, the Member States of the European Union and Albania arising from International Law and, in particular, from the European Convention of 4 November 1950 for the Protection of Human Rights, the Convention of 28 July 1951 and the Protocol of 31 January 1967 on the Status of Refugees, and international instruments on extradition,
HAVE AGREED ASfollows:

**Article 1**

Definitions

For the purpose of this Agreement:

(a) “Member State” shall mean any Member State of the European Union, with the exception of the Kingdom of Denmark;

(b) “National of a Member State” shall mean any person who holds the nationality, as defined for Community purposes, of a Member State;

(c) “National of Albania” shall mean any person who holds the nationality of Albania;

(d) “Third-country national” shall mean any person who holds a nationality other than that of Albania or one of the Member States;

(e) “Stateless person” shall mean any person who does not hold a nationality;

(f) “Residence authorisation” shall mean a permit of any type issued by Albania 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 authorisation;

(g) “Visa” shall mean an authorisation issued or a decision taken by Albania or one of the Member States which is required with a view to entry into, or transit through, its territory. This shall not include an airport transit visa.

**SECTION I**

READMISSION OBLIGATIONS BY ALBANIA

**Article 2**

Readmission of own nationals

1. Albania shall readmit, upon application by a Member State and without further formalities other than those provided for in this Agreement, all persons who do not, or who no longer, fulfil the conditions in force for entry into, presence in, or residence on, the territory of the requesting Member State provided that it is proved, or may be validly assumed on the basis of prima facie evidence furnished, that they are nationals of Albania.

The same shall apply to persons who have been deprived of, or who have renounced, the nationality of Albania since entering the territory of a Member State, unless such persons have at least been promised naturalisation by that Member State.

2. Albania shall, as necessary and without delay, issue the person whose readmission has been accepted with the travel document required for his or her return with a period of validity of at least six months. If, for legal or factual reasons, the person concerned cannot be transferred within the period of validity of the travel document that was initially issued, Albania shall, within 14 calendar days, extend the validity of the travel document or, where necessary, issue a new travel document with the same period of validity. If Albania has not, within 14 calendar days, issued the travel document,