

No. 31220

**SWEDEN
and
ROMANIA**

Agreement concerning reciprocal readmission of citizens of one State residing illegally in the other State (with additional protocol). Signed at Bucharest on 20 December 1993

Authentic texts: Swedish and Romanian.

Registered by Sweden on 19 September 1994.

**SUÈDE
et
ROUMANIE**

Accord concernant la réadmission réciproque des citoyens d'un État qui ont résidé dans l'autre État sans la permission requise (avec protocole additionnel). Signé à Bucarest le 20 décembre 1993

Textes authentiques : suédois et roumain.

Enregistré par la Suède le 19 septembre 1994.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF SWEDEN AND
THE GOVERNMENT OF ROMANIA CONCERNING RECIPROCAL
READMISSION OF CITIZENS OF ONE STATE RESIDING
ILLEGALLY IN THE OTHER STATE

The Government of Sweden and the Government of Romania, with a view to facilitating contacts between the two States and their citizens, and in conformity with the legislation in force in each State, observing their international commitments and established international practice, have agreed as follows:

Article 1

The term “Contracting Party” shall mean the Government of Sweden or the Government of Romania.

The term “non-admission/expulsion” shall mean a decision taken by a competent authority of either State according to which a citizen of the other State shall be expelled from the former State because he or she has either been denied entry or, after entry, has been denied permission to remain there.

Article 2

Each Contracting Party shall, at the request of the other Party, readmit into its territory a person who is, or is likely to be, a citizen of the readmitting State and who has been denied entry into or expelled from the territory of the requesting State.

The Contracting Party that made the request for the readmission of a person shall, for its part, readmit that person if, upon arrival in the Contracting State to which the request was made, or pursuant to that State’s own investigations, it is found that the person in question is not a citizen of that State.

Article 3

A valid national passport or other valid identity document issued by a national or foreign authority in one Contracting Party shall constitute proof of citizenship.

Article 4

Citizenship in a Contracting State shall be deemed likely if the person in question is in possession of an expired national passport or other invalid travel or identity document, such as a driving licence or seaman’s passport, issued in or by that State.

Such likelihood shall also be deemed to exist if the person in question claims, in his or her own statement, written and signed, to be a citizen of that State, or, if possible, reliable testimony is given, preferably by another or other citizens of the same State, to the effect that the person in question is a citizen of that State.

¹ Came into force on 1 September 1994, i.e., the first day of the month following the date on which the Parties had notified each other (on 2 March and 11 August 1994) of the completion of their constitutional requirements, in accordance with article 11.

Article 5

In accordance with this Agreement, readmission shall take place even if the person in question raises the objection that an application to renounce the citizenship of the readmitting State has been submitted. If, after readmission, the application is approved, the provisions of the second paragraph of article 2 shall apply.

It shall be assumed that approval of an application to renounce the citizenship of either Contracting State requires that the applicant have permission to reside in the other State.

Article 6

If a competent authority of a Contracting State so requests, the other Party's embassy or consulate in the requesting State shall, as quickly as possible and at the latest within three weeks from the date on which the request was made, provide the authority with the document or documents that the person who is to be denied entry or expelled requires.

Article 7

The requests referred to in articles 2 and 6 shall be made, in Sweden, by the State Immigration Authority or by the police authorities and, in Romania, by the Ministry of the Interior. The requests shall be submitted to the diplomatic mission or consulate in the State that issued the order concerning non-admission or expulsion.

Article 8

The Contracting Party that requested readmission shall be responsible for the travel expenses to the receiving country of the person denied entry or expelled. That Party shall also be responsible for any travel expenses arising in connection with the readmission referred to in the second paragraph of article 2.

Article 9

The Contracting Parties shall draw up a list of airports that may be considered when readmission in accordance with this Agreement becomes necessary.

Article 10

The State requesting readmission shall ensure that persons who are denied entry or expelled have an opportunity to settle their legal or economic affairs in accordance with that State's laws.

Article 11

This Agreement shall enter into force on the first day of the month following the month in which notification that the Agreement has been approved by the respective State in accordance with the legislation in force in that State has been exchanged. The Agreement shall remain in force for an indefinite period.

Either Contracting Party may terminate the Agreement by notifying the other Party through the diplomatic channel. The Agreement shall cease to have effect on the first day of the month following receipt of such notification.

DONE at Bucharest on 20 December 1993 in duplicate in the Swedish and Romanian languages, both texts being equally authentic.

For the Government
of Sweden:

NILS G. ROSENBERG
Ambassador

For the Government
of Romania:

ION GORIȚĂ
Secretary of State

ADDITIONAL PROTOCOL TO THE AGREEMENT BETWEEN THE GOVERNMENT OF SWEDEN AND THE GOVERNMENT OF ROMANIA CONCERNING RECIPROCAL READMISSION OF CITIZENS OF ONE STATE RESIDING ILLEGALLY IN THE OTHER STATE

Article 1

The readmitting State shall be notified of the decision regarding non-admission or expulsion five days before it is put into effect.

Article 2

Notification concerning non-admission or expulsion shall contain information regarding transport (date, time, place, means of transport) and the identity of the persons denied entry or expelled, such as name, date and place of birth and last place of residence in the country of origin and, if necessary, the need for assistance on the grounds of advanced age or illness.

Article 3

Persons denied entry or expelled shall, when the relevant decision is put into effect and if the situation so requires, be escorted by police officers or other official representatives.

Article 4

The handing over or readmission of persons shall be recorded in a report, which shall include information concerning such persons' identity and, if necessary, the need for assistance on the grounds of advanced age or illness.

For the Government
of Sweden:

NILS G. ROSENBERG
Ambassador

For the Government
of Romania:

ION GORIȚĂ
Secretary of State
