Council of the European Union

PUBLIC

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Agreement between the European Union and the Federal Republic of Nigeria on the return and readmission of persons who do not, or who no longer, fulfil the conditions for entry, presence or residence in the territory of either Party

PUBLIC

AGREEMENT
BETWEEN THE EUROPEAN UNION
AND THE FEDERAL REPUBLIC OF NIGERIA
ON THE RETURN AND READMISSION OF PERSONS
WHO DO NOT, OR WHO NO LONGER, FULFIL
THE CONDITIONS FOR ENTRY, PRESENCE OR RESIDENCE
IN THE TERRITORY OF EITHER PARTY

THE PARTIES,

THE EUROPEAN UNION, hereinafter referred to as "the Union",

and

THE FEDERAL REPUBLIC OF NIGERIA, hereinafter referred to as "Nigeria",

HAVING REGARD TO the EU-Nigeria Common Agenda on Migration and Mobility signed on 12 March 2015 and the EU-Nigeria Joint Communiqué signed on 15 March 2016,

DETERMINED to deepen and expand their cooperation in order to combat irregular migration, trafficking in persons and migrant smuggling more effectively and to promote voluntary returns and facilitate the sustainable reintegration of returned persons in their country of origin,

DESIRING to establish, by means of this Agreement and on the basis of reciprocity, effective procedures for the identification and safe and orderly return of persons who do not, or who no longer, fulfil the conditions for entry into, presence in, or residence on the territory of Nigeria or one of the Member States of the Union,

EMPHASISING that this Agreement is without prejudice to the rights, obligations and responsibilities of the Union, the Member States of the Union and Nigeria arising from international law and, in particular, from the Convention of 28 July 1951 relating to the Status of Refugees and its Protocol of 31 January 1967,

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CONSIDERING that, in accordance with Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union ("TEU") and to the Treaty on the Functioning of the European Union ("TFEU"), Ireland will not take part in this Agreement unless it notifies its wish to that effect in accordance with that Protocol,

CONSIDERING that the provisions of this Agreement, which falls within the scope of Title V of Part Three of TFEU, do not apply to the Kingdom of Denmark, in accordance with the Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU,

HAVE AGREED AS FOLLOWS:

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SECTION I

DEFINITIONS AND FUNDAMENTAL PRINCIPLES

PUBLIC

ARTICLE 1

Definitions

For the purposes of this Agreement:

(a) "return" means the process of a person, who does not fulfil, or who no longer fulfils, the conditions for entry, stay or residence in the territory of the Parties, being transferred – whether in voluntary compliance with an obligation to return, or enforced – to the Requested State;

(b) "readmission" means the transfer by the Requesting State and admission by the Requested State of its own nationals and their minor unmarried children and spouses, in accordance with Article 5(2), who do not, or who no longer, fulfil the conditions for entry, presence or residence in the Requesting State, in accordance with the provisions of this Agreement;

(c) "reintegration" means the reinclusion or reincorporation of a returnee into the society of his or her country of origin or habitual residence;

(d) "returnee" means a person to be readmitted pursuant to Article 5;

(e) "national of Nigeria" means any person who holds the nationality of Nigeria in accordance with its legislation;

(f) "national of a Member State of the Union" means any person who holds the nationality, as defined for Union purposes, of a Member State of the Union;

(g) "Member State of the Union" means any Member State of the Union bound by this Agreement;

(h) "visa" means a permission or authorisation issued by either Nigeria or a Member State of the Union which is for the purpose of entry into or transit through either Party's territory; this shall not include an airport transit visa;

(i) "Requesting State" means Nigeria or one of the Member States of the Union submitting a readmission application pursuant to Article 7;

(j) "Requested State" means Nigeria or one of the Member States of the Union to which a readmission application pursuant to Article 7 is addressed;

(k) "competent authority" means any national authority of Nigeria or of a Member State of the Union entrusted with the implementation of this Agreement;

(l) "diplomatic channel" means any communication addressed to the diplomatic or consular representation of the Requested State.

PUBLIC

ARTICLE 2

Fundamental principles

1. While strengthening cooperation on preventing and combating irregular migration, the Requested State and Requesting State shall, in the application of this Agreement to persons falling within its scope, ensure respect for human rights and for the obligations and responsibilities following from relevant international instruments applicable to the Parties, in particular from:

– the 1948 Universal Declaration of the Human Rights,

– the 1966 International Covenant on Civil and Political Rights,

– the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

– the 1951 Convention relating to the Status of Refugees and its Protocol of 1967,

– the 2000 Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

2. The Requested State shall in particular ensure, in compliance with its obligations under the international instruments listed in paragraph 1, the protection of the rights of persons readmitted to its territory.

PUBLIC

3. The Requesting State should give preference to voluntary return over forced return where there are no reasons to believe that this would undermine the return of a person to the Requested State.

PUBLIC

SECTION II

RETURN

ARTICLE 3

Information and procedural guarantees

1. The Parties shall ensure access, in accordance with the applicable legislation, to relevant information, counselling and return assistance of potential returnees to allow them to make an informed decision on voluntary return.

2. The Parties shall ensure respect for the rights and procedural guarantees of persons subject to return, as laid down in the relevant legislation, in particular as regards access to legal assistance and representation, provision of information about available legal remedies and access to legal remedies.

ARTICLE 4

Fight against trafficking and smuggling

1. The Parties shall appropriately address trafficking in persons, in line with the standards laid down by the Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. They shall ensure that the rights of victims are guaranteed during all the steps of the return process and that they receive specific, tailor-made assistance and protection upon return.

2. The Parties shall adopt measures to prevent and combat migrant smuggling in compliance with the Convention against Transnational Organized Crime and its supplementing Protocols, including the Protocol against the Smuggling of Migrants by Land, Sea and Air, and provide protection and assistance to smuggled vulnerable migrants, with particular attention to children and women.

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SECTION III

READMISSION

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ARTICLE 5

Persons to be readmitted

1. The Parties shall readmit, upon application by the Requesting 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 to, presence in, or residence on, the territory of the Requesting State, provided that they are nationals of the Requested State.

2. The Parties shall also readmit minor unmarried children and spouses of the persons referred to in paragraph 1, unless they have an independent right of residence in the Requesting State.

ARTICLE 6

Principles

1. Without prejudice to paragraph 2, any transfer of a returnee shall require the submission of a readmission application to the competent authority of the Requested State.

2. If the returnee is in possession of a valid travel document, the transfer of such person may take place upon written notification and without the Requesting State having to submit a readmission application, as referred to in Article 7, to the competent authority of the Requested State.

PUBLIC

ARTICLE 7

Readmission application

1. To the extent possible, a readmission application shall contain the following information:

(a) the particulars of the returnee, such as given names, surnames, date of birth and, where possible, place of birth, and last place of residence, and, where applicable, the particulars of minor unmarried children and spouses;

(b) indication of the means of proof of nationality or any other relevant document as set out in Annexes 1 and 2 respectively;

(c) photograph of the returnee;

(d) fingerprints.

2. To the extent possible, a readmission application shall also contain the following information:

(a) a statement indicating that the person to be transferred may need help or care, provided that the person concerned has explicitly consented to such statement;

(b) any other protection, security measure or information concerning the health of the person, which may be necessary in the individual transfer case.

3. A readmission application shall be in the form set out in Annex 3.

4. A readmission application shall be submitted through diplomatic channels.

PUBLIC

ARTICLE 8

Means of evidence regarding nationality

1. Proof of nationality pursuant to Article 7(1), point (b), may be furnished through the documents or evidence listed in Annex 1, even if their period of validity has expired. If such documents are presented, the Member States of the Union and Nigeria shall mutually recognise the nationality of the returnee.

2. Other relevant documents for the purposes of Article 7(1), point (b), such as those listed in Annex 2, may be furnished subject to further investigation by the Requested State on proof of their origin.

3. If none of the documents listed in Annex 1 can be presented, and if any other relevant documents presented are not sufficient to confirm the nationality of the returnee, the competent diplomatic or consular representation of the Requested State concerned shall, upon a request from the Requesting State, which is to be included in the readmission application, interview the returnee, in person or by video conference, without undue delay, at the latest within five working days from the date of the submission of the application, in order to establish his or her nationality. The outcome of the interview shall be conveyed to the Requesting State no later than five working days from the date of the interview. The practical arrangements aimed at facilitating the organisation of such interviews may be established in the implementing Protocols provided for in Article 19. If, however, the Requested State does not have a diplomatic or consular representation in the Requesting State, interviews in person or by videoconference shall be organised by the competent authorities of the Requested State within 10 working days from the date of the submission of the application. If the Requested State cannot meet either of these deadlines, it shall inform the Requesting State in writing.

4. Upon invitation by the Requesting State, the Requested State shall conduct an identification mission to hold interviews and proceed with identification of persons in the Requesting State. In the case of the Union, a joint invitation may be made, to cover more than one Member State of the Union. An identification mission shall be conducted without undue delay. Members of an identification mission shall be duly equipped by the Requested State to conduct the necessary verifications of nationality and to issue emergency travel certificates without undue delay. Travel costs of identification missions shall be borne by the Requesting State or States.

PUBLIC

SECTION IV

ISSUANCE OF TRAVEL DOCUMENTS

PUBLIC

ARTICLE 9

Issuance of travel document following a readmission application

1. For all cases of readmission, on the submission of a readmission application, or after the confirmation of the nationality of the returnee in accordance with Article 8(3), the competent diplomatic or consular representation of the Requested State shall, immediately, free of charge and not later than four working days issue the emergency travel certificate or seven working days issue the biometric temporary passport required for the return. Such certificate or passport shall have a period of validity of 30 days.

2. 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, the competent diplomatic or consular representation of the Requested State shall, within four working days from the date of the request and free of charge, issue a new travel document with a period of validity of the same duration.

3. Reasons shall be given in writing for the refusal of a readmission application.

SECTION V

TRANSFER

PUBLIC

ARTICLE 10

Transfer modalities and modes of transportation

1. Before the transfer, the competent authorities of the Requesting State shall notify the competent authorities of the Requested State in writing through diplomatic channels and at least 10 working days in advance of the transfer date, the point of entry, possible escorts and other information relevant to the transfer.

2. Transportation of a returnee shall take place by air. Return by air shall not be restricted to the use of the national carriers of Nigeria or the Member States of the Union and may take place by using scheduled or charter flights. In the event of escorted returns, escorts shall not be restricted to authorised persons of the Requesting State, provided that those persons are authorised by the Requested State.

3. Possible escorts shall be granted necessary visas, which shall be expedited by the Requested State, if they are to leave the transit space.

ARTICLE 11

Readmission in error

1. The Requesting State shall take back any person erroneously readmitted by the Requested State if it is established, within a period of three months after the transfer of the person concerned, that the conditions laid down in Article 5 are not met.

2. In the cases referred to in paragraph 1, the procedural provisions of this Agreement shall apply mutatis mutandis and all available information relating to the actual identity and nationality of the person to be taken back shall be provided.

ARTICLE 12

Transport costs

Without prejudice to the right of the competent authorities to recover the costs associated with the readmission from the returnee, all transport costs incurred in the connection with readmission operations pursuant to this Agreement as far as the border of the Requested State shall be borne by the Requesting State.

PUBLIC

SECTION VI

REINTEGRATION

PUBLIC

ARTICLE 13

Reintegration

The Parties shall explore ways to cooperate in order to promote voluntary return and facilitate sustainable reintegration of returned persons through sustainable reintegration programmes. Particular attention shall be paid to the needs of returning persons in vulnerable situations, such as smuggled migrants, victims of trafficking in persons, minors, unaccompanied minors, persons with disabilities, elderly people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.

ARTICLE 14

Property rights

1. This Agreement is without prejudice to the right to dispose of property in accordance with the applicable legislation.

2. The returnee shall be allowed to carry his or her personal belongings as luggage, in accordance with and within the limits of the applicable airline or air carrier regulations.

PUBLIC

SECTION VII

DATA PROTECTION AND NON-AFFECTATION CLAUSE

ARTICLE 15

Data protection

The communication of personal data shall only take place if such communication is necessary for the implementation of this Agreement by the competent authorities of Nigeria or a Member State of the Union, as the case may be. The processing of personal data by an authority in a particular case, including the transfer of such personal data to the other Party, shall be subject to the data protection rules applicable to that authority. The Parties shall ensure the following minimum safeguards as a precondition for any data transfer, including appropriate safeguards addressing the specific risks involved in the processing of sensitive data, such as health data, biometric data or data related to criminal offences:

(a) personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject;

(b) personal data shall be collected for the specified, explicit and legitimate purpose of implementing this Agreement and not further processed by the communicating authority nor receiving authority in a way incompatible with that purpose;

(c) personal data shall be adequate, relevant and limited to what is necessary in relation to the purpose for which they are collected and/or further processed; in particular, personal data communicated in accordance with the applicable law of the communicating authority may concern only the following:

– the particulars of the person to be transferred (e.g., given names, surnames, any previous names, other names used/by which known or aliases, sex, civil status, date and place of birth, current and any previous nationality),

– passport, identity card or driving licence (e.g., number, period of validity, date of issue, issuing authority, place of issue),

– stop-overs and itineraries,

– other information needed to identify the person to be transferred or to examine the readmission requirements pursuant to this Agreement, such as a photograph or fingerprints,

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– special circumstances relating to the person to be transferred, including indication that he or she is considered to pose a threat to public policy or public security or national security or concerning the state of his or her health or indication of and data concerning health for the purpose of the provision of health care or health treatment under the responsibility of a professional subject to the obligation of professional secrecy;

(d) personal data shall be accurate and, where necessary, kept up to date;

(e) personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purpose for which the data were collected or for which they are further processed; in principle, the Parties shall erase personal data five years after readmission, expect if particular circumstances, which shall be duly documented, justify a longer storage period;

(f) personal data shall be processed in a manner that ensures appropriate security of the personal data, taking into account the specific risks of processing, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ("data breach"); the receiving Party shall take appropriate measures to address any data breach, and shall notify the communicating Party of such breach without undue delay;

(g) both the communicating authority and the receiving authority shall take every reasonable step to ensure without delay the rectification or erasure, as appropriate, of personal data where the processing does not comply with the provisions of this Article, in particular because those data are not adequate, relevant, accurate, or they are excessive in relation to the purpose of processing; this includes the notification of any rectification or erasure to the other Party;

PUBLIC

(h) upon request, the receiving authority shall inform the communicating authority of the use of the communicated data;

(i) personal data may only be communicated to the competent authorities; further communication to other persons or entities requires the prior authorisation of the communicating authority and the Parties shall notify each other of the competent authorities before any communication of personal data;

(j) the communicating and the receiving authorities shall make a written record of the communication and receipt of personal data;

(k) independent oversight shall be in place with effective investigatory and enforcement powers to oversee data protection compliance, including to inspect such records; the Parties shall notify each other of the independent oversight authorities before any communication of personal data;

(l) data subjects shall have the right to bring complaints to the oversight body, and to receive a response without undue delay;

(m) data subjects shall have the right to receive information on the processing of their personal data (type of data, purpose, recipients or categories of recipients in case of disclosure, the envisaged storage period or criteria used to determine that period), the right to access such data, and the right to rectification or erasure of inaccurate or unlawfully processed data, subject to necessary and proportionate limitations on important grounds of public interest;

PUBLIC

(n) data subjects shall have the right, without prejudice to any other administrative or non-judicial remedy, to an effective judicial remedy for the violation of the aforementioned safeguards.

PUBLIC

ARTICLE 16

Non-affection clause

1. This Agreement shall be without prejudice to the rights, obligations and responsibilities of the Union, Member States of the Union and Nigeria arising from international law including from international conventions to which they are party, in particular from the international instruments listed in Article 2, and from:

– international conventions determining the State responsible for examining applications for asylum lodged,

– international conventions on extradition,

– multilateral international conventions and agreements on migration and the readmission of nationals.

2. Subject to Article 20, nothing in this Agreement shall prevent the return of a person under other formal or informal arrangements.

SECTION VIII

IMPLEMENTATION AND APPLICATION

PUBLIC

ARTICLE 17

Joint Implementation Committee

1. The Parties shall provide each other with mutual assistance in the application and interpretation of this Agreement. To that end, they shall set up a Joint Implementation Committee ("the Committee") which shall, in particular, have the following tasks:

(a) to monitor the implementation of this Agreement;

(b) to take decisions on implementing arrangements necessary for the uniform application of this Agreement, including amendments to the Annexes;

(c) to have regular exchanges of information on the implementing Protocols drawn up by individual Member States of the Union and Nigeria pursuant to Article 19;

(d) to recommend amendments to this Agreement;

(e) to settle disputes over the interpretation and application of this Agreement;

(f) to propose the renewal of this Agreement.

2. The decisions of the Committee shall be binding on the Parties.

3. The Committee shall be composed of representatives of the Parties.

4. The Committee shall meet once a year or at the request of one of the Parties.

5. The Committee shall establish its rules of procedure.

PUBLIC

ARTICLE 18

Dispute resolution

Disputes which cannot be resolved by the Committee shall be settled through consultations between the Parties through diplomatic channels.

ARTICLE 19

Implementing Protocols

1. Without prejudice to the direct implementation of this Agreement, on request of a Member State of the Union or Nigeria, Nigeria and a Member State of the Union shall without undue delay draw up an implementing Protocol. The implementing Protocol shall cover practical arrangements aimed at facilitating the implementation of this Agreement between the Member State of the Union and Nigeria, on:

(a) the designation of the competent authorities, border crossing points and exchange of contact points;

(b) conditions for escorted returns;

(c) means of evidence and documents additional to those listed in the Annexes 1 and 2;

(d) the procedure for interviews.

2. The implementing Protocol referred to in paragraph 1 shall enter into force three working days after the Committee has been notified thereof.

PUBLIC

ARTICLE 20

Relation to bilateral readmission agreements
or arrangements of Member States of the Union

1. The provisions of this Agreement shall take precedence over the provisions of any bilateral agreement or arrangement on the return and readmission of persons who do not, or who no longer, fulfil the conditions for entry, presence or residence in the territory of either Party which have been concluded between individual Member States of the Union and Nigeria.

2. The provisions of bilateral agreements or arrangements on matters not affecting or altering the scope of this Agreement continue to apply.

3. This Agreement does not preclude any memorandum of understanding, arrangement or agreement between Nigeria and individual Member States of the Union on matters falling outside its scope, such as capacity building or technical assistance.

PUBLIC

SECTION IX

FINAL PROVISIONS

PUBLIC

ARTICLE 21

Territorial application

1. Subject to paragraph 2, this Agreement shall apply to the territories in which the TEU and the TFEU are applicable and to the territory of Nigeria.

2. This Agreement shall apply to the territory of Ireland only pursuant to a notification by the Union to Nigeria to that effect.

3. This Agreement shall not apply to the territory of the Kingdom of Denmark, without prejudice to Article 7 of Protocol No 22 on the position of Denmark annexed to the TEU and to the TFEU.

ARTICLE 22

Entry into force

1. This Agreement shall enter into force on the first day of the second month following the date on which the last Party has notified through diplomatic channels the other of the completion of their respective internal legal procedures for the conclusion of this Agreement.

2. This Agreement shall apply to Ireland on the first day of the second month following the date of the notification referred to in Article 21(2).

PUBLIC

ARTICLE 23

Duration, review and suspension

1. This Agreement shall be valid for a period of five years and renewable by mutual agreement of the Parties.

2. Either Party may, completely or partly, temporarily suspend the implementation of this Agreement, and shall do so by notifying the other Party through diplomatic channels. The suspension shall enter into force on the fourteenth day after such notification.

At the request of the notified Party, the Committee, or other bodies as otherwise agreed by the Parties, shall hold urgent consultations within 15 days from the date of notification.

ARTICLE 24

Termination

1. Either Party may terminate this Agreement by officially notifying the other Party. The termination shall take effect six months after the date of receipt of such notification.

2. At the termination of this Agreement or at the end of its validity as referred to in Article 23(1), any readmission application that has been submitted by either Party under this Agreement, or interviews, or issuance of travel documents or any transfer thereunder, shall be processed or carried out in accordance with this Agreement or, as the case may be, with any implementing Protocol made in that respect to their completion.

PUBLIC

ARTICLE 25

Annexes

Annexes 1 to 3 shall form an integral part of this Agreement.

ARTICLE 26

Authentic texts

This Agreement shall be drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each of these texts being equally authentic.

Done at …… on the …… day of …… in the year ……

For the European Union

For the Federal Republic of Nigeria

ANNEX 1

PUBLIC

COMMON LIST OF DOCUMENTS AND OTHER EVIDENCE
THE PRESENTATION OF WHICH IS CONSIDERED AS PROOF OF NATIONALITY

(ARTICLES 5(1) AND 8(1))

– passports,

– *laissez-passer* or temporary passport issued by the Requested State,

– national identity card,

– seaman's certificates and registration books and skippers' service cards,

– citizenship certificates and other official documents that mention or clearly indicate citizenship,

– confirmation of identity as a result of a search carried out in the Visa Information System in accordance with Regulation (EC) No 767/2008 of the European Parliament and of the Council[1],

– in the case of Member States of the Union not using the Visa Information System, positive identification established from visa application records of those Member States of the Union.

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[1] Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ EU L 218, 13.8.2008, p. 60, ELI: http://data.europa.eu/eli/reg/2008/767/oj).

ANNEX 2

PUBLIC

COMMON LIST OF OTHER RELEVANT DOCUMENTS

(ARTICLES 5(1) AND 8(2))

– driving licenses,

– birth certificates or photocopies thereof,

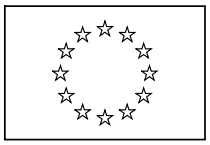
– biometric identification,

– statements made by the person concerned and language spoken by him or her, including by means of an official test result,

– any other information that might support the identification, subject to investigation.

ANNEX 3

PUBLIC



[Emblem of the Federal Republic of Nigeria]

....

..... (Place and date)

(Designation of requesting authority)

Reference: .....

To

.....

.....

.....

(Designation of requested authority)

☐ INTERVIEW REQUEST (Article 8(3))

PUBLIC

READMISSION APPLICATION

pursuant to Article 7 of the Agreement of ..... between

the European Union and the Federal Republic of Nigeria

on the return and readmission of persons who do not, or who no longer, fulfil the conditions for entry, presence or residence in the territory of either Party

A. PERSONAL DETAILS

Photograph

1. Full name (underline surname):

.....

2. Maiden name:

.....

3. Date and place of birth:

.....

4. Sex and physical description (height, colour of eyes, distinguishing marks etc.):

.....

5. Also known as (earlier names, other names used/by which known or aliases):

.....

6. Nationality and language:

.....

7. Last address in the Requested State:

.....

B. PERSONAL DETAILS OF SPOUSE (IF APPROPRIATE)

1. Full name (underline surname):

.....

2. Maiden name:

.....

3. Date and place of birth:

.....

4. Sex and physical description (height, colour of eyes, distinguishing marks etc.):

.....

5. Also known as (earlier names, other names used/by which known or aliases):

.....

6. Nationality and language:

.....

C. PERSONAL DETAILS OF CHILDREN (IF APPROPRIATE)

1. Full name (underline surname):

.....

2. Date and place of birth:

.....

3. Sex and physical description (height, colour of eyes, distinguishing marks etc.):

.....

4. Nationality and language:

.....

PUBLIC

D. SPECIAL CIRCUMSTANCES RELATING TO THE TRANSFEREE

1. State of health

(e.g. possible reference to special medical care; Latin name of contagious disease):

.....

2. Indication of dangerous person

(e.g. suspected of serious offence; aggressive behaviour):

.....

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E. MEANS OF EVIDENCE ATTACHED

1. ....

(Passport No.) (date and place of issue)

....

(issuing authority) (expiry date)

2. ....

(Identity card No.) (date and place of issue)

....

(issuing authority) (expiry date)

3. ....

(Driving licence No.) (date and place of issue)

....

(issuing authority) (expiry date)

4. ....

(Other official document No.) (date and place of issue)

....

(issuing authority) (expiry date)

F. OBSERVATIONS

.....

.....

.....

Reason for return (optional)

.....

.....

(Signature) (Seal/stamp)

PUBLIC

JOINT DECLARATION

CONCERNING THE KINGDOM OF DENMARK

The Parties take note that this Agreement does not apply to the territory of the Kingdom of Denmark, nor to nationals of the Kingdom of Denmark. In such circumstances it is appropriate that the Federal Republic of Nigeria and the Kingdom of Denmark conclude a readmission agreement in the same terms as this Agreement.

JOINT DECLARATION

CONCERNING THE REPUBLIC OF ICELAND AND THE KINGDOM OF NORWAY

The Parties take note of the close relationship between the European Union and the Republic of Iceland and the Kingdom of Norway, particularly by virtue of the Agreement of 18 May 1999 concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latters' association with the implementation, application and development of the Schengen *acquis*. In such circumstances it is appropriate that the Federal Republic of Nigeria concludes a readmission agreement with the Republic of Iceland and the Kingdom of Norway in the same terms as this Agreement.

PUBLIC

JOINT DECLARATION
CONCERNING THE SWISS CONFEDERATION

The Parties take note of the close relationship between the European Union and the Swiss Confederation, particularly by virtue of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, which entered into force on 1 March 2008. In such circumstances it is appropriate that the Federal Republic of Nigeria concludes a readmission agreement with the Swiss Confederation in the same terms as this Agreement.

JOINT DECLARATION
CONCERNING THE PRINCIPALITY OF LIECHTENSTEIN

The Parties take note of the close relationship between the European Union and the Principality of Liechtenstein, particularly by virtue of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, which entered into force on 19 December 2011. In such circumstances it is appropriate that the Federal Republic of Nigeria concludes a readmission agreement with the Principality of Liechtenstein in the same terms as this Agreement.

PUBLIC