

Table of contents

United Nations.....	15
<u>Human rights</u>	
International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965 (excerpt).....	17
General Recommendation XXII on article 5 of the Convention on Refugees and Displaced persons of 24 August 1996	19
General Recommendation XXX on discrimination against non-citizens of 1 October 2002	21
International Covenant on Civil and Political Rights of 16 December 1966 (excerpt).....	25
General Comment No. 15: The Position of Aliens under the Covenant of 11 April 1986	29
General Comment No. 27: Freedom of Movement (Article 12) of 1 November 1999.....	31
International Covenant on Economic, Social and Cultural Rights of 16 December 1996 (excerpt).....	35
Convention on the Elimination of All Forms of Discrimination Against Women of 18 December 1979 (excerpt).....	37
General Recommendation No. 26 on Women Migrant Workers of 5 December 2008.....	39
General Recommendation No. 32 on the Gender-Related Dimensions of Refugee Status, Asylum, Nationality and Statelessness of Women of 14 November 2014	49
General Recommendation No. 38 on trafficking in women and girls in the context of global migration of 20 November 2020	63
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984 (excerpt).....	83
General Comment No. 4 on the implementation of article 3 of the Convention in the context of article 22 of 4 September 2018.....	85
Convention on the Rights of the Child of 20 November 1989 (excerpt).....	97
General Comment No. 6 on the Treatment of Unaccompanied and Separated Children Outside their Country of Origin of 1 September 2005	101
International Convention for the Protection of All Persons from Enforced Disappearance of 20 December 2006 (excerpt).....	117
Convention on the Rights of Persons with Disabilities of 24 January 2007 (excerpt) Fout! Bladwijzer niet gedefinieerd.	
<u>Nationality and statelessness</u>	
Convention on Certain Questions Relating to the Conflict of Nationality Law of 13 April 1930.....	123
Convention Relating to the Status of Stateless Persons of 28 September 1954.....	129
Convention on the Reduction of Statelessness of 30 August 1961.....	137
<u>Labour migration</u>	
International Labour Organisation Convention for Employment Migration (Revised) (No. 97) of 1 July 1949	143
International Labour Organisation Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No. 143) of 4 June 1975	153
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 18 December 1990	157
General Comment No. 1 on Migrant Domestic Workers of 23 February 2011.....	177

General Comment No. 2 on the Rights of Migrant Workers in an Irregular Situation and Members of their Families of 28 August 2013	187
Joint General Comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration of 16 November 2017.....	201
Joint General Comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return of 16 November 2017.....	213
General Comment No. 5 on migrants' rights to liberty and freedom from arbitrary detention and their connection with other human rights of 23 September 2021	227
<u>Asylum</u>	
Convention Relating to the Status of Refugees of 28 April 1951.....	243
Protocol Relating to the Status of Refugees of 31 January 1967	251
<u>Irregular migration</u>	
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime of 15 November 2000.....	253
<u>Trafficking in human beings</u>	
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 2 December 1949	261
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime of 15 November 2000.....	265
<u>Soft law</u>	
Universal Declaration of Human Rights of 10 December 1948 (excerpt).....	271
Statute of the Office of the United Nations High Commissioner for Refugees of 14 December 1950.....	273
Declaration on Territorial Asylum of 14 December 1967.....	277
Declaration on the human rights of individuals who are not nationals of the country in which they live of 13 December 1985	279
New York Declaration for Refugees and Migrants of 19 September 2016.....	281
Global Compact on Refugees of 17 December 2018	299
Global Compact for Safe, Orderly and Regular Migration of 19 December 2018	317
Council of Europe.....	341
<u>Human rights</u>	
Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950 (excerpt).....	343
Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto of 16 September 1963, as amended by Protocol No. 11 (excerpt).....	347
Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms of 22 November 1984, as amended by Protocol No. 11 (excerpt).....	349
Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 2000 (excerpt).....	351
European Social Charter (revised) of 3 May 1996 (excerpt).....	353

Equal treatment, non-discrimination, racism and xenophobia

Convention on the Participation of Foreigners in Public Life at Local Level of 5 February 1992 355

Nationality and statelessness

Convention on the Reduction of Cases of Multiple Nationality and on Military Obligations in Cases of Multiple Nationality of 6 May 1963 359

Protocol amending the Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality of 24 November 1977 363

Additional Protocol to the Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality of 24 November 1977 365

Second Protocol amending the Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality of 2 February 1993 367

European Convention on Nationality of 6 November 1997 369

Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession of 19 May 2006 375

Citizenship, residence & free movement

European Convention on Establishment of 13 December 1955, and Protocol thereto 379

European Agreement on Regulations governing the Movement of Persons between Member States of the Council of Europe of 13 December 1957 387

European Agreement on the Abolition of Visas for Refugees of 20 April 1959 389

European Agreement on Travel by Young Persons on Collective Passports between the Member Countries of the Council of Europe of 16 December 1961 391

Labour migration

European Convention on the Legal Status of Migrant Workers of 24 November 1977 395

Asylum

European Agreement on Transfer of Responsibility for Refugees of 16 October 1980 403

Trafficking in human beings

Council of Europe Convention on Action against Trafficking in Human Beings of 16 May 2005 407

European Union 419

Primary legislation

Treaty on the Functioning of the European Union of 25 March 1957 (consolidated version) (excerpt) 421

Protocol No. 19 on the Schengen acquis integrated into the framework of the European Union (see *Schengen*)

Protocol No. 23 on external relations of the Member states with regard to the crossing of external borders of 2 October 1997 429

Protocol No. 24 on asylum for nationals of Member States of the European Union (see *Internal asylum*)

Treaty on European Union of 7 February 1992 (consolidated version) (excerpt) 431

Charter of Fundamental Rights of the European Union of 7 December 2000 (excerpt) 433

Equal treatment, non-discrimination, racism and xenophobia

Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin 437

Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation 441

Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law..... 447

Citizenship, residence & free movement

Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services..... 451

Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents..... 457

Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (Text with EEA relevance)..... 467

Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation')..... 479

Borders, border management & entry

1. Schengen

Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders..... 491

Convention of 19 June 1990 implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders..... 495

Protocol of 2 October 1997 integrating the Schengen acquis into the framework of the European Union..... 511

Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II)..... 513

Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II)..... 531

Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code)..... 553

Regulation 2018/1860 of 28 November 2018 of the European Parliament and of the Council on the use of the Schengen Information System for the return of illegally staying third-country nationals..... 583

Regulation 2018/1861 of 28 November 2018 of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1987/2006..... 589

Regulation 2018/1862 of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU..... 615

2. Border management

Regulation (EU) 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur)..... 649

Regulation (EU) 2019/1896 on the European Border and Coast Guard and repealing Regulations (EU) 1052/2013 and (EU) 2016/1624 651

3. Visa

Council Decision 2004/512/EC of 8 June 2004 establishing the Visa Information System (VIS).....	715
Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences	717
Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation).....	723
Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of information between Member States on short-stay visas, long-stay visas and residence permits (VIS Regulation)	723
Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)	783
Regulation (EU) 2018/1806 of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.....	811

4. Passenger data & PNR

Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data	819
Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime	821

5. EES

Regulation 2017/2226 of 20 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of the Member States of the European Union and determining the conditions for access to the EES for law enforcement purposes and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011	831
---	-----

6. ETIAS

Regulation 2018/1240 of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226	869
--	-----

Labour migration

Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State	921
Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers	927
Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers	937
Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer	941
Directive 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing	953

Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC 973

Family reunification

Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification 989

Asylum, subsidiary & temporary protection

1. Internal asylum

Consolidated version of the Treaty on the Functioning of the European Union - Protocol (No 24) on asylum for nationals of Member States of the European Union..... 995

2. Dublin

Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person 997

3. Eurodac

Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast) 1017

4. Asylum support

Regulation (EU) No 2021/2303 of the European Parliament and the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010..... 1035

5. Qualification

Joint Position of 4 March 1996 defined by the Council on the basis of Article K.3 of the Treaty on European Union on the harmonized application of the definition of the term 'refugee' in Article 1 of the Geneva Convention of 28 July 1951 relating to the status of refugee..... 1065

Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted 1071

6. Procedures

Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection 1083

7. Reception conditions

Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection 1105

8. Temporary protection

Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof..... 1117

Council Implementing Decision 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection 1125

Irregular migration

Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals.....	1127
Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence.....	1129
Framework Decision 2002/946/JHA of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence	1131
Council Decision 2004/573/EC of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more Member States, of third-country nationals who are subjects of individual removal orders	1135
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	1137
Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.....	1145
Regulation (EU) 2016/1953 of the European Parliament and of the Council of 26 October 2016 on the establishment of a European travel document for the return of illegally staying third-country national, and repealing the Council Recommendation of 30 November 1994	1151

Trafficking in human beings

Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.....	1153
Council Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.....	1157