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Towards Machine Readable Convention Travel Documents – Challenges and the Road Ahead

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Machine Readable Convention Travel Documents

- Historical and Legal Context
 - The Nansen Passport (1920ies)
 - The 1951 Refugee Convention, Article 28, Schedule and Specimen
 - The 1954 Statelessness Convention, Article 28, Schedule and Specimen
 - The 1969 OAU Convention, Article VI
 - UNHCR Note on CTDs and ExCom Conclusion No. 13 (1978)
 - UNHCR Note on CTDs and ExCom Conclusion No. 49 (1987)
 - ICAO/UNHCR Guide for MRCTDs (Conference edition, October 2012)

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- Nature of Convention Travel Documents (CTDs)
 - Document issued with a view to providing the holder with a travel document which can serve in lieu (instead) of a passport (Convention Specimen, maintained in the 2012 MRCTD Guide specimen).
- Format of CTDs
 - UNHCR blank CTD books in line with the Convention Specimen (approx. 15 x 10 cm, not machine readable). This is an old format which goes back to the passport format of 15,5 x 10,5 cm adopted at the League of Nations Passport Conference held in Paris in 1920).
 - In 1995, ISO/IEC adopted Standard 7810 (Identification cards – Physical characteristics), to which Doc 9303 I 1 refers, i.e. passports should be in ID 3 format (12,5 x 8,8 cm).
 - The ICAO/UNHCR Guide for MRCTDs refers to the format set out in Doc 9303.

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- The Situation in Africa
 - Except Libya and South Sudan, all African countries have ratified the 1951 Convention (Article 28 obligation).
 - Most African countries (45) have also ratified the 1969 OAU Convention governing the specific aspects of refugee problems in Africa (Article VI obligation).
 - Almost all countries issue Machine Readable Passports (MRPs).
 - 31 countries seem to accept the UNHCR blank CTD book, 12 countries do not issue any CTD, Benin, Mozambique, South Africa and Tanzania issue MRCTDs.
 - Around 25 countries are important refugee hosting countries with more than 10,000 refugees, some more than 100,000.
 - The need for CTDs is there but varies from country/situation to country/situation.

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- The Challenges and Problems
 - Decade long practice of free provision of blank CTD booklets by UNHCR
 - Low demand from refugees
 - Absence of pressure and advocacy to introduce national CTDs
 - Non-prioritization, lack of political will
 - Lack of financial means
 - Absence of legal / administrative framework
 - Lack of cooperation between passport (technology) and refugee (entitlement) authorities

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- The Road Ahead

- Refugee hosting countries to take political decision at high level to issue MRCTDs (e.g. pledge).
- Governments, in cooperation with UNHCR, ICAO, AU and other relevant organisations, to set up road maps towards issuing MRCTDs.
- Establish necessary legal / administrative framework (prepare and adopt legislation, including government decrees and regulations).
- Ensure cooperation between passport and refugee authorities.
- Start negotiations with competent vendor (either invitation of tenders or include MRCTDs in existing contract with passport vendor). Logically the existing passport technology should be used in order to save costs and avoid training of staff in and maintenance of a new system (hard and soft ware). Anticipate number of books required for five years minimum.
- Ensure funding. UNHCR ready to assist in principle but each country operation needs to decide. Explore other sources!

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- The New ICAO/UNHCR Guide on Issuing MRCTDs
 - The Guide provides guidance on the legal and administrative framework, technical specifications and specimen MRCTDs.
 - It is based on existing standards and recommendations and provides an authoritative combination of both, ICAO: Annex 9 and Doc 9303; and 1951 and 1954 Conventions: Schedule and Specimen.
 - It combines the expertise of ICAO (ICBWG) and UNHCR experts.
 - Available at:
 - http://www.icao.int/Security/mrtd/Downloads/MRCTD%20Guide%20ICAO-UNHCR_conference%20edition.pdf
 - <http://www.unhcr.org/refworld/docid/5081320d2.html>
 - Reasons to Issue MRCTDs
 - 1) Countries of destination may apply the November 2015 deadline for passports to CTDs and, consequently, won't issue visas to refugees with non-MRCTDs;
 - 2) Risk of counterfeit and reduced level of confidence in non-MRCTDs;
 - 3) Negative reputation of countries not issuing MRCTDs.

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- Part I: The Legal and Administrative Framework
 - 1. The National Legal Framework

State discretion. Areas to be regulated:

- The designation of the government authority responsible for issuing, revoking, withholding, cancelling and refusing CTDs;
- The government authority responsible for producing and personalizing CTDs;
- Application and entitlement conditions
- Fees
- Validity
- Instructions on the use of CTDs
- Data protection issues
- Mechanisms to prevent and punish forgery, improper use of CTDs, false representation and mutilation

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- Part I: The Legal and Administrative Framework
 - 2. Organizational Structure and Travel Document Issuing Authority (TDIA)

State discretion, but uniform, standardized and transparent application and issuing process.

- Role of the TDIA
 - CTD production and personalization
 - Application and issuance (?)
- Role of the Refugee and/or Statelessness Authority
 - Determine refugee/statelessness status (eligibility) → Decide on CTD entitlement
 - Application and issuance (?)
- Role of UNHCR
 - Supervision
 - Recommendation based on Mandate refugee status determination (RSD)

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- Part I: The Legal and Administrative Framework
 - 3. Application Process
 - Uniform, standardized and transparent process.
 - Consider specific situation (location / mobility) of refugees .
 - Data protection
 - Children
 - Fees
 - Deposit of national passports
 - 4. Entitlement Process
 - Establish the applicant's identity
 - Refugee or Stateless Person Status

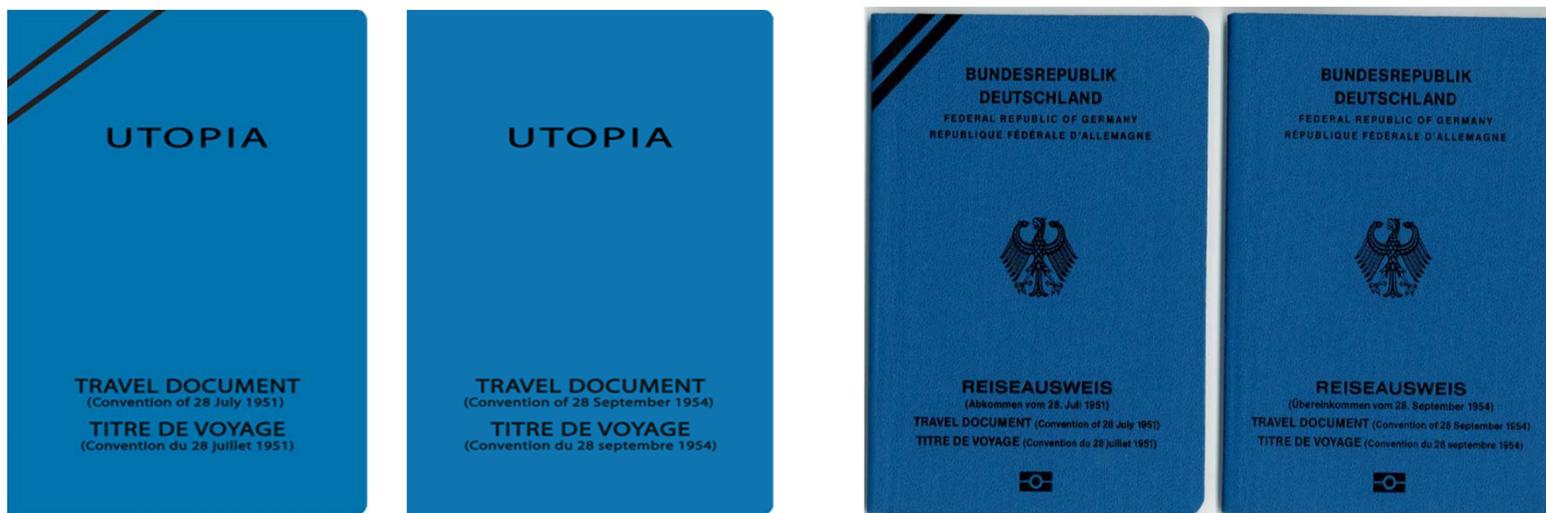
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- Part I: The Legal and Administrative Framework
 - 5. Book Production and Personalization
 - Book production in a secure and controlled environment
 - Security and economic considerations in favor of the passport manufacturer
 - Use same technology, general lay-out and security features as for passports
 - Keep costs per MRCTD book low, don't order more books than necessary

 - Personalization in a secure and controlled facility
 - Use the same staff (TDIA) and technology (printers and software) as for passports
 - 6. Issuance, Withdrawal and Lost and Stolen MRCTDs
 - Like for Application, consider the specific situation of refugees
 - 7. Security of MRCTDs
 - Document security standards (refer to Doc 9303 and the ICBWG Guide)
 - eMRCTDs (refer to Doc 9303 I 2)

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- Part II: Technical Specifications
 - 1. General Characteristics of MRCTDs
 - Book with ID-3 size dimension, minimum 8 pages (usually 32) and data page.
 - Cover should state: “Travel Document (Convention of 28 July 1951)” or “Travel Document (Convention of 28 September 1954)” in at least two languages one of which Eng or Fre and be medium blue, the refugee MRCTD with two black stripes top left.



(Example of the German MRCTDs)

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- Part II: Technical Specifications

- 3. MRCTD Data Elements (selected items)

- Nationality (data element 08/II)

- not mandatory (Para. 15 of the Schedule of both Conventions “neither the issue of the document nor the entries made thereon determine or affect the status of the holder, particularly as regards nationality.”)

- Recommendation omit or put “refugee” or “stateless person”.

- Date of expiry (data element 16/III)

- Para. 5 of the Schedule of both Conventions (minimum and maximum validity) does not prevent States from granting longer validity in line with Annex 9 (para. 3.16: five years).

- Other data elements

- Return clause (mandatory, Para. 13 of the Schedule to both Conventions)

- Limited geographic validity (optional, Para. 4 of the Schedule)

- Non-extension (Annex 9, para. 3.4: only renewal)

- Non-inclusion of children (Annex 9, para. 3.15: one passport/individual)

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- The Transition towards MRCTDs
 - The 24 November 2015 deadline for passports.
 - Countries of destination may apply the deadline to CTDs and, consequently, won't issue visas to refugees with non-MRCTDs.
 - Time period to take all necessary measures (legislation, tender, funding, development of a national MRCTD by the vendor, system set up, training, etc.).
 - UNHCR policy until 2015: Continue providing blank CTD booklets where necessary.
 - UNHCR policy after 2015: In principle discontinue provision of blank CTD booklets. Urgent cases need to be considered on the basis of each individual case.
 - Non-compliant countries: Start/continue preparations now!

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Thank you

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