

Réunion informelle sur les migrations en Méditerranée (Paris, 22 juillet 2019)

Chair's summary

1- Following the Foreign Affairs Council of July 15th and Informal JHA Council Meeting on 18th, France organized an informal working meeting dedicated to migratory issues in the Mediterranean.

At the end of this informal working meeting, France, in its chair capacity, drew the following conclusions.

2- All participants acknowledged that migration, which remains a matter of urgency and concerns, should stay high on the European agenda. Although the numbers of people landing on European coasts are incomparable with those at the height of the 2015 and 2016 crisis, rescue operations carried out in recent weeks have emphasized the fact that this migration route continues to be taken and that many men, women and children are still attempting to travel to Europe by sea, at any cost and often at the risk of their lives. The number of people who have died at sea this year reminds us of this tragedy.

3- All the participants also expressed their concern about the current fate of migrants and refugees in Libya. Often these people must choose between submitting to mistreatment, abuse and even death – as demonstrated in the tragic bombing of the Tajoura detention centre on 2 July – or embarking on a perilous sea journey. The participants expressed their determination to fight migrant smuggling networks and related criminal activity as well as all practices that harm the safety and fundamental rights of individuals. The participants expressed the need and wish to continue joint efforts for breaking people smugglers' business model and to simultaneously aim for reducing attempts to dangerous crossings of the Mediterranean Sea.

4- The participants agreed that maritime and disembarkation operations should be conducted in accordance with international law and national and European rules. All vessels operating in the Mediterranean must respect the applicable laws and have to comply with the instructions of the competent authorities concerned.

5- In this context, the chair noted that:

- the participants reiterated the need to find a fair balance between responsibility and solidarity, which underpin the actions of the European Union and its Member States in the field of asylum and migration, as well as the principles of shared responsibility and partnership between countries of origin, transit and destination.

- Participants highlighted that disembarkations and relocations should be carried out as quickly as possible, taking into account the vulnerability of the persons concerned and the reception capacities. Some agreed that in case an EU Member state is subject to disproportionate pressure, solidarity based arrangements may be made between voluntary member states on disembarkation.

- Participants shared the common understanding that the *ad hoc* relocation scheme put in place since the summer of 2018, coordinated by the European Commission and supported by EASO and Frontex, has proven useful to facilitate disembarkations and ensure the reception of asylum seekers through relocation in several EU Member States, but they recognized at the same time that this scheme has not been fully satisfactory, amongst others because only a few EU Member States have engaged in it. They agreed that a more predictable, more efficient and larger temporary mechanism is needed to enable the safe, dignified and expeditious disembarkation of asylum seekers rescued.

- Many EU Member States are committed to contribute to the reception of disembarked persons and to ensure the rapid relocation of asylum seekers rescued. In this context, they welcomed the efforts engaged since the Informal JHA Council Meeting to develop concrete proposals in the upcoming weeks, to be agreed upon and implemented by the largest number of EU Member States and Schengen associated States.

- The participants agreed that this temporary mechanism should not open new pathways to European shores and shall avoid the creation of new pull-factors.

6- With regard to returns, the participants stressed the importance of giving all EU Member States concerned, including the countries of first entry and disembarkation, all the necessary EU assistance, financial and technical, to facilitate the swift, lawful return of disembarked individuals and/or individuals transferred from the countries of first entry, who are not in need of international protection or who have been denied asylum to their country of origin.

They asked the European agencies, particularly Frontex, to support the implementation of these returns, whatever the modalities, in accordance with their mandates.

They called on the International Organization for Migration (IOM) to support the voluntary returns of the individuals concerned.

They also called on the Commission, the High Representative and the European External Action Service (EEAS), to intervene with the States of origin to facilitate the readmission of their nationals and issue the necessary travel documents. EU Member States shall coordinate with them to act jointly.

Participants shared the view that the efforts to ensure a sustainable reform of the Common European Asylum System, including the Dublin Regulation, need to be continued based on a balance of responsibility and solidarity, including a relocation mechanism for applications for international protection, taking into account the persons disembarked following search and rescue operations, as foreseen in the conclusions adopted by the European Council on 28 June 2018, and also taking into account reception capacities of Member States, such as the population, area and the GDP.

7- Concerning Libya and cooperation with countries of origin, transit and first asylum, the participants underlined the need for cooperation between all the competent actors involved in sea rescue operations, to prevent tragedies.

The participants reiterated their full support for the EU-AU-UN Task Force. They called on the Libyan authorities to facilitate the efforts made by the IOM and the United Nations High Commissioner for Refugees (UNHCR), and to respect the human rights and safety of all individuals in Libya and those rescued at sea in the Libyan search and rescue area. In this context, they also called on the Libyan authorities to put an end to their policy of systematic detention of refugees and irregular migrants, and committed to assist Libyan authorities to develop alternative solutions in coordination with UNHCR and IOM.

The participants reviewed the implementation of their current commitments to resettle refugees from Libya, Niger and other third countries to Europe, and highlighted the importance of swiftly fulfilling these commitments soon, as will be the case for France. The participants concerned also agreed to make new, equally ambitious commitments for the period 2019-2021, and to accelerate the resettlement of evacuees, particularly from Niger.

They expressed their support for the actions undertaken by IOM and UNHCR within their fields of competency, especially in terms of assistance, protection and – respectively – voluntary return and evacuation operations. They highlighted the importance of strengthening financial assistance provided for these purposes.

The participants called for continued EU support to communities hosting migrants, refugees and internally displaced persons.

They called on the Libyan authorities and countries of origin to intensify and facilitate cooperation on voluntary returns, as decided at the Abidjan Summit on November 2017.

Lastly, the participants called for continued EU support for cooperation with countries of origin, transit and asylum in particular in the areas of departure prevention, capacity building for maritime and land border management, asylum, combating the smuggling of migrants and trafficking in human beings, as well as addressing the root causes of irregular migration, especially through improving the social and economic conditions and creating the creation of decent and sustainable jobs.