



AD HOC QUERY ON 2019.57 SK AHQ on European travel document for return

Requested by Simona MESZAROSOVA on 22 May 2019

Compilation produced on 25 September 2019

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Slovakia, Spain, Sweden, United Kingdom plus Norway (22 in Total)

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1. Background information

The Office of the Border and Foreign Police of the Police Force Presidium (hereinafter referred to as the "Office") as the body responsible for the implementation of returns from the territory of the Slovak Republic is interested in continuously increasing the efficiency of returns by using all available means.

One of the options is to actively use the European Travel Document for Return (EU Regulation regarding this particular document can be found here: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1953...>). Given that the document in question is used in situations where it is not

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possible to provide a third-country national with a substitute travel document, we would welcome practical information on its use for return by other Member States.

On the basis of the above mentioned, we would like to kindly ask MS the following questions:

2. Questions

1. Does your country use a European travel document for return?

Available choices: Yes, No, Not Applicable

2. If yes, can you indicate some situations in which your country issues this document (e.g. for which third-country nationals most often, etc.)?

3. Have you experienced problems with recognition of this document in some third countries? If yes, in which countries?

4. Based on your experience, which third countries recognize this document without any difficulty?

We would very much appreciate your responses by **21 June 2019**.

3. Responses

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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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	EMN NCP Austria	No	
	EMN NCP Belgium	Yes	<p>1. Yes</p> <p>2. The EU travel document is used if the third country accepts these documents for the return of their own nationals. Belgium is cautious not to use this document without this acceptance in principal. This means that the use can be on the basis of :- provisions foreseen in the Readmission Agreements (EU or Benelux), as well as in national Memoranda of Understanding- ad hoc agreement with national authorities of the third country (e.g. if the TCN does not want to sign the laissez-passer, the emergency travel document or other travel document issued by the third country authorities)</p> <p>3. No, since we only use them in agreement with the national authorities of these third countries.</p> <p>4. Albania, Kosovo, Afghanistan, Turkey, Brazil, Somalia and Nepal. In the past we have also used it for Guinea (is not allowed anymore since many years – was still the old format) and Burundi (but no forced returns anymore in the last 4 years – so no idea if this will still work).</p>
	EMN NCP Bulgaria	Yes	<p>1. Yes</p> <p>2. The Republic of Bulgaria uses European travel document to return third country nationals (TCNs), who are not eligible to enter, stay and reside the territory of the Member States in full respect to their fundamental rights, and according to the Directive 2008/115/EC when a TCN has</p>

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 "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."



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			<p>a national passport with an expired validity, certifying his/her identity and nationality. The Migration Directorate has issued European travel document to return TCNs from the Kingdom of Morocco, the Republic of Tunis and the Arabic Republic of Egypt who have had expired passports.</p> <p>3. When TCNs have been returned with a European travel document, there have had no problems and they have been accepted by their state authorities. TCNs have been given to the state authorities with the expired passport, certifying his/her identity and the European travel document.</p> <p>4. The above mentioned countries accept their nationals without any difficulties. The experience of the Republic of Bulgaria, when returning TCNs, is only when the TCNs have an established identity.</p>
	EMN NCP Croatia	Yes	<p>1. No</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p>
	EMN NCP Cyprus	Yes	<p>1. No</p> <p>2. N/A</p>





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			<p>3. N/A</p> <p>4. N/A</p>
	EMN NCP Czech Republic	Yes	<p>1. No The Czech Republic developed a template to issue the EU travel document for return, however, it was never used.</p> <p>2. N/A</p> <p>3. N/A (See above)</p> <p>4. N/A (See above)</p>
	EMN NCP Estonia	Yes	<p>1. Yes</p> <p>2. So far Estonia has been issued only 1 EU travel document to return, to TCN from Sudan, in 2018.</p> <p>3. We lack experience in this regard.</p> <p>4. N/A</p>



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	EMN NCP Finland	No	
	EMN NCP Germany	No	
	EMN NCP Hungary	Yes	<p>1. Yes</p> <p>2. Hungary regularly uses the EU travel document for forced returns to Afghanistan based on the JWF (Joint Way Forward). Hungary had forced return cases of Congolese nationals of the DRC, in which Hungary made use of the EU travel document for the inflight-leg of the return operation. For the border-crossing and acceptance of the returnees by the local authorities the EURLO in Kinshasa provided assistance. In one readmission case Sweden requested Hungary to issue an European travel document for the TCN returnee holding a valid residence permit in Sweden.</p> <p>3. Hungary has never experienced any problems with the recognition of the EU travel document.</p> <p>4. Afghanistan.</p>
	EMN NCP Ireland	Yes	<p>1. No</p> <p>2. n/a</p> <p>3. n/a</p>




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			4. n/a
	EMN NCP Italy	Yes	<p>1. No Italy does not use the European travel document for return. The procedure for releasing the document has been suspended due to some technical and coordination issues.</p> <p>2.</p> <p>3. N/A</p> <p>4. N/A</p>
	EMN NCP Latvia	Yes	<p>1. Yes</p> <p>2. Since 2017 there have been issued 8 European travel documents for return: 1 – Armenia, 1 – South Africa, 1 – Iraq, 1 – Chile, 1 – Angola, 1 – Kosovo, 1 – Egypt, 1 - India. European travel document for return usually is issued in cases:1) when persons have lost their travel documents (e.g., passport is stolen) and person is not able to receive a new travel document, because there is no Embassy of the relevant third country in Latvia; 2) when a child to third country nationals is born in Latvia and parents are not able to receive a travel document for the child, because there is no Embassy of the relevant third country in Latvia.</p> <p>3. In two cases (Armenia and Chile) European travel document in the end was not used because persons received return certificate or passport in Embassies of their countries. In cases of South Africa, Angola, Egypt and Iraq Latvia does not have information on execution of voluntary return decision.</p>


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			4. In two cases (Kosovo and India) there is information that persons has left EU, which could indicate that these countries recognise European travel document.
	EMN NCP Lithuania	Yes	<ol style="list-style-type: none"> 1. No 2. N/A 3. No experience with recognition of this document in third-countries. 4. N/A
	EMN NCP Luxembourg	Yes	<ol style="list-style-type: none"> 1. Yes 2. Luxembourg only uses these documents for the return of Kosovars to Kosovo. 3. No. 4. Luxembourg only uses it for Kosovo and had no problem until now.
	EMN NCP Netherlands	Yes	<ol style="list-style-type: none"> 1. Yes 2. On the basis of the Dutch Aliens Act Implementation Guidelines 2000 (section A3/4.5) an



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			<p>European Travel Document (ETD) may be used:</p> <ul style="list-style-type: none"> • When returning a third-country national to his/ her country of origin; • When returning a third-country national to a third country (other than the country of origin); • As a valid supporting document for border crossing when transferring a third-country national to an European country. <p>In order to make use of the ETD within the framework of the return and readmission of a migrant the following conditions shall be met in accordance with the Dutch Aliens Act Implementation Guidelines 2000:</p> <ul style="list-style-type: none"> • It is not possible to obtain a valid travel document (timely) from the authorities of the country of origin or a third country, or agreements have been made concerning the use of an ETD with the authorities of the country concerned; • There are one or more indications on the basis of which the nationality and/ or identity of the third-country national can be assumed; • There is a reasonable chance that the third-country national will be admitted into the country of return. <p>3. No</p> <p>4. In general, an ETD alone is not sufficient to readmit a third-country national in the country of origin or in a third country. Key is whether the third-country authorities are willing to accept a copy of a document or an expired document (e.g. passport). Therefore, the ETD is mainly essential in order to obtain the cooperation of the carriers. The Netherlands uses the ETD for the following third countries:</p> <ul style="list-style-type: none"> • Afghanistan (based on a bilateral MoU and after confirmation of the third-country national's nationality) • Somalia (based on a working agreement and after confirmation of the third country national's nationality in combination of the issuance of a declaration of approval by the Immigration Service in Mogadishu) • Tanzania (after confirmation of the third-country national's nationality)
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. In 2018, 148 European travel documents (EU-Letter) was issued to transfer third-country nationals to Ukraine. In 2019, 54 European travel documents (EU-Letter) were issued to transfer third-country nationals to Ukraine. Border Guard units do not collect statistical data on the</p>


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			<p>citizenship of foreigners to whom the EU - letter was issued for the purposes of readmission to Ukraine.</p> <p>3. Poland has not recorded any case of refusal to recognize the EU-Letter document so far.</p> <p>4. In previous cooperation it was found that the following countries accept the EU-Letter document without any difficulty: Ukraine, Afghanistan, Guinea.</p>
	EMN NCP Slovakia	Yes	<p>1. Yes</p> <p>2. Slovak Republic issued only one European Travel Document for Return (in 2018) for a third-country national from Afghanistan who was illegally staying in the territory of the Slovak Republic. Document was accepted.</p> <p>3. See Q1</p> <p>4. See Q1</p>
	EMN NCP Spain	Yes	<p>1. No</p> <p>2.</p> <p>3. In our experience with the previous format, the document was generally not accepted. Third countries want to examine readmission cases individually and give their approval either with a document or with a list, so that issuing a EU travel document from our side is not relevant</p>



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			4. No data available
	EMN NCP Sweden	Yes	<p>1. Yes</p> <p>2. Yes – the Swedish Migration Agency has since early 2019 been using the European travel document for return as per EU regulation 2016/1953. Prior to this, the old European travel document for return was used (in accordance with Council Recommendation of 30 November 1994 concerning the adoption of a standard travel document for the expulsion of third-country nationals). The Swedish Migration Agency issues the document most often for returnees to Kosovo and Serbia. Sweden has a bilateral readmission agreement with Kosovo which states that the EU travel document for return can be issued in respect of returnees whose readmission has been accepted for Kosovo. Likewise, Sweden has a bilateral implementing protocol in respect of the EU readmission agreement with Serbia which allows us to issue this document. The SMA also issues the document in some specific circumstances for returnees to other countries. Please see the information provided in the answer to question 4 for more information.</p> <p>3. No</p> <p>4. • Kosovo • Serbia • Albania (only for those returning to Albania from Sweden by charter flight arranged by the SMA) • Ukraine (only for Ukrainian citizens in possession of a domestic passport, in terms of article 5, paragraph 2 of the readmission agreement between the European Union and Ukraine) • Georgia (for unaccompanied deportees in possession of a Georgian biometric ID card issued after 1 August 2011) • Armenia (for unaccompanied deportees in possession of an Armenian ID card issued after 1 June 2012) • Kyrgyzstan (for unaccompanied deportees who have, for example, a copy of a Kyrgyz passport or ID card) • Kazakhstan (for unaccompanied deportees who have, for example, a copy of a Kazakhstani passport or ID card) • Jordan (for unaccompanied deportees who have, for example, a copy of a Jordanian passport or ID card)</p>

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	<p>EMN NCP United Kingdom</p>	<p>Yes</p>	<p>1. Not Applicable The United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p>
	<p>EMN NCP Norway</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. The National Police Immigration Service (NPIS) of Norway does not use the actual European Travel Document for Return as Norway is not a member of the EU. But, based on the form and content of the European Travel Document for Return, a Norwegian travel document for return was developed and has been in use since April 2017. It is also an integrated part of UTSYS case processing system and is used either alone or as a supporting document. • All units of the NPIS who coordinate forced return, for all case types including expulsion, dismissal and asylum, utilize this document frequently when a third country national (TCN) is not in possession of a travel document. • If a travel document (passport og Laizzez-Passer) has not been issued by a 3rd country, and that country accepts forced returns, such a document can also be used to facilitate return. • The Norwegian template for return is also in use for returns of persons who have a Schengen permit, and /or for someone travelling only on copies, and is not holding the actual original passport at the time of return to Schengen countries. • The Norwegian template is accepted by most airline companies. • The Norwegian template is not used when an embassy issues a Laizzez-Passer.</p> <p>3. The Norwegian template for return is only used for returns to countries that accept forced returns.</p>

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			4. Somalia, only after acceptance of the return from Immigration in Mogadishu. The Embassy is not involved.
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