

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

2015/0306(COD) - 15/09/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 494 votes to 112 with 50 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on a European travel document for the return of illegally staying third-country nationals.

Parliaments position, adopted at first reading following the ordinary legislative procedure, amended the Commission proposal as follows:

European travel document for return: it is recalled that the readmission of own nationals is an obligation under international customary law, with which all States are required to comply. In this context, the identification of illegally staying third-country nationals and the issuance of documents including the European travel document for return should, where appropriate, be subject to cooperation with diplomatic representations and negotiations with third countries entering into readmission agreements, either with the Union or with the Member States.

Enhanced security features and technical specifications of the European travel document for return: it is stipulated that the future Regulation should establish a uniform European travel document for the return of illegally staying third-country nationals, in particular its format, security features and technical specifications.

Format and content of the European travel document for return: the format of the European travel document for return shall correspond to the model set out in the Annex.

It shall contain the following information:

- the name, surname, date of birth, sex, nationality, distinguishing marks and, if known, the address in the third country of return of the third-country national;
- a photograph of the third-country national;
- the issuing authority, date and place of issue and period of validity;
- information about the departure and arrival of the third-country national.

It should be noted that the European travel document for return shall be valid for a single journey up until the time of arrival in the third country of return of the third-country national subject to a return decision issued by a Member State.

Delegated acts: in order to amend certain non-essential elements of the model for the European travel document for return, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts, in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

Review and reporting: by 2 years after the date of entry into force of this Regulation, the Commission shall review and report on the effective implementation of this Regulation.