COMMISSION RECOMMENDATION

of 27.9.2017

establishing a common "Return Handbook" to be used by Member States' competent authorities when carrying out return related tasks

The document is approved in principle. Formal adoption will follow as soon as all language versions are available.
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establishing a common "Return Handbook" to be used by Member States' competent authorities when carrying out return related tasks

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:


(2) It is necessary to ensure that those common standards and procedures are implemented in a uniform way in all Member States, therefore a common "Return Handbook" providing for common guidelines, best practices and recommendations to be used by Member States' competent authorities when carrying out return related tasks was established by Commission Recommendation C(2015) 6250 of 1 October 2015\(^2\). As there are new developments in the area of return of illegally staying third-country nationals, it is necessary to update the Return Handbook.

(3) Commission Recommendation C(2017) 1600 of 7 March 2017\(^3\) provides guidance on how the provisions of Directive 2008/115/EC should be used for achieving more effective return procedures, and calls on the Member States to take the necessary measures to remove legal and practical obstacles to return. The Return Handbook should therefore take into account that Recommendation.

(4) The Return Handbook should reflect recent jurisprudence of the Court of Justice of the European Union related to Directive 2008/115/EC.

(5) The Return Handbook should be addressed to all Member States bound by Directive 2008/115/EC.

(6) To enhance the uniform implementation of common Union return standards, the Return Handbook should be used as the main tool for performing return related tasks and for training purposes,

RECOMMENDS:


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\(^2\) Commission Recommendation of 1 October 2015 establishing a common "Return Handbook" to be used by Member States' competent authorities when carrying out return related tasks.

(2) Member States should transmit the Return Handbook to their national authorities competent for carrying out return related tasks and instruct those authorities to use it as the main tool when performing those tasks.

(3) The Return Handbook should be used for the purpose of training the personnel involved in return related tasks as well as experts taking part in the evaluation and monitoring mechanism established by Council Regulation (EU) No 1053/2013\(^4\) to verify application of the Schengen acquis in the Member States.

Done at Brussels, 27.9.2017

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

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\(^4\) Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen, OJ L 295, 6.11.2013, p. 27.