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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	ANNEX to the Proposal for a COUNCIL DECISION on the position to be adopted, on behalf of the European Union, in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

Delegations will find attached document COM(2017) 544 final - ANNEX 1.

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Brussels, 15.9.2017
COM(2017) 544 final

ANNEX 1

ANNEX

to the

Proposal for a COUNCIL DECISION

**on the position to be adopted, on behalf of the European Union, in the Executive
Committee of the Programme of the United Nations High Commissioner for Refugees**

ANNEX

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Proposal for a COUNCIL DECISION

on the position to be adopted, on behalf of the European Union, in the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The adoption of the following Executive Committee conclusion on machine-readable travel documents for refugees and stateless persons is supported.

'Executive Committee conclusion

on machine-readable travel documents for refugees and stateless persons

PP1. *Recalling* the 1951 Convention Relating to the Status of Refugees (“1951 Convention”) and the 1954 Convention Relating to the Status of Stateless Persons (“1954 Convention”), in particular article 28 and the Schedules and Annexes to these Conventions;

PP1*bis* *Emphasizing* that the protection of refugees is primarily the responsibility of all States and *strongly emphasizing*, in this context, the importance of active international solidarity and burden- and responsibility-sharing;

PP2. *Recalling* further previous Executive Committee conclusions on travel documents, in particular Conclusion No. 13 (1978), Conclusion No. 18 (1980) para (i) and Conclusion No. 49 (1987), as well as Conclusion No. 112 (2016) on international cooperation from a protection and solutions perspective;

PP3 *Recognising* the importance of early and effective registration and documentation of refugees, consistent with legal frameworks, taking into account the specificity of each situation;

PP4. *Acknowledging* with appreciation the contributions of host states in receiving and providing international protection to large numbers of refugees, including in protracted situations and with limited resources;

PP5. *Recognizing* the importance of travel documents for refugees and stateless persons to facilitate their travel and the importance of granting visas to holders of these travel documents, where required for the implementation of durable solutions for refugees and complementary pathways to protection and solutions and other travel for refugees and stateless persons, thereby reducing the risk of irregular movement which may expose refugees and stateless persons to exploitation, abuse, violence and human trafficking;

PP6. *Noting* that international standards and specifications for travel documents have undergone significant developments since the 1951 and 1954 Conventions were drafted, and that the effective realization of the right set out in article 28 of these Conventions can best be achieved if refugees and stateless persons have access to travel documents in line with international standards adopted by the International Civil Aviation Organization (ICAO) in

Annex 9 (“Facilitation”) to the 1944 Convention on International Civil Aviation (“Chicago Convention”);

PP7. *Noting* Amendment 25 of Annex 9 to the 1944 Chicago Convention adopted by the ICAO Council in June 2015, which requires that travel documents for refugees and stateless persons (“Convention Travel Documents”) are machine-readable in accordance with the specifications of Doc 9303¹;

PP8. *Expressing appreciation* for the revised “Guide for Issuing Machine-Readable Convention Travel Documents for Refugees and Stateless Persons” jointly issued by UNHCR and ICAO in February 2017, which incorporates guidance on the implementation of ICAO standard 3.12;

PP8bis. *Noting* the practice of some States in issuing electronically enabled machine-readable Convention Travel Documents with biometric identification capacity;

PP9. *Noting also* the benefits associated with the increased security features provided by machine-readable travel documents, and the importance of secure travel documents in promoting effective traveler identification, reducing the risk of document fraud, alteration and counterfeit, and facilitating global and reciprocal acceptance of travel documents;

PP10. *Emphasizing* the importance of safeguards to protect personal data, such as those referred to in UNHCR’s Policy on the Protection of Personal Data of Persons of Concern;

OP1. *Stresses* the need for all States and other relevant stakeholders to intensify their efforts to create, expand or facilitate access to appropriate durable solutions and complementary pathways for refugees and stateless persons, in particular in order to support those communities and countries hosting large refugee populations;

OP1bis. *Stresses* the need for countries of origin to contribute to conditions conducive to voluntary repatriation and return, including through addressing root causes and providing the necessary travel documents;

OP2. *Welcomes* the efforts of States that have already transitioned to machine-readable Convention Travel Documents in accordance with ICAO standard 3.12 and Doc 9303, and *calls upon* States parties to the 1951 and 1954 Conventions to consider taking all the necessary legislative, administrative and technical measures, taking into account their legal frameworks and national capacities, to introduce machine-readable Convention Travel Documents for refugees and stateless persons lawfully staying in their territory;

OP2bis. *Acknowledges* the good practices of States parties to the 1951 Convention and/or the 1967 Protocol, and/or to the 1954 Convention in relation to the issuance of machine-readable travel documents to refugees and stateless persons which enable them to access these travel documents, such as the simplification and facilitation of procedures and other administrative requirements, as well as of machine-readable travel document production systems, and *invites* States parties to exchange their good practices with interested States parties;

OP3. *Acknowledges* the good and voluntary practices of States not parties to the 1951 Convention and/or the 1967 Protocol, and/or to the 1954 Convention, in issuing machine-

¹ Note: With two exceptions (the Holy See and Tuvalu), all States party to the 1951 Convention and/or its Protocol, and 1954 Convention are also States party to the Chicago Convention.

readable travel documents to refugees and stateless persons, and *invites* them to share these practices so as to encourage other States not parties to these Conventions to enable refugees and stateless persons to access appropriate travel documents in accordance with their legal frameworks and national capacities, including in the pursuit of durable solutions and complementary pathways;

OP7. *Commits to* further strengthening international solidarity and equitable responsibility- and burden-sharing, so as to ease the pressure on host States, including in facilitating the transition to and continued issuance of machine-readable travel documents to refugees and stateless persons, through the mobilization of financial resources and the provision of capacity-building and technical support, as appropriate, in collaboration with ICAO and UNHCR.'