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DRAFT – ADOPTION TO FOLLOW

COMMISSION RECOMMENDATION

of **XXX**

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

(Only the Bulgarian, Spanish, Czech, German, Estonian, Greek, English, French, Croatian, Italian, Latvian, Lithuanian, Hungarian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Finnish and Swedish texts are authentic)

VERSION HAVING RECEIVED THE APPROVAL IN PRINCIPLE OF THE COMMISSION ON 09/09/2015. ADOPTION WILL TAKE PLACE AS SOON AS ALL LANGUAGE VERSIONS ARE AVAILABLE

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THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Directive 2008/115/EC of the European Parliament and of the Council¹ lays down common standards and procedures in Member States for returning illegally staying third-country nationals.
- (2) There is a need to ensure that those common standards and procedures are implemented in a uniform way in all Member States. For that purpose, therefore, a "Return Handbook" containing common guidelines, best practices and recommendations should be established.
- (3) The "Return Handbook" should be addressed to all Member States bound by the Directive 2008/115/EC.
- (4) In order to ensure its optimal use by all relevant Member States' authorities, the Return Handbook should be available to Member States in electronic form, together with any other available factual information needed to perform return related tasks, such as lists of contact points and standard forms.
- (5) The Return Handbook should be updated regularly.
- (6) In order to enhance the uniform implementation of common Union return standards, Member States should instruct their national authorities competent for carrying out return related tasks to use the Return Handbook as the main tool when performing their duties,

¹ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

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HEREBY RECOMMENDS:

1. Member States should:
 - (a) transmit the Return Handbook set out in the Annex to their national authorities competent for carrying out return related tasks;
 - (b) instruct those authorities to use the Return Handbook as the main tool for return related tasks.
2. Member States should use the Return Handbook for the purpose of training all the personnel involved in return related tasks.
3. The Return Handbook should serve as a tool for the training of experts participating in Schengen Evaluation Missions.
4. This Recommendation is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden.

Done at Brussels,

For the Commission
Dimitris Avramopoulos
Member of the Commission