

SUMMARY CONCLUSIONS

UNHCR Expert Roundtable on travel documents for persons in need of international protection and stateless persons

22–23 October 2024, University of Essex, Colchester, UK

I. Introduction

1. The Office of the United Nations High Commissioner for Refugees (UNHCR) together with the University of Essex convened on 22 and 23 October 2024 an Expert Roundtable held in Colchester, UK on travel documents for persons in need of international protection¹ and stateless persons². The Roundtable was organized with support from the International Civil Aviation Organization (ICAO). The objective of the Roundtable was to obtain a deeper understanding of legal and technical issues around travel documents for persons in need of international protection and stateless persons, explore areas for improvement, and enhance collaboration between key stakeholders.
2. Discussions at the Roundtable were informed by a discussion paper written by Professor Geoff Gilbert and a study of State practice conducted by DLA Piper. The Roundtable built on earlier work by UNHCR on travel documents within the framework of the 2023 Global Refugee Forum (GRF)³, and on UNHCR and ICAO's long-standing collaboration. The convening brought together 18 experts from international organizations, civil society, academia, border control agents, the private sector, think tanks and those with lived experience of displacement to examine legal frameworks, practices, gaps and solutions around access to and use of travel documents. These Summary Conclusions reflect the themes and understandings that emerged but they do not necessarily represent the views of individual participants or of UNHCR or ICAO.

¹ If not further specified, for the purpose of these Summary Conclusions, the term “persons in need of international protection” includes refugees and beneficiaries of complementary forms of international protection and temporary protection and stay arrangements and others who may be in need of international protection. In some jurisdictions, individuals who do not meet the refugee definition under international refugee law but who are nevertheless in need of international protection are granted complementary forms of protection, for example subsidiary protection, or temporary protection. Such persons are also referred to as “other beneficiaries of international protection”. See further, UNHCR, *Persons in need of international protection*, June 2017, www.refworld.org/policy/legalguidance/unhcr/2017/en/121440. The relevance of the issues discussed in these Summary Conclusions for internally displaced persons should be further explored.

² While some stateless persons are in need of international protection, many stateless persons are ‘in situ’ and thus need protection by their State of habitual residence. See UNHCR, *Handbook on Protection of Stateless Persons*, 30 June 2014, Part I, www.refworld.org/policy/legalguidance/unhcr/2014/en/122573 and generally ‘Refworld - Thematic areas: Statelessness’, www.refworld.org/thematic-area/statelessness.

³ Global Compact on Refugees, ‘Multi-stakeholder Pledge: Refugee Travel Documents – The 21st Century Nansen Passport’, <https://globalcompactrefugees.org/pledges-contributions/multi-stakeholder-pledges-2023/multi-stakeholder-pledge-refugee-travel>.

II. Contextual background – Travel documents and international protection

3. Persons in need of international protection and stateless persons need to be able to travel internationally for many reasons, within their regions and beyond; these can include professional and education opportunities, family reunification, or resettlement. To facilitate international travel, they require travel documents, other than their national passports, which– if accessible at all – may put them at risk of refoulement.⁴ Due to their need for international protection, they cannot be required to approach the embassies or consular posts of their country of origin to request or renew a national passport. Similarly, as individuals who are not recognized as nationals of any country, stateless persons are not able to obtain a national passport, needed for cross-border travel.
4. 'Travel document' is a broad term and covers any type of document that enables an individual to cross an international border by air, land or sea. Travel documents strengthen the self-reliance and resilience of persons in need of international protection and stateless persons by enabling them to lead more independent and stable lives and travel for professional or educational opportunities, family visits, leisure, health and other reasons. Moreover, access to travel documents facilitates safe and regular movement and thereby reduces the risk of irregular journeys which may expose individuals to exploitation, abuse, violence and human trafficking.
5. The history of refugee travel documents goes back to the beginning of the 20th century. In 1921, Dr Fridtjof Nansen, the Norwegian explorer and the League of Nations' first High Commissioner for Refugees, was tasked to find solutions for refugees following the Russian Revolution. The League of Nations convened an intergovernmental conference in July 1922, which resulted in the Nansen Passport. The Nansen Passport system was later extended to other groups and by the wake of World War II, it had become a standard feature of international efforts to protect specific groups of refugees.⁵ In the aftermath of World War II, an Agreement Relating to the Issue of a Travel Document to Refugees was negotiated in 1946.⁶ The right to a travel document for refugees and stateless persons was subsequently included in Article 28 of the 1951 and 1954 Conventions. The provisions of the 1946 Agreement were largely incorporated in the Schedule and Specimen Travel Document annexed to the Conventions, which together provide the legal framework for so-called 'Convention Travel Documents' (CTD).
6. During the same period, the Convention on International Civil Aviation, more commonly known as the 'Chicago Convention', was drafted in 1944 by 54 nations⁷ and laid the

⁴ Non-refoulement is a core principle of international human rights and refugee law that prohibits States from returning individuals in any manner whatsoever (whether directly or indirectly) to territories where they may be at risk of persecution, torture, or other forms of serious or irreparable harm. The most prominent expression of the principle of non-refoulement in international refugee law is Article 33(1) of the 1951 Convention. The principle also is part of customary international law and is therefore binding on all States, whether or not they are parties to the 1951 Convention.

⁵ Alexander Beck, *From the Nansen Passport to eMRCTDs*, ICAO, MRTD Report, vol. 7 No. 3 – Fall 2012, pp. 40–44, https://www.icao.int/publications/journalsreports/2012/mrtd_report_vol7_no3.pdf.

⁶ Intergovernmental Committee on Refugees, *Final Act of the Intergovernmental Conference on the adoption of a travel document for Refugees and Agreement relating to the issue of a travel document to refugees who are the concern of the Intergovernmental Committee on Refugees*, UNTS vol. XI, No. 150, 15 October 1946, www.refworld.org/legal/agreements/icor/1946/en/88101.

⁷ Today, ICAO has 193 Member States. ICAO, 'Member States', <https://www.icao.int/about-icao/pages/member-states.aspx>.

foundation for the standards and procedures for peaceful global air navigation. It set out as its prime objective the development of international civil aviation “...in a safe and orderly manner”, and that air transport services would be established “on the basis of equality of opportunity and operated soundly and economically”.⁸ ICAO’s core mandate is to help States to achieve the highest possible degree of uniformity in civil aviation regulations, standards, procedures, and organization⁹ through the formulation and adoption of Standards and Recommended Practices (SARPs) for international civil aviation.

7. Recalling the history of travel documents for refugees and stateless persons in the context of international civil aviation is important to understand the vision of the 1951 Convention relating to the Status of Refugees (1951 Convention)¹⁰, the 1954 Convention relating to the Status of Stateless Persons (1954 Convention)¹¹ and the 1969 Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa (1969 OAU Convention)¹² to establish a unified travel document system for refugees and stateless persons. This is supposed to be made possible through the mutual recognition of refugee and stateless person’s travel documents and the obligation to readmit the holder of a travel document to the issuing country.¹³ This system is intended, therefore, to ensure that the protection needs of refugees and stateless persons are safeguarded while allowing for their international mobility, including to search for the solutions that work best for them.

III. Convention Travel Documents (CTDs) issued under the 1951 and/or 1954 Conventions and/or 1969 OAU Convention

8. Article 28 of the 1951 and 1954 Conventions imposes an obligation on Contracting States to the Conventions and/or to the 1967 Protocol relating to the Status of Refugees¹⁴ to issue documents for the purpose of travel to refugees and stateless persons “lawfully staying in their territory”.¹⁵ Article VI of the 1969 OAU Convention imposes an obligation to issue travel documents in accordance with the 1951 Convention and the Schedule and Annex thereto to “refugees lawfully staying” in their territories.¹⁶ The purpose of Article 28 of the 1951 and 1954 Conventions in

⁸ International Civil Aviation Organization (ICAO), *Convention on Civil Aviation* (‘Chicago Convention’), 15 UNTS 295, 7 December 1944, Preamble, www.refworld.org/legal/agreements/icao/1944/en/16932.

⁹ ICAO, ‘The History of ICAO and the Chicago Convention’, [https://www.icao.int/about-icao/history/pages/default.aspx#:~:text=Known%20more%20commonly%20today%20as,Civil%20Aviation%20Organization%20\(ICAO\).](https://www.icao.int/about-icao/history/pages/default.aspx#:~:text=Known%20more%20commonly%20today%20as,Civil%20Aviation%20Organization%20(ICAO).)

¹⁰ *Convention Relating to the Status of Refugees* (1951 Convention), 189 UNTS 137, 28 July 1951, www.refworld.org/legal/agreements/unga/1951/en/39821.

¹¹ *Convention relating to the Status of Stateless Persons* (1954 Statelessness Convention), 360 UNTS 117, 28 September 1954, www.refworld.org/legal/agreements/unga/1954/en/32744.

¹² Organization of African Unity (OAU), *Convention Governing the Specific Aspects of Refugee Problems in Africa* (OAU Convention), 1001 UNTS 45, 10 September 1969, www.refworld.org/legal/agreements/oau/1969/en/13572.

¹³ See James C. Hathaway, *The Rights of Refugees under International Law*, 2nd edition, (Cambridge University Press, 2021), Chapter 6.6, pp. 1087–1127.

¹⁴ *Protocol Relating to the Status of Refugees* (1967 Protocol), 606 UNTS 267, 31 January 1967, Article I(1), www.refworld.org/legal/agreements/unga/1967/en/41400.

¹⁵ UNHCR, *Amicus curiae of UNHCR on the interpretation and application of Article 25, Article 27 and Article 28 of the 1951 Convention Relating to the Status of Refugees*, 22 December 2016, Section V, www.refworld.org/jurisprudence/amicus/unhcr/2016/en/116646.

¹⁶ Article VI of the OAU Convention distinguishes itself only insofar from Article 28 of the 1951 and 1954 Conventions that it refers to Article III of the OAU Convention on prohibition of subversive activities and adds a

combination with the Schedule and annexed Specimen Travel Document is to facilitate international mobility of refugees and stateless persons, i.e. to leave any country and return to it, and should be interpreted as such. It also ensures that their protection status is maintained while travelling internationally.

9. Article 28 needs to be interpreted in the context of international human rights obligations, importantly the right to freely leave a country.¹⁷ Since international travel usually requires appropriate documents, the right to leave a country must include the right to obtain the necessary travel documents¹⁸ and the obligation of the issuing State to facilitate the acquisition of such documents. Refusal of exit and refusal to issue travel documents may also interfere with other human rights, in particular the right to family life, as it may separate families.¹⁹
10. Under Article 28, issuance of CTDs may only be denied if required by compelling reasons of national security or public order. The exception must be interpreted narrowly, and applied cautiously, and requires an individual assessment. It goes against the specifications of Article 28 for Contracting States to limit access to a CTD for specific categories for travel or requiring refugees to justify their travel reasons, thus setting a higher bar for accessing a CTD. Therefore, a Contracting State may not refuse to issue a CTD to a refugee or stateless person if, for example, it regards the proposed travel as merely unnecessary. Refusal to issue a CTD is only justified for compelling reasons of national security or public order in “grave and exceptional circumstances”,²⁰ for example, for engaging in illicit drugs trafficking.
11. Importantly, under Article 28, CTDs may also be issued to “any other refugee” or “any other stateless person” in their territory. This may include asylum-seekers who have or have not yet submitted a formal asylum application. Article 31(2) of the 1951 Convention is also indicative for this interpretation because it requires Contracting States to allow for a reasonable period and the necessary facilities for refugees, whose status has not yet been regularized, to obtain admission into another country. It could also include refugees or stateless persons temporarily in the country who are recognized in another, potentially non-Contracting, State, where they are unable to obtain a travel document.
12. Beneficiaries of complementary forms of international protection, such as subsidiary protection under European Union (EU) law, could also qualify for the issuance of CTDs on the same terms as refugees within Article 28. In practice, the protection needs of other beneficiaries of international protection by the State of residence are not of a

paragraph (2) stating that “...[w]here an African country of second asylum accepts a refugee from a country of first asylum, the country of first asylum may be dispensed from issuing a document with a return clause”.

¹⁷ *International Covenant on Civil and Political Rights* (ICCPR), 999 UNTS 171, 16 December 1966, Article 12(2), www.refworld.org/legal/agreements/unga/1966/en/17703.

¹⁸ UN Human Rights Committee (HRC), *CCPR General Comment No. 27: Article 12 (Freedom of Movement)*, 2 November 1999, CCPR/C/21/Rev.1/Add.9, para. 9, www.refworld.org/docid/45139c394.html.

¹⁹ See UNHCR, *Guidelines on international legal standards relating to family reunification for refugees and other beneficiaries of international protection*, December 2024, Section 7.3, www.refworld.org/policy/legalguidance/unhcr/2024/en/149243.

²⁰ UNHCR, *Amicus curiae of UNHCR on the interpretation and application of Article 25, Article 27 and Article 28*, note 15 above, Section V(c), paras. 38 and 39. UNHCR and ICAO, *Guide for Issuing Machine Readable Convention Travel Documents for Refugees and Stateless Persons*, February 2017, para. 28, www.refworld.org/policy/opguidance/unhcr/2017/en/96252.

different nature or shorter duration than the need for protection of refugees²¹ and they may have equal needs to access travel documents to exercise their right to leave any country.²² The same applies in many cases for beneficiaries of temporary protection or stay arrangements.²³

13. The Schedule and Specimen Travel Document annexed to the 1951 and 1954 Conventions set out rules governing the issuance, recognition and renewal of travel documents to refugees and stateless persons and include important safeguards, such as to protect from refoulement.²⁴ Contracting States are under an obligation to recognize CTDs issued by other Contracting States²⁵ and to readmit holders of CTDs to the issuing country.²⁶ In addition, the Specimen Travel Document, in the respective Conventions, does not list the nationality of the holder of the document, to protect the individual from potentially being returned to the country of origin. The Schedule provides for the possibility for renewal of the document,²⁷ as well as for ensuring the affordability of documents.²⁸ It further provides that the document shall be valid for the largest possible number of countries.²⁹
14. Some Contracting States, however, lack the necessary national legal frameworks, clear administrative procedures, funding, and technical capacity to issue and accept travel documents for refugees and stateless persons in accordance with Article 28, the Schedule, the Specimen Convention Travel Document, and the standards of the ICAO,³⁰ leaving many refugees and stateless persons in Contracting States with limited or no access to travel documents.

IV. Non-Contracting States of the 1951 Convention/its 1967 Protocol, the 1954 Convention and/or the 1969 OAU Convention

15. Forty-six United Nations (UN) Member States have not yet acceded to the 1951 Convention or its 1967 Protocol and 94 UN Member States have not yet acceded to the 1954 Convention. Six OAU Member States have signed but not yet acceded to the

²¹ See UNHCR, *Guidelines on International Protection No. 12: Claims for refugee status related to situations of armed conflict and violence under Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees and the regional refugee definitions*, 2 December 2016, HCR/GIP/16/12, paras 13 and 33, www.refworld.org/policy/legalguidance/unhcr/2016/en/113881.

²² UNHCR, *Guidelines on international legal standards relating to family reunification for refugees and other beneficiaries of international protection*, note 19 above, para. 8. UNHCR, *Submission by the Office of the United Nations High Commissioner for Refugees in the case of M.A. v. Denmark (Application no. 6697/18) before the European Court of Human Rights*, 21 January 2019, paras. 3.3.3–3.3.5, www.refworld.org/jurisprudence/amicus/unhcr/2019/en/121700.

²³ ExCom Conclusion No. 103 (LVI) (2005), para. (I). See UNHCR, *Guidelines on Temporary Protection or Stay Arrangements*, February 2014, www.refworld.org/policy/legalguidance/unhcr/2014/en/74916.

²⁴ The criteria set out in the Schedule and the Specimen Travel Document need to be read within the context of technological developments since the drafting of the 1951 and 1954 Conventions. Travel documents issued under the 1951 and 1954 Conventions must be issued according to relevant current international standards and recommendations. The protection safeguards, however, maintain their relevance.

²⁵ Schedule to the 1951 Convention, note 10 above, and Schedule to the 1954 Convention, note 11 above, para. 7.

²⁶ *Ibid.*, para. 13(1). Specimen Travel Document annexed to the 1951 Convention, note 10 above, and the 1954 Convention, note 11 above, Section (1), para. 2.

²⁷ Schedule to the 1951 Convention, note 10 above, and Schedule to the 1954 Convention, note 11 above, para. 6.

²⁸ *Ibid.*, paras 3 and 10.

²⁹ *Ibid.*, para. 4.

³⁰ See Section VI.

1969 OAU Convention. These States are therefore not under the same international obligations as Contracting States. A significant number of persons in need of international protection and stateless persons are left without a travel document in these countries and unable to travel internationally in the pursuit of solutions through complementary pathways or for other purposes.³¹

16. However, the Executive Committee of the High Commissioner's Programme (ExCom) calls upon non-Contracting States of the 1951 Convention and its 1967 Protocol to provide machine-readable documents to refugees residing lawfully in their territory,³² invites them to share their good practices, and encourages other States to enable refugees to access appropriate travel documents.³³
17. The background paper drafted ahead of the Roundtable discusses arguments for issuing travel documents to persons in need of international protection and stateless persons based on obligations under international human rights law, customary international law and the rule of law.

V. Other types of travel documents (outside of CTDs) that States issue to persons in need of international protection and stateless persons

18. Generally, all States issue machine readable passports and various other kinds of travel documents, such as diplomatic passports, to their nationals. Additionally, many of them issue travel documents to non-nationals residing on their territory³⁴, including to persons in need of international protection and stateless persons. The Roundtable identified several types of travel documents that could be issued to persons in need of international protection and stateless persons and discussed the arguments in favour and against. While the specific names for these travel documents vary from State to State, the travel documents that could potentially be issued to persons in need of international protection and stateless persons can be categorized in the following groups (this is a non-exhaustive list):

- a. **Single-journey travel documents (one-time laissez-passer):** These travel documents are issued for one-time one-way travel for a specific purpose, for example for Resettlement or health reasons. This type of travel document can be issued by the country of departure or destination, or in rare cases a designated

³¹ Objective (iii) of the Global Compact on Refugees (GCR) is to "expand access to third country solutions". *Global Compact on Refugees*, 2018, Objective 3, www.refworld.org/legal/agreements/unga/2018/en/124198.

³² ExCom Conclusion No. 13 (XXIX) (1978), para. B, www.refworld.org/policy/exconc/excom/1978/en/41979.

³³ ExCom Conclusion No. 114 (LXVIII) (2017), para. 5, www.refworld.org/policy/exconc/excom/2017/en/118825.

See also previous ExCom Conclusions on travel documents, in particular Conclusion No. 18 (XXXI) 1980, para (i), and Conclusion No. 49 (XXXVIII) 1987, as well as Conclusion No. 112 (LXVII) 2016 on international cooperation from a protection and solutions perspective.

³⁴ For further information, the Public Register of Authentic identity and travel Documents Online (PRADO) compiles information on travel documents recognized by Member States of the European Union (EU), Iceland, Norway and Switzerland, which entitle the holder to cross external borders and which may be endorsed with a visa. The European Council, The Council of the European Union, 'PRADO - Public Register of Authentic identity and travel Documents Online', <https://www.consilium.europa.eu/prado/en/prado-recognised-documents.html>. The website also includes a non-exhaustive list of known fantasy and camouflage passports. The edisonTD database, developed by the Netherlands in close co-operation with Australia, Canada, the United States, the United Arab Emirates (Dubai) and Interpol, compiles information about travel documents from nearly every country. The Netherlands, The National Police, National Unit, National Information Organisation Service, <https://www.edisontd.nl/country-browser/>.

International Organization. Single-journey travel documents can be issued in exceptional circumstances when an individual is unable to obtain any other kind of travel document. These travel documents do not need to be machine readable, however, this is a recommended best practice.³⁵ Using such travel documents requires significant facilitation and dialogue with border control agents and aircraft operators for each individual case and imposes a burden on stakeholders involved to ensure that individuals are able to travel uninterrupted. These documents, being single-journey, are rarely accepted as proof of identity for purposes other than the single-journey travel and as such offer limited protection to their holders.

- b. **Aliens' passports (or foreigner passports):** Aliens' passports are issued to non-nationals unable to obtain a national passport, for example because the consular services of the country of origin are no longer available to them or because the country of residence/issuing country does not recognize the national passport issued by the person's country of origin. Aliens' passports must be compliant with ICAO standards. These documents often have longer validity than a single-journey travel document and can often be used as proof of identity for the purposes of access to services at destination country.
 - c. **Certificates of Identity:** Certificates of identity for the purpose of travel are similar to aliens' passports and can be issued to non-nationals unable to obtain a national passport but are often valid for different periods of time. When issued as passport booklets, these documents must be compliant with ICAO standards.
 - d. **Travel documents for Palestine refugees:** These travel documents are specific for Palestine refugees. They are issued by some Arab States.
 - e. **Identity Documents:** Identity documents confirm the identity of a person and are usually issued as cards in ID1/TD1 or ID2/TD2 size format and can be ICAO compliant. In some cases, identity documents are accepted to travel regionally or bilaterally between countries, however, they do not achieve the same level of acceptance to cross and re-enter other international borders as the ID3/TD3 passport booklet. As identity documents are issued in card format and do not provide space for visas in a book format, they can be used for limited travel circumstances where visas are not needed but might not be adequate for wider international travel.
19. The Roundtable concluded that, from a technical perspective, travel documents issued in passport booklet form, whether they be aliens' passports or certificates of identity for travel, would be adequate types of travel documents for persons in need of international protection and stateless persons in non-Contracting States of the 1951 Convention/its 1967 Protocol, the 1954 Convention and/or the 1969 OAU Convention. A number of countries utilize alien passports and certificates of identity in the TD3 booklet format that can allow for multiple journeys and return to the issuing country. They generally can be issued to non-nationals unable to access national passports and would therefore accommodate individuals with different legal statuses in the issuing State.

³⁵ ICAO, Doc 9303 Machine Readable Travel Documents, Eighth Edition, 2021, https://www.icao.int/publications/Documents/9303_p8_cons_en.pdf, Part 8, 4.1.5 Recommended best practice.

20. However, for these travel documents to be safe and efficient for persons in need of international protection and stateless persons, they need to be ICAO compliant³⁶ and have necessary protection safeguards, including to prevent refoulment.³⁷ Furthermore, a number of political as well as technical and administrative obstacles need to be overcome to achieve a high level of issuance³⁸ and acceptance³⁹ of the documents.

VI. ICAO Standards and Recommended Practices (SARPs), Machine Readable Travel Document (MRTD) specifications and ICBWG⁴⁰ guidance material

21. Article 37 of the Chicago Convention provides for the adoption of international standards and procedures with the objective to achieve the "...highest practicable degree of uniformity in regulations, procedures and organization...".⁴¹ Standards place an obligation on States. Article 38 applies when a State finds it impracticable to comply in all respects with any such international standard or procedure and deviates from the standard. In such cases, States are to file a difference between its own practice and that established by the international standard to the ICAO.⁴² The observance of Recommended Practices is highly desirable and to which Contracting States will endeavour to conform. A list of differences to Standards is maintained by the Electronic Filing of Differences (EFOD) system. The EFOD system also maintains the Compliance Checklist a mechanism for States to proactively inform ICAO of its implementation status for both Standards and Recommended Practices.⁴³ The SARPs are incorporated into the 19 technical annexes to the Chicago Convention.
22. Annex 9 to the Chicago Convention embodies the SARPs and guidance material pertaining specifically to the facilitation of formalities for clearance of aircraft and passengers, goods and mail, with respect to the requirements of customs, immigration, public health and agriculture authorities.⁴⁴ The SARPs and guidance material that comprise Annex 9 have been developed in consultation with Contracting States. The Facilitation (FAL) Panel is responsible for reviewing Annex 9 and making proposals for new Amendments, which are eventually adopted by the Council of ICAO.⁴⁵
23. In 2005, new Annex 9 Standards were adopted that all States must begin issuing machine readable passports in accordance with Doc 9303⁴⁶ no later than the year 2010 and that all non-machine readable passports must have expired by 2015. In June 2015, the ICAO Council adopted a specific standard for Convention Travel Documents (CTDs) to be issued in machine-readable format. This Standard, which became applicable to all Contracting States to the Chicago Convention in February 2016, provides that "Contracting States shall ensure that travel documents for refugees and

³⁶ See Section VI.

³⁷ See Section VII.

³⁸ See Section VIII.

³⁹ See Section IX.

⁴⁰ ICBWG is ICAO's Implementation and Capacity Building Working Group.

⁴¹ Chicago Convention, note 8 above, Article 37.

⁴² Chicago Convention, note 8 above, Article 38.

⁴³ ICAO, 'Annex 9 – Facilitation', Electronic Filing of Differences (EFOD) System, <https://www.icao.int/WACAF/Documents/2023/FAL%20Seminar/ICAO%20Annex%209%20%20Electronic%20Filing%20of%20Differences%20%28EFOD%29%20System%20.pdf>.

⁴⁴ ICAO, *Annex 9 to the Convention on International Civil Aviation*, Facilitation, Sixteenth Edition, July 2022.

⁴⁵ ICAO, 'ANNEX 9 – Facilitation', <https://www.icao.int/Security/FAL/Pages/Annex9.aspx>.

⁴⁶ ICAO, Doc 9303, note 35 above.

stateless persons (“Convention Travel Documents”) are machine readable in accordance with Doc 9303”.⁴⁷ Adherence to Doc 9303 and machine-readability enhances uniformity, security and interoperability. It also reduces the risk of document fraud, alteration and counterfeit. Contracting States can only deviate from the obligation to provide machine readable travel documents to refugees by filing a difference under Article 38 of the Chicago Convention and explaining the national practice. Compliance with this Standard is audited by ICAO through the Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA), which looks at whether CTDs are issued to refugees or stateless persons lawfully staying on their territory (as noted in Article 28 of both the 1951 and 1954 Conventions).⁴⁸ The audit results provide States with prioritized recommendations to assist in addressing identified deficiencies, as well as evaluating and validating corrective actions taken by Member States.

24. Following a proposal made by UNHCR⁴⁹, Amendment 30 to Annex 9 contains an updated version of the “Convention Travel Documents” Standard. In fact, the reference to “Convention Travel Documents” was deleted so that Contracting States will be required to ensure that all travel documents for refugees and stateless persons are machine readable, in accordance with the specifications of Doc 9303.⁵⁰ More detail to the Standard was added describing that travel documents for refugees and stateless persons are provided for in Article 28 of the 1951 and 1954 Conventions and highlighting that ExCom has called upon non-Contracting States to provide travel documents to refugees residing lawfully in their territory.⁵¹ Once the amendment becomes applicable, Contracting States are obliged to notify their compliance or deviation. For non-Contracting States of the 1951 Convention/its 1967 Protocol, the 1954 Convention and/or the 1969 OAU Convention, the amendment will mean that any travel documents issued for refugees or stateless persons should be machine readable.
25. The ICAO Implementation Capacity Building Working Group (ICBWG) was established in 2008 primarily to assist with the universal implementation of Machine-Readable Travel Documents (MRTD), and to build global capability in related identity management disciplines. With the establishment of the Traveller Identification Program (TRIP), the mandate of the ICBWG became much broader, incorporating advice and guidance for ICAO SARPs across a range of travel document and border control/facilitation areas. States may lack the knowledge, technical expertise or resources to implement ICAO SARPs. ICBWG assists States to comply with SARPs, invest in appropriate systems and technologies, and implement best practice processes to achieve global interoperability and security.⁵² UNHCR has been a member of the ICBWG since 2010. The UNHCR-ICAO collaboration has resulted in

⁴⁷ Annex 9, note 44 above, Standard 3.12. Note that machine-readable travel documents are different from e-passports.

⁴⁸ ICAO, ‘The Universal Security Audit Programme Continuous Monitoring Approach (USAP-CMA) and its Objective’, <https://www.icao.int/security/usap/pages/default.aspx>.

⁴⁹ Working Paper by UNHCR for the ICAO Facilitation Panel (FALP) on Machine Readable Travel Documents for Refugees and Stateless Persons, FALP/13-WP/12, 31 January 2024, https://www.icao.int/Meetings/FALP/Documents/FALP13-2024/FALP13-WP12_en.pdf.

⁵⁰ ICAO, Doc 9303 note 35 above.

⁵¹ ExCom Conclusion No. 13, note 32 above, para. B. ExCom Conclusion No. 114, note 33 above.

⁵² ICAO, ‘Implementation Capacity Building Working Group (ICBWG)’, <https://www.icao.int/Security/FAL/TRIP/Pages/ICBWG.aspx>.

the 2017 Guide for Issuing Machine Readable Convention Travel Documents (MRCTDs) for Refugees and Stateless Persons.⁵³

VII. Protection safeguards for other travel documents for persons in need of international protection and stateless persons

26. In order for travel documents, such as aliens' passports or certificates of identity, to be useful and safe for persons in need of international protection and stateless persons, a number of protection safeguards, similar to CTDs, need to be fulfilled.⁵⁴ Most importantly, this means that measures must be taken to protect persons in need of international protection from possible refoulement while travelling internationally, which can be achieved through the following proposed measures. Some of these considerations only apply to stateless persons when they are also in need of international protection.
27. **Readmission to the issuing country:** Where the admission of an individual is refused or they are subject to subsequent removal, the ability of the holder of a travel document to return to the issuing State is an important safeguard against refoulement arising through States resorting to using the nationality or place of birth information for the return. The permission to be readmitted makes the travel document more effective, because many States are reluctant to admit persons in need of international protection or stateless persons if they cannot be returned to the issuing State if their stay becomes unlawful (for instance through the expiration of a visa or a breach of its terms).
28. **Omission or inclusion of the nationality data element:** The Specimen Travel Document annexed to the 1951 and 1954 Conventions does not list the nationality as a data field to include in the CTD, an omission intended as a measure to protect the holder of the document from being returned to the country or origin. However, the omission of the nationality data element in a travel document can lead to complications because information about the nationality is oftentimes used by States to determine which visa regime applies to the individual and/or because border authorities might not always be fully informed about how to deal with such cases. ICAO Doc 9303 denotes that in MRCTDs, the words "Travel Document" shall be indicated instead of "Passport". In MRCTDs States may include or omit the nationality data element at their discretion. If nationality is included, it is recommended that States enter "Stateless Person" or "Refugee," rather than, for example, indicating the person's nationality of origin or former residence. This ensures consistency between the Visual Inspection Zone (VIZ) and the Machine Readable Zone (MRZ), where the three-letter code for Stateless Persons – XXA, and for Refugees – XXB, appears. The ICAO-UNHCR Guide on MRCTDs recommends this approach as well.⁵⁵ The same approach should be applied when issuing other kind of travel documents to persons in need of international protection or stateless persons.

⁵³ UNHCR and ICAO, *Guide for Issuing Machine Readable Convention Travel Documents for Refugees and Stateless Persons*, note 20 above.

⁵⁴ See Section III above.

⁵⁵ UNHCR and ICAO, *Guide for Issuing Machine Readable Convention Travel Documents for Refugees and Stateless Persons*, note 20 above.

29. **Omission or inclusion of the place of birth data element:** Unlike nationality, the place of birth is indicated in the Specimen Travel Document annexed to the 1951 and 1954 Conventions. While most States include the place of birth in MRCTDs, Doc 9303, Part 4, lists the place of birth as an optional data element.⁵⁶ While the place of birth is not necessarily the same as the nationality, it could be an indicator for the nationality of the holder of the travel document and possibly risk that the person is returned to that country when travelling internationally. However, practice shows that many States consider the place of birth as a crucial data element even though it is not mandatory under ICAO standards. Not including it could risk that the travel document will not be accepted.
30. **Personal data protection:** Given the particularly vulnerable position of persons in need of international protection and stateless persons, the nature of their personal data is sensitive and requires careful handling. It is essential that the information and personal data submitted by an applicant for a travel document be protected during the entire issuance process and thereafter. Data should never be communicated to or double-checked with authorities from the country of origin of a person in need of international protection, including embassies and consulates. Data protection is also important to safeguard the security of the travel document issuance process.
31. **Global uniformity and standardization:** Global uniformity among travel documents for persons in need of international protection and stateless persons enhances global and reciprocal acceptance among States. A high level of standardization between travel documents ensures that all relevant data points for enabling travel are included in the document, in a unified and processible format, contributing to effective traveller identification. Ensuring that travel documents are machine readable and compliant with the international standards set by ICAO and that specimens are provided to other countries reduces the likelihood that problems with the travel document will be encountered at borders or during transit. When aircraft operators, border guards and other authorities can easily recognize and accept a travel document, this may prevent refoulement.
32. **Extended validity:** While paragraph 5 of the Schedule to the 1951 and 1954 Conventions states that CTDs shall have a validity of either one or two years,⁵⁷ a validity of at least five years and an unlimited number of journeys is desirable for any travel document issued to persons in need of international protection and stateless persons to be efficient.⁵⁸ This would ensure that these travel documents would increasingly align with international standards set for passports, for which Annex 9 recommends that Contracting States to the Chicago Convention should normally provide a minimum validity of five years and an unlimited number of journeys for passports.⁵⁹
33. **Renewal:** It is important that travel documents issued to persons in need of international protection and stateless persons are renewable abroad at embassies or

⁵⁶ ICAO, Doc 9303, note 35 above, Part 4.

⁵⁷ Schedule to the 1951 Convention, note 10 above, para. 5.

⁵⁸ ExCom Conclusion No. 13, note 32 above, para. (C).

⁵⁹ Annex 9, note 44 above, Recommended Practice 3.17.

consular posts of the issuing State⁶⁰ which can facilitate access to longer-term opportunities when student or labour permits are available.

34. **Affordability:** Travel documents must be accessible which includes the consideration of affordability. Paragraph 3 of the Schedule to the 1951 and 1954 Conventions details that the fees charged for CTDs shall not exceed the lowest national fares for passports while Annex 9 of the Chicago Convention recommends if any fee is charged for issuing a travel document, it should not exceed the cost of the operation.
35. **Reason for travel:** The 1951 and 1954 Conventions do not require that the applicant for a CTD provides a specific reason for travel, meaning any refugee or stateless person requesting a CTD must be provided with one⁶¹ without the need for justification. The Conventions only provide for limited reasons to refuse the issuance of a CTD, which must be compelling reasons of national security or public order.⁶² This is evidence for travel documents to be a crucial tool for facilitating the international mobility of persons in need for international protection and stateless people for various reasons. Other travel documents issued to persons in need of international protection and stateless persons should therefore also be issued without being restricted to specific purposes of travel.
36. **Exit permits:** Some States require exit permits to be issued for foreigners to leave the country. If so, travel documents are meaningless without the issuance of exit permits. Article 28 refers to travel documents in the plural for the purpose of travelling outside the country. The ordinary meaning of the terms in light of their context and the object and purpose⁶³ of the 1951 and 1954 Conventions would require providing exit permits. Exit permits are also covered in the Chicago Convention under Annex 9 noting a standard that Contracting States should not require exit permits for their citizens wishing to travel abroad nor from visitors at the end of their stay.⁶⁴ Likewise, it outlines a Recommend Practice that exit permits not be required of non-national residents wishing to travel abroad.⁶⁵ Annex 9 also covers that re-entry permits should not be required of nationals and recommends the same for non-nationals with permanent residence.⁶⁶
37. **Return to country of origin:** Some States do not permit for CTDs to be used to return to the country of origin of the document holder and consider returning to the country of origin as re-availment of the protection of that country – one of the grounds for refugee status to cease.⁶⁷ However, all individuals have the right to return to their country⁶⁸ and persons in need of international protection may have many reasons to travel to their country of origin without the intention to re-avail themselves of the protection of that

⁶⁰ ExCom Conclusion No. 13, note 32 above, para. (D).

⁶¹ 1951 Convention, note 10 above, Article 28. 1954 Convention, note 11, above Article 28. UNHCR, *Amicus curiae of UNHCR on the interpretation and application of Article 25, Article 27 and Article 28*, note 15 above, para. 37.

⁶² *Ibid.*, Section c.

⁶³ *Vienna Convention on the Law of Treaties* (VCLT), 1155 UNTS 331, 23 May 1969, Article 31(1), www.refworld.org/legal/agreements/un/1969/en/73676.

⁶⁴ Annex 9, note 44 above, Standard 3.18.

⁶⁵ *Ibid.*, Recommended Practice 3.19.

⁶⁶ *Ibid.*, Standard 3.21 and Recommended Practice 3.22.

⁶⁷ 1951 Convention, note 10 above, Article 1C(1).

⁶⁸ *Universal Declaration of Human Rights* (UDHR), 217 A (III), 10 December 1948, Article 13, www.refworld.org/legal/resolution/unga/1948/en/11563.

country, for example to visit family, look after property, or to assess whether conditions are adequate for return.⁶⁹ Such short visits to the country of origin can facilitate the sustainability of return once the conditions for voluntary return in safety and in dignity are established.

VIII. Obstacles and solutions to issuing machine-readable travel documents for persons in need of international protection and stateless persons

- 38. Political and legal challenges:** States often face political challenges that preclude them from extending the issuance of travel documents to persons in need of international protection and stateless persons, as well as other non-nationals on their territory. These include budgetary concerns, political priorities, and the perception that travel documents might create a 'pull factor'. This is particularly true for non-Contracting States of the 1951 Convention and its 1967 Protocol, the 1954 Convention and/or the 1969 OAU Convention. Travel documents, however, do not facilitate the uncontrolled arrival of large numbers of people. Holders of travel documents do not need to rely on irregular border crossings as they are able to travel regularly, ensuring the proper registration of all individuals on the State's territory. Furthermore, In the spirit of international responsibility-sharing, travel documents, as a tool to access regular migration channels, unlock opportunities for persons in need of international protection and stateless persons. Travel documents should not be seen as a need or privilege but rather a standard that provides for mobility and autonomous access to solutions that work best for each individual.
- 39. Economic outcomes:** The cost-benefit calculation of issuing travel documents or supporting the issuance through funding could result in a positive outcome not only for issuing States, but also for donor States who might receive those individuals issued with travel documents. If persons in need of international protection and stateless persons are able to access education, the labour market and travel documents in their countries of asylum, chances increase that they will be qualified for opportunities abroad. This could result in sending remittances back to the family remaining in the country that issued the travel document. At the same time, the receiving State would benefit from skilled labour force. If the individual decides to return to the issuing country, the economy and society could benefit of their increased skills and capital.
- 40. Identity confirmation:** Reliable identification of a traveler at borders and in destination countries is a crucial function of any travel document. In order to issue a travel document, the identity of the person must therefore first be established by the issuing State. Due to their particular situation, persons in need of international protection and stateless persons often face difficulties in providing evidence of their legal identity, as they may not have a foundational identity record in their countries of asylum or from their countries of origin or residence.

⁶⁹ UNHCR, *Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees*, HCR/1P/4/ENG/REV. 4, April 2019, para. 125, www.refworld.org/policy/legalguidance/unhcr/2019/en/123881.

41. Every person has a right to identity under international human rights law.⁷⁰ Article 27 of the 1951 and 1954 Conventions⁷¹ oblige States to provide refugees and stateless persons with identity documents. This is an important step in ensuring identity management of these individuals. Most States have established robust procedures to verify self-stated identity attributes by persons in need of international protection on the basis of which they are then issuing identity documents. Where States are still unable to conduct appropriate registration and deduplication, UNHCR assists with established registration procedures and systems, and UNHCR-issued ID documents are widely accepted as proof of identity by partners, State authorities and the private economy.
42. Stateless persons may face additional challenges, as many countries lack procedures to effectively resolve the status of persons without a recognized nationality, or to identify and recognize the status of stateless person,⁷² which is the basis for issuing identity and travel documents to them as stateless persons.
43. **Costs:** Many States face challenges with the cost and technical aspects to keep their travel document systems updated and compliant with ICAO standards, not just for identity and travel documents for non-nationals. Joining up with ongoing initiatives⁷³ and identifying funding to ensure all countries are able to meet ICAO standards to issue machine readable travel documents, including for persons in need of international protection and stateless persons, remain a priority.
44. Considerations should be given to meeting only the minimum standards and requirements while also promoting the integrity and sustainability of the travel document. Costs can be reduced by assessing the level of security that is really needed for such travel documents. The higher the security standard, the more expensive the document. For example, a lighter biodata page that is not made out of polycarbonate could be sufficient, as long as the key data (e.g. the portrait image) is properly protected against fraud attempts.⁷⁴ However, the quality and security standard need to be high enough to prevent fraud and some tools exist to evaluate and ensure travel documents follow the Standards set by ICAO in Doc 9303. The adequate level of security differs from State to State. Capacity building and sharing of good practices for converting from non-machine-readable to machine-readable travel documents could be helpful.
45. **Administrative challenges:** States often maintain separate databases and administrative systems coordinated by different governmental entities for persons in need of international protection and stateless persons, and nationals. This has several

⁷⁰ Article 6 of the UDHR states that everybody has the right to a legal identity. Sustainable Development Goal Target 16.9 is legal identity for all, including birth registration, by 2030. United Nations, Department of Economic and Social Affairs, Sustainable Development, 'Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels', https://sdgs.un.org/goals/goal16#targets_and_indicators.

⁷¹ Article 27 of the 1951 and 1954 Conventions provides that "Contracting States shall issue identity papers to any refugee in their territory who does not possess valid travel documents".

⁷² See UNHCR guidance on establishing a stateless person determination procedure: UNHCR, Handbook on Protection of Stateless Persons, 30 June 2014, Part 1, www.refworld.org/policy/legalguidance/unhcr/2014/en/122573.

⁷³ Initiatives such as ICAO's No Country Left Behind, the World Bank's Identity for Development, the UN Sustainable Development Goals, and the Global Compact on Refugees are examples.

⁷⁴ Relevant security features are specified in ICAO, Doc 9303 note 35 above, Part 2.

disadvantages: first and foremost, there is a significant additional administrative burden involved in setting up, operating, updating and managing two separate systems that essentially serve the same purpose – namely, to record a range of biographical data about each person that makes them distinguishable and unique to the public administration of a country. Maintaining separate registration databases also complicates the processing of specific cases, for example marriages between a person in need of international protection or stateless person and a national of the country. The parallel operation of separate systems also makes it difficult to allocate and utilize adequate capacities for each of the systems. To ensure the uniqueness of a person's identity in the system, but also to enable access to services, including the issuance of travel documents, the databases and systems must be interoperable, which is not only an added cost factor but could also pose a technical challenge depending on the platforms used. One Roundtable participant highlighted that making the building blocks of existing separate systems on travel documents interoperable can be a question of a relatively small amount of budget through making coding changes to the software. However, some States might face difficulties in justifying even small expenses that would not directly benefit their nationals. Due consideration must also be given to data protection and security issues with regard to the technical process of data exchange and transmission between systems.

46. It is therefore recommended to include persons in need of international protection and stateless persons in existing population or immigration registers and streamline issuance of their documents, including travel documents, with the process applicable to nationals and to establish one travel document issuing authority for national passports and all other travel documents. Targeted appeals for funding can be made to donors and the private sector, for example through the GRF Multi-stakeholder pledge on travel documents.⁷⁵ Including the number of required travel documents in the planning process is also more cost-effective because it allows to order larger numbers of booklets from one vendor. However, the verification of the integrity of the vendor is crucial.
47. **Procedures:** The procedures for the issuance of travel documents to persons in need of international protection and stateless persons are often long, complex and costly. The processing time is often longer than for national passports. In addition, persons in need of international protection and stateless persons often face challenges specific to their vulnerable situation, such as the inability to travel to the offices issuing travel documents multiple times. The fee charged should not exceed cost of operation to ensure the affordability of travel documents. Having a validity period of 5 years and allowing for renewals abroad reduces the burden of renewal costs especially when not required to take long, expensive or frequent voyages back to the issuing country. In addition, the procedures for issuance, replacement and renewals should be non-discriminatory and transparent through available information for applicants to be able to challenge the outcome if needed.
48. **Technological developments:** Technology around travel and identity documents continues to improve and advance. Already, systems are moving towards use of a digital identity and travel documents. With these changes, it is important that the needs of persons in need of international protection and stateless persons are examined in

⁷⁵ See note 3 above.

the design, testing and implementation of digital IDs as often they present unique considerations and interoperability challenges that may be overlooked. Innovative technology also leads to larger gaps between regions and countries which may affect persons in need of international protection. While this should not slow innovation, it does require thought into building capacity among all countries and ensuring inclusion of persons in need of international protection and stateless persons. It is important to advocate for the development of international standards facilitating interoperability of identity management systems. Standardized interfaces (APIs) already exist that enable seamless connectivity between all building blocks of an identity management ecosystem – independent of technology, solution architecture or vendor. For States and citizens, directly or indirectly, standards to guide technological developments are an opportunity to reduce challenges and costs.

IX. Obstacles and solutions to accepting travel documents for persons in need of international protection and stateless persons

49. Persons seeking admission to a country do not require a passport or a visa to make a claim for international protection. Under international refugee law and in accordance with the principle of non-refoulement, they must be admitted and their asylum claim must be assessed. Persons in need of international protection and stateless persons who use migration pathways for purposes such as education or employment opportunities or for health reasons, need to fulfil the entry requirements of the destination country. The non-acceptance of travel documents during international travel can result in protection risks for the individual concerned such as detention or refoulement if the issuing State refuses readmission. In addition, non-acceptance of a travel document can result in missed opportunities for persons in need of international protection and stateless persons, such as participation in sports events or conferences and developing their professional skills on the same level as others.
50. **Political challenges:** A travel document is of no value if it is not accepted by other States. In some cases, there might be diplomatic reasons for not accepting travel documents from certain States. The acceptance of national passports from another State is at the discretion of each State. Even though Contracting States of the 1951 Convention/its 1967 Protocol, the 1954 Convention and/or the 1969 OAU Convention are under an obligation to accept the CTDs issued by other Contracting States, not all do so. Ensuring that international standards are complied with and that the individual is permitted to be readmitted to the issuing State increases the acceptance of their travel documents by other countries and enhances international protection.
51. **Information sharing:** An important step to getting travel documents accepted is to inform other States of the existence of such travel documents through the sharing of specimens following the bilateral specimen sharing guidelines. The usual procedure includes sending a Note Verbale to all Embassies with the specimens enclosed, followed by submission to the police to confirm that it complies with ICAO standards, submission to law enforcement and immigration services, and finally return to the responsible ministry for recognition as a valid travel document. The non-availability of specimens can result in the non-acceptance of travel documents. This can be addressed by increasing the awareness of States for the importance of sharing specimens of all of their travel documents, including those for persons in need of

international protection and stateless persons, and considering the role of vendors and travel document producers in the preparation of specimens.

52. **Training and capacity building:** Training of border guards, consular officials and aircraft operators can improve acceptance of travel documents. Border guards are trained on basic security standards but cannot be trained on every travel document; they rely on inspection tools and resources to assist in their assessments. It is important that information on persons in need of international protection and stateless persons is included in these resources. Enhanced standardization and uniformity of travel documents facilitates training and increases acceptance.
53. **Security concerns:** Security concerns can inhibit acceptance of travel documents and disrupt travel, in particular if the identity proofing standards applied are questioned.⁷⁶ Even though the nationality and place of birth data fields are not mandatory for travel documents, some States do not accept travel documents that do not include this information. Increased capacity building on the mandatory international standards is needed. The Roundtable considered that the endorsement by relevant international organizations of travel documents issued by selected States could enhance the trust in the identity of the individuals and the travel documents. Artificial intelligence (AI), facial recognition tools and other digital solutions could help address security concerns and possible doubts of the identity of the individual. These, however, need to be applied within the limits of data protection principles for persons in need of international protection. Such digital solutions could also be applied to gather and analyze publicly available data to fill information gaps and counter narratives of security threats based on evidence.
54. When a travel document is not accepted at a border entry point, it is the responsibility of the aircraft operators to effect the person's removal to a country willing to admit the individual.⁷⁷ This is usually the last State of admission, the issuing State, or the State of nationality, which is under an obligation to accept back its nationals. If the issuing State does not readmit the individual, there is a risk that they will be returned to the country of origin in breach of the principle of non-refoulement. For this reason, the permission to be readmitted to the country issuing the travel document is a vital protection safeguard.

X. Recommendations for the way forward⁷⁸

55. The Roundtable concluded that the optimal minimum characteristics for travel documents for non-nationals unable to obtain national passports would mean ***a multi-journey machine-readable document that guarantees readmission to the issuing country, does not specify the nationality in the document, can be renewed from***

⁷⁶ The PRADO site is a helpful tool to confirm the acceptance of identity and travel documents and is used to obtain information about known fraudulent travel documents. See note 34 above.

⁷⁷ Chapter 5 of Annex 9 on inadmissible persons and deportees notes that "Nothing ... is to be construed so as to allow the return of a person seeking asylum in the territory of a Contracting State, to a country where the person's life or freedom would be threatened on account of the person's race, religion, nationality, membership in a particular social group or political opinion". Annex 9, note 44 above.

⁷⁸ Due to the Chatham House Rule, the participants of the Roundtable and other relevant stakeholders who will engage in the implementation of the listed recommendations, depending on their respective mandates and technical expertise, are not specified in this document.

abroad⁷⁹, does not exceed the lowest scale of cost for a national passport and has a minimum validity of five years⁸⁰.

56. The Roundtable recommends to Contracting States to the 1951 Convention, 1967 Protocol, 1969 OAU Convention or 1954 Convention to issue CTDs in accordance with their international obligations and the optimal minimum characteristics set out in paragraph 55.
57. The Roundtable recommends to States who are not Contracting parties to the 1951 Convention, 1967 Protocol, 1969 OAU Convention and/or the 1954 Convention to issue appropriate travel documents with characteristics as similar as possible as those in paragraph 55 to non-nationals unable to obtain national passports. Alien's passports or certificates of identity for travel would be types of travel documents that could be utilized to fulfill these requirements.
58. The Roundtable makes the following recommendations in the areas of legal guidance; advocacy; operational/technical support and capacity building; strengthening research and the evidence base; and multi-stakeholder engagement:

Legal guidance

59. The Roundtable recommends reviewing and updating existing joint UNHCR and ICAO guidance on machine readable travel documents for refugees. New guidance, standards and recommended practices on travel documents issued by non-Contracting States of the 1951 Convention/its 1967 Protocol, the 1954 Convention and/or the 1969 OAU Convention should be developed, including on:
 - a. Recommended protection safeguards for travel documents for non-nationals unable to access national passports; and
 - b. Recommended technical (e.g. renewability abroad, length of validity, procedures) and non-technical aspects (e.g. affordability, non-discrimination, transparency).
60. The Roundtable recommends exploring the possibility of proposing another ExCom conclusion calling on all States to issue travel documents for non-nationals unable to obtain national passports as a form of norm setting through consensus including by most affected States.

Advocacy

61. The Roundtable recommends advocating with States for the issuance of travel documents for non-nationals unable to obtain national passports in compliance with ICAO standards and obligations under relevant Conventions to enhance meaningful participation and access to solutions. The Roundtable recommends to prompt States to review their policies and practices related to the issuance and effectiveness of travel documents (e.g. price, length of validity, renewability abroad, processing times). Good practices should be collected and made available.
62. The Roundtable recommends that UNHCR, supported by the ICAO ICBWG, will provide regular updates to the ICAO Facilitation Panel on implementation status

⁷⁹ The term "renewable abroad" encompasses flexible processing modalities that facilitate the renewal process while the individual is outside the issuing country even if the printing of the travel document occurs elsewhere.

⁸⁰ This would align to the ICAO Recommended Practice for national passports, though, in some cases, consideration may be linked to the period corresponding to the validity of the underlying residence or status permit.

regarding issuance of CTDs, as well as MRTDs in general for refugees and stateless persons.

63. The Roundtable recommends to prompt States to review acceptance of specific travel documents for non-nationals unable to obtain national passports and identify possible solutions to barriers to acceptance. It is also recommended to advocate for prima facie acceptance of MRCTDs issued by all Contracting States of the 1951 Convention/its 1967 Protocol, the 1954 Convention and/or the 1969 OAU Convention as per obligations under these Conventions. Bilateral specimen sharing and inclusion of specimen examples in travel document databases should be supported, including exploring with States and ICAO on ways to make this process easier.
64. The Roundtable recommends exploring the relevant human rights mechanisms to advocate with selected States for the issuance and acceptance of travel documents for non-nationals unable to obtain national passports. These mechanisms could include:
 - a. Platform of Independent Experts on Refugee Rights (PIERR);
 - b. Human Rights Council / Universal Periodic Review (UPR);
 - c. Human Rights Treaty Bodies;
 - d. Special procedures mandate holders; and
 - e. Engagement with the Office of the High Commissioner for Human Rights (OHCHR) on the linkages of travel documents and human rights.

Operational/technical support and capacity building

65. The Roundtable recommends advising and supporting selected States on including travel documents for non-nationals unable to obtain national passports in national systems for more efficient planning and budgeting. Companies and States should explore this together with relevant other stakeholders when discussing new contracts. The Roundtable recommends the establishment of one travel document issuing authority for national passports and all other travel documents.
66. The Roundtable recommends building the capacity of selected States requiring technical support in improving systems to issue travel documents compliant with international standards and protection safeguards, in particular of those States who pledged under the GRF Multi-Stakeholder Pledge on travel documents. The compliance with ICAO Standards will continue to be monitored to identify gaps and should be supported through targeted interventions.
67. The Roundtable recommends increased information sharing and capacity building of border authorities, consular officials, and aircraft operators on the mandatory international standards to increase acceptance of travel documents.

Strengthening research and the evidence base

68. The Roundtable recommends investing resources into further research by universities, think tanks, and civil society to strengthen the evidence base, including on the following topics:
 - a. Doctrinal research on States' obligations under international human rights law to issue and recognize travel documents;
 - b. The right to legal identity of persons in need of international protection and stateless persons;
 - c. Examining the role of visa-free travel areas;
 - d. The role of exit permits and readmission;

- e. The impact of the issuance of travel documents for persons in need of international protection and stateless persons on issuing countries;
- f. A survey on state practice on the issuance of travel documents for non-nationals unable to obtain national passports and compiling good practices;
- g. A survey on compliance with international standards on refugee and stateless person's travel documents;
- h. A market analysis for the industry to enhance understanding of the market and costing exercises to understand cost implications;
- i. Examining the relevance of these issues for internally displaced persons (IDPs).

Multi-Stakeholder Engagement

- 69. The Roundtable recommends making use of existing structures and engaging other stakeholders. Links can be established to the GCR, GRF and the Multi-Stakeholder Pledge on travel documents; the Asylum Capacity Support Group (ACSG);⁸¹ the Global Compact on Migration (GCM);⁸² the Consultations on Resettlement and Complementary Pathways (CRCP);⁸³ the Route-Based Approach;⁸⁴ and the Sustainable Development Goals (SDGs);⁸⁵ among others.
- 70. The Roundtable also recommends enhancing the involvement of civil society, including refugee and stateless led organizations; legal practitioners; regional actors; the private sector; and development actors with a view to leveraging them in advocacy and capacity building, as well as in generating funding opportunities.
- 71. The Roundtable group will continue collaborating and moving forward on the topic of travel documents for non-nationals unable to obtain national passports by establishing a Working Group on Travel Documents for Persons in Need of International Protection and Stateless Persons (WGTD). The Working Group will aim to increase understanding and awareness, promote research and collect evidence-based data, provide thinking and leadership to the GCR multi-stakeholder pledge on refugee travel documents, and review pertinent issues affecting access, use and acceptance of travel documents for forcibly displaced and stateless persons.

⁸¹ 'Asylum Capacity Support Group', <https://acsg-portal.org/>.

⁸² *Global Compact for Safe, Orderly and Regular Migration* (GCM), A/RES/73/195, 19 December 2019, www.refworld.org/legal/resolution/unga/2019/en/147186.

⁸³ UNHCR, 'Consultations on Resettlement and Complementary Pathways', www.unhcr.org/what-we-do/build-better-futures/long-term-solutions/resettlement/crcp.

⁸⁴ UNHCR, *A Route-Based Approach: Strengthening Protection and Solutions in the Context of Mixed Movements of Refugees and Migrants*, June 2024, <https://www.refworld.org/policy/strategy/unhcr/2024/en/148087>.

⁸⁵ United Nations, Department of Economic and Social Affairs, Sustainable Development, 'The 17 Goals', <https://sdgs.un.org/goals>.