

AGREEMENT

between the Government of the Republic of Armenia and the Government of the Republic of Latvia on the extradition and acceptance of persons

The Government of the Republic of Armenia and the Government of the Republic of Latvia (hereinafter referred to as the "Parties"),

being intended to prevent illegal entry of the citizens of one party into the territory of other Party,

willing to regulate the relations with respect to the extradition of violators of prescribed rules for the entry and stay

have agreed on the following:

Article 1

1. Each of the Parties upon recommendation of other Party shall immediately and without any further formalities accept the person who does not comply with the conditions necessary for the entry and stay in the territory of other State Party, if it proves out or upon existence of compelling reasons that the mentioned person is a citizen of the State Party whereto he/she is extradited.

2. Extraditing Party shall accept the named person back under the same terms and conditions if it turns out that the said person did not hold the citizenship of the accepting (receiving) State Party and that the provisions of paragraphs 1-3 of Article 5 of this Agreement could not apply to him/her.

Article 2

The provisions of Article 1 of this Agreement apply either to:

a) stateless persons and citizens of third States who hold a permit for residence in the territory of the States Parties;

b) persons who after arrival at the territory of one State Party lost the citizenship of other State Party without having acquired citizenship of any State.

Article 3

Each Party, upon having intention to extradite persons specified in Articles 1 and 2 of this Agreement who are in need of special care based on medical condition or due to other serious cause, is liable to inform about it the other Party. Other Party shall provide an answer on the place and time of acceptance of the named persons no later than within seven (7) days since the day of receipt of notification.

Article 4

1. Before this Agreement enters into force the Parties shall exchange through diplomatic channels the samples of documents which can be evidence of citizenship of States Parties, as well as the samples of documents authorizing residence of stateless persons and citizens of third States in their territories.

2. In case of amendment to the documents specified in paragraph 1 of this Article or putting new documents into circulation the Parties maximum in 30 days shall inform each other on the matter and surrender amended documents or the samples of new documents.

Article 5

1. Each Party shall accept stateless persons or citizens of third States if it proves out that the mentioned persons from the territory of one State Party have illegally

entered directly into the territory of other State Party.

2. If no more than seventy two (72) hours have passed since the moment the persons, specified in paragraph 1 of this Article, have illegally entered into the territory of other State Party then the accepting Party shall immediately and without any further formalities accept the named person.

3. In other cases the application for the intention to extradite the named person to other Party must be composed by the extraditing Party no later than within eighteen (18) months since the moment of illegal entry into the territory of extraditing State Party and contain evidences confirming the fact of illegal entry. Response of the accepting Party must be received no later than within fifteen (15) days since the receipt of such application.

4. In cases if it further proves out that stateless persons or citizen of third States, who were extradited, have illegally entered into the territory of any of the State Parties from the territory of other State Party then the Party that previously extradited them shall accept these persons back within thirty (30) days since the day of extradition.

5. The provisions of this Article shall apply only in cases which occur after the entry of this Agreement into force.

Article 6

1. Each Party shall ensure the escort of the stateless person or the citizen of third State, deported from the territory of other State Party, through its territory if the extraditing Party files a request for such escort and ensures the acceptance of the named person by the State of destination or transit.

2. Transiting through the territories of the State Parties can be rejected if the stateless person or the citizen of third State suffers cruel treatment, is sentenced to

death, is subjected to persecution due to race, religion, nationality, affiliation to certain social group or political commitments as well as if the person applies for political asylum beforehand after being deported from the State of destination or transit.

Article 7

1. Request for escort is submitted for consideration by the Ministry of Internal Affairs of the Republic of Armenia and the Ministry of Internal Affairs of the Republic of Latvia.

2. Request for escort shall contain:

- a) explanatory data of the extradited person;
- b) statement on absence of the circumstances provided for by paragraph 2 of Article 6 of this Agreement impeding escort and transit;
- c) statement on ensuring person's acceptance by the State of destination or transit;
- d) data on the location, time and place of extradition of person;

3. Filing a request for escort of extradited persons might be rejected on the grounds specified in paragraph 2 of Article 6 of this Agreement.

Response concerning the reason for rejection of escorting of such persons is communicated to the Party intending to extradite the said person within three (3) days.

Article 8

1. Accepting Party performs escort of the persons specified in paragraph 1 of Article 6 of this Agreement in accordance with the legislation of its State. Escort is

performed in terms agreed between the relevant bodies of the Parties.

2. Person admitted for escort is immediately returned to the extraditing Party if the existence of circumstances, specified in paragraph 2 of Article 6 of this Agreement, becomes clear and that the said circumstances do not enable performance of such escort or if the acceptance of this person by the State of destination or transit is not ensured.

Article 9

1. The Party which on its own initiative undertakes the return of the persons shall incur expenses for extradition and escort of persons, specified in Articles 1-3 and 5 of this Agreement, and for their possible returning in accordance with paragraph 2 of Article 1 and paragraph 4 of Article 5 of this Agreement.

2. The Party which extradites the persons shall incur expenses for extradition, escort and transit of persons, specified in Article 6 of this Agreement, and for their possible returning in accordance with paragraph 2 of Article 8 of this Agreement.

Article 10

For the implementation of provisions of this Article the Ministries of Internal Affairs of the Republic of Armenia and the Republic of Latvia within ninety (90) days after the entry of this Agreement into force shall conclude relevant Protocol wherein they shall specify:

- a) bodies responsible for the implementation of separate provisions of this Agreement;
- b) check points for extradition and acceptance of persons;
- c) data and documents necessary for the extradition, acceptance and escort of

persons as well as the order for application of necessary procedures;

d) means and procedure for compensation of expenses for the application of Article 9 of this Agreement.

Article 11

1. The Parties shall exchange information and, as a matter of necessity, hold consultations on the issues regarding the application of this Agreement's provisions.

2. Controversies arising under the terms of this Agreement shall be resolved through consultations and negotiations held between the Parties.

Article 12

By the mutual consent of the Parties amendments and supplements can be made to this Agreement. These amendments and supplements are recorded in separate protocol which constitutes an integral part of this Agreement and comes into effect in the order provided for by paragraph 1 of Article 14 of this Agreement.

Article 13

Each Party can terminate separate provisions of this Agreement with the exception of Articles 1-3 due to reasons associated with ensuring public order, national security and protection of public health. Other Party shall be immediately informed through diplomatic channels about the adoption or cancellation of such decision.

Article 14

1. This Agreement is concluded for an indefinite period and shall enter into force on

the thirtieth (30) day of mutual notification by way of exchange of Parties' notifications on the execution of domestic procedures necessary for the entry of this Agreement into force.

2. The exchange of notifications on the execution of domestic procedures necessary for the entry of this Agreement into force shall be made concurrently with the exchange of Parties' notifications on the execution of domestic procedures necessary for the entry into force of the Agreement "On reciprocal visits of citizens" of 26 June 2002.

3. Each Party can terminate this Agreement by sending through diplomatic channels written notification on the matter to other Party. The Agreement becomes void after ninety (90) days since the receipt of such notification by other Party.

Done in Riga on 26 June 2002 in two copies in Armenian, Latvian and Russian, at that all the text are equally valid and legally binding. In case of any inconsistency of interpretation of the provisions of this Agreement the Russian text shall prevail.

PROTOCOL

between the Government of the Republic of Armenia and the Government of the Republic of Latvia on the extradition and acceptance of persons attached to this Agreement

1. This Protocol between the Government of the Republic of Armenia and the Government of the Republic of Latvia on the extradition and acceptance of persons constitutes an integral part of this Agreement.
2. Latvian Party upon recommendation of Armenian Party shall immediately and without any further formalities accept the person who does not comply with the conditions necessary for the entry and stay in the territory of the Republic of Armenia, if it proves out or upon existence of compelling reasons that the mentioned person ranks as a non-citizen of Latvia.
3. The provisions of paragraph 2 of this Protocol apply either to the persons who forfeited the above-mentioned status after entry into the territory of Armenia without having acquired citizenship of other State.
4. Persons specified in paragraph 2 of this Protocol shall use the following documents, authorizing travelling abroad, declared authentic in both Parties:
 - 4.1 alien's passport;
 - 4.2 seaman's book;
 - 4.3 Return document (only for entry into the Republic of Latvia).

Done in Riga on 26 June 2002 in two copies in Armenian, Latvian and Russian, at that all the text are equally valid and legally binding. In case of any inconsistency of interpretation of the provisions of this Agreement the Russian text shall prevail.

Agreement entered into force since 17 May 2003.