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NOTE

From: Commission Services
To: Delegations

Subject: Operationalization of the Pact – Action plans for strengthening
comprehensive migration partnerships with priority countries of origin and
transit
Draft Action Plan : Nigeria

Delegations will find attached a draft action plan for Nigeria prepared by the Commission Services.

The Commission would very much appreciate that the text of the draft action plan be handled with discretion.

Draft Action Plan: Nigeria

<p>Overall EU Objectives – Lines to Take</p> <ul style="list-style-type: none"> • The EU recognises that Nigeria is of pivotal importance in the economic, social and political landscape in Africa and is committed to the reinvigoration of a strategic political partnership with Nigeria as emphasized at the last Nigeria-EU Ministerial meeting in 2020. • A key focus remains on peace and security, improved democratic and economic governance and the rule of law, better migration and mobility management, and addressing development challenges and the root causes of vulnerability, fragility and conflict. The EU will also continue to support Nigeria's efforts to tackle the COVID-19 pandemic and its socioeconomic challenges. • The EU will aim to strengthen the EU-Nigeria political partnership through the holding of regular political dialogue, including local-level political dialogue, with the participation of EU Member States. The EU intends to reinstate an annual Ministerial dialogue with Nigeria that reflects the strategic importance Nigeria has for the EU, including at regional and continental levels. • The EU will seek to hold a series of bilateral dialogues on the areas identified in the Joint Ministerial Roadmap, including peace and security, trade and investment, energy, circular economy, democratic governance, migration and mobility, digitalisation, research and innovation, agriculture, governance and social empowerment. • Nigeria is an important trading partner and the EU will strive to support Nigeria in its efforts towards regional integration, including to increased political dialogue and economic diplomacy with ECOWAS.
<p>Goals for managing migration and addressing forced displacement – Lines to Take</p> <ul style="list-style-type: none"> • Building on the Common Agenda for Migration and Mobility (CAMM), the EU will aim to work closely with Nigeria towards addressing mobility and all aspects of migration and assistance to refugees and internally displaced people, in a comprehensive approach. <p>Protection and humanitarian assistance</p> <ul style="list-style-type: none"> • The EU will continue assisting refugees, internally displaced persons and those most affected by different conflicts through humanitarian assistance and providing emergency healthcare, shelter, food assistance, access to clean water and sanitation facilities, education in emergencies, and protection support targeting women and children. The EU could play a more prominent role in the governance of internally displaced persons' issues. <p>Root causes of irregular migration and forced displacement</p> <ul style="list-style-type: none"> • The EU will work to address the root causes of irregular migration and forced displacement through an integrated approach, fostering job creation, promoting responsible and sustainable investments, promoting the facilitation of remittances, engaging with the private sector, and supporting efforts to tackle security and climate change-related conflict. • The EU plans to cooperate with Nigeria on programmes to improve young people's prospects and employability, such as Erasmus+, thus reducing migratory pressure. <p>Migration management</p> <ul style="list-style-type: none"> • Taking into account the outcome of the negotiations on the EU-Nigeria readmission agreement, the EU will work with Nigeria on all aspects of migration management, in line with the principles set out in the Joint Valetta Action Plan and consistent with the approach under the New Pact. • The EU encourages Nigeria in the implementation of its National Migration Policy and its Labour Migration Policy, and supports migration governance in the country, along the lines of the National Migration Policy and its Working Groups. • The EU is looking forward to enhanced cooperation on integrated border management with Nigeria, primarily through the reinvigoration of the current working arrangement with Frontex.

In the fight against migrant smuggling (as well as trafficking in human beings), structured and operational cooperation among European and African law enforcement and judicial authorities could be improved, building on the results of the current Common Operational Partnership along African migratory routes.

- Collaboration between Nigeria and EU agencies such as Frontex, Europol and EASO should be pursued more systematically. For example, together with Cabo Verde, Nigeria is the only West-African country having a working arrangement with Frontex (since 2012). The implementation of this arrangement by the Nigerian authorities should be improved. An updated working arrangement with Frontex, reflecting changes to the agency's mandate, could also be considered.

Return, readmission, reintegration

- The EU is committed to working on a strengthened cooperation on return and readmission with Nigeria as a priority and as part of a comprehensive approach to migration and mobility.
- The EU will keep on pushing for a swift conclusion of the negotiations on the readmission agreement and to support effective return and readmission of those who do not have a right to stay in the EU, in full compliance with human rights standards.
- The EU stands ready to support the strengthening of national reintegration mechanisms and engage with international organisations and civil society organisations active in sustainable reintegration of returnees.

Legal Migration

- The EU will consider further promoting pathways for regular migration, in cooperation with EU Member States and the private sector. Depending on the interest of Member States, it will seek to scale up labour migration pilot projects and eventually a Talent Partnership, as appropriate.

Regional/whole of route approach

- In case of possible increases in migratory movements, the EU is committed to strengthening cooperation with and support to countries along migration routes from Nigeria towards the EU, including through multi-country Team Europe Initiatives.
- The EU will continue to support free movement and migration within the ECOWAS region, thus facilitating mobility, regional social protection mechanisms and the implementation of the ECOWAS Free movement Protocol to which Nigeria is a signatory.

Measures

- **Political engagement** under the EU-Nigeria Ministerial Joint Communiqué (2020), EU-Nigeria Joint Ministerial Roadmap (2021), the EU-Africa Strategy (2021), the Common Agenda on Migration and Mobility (CAMM 2015), the Nigeria-EU Joint Way Forward (2009). High-level political contacts, including between Commissioner Urpilainen and Nigerian MFA Onyeama in June 2021 to follow up on commitments taken at the Ministerial meeting in 2020. EU-Nigeria cooperation on migration is based on the CAMM and covers a wide range of areas, such as migration governance, irregular migration and fight against trafficking, return and reintegration, legal migration and mobility, migration and development, and international protection and IDPs.
- **Deploying a wide range of policy tools**, including development cooperation, security, visa, trade, agriculture, investment and employment, energy, environment and climate change, and education, which are adjustable over time and handled as part of a tailor-made approach. In the area of migration and mobility, the EU and EU Member States have mobilised support through the deployment of an **European Migration Liaison Officer** and an **European Return Liaison Officer**, collaboration between Frontex and the Nigeria Immigration Service, and the work of Immigration Liaison Officers/Schengen visa officers.
- **Funding activities from EU budget under Multiannual Financial Framework 2014-2020:** Most programmes on migration and reintegration in Nigeria were channelled through €128.5 million support under the EU Trust Fund for Africa (EUTF), out of which €46 million were

allocated to addressing migration governance, trafficking in persons and smuggling of migrants, return and reintegration, awareness-raising, free movement including social protection and labour migration, as well as border management. Nigeria is one of the 26 countries that benefitted from the EU-IOM Joint Initiative for Migrant Protection and Reintegration. Nigeria also benefitted from regional programmes (€44 million) which support free movement and migration in West Africa as well as fight against trafficking in persons. EU funding supports Common Operational Partnership (COP) against migrant smuggling and trafficking in human beings along African migratory routes and Nigeria was included in awareness raising programmes on the risks of irregular migration and on legal alternatives. Nigeria has also received assistance on targeted areas such as blue border management, legal migration as well as labour migration.

- **Future funding from EU budget under Multiannual Financial Framework 2021-2027:** The draft Multiannual Indicative Programme (MIP) 2021-2027 provides opportunities for building on past cooperation guided by the geopolitical priorities of the EU as well as Nigerian development planning as the framework for strategic engagement in a country significantly affecting EU interests in Africa and beyond. Providing better prospects for a predominantly young population is a vital priority and the focus under consideration covers (a) Green and Digital Economy, (b) Governance, Peace and Migration, (c) Human Development. A regional migration support programme for Sub-Saharan Africa could complement efforts in the area of migration and mobility. The draft MIP is under preparation within the Commission, its specific contents and allocation will be provided once the preparations are completed. Tentatively, under migration, the Commission is likely to propose focussing the EU support on issues such as migration governance; sustainable reintegration of returning migrants and of IDPs; integrated border management; fight against trafficking in persons and smuggling of migrants; regular migration pathways for the youth; ECOWAS' free Movement Protocol; diaspora engagement and others.
- Priorities of the **regional** migration support programme for Africa could include strengthening migration management, migration policy, and migration governance in Sub-Saharan Africa; protection and long-term needs and support durable solutions for forcibly displaced populations (refugees and IDPs) and host communities; strengthen EU migration partnerships and dialogue with relevant origin, transit, destination and/or host countries of the region through the implementation of a flexible funding mechanism.
- **Member States' bilateral engagement** see Annex. **Team Europe Initiative on the Atlantic/Western Mediterranean migration route** proposed by Spain targets Algeria, Mauritania, Morocco, Senegal, The Gambia; and Burkina Faso, Ghana, Guinea, Côte d'Ivoire, Mali, Niger and Nigeria when concerned by this migratory route. The TEI will focus actions on the five pillars of intervention recognised by the Valetta Joint Action Plan and the Rabat Process, in line with the New Pact, the European Consensus on Development and the 2030 Agenda. **Team Europe Initiative on the Central Mediterranean Route** proposed by Italy and France, targets Tunisia, Libya, Niger, Burkina Faso, Chad, Sudan, Ethiopia, Somalia. Other relevant countries may be included, such as Nigeria, Côte d'Ivoire, and Guinea.

Timelines for action

A. Next Steps for engagement by EU and by Member States

- **Continuation of technical level negotiations on a Return and Readmission agreement**, September 2021 (tbc).
- **CAMM dialogue on comprehensive approach to migration and mobility** (tbc).
- **8th High-Level Ministerial Dialogue**, November or December 2021 (tbc), to discuss progress on the implementation of the Joint Communiqué and accompanying Roadmap.
- **Rabat Process:** Nigeria is a member of the Rabat Process. Upcoming meetings include: 14-15 September 2021, thematic meeting on Local Authorities, National Authorities and Migration in Paris; 29 September 2021, Rabat Process steering committee; 13-14 October 2021, study visit in Geneva on protection and asylum; 17-18 November 2021, Senior Officials Meeting in

Malabo; 16-17 December 2021, thematic meeting on legal migration in Lisbon.

B. Next steps for funding measures

- **NDICI-Global Europe – country/regional MIPs:** Second high-level geopolitical dialogue with the European Parliament (October 2021 tbc); Comitology procedure (October/November 2021); Adoption of Multiannual Indicative Programmes (December 2021).
- **Team Europe Initiative on the Atlantic/Western Mediterranean Route,** next steps: The Commission will share the list of indicative contributions from interested Member States. **Team Europe Initiative on the Central Mediterranean Route,** next steps: The Commission will prepare a revised concept note and compile the list of indicative contributions and share them with EU Member States (mid-September; tbc). Both TEIs are expected to be validated at the meeting of Development DGs in October as part of the first batch of regional TEIs.
- **Frontex:** the relevant EU funding could be mobilised through Frontex to support cooperation on practical migration matters, including training of Nigeria's Immigration Service staff, capacity building on intelligence, and enhancing the role of the Risk Analysis Cell in Nigeria and its neighbouring countries.

ANNEX I

Existing EU cooperation and areas of engagement under the New Pact

i. Asylum/international protection/humanitarian aid

- 8.7 million people in northeast Nigeria are in dire need of humanitarian assistance. There are 2.8 million IDPs in Nigeria and 321 000 Nigerian refugees in neighbouring Cameroon, Chad and Niger.
- Humanitarian funding from the EU budget in 2021 stands at €52 million. Almost 30% is allocated to the WASH/shelter/camp coordination and camp management and protection of IDPs and refugees in Nigeria.

ii. Addressing root causes

- Ongoing bilateral cooperation under MFF 2014-2020 (€562 million) focusing on: 1) Health, nutrition and resilience, 2) Sustainable energy and access to electricity and 3) Rule of law, governance and democracy.
- Under MFF 2014-2020 Nigeria has benefitted from €128.5 million under the Emergency Trust Fund for Africa. Due to the fragile socioeconomic and humanitarian situation in the northeast of Nigeria, the intervention focused on access to basic services, enhancing self-reliance, conflict resolution and livelihood possibilities for displaced people as well as host communities.

iii. Migration governance and management

- The EU has been supporting migration governance in Nigeria since 2012. Some promising work is taking place at national and state level, with a few state governments having established Migration for Development Schemes and/or Taskforces against Trafficking in Human Beings. Steps forward were also noted in the operational efficiency and coordination roles of the National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI) through the capacity building initiatives carried out by the 10th EDF and the EU-IOM Joint Initiative.

Cooperation with EU Agencies:

- Frontex: EBCGA board recently approved an initiative to launch/update the Working Arrangements with several third countries. Nigeria is considered for an updated arrangement, once the new Model Working Arrangement has been approved (end October 2021, tbc);
- EUROPOL: The Commission has consistently promoted the signature of a cooperation agreement between EUROPOL and Nigeria. The objective is to seek an operational agreement, allowing the exchange of personal data between EUROPOL, EU law enforcement, and Nigeria.
- EASO: for the time being, no arrangement has been envisaged between EASO and Nigeria.

Border management

- Under the EU-IOM Joint Initiative for Migrant Protection and Reintegration, amounting to €15.5 million in total, Nigeria has received €200 000 towards the validation of a National Border Management Strategy which builds on a steadily developing and broadening EU support towards the Nigeria Immigration Service (NIS). Support is focused on training, data management, investigation and prosecution, intelligence gathering and border management systems, such as MIDAS (Migration Information Data Analysis System). Ongoing EU projects in Nigeria have provided for a more active role for agencies such as Frontex and Europol in capacity-building in the areas of identification, investigation and prosecution of perpetrators of trafficking and smuggling and a strengthened mandate of Frontex in third countries can be complementary to existing funding and cooperation in Nigeria and welcomed by government

agencies, such as NIS and NAPTIP, which are constantly in need of training for their officials.

- Nigeria is one of the 26 African and MENA countries to be part of the AFIC (Africa-Frontex Intelligence Community) project funded through the EU budget under MFF 2014-2020. The Risk Analysis Cell in Nigeria was inaugurated at the end of 2019 and is one of the five active Risk Analysis Cells of the AFIC project.

Migrant Smuggling

- A Common Operational Partnership (COP) along African migratory routes against migrant smuggling and trafficking in human beings was launched in 2020, to enhance structured and operational cooperation among European and African law enforcement and judicial authorities, and to prevent and fight against migrant smuggling and trafficking in human beings. 90% of the total eligible costs (around €7.5 million) is supported from the EU budget and the project partners cover the remaining 10%. The consortium of partners consists of Austria as coordinator, France, Italy, Germany, the Netherlands and Interpol. The project engages with the competent authorities of African countries, regions and organisations, with a focus on Nigeria, Ivory Coast, Guinea, Tunisia, as well as countries along the Horn of Africa route (including Ethiopia, Niger, Eritrea and Sudan) and the African Union Mechanism for Police Cooperation (AFRIPOL).

Two work packages of the project involve cooperation with Nigeria:

- A work package led by Germany to combat Nigerian organised crime networks involved in THB from Nigeria and other African countries such as Cameroon, Ghana, Gambia, Senegal, and Guinea, through establishing an operational approach to strengthen common investigations (technical support, training, data exchange); and supporting the use of mediators in ongoing investigations to protect victims in EU Member States. This work package involves Germany (Bundeskriminalamt) and the Nigerian National Agency for Prohibition of Trafficking in Persons (NAPTIP), with the involvement of Europol, Interpol and EBCGA/Frontex.
- A work package led by Italy to contribute to the fight against Nigerian mafia type criminal networks related to irregular migration towards the EU, THB and migrant smuggling from Nigeria into Europe and to eventually support a Common Operational Partnership between the competent authorities, through strengthening operational and judicial cooperation with the Nigerian law enforcement authorities and working together with them on transnational investigations, and the deployment of two Nigerian National Police Officers in Italy (Rome) at the Central Anticrime Directorate of the Italian National Police.

Trafficking in human beings

- The EU is supporting Nigeria, via the same Common Operational Partnership (COP) mentioned above.
- Through the 11th EDF Action Against Trafficking in Persons and Smuggling of Migrants, the EU is supporting Nigeria in strengthening national migration policies to facilitate the identification, referral, protection and assistance of trafficked persons as well as the improvement of anti-trafficking legislation and regulations especially in terms of their implementation in Nigeria. Despite previous training on investigation, law enforcement agencies in Nigeria would still need support towards investigating cross-border or internal organised crime (support amounting to €10 million).
- The project INSigHT, led by Italy and Sweden financed under Mobility Partnership Facility (contribution of approx. €570 000 from the EU budget) aims to increase the capacity of key local stakeholders in the Veneto Region (Italy), Edo State and Lagos (Nigeria) and Stockholm (Sweden) to tackle human trafficking.

Awareness raising

- Under the EU-IOM Joint Initiative for Migrant Protection and Reintegration, the EU has been supporting the development and adoption of effective and evidenced based information and communication strategies to enhance current efforts towards informing migrants and potential migrants of the risks they may face *en route* as well as safe migration options while managing expectations at the same time. Strengthening the capacity of civil society organisations, especially of those active in awareness- raising activities is further needed. Support amounts to around €1 million under a €15.5 million programme.

iv. Returns, readmission, reintegration

- Negotiations on a Returns and Readmission agreement is currently underway (five rounds in 2016-2018; five rounds in 2021).

v. Legal migration and mobility

- Through the EU-IOM Joint Initiative for Return and Reintegration, the EU has supported the review of policy action plans, strengthening coordination platforms on labour migration, strengthening of services provided through Migrant Resource Centres (MRC) and Job Centres, boosting the labour migration information management systems, and supporting the implementation of priority actions (support around €7m).
- Two pilot projects are currently being implemented: one by Lithuania aiming at bringing 50 ICT professionals from Nigeria to Lithuania (€1.35 million under the Mobility Partnership Facility); one project with IOM (MATCH), seeking to address labour markets shortages in Belgium, Italy, Luxembourg and the Netherlands, in sectors such as Information and Communication Technologies (ICT), technology and digitalization (€1.8 million from the EU budget).

ANNEX II

Member States' bilateral engagement [EUMS to provide]

ANNEX III

Key figures and trends
<p>Irregular migration</p> <ul style="list-style-type: none"> • Illegal border crossing of Nigerian nationals to the EU: 889 in 2020 (871 in 2019) of which 371 in Italy, 355 in Cyprus and 37 in Greece • Illegal stay of Nigerian nationals in the EU: 7 995 in 2020 (13 650 in 2019) of which 3 045 in Germany, 1 760 in Italy, 1 050 in France
<p>Return</p> <ul style="list-style-type: none"> • Nigerian nationals ordered to leave the EU: 7 845 in 2020 (10 785 in 2019) of which 2 100 in France, 1 965 in Germany and 1 760 in Italy • Return rate: 11% in 2020 (19% in 2019) • Highest return rate in 2020: 68% in the Netherlands, 40% in Germany • Lowest return rate in 2020: 1% in France. 0% in Latvia, Croatia, Poland, Portugal
<p>Asylum</p> <ul style="list-style-type: none"> • First time asylum applications: 9 610 in 2020 (20 515 in 2019) of which 3 305 in Germany, 3 100 in France and 855 in Italy • First instance asylum decisions: 17 265 in 2020 (29 960 in 2019) • EU recognition rate excluding humanitarian protection: 12% in 2020 (12% in 2019) • EU recognition rate including humanitarian protection: 16% in 2020 (14% in 2019)
<p>Forced displacement in the country; Nigerian refugees in neighbouring countries</p> <ul style="list-style-type: none"> • According to UNHCR, as of 31 July 2021, there were 2 887 107 IDPs in Nigeria. • UNHCR reports that, as of 31 July 2021, there were 71 365 refugees and 1 634 asylum seekers. The refugees are mainly from Cameroon (67 456) and different nationalities in urban areas.¹ • UNHCR reports that, as of 31 July 2021, there were 186,597 Nigerian refugees in Niger, 118,409 in Cameroon and 16,634 in Chad.
<p>Legal migration</p> <ul style="list-style-type: none"> • First time residence permits: 23 692 in 2019 of which 7 765 in Germany, 5 181 in Italy and 1 889 in Spain – No available data for 2020 • Total valid residence permits: 211 522 in 2019 of which 97 908 in Italy, 34 327 in Spain and 32 856 in Germany – No available data for 2020
<p>Visas</p> <ul style="list-style-type: none"> • Short stay visa applications to the EU: 21 497 in 2020 (102 322 in 2019)² • Share of Multiple Entry Visas (MEVs): 42.7% in 2020 (37% in 2019). Top three Member States of Multiple Entry Visa issuance in 2020: France (3 723), Germany (1 638) and Italy (1 637). • Visa refusal rate: 51% 2020 (48.5% in 2019)

¹ <https://data2.unhcr.org/en/country/nga>

² Lower in 2020 due to Covid-19