

K oznámeniu č. 188/2005 Z. z.

EUROPEAN AGREEMENT ON THE ABOLITION OF VISAS FOR REFUGEES

The governments signatory hereto, being members of the Council of Europe,

Desirous of facilitating travel for refugees residing in their territory,

Have agreed as follows:

Article 1

(1) Refugees lawfully resident in the territory of a Contracting Party shall be exempt, under the terms of this Agreement and subject to reciprocity, from the obligation to obtain visas for entering or leaving the territory of another Party by any frontier, provided that:

- (a) they hold a valid travel document issued in accordance with the Convention on the Status of Refugees of 28th July 1951 or the Agreement relating to the issue of a travel document to refugees of 15th October 1946, by the authorities of the Contracting Party in whose territory they are lawfully resident;
- (b) their visit is of not more than three months' duration.

(2) A visa may be required for a stay of longer than three months or for the purpose of taking up gainful employment in the territory of another Contracting Party.

Article 2

For the purposes of the present Agreement the "territory" of a Contracting Party shall have the meaning assigned to it by this Party in a declaration addressed to the Secretary General of the Council of Europe.

Article 3

To the extent that one or more Contracting Parties deem necessary, the frontier shall be crossed only at authorized points.

Article 4

(1) The provisions of this Agreement shall be without prejudice to the laws or regulations governing visits by aliens to the territory of any Contracting Party.

(2) Each Contracting Party reserves the right to prohibit persons it deems to be undesirable from entering or staying in its territory.

Article 5

Refugees who have entered the territory of a Contracting Party by virtue of the present Agreement shall be re-admitted at any time to the territory of the Contracting Party by whose authorities the travel document was issued, at the simple request of the first-mentioned Party, except where this Party has authorized the persons concerned to settle on its territory.

Article 6

This Agreement shall not prejudice the provisions of any municipal law or bilateral or multilateral treaties, conventions or agreements now in force or which may hereafter enter into force, whereby more favorable terms are applied to refugees lawfully residing in the territory of a Contracting Party in respect of the crossing of frontiers.

Article 7

(1) Each Contracting Party reserves the option, for reasons of order public, security or public health, to delay the entry into force of this Agreement, or order the temporary suspension thereof in respect of all or some of the other Parties, except in so far as the provisions of Article 5 are concerned. The Secretary General of the Council of Europe shall immediately be informed when any such measure is taken and again when it ceases to be operative.

(2) A Contracting Party which avails itself of either of the options provided for in the foregoing paragraph may not claim the application of this Agreement by any other Party save in so far as it also applies it in respect of that Party.

Article 8

This Agreement shall be open to the signature of members of the Council of Europe, who may become Parties thereto either by:

- (a) signature without reservation in respect of ratification, or
- (b) signature with reservation in respect of ratification, followed by ratification.

Instruments of ratification shall be deposited with the Secretary General of the Council of Europe.

Article 9

(1) The Agreement shall enter into force one month after the date on which three members of the Council, in accordance with Article 8, shall have signed the Agreement without reservation in respect of ratification or shall have ratified it.

(2) In the case of any member who shall subsequently sign the Agreement without reservation in respect of ratification, or shall ratify it, the Agreement shall enter into force one month after the date of such signature or the date of deposit of the instrument of ratification.

Article 10

After this Agreement has entered into force the Committee of Ministers of the Council of Europe may, by unanimous vote, invite any government not a member of the Council, which is party either to the Convention on the Status of Refugees of 28th July 1951 or to the Agreement relating to the issue of a travel document to refugees of 15th October 1946, to accede to this Agreement. Such accession shall take effect one month after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 11

The Secretary General of the Council of Europe shall notify member States of the Council and States acceding to this Agreement:

- (a) of every signature, with any reservations in respect of ratification, of the deposit of each instrument of ratification, and of the date on which the Agreement enters into force;
- (b) of the deposit of any instrument of accession in accordance with Article 10;
- (c) of any notification or declaration received in accordance with Articles 2, 7 and 12, and the date on which it takes effect.

Article 12

Any Contracting Party may terminate its own application of the Agreement by giving three months' notice to that effect to the Secretary General of the Council of Europe.

In witness whereof the undersigned, being duly authorised thereto, have signed this Agreement.

Done at Strasbourg, this 20th day of April 1959, in English and French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General shall transmit certified copies to the signatory.