

UNITED NATIONS

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E/CONF/PASS/PC/13
22 April 1947
ORIGINAL: ENGLISH

MEETING OF EXPERTS ON PASSPORTS AND
FRONTIER FORMALITIES

DRAFT REPORT TO THE ECONOMIC AND
SOCIAL COUNCIL

1. In accordance with the resolution adopted by the Economic and Social Council at its Second Session that a Meeting of Experts should be convened to prepare for a World Conference on Passports and Frontier Formalities, a Meeting of Experts was held at the European Office of the United Nations at Geneva beginning on Monday, 14 April, 1947. It concluded its work on Governments of the following countries were represented:

Afghanistan, Argentina, Australia, Belgium, Bolivia, Canada, China, Chile, Colombia, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, India, Iran, Lebanon, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Poland, Sweden, Turkey, Union of South Africa, United Kingdom, United States of America, Venezuela, Yugoslavia.

The list of representatives is attached. A number of international organizations were also invited to send representatives to the Meeting in the capacity of observers.

At their first meeting, the Experts elected the following officers:

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CHAIRMAN: Mr. C.D. Carew-Robinson (United Kingdom)

VICE-CHAIRMEN: Mr. Primo Villa Michel (Mexico)

Mr. J. Pospisil (Czechoslovakia)

2. In the preparation of the Agenda for the Meeting, the Secretary-General took into consideration the recommendations of certain bodies specifically mentioned by the Economic and Social Council and the Meeting had the advantage of having before it recommendations and proposals submitted by other bodies in addition. The Meeting also decided to hear statements made by representatives of these bodies in the course of the proceedings and they derived benefit from learning orally the views of the several organizations on the questions before them.

3. In preparing this Report the Meeting decided that it might be of assistance to the Economic and Social Council if, in addition to stating the conclusions at which they had arrived, and setting out any recommendations which they wished to make, they added also, as occasion might require, a brief explanation of the reasons which led them to these conclusions or recommendations.

4. The first problem which the Meeting considered was the possibility of a return to the regime which existed before 1914 involving as a general rule the abolition of any requirement that travellers should carry passports and that, as a corollary, it might be possible to arrange that in lieu of passports the identity documents which are already in the possession of the nationals of most countries and in some cases are thought to afford a satisfactory means of identification, should be accepted as travel documents. It was emphasised, however, that while a return to the pre-1914 regime might well be kept

in view as an ultimate objective, the possibility of such an arrangement necessarily depended on the re-establishment of conditions similar to those which existed at that date, and that present social and economic conditions are far from permitting a return to such a regime. The Conference accordingly decided to place on record the following conclusion on this point, viz:-

"The general abolition of the requirement that a passport be carried for purposes of foreign travel is not feasible at present; but bilateral or multilateral agreements to waive such a requirement should be encouraged on a basis of reciprocity."

5. The Meeting proceeded to consider whether, while passports continue to be required, the existing system could be improved and simplified. As regards the form of the document itself, it was agreed that a universally recognized type of passport was desirable. It should contain a good description of the holder and give a clear definition of his national status.* It should consist of a specified number of pages so bound as to make substitution of them difficult, and be printed on a type of paper on which it would be difficult to make unauthorized alterations. The International type passport, recommended by the Passport Conferences held in 1920 and 1926, and now in use by many countries, possesses these qualities, although the Meeting of Experts recognised that improvements might be made in details. Consequently the Meeting recommended that:

"The 'international-type' of passport recommended by the Conferences of 1920 and 1926, or an improved version thereof, should be generally used."

*By national status is meant the allegiance of the traveller to a State.

6. The Meeting also considered the non-immigrant card-type of passport which had been recommended by PICAQ. It seemed to the Experts that for a number of reasons and particularly in view of the difficulty on the part of issuing authorities in distinguishing between immigrant and non-immigrant travellers, and in view also of the retention at present of visa requirements, the general adoption of the non-immigrant card-type document was not practicable for the time being. The conclusion of the Meeting was as follows:

"The non-immigrant card, which should rather be called "International Passenger Card", is not yet practicable. However, it might constitute an appreciable progress between countries which abolish the visa requirements and agree to substitute the card for the passport, but in no case should the card be required in addition to the passport."

7. On the subject of collective passports — which are to be distinguished from family passports — the Meeting was of the opinion that these should only have very restricted use. Its opinion was expressed in the following terms:

"The use of collective passports should only be permitted for special purposes, under sufficient safeguards, for a limited number of persons (a more liberal use of collective passports could be arranged by mutual agreement). The fee, if any, charged for the issue of a collective passport should in principle be the same as for a single passport."

8. With a view to further simplification of the passport regime the Meeting of Experts considered the problem of

ensuring the maximum duration and extent of validity. While many of the Experts present were not in a position to recommend an initial period of validity of more than two years, they did not wish to recommend as a general principle a more restricted period than that already in force in certain countries. It was decided therefore to adopt a wording based on the recommendation of the 1926 Passport Conference on this point. At the same time it was desirable to extend the validity of the passport by renewals. The Meeting therefore adopted the following recommendations:

"Countries should as a general rule adopt a minimum validity of two years, and, if possible, a validity approaching five years, which has already been adopted by certain countries. Facilities should be given for easy renewal, if possible for the same period as that of initial issue. Several renewals should be permissible, so long as the total validity of the passport does not exceed ten years."

9. The Meeting believed that the passport should be given the widest validity possible as regards the countries in which the holder might travel; such validity preferably to extend to all countries. Since, however, in the present circumstances a number of countries are not prepared to make passports generally available for travel in all countries, the Meeting agreed to make a recommendation similar to that of the 1926 Passport Conference, namely:

"Except in certain special or exceptional cases, Governments should issue passports valid for all foreign countries or for as large groups of countries as possible."

10. In discussing the question of the fees to be charged for passports the Meeting of Experts considered alternatively the possibility of

- a) recommending a general principle which should be followed in fixing fees, namely that fees should not exceed the cost of preparation and delivery, and
- b) that of recommending an approximate fee to serve as a guide.

In view of the variation in the costs of preparing and issuing passports in different countries, it was agreed that the second alternative was not practicable. Consequently it was decided to adopt a wording based on the recommendation of the 1926 Passport Conference, namely:

"The fees charged for the issue of passports should be fixed in such a manner as not to bring in revenue exceeding the expenditure involved in the preparation of the passports and their issue to the persons concerned."

11. On the subject of the formalities for obtaining passports the Meeting felt that such formalities should be simplified as much as possible and that in particular issuing offices should be within reasonably easy reach of applicants. The following recommendation was adopted:

"It should be the aim to achieve the maximum simplification of formalities for obtaining passports. In the opinion of the Meeting; it would contribute materially to this end if the issue of passports were decentralised as much as possible and if applicants were not obliged to apply either in person or in writing to a Central Office."

12. Passing from the question of passports to that of visas, the Meeting of Experts, while noting sympathetically that various organisations had proposed the general abolition of visas, did not feel that in present circumstances it could make so broad a recommendation, preferring to consider the various categories separately. Similarly the Meeting was unable to adopt a recommendation for the universal acceptance of a distinction between the visa requirements of countries which have and those which have not quantitative immigration restrictions.

13. In considering the various categories of visas the Meeting of Experts dealt first with exit visas. It agreed to recommend as follows:

"Exit visas should be universally abolished."

14. With respect to entrance and transit visas, while it was considered inappropriate at present to recommend their general abolition, the Meeting of Experts believed that as wide as possible an approach to this should be made through mutual agreement between the Governments concerned. The recommendation of the Meeting with respect to entrance visas was made in the following terms:

"Owing to the fact that the general abolition of entrance visas is not possible as an immediate measure, they should be abolished as widely as possible by mutual agreement between Governments."

15. With respect to transit visas in general the Meeting of Experts made the same recommendation as in the case of entrance visas. It was further the view of the Meeting that no transit visa at all should be required of a traveller whose entrance into

a country was entirely incidental to a continuous journey.

Thus the Meeting recommended as follows with respect to transit visas:

"While the general abolition of transit visas is not feasible as an immediate measure, it would contribute to that end if they were abolished as widely as possible by mutual agreement between Governments. Transit visas should not be required by passengers who enter a country merely as an incident in the course of an unbroken and continuous journey."

16. In considering the problem of the duration of the validity of visas, the Meeting had before it two questions,

- a) the actual period for which the visa would be valid, and
- b) the number of journeys which could be made within the period of its validity.

In both cases the purpose was to reduce the burden on the traveller imposed by the necessity of frequent applications for new visas. With respect to the former question it was necessary to distinguish between the right of entry and the right of sojourn in the country. Thus it was understood that a visa having a validity for a certain period would not give the right of residence for the whole period of validity in contradiction of the regulations determining conditions for residence in the country concerned. It was further understood that the validity of the visa would not exceed the validity of the passport but that the validity of the visa would continue if the passport were

renewed. With this understanding and with the purpose indicated the Meeting made the following recommendations:

"Visas should as far as possible be made valid for any number of journeys within the period in which they can be used."

"Visas should be valid 12 months or more from the date of issue."

17. The Meeting of Experts further was concerned with the problem of ensuring that visas ordinarily had the widest possible validity so far as the points, routes, and means of entry into a country are concerned. It recommended:

"Subject to consideration of health and security, visas should be valid at any port of entry by any regular route which is authorized for foreign passenger traffic, and by any means of transport, without discrimination in regard to the itinerary followed or the national ownership of the vehicle on which the passenger travels."

18. As a further means of ameliorating the situation with respect to visas the Meeting considered the problem of fees. Here two questions were involved: that of equality of treatment of persons desiring visas and that of the amount of the fee. On the first question the Meeting agreed that there should be no discrimination in the amount of the fee charged to applicants, with two exceptions:

- a) that Governments should be able to retaliate where other Governments imposed higher fees, and
- b) that fees could be lowered with respect to nationals of countries with which there were reciprocal agreements.

In furtherance of the principle of non-discrimination, it was agreed that the fees chargeable should be published:

The Meeting made the following recommendation:

"There should be no discrimination on fees for visas on the basis of nationality, itinerary, purpose of visit, means of transport, or flag of vessel. Each State would retain the right either to charge fees on a higher scale in the case of nationals of countries charging higher fees, or to charge lower fees as a result of mutual agreements. Visa fees should be published and conspicuously posted at place of issue."

19. On the subject of the amount of visa fees the Meeting agreed that the ultimate objective was the abolition of all such fees. In furtherance of this objective the Meeting took note of the fact that in 1926 specific figures had been recommended and thought that the equivalent sums should not now be exceeded and made the following recommendations:

"The objective should be the universal abolition of visa fees. Pending the complete abolition of visa fees, they should be made as low as possible."

20. The Meeting of Experts also gave attention to the question of simplifying the formalities involved in obtaining

visas. It agreed in general that the procedure should be simplified and expedited and that there should be no discrimination against applicants whose object in travelling is the conduct of commercial business. The recommendation of the Meeting was in the following terms:

"The procedure for obtaining a visa should be as simple and expeditious as possible, and there should be no discrimination against a visitor because his object is the conduct of commercial business."

21. As the necessity for diplomatic and consular officials to refer back to their home Governments for authority to issue visas is frequently a cause of delay, the Meeting agreed to recommend that:

"Unless particular circumstances make it undesirable authority should be delegated to consular or other representatives in foreign countries normally to issue entrance visas and transit visas without reference to their home Government."

22. As it was desirable in special circumstances, in order to avoid inconvenience and delay to travellers, that diplomatic and consular agents be authorised to grant visas to persons in addition to those domiciled in their areas, the Meeting made a recommendation to that effect, namely:

"Diplomatic and consular authorities should be empowered in special circumstances to grant visas to persons not domiciled in their area."

23. The Meeting of Experts agreed that the formality of

finger-printing should be dispensed with as regards applicants for visas. They accordingly recommended that:

"Applicants for visas should not be required to be finger-printed."

24. Similarly it was recommended that in order to save the time and expense to the applicant:

"Personal attendance should not normally be required of an applicant in order to obtain a visa."

25. The attention of the Meeting was drawn to a number of formalities encountered in applying for a visa which contributed to the inconvenience, delay and expense of the traveller, among them the number and complexity of forms and the requirement that he should supply photographs. The Meeting made the following recommendation :

"The formalities to be undergone when applying for a visa should be simplified and in particular the number of documents required in support of an application for a visa should be kept to the irreducible minimum."

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26. The Meeting believed that it would be useful to have a definition of the circumstances in which a transit visa would be issued. It therefore made the following recommendation:

"Where a transit visa is required it should normally be granted on application to the traveller who can show that he will not remain longer than is necessary to enable him to reach his departure point in the country through which he is passing by the most direct route available."
(Note: for this purpose a "transit journey" means one in the course of which the traveller does not remain longer than is reasonably necessary for the purpose of transferring from one form of transport to another.)

27. With respect to collective visas, it was recommended that:

"Where the use of a collective passport has been approved, individual visas should not be required thereon."

28. The Meeting further recommended that:

"In exceptional cases where the traveller has arrived, by any means of transport, without a visa the frontier authorities should be permitted to regularise the position by appropriate means."

29. The Meeting took note of the fact that travellers sometimes suffered serious inconvenience because of changes without notice in the conditions of issue for visas and consequently recommended:

"Except in cases of extreme emergency, Governments should endeavour to avoid materially altering the conditions under which visas may be obtained without giving ample previous notice."

30. The attention of the Meeting was drawn to the serious financial burden imposed on travellers in cases where they are required to pay, in addition to fees for visas, additional further fees for accompanying documents and services. The

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the following recommendation:

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"In issuing the visa no supplementary official fees should be charged in respect of additional documents, or on account of translation of applications for visas or for any other reasons."

31. The Meeting felt that no real purpose was to be served by the general adoption of the passenger card recommended by PICA0 to replace landing cards and tourist cards, particularly in view of the conclusion relating to the so-called non-immigrant passport which it was intended to supplement. (See paragraph 6).

32. With respect to certificates of inoculation and vaccination, the Meeting believed that the certificates of the International Sanitary Conventions in force for aerial and maritime navigation should be honoured and that Governments should refrain from requiring instead of, or in addition to these, other certificates devised by themselves. The Meeting recommended that:

"All Governments should honour the international certificate of inoculation and vaccination of the International Sanitary Convention for Aerial Navigation of 1933 as amended in 1944 and the International Sanitary Convention for Maritime Navigation of 1926 as amended in 1944 with such changes from time to time as are effected by the World Health Organisation in accordance with its Constitution, as proof of vaccination and inoculation where such proof is required."

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33. Passing from the question of documents to that of frontier formalities the Meeting was of the opinion that frontier controls in general should, without detriment to their essential purposes, be carried out with as little delay as possible for the traveller. To this end it made the following recommendation:

"(1) Frontier control should be carried out as expeditiously as possible. Governments should consider what arrangements they might make, where necessary by bilateral agreement, in order that control of passports, luggage, currency and, where applicable, preliminary sanitary control, be combined and carried out simultaneously or at least in immediate succession, during the course of the journey, i.e. at sea: on board the ship: by rail: in the train, either en route or when halted at a frontier station: by road: in adjacent premises. If control en route be impracticable, these formalities should be confined if possible to a single frontier post where authorities of both countries would carry out their duties.

"(2) In addition to the employment of sufficient staff, it is important that the premises should be adequate and conveniently arranged for the purpose, and should be manned at all reasonable times to deal with all regular traffic."

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34. The Meeting considered specific features of frontier control, taking first the examination of the passenger. The question was raised not only of expediting passport control at the frontiers, but also of the possible elimination of police and registration formalities subsequent to entrance. The Meeting, while recognising that it was desirable that formalities be reduced to a minimum, felt that the latter question was not directly within its terms of reference as it concerned internal regulations. It confined its recommendation to the following:

"Passport control on entering and leaving a country should be carried out as expeditiously as possible. This will be assisted if all passport entries and stampings are kept to a reasonable size and made in an orderly fashion so as to be readily found and identified."

35. At the same time the attention of the Meeting was drawn to the undesirable practice of immigration officials in some countries of retaining the passport of the traveller during his stay in the country. In this connection the Meeting made the following recommendation:

"Except in the interests of justice or public order, passports of travellers visiting or passing through a foreign country should not be taken from them and retained or impounded."

36. The Meeting had before it representations as to the hindrance to travellers caused by limitations on currency, but they agreed that the allocations of foreign exchange to travellers were not within their terms of reference, which

extended only to the question of frontier formalities in relation to currency control.

37. On the subject of the formalities relating to currency carried by travellers, while there was a substantial area of agreement in connection with foreign currencies, the Meeting found that the main difficulty arose in relation to the currency of the country visited, (i.e. that exercising the control), since certain countries seize such currency in excess of a specified limit and do not undertake to return it to the traveller. After full discussion the Meeting adopted the following recommendation:

"Subject to such bilateral arrangements as may be in effect between particular states, travellers entering countries restricting the import or export of foreign exchange -- that is, foreign bank notes and/or financial instruments denominated in foreign currencies, such as travellers' cheques, travellers' letters of credit, etc. -- should be permitted to claim a certificate showing the amounts of such bank notes and/or such financial instruments in their possession and, upon leaving the country and surrendering the certificate, be permitted to take such bank notes and/or such financial instruments with them; inscription on the passport may serve the same purpose.

"Furthermore, while it is recognised that each state is free to take such measures as it deems necessary in dealing with the importation and exportation of its own currency, it is recommended

for persons of good faith, either (a) that amounts of such currency declared at the frontier in excess of the limit which may be legally imported be sealed and allowed to remain in the possession of the traveller until he leaves the country, or (b) that such amounts be deposited at the frontier against a non-negotiable, nominative certificate in favour of the traveller, redeemable by him in the same currency as he surrendered, at any port of exit from the country concerned."

38. The Meeting agreed that the exchanging of money should be facilitated for the traveller and made the following recommendations:

"Each government not providing facilities for exchanging money at points of entry as a state service, shall encourage transport companies, travel agencies, or banks to arrange for such facilities at points of entry sufficient to meet the immediate requirements of travellers. In addition, it shall either regulate the exchange of money by private persons and agencies and publish the rates therefor, or afford full publicity at each point of entry to the applicable rates of exchange and established discounts and charges and any regulations applicable to the reversion into foreign exchange of local currencies acquired by the traveller."

39. The question of the simplification of customs formalities was considered by the Meeting which, while recognising the difficulty of achieving uniformity in dealing with customs

matters, agreed that efforts should be made in this direction. The Meeting made the following recommendation:

"The aim of Governments should be to simplify customs formalities. It would assist if there were some degree of uniformity both with respect to goods exempt from customs and with respect to the machinery for the inspection of baggage. Transport companies should do all in their power to facilitate the operation of this machinery by seeing that their own staffs and premises are adequate."

40. The question of the examination of passengers and their luggage has already been dealt with in general terms in paragraph 33. As regards the inspection of hand baggage the Meeting recommended that:

"It is desirable where possible to minimize delay at frontier stations by having hand baggage examined en route."

41. On the subject of registered baggage, it was recommended that:

"(a) While examination of baggage normally takes place at points of entry or exit, encouragement should be given to alternative arrangements for the examination, at the passenger's option, of registered baggage at inland Customs stations either, as regards export control, before despatch to the frontier en route for abroad or, as regards import control, after crossing the frontier on arrival from abroad.

"(b) Encouragement should also be given to bilateral

agreements for joint Customs stations at frontiers and for advance examination, at the traveller's option, of registered baggage in the country of despatch by the Customs of the country of destination prior to the despatch of the baggage across the common frontier.

"(c) While the right of Customs authorities to examine registered baggage passing in transit through their country must remain unimpaired, it is recommended that this right should be exercised only in exceptional circumstances, regardless of the means of transport involved."

42. The Meeting thought it desirable that travellers receive advice with respect to the customs regulations of countries to be visited, and recommended:

"It is desirable that travellers should be advised of the customs procedure with which they may be required to comply, and that such advice should be made available by means of officially approved pamphlets, issued free of charge and where practicable by notices."

43. With respect to sanitary formalities, the Meeting adopted the following recommendations:

"Medical examination of crew and passengers with their baggage should be made without charge.

"In cases where crew or passengers have embarked in or passed through endemic areas, their clothes and baggage should be subject to examination for disease vectors and insects. Such examination should be conducted as rapidly as possible by or under the supervision of the public health authorities."