



Council of the
European Union

Brussels, 26 August 2015
(OR. en)

11534/15

LIMITE

**JAI 618
RELEX 667
ASIM 73
COAFR 239
COPS 259
MAMA 121
DEVGEN 148**

NOTE

From:	Presidency
To:	Delegations
No. prev. doc.:	10908/15
Subject:	Possible elements for the Outcome Document for Valletta - annotated version

In view of the meeting of the Friends of Presidency Valletta Summit (HLWG) on 3 September, delegations will find attached an annotated version of the document “Possible elements for the Outcome Document for Valletta“ which was issued in preparation of the last Friends of the Presidency meeting held on 22 July 2015. The document contains all the comments and suggested amendments made by Member States after the discussions held on 22 July.

Non-paper

Valletta Summit on Migration (11-12 November 2015)

Possible elements for the OUTCOME DOCUMENT for Valletta

The present non-paper aims at providing elements to be included in the outcome document of the Valletta Summit on Migration (11-12 November 2015). This draft is a living document that takes into account the inputs so far received from EU Member States, the EEAS and the relevant services of the European Commission. This document will provide the basis for EU internal discussions (the first to be held on 22nd July) which will lead to the preparation of a first draft of the outcome document in September. It, and the discussions with Member States, will also enable to prepare a shorter version of this note to circulate to African partners in late August as a basis for the first senior officials meeting in mid-September.

The political declaration and the outcome document to be adopted at the Summit will need to be prepared in close partnership with the African participants. Coordination on the EU side will be assured by the Friends of Presidency working group, already set up. Negotiations with African partners will be undertaken through meetings with key African countries and at the senior officials' meetings of all participants to be held in September and October.

Comment [GB(1): CZ general comment: more ambitious elements should be introduced in the draft declaration, in particular in the fields of **return/readmission, international protection and prevention of illegal migration**. Innovative concepts of cooperation with countries of origin and transit, **including the concept of "safe zones"** should be considered. See also UK comment on safe zones.

Comment [GB(2): FR general comment on the process: it would be important to involve MS and the FAC in the preparation of the Summit. The **role of the Rabat and Khartoum process**, as well as the role of the EU-AU dialogue core group that will meet in Sept should be clarified.

Comment [PA3]: PL remarks:

- The non-paper rightly identifies the main issues the Summit should deal with. In the final version of the document, **we should seek to include more specific deliverables**, including commitments of both EU and African partners of further actions to prevent illegal migration.
- Combating illegal migration requires real commitment of countries of origin and transit. The EU should **define its leverages over these countries**. We should consider **introducing elements of conditionality to the current EU cooperation with countries concerned to increase their engagement** in stemming the flows of irregular migrants.
- More emphasis needed on the commitment of the countries of origin or transit to **build effective cooperation with the EU on security issues**. In addition the real commitment to the fight with migrant smugglers including through restrictive measures on their financial transfers must be taken into account in the dialogue with the countries in question.

Comment [PA4]: AT GENERAL REMARK: Following the EC Conclusions of 25/26 June 2015 **tackling illegal migration and addressing its root causes in an integrated way together with the African partners should be the primary aim** of the summit. This should be clearly reflected in the structure and the contents of the outcome document. Whereas the document should point out which **incentives and support** the EU and its Member States can offer African partners for effective cooperation and stress the EU's full commitment to human rights, rule of law and international protection standards **it should avoid creating unrealistic expectations with regard to legal migration**.

Guiding principles

- **Migration as challenge and opportunity:** migration is a global phenomenon providing both challenges (migrant smuggling, human trafficking, increased numbers of refugees and internally displaced persons, human rights abuses, social security costs, etc.) and opportunities (innovation, remittances, contribution to social security schemes, etc.). The purpose of the Summit is to consider both the challenges and opportunities and agree on actions to undertake, individually and collectively, to address the former and maximise the latter.
- **Shared responsibility:** migration is a shared responsibility and it is in the joint interest of all parties concerned to ensure that migratory flows between and within continents and countries are managed in an effective, sustainable and safe manner and in full respect of human rights and international law.
- **Comprehensive approach and linkages between the areas for action:** the response to migration challenges needs to build on a comprehensive approach, making full use of all broad range of tools at our disposal and looking into all aspects, including human rights protection, security, conflict prevention and resolution, development and principled humanitarian aid. Such a comprehensive approach should include both short-term and longer-term measures. In this spirit, the various clusters for action listed below should be seen as an inter-related package. It will be necessary to build attractive offers making full use of all tools and instruments, and to tap into all resources at our disposal to create incentives for the partner countries to actively engage with the EU, in particular in relation to return and readmission. At the same time, due to the varying situations in countries of origin and transit the response in each case should be tailored to that specific situation.

Comment [PA5]: AT

Comment [GB(6)]: FI

Comment [PA7]: AT

Comment [PA8]: AT

Comment [GB(9)]: FI

Comment [GB(10)]: LT suggests to highlight the importance of an active engagement from the partner countries' side. LT is in favour of the "more for more" principle.

Comment [GB(11)]: FI - The sentence is acceptable in an internal EU document but perhaps it is not advisable to include it in a joint EU-Africa document.

Comment [GB(12)]: FI

- **Partnership and ownership:** the Valletta Summit must build on a true partnership and a constructive and open dialogue on issues of mutual interest, in which all partners are called to bring ideas and proposals to the table. It shall also promote greater interaction between the EU and African actors involved on migratory issues, both at the institutional and non-governmental level. Ownership of all parties, including civil society, academia and other actors, will be essential to ensure an effective follow-up. To this end, the African partners, as well as international and regional organisations, will be involved at the earliest possible stage. In particular, in order to ensure a high degree of partnership and ownership, the first draft document to be shared with our partners should be as simple as possible and build on the five clusters of actions presented in the COREPER orientation note.

Comment [GB(13)]: IT

Comment [PA14]: AT

Comment [GB(15)]: FI considers it important that the expertise of international organizations within the field of migration, such as UNHCR and IOM, is utilized in the preparation of the summit already at an early stage.

- **Building on existing engagements and dialogues, in particular the Rabat and Khartoum processes and the EU-Africa Dialogue on Migration and Mobility:** the Valletta Summit will take into account, build on and give more impetus to the existing dialogue and cooperation arrangements between European and African countries looking at all aspects pertaining to effective and sustainable management of migratory flows. Coherence and synergies with the EU-Africa Declaration on Migration and Mobility, the Action Plan adopted at the 4th EU-Africa Summit in April 2014, the Joint Africa-EU Strategy and the Cotonou Agreement will be ensured, with particular reference to the governance aspects. Cooperation on migration and mobility with regional organizations, such as the African Union and ECOWAS, will be enhanced. The Rabat and Khartoum processes will play a particularly important role as key frameworks for dialogue and cooperation as well as for delivery of jointly chosen actions. To that end, it will be important to secure adequate funding for implementing actions under the two processes. On the EU side, the **European Agenda on Migration**, together with the Conclusions of the European Councils of 23 April and 25-26 June, provides the overall policy framework while the **Global Approach to Mobility and Migration** will continue to provide the guiding principles for the dialogue with the African partners. The ongoing review of the European Neighbourhood Policy will be equally taken into account.

Comment [PA16]: PL points out that: "The non-paper should point out that the existing dialogue and cooperation arrangements between the European and African countries should be evaluated and/or reviewed to better reflect the current political priorities of the EU in terms of preventing illegal migration."

Comment [GB(17)]: FI

- Improving the mainstreaming of human rights: The Valletta Summit will build upon the Conclusions of the Foreign Affairs Council from 20 July 2015 and work towards enhancing human rights safeguards in all migration and mobility dialogues and co-operation frameworks with third countries.

Comment [PA18]: AT

Key elements for deliverables

The summit outcome document will be structured around the following clusters drawing from the European Agenda on Migration and the external dimension of the Global Approach on Migration and Mobility as well as the Conclusions of the European Councils of 23 April and 25-26 June. The order in presenting the clusters does not reflect any particular priority, but the need to offer a coherent narrative. All aspects are equally important in the context of a comprehensive approach which needs to include actions in each of the identified clusters. We may also wish to include some reference to a mechanism for monitoring and evaluation to ensure actions are delivered.

The setting up of **an EU Trust Fund for the Sahel, Lake Chad and the Horn of Africa** is under consideration. This will allow the EU's political engagement and commitments in the Valletta Summit to be translated into concrete actions. Its aim would be **to finance concrete actions and projects supporting all aspects of stability** (rule of law, human rights, resilience, economic opportunities, security and development, **effective management of migrator flows**), **in support of the two existing regional frameworks/dialogues (Rabat and Khartoum Processes)**. It will therefore contribute to the actions foreseen under the following clusters, and in particular help national authorities cope with and address the root causes of irregular migration. Several EU MS have already indicated an interest in contributing to the Trust Fund.

Comment [GB(19)]: ES points out that the EU Trust Fund should cover all countries included in the Rabat and Khartoum processes, as all these countries will participate to the summit.

Comment [GB(20)]: UK believes the main focus is to deliver practical action on the ground in source and transit countries to make a difference. They will pursue separately with the COM their concerns about governance and how to ensure value for money.

Comment [GB(21)]: CZ is interested to see the concept note by the COM on the issue of funding and how to secure adequate funding for implementing the measures suggested in the outcome doc.

Comment [GB(22)]: FR reminds that more clarity is needed on the EUTF, esp. on geographical scope, thematic priorities, implementation modalities, involvement of sub-regional organizations, governance. The concept note should clarify these points. In addition, they point out that the TF should not be seen as an objective in itself, but rather as an additional tool for implementation. What is important is to rapidly identify concrete cooperation projects that could be funded.

Comment [PA23]: PL points out that the proposal of setting up an EU Trust Fund requires further discussions, especially as regards possible financing and involvement of EU MS. If the resources from the EU general budget or non-budgetary instruments are involved, participation of all EU MS in the fund management should be guaranteed.

Comment [PA24]: AT

Comment [GB(25)]: IT – They also observes that Mediterranean countries seems not to be taken into consideration.

1. Development benefits of migration and addressing root causes

1.1. Investing in development

- **Review and strengthen the mainstreaming of migration in development cooperation programming as well as into national and regional development strategies.** In a spirit of close partnership, migration will be incorporated into development cooperation programmes and activities with a view to **tackling "push factors" and to respond to root causes of irregular migration and forced displacement as well as to strengthen migration governance and to facilitate return and reintegration in a more effective manner in targeted priority countries.** **Human rights training elements will be included in capacity-building projects with immigration and border agencies.** This is in line with the post-2015 Agenda and Council Conclusions of December 2014. Coherence with other policies, such as trade, will be sought.
- Support to partner countries in **boosting socio-economic development** including through promoting **rural development**, increasing production and productivity, enhancing access to social services and social protection, including technical vocational training, education and health, **creating job opportunities, especially for the youth through youth employment schemes**, supporting the transition from the informal to the formal economy, strengthening capacity of labour market institutions and actors, building up infrastructure, and supporting inclusive governance for a conducive environment to sustainable development and a fairer distribution of resources.
- Where relevant, **the private sector should also be supported, recognizing its key role in creating employment and spurring growth. Support could include** by-sharing know-how and good practices to improve the business climate, develop SMEs, spur entrepreneurship and business networks, social dialogue, enhance sectors of common interest and facilitate trade.

Comment [GB(26): UK support the proposals of this section, but would like to see the EU:

- working with MS to increase humanitarian assistance for refugees and IDPs and their communities (incl. through supporting voluntary returns, reintegration and IOM-UNHCR Special Med Initiative)
- develop evidence base in this areas through migration research
- **realign current EU funding setting a clear spending commitment of 10 bn € on migration and economic development until 2020 at Valletta** (see details in the COREU)
- **new central taskforce** under DG level leadership to give strong political sign of support
- improve access to income generating activities for refugees and work with partner countries to regularize and encourage legal economic migration within Africa and to the Gulf.
- implement decision made at the Addis Ababa financing for Development conference to meet the target of 0,15 to 0,20% of ODA/GNI to LDCs in the short term and reach the 0,2% within the timeframe of post 2015 agenda

Comment [PA27]: PL supports the action to include migration-related issues in development cooperation and actions to decrease migration pressures. PL accepts the support areas for socio-economic development but it is necessary to make every effort to include partner states and their societies in the process of designing and preparing aid actions. It is crucial to build lasting solutions, activating local populations and transferring responsibility for sustaining the results of accomplished aid actions

Comment [GB(28): FR points out that it will be necessary to better define how this will be implemented concretely in the framework of the programming of the various external aid tools and in particular EDF, considering that it will be the main instrument to this end.

Comment [PA29]: AT

Comment [GB(30): IT

Comment [PA31]: AT

Comment [PA32]: AT

Comment [GB(33): FI would like to see stronger references to private sector development and role of private sector in creating jobs and growth.

- Support **resilience** in terms of food security and of the wider economy and basic services, in particular to the benefit of the most vulnerable, refugees and internally displaced people, including through food and nutrition security, health, education and social protection. Cooperation to address environmental and climate change issues will be enhanced.
- Dedicated support could be provided to enhance livelihood and self-reliance opportunities for displaced persons, as well as to refugee-hosting communities.
- Support and capacity building to partner countries in the area of **remittances**, in particular to promote cheaper, safer and faster transfers of remittances and to facilitate productive domestic **investments**.
- Support to partner countries on mapping of **diaspora** and diaspora engagement, **which contributes to the achievement of sustainable development results**. Further reflections on involvement of European diaspora in Africa should be pursued. **Encourage CSOs and government agencies to cooperate with professional diaspora communities (recruitment policies, capacity building and training, diaspora initiatives)**.
- Following a rights-based approach to migration, strengthen migration and asylum capacities of partner countries, as duty bearers (eg. in their migration management, implementation of national policies and strategies as well as in maximising development potential of migration). Support to migrants as rights-holders shall also be **foreseen**.
- Pay attention to gender as a cross-cutting issue. Equality between men and women, as well as girls and boys, effectively promotes the attainment of all development **goals**.

Comment [PA34]: AT is proposing to add: "without hindering the integration process in the receiving country". Concept be clarified.

Comment [GB(35): FI welcomes the reference to diaspora. In the text accompanying the track changes, they refer to their experience from Somalia in the field of health, where the involvement of Finnish Somali diaspora led to encouraging results.

Comment [PA36]: AT: added the whole sentence

Comment [GB(37): BE - Le migrant, ses droits et sa dignité humaine sont au centre de nos interventions. L'approche basée sur les droits passe par un renforcement des droits des migrants, en tant que « rightsholders » (ex. accès à l'information sur la migration, accès aux services publics, assistance et protection de victimes de la traite) ainsi que le renforcement de l'Etat de droit, en tant que « duty bearer » à travers l'appui à la politique migratoire et d'Asile et aux systèmes de gestion migratoire (ex. douanes) et de protection internationale (ex. agence d'asile) des pays partenaire.

Comment [GB(38): FI reference to gender equality

1.2 Addressing instability and crises

- Jointly pursue actions to **prevent, reduce or resolve conflicts** generating internal displacement, irregular migration and refugee flows, including by supporting national, regional and international efforts to find political solutions. Special focus in the present situation should be given to the ongoing UN led peace negotiations in Libya
- Increase collective efforts to **prevent new conflicts** and address the sources of human insecurity, including human rights abuses, which risk generating displacement and migration.
- **Support to state building, rule of law and good governance measures in fragile countries**, including through state-building contracts and existing CSDP missions, such as EUCAP Sahel Niger, EUCAP Sahel Mali, EUTM Mali.
- Ensure that the development angle is considered from the outset of crises using tools such as joint assessments, joint conflict analysis and joint programming.

Comment [GB(39)]: FI

Comment [GB(40)]: FI considers particularly important to take the situation in Libya into account. UK also indicates that they would like to see a more explicit reference to a political settlement in Libya as a crucial element for our efforts on migration in the Mediterranean.

Comment [PA41]: AT

Comment [PA42]: AT proposed to delete "measures"

Comment [GB(43)]: FR is particularly supportive of this point.

1.3 Humanitarian assistance

- Provision of **humanitarian assistance** in countries most affected by forced internal displacement and/or flows of refugees, in accordance with the needs and vulnerabilities and in line with humanitarian principles of humanity, neutrality, impartiality and independence and international humanitarian law. This should be done in conjunction with development assistance so as to ensure that displacement does not become protracted, and that it does not lead to further displacement.

Comment [GB(44)]: FR suggests considering moving this point to section 3 dedicated to international protection

Comment [GB(45)]: FI

2. Legal migration and mobility

- Promote legal channels for migration and mobility from African countries, in particular within the framework of the **Mobility Partnerships**, as well as to expand **current educational and skills' recognition schemes** to play a more effective role in matching labour needs in Europe. Twinning between labour market agencies and key institutions in MS should be encouraged as well as work on pre-departure measures (e.g. foreign language and vocational training). Fully respecting MS national competence on the matter, the EU could play a coordination role in this regard, by putting together individual offers from MS in a global package.
- Expand current educational and skill's recognition schemes to play a more effective role in matching labour needs in Europe and encourage twinning between labour market agencies and key institutions in MS as well as work on "pre-departure measures (e.g. foreign language and vocational training).
- Promote **mobility of students and, researchers and other qualified persons**, including through Erasmus + and Marie Sklodowska-Curie action, as well as enhancing cooperation with African universities and training in the field of fair migration. A strategy targeting youth, education, employment and mobility in the North of Africa will also be designed and implemented.
- Explore more effective ways to work on circular migration, taking into account the recently adopted EU rules facilitating circular migration (i.e. Seasonal Workers Directive).

Comment [PA46]: AT (see also GENERAL REMARK) points out that "the chapter on Legal Migration and Mobility should not be too prominent in the text, i.e. rather behind the other chapters"

Comment [PA47]: AT is proposing to replace the entire first bullet with:

"Create synergies between negotiations on visa facilitation/readmission and other areas such as trade and development. Commitments set out in trade agreements regarding the temporary presence of persons for the provision of services could be operationalized as incentives for effective cooperation on return. Furthermore interested EU Member states could offer legal migration channels to African countries, including elements of circular migration as provided for in the recently adopted EU rules (i.e. Seasonal Workers Directive) and taking into account relevant bilateral agreements and EU mobility partnerships with those countries. Fully respecting MS national competence on the matter, the EU could play a coordination role in this regard, by putting the offers of the EU and its MS on trade and those of individual MS on legal migration channels together in a global package."

Comment [GB(48): FR raises some concerns about this point, considering the principle of MS competence regarding professional immigration.

Comment [PA49]: AT

Comment [PA50]: AT proposed to delete this (see proposed new first bullet)

Comment [GB(51): IT

Comment [PA52]: AT proposed to remove this and to introduce the concept of "circular migration" in a rephrased first bullet.

- Support the elaboration and implementation of **comprehensive national strategies on migration and mobility**, **as well as strengthening of institutional frameworks for comprehensive migration management**, taking into account relevant global and regional frameworks and standards.
- Capacity building at regional and national level for the **facilitation of regional mobility** and to improve national labour migration systems **as well as migrant workers' protection** **to further facilitate the already commendable efforts of African countries of destination in hosting and integrating migrants**. This includes supporting the mutual recognition of qualifications across the African continent.
- **Effective access to social security** in host countries as well as the **portability of social and pension rights** **should be promoted, including** via bilateral or regional agreements **should be promoted**.
- Continue **and effectively apply** current approach whereby **visa facilitation agreements, provided that basic conditions for secure and manageable short-time mobility are met, are negotiated in parallel with readmission agreements**, as well as in the framework of Mobility Partnerships (see also cluster 5).
- Create **positive synergies between negotiations on visa facilitation/readmission and other areas such as trade and development**. Commitments set out in trade agreements regarding the temporary presence of persons for the provision of services could be operationalized as incentives for cooperation on return, including through the conclusion of readmission agreements.

Comment [GB(53): LT believes that supporting partner countries in developing **appropriate institutional frameworks** (incl. single contact points) and **national and regional strategies** is very important not only for the prevention of and fight against migrant smuggling and trafficking, **but also for legal migration and mobility**. Should there be a separate section of the document on common issues, this idea could be part of it, formulated generally and applicable to all 5 clusters.

Comment [GB(54): IT addition

Comment [GB(55): DE addition

Comment [GB(56): FR highlights again this point on **portability of social rights** made in the discussion at the FoP. CZ shares the concerns raised by other MS on the issue of **portability of social and pension rights** and recognition of qualification. UK points out that commitments on social security must be in line with existing MS legislation. IT proposes to delete "social". AT proposed a new sentence focussing more on the provision of information: **"Provide information on social security rights in host countries as well as on the portability of social and pension rights and consider bilateral or regional agreements whenever necessary."**

Comment [GB(57): LT

Comment [PA58]: AT

Comment [PA59]: AT

Comment [GB(60): ES points out that countries signatories of the EU-ACP agreement are obliged not to negotiate readmission agreements but to enforce **art 13 Cotonou**. A distinction must be made.

Comment [GB(61): DE

Comment [GB(62): IT proposes to delete "development"

Comment [GB(63): ES suggests not to include this bullet point into the first draft, but rather keep it as a **tool for negotiation in the next phases**.

Comment [PA64]: AT suggested to delete this point and to replace it by a rephrased first bullet.

3. International protection and asylum

- Develop and further enhance **Regional Development and Protection Programmes in North Africa and the Horn of Africa**. (to support the integration of long term refugees and displaced people in host communities and strengthen resilience of these communities) OR designed to enhance the capacity to provide refugees with effective protection and durable solutions as well as to offset negative impacts on local host communities.
- Contribute to and support implementation of **actions aiming at the protection of migrants and asylum seekers along the entire migratory route**, with particular attention to the vulnerability of various ~~le~~ groups, such as unaccompanied minors, disabled and women at risk. This could be done, for instance, by supporting a network of multi-purpose centres along transitory routes (pilot in Niger is expected to be operational by end of 2015), which should also pay due regard to facilitating access to justice for migrants and asylum seekers in case of serious crimes committed against them.
- Reinforce **protection and asylum processing capacities of countries of origin and transit and destination** for them to become robust providers of effective protection in accordance with international law and the international humanitarian law as well as in full respect of the principle of non-refoulement. Regional organisations and the African Union could be supported to play an important role in such efforts.
- Establish UNHCR centres in North Africa for the pre-screening of potential asylum seekers stranded or rescued at sea. In order to fight the business model of facilitators purposely putting the lives of migrants at risk, migrants rescued in the Mediterranean should be brought to these centres. After a pre-screening by UNHCR they should be offered either a safe and legal way to the EU for further asylum procedure or adequate information and assistance for their return to their respective countries of origin

Comment [GB(65)]: BE

Comment [GB(66)]: IT

Comment [GB(67)]: ES proposed to delete "migrants" as the section refers to international protection and asylum

Comment [GB(68)]: FI - women should not be defined as vulnerable solely based on their gender. "Women at risk" includes specific vulnerabilities, such as for instance victims of human trafficking.

Comment [GB(69)]: FI points out that the discussion about multi-purpose centres is still at an early stage. It will be important to clearly define what is entailed before discussing with partner countries. UK suggests linking the Niger pilot with the RDDP and other efforts, incl. under the CSDP mission and warns against the centre becoming a funnel for EU resettlement and a pull factor. Building on RDDPs and multi-purpose centre, UK suggests considering the idea of "safe zones" for rapid return of economic migrant as part of a set of EU proposals on return.

Comment [PA70]: AT

Comment [GB(71)]: FI, FR and IT propose to delete "of origin" pointing out that countries of origin do not deal with asylum applications of their own citizens. Alternatively: FI proposes "capacities of partner countries" and FR "capacity of "country of first reception and of transit". DE suggest adding "and destination", to acknowledge that some African states are also countries of destination.

Comment [PA72]: AT

Comment [GB(73)]: FI

Comment [PA74]: AT: new point

- Support to MS' and global increased **resettlement efforts** as well as the full use of the other legal avenues available to persons in need of protection, both bilaterally and through multilateral structures (in particular UNHCR).

- Promote the ratification and implementation, including through capacity building, of key international conventions concerning human rights protection, in particular the Convention against torture, the 1951 Refugee Convention and 1967 Protocol, on trafficking in human beings and the issue of forced labour.

Comment [PA75]: AT: new point

4. Prevention of and fight against **migrant smuggling and trafficking in human beings**

- Support partner countries in **putting place or maintaining** ~~developing~~ appropriate **legislative and institutional frameworks**, in line with the UN Protocol on Smuggling of Migrant by Land, Sea and Air, as well as **national and regional strategies** and operational cooperation against migrant smuggling and trafficking in human beings.

Comment [GB(76)]: ES suggests to use the expression "**fight against irregular migration**" as it appears in the European Agenda on Migration.

Comment [GB(77)]: FR refers to some concrete projects aimed at fighting migrant smuggling, namely the Spanish initiative to build a common operational team in Niger to collect and analyse intelligence and investigate on criminal networks (validated in the Rabat process last June). They also refer to the role of the AU and Ethiopia with regard to initiatives on trafficking in the Horn of Africa.

Comment [GB(78)]: FI

- Provide **capacity building and technical assistance to priority countries to ensure that appropriate legislative frameworks are effectively implemented**. This includes support to ~~migration the rule of law~~ and law enforcement, judiciary and border management authorities in order to tackle migrant smuggling and trafficking in human beings, including on tracing and seizing assets and criminal proceeds, as well as on crime investigation and prosecution. Where appropriate, the EU support should also include concrete support for equipment.

Comment [PA79]: AT

- **Capacity building and investment in improved integrated border management systems at regional and national level**, especially in the Sahel region, in full respect of human rights and international humanitarian law. Establishing/upgrading capabilities to control land, sea and air borders as well as maritime surveillance capabilities in particular in Northern African countries will also be important for the purpose of prevention of irregular migration, cross-border crime as well as enhanced search and rescue (as well as protection of critical infrastructure, environment and fishery control).

Comment [GB(80)]: FR indicates this is a priority for them in the Sahel and refers to the "train and equip" initiative.

Comment [PA81]: AT

- EU **Common Security and Defence Policy (CSDP) missions**, such as EUNAVFOR MED in the Central Mediterranean, as well as EUCAP Sahel in Niger and possibly EUCAP Sahel ~~and~~ EUTM in Mali, will contribute to contain and prevent irregular migration and fight related organised crime, such as migrant smuggling and trafficking of human beings, in line with their respective mandates. Positive Ssynergies between CSDP missions and development programmes will be encouraged, where possible.
- Provide **support and/or assistance to stranded/vulnerable migrants and victims of trafficking**, including through providing medical and psychological counselling, training and requalification and assistance to voluntary return from transit to source countries. Civil society organisations should play an important role in this regard.
- Provide easy and continuous **access to adequate and credible information** on legal migration opportunities and dangers of engaging in irregular migration, as well as giving a realistic view of living conditions in the EU and preventing the dissemination of misleading information in the African countries. This could be done, inter alia, by information campaigns and supporting migrant centres in priority regions starting with a multi-purpose centre in Niger.
- Efforts should also continue to address all end purposes of human trafficking, including sexual exploitation, labour exploitation and removal of organs. It is of utmost importance to reduce the demand that fosters all forms of exploitation.
- Enhance cooperation with Interpol National Coordination Bureaux (NCBs) and regional bureaux in African countries in order to foster **policing capacity operational cooperation** to dismantle criminal networks and step up intelligence gathering and analysing in these countries as well as information sharing with EU Agencies and EU MS.

Comment [GB(82)]: DE

Comment [GB(83)]: DE

Comment [GB(84)]: LT suggests to elaborate this element, highlighting the need to make efforts on stopping the creation of unreasonable expectations of African people about migration to the EU.

Comment [GB(85)]: UK supportive. See more details in their COREU message (based on their research on this).

Comment [GB(86)]: FI

Comment [GB(87)]: UK puts emphasis on intelligence sharing. See specific suggestions in the COREU message with reference to EUROPOL, the JOT MARE analysis centre and the EU Regional Task Force as well as to the new multi-agency UK Organised Crime Task Force to tackle OIC threats across the Mediterranean.

- Further develop and maintain **communication networks with third countries (namely Seahorse)** in order to prevent and fight irregular migration and save lives at sea in compliance with the principle of non-refoulement and data protection standards.

Comment [PA88]: AT

- Support **initiatives to promote good governance and fight corruption** in order to contribute to fight against various forms of organised crime.

- Develop alternative income generation opportunities in countries where migrant smuggling and services for migrants in transit are important economic factors.

Comment [GB(89): DE

5. Making progress on return and readmission agreements

- Strengthen **cooperation with key countries of origin in order to facilitate the return of irregular migrants**, including voluntary return, bearing in mind the obligation of each state under customary international law to readmit its own nationals in full respect of human dignity, in full respect of the principle of non-refoulement. The general principles of international law as well as existing and/or new **readmission agreements** and art. 13 of Cotonou Agreement will provide the legal framework for such cooperation. Additional **practical arrangements** should be developed to ensure effective cooperation on return/readmission.

Comment [GB(90): UK additional suggestions on returns:
 - develop comprehensive returns package model in West Africa (capacity building on IBM, training for immigration services, ID and biometric database capabilities..)
 - enhance existing EU networks dealing with returns (EURINT) to coordinate additional work
 - consider merits of being able to hold/detain cases on arrival and/or pre-removal to ensure higher % of swift return – possibly as part of 'hotspots'
 - safe zone point (see above)
 - EU-wide training programme to support development of good returns processes
 - focus deployment of EU migration secondee project on North Africa and consider expansion of their remit to assist host countries in return efforts.

Comment [GB(91): FI proposes to move the sentence "in full respect of the principle of non-refoulement" to section 3, point 3.

Comment [PA92]: AT

- In line with the conclusions of the European Council on 25-26 June all tools shall be mobilised to promote readmission of irregular migrants to countries of origin and transit. In particular, building on the "more-for-more" principle, EU assistance and policies will be used to create incentives for implementing existing readmission agreements and concluding new ones.

- Strengthen **capacity building and assistance for priority countries in the field of return and readmission, including voluntary return and sustainable reintegration also in the intra-African context**. This includes improving the ability of the responsible authorities in partner countries to respond in a timely manner to readmission applications, identify the people to be returned, and provide appropriate assistance and reintegration support to those returning as well as to the receiving **communities**.
- Special attention should be paid to unaccompanied minors (UAMs). **Reception facilities for UAMs** in partner countries should be supported so as to allow UAMs to return to these **facilities in a safe manner**.
- Explore return **pilot projects with priority African countries**, drawing from the experience of ongoing return pilot projects in other countries.
- **Cooperation with countries of origin** on addressing the absence of identification documents **- and the absence of civil registry which is often the cause of it -** as one of the main difficulties in the application of return and readmission policies.

Comment [GB(93)]: ES suggests to add a reference to transit countries that manage return to countries of origin.

Comment [PA94]: AT proposed the following rephrasing:
"Special attention should be paid to unaccompanied minors (UAMs). Child protection systems in countries of origin should be supported so as to offer a safe environment for vulnerable children including UAMs upon their return".

Comment [PA95]: AT suggests in particular to support national registration exercises.

Comment [GB(96)]: IT addition