

**Agreement**  
**between**  
**the Austrian Federal Government**  
**and**  
**the government of the Republic of Uzbekistan**  
**on a migration and mobility partnership**

THE AUSTRIAN FEDERAL GOVERNMENT

and

THE GOVERNMENT OF THE REPUBLIC OF UZBEKISTAN,

Hereinafter referred to as “the Parties”,

HAVING REGARD to the historic links of friendship and cooperation between the two Parties;

CONSIDERING the friendly bilateral cooperation between the two Parties in the field of security established by the Agreement between the Austrian Federal Government and the Government of the Republic of Uzbekistan on Cooperation in the Field of Security and Transnational Crime, signed on 2 November 2001 as well as the Memorandum of Understanding between the two Parties on Fighting Irregular Migration, Migrant Smuggling and Trafficking in Human Beings signed on 11 February 1997;

ENDEAVOURING to respect international principles for the ethically responsible recruitment of skilled workers and to prevent employee piracy, which would have adverse effects on development;

AGREEING that human rights and the principle of non-discrimination are to be respected at all stages of migration, that the specific needs of migrants and their different experiences are to be taken into account, and that gender equality and the empowerment of all women and girls, recognising their independence, capacity and leadership, are to be promoted;

PROMPTED by the desire to promote the General Principles and Operational Guidelines on Fair Recruitment of the International Labour Organization, ensuring fair, ethical and sustainable recruitment also in the private sector, and to inform stakeholders in their countries about legally recognised quality labels;

MOVED by the desire to promote and facilitate labour migration between the Parties;

BEARING IN MIND the benefits which migration and migration policy cooperation in a spirit of partnership have for both Parties and for their mutual economic, social and cultural relations;

CONVINCED that human exchanges and migratory movements help to bring people together and that the management of mobility in partnership is a factor of economic, social and cultural development for both countries;

DETERMINED to jointly take appropriate steps to prevent and suppress irregular migration, smuggling of migrants and trafficking in human beings and share expertise in the field of border management, in accordance with international and national law;

SEEKING to join efforts in identifying forward-looking, practical and effective solutions to manage migration flows;

DESIRING to establish rapid and effective procedures for identifying and returning persons who do not, or no longer, fulfil the conditions for entry to or residence in the territory of the other Party, and to facilitate the return of such persons in a spirit of cooperation;

RESPECTING the rights and guarantees set forth in their respective national law, European Union law and the relevant international treaties and conventions;

RECOGNISING the particular needs of qualified migrant workers in regard to socio-economic integration through (online) training programmes in the territory of the respective Party, especially by offering general (online) information on the labour market, labour rights and possible ways of recognising degrees and qualifications;

HAVE AGREED AS FOLLOWS:

## **Article 1**

### **Scope of the Agreement**

The objectives of this Agreement are to establish and develop cooperation between the Parties in the following areas:

- promoting the fair mobility of skilled workers aiming to take up employment in the Republic of Austria or the Republic of Uzbekistan;
- promoting the facilitation of mobility of nationals of either Party by sharing information on relevant procedures;
- promoting longer-term residence of nationals of either Party for the purpose of gainful employment;
- preventing and combating irregular migration and migrant smuggling;
- preventing and combating labour exploitation, forced labour and human trafficking, as well as protecting victims;

- facilitating the return of nationals of the Republic of Austria or the Republic of Uzbekistan residing in the territory of the other State who do not or no longer fulfil the conditions for entry to or residence in the territory of the other State; and
- establishing a Joint Working Group on Migration, Mobility and Readmission Issues.

## **Article 2**

### **Short-stay multiple-entry visas**

1. Both Parties issue, in compliance with their respective obligations and within the framework of the applicable rules of national and European Union law, short-stay, multiple-entry visas to the other Party's nationals if the relevant conditions for entry, stay and work of foreigners are met.
2. This includes inter alia the following categories of persons: Skilled workers, business visitors, academics, scientists, researchers, intellectuals, specialists and athletes.
3. For Austria, applying the Schengen acquis in full, Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code) (OJ L 243, 15.9.2009, p. 1), which establishes the procedures and conditions for issuing visas for intended stays in the territory of the EU Member States not exceeding 90 (ninety) days in any 180 (one hundred eighty)-day period and multiple entry visas with a validity of up to 5 (five) years, is legally binding.
4. The Uzbek Party is willing, in accordance with the applicable national law, to favourably consider the facilitated issuance of such multiple-entry visas which allow for stays of up to 6 (six) months on each visit and are valid for 1 (one) to 3 (three) years. These multiple-entry visas are issued with validity between 1 (one) year and 3 (three) years, depending on the documents presented, the length of activities planned in the Republic of Uzbekistan and the length of validity of the passport.

## **Article 3**

### **Admission of students**

Both Parties undertake to strengthen Austrian-Uzbek cooperation by exchanging students who are registered in a recognised higher education institution and wish to start or continue their studies in Austria or Uzbekistan within the framework of applicable national and European Union law. To this end, a residence permit for students, to date, enables Uzbek nationals to temporary residence for the purpose of study at recognised higher education institutions.

## **Article 4**

### **Exchange of students**

1. Both Parties, within the framework of applicable national and European Union law, welcome the mobility of students, who wish to continue their studies in Austria or Uzbekistan and are registered at a recognised higher education institution.
2. Austria explicitly informs the Uzbek Party through the website “Study in Austria” (<https://studynaustria.at/en/>) on the possibility of the exchange of students and recipients of scholarships in the context of national and EU-financed projects.
3. The Parties endeavour to keep each other regularly informed of the respective conditions for entry and stay of students.
4. Both Parties promote cooperation in higher education by sharing relevant information.

## **Article 5**

### **Immigration for the purpose of taking up employment**

1. Both Parties undertake to encourage the safe, orderly and regular mobility of qualified workers between the two countries in accordance with their respective rules on entry, residence and work of foreigners and towards this end create optimal conditions for establishing contacts and the exchange of knowledge between employers’ and workers’ organisations in different sectors of the economy and offer access to existing online and digital information and integration services before departure.
2. The Austrian Party states that there are many opportunities for qualified Uzbek workers to access the Austrian labour market under the applicable conditions of its rules on entry, stay and work.
3. Both Parties recognise the added value that the activities of state agencies (the Migration Agency under the Cabinet of Ministers of the Republic of Uzbekistan and the Austrian Business Agency (ABA – Work in Austria Services) of the Government of Austria) provide. For skilled workers, the Austrian Business Agency (ABA) as the Austrian business location consultancy offers comprehensive information on the immigration system on its information platform [www.workinaustria.com](http://www.workinaustria.com), including digital tools such as the Immigration Guide, the nationwide job platform Talent Hub and Personal Guide with customised information on working and living in Austria. Furthermore, the ABA offers personalised consultation for skilled workers with a job offer, their family members and their future employer concerning immigration and residence procedures. All the services of the ABA as government agency are free of charge. The persons to whom the provisions of this Article apply benefit from equal treatment as accorded to host state nationals in all matters relating to the enforcement of laws, regulations, collective wage agreements and customs governing working conditions, national insurance, health, hygiene and workplace safety, within the framework of applicable national and European Union law. Their employer shall at least pay them a salary equivalent to the salary paid to host state nationals working under the same conditions.

4. Both Parties welcome the use of existing pre-departure and integration offers by qualified workers originating from the other Party's country.

## **Article 6**

### **Conditions of employment and social security**

1. The conditions of employment and working conditions, including remuneration, dismissal, working hours, leave, public holidays and gender equality, as well as occupational health and safety, shall be governed by the applicable national law of the State of employment, including private international law.
2. The social security of employees shall be provided in accordance with the legislation of the State of employment and international treaties to which the States are parties.
3. Matters pertaining to the provision of pensions for employees shall be regulated by the legislation of the States of the Parties and by separate international agreements concluded by the Parties.
4. Employees shall have access to legal protection in accordance with laws applicable in the respective countries. This also encompasses the possibility of filing claims for damages against employers.

## **Article 7**

### **Cooperation in vocational education and training**

1. The Parties are willing to cooperate in the field of vocational education and training and share the view that the Austria-Uzbekistan cooperation will foster the Uzbek Party's efforts to establish an innovative system of skills development and vocational education and training.
2. The cooperation may include, in particular, the following activities:
  - a. Sharing information on the vocational education and training systems the Parties have in place;
  - b. Holding consultations at official and expert level between the responsible bodies of the two Parties;
  - c. Discussing the preparation and development of possible joint projects in Uzbekistan in the field of vocational education and training with the focus on a dual system of vocational training and skill development in new, innovative and sustainable technologies; and
  - d. Organising study visits as well as workshops regarding specific questions.
3. The Austrian Party underlines its continued commitment to promoting dual vocational education and training in Uzbekistan and emphasises the importance of the mutual recognition of Uzbekistan's vocational and academic qualifications. In particular, the Austrian Party supports efforts towards a comparison of National Qualification Frameworks as well as the validation and

certification structures, with the aim of facilitating the mobility of qualified workers between both countries.

## **Article 8**

### **Family Members**

1. Spouses as well as their minor unmarried children, according to the applicable national and European Union law, receive a residence permit allowing the exercise of a professional activity under the conditions set forth in the respective laws.
2. Depending on the specific kind of residence permit, language skills may be required. The language requirement for a residence permit may be waived, subject to the prerequisites defined by applicable national and European Union law.
3. The Parties commit to continue offering access to existing pre-departure integration services for family members of qualified workers, which presume the personal initiative of the family members themselves in acquiring the necessary skills and documentation for the respective residence permit.

## **Article 9**

### **Researchers and doctoral students**

1. Both Parties welcome the mobility of researchers and doctoral students with an appropriate contract or scholarship between the two countries within the framework of applicable national and for the Austrian Party also European Union law.
2. The opportunities for Uzbek researchers and doctoral students regarding applicable procedures and requirements in Austria are provided to the Uzbek Party through the websites “Study in Austria” (<https://studyinaustria.at/en/>) as well as <https://www.euraxess.at/>.

## **Article 10**

### **Sharing expertise in the field of border management**

1. The Parties shall develop a comprehensive exchange of expertise regarding border management.
2. For educational purposes the Parties shall share best practices and enable mutual participation in trainings and study visits.
3. The Parties shall exchange information on relevant technical innovations and their practical use.

## **Article 11**

### **Fighting irregular migration, migrant smuggling and trafficking in human beings**

1. The Parties shall, on the basis of the Agreement between the Austrian Federal Government and the Government of the Republic of Uzbekistan on Cooperation in the Field of Security and Transnational crime, develop a common programme of action to share experience and to strengthen capacities to fight irregular migration, human smuggling and human trafficking, the fraud of identity and travel documents and to enhance cooperation in this field including through mutual visits.
2. With regard to fighting the fraud of identity and travel documents, both Parties shall promote the information exchange on profiling results, emerging trends, supply and detection of false documents as well as the exchange of sample documents to fight forged and falsified documents, and shall provide training in the specific areas of identifying forged and falsified documents.

## **Article 12**

### **Return and readmission of a Party's own nationals**

1. The Requested Party shall, upon application by the Requesting Party under the framework of this Agreement, readmit to the territory of its State all persons who do not, or who no longer, fulfil the conditions for entry to, presence in or residence on the territory of the State of the Requesting Party, provided it is established that such person is a national of the Requested Party, and without further formalities other than those provided for by this Agreement.
2. The Parties shall accept and support the return and readmission, irrespective of the will of the person concerned.
3. Both Parties shall give preference to voluntary returns where there are no reasons to believe that this would undermine the return of a person to the other Party. Both Parties shall support voluntary return and reintegration programmes.

## **Article 13**

### **Readmission of third-country nationals and stateless persons**

1. The Parties shall proceed from the principle that a third-country national shall, as a rule, be readmitted to the state of which he or she is a national.
2. Furthermore, the Parties shall proceed on the basis of the principle that a stateless person shall be returned to the state where he or she has had a permanent place of residence or which issued a travel document to him or her.
3. The Requested Party shall, upon application by the Requesting Party and under the framework of this Agreement, readmit to the territory of its State any third-country national or stateless person who does not, or no longer, fulfils the conditions for entry to, presence in or residence on the territory of the State of the Requesting Party, provided that evidence is furnished that such person:
  - a. illegally and directly entered the territory of the State of the Requesting Party having stayed in or transited through the territory of the State of the Requested Party or

- b. holds at the time of submission of the readmission request a residence permit or travel document for stateless persons issued by the Requested Party, or
  - c. holds at the time of submission of the readmission request a valid visa issued by the Requested Party and entered the territory of the State of the Requesting Party coming directly from the territory of the State of the Requested Party.
4. The readmission obligation in paragraph 3 shall not apply if
- a. the third-country national or stateless person has only been in airside transit via an International Airport on the territory of the State of the Requested Party; or
  - b. the Requesting Party issued the third-country national or stateless person with a visa or a temporary residence permit before or after entering its territory, unless:
    - i. the person concerned holds a visa or residence permit issued by the Requested Party with a longer period of validity, or
    - ii. the visa or residence permit of the Requesting Party was obtained with the aid of forged or falsified documents or false statements, or
    - iii. the person concerned does not meet the requirements for obtaining the visa.
5. After receiving a positive reply to the readmission application given by the Requested Party, the Requesting Party shall issue the person whose readmission has been accepted a travel document recognised by the Requested Party.

## **Article 14**

### **Readmission application**

1. Without prejudice to paragraph 2 of this Article, any transfer of a person to be readmitted on the basis of one of the obligations under Articles 12 and 13 of this Agreement shall require the submission of a written readmission application to the competent authority of the Requested Party.
2. A submission of a readmission application is not necessary if the person to be readmitted is a national of the Requested Party and in possession of a valid travel document or identity card.
3. The readmission application shall contain, in particular:
  - a. all available particulars of the person to be readmitted;
  - b. means of evidence under Article 15 or 16 of this Agreement;
  - c. where necessary, the readmission application should also contain a statement indicating that the person to be transferred may need help or medical care.
4. A readmission application in accordance with this Article shall be submitted on a form, the specimen of which forms Annex 5 to this Agreement.

## **Article 15**

### **Evidence of nationality and readmission procedure**

1. Nationality pursuant to Article 13 of this Agreement can be established by means of at least one of the documents listed in Annex 1 to this Agreement. If such documents are presented, the Parties shall mutually recognise the nationality without further formalities other than those provided for in this Agreement.
2. If none of the documents listed in Annex 1 to the Agreement can be presented, the nationality under Article 12 of this Agreement can be established by means of at least one of the documents listed in Annex 2 to this Agreement, even if its period of validity has expired. If such documents are presented, the Parties shall mutually deem the nationality to be established unless they can prove otherwise.
3. Nationality cannot be established by means of false documents.
4. If none of the documents listed in Annexes 1 and 2 to this Agreement can be presented, the diplomatic or consular representation of the Requested Party, after receipt of the readmission application from the competent authority of the Requesting Party, shall without delay conduct interviews in persona to establish nationality of the person to be readmitted. Upon mutual consent of the Requested and Requesting Party interviews may be conducted also by using virtual means of communication.
5. The competent authorities of the Requested Party shall reply in writing to the readmission requests swiftly and no later than 30 (thirty) calendar days from the date of submission by any means of communication, including electronic ones.
6. Once nationality is established, the travel document shall be issued by the diplomatic and consular representation within 7 (seven) calendar days, free of charge and shall only be used for travelling to the territory of the respective Party. If the competent diplomatic and consular representation does not issue the travel document within 7 (seven) calendar days, it shall be assumed that it accepts the European travel document for return.
7. The travel document shall be valid for at least 6 (six) months and in cases of expiry, the travel document shall be renewed with the same validity and without delay, at the latest within 7 (seven) calendar days from the request. If the competent diplomatic and consular representation does not renew the travel document within 7 (seven) calendar days, it shall be assumed that it accepts the European travel document for return.

## **Article 16**

### **Evidence and procedure for the readmission of third-country nationals and stateless persons**

1. Proof of the grounds for the readmission of third-country nationals and stateless persons pursuant to Article 13 of this Agreement can be furnished through at least one of the documents listed in

Annex 3 to this Agreement. If such proof is presented, the grounds for the readmission shall be mutually recognised by the Parties without further formalities other than those provided for in this Agreement.

2. Indirect evidence of the grounds for the readmission of third-country nationals and stateless persons pursuant to Article 13 of this Agreement can be furnished through at least one of the documents listed in Annex 4 to this Agreement. If such means of evidence are presented, the Parties shall deem the grounds to be established unless they can prove otherwise.

3. Proof of the grounds for the readmission cannot be established by means of false documents.

4. If the presented evidence is insufficient to facilitate a return and readmission, the respective diplomatic and consular representation of the Requested Party shall conduct an interview in person. Upon mutual consent of the Requested and Requesting Party interviews may be conducted also by using virtual means of communication.

5. The competent authorities of the Requested Party shall reply in writing to the readmission requests swiftly and not later than 30 (thirty) days from the date of submission by any means of communication, including electronic ones. Once it is established that the conditions of Article 13 are fulfilled, the emergency travel document shall be issued by diplomatic and consular representations within 7 (seven) calendar days, free of charge and shall only be used for travelling to the territory of the respective Party.

6. If the competent diplomatic and consular representation does not issue the travel document within 7 (seven) calendar days, it shall be assumed that it accepts the European travel document for return.

## **Article 17**

### **Time limits for the readmission**

1. If competent authorities of the Parties do not agree otherwise in a particular case, the transfer of persons whose readmission is agreed by the Requested Party shall take place within 30 (thirty) calendar days of receipt of this approval by the Requesting Party.

2. The time limit referred to in paragraph 1 of this Article shall be extended if persons concerned cannot be returned due to circumstances objectively preventing their return, including serious illness of the person to be readmitted, inability to determine the place of residence of such person on the territory of the State of the Requesting Party in time, or other impediments to the return.

## **Article 18**

## **Transfer Modalities and Modes of Transportation**

1. The return of the Parties' own nationals, third country nationals or stateless persons shall, as a rule, take place by air, but may be carried out by any other means of transportation in individual cases and where appropriate.
2. Return by air shall not be restricted to the use of the airlines of the Parties or to the security personnel of the Requesting Party. Returns may be carried out using both scheduled and charter flights, and may include both direct flights and flights with stopovers.
3. Return operations by air may be accompanied by appropriately authorised personnel, including but not limited to law enforcement officers, medical staff, interpreters, or other escorts, as required by the circumstances of the individual case and in accordance with the applicable laws and procedures of the Parties.

## **Article 19**

### **Readmission in error**

The Requesting Party shall take back any person readmitted by the Requested Party if it is established, within a period of 6 (six) months after the transfer of the person concerned, that the requirements laid down in Articles 13 or 14 of this Agreement are not met. In such cases the procedural provisions in Article 15 or 16 of this Agreement shall apply *mutatis mutandis* and the Requested Party shall communicate all available information relating to the identity and nationality of the person to be taken back.

## **Article 20**

### **Principles of transit**

1. The Requested Party shall allow the transit of third-country nationals or stateless persons, if the onward journey of such persons through the territory of other States of transit and the admission by the State of destination is guaranteed.
2. Transit can be refused by the Requested Party
  - a. if the third-country national or the stateless person runs the risk of being subjected to torture or inhuman or degrading treatment or punishment or the death penalty or of persecution because of his/her race, religion, nationality, membership of a particular social group or political conviction in the State of destination or another State of transit; or
  - b. if the third-country national or the stateless person may be subject to criminal prosecution or sanctions in the State of the Requested Party or in another State of transit; or
  - c. on grounds of the protection of public health, domestic security, public order or other national interests of the State of the Requested Party.

3. The Requested Party may revoke any authorisation issued if circumstances referred to in paragraph 2 of this Article subsequently arise or come to light which stand in the way of the transit operation, or if the onward journey through the territory of any other State of transit or the admission by the State of destination is no longer guaranteed. In this case, the Requesting Party shall take back the third-country national or the stateless person without delay.

## **Article 21**

### **Transit procedure**

1. A transit application must be submitted to the competent authority of the Requested Party in writing no later than 15 (fifteen) calendar days before the envisaged start of transit and shall contain the following information:

- a. mode of transit (scheduled or charter flight, by land or air), route of transit, all other States of transit, if any, and the State of destination;
- b. all available particulars of the person subject to transit (given name, surname, maiden name, other names used/otherwise known or aliases, date and if possible, place of birth, nationality, language, type and number of travel documents);
- c. envisaged place of entry, time of transfer and possible use of escorts;
- d. if applicable, particular information regarding the physical/medical condition (e.g. contagious identifiable diseases), previous unsuccessful attempts of removal, criminal convictions of the third-country national or the stateless person;
- e. a declaration that in the view of the Requesting Party the conditions of Article 20 paragraph 1 of this Agreement are met, and that no reasons for a transit refusal under Article 20 paragraph 2 of this Agreement are known.

A transit application in accordance with this Article shall be submitted on a form, the specimen of which forms Annex 6 to this Agreement.

2. The competent authorities of the Requested Party shall respond to the transit application, within 10 (ten) calendar days after receipt of the application in writing and inform the competent authorities of the Requesting Party of their consent to the transit operation, confirming the place of entry and the envisaged time of transfer of the person or inform them of the transit refusal and of the reasons for such refusal.

3. If the transit operation takes place by air, the person subject to transit and possible members of the escort shall be exempted from having to obtain a transit visa.

4. If the transit of persons cannot take place by air, the competent authorities of the Requesting Party shall hand over the person subject to transit to the competent authorities of the Requested Party on a border crossing point. The competent authorities of the Requested Party shall ensure that the person is handed over to the State of destination or other State of transit.

5. The Requesting Party shall notify the Requested Party as soon as possible, at least 1 (one) working day prior to the planned transit, of any changes with respect to the time of transfer and/or the intended place of entry in writing. The Requested Party shall reconfirm the changed time of transfer and/or the changed place of entry as soon as possible.
6. The competent authority shall provide the following information regarding the escort personnel: first name, last name; rank of the escort personnel, if any; type, number, date of issue and period of validity of their passports; flight number; date and time of arrival and departure.
7. Escort personnel must be able to always identify themselves during escorted readmission or transit and provide their authorization and information on the nature of their task connected to readmission or transit.
8. The members of the escort of the Requesting Party shall carry a copy of the document confirming the consent of the Requested Party to the transit.
9. The members of the escort of the Requesting Party shall not exercise any sovereign powers on the territory of the State of the Requested Party and shall not be armed. The escort personnel may only act in self-defence and provide emergency assistance. The escort personnel shall conduct the transit procedure in civilian clothes and may carry security equipment for the sole purpose of self-defence and emergency assistance.
10. The competent authorities of the Requested Party shall, by mutual agreement, facilitate the transit operation in the territory of the Requested Party by guarding the person concerned and providing appropriate facilities for that purpose.

## **Article 22**

### **Joint Working Group on Migration, Mobility and Readmission Issues**

1. A Joint Working Group comprising representatives of both Parties is created. The Joint Working Group shall monitor the implementation of the provisions set forth in this Agreement, recommend implementing arrangements necessary for the uniform application of this Agreement and discuss all appropriate proposals to improve it, as necessary.
2. The Joint Working Group shall meet on the territory of either Party alternately whenever deemed necessary by both Parties. Meetings may also be held via videoconference or other virtual formats, if agreed by both Parties. The agenda and the composition of the Joint Working Group shall be set for each meeting by mutual consultations.

## **Article 23**

### **Competences**

Both Parties shall inform each other through diplomatic channels about the competent authorities for implementing the provision of this Agreement, the respective contact details of the competent authorities and of any subsequent changes thereto. The information on changes of the competent authorities shall not be regarded as a formal amendment in accordance with Article 33 of this Agreement.

## **Article 24**

### **Border crossing points**

1. For the implementation of the Agreement, the following border crossing points shall be used:
  - for the Republic of Austria: Vienna International Airport;
  - for the Republic of Uzbekistan: Islam Karimov Tashkent International Airport.
2. Each Party shall, without undue delay, notify the other Party of any changes in the list of border crossing points mentioned in paragraph 1 of this Article.
3. If the transport of the person subject to readmission or transit cannot take place by air, the competent authorities of the Parties shall agree upon a border crossing point on the border of the State of the Requested Party to be used, in the individual transfer case.

## **Article 25**

### **Annexes**

1. The Annexes shall form an integral part of this Agreement and may be amended or supplemented in accordance with Article 33, paragraph 3.
2. Amendments or additions to the Annexes according to paragraph 1 of this Article shall enter into force 15 (fifteen) calendar days following the receipt of the affirmative diplomatic note.

## **Article 26**

### **Protection of personal data**

1. For the purposes of this Agreement, the term “personal data” shall comprise all information relating to an identified or identifiable natural person (hereinafter referred to as the “data subject”); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as an identification number or one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of that natural person.
2. Mutual transmission of personal data (hereinafter referred to as “data”) between the Parties shall be carried out in accordance with the respective nationally applicable law, in compliance with any conditions issued by the transmitting authority and in accordance with the following principles, which apply to the processing of data by automated and non-automated means:

- a. The transmitted data shall be collected and processed lawfully and fairly. They shall be collected for specified, explicit and legitimate purposes and not be processed in a manner that is incompatible with those purposes. They must be adequate, relevant and not excessive in relation to the purposes for which they are processed.
- b. Data revealing the racial or ethnic origin, the political opinion, religious or other beliefs, trade union membership, genetic data, biometric data for the purpose of uniquely identifying a person, data concerning health or data concerning a person's sex life or sexual orientation shall only be processed if the processing is absolutely necessary and provided that the nationally applicable law ensures adequate safeguards for the rights and freedoms of the data subject. The same applies to data relating to criminal offences including the suspicion of criminal offences, criminal convictions and preventive measures.
- c. The transmitted data shall not without prior written authorisation of the transmitting authority be processed or onward transferred for other purposes than for the purposes of the transmission. Such authorisation shall only be granted if the processing or onward transfer for these other purposes is permitted by the nationally applicable law of the transmitting Party. The particulars of the person concerned (given name, surname, where applicable former name, epithets or nicknames, synonyms or alias names, date and place of birth, sex, current and former nationalities);
- d. The transferred data shall be erased or rectified as soon as:
  - i. the data turn out to be inaccurate, or
  - ii. the transmitting authority informs that the transmitted data were unlawfully obtained or transmitted, or that data which were lawfully transmitted have to be erased at a later point in time according to the nationally applicable law of the transmitting Party, or
  - iii. the data is no longer necessary in relation to the purpose of the transmission, unless an explicit authorisation allows the processing of the data for other purposes, or
  - iv. this Agreement ceases to be in force.
- e. On request of the transmitting authority, the receiving authority shall inform about any processing of the received data and the results achieved therewith.
- f. The transmitting authority shall ensure the accuracy and up-to-datedness of the transmitted data. The transmitting authority shall moreover ensure the necessity and proportionality of the transmission in relation to the purposes of the transmission and observe any limitations on transmission imposed by the respective nationally applicable law. Where it appears that inaccurate data or unlawfully transmitted data were transmitted, or lawfully transmitted data have to be erased at a later point in time according to the nationally applicable law of the transmitting Party, the receiving authority shall be informed without delay. The receiving authority shall carry out the necessary rectification or erasure without delay.
- g. If the receiving authority has reason to assume that transmitted data are inaccurate or have to be erased, the transmitting authority shall be informed without delay.

- h. The Parties ensure that data are exclusively transmitted by means of communication which guarantee adequate protection of the data against unauthorised access or modification by third parties during the transmission. The mode of transfer shall correlate with the sensitivity of the data. The Parties shall ensure that access to the used means of communication is restricted to authorised persons and shall not grant direct access to data in their automated processing systems.
- i. The receiving authority shall be obliged to process the transmitted data in a manner that ensures adequate safety of the data, including protection from unauthorised or unlawful processing and from accidental loss, accidental erasure or accidental destruction.
- j. The transmitting and the receiving authority shall maintain a record of every transfer, onward transfer, receipt and erasure of data. These records shall include the purpose, and time of the transfer and the erasure, the transmitting and the receiving authority as well as an identifier for the official who carried out and the official who ordered the request or transmission. The records shall only be used to control compliance with the applicable data protection rules. The records shall be protected with suitable measures against unauthorised use and other forms of improper use and shall be kept for 3 (three) years. After this period the records shall be deleted without any delay.
- k. In the event of a breach of the data received, the receiving agency shall take appropriate damage control measures without delay. It shall inform the transmitting agency provided this does not prejudice public or national security.
- l. Every data subject shall have the right, upon proof of his/her identity, to obtain from the authority responsible for processing the data information about any data transferred or processed in the framework of this Agreement, their origin, any recipients or categories of recipients, their intended purpose and the legal basis in an adequate, intelligible form, free of charge and without undue delay.

3. Furthermore, every data subject shall have the right to obtain the rectification of inaccurate data and erasure of unlawfully processed data. Moreover, the Parties shall ensure that every data subject has the right to lodge an effective complaint with an independent and impartial court or tribunal established by law where his or her rights to data protection are infringed and that the data subject is given the possibility to seek an effective redress and, where applicable, compensation before a court. The detailed rules for the procedure to assert these rights shall be governed by the relevant nationally applicable legal provisions of the Party where the data subject asserts his rights. In case of a request to assert these rights, the authority possessing the data in question gives the transmitting authority the opportunity to comment before a decision is taken.

## **Article 27**

### **Language**

In absence of a different agreement, the Parties shall use the English language.

## **Article 28**

### **Costs**

1. The Parties shall bear their costs arising from the implementation of this Agreement, in the absence of a different agreement.
2. All transport costs incurred in connection with readmission and transit operations pursuant to this Agreement as far as the border of the State of destination shall be borne by the Requesting Party.

## **Article 29**

### **Settlement of disputes**

Disputes relating to the interpretation or application of this Agreement shall be settled by the authorities involved. If this is not possible, the Joint Working Group on Migration, Mobility and Readmission Issues shall consider the issue. If necessary, the dispute shall be settled through diplomatic channels.

## **Article 30**

### **Relationship with other international agreements**

1. This Agreement shall not affect the rights and obligations of Parties arising from other international treaties to which they are parties.
2. The provisions of the Agreement between the Austrian Federal Government and the Government of the Republic of Uzbekistan on Cooperation in the Field of Security and Transnational Crime, signed on 2 November 2001, shall remain unaffected by the provisions of this Agreement.

## **Article 31**

### **Applicable Law**

1. The Parties shall implement all measures provided for in this Agreement in accordance with their applicable national law.
2. This Agreement shall establish a partnership in the field of migration and mobility between the Parties within their respective competences, in accordance with their national laws, procedures and resources, and with full respect for international rules and standards.
3. All actions under this Agreement shall be consistent with the obligations of the Parties under relevant international law.

## **Article 32**

### **Entry into force**

This Agreement shall enter into force on the first day of the second month following the date on which the Parties notify each other through diplomatic channels that their respective national requirements for entry into force of this Agreement have been fulfilled. The relevant date shall be the day on which the last notification is received.

### **Article 33**

#### **Duration, termination and amendment of the Agreement**

1. This Agreement shall remain in force for an indefinite period of time from the date of its entry into force.
2. This Agreement may be terminated in writing by either Party subject to 6 (six) months prior notice communicated through diplomatic channels. Such termination of this Agreement shall not affect the Parties' rights and obligations resulting from the implementation of this Agreement, unless otherwise agreed by the Parties.
3. This Agreement may be amended or supplemented by mutual consent of the Parties. Amendments and additions shall be laid down in the form of separate protocols, which shall form an integral part of this Agreement and shall enter into force in accordance with the procedure laid down in Article 32.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Agreement.

DONE at ..... on ..... , in  
two originals each in the German, Uzbek and English languages, all texts being equally authentic.  
In case of any divergence in the interpretation, the English text shall prevail.

**For the Austrian  
Federal Government**

**For the Government  
of the Republic of Uzbekistan**

**Annex 1**  
**to the Agreement between**  
**the Austrian Federal Government**  
**and the Government of the Republic of Uzbekistan**  
**on a Migration and Mobility Partnership**

**LIST OF DOCUMENTS FOR PROOF OF NATIONALITY**

(Article 15 paragraph 1 of this Agreement)

For the Republic of Austria:

- Austrian passports of any kind (national passports, diplomatic passports, service passports, and emergency passports);
- Travel document issued by Austria; Identity cards (including temporary identity cards);
- Military ID cards;
- Citizenship certificates and other official documents, that mention or indicate citizenship clearly.

For the Republic of Uzbekistan:

- diplomatic passport;
- passport of the national of the Republic of Uzbekistan
- biometric passport of a national of the Republic of Uzbekistan;
- biometric passport of a national of the Republic of Uzbekistan for travel abroad;
- birth certificate for children under 16 (sixteen) years;
- ID-card of the national of the Republic of Uzbekistan;
- certificate of return to the Republic of Uzbekistan.

**Annex 2**  
**to the Agreement between**  
**the Austrian Federal Government**  
**and the Government of the Republic of Uzbekistan**  
**on a Migration and Mobility Partnership**

**THE COMMON LIST OF DOCUMENTS FOR PRIMA FACIE EVIDENCE  
OF NATIONALITY**

(Article 15 paragraph 2 of this Agreement)

- Photocopies of any of the documents listed in Annex 1 to this Agreement;
- nationality certificate or its photocopy;
- seaman’s registration book or photocopy thereof;
- driving license or photocopy thereof;
- birth certificate or photocopy thereof;
- any official document that mentions or suggests nationality, or a photocopy thereof;
- company identity card or photocopy thereof;
- statements by witnesses;
- statement made by the person concerned;
- military service card, military service certificate, military service book, military identity card or photocopies thereof;
- any other document which may help to establish the nationality of the States of Parties;
- the result of the interview of the person concerned by the Requested Party, to be conducted upon request;
- fingerprints or other biometric data;
- language spoken by person concerned, including the results of any official examination.

**Annex 3**  
**to the Agreement between**  
**the Austrian Federal Government**  
**and the Government of the Republic of Uzbekistan**  
**on a Migration and Mobility Partnership**

**LIST OF DOCUMENTS FOR PROOF OF THE GROUNDS FOR THE**  
**READMISSION OF THE THIRD-COUNTRY NATIONALS**  
**AND STATELESS PERSONS**

(Article 16 paragraph 1 of this Agreement)

- Valid visa and/or residence authorisation issued by the State of the Requested Party;
- entry/departure stamps of the State of the Requested Party in the travel document of the person concerned or other evidence of entry/departure;
- international named tickets of air, train or coach passages, which testify to the itinerary of the person concerned from the territory of the State of the Requested Party directly to the territory of the State of the Requesting Party;
- passenger lists of air, train or coach passages which testify to the itinerary of the person concerned from the territory of the State of the Requested Party directly to the territory of the State of the Requesting Party;
- official statements made by border authority staff of the State of the Requesting Party who can testify that the person concerned has entered the territory of the State of the Requesting Party coming directly from the territory of the State of the Requested Party;
- for the Republic of Austria: travel document issued to a stateless person;
- for the Republic of Austria: identity authentication as a result of a search in the Visa Information System<sup>1</sup>;
- for the Republic of Uzbekistan: biometric travel document issued to a stateless person.

---

<sup>1</sup> Regulation (EC) No 767/2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-term visas (VIS Regulation) OJ No L 218, 13.8.2008, p. 60, as last amended by Regulation (EU) 2226/2017, OJ No L 327, 9.12.2017, p. 20.

**Annex 4**  
**to the Agreement between**  
**the Austrian Federal Government**  
**and the Government of the Republic of Uzbekistan**  
**on a Migration and Mobility Partnership**

**LIST OF INDIRECT EVIDENCE OF THE GROUNDS**  
**FOR THE READMISSION OF THE THIRD-COUNTRY NATIONALS OR STATELESS**  
**PERSONS**

(Article 16 paragraph 2 of this Agreement)

- photocopies of any of the documents listed in Annex 3 to this Agreement;
- international tickets;
- documents, certificates and bills of any kind (e.g. hotel bills, appointment cards for doctors/dentists, entry cards for public/private institutions, car rental agreements, credit card receipts etc.) which clearly show that the person concerned stayed on the territory of the State of the Requested Party;
- official statement by the person concerned in judicial or administrative proceedings;
- official statement of a witness who is able to confirm that the person concerned crossed the border;
- information showing that the person concerned has used the services of a courier or travel agency.

**Annex 5**  
**to the Agreement between**  
**the Austrian Federal Government**  
**and the Government of the Republic of Uzbekistan**  
**on a Migration and Mobility Partnership**

(Emblem of )

.....  
.....

.....  
(Place and date)

(Designation of the competent authority of  
the Requesting Party)

Reference: .....

Klicken oder tippen Sie hier, um Text ein-  
zugeben.

To

.....  
.....  
.....

(Designation of the competent authority of  
the Requested Party)

**READMISSION APPLICATION**

**in accordance with Article 15 of the Agreement between  
the Austrian Federal Government  
and the Government of the Republic of Uzbekistan  
on a Migration and Mobility Partnership**

.....

**A. PERSONAL DETAILS**

1. Full name (underline surname):

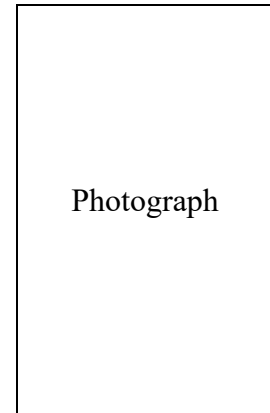
.....

2. Name at birth:

.....

3. Date and place of birth:

.....



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

.....  
.....

5. Aliases (earlier names, other names used/by which known):

.....  
.....

6. Nationality and language:

.....  
.....

7. Civil status:  married  single  divorced  widowed

If married, name of spouse: .....

Names and age of children (if any):

.....  
.....  
.....

.....  
8. Last address in the Requesting Party:

.....  
.....

**B. PERSONAL DETAILS OF SPOUSE (IF APPROPRIATE)**

1. Full name (underline surname):

.....  
.....

2. Name at birth:

.....  
.....

3. Date and place of birth:

.....  
.....

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

.....  
.....

5. Aliases (earlier names, other names used/by which known):

.....  
.....

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:

.....  
.....  
D. SPECIAL CIRCUMSTANCES RELATING TO THE PERSON TO BE RETURNED

1. State of health

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

.....  
.....  
2. Indication of particularly dangerous person

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

.....  
.....  
E. SUPPORTING EVIDENCE ATTACHED

1. ....

.....

..... (Date and place of issue)

(Passport No.)

.....

.....

(Issuing authority)

(Expiry date)

2. ....

.....

..... (Date and place of issue)

(Identity card No.)

.....

.....

(Issuing authority)	(Expiry date)
3. ....	.....
.....	.....
(Driver's license 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. REQUEST FOR AN INTERVIEW / ISSUANCE OF TRAVEL DOCUMENT

- Request for an interview to establish nationality, as none of the documents listed in Annex 1 can be presented.
- Request for an interview to establish nationality, as the accuracy of the documents in Annexes 1 and 2 enclosed is in doubt.
- Request for an interview to facilitate the readmission of third country nationals according to Art 19 and Annexes 3 and 4.
- Request for the issuance of a travel document / emergency travel document.

G. OBSERVATIONS

.....

.....

.....

.....

.....

.....

(Signature) (Seal/Stamp)

.....

.....

.....

.....

.....

.....

.....

.....

(Designation of the Requesting authority)

(Place and date)

Reference: .....

To

.....

.....

.....

.....

.....

.....

.....

.....

.....

(Designation of the Requested authority)

**Annex 6**  
**to the Agreement between**  
**the Austrian Federal Government**  
**and the Government of the Republic of Uzbekistan**  
**on a Migration and Mobility Partnership**

(Emblem of)

.....

..... (Place and date)

(Designation of the competent authority of  
the Requesting Party )

Reference: .....

To

.....  
.....  
.....

(Designation of the competent authority of  
the Requested Party )

## TRANSIT APPLICATION

**in accordance with Article 22 of the Agreement between  
the Austrian Federal Government  
and the Government of the Republic of Uzbekistan  
on a Migration and Mobility Partnership**

### General information on the concerned Transiting Person

	surname	first name	m/f	date of birth	place of birth
1					
2					

	nationality	travel document No. /type / validity	visa issued by a third state (if required)
1			
2			

### Flight details

flight no.	from	departure date	departure time	to	arrival date	arrival time

### Particular information:

Is the Transiting Person accompanied by an escort?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Escorts:
Is medical care required?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If so, specify:
Contagious identifiable diseases?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If so, specify:
Previous unsuccessful attempts at removal?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If so, state reason:
Knowledge of any criminal convictions?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If so, specify*:

\*If necessary, use the "Further Comments" section below.

**Further Comments:**

Klicken oder tippen Sie hier, um Text einzugeben.

**Decision of the Requested Party:**

The transit is granted. if not, grounds:	<input type="checkbox"/> Yes <input type="checkbox"/> No
name/signature/date	

**Annex 7**  
**to the Agreement between**  
**the Austrian Federal Government**  
**and the Government of the Republic of Uzbekistan**  
**on a Migration and Mobility Partnership**

**Sample of the European standard travel document for the return of illegally staying third-country nationals in accordance with Regulation (EU) 2016/1953 of the European Parliament and of the Council**

The following sample is valid regardless of the language in which it is written:



REPUBLIK ÖSTERREICH

Republic of Austria / République d'Autriche

**European travel document for the return of illegally staying third-country nationals**

**Ausstellende Behörde:**

Issuing authority / Autorité de délivrance:

**Dok. Nr.:**

Doc. No. / No. doc.:

**Gültig für die einmalige Einreise von:**

Valid for one journey from / Valable pour un seul voyage de:

**Nach:**

to / à:

**Name:** Klicken Sie hier, um Text einzugeben.

Name / Nom:

**Vorname:** Klicken Sie hier, um Text einzugeben.

Given name / Prénom:

**Geburtsdatum:** Klicken Sie hier, um Text einzugeben.

Date of birth / Date de naissance:

**Geschlecht:** Klicken Sie hier, um Text einzugeben.

Sex / Sexe:

**Staatsangehörigkeit:** Klicken Sie hier, um Text einzugeben.

Nationality / Nationalité:

**Besondere Kennzeichen:** Klicken Sie hier, um Text einzugeben.

Distinguishing marks / Signes particuliers:

**Adresse im Heimatland (falls bekannt):**

Address in the country of return (if known) / Adresse dans le pays de retour (si connue):

**Ausstellungsort:** Klicken Sie hier, um Text einzugeben.

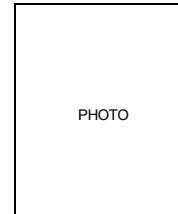
Issued at / Lieu de délivrance:

**Ausstellungsdatum:** Klicken Sie hier, um Text einzugeben.

Issued on / Date de délivrance:

**Unterschrift:**

Signature / Signature:



Siegel/Stempel  
Seal/Stamp  
Joint/Timbre

