



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 November 2013

16394/13

**COPS 490
COSI 132
COMAG 119
JAI 1020**

COVER NOTE

from: EEAS
date of receipt: 19 November 2013
to: Delegations

Subject: Migration Flows in the Southern Neighbourhood and their External Relations
Perspective –Possible Avenues for Dialogue and Cooperation with Partner
Countries, including Options for a CSDP Operation

Delegations will find attached the above mentioned document.

Migration Flows in the Southern Neighbourhood and their External Relations Perspective – Possible Avenues for Dialogue and Cooperation with Partner Countries, including Options for a CSDP Operation

Aim and Executive Summary

The tragic sinking of a migrant vessel off the coasts of Lampedusa on 3 October has ignited a debate about the EU's migration and asylum policy, the management of the EU's southern borders and strengthening EU action to help preventing such human tragedies. The ship departed from Libya, carrying mostly Eritreans and Somalis. Over 360 people perished.

At the request of Italy, the incident was discussed at the JHA Council on 8 October, with the setting up of a **Taskforce Mediterranean** (TFM – chaired by COM/DG HOME, with the participation of the EEAS, EU Member States and relevant EU agencies). The TFM was requested to develop a report on EU actions to prevent such tragic incidents (to be finalised at the next meeting of the TFM on 20 November), **to be discussed at the JHA Council on 5-6 December and presented to the European Council on 19-20 December**. There is currently high political pressure to develop, quick, short-term actions and the TFM Chair has kept a focus on developing short- to medium-term activities, including on increasing surveillance and search and rescue capacities, and a major action to strengthen FRONTEX activities.

However, tackling the root causes of such tragedies requires also an effective engagement with countries of origin and transit on migration matters and a longer-term approach. **There is need and room to strengthen the foreign / external relations perspective of the debate** away from a security-centered approach.

There is a strong foreign policy component to measures that can be envisaged to address the main causes of migration (human rights violations, conflict, lack of economic opportunities and unemployment) in the countries where most migrants come from. Initiatives can be taken to reform the legal and administrative framework on migration and asylum in countries of transit. **Importantly, any EU action must be seen in the wider political context of the EU relationship with respective partner countries and regions: it notably cannot be isolated from the European Neighbourhood Policy and from the external migration policy framework of the Global Approach to Migration and Mobility (GAMM)**. Available instruments must be used in a synergic and comprehensive way with a view to ensuring orderly, regular and safe migration, establishing open and secure borders and promoting the respect of rights, including the right to seek asylum.

This paper aims to provide the EEAS contribution to the discussion on migration flows in the southern Neighbourhood, including in the wider context of the Taskforce Mediterranean. It sets out ways to strengthen the external relations perspective of the debate through strengthened engagement with partner countries on migration matters. Options for a possible **CSDP operation** – as proposed by IT in a letter to the HR/VP on 24 October – form one, specific tool in a wider and global approach to migration and mobility. The paper provides a short, factual background (I.), followed by the **two strands of possible EU external action**: political dialogue and cooperation (II.) and options for a CSDP operation (III). These elements could be used by the HR/VP as **possible elements for discussion with EU Member States in FAC on 18 November.**

Three important contextual remarks should be made:

1- Migration flows through the Mediterranean are **complex** and include both individuals in search of asylum / internal protection and other migrants. Trends go towards an **increasing risk of fatalities and organisation of movements by criminal, human trafficking networks.** While they may be cyclical, migratory movements into the EU will continue and need to be addressed in the long-term. Unlike 2011, where migratory movements following the Arab Spring mainly involved citizens of the Maghreb countries themselves (such as Tunisians), flows in 2013 have mainly included Syrian refugees and nationals from the Horn of Africa (together with other nationals from Sub-Saharan Africa and Asia such as Afghanistan/Pakistan).

2- As such, transit countries along the southern Mediterranean coasts have little incentives to engage on security cooperation (on initiatives such as joint patrolling with the EU of their maritime borders) as long as a wider perspective is not fully applied. They also have little capacity and in some cases limited willingness to address the situation of migrants in their countries and set up asylum systems in line with international standards.

Relations with partner countries will necessarily have to **take into account the specific sensitivities and expectations of partner countries on the migration dossier vis-à-vis the EU.** They will have to **address the perception in these countries that the EU simply wishes to push back** migrants/asylum seekers, engage primarily on security-related aspects and readmission/return, while ignoring partner countries' wider concerns, including requests for increased mobility/visa facilitation and legal migration channels of their own citizens. Some actors (such as IOM – in its discussion paper of 21 October addressed to the TFM) have therefore pleaded for a change of approach by the EU, noting that during the past years, enhancing border controls in transit countries or along the Mediterranean coasts, together with measures such as tightened visa regimes and criminalising irregular migrants, has not led to a decrease of migration flows, but has - on the contrary - caused a rise of smuggling and trafficking networks.

3- The **current political and security situation** in some of these countries also carries a number of difficulties and risks when trying to engage specifically on cooperation on migration, rule of law or military cooperation.

Therefore:

- on political dialogue and cooperation with third countries, this paper concludes on need for **increased, targeted political dialogue with countries of origin and transit**, with the aim to foster confidence-building and positive engagement with partners on migration as a particularly sensitive issue. It sets forth a number of possible activities with transit countries along the Mediterranean, making use of the **political opening in Libya and the existing EUBAM mission** and synergies with the launching of **Dialogues on Migration, Mobility and Security and Mobility Partnerships** with the southern neighbours. It suggests to use the opportunities provided under the on-going peer reviews on border management and security sector reform to engage with the **Tunisian** authorities, and looks into possibilities of dialogue and cooperation with Lebanon and Egypt. It suggests pushing forward action concerning **Turkey** and to pay increasing attention to countries of origin in Eastern and Western Africa, through targeted dialogue or measures to address the human trafficking.

- Under part III, the paper develops **potential CSDP options** addressing the wider phenomenon of irregular migration, but focussed on the fight against trafficking in human beings, in order to feed into, complement and provide added value to existing endeavours. It sketches out **three options relating to a:**

1. CSDP operation on high seas: this option responds directly to the Italian proposal by launching a maritime CSDP operation to discourage trafficking and irregular migration by detecting, intercepting and apprehending traffickers and facilitators; this operation would require a proper de-confliction of the areas of operation with those of FRONTEX and the Italian Operation "Mare Nostrum"; it would offer increased intelligence gathering and an increased situation awareness and overall reaction capacity, but also have significant legal and political challenges, including on the appropriateness of using a (military) CSDP operation in the area of migration and asylum;

2. reinforcement of FRONTEX with additional means: this option proposes an action to increase existing operational activities of FRONTEX by additional – mainly military – means which would otherwise not be available for FRONTEX; it would significantly increase the surveillance capability making support to persons in distress more efficient;

3. cooperation with transit countries and countries of origin: this option proposes military and police cooperation to support capacity-building for security and law enforcement systems, suggesting a CSDP action to strengthen local capacities of Rule of Law institutions with special focus on law enforcement in managing migration flows; this could take the form of either a single mission with a regional approach, or several missions tailored to the specific countries, concentrating on Libya and Tunisia and possibly Egypt; these could generate sustainable results including on the general development of the rule-of-law sector, but local buy-in and sustainability might be challenging.

I. Facts / Characteristics of Migration Flows in the Mediterranean and the Southern Neighbourhood

The tragic sinking of a migrant vessel off the coasts of Lampedusa on 3 October came at a moment of **increasing migration flows via the Mediterranean Sea since spring 2013**. From the beginning of 2013 until the end of September, FRONTEX figures indicate that more than 45,000 migrants crossed or attempted to cross the Mediterranean to reach the EU. Of these migrants, about 32,000 **(70%) crossed the Central Mediterranean (mainly from Libya, as well as Tunisia)** and 8,400 (18%) took the Eastern Mediterranean route (via Egypt, Turkey and departing from Syria/Lebanon). Migratory flows in the Western Mediterranean remained stable, with around 4,700 migrants apprehended having departed from Morocco or Algeria. As compared to 2012, **migratory trends were characterised by a steep increase (+311%) and concentration of movements towards the Central Mediterranean route**.

Between January and September 2013, **426 dead cases** were reported in FRONTEX' area of operations, while about 28,000 were saved in search and rescue operations. While numbers of casualties appear particularly high in 2013, estimations by the International Organisation for Migration (IOM) indicate that as many as 20,000 migrants could have perished in the Mediterranean Sea in an attempt to reach the EU over the last 20 years.

Unlike 2011 - where migratory movements following the Arab Spring mainly involved citizens of the Maghreb countries themselves (with largest numbers concerning Tunisians) - **flows in 2013 via sea mainly include Syrian refugees and nationals from the Horn of Africa (Eritreans, Somalis)**, together with citizens coming from Sub-Saharan Africa and Pakistan/Afghanistan (highest numbers for the Central Mediterranean route came from Eritrea-Syria-Somalia; and Syria-Pakistan-Egypt-Eritrea for the Eastern Mediterranean route). Eritreans/Somalis have been increasingly travelling via the Mediterranean route since Israel finalised a wall in 2012, closing the Sinai route towards Israel, which had been one of the main destinations for migrants from the Horn of Africa until then.

Between Jan-Sept 2013 **15,700 Syrians entered the EU** (compared to 6,700 during the same period in 2012) – with the highest numbers (5,904) using the Central Mediterranean route. Increasing numbers (about 5,000) are also entering the EU via air, while the **land route via Turkey towards Bulgaria has seen a sharp increase in the last weeks** (6,400 refugees registered in BG as of end of October). To note that Bulgaria has, in the meantime, started the construction of a 37-km long wall to seal off its lander border with Turkey and prevent further movements of mostly Syrian refugees into the country.

In general, trends go towards increasing numbers of migrants on the boats, which are overloaded and/or unseaworthy, leading to an **increasing risk of fatalities** especially along the Central Mediterranean route (in particular in the area of Lampedusa and the Pelagic Islands, south of Sicily and Malta and southeast of Syracuse). In the Aegean Sea (Lesvos/Samos) migrants embarking from the Turkish coast mostly use smaller boats and often provoke rescue operations by the Greek coast guard by destroying their boats, putting their lives at risk. Over the last months, human trafficking networks developed organising departures from Libyan shores; these appear to be based mainly on facilitators and boats coming from **Tunisia**.

Flows also continued from West African countries into the Southern neighbourhood, as recently illustrated by the tragic death of 92 migrants trying to cross the Sahara desert in northern Niger. Many of these migrants came from northern **Nigeria**, and historically large flows have come from Mali, Burkina Faso and Ghana.

II. Possible Avenues for Strengthening Political Dialogue and Cooperation with Partner Countries on Migration and Mobility

Dialogue and cooperation with partner countries require a **global, longer term approach**, taking into account the **wider relationship** between the EU and the respective partner country. It will require **confidence-building** and a **positive messaging** from the EU on migration matters, including on opening legal migration channels, which is a sensitive dossier on both sides.

Possible lines of action could include:

- 1) The development of a **targeted political dialogue** between the EU and countries of origin and transit.
- 2) **Libya**: During the recent mission of MD Mingarelli the Minister of Foreign Affairs expressed a clear interest to engage in a comprehensive dialogue with the EU on migration issues. A meeting will be organised with the Minister and other relevant interlocutors to follow-up. Time and venue for this meeting will have to be decided in light of the precarious security situation in Libya. EUBAM Border Mission has developed excellent relations with Libyan coast guard, important progress with enhancing search and rescue capabilities has been made. A lot more needs to be done, but EUBAM is well placed and can scale up maritime activities.

3) **Morocco, Tunisia and Algeria:** Use the framework of the Mobility Partnership to address mobility and legal migration, the fight against irregular migration and human trafficking, international protection and asylum, migration and development.

In the case of **Morocco:** Use the political momentum of the signing of the Mobility Partnership in June to swiftly proceed with negotiations on visa facilitation in parallel to readmission negotiations and support to re-orientation of Moroccan migration policy towards a more transit and human-rights-oriented approach.

Move ahead in the negotiations for a Mobility Partnership with **Tunisia** and use the opportunities provided under the on-going peer reviews on border management and security sector reform to engage with the Tunisian authorities.

Algeria: Consider the possibility of launching a Dialogue on Migration, Mobility and Security.

4) **Jordan:** Given the positive attitude of the Jordanian authorities, swiftly open negotiations for an EU-Jordan Mobility Partnership. This would create a regular framework for dialogue and cooperation, including on asylum and international protection.

5) **Lebanon:** Assistance is in the pipeline to work with Lebanese authorities on Integrated Border Management (IBM) to strengthen state institutions and improve inter-agency cooperation. EU also keen to promote a rights-based approach of IBM covering legal movement of people and goods as well as the management of refugees and people seeking protection from violence. The EU stands ready to enhance cooperation on border management including through support to the Lebanese Armed Forces (LAF). PSC has requested an options paper on support to LAF which is now under consideration by HRVP.

6) **Egypt:** Lately, an increasing number of reports from international organisations such as Amnesty International and Human Rights Watch have described the worsening situation and also detention of Syrian refugees in Egypt. Also the trafficking problem in Northern Sinai of migrants and asylums seekers from the Horn Africa has never really been sufficiently addressed by the Egyptian authorities. MS, incl. DE, FR, UK have started to address the problems and are reportedly about to draft a letter to FM Fahmy about the issue of Syrian refugees. The EU/EEAS has also repeatedly brought their concern about the situation in North Sinai to the Egyptian authorities reminding them about their obligations according to international law. Generally, the EU/EEAS could increase political efforts further (e.g. during dep PM and FM visits in BXL end Nov and mid Dec). The EU/EEAS will also look into efforts in how to support the efforts of UNHCR/IOM.

7) **Turkey:** Conclude the deal on Turkish signature of its EU readmission agreement in return for the simultaneous start of a visa dialogue towards visa liberalisation. Additional financial and expert support to Turkey's in-country humanitarian response to the Syria crisis could be given. Continue to improve Turkish capacity to combat illegal migration through pre-accession assistance projects. Agree and communicate to Turkey the benchmarks for EU negotiating chapter 24 (Justice, Freedom & Security), with a view to enabling opening of negotiations on this chapter (which covers important areas of mutual interest such as migration, asylum and borders) as soon as possible as well as to supporting current reform efforts.

8) **Eastern and Western Africa:** Political dialogues with governments and regions could be used more consistently to raise the plight of refugees and victims of human trafficking and strengthen specific dialogues on migration (also through the EUSRs for Human Rights, for the Sahel and for the Horn of Africa). Governments should be encouraged to take firm action against perpetrators of human trafficking, e.g. through an EU demarche. Regional partners (AU, IGAD, ECOWAS, UEMOA) should be better engaged to address root causes. Security in refugee camps could be improved, e.g. through the Instrument for Stability. The long-term needs of refugees (e.g. education, vocational training) should be addressed, through LRRD and support to innovative programmes for improving the socio-economic situation of long-term refugees elaborated by the UNHCR, e.g. in Eastern Sudan and in Ethiopia.

Support should be given to further regional and national actions in areas of origin to maximise the positive opportunities of mobility and legal migration, while more vigorously fighting illegal trafficking, prosecuting traffickers, and assisting victims. This should also help to encourage and support actions in partner countries and regions to ensure respect for the human rights of all migrants with a focus on children and vulnerable groups, and the special rights of asylum seekers and refugees. Lack of respect for legal and illegal migrants' human rights drives migration further underground.

More broadly, and support job-creation measures and economic growth need to be encouraged in the countries of origin, which is essential to provide opportunities for citizens who may otherwise be pushed towards illegal migration.

III. Options for a CSDP Operation

This part develops potential CSDP options – in response to the Italian letter to the HR/VP of 24 October - addressing the wider phenomenon of illegal migration, but focussed on the fight against THB, in order to feed into, complement and provide added value to other EU action.

On-going initiatives related to sea patrolling

FRONTEX, after the tragic incidents in Lampedusa, reinforced its on-going sea-operations in Central-Mediterranean (Joint Operation HERMES, implementing coordinated sea border activities to control illegal migration flows from Tunisia towards south of Italy, mainly Lampedusa and Sardinia, and AENAAS, combating illegal migration from the Ionian Sea towards Italy (Apulia, Calabria) from Turkey and Egypt), as part of its contingency measures supported by additional funding to the sea operations by the Commission. From November 2013 to April 2014, FRONTEX' plans include continuous deployment of 1-2 fixed wing airplanes, 2 helicopters and 5 off-shore and coastal patrol vessels according to the agreement with Italy. FRONTEX has sent a request to Member States' border control authorities to deploy these additional assets. It is worth mentioning that the Member States participate in FRONTEX operations by their civilian assets under their competent border control authorities¹. Additionally, the European Border Surveillance System EUROSUR is becoming operational in most EU Member States on 2 December 2013 thus intensifying situation monitoring and information exchange capabilities.

Italy launched a specific national operation "MARE NOSTRUM" on 18 October 2013 with the aim to control migrant flows through increased surveillance and search-and-rescue (SAR) activities. The operation is co-lead by the Italian Army (Navy and Air Force) and the Ministry of Interior with the operational command by the Navy. It includes experts from different Italian law enforcement, legal and humanitarian aid organisations on-board of military vessels.

Standing NATO Maritime Group 2 (SNMG2) is a multinational maritime force currently made up of 7 vessels from various allied countries, providing NATO with a continuous maritime capability for operations. Being part of NATO, they do not participate in operations aiming at controlling migration in any way.

The **CSDP Mission EUBAM Libya** is supporting the local authorities in establishing maritime capabilities to assist the country to fulfil its international maritime Search and Rescue commitments.

¹ These authorities may be organisationally part of the respective navy, but are working for the civil authorities, in contrast to the genuine "warfighting" ships fully subordinated to the navy.

Possible Options

Common Security and Defence Policy is an integral part of the Common Foreign and Security Policy. In this regard, a CSDP action in the field of illegal migration/traffic of human beings would contribute both to safeguarding EU security and to strengthening international security, as set out in Article 21(2) (a) TEU and Article 42(1) TEU.

In particular, and taking duly into account the respective competences of CSDP and FSJ actors, as far as CSDP activities are concerned, it could be worthwhile to set up a gradual approach to the problem, building along with the management of the effect (control of sea lines of human trafficking) and the tackling of root causes. Treating the cases of illegal immigrants after their arrival in Europe is not CSDP relevant, it needs a proper treatment through other appropriate mechanisms.

Although fighting THB is referring to law enforcement, a visible CSDP action will underline EU's clear commitment and willingness to face the challenge of THB.

CSDP should focus on supporting in the development of local capacities in order to fight against illicit trafficking by sea and in particular THB, but also human smuggling and illegal migration and an increase of surveillance and interception capabilities, with which capabilities to save persons in distress would increase as well.

These options are not mutually exclusive but could build on one another.

1. CSDP operation on High Seas

The first proposed option responds directly to the Italian proposal by launching a maritime military CSDP operation to discourage and stem THB, smuggling of human beings as well as illegal migration by detecting, intercepting and apprehending human traffickers and facilitators of illegal migration. Additionally, this would have a beneficial impact on reducing tragedies at sea. This operation would require a proper deconfliction of the Areas of Operation (AoR) with those of FRONTEX and Operation MARE NOSTRUM, thus complementing geographically these endeavours.

The added value of such a military CSDP operation would be increased intelligence gathering by this CSDP operation, improving the overall situational awareness and consequently the overall reaction capacity, both in terms of intercepting vessels and rescuing / sheltering persons in distress. It would also bring two EU instruments together, namely the military CSDP operation and FSJ/FRONTEX joint operation, to work commonly to tackle THB. By doing so, EU would show an impressive sign of willingness, but as well of solidarity to use all means available. Thus, arresting facilitators and confiscating the boats used for THB (supported by the competent law enforcement agencies) will impact on the trafficker's "business model".

On the other hand, a military CSDP operation has significant impediments. There is the question of appropriateness of using a CSDP (military) operation on a matter migration and asylum policy, an issue where some MS have a negative stance towards the use of military assets – even if reinforced by embarked law enforcement officials.

Furthermore, although geographically separated from FRONTEX operation HERMES and Italian operation MARE NOSTRUM, this option could become a *de facto* duplication of efforts, encompassing several command and control (C2) arrangements, planning structures and operational procedures in the same area. This could be mitigated by subordinating such an operation to the OHQ Northwood which is already commanding Operation ATALANTA, benefiting thus from their immediate availability and operational expertise, or to the OHQ Rome (to be activated), which would have a thorough understanding of the regional phenomena and be located close to the operations area and the International Coordination Centre of Italy.

Also the potentially negative media impact (“battleships against refugees”, “European fortress”) has to be taken into account. From legal perspective such an operation would have significant challenges which would need to be clarified in advance, in particular with regards to jurisdiction of different law enforcement actions on high seas and the responsibilities for the further processing of asylum applications, refugees and other migrants, compliance e.g. to the UN Convention and Protocol relating to the Status of Refugees as well as the EU Charter of Fundamental Rights, in particular the principle of *non-refoulement*. Furthermore, the increase of surveillance capabilities goes hand in hand with the increase of efficiency of SAR, which might transform into a counter-productive pull-factor. Finally, it also seems arguable that any possible CSDP mission at high sea will single-handedly bring results without involvement on the ground in capacity building, border management or development.

2. Reinforcement of FRONTEX with additional military means

This option proposes an action to increase the existing operational activities of FRONTEX by additional – mainly military – assets which otherwise would not be available for FRONTEX joint operation, e.g. maritime patrol aircraft for long range surveillance. Thus this option would not represent a CSDP operation as such, but would reinforce the ongoing law enforcement activities already focusing on fighting traffickers and facilitators.

In this option command and control structures would already be in place since the operational command of all assets would be incorporated into FRONTEX joint operation and its command structures, i.e. under the International Coordination Centre of Italy. The legal basis as well as the operational modus operandi, rules of interception and subsequent processing of traffickers and intercepted and rescued migrants would be clearly defined by the FRONTEX' Operational Plan. Recently enforced measures in FRONTEX regulation to safeguard implementation of human rights standards (e.g. specific chapters on the operational plan, the Agency's Fundamental Rights Officer and Consultative Forum) could alleviate possible concerns of any mistreatment of migrants.

This option would also be a concrete initiative on cooperation between the EU actors of internal and external security. The specific added value of the proposed option would be achieved by activating available additional assets otherwise not available to border control duties. In addition, this would significantly increase the surveillance capability subsequently making support to persons in distress more efficient².

Similarly to option 1, national caveats for using military might hinder some MS to contribute military means to this type of operation. Also the financial arrangements would require careful consideration on how to organise the financial management of FRONTEX and CSDP assets, but it is worth noting that FRONTEX can reimburse costs of participation in joint operations also when doing so with naval means. In this context, Art 28 TEU might merit consideration.

Likewise there might be risk of negative press coverage in some MS whenever military means would be used.

3. Cooperation with Transit Countries and countries of origin

All the countries of the region don't have the same level of development when it comes to their security and law enforcement systems. Some of them need and could use capacity building. Others don't – such as Egypt and to some extent Tunisia. For these countries military and police cooperation would be a more appropriate option bringing more political leverage to mobilise support from local authorities to joint efforts with the EU. In this latter case, such an engagement will require substantive "flanking support" - as anticipated in the work of the TFM - in other areas to make cooperation with EU attractive.

For the former ones, this option suggests setting up a CSDP action to strengthen local capacities of Rule of Law (RoL) institutions with special focus on law enforcement in managing migration flows, including by providing better protection to migrants and displaced persons and fighting THB and human smuggling in the transit countries but also in the countries of origin to the extent possible, both at sea and ashore.

This should take the form of, either a single mission with a regional approach, taking into account the specificities of the countries concerned, or several missions fully tailored to the needs and requirements of the Host State. It would concentrate on Libya and Tunisia. It would need to entail all relevant national agencies for border management and law enforcement engaged in the fight against trafficking/smuggling organisations.

² It must be noted that FRONTEX is already carrying out extensive sea border surveillance operations in the Mediterranean. Commission has reinforced the budget for such operations with EUR 7.9 million as an immediate response to the Lampedusa tragedy. In line with the call of the European Council the TFM will develop a concept for the further reinforcement of these operations in 2014.

This type of action could generate sustainable results, decreasing the flux of mixed migration flows in cooperation with the transit countries in the long run. By interlinking law enforcement agencies, nationally and regionally, organised crime (OC) could be addressed more effectively, both by supporting the exchange of actionable intelligence as well as the subsequent execution of intelligence-led law enforcement operations at land, in territorial waters and on high seas³. A side-effect would be the positive influence on the general development of the RoL Sector. Furthermore, it is well known that the human trafficking/smuggling is just one of the activities the local and regional organised crime groups operating in parallel to smuggling of drugs and weapons based on "demand and supply". Thus, all results in fighting one of these would have an effect on the others as well.

The local buy-in and subsequent sustainability might however be challenging, both in willingness and in time. To this end additional analysis on the interests of Libya, Tunisia and Egypt should be carried out; Libya might be interested in support for the build-up of security forces, Tunisia is officially interested to receive from the EU support to enhance the equipment of its law enforcement agencies both for the purpose of maintaining public order and fighting against crime internally, and for the purpose of enhancing the capacity of border surveillance⁴. Egypt's interests may be in structured military and police cooperation.

It should be stressed that only an integrated and horizontal policy approach concerning all relevant policy areas and all relevant third countries could lead to the envisaged results. A structured cooperation with our Southern Mediterranean partners need therefore to be created by offering an attractive package combining different positive incentives (e.g. such as development aid, reduction of trade barriers, infrastructure development, and enhanced possibilities for legal migration and mobility) which could promote local assistance to migrants as well as the respect of Human Rights.

All of these countries are reluctant to step up their cooperation with UNHCR and to offer better conditions to asylum seekers and refugees (which is an indispensable condition to persuade refugees not to make secondary movements from these countries towards the EU across the Mediterranean, and to politically accept supporting the authorities of Tunisia, Egypt and Libya to act more effectively in preventing the irregular departures of migrants and refugees from their coasts), but would be certainly encouraged to make progress in that respect, should the EU Member States offer to regularly resettle to their territory a fair and predictable share of them.

The possibility to expand the above analysis to Turkey, as the entry point of Syrian refugees towards Greece and Bulgaria, should not be ruled out.

³ A maritime cooperation agreement facilitating mutual support and exchange of information between participating States' military and civilian assets as well as judicial cooperation targeting maritime crime might be envisaged in this context.

⁴ In the case of Libya, EU has € 30 million in migration related programmes and € 25 million in security related programmes, not taking into account the Member States with even larger programmes, especially in the security sector. There seem to be already problems with the absorption capacity of the Libyan authorities.

Since effects on the ground will emerge slowly, immediate results cannot be expected. The pure limitation of CSDP activities to countries might lead to a displacement of the transit routes to even more dangerous routes thus only shifting the problem. Consequently, a tight cooperation with Third Countries and International Organisations active in the north-African region is key. The political challenges for such a mission as well as the risks of the volatile security situation in the region cannot be overestimated. In any case, ownership of local authorities is essential.

In parallel to setting this up, it could be analysed in their respective review processes if the mandates of current or future CSDP missions in the region (e.g. EUBAM Libya, EUCAP Niger) could be adapted, each mission individually as well as finding synergies between them⁵.

⁵ In the case of Libya, EU has € 30 million in migration related programmes and € 25 million in security related programmes, not taking into account the Member States with even larger programmes, especially in the security sector. There seem to be already problems with the absorption capacity of the Libyan authorities.