

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

2015/0306(COD) - 15/12/2015 - Legislative proposal

PURPOSE: to establish the format and the technical specifications of a European travel document for the return of third-country nationals subject to a return decision.

PROPOSED ACT: Regulation of the European Parliament and of the council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the effective return of third country nationals who do not fulfil or no longer fulfil the conditions for entry, stay or residence in the Member State of the Union is an essential part of a comprehensive approach to ensure the proper functioning of the EU migration policies and for maintaining public trust in the Union migration system. However, the EU system to return irregular migrants is not sufficiently effective.

The lack of valid travel documents issued by the country of destination of the returnee is one of the main obstacles to successful return. At present, Member States may issue a substitute document for those illegally staying third-country nationals who do not possess a valid travel document. However, its recognition by third countries is low, including because of its unsatisfactory security features and standards.

CONTENT: the objective of this proposal is to establish a dedicated European travel document for the return of third-country nationals subject to a return decision.

It aims to:

- harmonise the format and technical specifications of the European travel document for the return of illegally staying third-country nationals in order to ensure higher technical and security standards, in particular as regards safeguards against counterfeiting and falsification;
- facilitate recognition of this document by third countries for the purpose of return and readmission;
- increase flexibility for the authorities of third countries in terms of managing documents in order for them to accelerate the administrative procedures for return and reduce the administrative burden on competent consular authorities;
- set the rules relating to the fees for issuing the European travel document for return, which shall be free of charge for the third-country national given that it shall only be valid for a single journey;
- contribute to reducing the period during which returnees awaiting removal are kept in administrative detention.