



**COUNCIL OF
THE EUROPEAN UNION**

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"I/A" ITEM NOTE

from: General Secretariat of the Council

to: Permanent Representatives Committee / Council

Subject: Adoption of Council Conclusions on enhancing the Global Approach to Migration

On 19 May 2008, the High Level Working Group on Asylum and Migration reached agreement on the above mentioned conclusion as set out below.

The Permanent Representatives Committee is invited to suggest that the JHA Council endorse the text of the Council Conclusions which will be subsequently submitted to GAERC for adoption.

Council Conclusions on enhancing the Global Approach to Migration

The Council underlines the importance of continuing the dialogue, partnership and cooperation with third countries on migration issues in a comprehensive and regionally balanced manner. The Council reaffirms that the respect of human rights and fundamental freedoms of migrants, the Geneva Convention and due access to asylum procedures lie at the basis of the European Union's migration policy.

The Council welcomes the progress being made in applying the Global Approach to Migration through the development of instruments such as migration missions and the related follow-up process, cooperation platforms, mobility partnerships and migration profiles and through making use of existing structures for dialogue and cooperation. The Council believes that these instruments need to be further tested, evaluated, implemented and enhanced.

The Council reiterates its commitment to take forward the EU migration missions to key priority third countries as confirmed by Permanent Representatives Committee in April 2007 and April 2008. The follow up process should be delivered according to the "Guidelines for the follow up to EU mission to Africa on Migration issues"¹. The Council believes that EU migration missions should, in principle, also be applicable to the Eastern and-South Eastern regions neighbouring the EU, if it is considered that they can have added value and could give renewed impetus to existing channels for dialogue on migration.

The Council underlines the importance of the Migration routes approach and the need to obtain an adequate evidence base for these routes. In addition, the Council believes that country specific approaches should be developed, relevant for the EU in terms of migration. Experience in applying the Global Approach to Migration in Africa and the Mediterranean should also be taken into account, where relevant.

¹ Doc. 6054/08 ASIM 10 RELEX 70 DEVGEN 16.

The Council believes that transparency, exchange of information and strategic coordination should be improved and calls on the Member States and the Commission to intensify the exchange of information on national, multilateral and Community initiatives in the field of migration, in particular in third countries with a view to strengthen coherence and take use of synergies.

The Council underlines the importance of ensuring that appropriate priority is given within the Thematic Programme and other relevant financial instruments, in particular the external financial instruments, to actions for the implementation of the Global Approach. The implementation of existing EC financial mechanisms should be made flexible enough to enable rapid response, including taking into account where appropriate the needs and priorities of the EU and partner countries.

A. Applying the Global Approach to Migration to Africa and Mediterranean

1. The Council recalls the measures envisaged in the Global Approach to Migration: Priority Actions focussing on Africa and the Mediterranean, as agreed by the European Council of December 2005 and December 2006. The Council underlines the importance of implementing the Partnership on migration, mobility and employment, in the framework of the First Action Plan of the Joint Africa/EU Strategy, adopted at the Second Africa - EU Summit in December 2007, which *inter alia* builds on the Tripoli Political Declaration, as well as implementing the commitments, agreed at the First Euro-Mediterranean Ministerial meeting on Migration, held in Albufeira in November 2007. The Council encourages the expert meetings to pursue the implementation of the Rabat Action Plan and to prepare the second Euro-African Ministerial Conference on Migration and Development, to be held in Paris in October 2008.
2. The Council welcomes the progress being made in developing the concept of cooperation platforms and establishing the first locally led cooperation platform with Ethiopia. The Council encourages Member States to participate in future cooperation platforms.

B. Strengthening the application of the Global Approach to Migration to Eastern and South-Eastern Regions Neighbouring the European Union

1. The Council recalls the European Council Conclusions of 21/22 June and 14 December 2007, where the need to enhance the implementation of the Global Approach to Migration and its application to the Eastern and South-Eastern regions neighbouring the EU was underlined.
2. The Council considers that there is a need to further strengthen the application of the Global Approach to Migration to the Eastern and South-Eastern regions neighbouring the EU in coherence with the external policy frameworks of the EU, such as the ENP and pre-accession policy and taking into account the new migration challenges to which the EU will be exposed, including after the enlargement of the Schengen area. Existing structures, notably at regional level, should also incorporate dialogue on migration in a more comprehensive way.

Accordingly efforts should be made to enhance the political process and dialogue and to further develop partnerships with the countries in the region in order to better manage migration. This shall be done by combining policy dialogue at Ministerial level, in order to strengthen the political commitments and third country ownership, with concrete policy development at expert level and cooperation initiatives.

3. The Council considers that there is a need to further improve the information and knowledge base by means of gathering and analysing of information on migration trends along migration routes in the Eastern and South Eastern regions neighbouring the EU. The data should inform the three dimensions of the Global Approach to Migration, i.e. legal migration, illegal migration and migration and development, in order to define policy and action priorities. This can be achieved by enhancing and extending the use of other existing information tools and by creating sustainable extended migration profiles, which would include information regarding migration flows and stocks, as well as the economic dimension of migration. The migration profiles for the Western Balkans and Turkey presented at the Brdo Process meeting in October 2007 are an important step in this direction.

4. Recalling the Conclusions of the European Council of 21/22 June 2007 and the Council conclusions of 18 June 2007 including its list of priority measures, the Council calls for work on these priority actions to be taken forward and intensified.

Accordingly, priority actions should focus on improved border management, identification of forged or falsified documents, negotiation and implementation of readmission agreements, including workshops on voluntary return, capacity building and technical assistance related to migration outflows and inflows; and the prevention of and fight against illegal migration and trafficking in human beings, with the involvement of FRONTEX where appropriate and strengthening asylum and refugee protection, including the application of relevant international instruments, through capacity building and exchange of experience.

Priority actions should also focus on fostering the links between migration and development by facilitating the participation of migrants to the development of their countries of origin as well as to the coherence between migration policies and development objectives. This could be achieved by addressing the costs of remittances, for example through enhanced cooperation with the banking sector, and increasing awareness about the development-related use of remittances, including exploring the micro-credit opportunities and support to SMEs, working with members of diaspora communities to complement their contribution and investments targeting development in the countries of origin, and addressing brain drain, brain gain and brain waste issues in coherence with development objectives.

Priority actions in the field of legal migration should focus on enhancing dialogue and cooperation with the third countries in the field of migration, especially where such a dialogue has not been undertaken and where the migration pressure is relevant; monitoring of the implementation of the visa facilitation agreements; diffusing information about the risks of illegal migration and possibilities for the legal movement of persons between EU Member States and third countries. The opportunities for employment and circular migration from the Eastern and South Eastern regions neighbouring the EU should also be explored, taking due account of the Member States' competences in the field of legal migration and the specific needs of the labour markets.

Member States and the Commission are invited to enhance their efforts regarding the implementation of the Global Approach to Migration at the Member States' level and Union's level under the continued coordination of the Commission.

5. The Council welcomes the initiative aimed at establishing a Black Sea Regional Cooperation Platform, based on the demonstrated interest by the third countries in the region, while taking into account the already existing initiatives and involving the interested actors and partners in order to avoid duplication and maximise the impact. The Platform would provide a mechanism for a focused and strengthened dialogue on migration and development and for improving migration management and practical cooperation between Member States and the countries in the region, as well as between those countries themselves.

C. Mobility Partnerships

1. The Council welcomes the launching of pilot Mobility Partnerships with Cape Verde and the Republic of Moldova, which constitute a new political framework for comprehensive dialogue and balanced cooperation on migration, gathering in a coordinated and reciprocal effort national, Community and third countries initiatives. The Council acknowledges the potential of the Mobility Partnerships as a tool for increased coordination and synergy between national and Community action on migration, and for better achieving cross-sectoral coherence.

The Council invites the signatories of the Mobility Partnership to give a concrete expression to their proposals for strengthening their cooperation on migration. The Commission is invited to evaluate the pilots and report on the results by no later than June 2009 to ensure the experience and the lessons learned are used in developing possible future Partnerships.

2. The Council recalls the June and December 2007 Council Conclusions on Mobility Partnerships and that the parties to a mobility partnership would, on the EU side, include both the European Community and Member States willing to participate in and contribute to it on a voluntary basis and that partnerships remain open to any other Member State wishing to participate at a later stage.
3. The Council invites the Commission, in close liaison with Member States and the Presidency, to take forward exploratory talks with Georgia and Senegal and to open dialogue with these countries, with a view to launching additional pilot Mobility Partnerships. On the basis of an evaluation of the pilot Mobility Partnerships the Council should consider in due time whether the Mobility Partnerships represent a novel approach of bringing added value in implementing different aspects of the Global Approach to Migration.
4. The Council invites the Commission to take the necessary steps to coordinate in the most effective way the Community and national financial support for the above initiatives within the existing financial framework.
