



## **Ad-Hoc Query on Identification Requirements for Alien's Passports**

**Requested by SE EMN NCP on 12<sup>th</sup> October 2010**

**Compilation produced on 12<sup>th</sup> January 2011**

**Responses from Austria, Czech Republic, Finland, Germany, Latvia, Lithuania, Netherlands, Portugal, Slovak Republic and Sweden, (10 in Total)**

*Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*

### **1. Background Information**

Sweden issue Alien's passports to persons who do not hold a recognized passport (e.g. Somali citizens) when a residence permit is granted for family reunification. This is to allow the person to travel to Sweden to take up residence and because national law requires a valid passport in order to grant a temporary residence permit.

However, in order to grant a residence permit when the application is lodged outside of Sweden, the applicant must establish/confirm his/her identity (name and date and place of birth).

If an Alien's passport is issued to a person inside Sweden the threshold is lower for degree of confirmed identity but if the identity is not established/confirmed it is noted in the Alien's passport that the identity is not confirmed/established.

When an applicant presents his or herself with an Alien's passport from another Member State and applies for residence in Sweden it would be very helpful for Sweden to know whether or not the person has confirmed/established his or her identity in that Member State in order to be issued with the Alien's passport.

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## 2. Responses<sup>1</sup>

		Wider Dissemination? <sup>2</sup>	<ol style="list-style-type: none"> <li>1. Do you require that the person's identity is established/confirmed in order to issue an Alien's passport?</li> <li>2a. If yes, how do you normally establish/confirm the applicant's identity and in particular, which documents do you require?</li> <li>2b. If no, if the identity has not been established/confirmed, do you note this fact in the Alien's passport?</li> <li>3. Do you issue an Alien's passport to persons that are outside your county?</li> </ol>
	<b>Austria</b>	<b>NO</b>	This EMN NCP has provided a response to the requesting EMN NCP. However they have requested that their response is not disseminated further.
	<b>Czech Republic</b>	<b>NO</b>	This EMN NCP has provided a response to the requesting EMN NCP. However they have requested that their response is not disseminated further.
	<b>Finland</b>	<b>NO</b>	This EMN NCP has provided a response to the requesting EMN NCP. However they have requested that their response is not disseminated further.
	<b>Germany</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. The identity of a person for whom a travel document is to be issued must always be substantiated. If the proof of identity cannot be produced in the form of official documents, by way of exception the Aliens Office (responsible for issuing passports inland) or the official German authorities (embassies/consulates) abroad (responsible for issuing passports abroad) can be persuaded of the identity of a person on the basis of other documents or other proof.</li> <li>2a. Travel documents (even when expired) and official identity cards that may be compared to a German personal identity card which can be produced by the applicant, may be proof of identity. If these documents are not available, other official documents may be considered as an alternative including for example driving licenses, an employee's service card and other official documentation like a registration certificate or proof of nationality. Especially abroad where problems with certificates and official documentation may prevail, the official German authorities (embassies/consulates) abroad may use other local sources of information like documents from religious institutions certified by the state and/or government in order to procure the required proof for the identity of the applicant.</li> <li>2b. Travel documents for foreigners that cannot be issued on the basis of unequivocal official documents may carry an additional remark to inform that the personal data contained in the travel document is based on the information given by the bearer of the document himself/herself.</li> <li>3. Travel documents for foreigners can be issued abroad by an official German authority (embassies/consulates) with the approval of the German Federal Ministry of the Interior to foreigners who cannot obtain a passport of their country of origin, however, this</li> </ol>

<sup>1</sup> If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

<sup>2</sup> A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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			<p>may only and normally be the case if:</p> <ul style="list-style-type: none"> <li>- the Aliens Office has agreed to the permanent residence of the foreigner in the Federal Territory of Germany (e.g. for reasons of family unification),</li> <li>- the applicant wishes to enter The Federal Territory of Germany together with a German spouse,</li> <li>- the applicant has lost the passport abroad, has an existing right of residence in Germany and wishes to return to said country.</li> </ul> <p>A travel document for foreigners issued inland by the Aliens Authority may be extended abroad by an official German authority (embassies/consulates) with the approval of the Aliens Office.</p>
	<b>Latvia</b>	<b>Yes</b>	Latvia does not issue aliens passports to third country citizens as only their national passport is considered as valid for receiving a residence permit.
	<b>Lithuania</b>	<b>Yes</b>	<p>1. Yes.</p> <p>2a. Alien's passports can be issued only to those aliens who have the right to temporarily or permanently reside in Lithuania. In other words, who have valid residence permits of Lithuania, which is exactly what we require.</p> <p>2b. n/a</p> <p>3. No.</p>
	<b>Netherlands</b>	<b>Yes</b>	<p>1. Yes. However an Alien passport will not be submitted until the person has proven that he or she cannot become a national passport of the country of origin. If a person (without passport) who is living abroad wants to travel to the Netherlands for example for family reunion he or she will have an interview at the embassy in order to establish/confirm his or her identity. In that case (when the interview turns out to be positive) the TCN can become a laissez-passer to travel to the Netherlands.</p> <p>2. An interview is held in order to confirm/establish the identity.</p> <p>3. No, in that case a laissez-passer is issued. This document can be used for a single trip to the Netherlands.</p>
	<b>Portugal</b>	<b>Yes</b>	<p>1. Yes. Although the person's identity is established, sometimes it is difficult to confirm it, mainly in the cases of residence under humanitarian grounds when the person is undocumented.</p> <p>2. The identity is established by identity documents or declared identity. The documents required are the passport, the identity card or some breeder documents.</p> <p>3. In the cases of declared identity (without identity documents) there is any note about it in the Alien's passport. It is foreseen only in two exceptional cases: i) When an exceptional reason recommends the issuance of an Alien's passport when a foreigner leaving abroad applies to the diplomatic Portuguese protection under a specific bilateral agreement celebrated between Portugal and his country of origin (it never happened till now).</p>
	<b>Slovak Republic</b>	<b>Yes</b>	<p>1. No. The procedure is as follows: If it is not possible to confirm the identity of the foreigner in his/her home country (i.e. the home country does not issue an emergency travel document), the Slovak Republic issues an alien passport to the foreigner where it is stated ALIAS (data provided by the foreigner) and they are not verified further).</p> <p>2. No. To persons who are not in the Slovak Republic the alien passport is not issued. For the purposes of entering the country the</p>

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			visa placed on the separate form according to Regulation 333/2002/ES (uniform format for fixing visa) is issued.
	Sweden	Yes	<ol style="list-style-type: none"> <li>1. Yes, when the person applies outside of Sweden.</li> <li>2a. When application lodged outside of Sweden: identity documents, references, DNA, etc in combination</li> <li>2b. Yes. For Alien's passports issued inside of Sweden when the holder has not confirmed/established his/her identity this is noted in the Alien's passport.</li> <li>3. Yes, provided that the identity has been confirmed/established.</li> </ol>

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