

European travel document for illegally staying migrants

In 2014, EU Member States issued almost half a million return decisions to migrants who have no right to enter or stay on the EU territory. However, only 40% of irregularly staying migrants were actually returned to a non-EU country. Lack of valid travel documents for returnees is one of the main obstacles for a successful return. In December 2015, the European Commission put forward a proposal on a European travel document for illegally staying migrants. First-reading negotiations with the Council have delivered a compromise which now awaits a vote in plenary.

Background

Effective return of third-country nationals who do not, or no longer, fulfil the conditions for entry, stay or residence in the EU is considered essential to ensure the credibility and proper functioning of EU migration policies and to reduce and discourage irregular migration. According to Eurostat, from 2008 to 2014, the total number of orders to leave EU countries [decreased](#) by 22.1%, from 603 000 to 470 000, while the number of non-EU citizens returned to a non-EU country [decreased](#) by 20.1%, from about 211 000 to about 169 000.

The Council [Recommendation](#) of 30 November 1994 sets out a model for a standard travel document for the expulsion of third-country nationals. However, according to the [Commission](#) its use by Member States is low, and while the document is recognised in 15 of the 17 [EU readmission agreements](#) in force, its 'security features and standards are criticised by third countries with whom a readmission agreement is under negotiation because it is vulnerable to falsification and fraud'. In September 2015, the Commission presented an EU [Action Plan on Return](#), to address ways to increase the acceptance of the standard travel document for the return of irregular migrants, including by increasing the security features of the document.

Commission proposal

In December 2015, the European Commission put forward a [proposal](#) for a regulation on a European travel document for the return of illegally staying third-country nationals, with a view to establishing a dedicated travel document for non-EU nationals subject to a return decision. The document format is uniform with enhanced technical and security features, in particular as regards safeguards against counterfeiting and falsification. Its aim is to ensure its wider acceptance by third countries and its increased use for the purpose of readmission including in the context of return operations with countries not covered by formal agreements. According to the proposal, the European travel document for return should help reduce the administrative burden on competent authorities and thus contribute to reducing the length of the procedures necessary for ensuring return and readmission.

Trilogue agreement

The first reading [compromise](#), reached with the Council during interinstitutional negotiations and endorsed by the Civil Liberties, Justice and Home Affairs (LIBE) Committee on 12 July 2016, stresses the need for EU Member States to ensure the effective use of the European travel document for return. The compromise also includes references to cooperation with diplomatic representations on this issue, respect for international and EU law and the need to include in the European travel document information about departure and arrival of a third-country national. The compromise also states that the Commission 'shall review and report on the effective implementation of this Regulation no later than 24 months after its entry into force'.

The [report](#) at first reading is due to be voted in the September plenary session following the negotiated compromise (rapporteur: Jussi Halla-Aho, ECR, Finland).

