

**TRANSLATION OF THE CRUCIAL PROVISIONS**  
**OF THE DIRECTIVE ASSISTANCE FOR TRANSIT REMOVAL BY**  
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**Article 3, §1:**

1. A Member State wishing to return a third-country national by air shall examine whether it is possible to use a direct flight to the country of destination.

**Translation:**

§ 75a (1) b of the Aliens Act: The Ministry of Interior shall file written applications with other States of the European Economic Area for execution of an air transit, provided that it is not possible to use a direct flight from the territory of the Slovak Republic to a determined country or provided that it cannot execute such flight for serious reasons.

**Article 3, §2:**

2. If a Member State wishing to return a third-country national cannot for reasonable practical circumstances use a direct flight to the country of destination, it can request transit by air via another Member State. An application for transit by air shall in principle not be made if the removal measure requires a change of airport on the territory of the requested Member State.

**Translation:**

§ 75a (1) b of the Aliens Act: The Ministry of Interior shall file written applications with other States of the European Economic Area for execution of an air transit, provided that it is not possible to use a direct flight from the territory of the Slovak Republic to a determined country or provided that it cannot execute such flight for serious reasons.

**Article 3, §3:**

3. Without prejudice to the obligations of Article 8, the requested Member State may refuse transit by air if:

(a) the third-country national under national legislation in the requested Member State is charged with criminal offences or is wanted for the carrying out of a sentence;

(b) transit through other States or admission by the country of destination is not feasible;

(c) the removal measure requires a change of airport on the territory of the requested Member State;

(d) the requested assistance is impossible at a particular moment for practical reasons, or

(e) the third-country national will be a threat to public policy, public security, public health or to the international relations of the requested Member State.

**Translation:**

§ 75b (4) of the Aliens Act: The Ministry of Interior may dismiss a written application for an air transit when

- a) the applicant State can execute a direct flight to the determined country, except for the justified cases,
- b) the alien was accused under a Criminal Procedural Code or he/she is searched-for due to avoiding execution of a punishment imposed by a final decision,
- c) it is not possible to execute an air transit through other States or it is not possible to secure the alien's reception by the determined country,
- d) the alien's transportation requires changing of a public airport,
- e) provision of the requested assistance is not possible at the respective time for justified reasons, or
- f) the alien could endanger the public policy, security of the State, public health or international relations.

**Article 3, §4:**

4. In the case of paragraph 3(d), the requested Member State shall as quickly as possible inform the requesting Member State of a date as close as possible to the originally requested date on which transit by air may be assisted, in so far as the other conditions are complied with.

**Translation:**

§ 75b (6) of the Aliens Act: The Ministry of Interior shall immediately notify the requesting State of its decision

- b) on denial of the air transit under § 75b (4), on the reason for its denial and in the case of a denial under § 75b (4) Subparagraph e) also on the time of the next possible air transit.

**Article 4, §5:**

5. The Member States shall each appoint a central authority to which requests under paragraph 1 are to be sent.

The central authorities shall appoint contact points for all the relevant airports of transit who can be contacted throughout the transit operations.

**Translation:**

§ 75a (1) of the Aliens Act: The Ministry of Interior

- a) shall receive written applications of other States of the European Economic Area for execution of an air transit (hereinafter "the application for air transit") and decide on them,
- f) shall determine contact places of transit airports.

The Ministry of Interior of the SR is a central authority responsible for receiving written applications of other States for execution of an air transit.

The Ministry of Interior of the SR determined as contact points of transit airports following airports: International Airport M.R. Štefánika, Airport Bratislava, Airport Košice and Airport Poprad