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NOTE

From:	Presidency
To:	Delegations
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Subject:	Draft questionnaire for the purpose of establishing a list of documents issued by each Member State to nationals of third countries who are authorised to reside in the territory of the issuing Member State or in a part of it, and which does not entitle them to move within the Schengen area

Given the current situation in Europe with regard to migration, it is essential to focus on verifying the identity, rights and obligations of third-country nationals, and as well on the elimination of any possible abuse of 'residence-linked' documents for illegal immigration and/or criminal activities.

The Presidency proposes to create a comprehensive inventory of all residence-related documents not entitling to free movement within the Schengen area, thereby contributing to the rapid and effective control of third-country nationals – not only for detection of irregular secondary movements but as well in case that such documents are presented in the context of applications for residence permits in other Member States.

In 2009, the Working Group Frontiers/False Documents addressed a questionnaire for the purpose of collecting detailed information on the legal status of residence-related documents, which have been introduced into the Expert FADO system by the Member States and the Schengen associated countries.

The questionnaire was annexed to the document No. 6204/09 FAUXDOC 4 COMIX 116.

Conclusions of the questionnaire were subsequently evaluated in the document No. 10185/09 FAUXDOC 11 COMIX 424.

In some cases, the legal status of a residence-related document introduced into the Expert FADO system has been precisely undedicated, but in most cases, their legal status has not been clearly defined. Missing data on the legal status of a document on the document itself, or indications in national language only, prevent police and border guards from performing effective controls.

The objective of Presidency's initiative is to reduce secondary migration flows. The questionnaire could contribute to addressing current challenges in practice.

Following the fruitful work of previous Presidencies in gathering and exchange of information, the Slovak Presidency intends to create a questionnaire for the purpose of establishing a **list of documents issued by each Member State to nationals of third countries who are authorized to reside in the territory of the issuing Member State or in a part of it, and which does not entitle them to move within the Schengen area.** A draft of such a questionnaire is attached as an Annex.

The Slovak Presidency welcomes your comments on the individual points of the draft questionnaire to the e-mail addresses fauxdoc@minv.sk and klaus-dieter.rudolph@consilium.europa.eu as soon as possible and no later than 20 September 2016.

The purpose of the present draft questionnaire is to establish a list of residence-related documents issued by Member States and Schengen associated countries to third-country nationals not entitling them to free movement within the Schengen area. In that regard Member States are kindly invited to reply to the following questions:

1. Does your country issue residence-related documents or certificates to third-country nationals that do not entitle them to free movement in the Schengen area ?

2. Please provide a list of these documents including the following information:

- a) the full title of the document
 - b) an image of a specimen as a .jpg file (recto-verso)
 - c) indication to whom and for what purpose the document is issued (e.g. residence, education, employment, ...)
 - d) indication what activities may be carried out in the country by the holder
 - e) period of validity of the document
 - f) possibilities for extension of validity (if so, for how long and in what form?)
 - g) the territorial validity of the document
 - h) substrate material (e.g. paper, polycarbonate, ...)
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