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**NOTE**

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From: Presidency  
To: Delegations  
Subject: Enhancing EU-North Africa cooperation

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Delegations will find enclosed a Presidency discussion paper on enhancing EU - North Africa cooperation.

## Enhancing EU-North Africa cooperation

In light of the information shared through the Joint Letter signed by the Ministers for Home Affairs, Justice and Foreign Affairs of Portugal<sup>1</sup>, the Presidency intends to strengthen cooperation with North African countries on Justice and Home Affairs.

Against this background, the Presidency will focus the debate at the informal meeting of Home Affairs Ministers on 12 March on the rationale for the proposal and the priority areas for cooperation in the relevant areas of home affairs.

### ***Context - Why North Africa***

Developing an EU comprehensive dialogue with North African countries in the context of external relations in the JHA area is of particular interest. In fact, and with a view to ensuring stability and security in the EU's neighbourhood, North Africa has become increasingly important in the JHA area.

Portugal proposes to launch a new dialogue with North African countries, an initiative that will bring added value and complement the existing dialogues with those countries.

To begin with, it will be an EU dialogue and not a conventional intergovernmental dialogue. Secondly, it will be centred on North African countries (as opposed to the Rabat Process, Khartoum Process and the Union for the Mediterranean). Thirdly, it will only address JHA issues (as opposed to the 5 + 5 dialogue and the Union for the Mediterranean). Fourthly, by covering the entire JHA dimension, it will focus on issues other than migration (unlike Rabat and Khartoum). Finally, it will have an important focus on operational cooperation and capacity -building between the two sides, including cooperation with EU agencies.

Furthermore, this new dialogue, once established, will give a geographical balance in the context of relations maintained by the EU in the domain of JHA, which now include regular dialogues with both the Western Balkans and Eastern partners.

As a comprehensive JHA political dialogue, it will also contribute to the external dimension of the New Pact on Migration and Asylum, where there is significant convergence among MS.

The new dialogue should be based on the model of existing dialogues, namely with the USA or the Western Balkans, which traditionally cover a wide range of policy matters of both EU and Member State competence, and aligned with the Commission/EEAS communication on the Southern Neighbourhood (09 February 2021), aimed at giving new impetus to EU relations with the region, including by strengthening cooperation on several policy areas of common interest.

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<sup>1</sup> WK 2060/2021 INIT

North Africa and Europe are linked by history and geography. The EU and North Africa are close neighbours. The political, economic and social situation in North Africa has a direct impact on the EU's stability and security. Working together with these countries, in a mutually beneficial way, is fundamental if we want to contribute to a safer and more stable neighbourhood.

As a first approach, it is possible to consider the participation of the Mediterranean countries, such as Egypt, Libya, Tunisia, Algeria and Morocco. Countries from the Atlantic coast, such as Mauritania and Senegal, or from the Sahel, could follow.

In some of these countries, namely Tunisia, Algeria and Morocco, the EU has already implemented concrete actions in some of the policy areas mentioned above. An enhanced dialogue will allow us to identify areas for new or reinforced cooperation between the EU and North Africa.

### ***The Dialogue: JHA areas to enhance the cooperation***

#### **✓ Migration, including legal migration, and border management**

Cooperation with the countries of origin and transit of migratory flows is fundamental to tackling illegal migration and optimising the benefits that legal migration can bring to the EU. As mentioned in the New Pact on Migration and Asylum, such cooperation should be based on comprehensive tailor-made partnerships, which are mutually beneficial and increase the potential of development cooperation policy. Cooperation, including capacity building on border management, is essential for managing migration and tackling human trafficking and migrant smuggling, as well as other forms of serious cross border crime that have recently emerged.

#### **✓ Civil protection and response to humanitarian crises**

With ongoing conflicts and poor natural conditions, humanitarian crises as well as natural and men-made disasters in northern African countries continue to affect millions of vulnerable people, including women and children, leading to extreme poverty and forced displacements.

#### **✓ Hybrid threats and cybersecurity**

Hybrid threats have become a paramount feature of the 21st century. An integrated international approach is needed to achieve any sort of success. The current political scenario in North Africa opens the way for vulnerabilities to be exploited close to the EU. On the other hand, issues relating to cybersecurity and cybercrime are emerging as African countries enjoy increased access to broadband internet, creating a scenario in which governments, citizens and business activities require dedicated protection.

## ✓ Strengthening law enforcement cooperation

Law enforcement cooperation is essential to combat serious cross-border crime such as terrorism. For its part, the transnational dimension of crime requires enhanced cross border coordination and cooperation. This dialogue could provide the proper framework for it, with a potentially reinforced role for EU agencies, as well as a capacity-building pillar.

### Questions

Against this background, Ministers are invited to reflect on the following questions:

1. Member States' active engagement in the shaping of the proposed new EU dialogue with North Africa is crucial for ensuring that it develops into a successful strategic instrument for cooperation in the JHA area. This dialogue should benefit from the privileged relations that some Member States maintain with the North African countries concerned. Their know-how and information constitute valuable assets for the definition of a comprehensive approach, one which will certainly benefit from the active engagement of Member States in dialogues with the Western Balkans or the US.

*We therefore invite Members States to reflect on the issues mentioned in this note and to contribute ideas on which of them are most likely to foster trust with our partners and lead to more structured, sustainable and operational cooperation in the JHA area. How can we put together an effective Roadmap to cooperate more closely with our Southern Neighbourhood? How ambitious and innovative can we all be?*

2. The Commission's Communication on 'A new Agenda for the Mediterranean', presented in February, proposes a renewed engagement with the Southern neighbourhood. In order to support the implementation of the issues highlighted in the new agenda, the Commission proposed a dedicated Economic and Investment Plan which includes a series of flagship investments and projects. Some of these flagships pertain to the JHA area.

*How do Member States see the links between the proposed JHA dialogue and the implementation of the new Agenda for the Mediterranean? Furthermore, how do Member States envisage the engagement of the European institutions and agencies? Which challenges and risks do Members States identify with regard to more successful and strengthened cooperation with these countries?*