EUROPEAN UNION
THE COUNCIL

Brussels, 10 March 1999

6580/99

LIMITE

MIGR 12

NOTE

from :	Migration (Expulsion) Working Party
to :	K.4 Committee
No. prev. doc.:	11768/2/98 ASIM 208 MIGR 16 REV 2
Subject :	**Letter to third countries concerning the use of standard travel documents for the expulsion of third-country nationals**

Delegations will find attached a draft letter to all third countries concerning the use of standard travel documents for the expulsion of third-country nationals, as broadly agreed at the meeting of the Migration (Expulsion) Working Party on 8 March 1999; the Spanish delegation maintained scrutiny reservations as indicated in the footnotes.

The intention is to forward this letter to the Foreign Ministries of **all** third countries via diplomatic channels, thus avoiding protracted discussions about which countries should receive the letter. In this connection, the Irish delegation suggested that an accompanying letter might be sent, where appropriate, pointing out that the main letter is sent to all third countries. The Presidency indicated that it would look into this possibility.

Since the letter is to be sent by the Presidency on behalf of the European Union Member Statesit letter would be sent in the language of the Presidency, together with a translation as necessary.

The K.4 Committee is invited to approve the draft letter set out in the annex.

DRAFT

The German Foreign Office, acting in its capacity as Presidency of the Council of the European Union and on behalf of the Member States of the European Union, presents its compliments to the Foreign Ministry of X and has the honour to draw attention to the following: **(1)**

In a world of ever closer relations, the European Union Member States welcome the increase in the regular entry onto their territory of persons from other parts of the world, which contribute to greater cultural diversity in the European Union Member States, as well as to better understanding between people.

While the great majority of these persons abide by the laws of the European Union Member States, the authorities of the European Union Member States are unfortunately compelled, for specific reasons in individual cases, to require third-country nationals to leave the territory of the European Union Member States. This is particularly so for third-country nationals who entered the territory of the European Union Member States illegally or who are residing or working there illegally and who cannot be granted leave to remain.

However, it is difficult to return such persons where they do not have the necessary travel documents in their possession.

Therefore, the Council of the European Union, in an effort to simplify return measures, has recommended the use of a standard travel document for the expulsion of third-country nationals. For your information, a specimen of the EU standard travel document is attached to this note. **(2)**

---

(1) Scrutiny reservation by the Spanish delegation regarding the procedure for sending the letter to third countries.

(2) The Spanish delegation maintained a scrutiny reservation on this paragraph, wishing
- to retain a reference to the Council Recommendation of 30 Novembre 1994,
- to add the following wording at the end of the paragraph:
"The document is as a rule drawn up in the language of the European Union Member State conducting the forcible repatriation. The document is translated into French and English as necessary."

European Union Member States have been using the EU standard travel document for the return of non-EU nationals who do not have a travel document. The EU standard travel document is valid for only one journey and is issued only where there is proof or prima facie evidence of the nationality of the person concerned.

The European Union Member States are grateful for the continuing cooperation of those countries which already accept use of this standard travel document. On behalf of the European Union Member States, the Presidency of the Council of the European Union would express the hope that countries of origin which do not already accept this document will allow their nationals and other non-EU nationals, not possessing travel documents and who are returned from the territory of the European Union Member States, respectively to enter and transit through their countries using the EU standard travel document.

On behalf of the European Union Member States, the Presidency of the Council would also express the hope that your country's authorities will continue and extend their sound cooperation with the authorities of the European Union Member States in establishing the identity of third-country nationals not possessing travel documents.

The German Foreign Office would also avail itself of this opportunity to renew to the Foreign Ministry of X the assurance of its highest esteem.

Bonn, ...