



**TECHNICAL ADVISORY GROUP ON MACHINE READABLE  
TRAVEL DOCUMENTS (TAG/MRTD)**

**TWENTY-FIRST MEETING**

**Montréal, 10 to 12 December 2012**

**Agenda Item 3: Activities of the ICBWG**

**CONVENTION TRAVEL DOCUMENT (CTD) STANDARDS**

(Presented by the ICBWG)

**1. INTRODUCTION**

1.1 This paper follows Working Paper TAG/MRTD/20-WP/21 of 22 August 2011. At its 20<sup>th</sup> meeting from 7 to 9 September 2011, that TAG approved collaboration with UNHCR in order to bring about ICAO compliance of CTDs with Doc 9303, and endorsed the work plan set out in the working paper (see TAG/MRTD/20 Report, para. 4.6).

1.2 This Working Paper accounts for the continued collaboration between ICAO and UNHCR, in particular through the ICBWG, and a number of tangible steps and results over that last year.

**2. CURRENT STATUS**

2.1 At the end of 2012, 42 of the 148 Contracting States to the 1951 Refugee Convention and/or the 1967 Protocol appear to issue Machine Readable CTDs (MRCTDs); 16 of the 76 Contracting States to the 1954 Statelessness Convention appear to issue MRCTDs. This means progress with regard to MRCTDs for refugees and status quo with regard to MRCTDs for stateless persons.

2.2 Several countries are in the process of developing MRCTDs and some have also pledged to do so at the Ministerial Intergovernmental Event on Refugees and Stateless Persons in Geneva, 7 to 8 December 2011. The implementation level remains however critical.

2.3 At the 8<sup>th</sup> meeting of the ICBWG in Vienna on 7 to 9 March 2012, the CTD Sub-group discussed on the way and format of the specification assistance for states as proposed in the 2011

Working Paper (TAG/MRTD/20-WP/21 para. 2.2) and decided to elaborate a Guide that would cover the legal and administrative framework for issuing and the technical specifications of MRCTDs.

2.4 On 27 June 2012, the Chair of the ICBWG presented the topic of MRCTDs on behalf of ICAO at a side event of the 54<sup>th</sup> meeting of the Standing Committee of the Executive Committee of the UNHCR Programme in Geneva briefing government representatives and UNHCR staff.

2.5 Under the lead of UNHCR, the CTD Sub-group of the ICBWG finalized a Guide for Issuing MRCTDs for Refugees and Stateless Persons in October 2012. A conference edition of this joint ICAO/UNHCR publication was launched at the 2012 MRTD Symposium in Montreal (10 to 12 October).

2.6 Based on best practice recommendations by ICAO and UNHCR, the MRCTD Guide also contains sample specimen of MRCTDs and eMRCTDs, including cover and data page. It is currently tested in the field by UNHCR offices. Initial feedback is very positive. The publication of the final edition is foreseen after endorsement by the TAG.

### 3. **NEXT STEPS**

3.1 The work on the MRCTD Guide manifested a number of open questions in ICAO documents (in particular Annex 9 and Doc 9303) with regard to CTDs. The ICBWG proposes identifying these questions and suggesting clarifying interpretation, and if/where required, necessary and appropriate amendments.

3.2 The ICBWG will continue monitoring the compliance of Contracting States of the 1951 and 1954 Conventions and provide advice to government and UNHCR officials where requested.

3.3 The ICBWG and UNHCR will also increase advocacy and efforts of awareness-raising among all stakeholders, including governments, international and regional organisations and vendors.

### 4. **ACTION BY THE TAG/MRTD**

4.1 The TAG/MRTD is invited to:

- a) endorse the ICAO/UNHCR Guide on Issuing MRCTDs for Refugees and Stateless Persons; and
- b) approve the proposal by the ICBWG to identify open questions in ICAO documents with regard to CTDs and to suggest clarifying interpretation and/or necessary and appropriate amendments.

APPENDIX A

**Guide for Issuing  
Machine Readable Convention Travel Documents  
for Refugees and Stateless Persons**



**October 2012**

CONFERENCE EDITION

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## List of Acronyms

1951 Convention	Convention relating to the Status of Refugees of 28 July 1951
1954 Convention	Convention relating to the Status of Stateless Persons of 28 September 1954
Annex 9	ICAO, International Standards and Recommended Practices, Annex 9 to the Convention on International Civil Aviation – Facilitation, Twelfth Edition, July 2005
Chicago Convention	Convention on International Civil Aviation of 7 December 1944
CTD	Convention Travel Document
Doc 9303	ICAO, Doc 9303 Part 1 - Machine Readable Passports, Volume 1 - Passports with Machine Readable Data Stored in Optical Character Recognition Format, Sixth Edition, 2006
eMRCTD	Electronically Enabled Machine Readable Convention Travel Document
eMRTD	Electronically Enabled Machine Readable Travel Document
ICAO	International Civil Aviation Organization
ICBWG	ICAO Implementation and Capacity Building Working Group
MRCTD	Machine Readable Convention Travel Document
MRP	Machine Readable Passport
MRTD	Machine Readable Travel Document
MRZ	Machine Readable Zone
NTWG	ICAO New Technologies Working Group
OAU Convention	Convention Governing the Specific Aspects of Refugee Problems in Africa of 10 September 1969
RSD	Refugee Status Determination
SLTD	Interpol Stolen and Lost Travel Document (Database)
TAG/MRTD	ICAO Technical Advisory Group on Machine Readable Travel Documents
TDIA	Travel Document Issuing Authority
UNHCR	United Nations High Commissioner for Refugees
VIZ	Visual Zone (VIZ)

## Introduction

1. Based on the tradition of the Nansen Passport,<sup>1</sup> Convention Travel Documents (CTDs) for refugees and stateless persons were introduced by two of the primary international treaties in this area: the Convention relating to the Status of Refugees of 1951 (1951 Convention) and the Convention relating to the Status of Stateless Persons of 1954 (1954 Convention).<sup>2</sup> Article 28 of both Conventions requires Contracting States to issue travel documents to refugees/stateless persons lawfully staying in their territory, for the purpose of travel outside their territory. Each Convention contains an almost identical Schedule, comprising 16 paragraphs with more detailed provisions applicable to CTDs, as well as an Annex with a Specimen Travel Document. The Conventions establish a unified travel document system for refugees and stateless persons, based on reciprocal recognition among Contracting States.

2. The drafters of the 1951 and 1954 Conventions could not have anticipated the development of modern international standards for travel documents. These standards have been elaborated by the International Civil Aviation Organization (ICAO) in Annex 9<sup>3</sup> to the Convention on International Civil Aviation (Chicago Convention).<sup>4</sup> The present edition of Annex 9 (2005) contains provisions for Machine Readable Travel Documents (MRTDs), including deadlines for implementation.<sup>5</sup> The key ICAO document that sets out all the technical specifications for a State issuing MRTDs is “Document 9303”.<sup>6</sup> While the specifications in Doc 9303 apply to national passports, the intention of Annex 9 is that all travel documents, including CTDs, are to become machine readable no later than November

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<sup>1</sup> The Nansen Passport was first established by the *Arrangement of 5 July 1922 with regard to the Issue of Certificates of Identity to Russian Refugees*, 13 LNTS 237 No. 365, available at: <http://www.unhcr.org/refworld/country,,LON,,RUS,,3dd8b4864,0.html>, and later extended through subsequent agreements to other groups of refugees and stateless persons.

<sup>2</sup> *Convention relating to the Status of Refugees*, Geneva, 28 July 1951, 189 UNTS, p. 137, available at: <http://www.unhcr.org/refworld/docid/3be01b964.html> and *Convention relating to the Status of Stateless Persons*, New York, 28 September 1954, 360 UNTS, p. 117, available at: <http://www.unhcr.org/refworld/docid/3ae6b3840.html>. The information in this Guide should also apply in respect of persons recognized as refugees under the *Convention Governing the Specific Aspects of Refugee Problems in Africa* (“OAU Convention”), Addis Ababa, 10 September 1969, 1001 U.N.T.S. 45, available at: <http://www.unhcr.org/refworld/docid/3ae6b36018.html>.

<sup>3</sup> ICAO, *International Standards and Recommended Practices, Annex 9 to the Convention on International Civil Aviation – Facilitation*, Twelfth Edition, July 2005 (hereinafter: *Annex 9*).

<sup>4</sup> *Convention on International Civil Aviation*, Chicago, 7 December 1944, Document 7300/9, Ninth edition 2006, available at: [http://www.icao.int/publications/Documents/7300\\_9ed.pdf](http://www.icao.int/publications/Documents/7300_9ed.pdf). With very few exceptions (Liechtenstein, Holy See, Tuvalu), all Contracting States of the 1951 Refugee and 1954 Statelessness Conventions are also Contracting States to the Chicago Convention. ICAO’s work on machine readable travel documents began in 1968 with the establishment of a Panel on Passport Cards and the publication of the first edition of Document 9303 in 1980, titled *A Passport with Machine Readable Capability*, see: MRTD History, available at: <http://www.icao.int/Security/mrtd/Pages/MRTDHistory.aspx>.

<sup>5</sup> ICAO, *Annex 9*, Chapter 3. Entry and Departure of Persons and their Baggage.

<sup>6</sup> ICAO, *Doc 9303 Part 1 - Machine Readable Passports, Volume 1 - Passports with Machine Readable Data Stored in Optical Character Recognition Format*, Sixth Edition, 2006, (hereinafter: *Doc 9303*), available at: [http://www.icao.int/publications/Documents/9303\\_p1\\_v1\\_cons\\_en.pdf](http://www.icao.int/publications/Documents/9303_p1_v1_cons_en.pdf).

2015.<sup>7</sup> In 2012, less than a third of the Contracting States to the 1951 and 1954 Conventions had begun to issue Machine Readable Convention Travel Documents (MRCTDs). Conversely, over 90 per cent of State Parties to the Chicago Convention issue Machine Readable Passports (MRPs).

3. There are strong reasons for Contracting States to the 1951 and 1954 Conventions to introduce MRCTDs. First, after the November 2015 deadline, refugees and stateless persons issued with non-MRCTDs will face increasing difficulties in obtaining visas, or being able to exit or enter other countries even if a visa is not required. The rationale behind the detailed provisions on CTDs in the 1951 and 1954 Conventions was to facilitate the fundamental right of refugees and stateless persons to leave any country, including their host country, by ensuring widespread uniformity, security and recognition of CTDs regardless of the State of issuance.<sup>8</sup> ICAO standards for travel documents pursue a similar goal: facilitating international travel and increasing security and mutual trust among States in their respective travel documents.<sup>9</sup> Issuing non-MRCTDs that would render international travel more difficult or impossible for refugees and stateless persons runs counter to the objectives of the 1951 and 1954 Conventions. Today, only the issuance of MRCTDs based on ICAO standards is in line with the object and purpose of the 1951 and 1954 Conventions.

4. Second, security considerations play an ever increasing role due to the risks of document and identity fraud. Non-MRTDs are easier to alter and forge than MRTDs. Electronically enabled or biometric travel documents provide even higher security standards. To the extent that CTDs remain the only non-MRTD issued by a State, there is a risk that they will become the target of increased counterfeit, which in turn will further reduce the level of confidence in them and the consequent ability of refugees and stateless persons to travel using them.

5. Third, CTDs are an integral part of the series of travel documents States usually issue (together with national passports, diplomatic passports, service passports, alien's passports and emergency passports). Passports and travel documents are an internationally recognized symbol of national sovereignty, authority and reputation. The issuance of non-MRTDs, including non-MRCTDs, after November 2015 may negatively impact on the reputation of relevant States.

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<sup>7</sup> See ICAO, *Annex 9*, Chapter 3, para. 3.10.1 and Doc. 9303, Foreword, page (iv).

<sup>8</sup> See Article 13 (2) of the *Universal Declaration of Human Rights*, adopted by General Assembly resolution 217 A (III) of 10 December 1948, available at: <http://www.unhcr.org/refworld/docid/3ae6b3712c.html/> and Article 12 (2) of the *International Covenant on Civil and Political Rights*, New York, 16 December 1966, 999 UNTS, p. 171, available at: <http://www.unhcr.org/refworld/docid/3ae6b3aa0.html>, which recognize the right of all persons to leave any country, including their own, as a fundamental human right. See also the Preambles to the 1951 Convention and the 1954 Convention, which consider that the United Nations has, on various occasions, manifested its profound concern for refugees and endeavored to assure refugees and stateless persons the widest possible exercise of fundamental rights and freedoms.

<sup>9</sup> See Article 37 of the Chicago Convention, Annex 9, Chapter 3, standards 3.1 and 3.2. The rationale of this provision is to facilitate and improve air navigation and more specifically to facilitate and expedite the clearance of persons entering or departing by air and to efficiently apply border controls on passengers and crew (customs and immigration procedures). Moreover, Annex 9 requires that no document other than those provided for in Chapter 3 of Annex 9 shall be required by Contracting States for the entry into and departure from their territories of visitors and that Contracting States shall not require visitors travelling by air, rightfully holding valid passports recognized by the receiving State and holding visas, where appropriate, to present any other document of identity (Chapter 3, standards 3.5 and 3.6).

## Refugee

6. The term “refugee” is defined in the 1951 Convention and its 1967 Protocol.<sup>10</sup> According to Article 1 (A) (2) of the 1951 Convention, the term “refugee” shall apply to any person “who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable, or owing to such fear, is unwilling to return to it.”

## Stateless Person

7. The term “stateless person” is defined in the 1954 Convention. According to Article 1 of the 1954 Convention, the term “stateless person” means a person who is not considered as a national by any State under the operation of its law.

## Role of UNHCR

8. In 1950, the United Nations General Assembly adopted the Statute of the Office of the United Nations High Commissioner for Refugees (UNHCR).<sup>11</sup> The General Assembly called upon governments to cooperate with the High Commissioner in the performance of his or her functions concerning refugees falling under the competence of the Office. The main functions of UNHCR are to provide international protection and seek durable solutions for refugees. UNHCR is also responsible for supervising the application of international conventions for the protection of refugees. This is explicitly reflected in Article 35 of the 1951 Convention and Article II of the 1967 Protocol. In addition, UNHCR is responsible for the prevention and reduction of statelessness and the protection of stateless persons.<sup>12</sup> In exercising these responsibilities, UNHCR is to ensure that States issue travel documents to refugees and stateless persons as provided for by the 1951 and 1954 Conventions. In the past, UNHCR assisted a number of States by providing blank CTD booklets, which could be personalized and issued by competent government authorities. Since these travel documents are not and cannot be made machine readable, UNHCR will discontinue this practice in the near future. UNHCR is working instead with governments and ICAO to ensure the introduction of MRCTDs by States that have not yet done so.

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<sup>10</sup> Protocol relating to the Status of Refugees, New York, 31 January 1967, 606 UNTS, p. 267, available at: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=3ae6b3ae4>. See, also, the definition of refugee in Article I (2) of the OAU Convention.

<sup>11</sup> Adopted by General Assembly Resolution 428 (V) of 14 December 1950: UN General Assembly, *Statute of the Office of the United Nations High Commissioner for Refugees*, 14 December 1950, A/RES/428(V), available at: <http://www.unhcr.org/refworld/docid/3ae6b3628.html>.

<sup>12</sup> See Conclusion of the Executive Committee of the UNHCR Program No. 78 (XLVI) - 1995, available at: <http://www.unhcr.org/refworld/docid/3ae68c443f.html>, endorsed by UN General Assembly Resolution 50/152 of 1995 and Conclusion No. 106 (LVII) - 2006, available at: <http://www.unhcr.org/refworld/docid/453497302.html>, endorsed by UN GA Resolution 61/137 of 2006.

## Role of ICAO

9. The Chicago Convention established the International Civil Aviation Organization (ICAO). Under Article 37 of the Chicago Convention, Contracting States undertake to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures and organization in several matters related to civil aviation. To this end, ICAO shall adopt international standards and recommend practices and specifications dealing, *inter alia*, with customs and immigration procedures. This constitutes the basis for ICAO's role with regard to travel documents. In 1984, ICAO established the Technical Advisory Group on Machine Readable Travel Documents (TAG/MRTD), made up of experts from ICAO Member States, to develop and adopt specifications for MRTDs. The TAG/MRTD established two working groups: the New Technologies Working Group (NTWG) and the Implementation and Capacity Building Working Group (ICBWG). Formed in 2008, the ICBWG has a mandate to assist the ICAO Secretariat, *inter alia*, to develop guidance material for implementing MRTDs standards and specifications.<sup>13</sup> At the 20<sup>th</sup> meeting of the TAG/MRTD in September 2011, the TAG approved collaboration with UNHCR in order to bring about compliance of CTDs with Doc 9303 and endorsed the work plan set out by the ICBWG.<sup>14</sup>

## Purpose and Scope of this Guide

10. This Guide, jointly elaborated and issued by ICAO and UNHCR, provides guidance to States and other relevant actors for the production and issuance of MRCTDs for refugees and stateless persons, based on existing standards and recommendations. The Guide is intended to cover all aspects relating to the issuance of MRCTDs. It is divided in two parts: (I) the legal and administrative framework which regulates the production and issuance of MRCTDs and (II) the technical specifications for MRCTDs in line with applicable international standards. The Appendix contains sample 1951 and 1954 MRCTDs including recommendations for the cover, data page, observations and visa pages.

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<sup>13</sup> Working Paper TAG/MRTD/19-WP/14 of 4 November 2009 on the ICBWG Business Plan 2009-2011, available at: <http://legacy.icao.int/icao/en/atb/meetings/2009/TagMrtd19/Docs/TagMrtd19-wp14.pdf>.

<sup>14</sup> Working Paper TAG/MRTD/20-WP/21 of 22 August 2011 on Convention Travel Document Standards (presented by the ICBWG), available at: [http://legacy.icao.int/icao/en/atb/meetings/2011/TagMrtd-20/Docs/TagMrtd-20\\_WP021\\_en.pdf](http://legacy.icao.int/icao/en/atb/meetings/2011/TagMrtd-20/Docs/TagMrtd-20_WP021_en.pdf).

## Part I – Legal and Administrative Framework

11. In order to implement the obligation under the 1951 and/or 1954 Conventions to issue travel documents to refugees and stateless persons, an appropriate legal and administrative framework is needed. The purpose of this framework is to identify the responsible authority or authorities for producing and issuing MRCTDs and to ensure that fair, efficient and secure processing and production procedures are in place.

### 1. National Legal Framework

12. It is within each State's discretion to determine how to implement its international legal obligations. With regard to Article 28 of the 1951 and 1954 Conventions, it is recommended that States incorporate the individual right of refugees and stateless persons lawfully staying in their territory to obtain a CTD into their national asylum, refugee, immigration and/or citizenship laws. Many States have already done so. While such an entitlement is ideally contained in a national parliamentary act, more detailed provisions on MRCTD standards and procedural issues could be addressed in administrative regulations. In general, areas to be regulated include:

- The designation of the government authority responsible for issuing, revoking, withholding, cancelling and refusing CTDs
- If different, the government authority responsible for the production and personalization of CTDs
- Application and entitlement conditions and criteria, respecting the letter and spirit of Article 28 of the 1951/1954 Conventions
- Fees, if any, charged for the issuance of the CTD
- Validity period of CTDs
- Instructions on the use of travel documents
- Data protection issues
- Mechanisms to prevent and punish forgery, improper use of CTDs, false representation and mutilation of CTDs

### 2. Organizational Structure and Travel Document Issuing Authority

13. Each government will determine its own organizational structure and process for issuing MRCTDs. Regardless of the administrative structure adopted (centralized or decentralized), geography, security, budget, workload, existing capacity and expertise, it is recommended that a uniform application and issuing process be established.<sup>15</sup> State practice confirms the advantages of a standardized and transparent process across all travel document personalization and issuing locations.

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<sup>15</sup> ICAO, *Guide for Assessing Security of Handling and Issuance of Travel Documents*, Part 1: Best practices, January 2010, (hereinafter: *Guide for Assessing Security*), available at: <http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/tcm/Assessment-Guide-PART1-Best-Practices-Jan-2010.pdf>, para. 1.2.2.

a) Role of the Travel Document Issuing Authority (TDIA)

14. The expertise, capacity and technological equipment for the production and personalization of MRTDs will normally be located within a single national passport authority or Travel Document Issuing Authority (TDIA). Best practice in a number of countries suggests that centralizing the production and issuance of all MRTDs (national passports, diplomatic passports, service passports, alien's passports and MRCTDs) within a single TDIA is beneficial. In other words, ideally, there is only one TDIA responsible for all travel documents issued by a State.<sup>16</sup>

b) Role of National Refugee and/or Statelessness Authorities

15. Normally one national authority has competence over refugees and stateless persons, including their status determination.<sup>17</sup> This authority will ideally be responsible for determining eligibility for CTDs, as well as making decisions on withdrawal and refusal of CTDs. However, in order to ensure effective coordination between existing processes for other MRTDs, it is recommended that applications for, production, personalization and issuance of MRCTDs remain with the TDIA.

16. Several good State practices exist where two or even more authorities are involved in the process of issuing MRCTDs. Regardless of the precise division of responsibilities, effective cooperation between authorities will be necessary. Whether the authorities in question all belong to the same department or ministry or different government entities, their respective roles and responsibilities ("who does what") need to be clearly stipulated in laws, administrative regulations, memoranda of understanding or another appropriate form. The objective is to ensure fair, efficient (including cost efficient), and secure processing of MRCTD applications.

c) Role of UNHCR

17. In principle, UNHCR has no direct role in the process of issuing CTDs, other than supervising the application of Article 28 of the 1951 and 1954 Conventions by States. As noted in the Introduction, although UNHCR has in the past supported the issuance of non-MRCTDs, it will no longer be able to do so after 2015. With the transition to State-issued MRCTDs, governmental authorities will need to assume responsibility for their issuance. However, where a State has not established Refugee Status Determination (RSD) procedures and UNHCR carries out RSD under its mandate, a recommendation by UNHCR could be the basis for the CTD entitlement decision by the competent national authority.

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<sup>16</sup> See ICAO, *Guide for Assessing Security*, para. 1.2.1.

<sup>17</sup> UNHCR and its Executive Committee recommend that the determination of refugee and stateless status be carried out wherever possible by a clearly identified single central authority. Conclusion of the Executive Committee of the UNHCR Program No. 8 (XXVIII) – 1977 para. (e) (iii), available at: <http://www.unhcr.org/refworld/docid/3ae68c6e4.html>.

### 3. Application Process

#### a) A Standardized Uniform Application Process

18. Application requirements and processes are matters for each country to decide and may, therefore, vary. ICAO standards do, however, require the establishment of transparent application procedures for the issuance, renewal or replacement of travel documents and States are to make information describing their requirements available to prospective applicants upon request.<sup>18</sup> To that end, it is recommended that application processes be standardized at the national level.<sup>19</sup> Applying these general standards, all applications for MRCTDs made by refugees and stateless persons should be processed in a uniform manner.<sup>20</sup> Information on how and where to apply for CTDs should be easily accessible by refugees and stateless persons. Similarly, States should establish publicly accessible facilities for the receipt of CTD applications and/or issuance of CTDs.<sup>21</sup> UNHCR offices may advise and assist, for instance, where refugees and stateless persons live in remote areas (see also b) below).

#### b) Factors affecting the Application Process

19. Factors to consider in developing the application process for MRCTDs include: differentiating between first applications and renewals; identity confirmation; collection of photographs and secondary biometrics; history of lost and stolen CTDs; accessibility of competent authorities; security and reliability of the postal system; available technology and infrastructure; urgent or express service etc.<sup>22</sup> In establishing application processes for MRCTDs, the specific situation of refugees and stateless persons always needs to be considered. For instance, many countries require the personal appearance of the applicant for every CTD application, including renewals. However, geographical distances or lack of public or other affordable means of transport may create challenges for some refugees and stateless persons. In such cases, waivers or alternatives, such as mobile application units, may need to be envisaged.

#### c) Data Protection

20. It is essential that the information and personal data submitted by an applicant for a MRCTD be protected during the entire issuance process and thereafter.<sup>23</sup> Data protection is not only important to safeguard the security of the MRCTD issuance process, but also to meet specific protection concerns for refugees including stateless refugees. Data, for example, should never be communicated to or double-checked with authorities from a refugee's country of origin, including embassies and consulates.<sup>24</sup>

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<sup>18</sup> ICAO, *Annex 9*, Chapter 3, para. 3.14.

<sup>19</sup> ICAO, *Guide for Assessing Security*, para. 2.2.1.

<sup>20</sup> See Article 3 of the 1951 and 1954 Conventions.

<sup>21</sup> See, by analogy, ICAO, *Annex 9*, Chapter 3, para. 3.13.

<sup>22</sup> See ICAO, *Guide for Assessing Security*, para. 2.2.2.

<sup>23</sup> For more details, see ICAO, *Guide for Assessing Security*, para. 2.5.

<sup>24</sup> See UNHCR, *Advisory Opinion on the Rules of Confidentiality Regarding Asylum Information*, 2005, para. 5, available at: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=42b9190e4>.

21. MRCTD application forms, when completed, contain personal data which should not be disclosed to third parties. Every application should be logged when first received, and its status updated throughout the processing chain. All individuals involved at different stages in the application handling process should be identified on a status log record, and appropriately signed off when the application passes to the next stage. All forms and documentation submitted should be stored in appropriate, locked filing cabinets or, at a minimum, be kept in a secure location at all times, including when being processed. Staff should always be able to account for every application document, as well as copies. After application processing is completed, all application materials containing personal details of the applicant should be carefully and securely stored for future reference in appropriately locked cabinets or protected rooms, as well as in protected electronic data-bases.<sup>25</sup>

d) Applications by Children

22. A MRCTD application by a child should in principle be lodged according to the rules and regulations in place in each country for passport applications made by nationals under 18 years of age. This would usually require that the application be lodged by at least one parent or, in the case of unaccompanied or separated children, a legal guardian or other person with parental responsibility for the child. Parents or legal guardians would need to establish their identity; evidence of birth and/or a “social footprint” for the child should be provided if possible.<sup>26</sup> Children shall not be included in an adult’s passport; each child, including newborn infants, must be issued with his or her own MRCTD.<sup>27</sup>

e) Fees

23. States may charge fees for issuing MRCTDs. Paragraph 3 of the Schedule to the 1951 and 1954 Conventions provides that such fees shall not exceed the lowest scale of charges for national passports. In addition, based on ICAO recommended practice, such fees should not exceed the cost of the operation.<sup>28</sup>

f) Deposit of national passports

24. A country may require refugee applicants for MRCTDs to hand in and deposit their national passport along with their application, if they have entered the State using such a document.<sup>29</sup> For a refugee, it is generally advantageous to travel on a MRCTD, rather than a national passport, because

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<sup>25</sup> See for more details, ICAO, *Guide for Assessing Security*, para. 2.5.

<sup>26</sup> “A Social Footprint is understood as the impression each individual leaves within the community by their personal involvement in the events or interactions within society. [...] Useful areas of enquiry to support the ownership of a claimed identity are the use of credit reference agencies, other financial records/information, parental details, health or educational (school/college) records, details of previous or current employment, tax records or current/previous residence details among others.” ICAO, *Guide for Assessing Security*, para. 3.5.4.

<sup>27</sup> ICAO, *Annex 9*, Chapter 3, para. 3.15.

<sup>28</sup> ICAO, *Annex 9*, Chapter 3, para. 3.14.1.

<sup>29</sup> The Specimen CTD, contained in Annex to the 1951 and 1954 Conventions, clarifies under point 1 that “This document is issued solely with a view to providing the holder with a travel document which can serve in lieu of a national passport.”

it demonstrates his or her status and need for international protection.<sup>30</sup> Contracting States to the 1951 and 1954 Conventions are required to recognize CTDs issued by another Contracting State under Article 28.<sup>31</sup>

#### 4. Entitlement Process

25. Pursuant to Article 28 of the 1951 and 1954 Conventions, refugees and stateless persons lawfully staying in the territory of their host country are entitled to a CTD, unless compelling reasons of national security or public order require otherwise. In order to determine eligibility for a MRCTD, the competent national authorities will need to verify an applicant's (a) identity and (b) status as a refugee or stateless person. The only ground to refuse the application is for compelling reasons of national security or public order. These elements are discussed in turn below. In view of the right of a refugee or stateless person to obtain a CTD, the verification process should be carried out without undue delay.

##### a) Establishment of the applicant's identity

26. There are various means to establish an applicant's identity. For national passport applications, countries often require documentary evidence in order to establish identity and citizenship, for example birth certificates. However, special procedures that take into account the particular legal and factual situation of refugees and stateless persons are needed for MRCTD applications. For instance, refugees and stateless persons may not be in possession of a birth certificate because they never obtained one, or because it was lost or left behind in the country of origin. As indicated above, competent authorities must never contact the authorities of a refugee's country of origin, including embassies and consulates, in order to obtain missing documentation or verify identity.<sup>32</sup> In fact, the 1951 and 1954 Conventions require the host country to provide administrative assistance to refugees and stateless persons in such situations.<sup>33</sup> Where documentary evidence is missing or weak, authorities may rely on the information obtained during status determination procedures and/or use additional mechanisms, for example, collection of biometrics, verification of "social footprint",<sup>34</sup> use of guarantor and references, interviews, etc.<sup>35</sup> It is for such reasons that it can be

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<sup>30</sup> While the CTD cannot provide confirmation of the holder's status as a refugee or stateless person (see Paragraph 15 of the Schedule to the 1951 and 1954 Convention), it creates a presumption in favor of such status, which other States should not question without reason.

<sup>31</sup> See Paragraph 7 of the Schedule to the 1951 and 1954 Conventions: "Contracting States shall recognize the validity of the document issued in accordance with the provisions of article 28 of this Convention." This is important for instance in the case of arrest warrants issued by the country of origin.

<sup>32</sup> ICAO, *Guide for Assessing Security*, para. 3.4 must be read in light of special rules and principles applying for refugees and stateless persons.

<sup>33</sup> See Article 25 (Administrative Assistance) of the 1951 and 1954 Conventions: "When the exercise of a right by a refugee or a stateless person would normally require the assistance of authorities of a foreign country to whom he or she cannot have recourse, the Contracting State in whose territory he or she is residing shall arrange that such assistance be afforded to him or her by their own authorities."

<sup>34</sup> See ICAO, *Guide for Assessing Security*, para. 3.5.4.

<sup>35</sup> For more details on each of these methods, see ICAO, *Guide for Assessing Security*, para. 3.1 and 3.5.

useful for one government authority to have the combined responsibility for conducting status determination and determining CTD entitlement.

b) Refugee or Stateless Person Status

27. A MRCTD applicant must be a refugee or stateless person within the terms of Article 1 of the 1951 or 1954 Convention respectively. Under normal circumstances, a MRCTD applicant will already have been recognized as a refugee or stateless person by the authorities of the host country. There may be exceptions, for instance where an applicant has been recognized as a refugee or stateless person in another Contracting State but has since taken up lawful residence in the country where the MRCTD application is made. In this situation, the authorities may rely on the status determination carried out by the first host country (where refugee or statelessness status was initially recognized) and issue a MRCTD based on the fact that the refugee or stateless person is currently lawfully staying in the second country.<sup>36</sup> In this case, the responsibility to issue a CTD shifts to the new country of lawful stay.

c) Compelling reasons of national security or public order

28. The only grounds for refusing to issue a CTD under the 1951 and 1954 Conventions to an applicant who is otherwise eligible are compelling reasons of national security or public order (Article 28). In this context, the terms “compelling reasons”, “national security” and “public order” should be interpreted and applied restrictively, and only concern grave and exceptional circumstances.

## 5. Book Production and Personalization

29. The production of a (blank) MRCTD book and the process for its personalization should be distinguished. While the former is often undertaken by specialized third parties, for instance private or State-owned companies, the latter is usually carried out by the TDIA which possesses the requisite technology, capacity and qualifications. Both phases are highly sensitive in terms of document security, and should be undertaken in a secure, controlled environment with appropriate measures in place to protect the premises against unauthorized access. If personalization is carried out in a different location to the place where the blank books are produced, appropriate precautions should be taken to safeguard their security in transit.<sup>37</sup>

a) Book production

30. In many countries, blank MRTD books are produced by a private company or a third party in independent facilities. The TDIA should ensure that the blank materials are produced and stored in

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<sup>36</sup> See identical Paragraph 11 of the Schedule of the 1951/1954 Convention.

<sup>37</sup> ICAO, *Doc 9303*, page III-4, para. 3.1.

secure facilities.<sup>38</sup> Security measures for shipping, storage, accounting and destruction must be stringent for all blank MRTD books used by the TDIA.<sup>39</sup>

31. The production of blank MRCTDs is no exception. Security and economic considerations favor the same manufacturer being responsible for producing all types of travel documents for one given country, including MRCTDs. Most MRCTD-issuing countries use the same technology, general lay-out and security features for their MRCTD as for their national passports. It is recommended that Contracting States to the 1951 and 1954 Conventions that do issue ICAO compatible passports, but do not yet issue MRCTDs, charge the manufacturing organization responsible for national passports with the production of MRCTD blank books. Similarly, when issuing a call for tender for the production of blank national passports and other travel documents, MRCTDs may be part of the call. Concluding a single contract with one sole manufacturer that covers all MRTDs - including travel documents produced in smaller volumes, such as MRCTDs but also diplomatic, service and aliens' passports - may also keep the costs per MRCTD low and/or allow for reductions to be negotiated, not least in light of the humanitarian purpose of MRCTDs. When choosing a manufacturer for MRCTDs, States should opt for a trusted company that is known for its capacity and experience in producing high-quality travel documents in full compliance with ICAO standards.

b) Personalization

32. The personalization of a travel document refers to the process by which the variable data relating to the holder of the document (photo, signature and other biographical data) are applied to the blank book. This includes both the printing of the applicant's personal data on the data page and, in case of eMRTDs, the encoding of information in the chip.<sup>40</sup> As highlighted above, in most MRCTD issuing countries, one central government agency is responsible for the personalization of all types of travel documents, the TDIA. The TDIA will have the necessary technology (printers, software etc.), qualified staff and a secure environment in place. This also has the advantage of saving costs and ensuring secure handling and issuance of MRCTDs.<sup>41</sup>

## **6. Issuance, Withdrawal and Lost and Stolen MRCTDs**

a) Issuance

33. Once personalized, a MRCTD may be issued to the applicant. The means of issuance will depend on national procedures. For instance, applicants may be required to pick up the MRCTD in person. However, a MRCTD may also be released to an authorized third party (including UNHCR) if there are good reasons why the applicant cannot collect it in person. Depending on reliability, MRCTDs may also be delivered by mail or via mobile units.

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<sup>38</sup> ICAO, *Guide for Assessing Security*, Chapter 4, para. 4.2. and Chapter 7. With regard to Information Technology Security, refer to Chapter 8.

<sup>39</sup> For more details on these aspects, see, ICAO, *Guide for Assessing Security*, Chapter 4.

<sup>40</sup> ICAO, *Guide for Assessing Security*, Chapter 5, para. 5.1.

<sup>41</sup> With regard to security risks (for example fraudulent alteration, both with regard to document and identity fraud), refer to *Doc 9303*, page III-5 to III-13 and ICAO, *Guide for Assessing Security*.

b) Withdrawal

34. A MRCTD may be withdrawn if the holder loses refugee or statelessness status. This could occur in the case of cessation, cancellation or revocation of status.<sup>42</sup> A MRCTD may also be withdrawn in the event of the holder's prosecution or condemnation for a criminal offence which amounts to a compelling reason of national security or public order in the sense of Article 28 of the 1951/1954 Conventions (see Part 4. c)).

c) Lost and Stolen MRCTDs

35. The same security concerns arise for lost or stolen MRCTDs, whether blank books or personalized documents, as for national passports.<sup>43</sup> States should encourage holders and the wider public to report a lost or stolen MRCTD to the TDIA or a law enforcement agency as soon as the loss is discovered. A notice to this effect may be printed in the subsequently issued MRCTD under "notes" or "important information".

36. In addition to recording lost or stolen travel documents in a national database, it is also recommended that issuing countries report such cases to the Interpol Stolen and Lost Travel Document (SLTD) Database.<sup>44</sup> In order to ensure that the personal data of refugees and stateless persons remains confidential, the information submitted to the Interpol SLTD should include only minimum necessary information, that is the type of document, the issuing State code and the document number (as displayed in the machine readable zone (MRZ)). For security reasons, notably in the case of lost or stolen blank books, this number should correspond to the stock/inventory control or serial number.

37. Should countries wish to introduce stricter conditions for replacement applications in the event of lost or stolen MRCTDs, it is important that these conditions do not infringe the rights of refugees and stateless persons under Article 28 of the 1951/1954 Conventions. For instance, while the requirement to appear in person for replacement applications and limitation on the validity of replacement MRCTDs (within the minimum period set out in the Schedule to the 1951 and 1954 Conventions) may be acceptable, higher fees or refusal to issue another MRCTD would run counter to international standards and obligations.

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<sup>42</sup> For the conditions for cancellation and revocation of refugee status, see UNHCR, *Note on the Cancellation of Refugee Status*, 22 November 2004, available at: <http://www.unhcr.org/refworld/docid/41a5dfd94.html>; on cessation of refugee status, see UNHCR, *Guidelines on International Protection No. 3: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees*, 10 February 2003, available at: <http://www.unhcr.org/refworld/docid/3e50de6b4.html>.

<sup>43</sup> For detailed information on preventive and mitigation measures, see ICAO, *Guide for Assessing Security*, Chapter 10.

<sup>44</sup> See the Interpol website: [www.interpol.int/Public/FindAndMind/default.asp](http://www.interpol.int/Public/FindAndMind/default.asp).

## 7. Security of MRCTDs

### a) General document security standards

38. Concern for document security was already apparent in the “Specimen Travel Document” annexed to the 1951/1954 Conventions, which recommended that the CTD “be so printed that any erasure or alteration by chemical or other means can be readily detected (...)” Security concerns with respect to travel documents have exponentially increased over the last sixty years, and ICAO has issued numerous standards and recommendations. According to Annex 9 to the Chicago Convention, States shall regularly update security features in new versions of their travel documents, to guard against their misuse and to facilitate detection of cases where such documents have been unlawfully altered, replicated or issued. They shall also establish controls on the creation and issuance of travel documents in order to safeguard against the theft of their stocks and the misappropriation of newly issued travel documents.<sup>45</sup> Chapter III of Doc 9303 goes into further detail with regard to technical specifications for the security of the design, manufacture and issuance of MRTDs. The most detailed ICAO document is the *Guide for Assessing Security of Handling and Issuing Travel Documents* developed by the ICBWG.

### b) eMRTDs

39. A growing number of countries issue national passports that are not only machine readable, but are also electronically enabled with biometric identification capability (eMRTDs). Among those countries, there are also a number of Contracting States to the 1951/1954 Conventions that issue electronically enabled MRCTDs (eMRCTDs). Electronically enabled travel documents provide the highest security safeguards currently available. The harmonization of relevant security features and the integration of biometric identifiers make a travel document more secure: ICAO has accordingly developed a Public Key Infrastructure (PKI) and a Public Key Directory (PKD) to promote the globally interoperable validation for eMRTDs. States opting to issue eMRCTDs need to apply and respect the specifications contained in Document 9303, Part 1, Volume 2 dealing specifically with eMRTDs.<sup>46</sup>

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<sup>45</sup> See ICAO, *Annex 9*, Chapter 3, para. 3.7 and 3.8.

<sup>46</sup> ICAO, *Doc 9303 Part 1 - Machine Readable Passports, Volume 2 - Specifications for Electronically Enabled Passports with Biometric Identifications Capability*, Sixth Edition, 2006, available at: <http://www.icao.int/Security/mrtd/Downloads/Doc%209303/Doc%209303%20English/Doc%209303%20Part%201%20Vol%202.pdf>.

## Part II – Technical Specifications

40. This Part sets out the technical specifications for MRCTDs. These specifications are necessary to ensure interoperability among documents issued by Contracting States to the 1951/1954 Conventions and Contracting States to the Chicago Convention. The guidance contained in this Part is based on *ICAO Doc 9303 on Machine Readable Travel Documents, Part 1, Volume 1*, which outlines the specifications required for a machine readable passport book. Although the specifications in Doc 9303, Part 1, are explicitly directed to national passports, they are also applicable to other “ID-3 size” identity documents, including MRCTDs.<sup>47</sup> In order to avoid duplication, this Part focuses only on specific questions arising with regard to MRCTDs, in particular in relation to the data page.

### 1. General Characteristics of MRCTDs

41. The MRCTD should take the form of a book consisting of a cover and a minimum of eight pages. It should include a data page where the issuing State enters the personal data of the holder of the document, as well as data concerning the issuance and validity of the MRCTD.<sup>48</sup>

42. The cover of MRCTDs for refugees should state: “Travel document (Convention of 28 July 1951)”. The cover of MRCTDs for stateless persons should state: “Travel document (Convention of 28 September 1954)”. These statements should be made in the language of the issuing country and, at least, in either English or French.<sup>49</sup> Placing the name of the issuing country on the front cover is recommended; adding the national emblem is optional. It is also recommended that countries use a blue<sup>50</sup> cover for MRCTDs. Following the tradition of the Nansen Passport, the London Travel Document<sup>51</sup> and the blank CTD books previously provided by UNHCR, States are encouraged to add two black diagonal stripes in the upper left corner of the front cover of the MRCTD for refugees.

43. The Specimen Travel Document in the Annex to the 1951 and 1954 Conventions recommends that the words “Convention of 28 July 1951” or “Convention of 28 September 1954” be printed in continuous repetition on each page of the CTD in the language of the issuing country.<sup>52</sup> However, improved overall document security as well as the general practice of MRCTD-issuing States, suggest that the reference to the relevant Convention on each page can be omitted.

44. MRCTD-issuing States (parties to the 1951/1954 Conventions) have the freedom to choose the materials to be used. The dimensions of the book, including those for the machine readable data page, need to be in line with the specifications in Doc 9303 (approximately 12.5 x 8.8 centimeters).<sup>53</sup>

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<sup>47</sup> ICAO, *Doc 9303*, page (iv).

<sup>48</sup> ICAO, *Doc 9303*, page IV-1, para.3.

<sup>49</sup> Schedule to the 1951/1954 Conventions, para. 1 (2) and Annex (Specimen Travel Document).

<sup>50</sup> States may opt for Pantone 7462 (medium blue) or similar.

<sup>51</sup> Annex (Specimen) to the Agreement relating to the Issue of a Travel Document to Refugees who are the concern of the Intergovernmental Committee on Refugees, 15 October 1946, (1947) UNTS Vol. XI, No. 150, <http://www.unhcr.org/refworld/docid/502d026d2.html>.

<sup>52</sup> Annex (Specimen Travel Document) to the 1951/1954 Conventions.

<sup>53</sup> Accordingly, the dimensions indicated in the 1951 and 1954 Convention Specimen Travel Documents (15 x 10 centimeters) are superseded; they would render the MRCTD inoperable.

## 2. General Lay-out of the MRCTD Data Page

45. The MRCTD data page follows the same standardized layout as all MRTDs, in order to facilitate reading of data globally by visual and machine readable means.<sup>54</sup> The data page is normally an inner page in close proximity to the cover of the MRCTD; the recommended practice is to locate the data page on page two or on the penultimate page. Doc 9303 sets out requirements as to: data page edge tolerances; margins; thickness (minimum and maximum); dimensions; technical specifications for the printing of data on the MRCTD data page; guidelines for locating, positioning and adjusting the dimensional specifications of different zones. Based on Doc 9303 standards, the data page of a MRCTD will contain a Visual Zone (VIZ) and a Machine Readable Zone (MRZ).

46. The **Visual Inspection Zone** (VIZ) consists of zones containing mandatory and optional data fields to accommodate the diverse requirements of issuing States while maintaining sufficient uniformity to ensure global interoperability for all MRCTDs. The six zones are:

Zone I	Mandatory header
Zone II	Mandatory and optional personal data elements
Zone III	Mandatory and optional document data elements
Zone IV	Mandatory holder's signature or usual mark
Zone V	Mandatory identification feature
Zone VI	Optional data elements (back of the MRCTD data page or adjacent page)

47. Doc 9303 provides specifications for the holder's portrait in Zone V (for example, size of the portrait, pose, depth of field, orientation, face size and many other features). For the other zones in the VIZ, Doc 9303 also prescribes the typeface and type size, use of upper and lower case characters as well as diacritical marks, fields and print spacing, and languages and characters (use of Latin-alphabet characters and Arabic numerals is recommended).<sup>55</sup>

48. The **Machine Readable Zone** (Zone VII, MRZ) is the core of a MRCTD. It provides a set of essential data elements (document type, issuing authority, document number, name and date of birth of the holder, status of the holder – refugee or stateless person, etc.) in a standardized format that can be used by all States regardless of their national script or customs. It serves to facilitate inspection of travel documents. The inclusion of check digits in the MRZ also acts as a security feature. Doc 9303 outlines the purpose, properties, constraints, transliteration of national characters in names, data position, data elements, check digits, print specifications and print position in a MRZ. The MRZ is positioned adjacent to the outside edge of the book, parallel to the spine of the book.

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<sup>54</sup> The layout as presented in the Annex (Specimen Travel Document) to the 1951/1954 Conventions is redundant.

<sup>55</sup> This is a result of the mandatory use of English or French pursuant to Paragraph 2 of the Schedule to the 1951/1954 Conventions.

### 3. MRCTD Data Elements

49. This section sets out all data elements of the MRCTD following the standard sequence in the data element directory in Doc 9303 from field/zone 01/I to 20/VI. Specific guidance and explanation is provided below, to the extent that a MRCTD differs from a Machine Readable Passport (MRP).

#### Zone I

<u>01/I Issuing State or organization:</u>	Same as MRP: The State responsible for issuing the MRCTD should be printed. The font type is at the discretion of the issuing State.
<u>02/I Name of document:</u>	Use "Travel document".
<u>03/I Type of document/document code:</u>	Use Code "P". One additional capital letter may be used, at the discretion of the issuing State. Although not a passport, the Code "P" is also used by states for MRCTDs.
<u>04/I Issuing State code:</u>	Use the three-letter digit code specified in Appendix 7 of Doc 9303, Part 1, Vol. 1 based on Alpha-3 codes for entities specified in ISO 3166-1.
<u>05/I Passport number:</u>	Analogous to MRP: fill in travel document number or MRCTD number.

#### Zone II

<u>06/II Name – primary Identifier:</u>	Same as MRP.
<u>07/II Name – secondary Identifier:</u>	Same as MRP.
<u>08/II Nationality:</u>	<p>A MRCTD is not a passport and this data element is therefore not mandatory. Nationality is not listed in the 1951 or 1954 Convention Specimen Travel Document. Moreover, paragraph 15 of the Schedule to both Conventions states that "neither the issue of the document nor the entries made thereon determine or affect the status of the holder, particularly as regards nationality." Indeed, stateless persons are not considered as a national by any State (Article 1 of the 1954 Convention).</p> <p>For these reasons, and in line with current State practice, States may include or omit the nationality data element in MRCTDs. If nationality is included, it is recommended that States enter "stateless person" or "refugee". This would ensure</p>

consistency between the VIZ (where the three digit code for stateless persons, XXA, and for refugees, XXB, appears – see below zone VII) and the MRZ.

09/II Date of birth:

Same as MRP.

10/II Personal number:

Same as MRP.

11/II Sex:

Same as MRP.

12/II Place of birth:

Unlike nationality, the place of birth is indicated in the Specimen Travel Document annexed to the 1951 and 1954 Conventions. In Doc 9303, Part 1, Vol. 1 place of birth is listed as an optional data element. Most States mention the place of birth in CTDs.

13/II Optional personal data elements:

According to Doc 9303, Part 1, Vol. 1, data element directory (IV-12), this can be a personal identification number or a fingerprint.

### **Zone III**

14/III Date of Issue:

Same as MRP.

15/III Authority or issuing office:

Same as MRP.

16/III Date of expiry:

Same as MRP. Annex 9 recommends that Contracting States to the Chicago Convention should normally provide a minimum validity of five years for national passports. However, according to Note 2 of that document, emergency, diplomatic, official and other special purpose passports may have a shorter validity period.<sup>56</sup>

Paragraph 5 of the Schedule to the 1951 Convention states that CTDs for refugees shall have a validity of either one or two years, at the discretion of the issuing authority. Based on Paragraph 5 of the Schedule to the 1954 Convention, CTDs for stateless persons should have a validity of not less than three months and not more than two years.

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<sup>56</sup> ICAO, *Annex 9*, Chapter 3, para. 3.16.

State practice among MRCTD-issuing countries varies between two and ten years for MRCTD validity. This confirms that, in light of Article 5 of the 1951 and 1954 Conventions as well as their object and purpose, the 1951 and 1954 Convention Schedules do not prevent States from granting longer periods of validity for CTDs.

17/III Optional document data elements: Same as MRP.

#### **Zone IV**

18/IV Holder's signature or usual mark: Same as MRP.

#### **Zone V**

19/V Identification feature: Same as MRP.

#### **Zone VI**

20/VI Optional data elements: Zone VI is situated either at the back of the data page or on an adjacent page. Doc 9303, Part 1, Vol. 1 (IV-12) does not provide any further guidance with regard to the data elements in Zone VI. Additional data elements are at the discretion of the issuing State. There are, however, two data elements which are specific to MRCTDs: the return clause (mandatory) and limited geographical validity (optional), described in more detail below.

#### **Zone VII**

Doc 9303 sets out specifications pertaining to the MRZ and its construction.<sup>57</sup> In the second line of the MRZ, the relevant three-letter digit should be inserted in the third data field reserved for the nationality of the holder, as follows:<sup>58</sup>

- XXA – Stateless person, as defined in Article 1 of the 1954 Convention
- XXB – Refugee, as defined in Article 1 of the 1951 Convention
- XXC – Refugee, other than as defined under code XXB above<sup>59</sup>

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<sup>57</sup> See on the construction of the MRZ of the data page, Doc 9393, Appendix 6 to Section IV.

<sup>58</sup> See on the three-letter codes (based on ISO 3166-1), Doc 9303, Appendix 7 to Section IV, Part D – Codes for persons without defined nationality.

<sup>59</sup> The XXC code may be used where States issue a CTD to any other refugee in their territory pursuant to Article 28 para. 1, second sentence, of the 1951 Convention.

### **The return clause (mandatory)**

50. Under Paragraph 13 (1) of the Schedules to the 1951 and the 1954 Conventions, a travel document issued in accordance with Article 28 entitles the holder to re-enter the territory of the issuing State. The right of the refugee or stateless person to return to the country issuing the CTD, and the State's corresponding duty to readmit that person, is an essential element in the CTD system. The 1951 and 1954 Convention Specimen Travel Documents explicitly state that the holder is authorized to return to the country whose authorities have issued the document.<sup>60</sup> The following standard clause is now included in many MRCTDs: "the holder is authorized to return to [the country whose authorities have issued the document] within the period of validity specified in this document." General State practice is to align the limit on the right to return specified in the MRCTD with the document's expiry date.

### **Limited geographical validity (optional)**

51. Common Paragraph 4 of the Schedules to the 1951 and the 1954 Conventions provides that "save in special or exceptional cases, the document shall be made valid for the largest possible number of countries." The Specimen Travel Document in the Annex of both Conventions contains a clause on page four to this effect. Annex 9 of the Chicago Convention recommends that States should normally provide for passports be valid for travel to all States and territories.<sup>61</sup>

52. The frequent practice of MRCTD-issuing States is to include this optional data element on an adjacent page to the data page, usually stating that "This document is valid for all countries with the exception of (...)". Some countries also omit this option altogether and issue their MRCTDs valid for travel to all countries, in line with the recommendation in Annex 9 to the Chicago Convention.

### **Other data elements**

53. The 1951 and 1954 Convention Specimen Travel Documents indicate a number of personal data elements, such as: occupation, present residence, height, color of eyes and hair, nose, shape of face, complexion and special peculiarities. These data elements are not foreseen in Doc 9303 and are optional under the 1951/1954 Convention Specimen Travel Document. Current practice by MRCTD-issuing countries shows that States make very limited use of this possibility.

54. Two other data elements are contained in the Specimen Travel Document in the Annex to the 1951 and 1954 Convention: "Children accompanying holder" and "Extension or renewal of validity". These data elements are obsolete for MRCTDs in light of the standards established by Annex 9.

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<sup>60</sup> According to Paragraph 13 (3) of the Schedule of the 1951 Convention and Paragraph 13 (1) of the Schedule of the 1954 Convention, the issuing country may limit the period during which the refugee or stateless person may return to the issuing country to no less than three months.

<sup>61</sup> ICAO, *Annex 9*, Chapter 3, para. 3.16.

### **Non-extension of MRCTDs**

55. According to Paragraph 3.4 of Annex 9, “Contracting States shall not extend the validity of their machine readable travel documents.” Note 1 under Paragraph 3.4 clarifies that the specifications for MRTDs (contained in Doc. 9303) do not permit alteration of the expiration date and other data in the machine readable zone (MRZ). Note 2 calls upon States whose national legislation or regulations currently allow for the extension of the period of validity of MRTDs to undertake to amend the appropriate text in a reasonable period. As a result, the possibility for extending the validity of a CTD in Paragraph 6 of the 1951 and 1954 Convention Schedules is obsolete. Paragraph 6 of both Schedules remains valid in so far as it refers to the *renewal* of CTDs (emphasis added).

### **Children**

56. Children cannot be included in the CTD of a parent under applicable ICAO standards: paragraph 3.15 of Annex 9 states that “Contracting States shall issue a separate passport to each person, regardless of age.” The possibility provided in Paragraph 2 of the 1951 and 1954 Convention Schedules allowing for children to be included in the travel document of a parent is therefore obsolete.

57. Doc 9303, Part 1, Vol. 1, contains a number of other specifications which are directly applicable to MRCTDs, just as to all other MRTDs. These include:

- Machine reading requirements and the effective reading zone (IV-18)
- Convention for writing the name of the holder (IV-18-22)
- Representation of issuing State or organization and nationality of holder (IV-22)
- Representation of dates (IV-22-23)
- Abbreviation of months in English, French and Spanish (IV-23-24)
- Check digits in the machine readable zone (IV-24-26)
- Character sets and fonts (IV-27)
- Characteristics of the machine readable zone (IV-27)
- Quality specifications of the machine readable zone (IV-27-28)
- MRCTDs with additional storage and biometric capability (IV-29)

## Appendix: MRCTD Specimens

### 1. MRCTD for Refugees

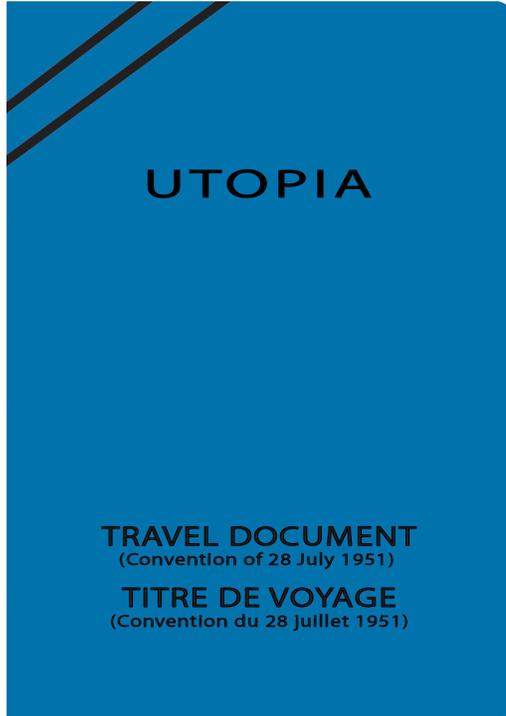


Figure 1 MRCTD for Refugees Cover Design

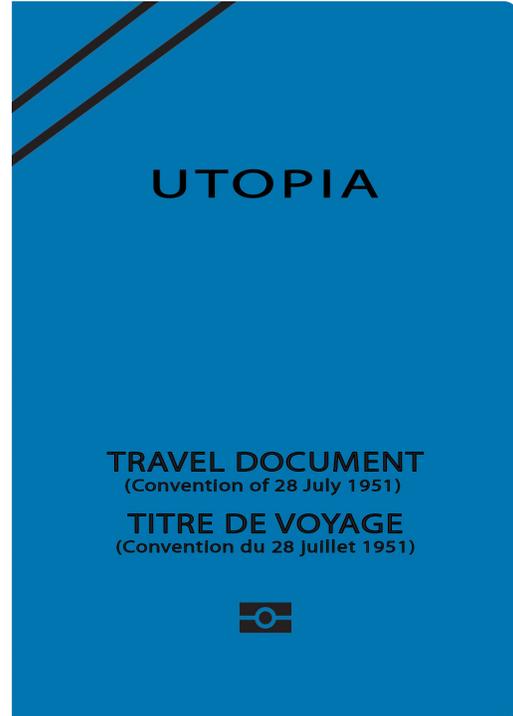


Figure 2 eMRCTD for Refugees Cover Design

#### Figures 1 and 2:

This Guide recommends that the cover is medium blue (Pantone 7462 or similar) and contains specific text, as shown above. Note the inclusion of the two diagonal lines on the top left corner of the cover.

Electronic MRCTDs (eMRCTD) containing the “e-Passport” symbol (Figure 2) must comply with the technical specifications detailed in ICAO Doc 9303 Part 1, Volumes 1 and 2.

Note: Images are not to scale



## MRCTD for Refugees, continued

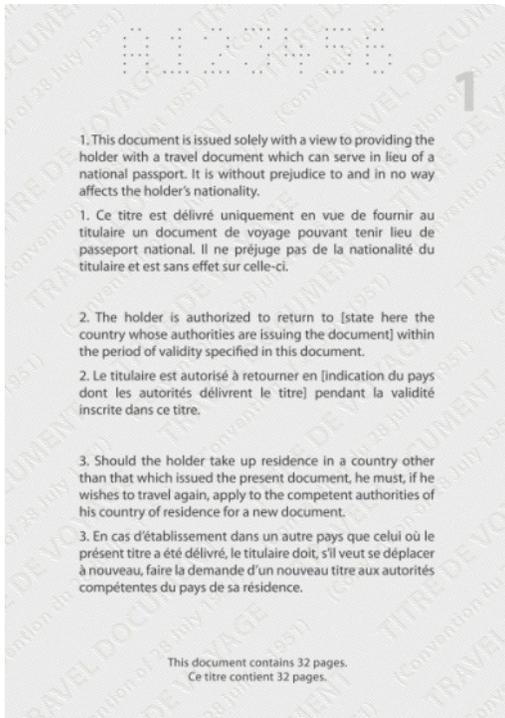


Figure 5 Convention Text

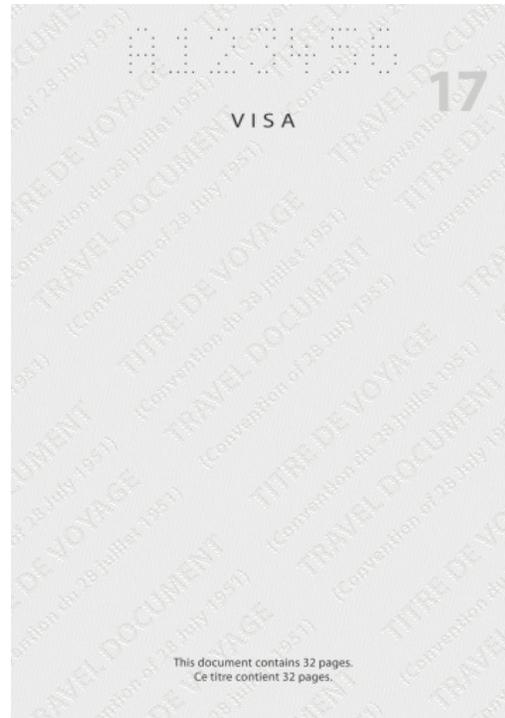


Figure 6 Interior (Visa) Pages

### Figures 5 and 6:

The MRCTD should contain text as illustrated in Figure 5. The Issuing Authority determines the location of this text, and the number of pages contained in the document.

Interior (visa) pages should contain text (displayed in Figure 6 as watermark) that distinguishes the document from standard national passports.

Note: Images are not to scale.

## 2. MRCTD for Stateless Persons

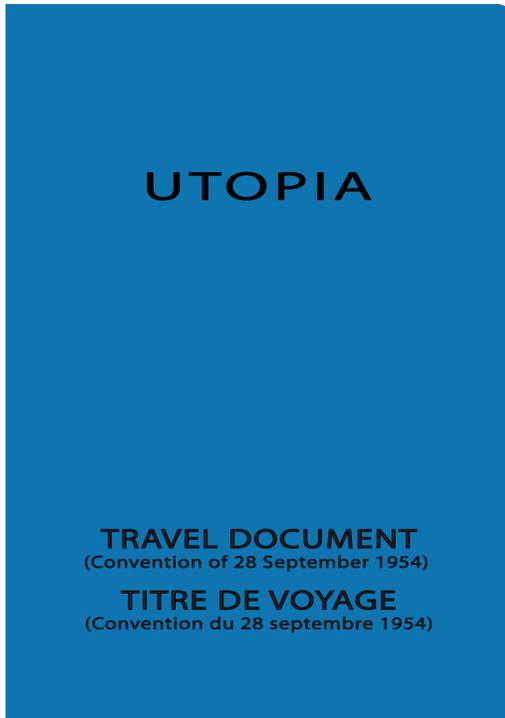


Figure 7 MRCTD for Stateless Persons Cover Design

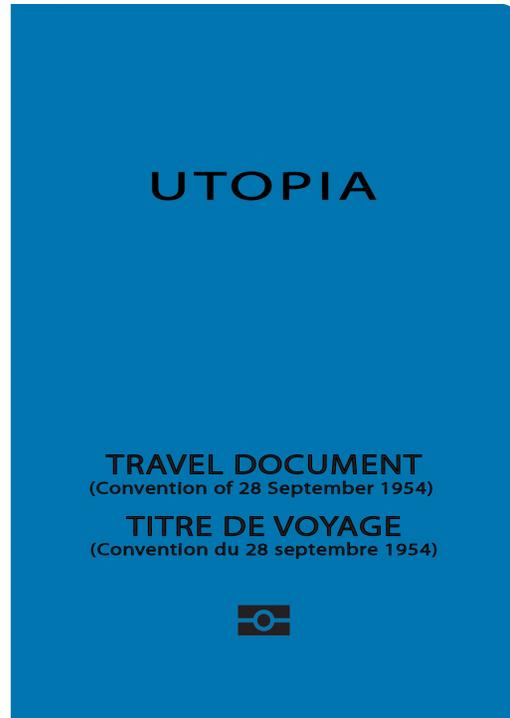


Figure 8 eMRCTD for Stateless Persons Cover Design

### Figures 7 and 8:

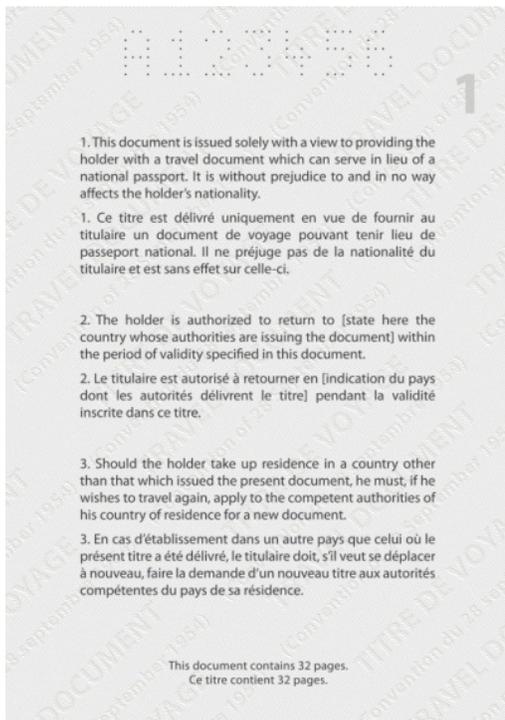
This Guide recommends that the cover is medium blue (Pantone 7462 or similar) and contains specific text, as shown above. The 1954 MRCTD does not require the diagonal stripes on the top left corner.

Electronic MRCTDs (eMRCTD) containing the “e-Passport” symbol (Figure 8) must comply with the technical specifications detailed in ICAO Doc 9303 Part 1, Volumes 1 and 2.

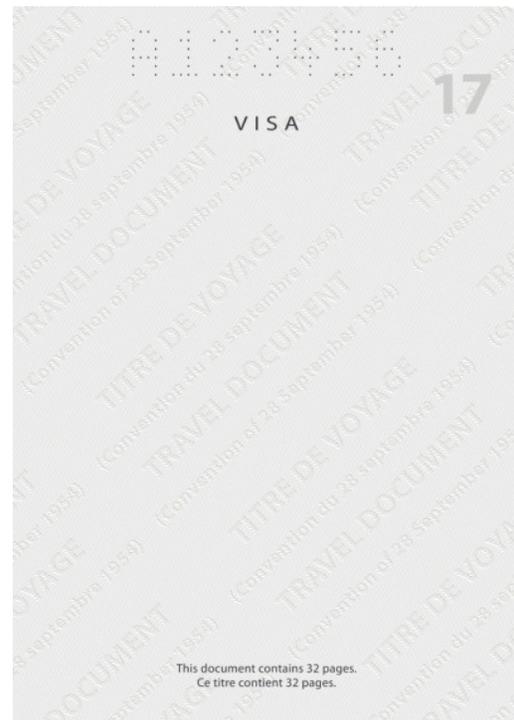
Note: Images are not to scale



## MRCTD for Stateless Persons, continued



**Figure 11 Convention Text**



**Figure 12 Interior (Visa) Pages**

### **Figures 11 and 12:**

The MRCTD for Stateless Persons should contain text as illustrated in Figure 11. The Issuing Authority determines the location of this text, and the number of pages contained in the document.

Interior (visa) pages should contain text (displayed in Figure 12 as watermark) that distinguishes the document from standard national passports.

Note: Images are not to scale.