



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 April 2011

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LIMITE

**ASIM 33
COMIX 213**

NOTE

from:	Presidency
to:	Permanent Representatives Committee/Mixed Committee Council/Mixed Committee
Subject:	Draft Council Conclusions on the management of migration from the Southern Neighbourhood

The JHA Counsellors Group, as a follow-up to a discussion in SCIFA on 31 March and 1 April 2011, examined at its meeting on 5 April 2011 draft Council Conclusions on the management of migration from the Southern Neighbourhood on the basis of the Presidency text set out in doc. 8650/11 ASIM 31 COMIX 208.

The Presidency has on the basis of these proceedings and written comments submitted by delegations following the meeting prepared the attached revised text.

Coreper is invited to examine the attached draft Council Conclusions with a view to their approval by the Council.

**Draft Council Conclusions on the management of migration from the Southern
Neighbourhood**

THE COUNCIL:

- a) Recalling the Declaration of the Extraordinary European Council on 11 March 2011¹⁰ and the conclusions of the European Council on 24 and 25 March 2011;
- b) Recalling the Joint Communication of 8 March 2011 to the European Council, the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions - A partnership for democracy and shared prosperity with the Southern Mediterranean
- c) Bearing in mind the discussions at the JHA Council on 24 and 25 February 2011;
- d) Recalling the Stockholm Programme and the European Pact on Immigration and Asylum, and the Global Approach to Migration
- e) Underlining that the situation in the Southern Neighbourhood and its migratory consequences continues to be a cause of common concern, which requires measures to be taken as a matter of urgency, as well as responses in the medium and long term.

ADOPTS THE FOLLOWING CONCLUSIONS:

1. The Council acknowledges the great efforts of UNHCR, IOM, ICRC and the support given by the EU and its Member States to these efforts in providing humanitarian assistance and other support to persons displaced by conflict in Libya, and underlines the importance of continuing and further expanding this assistance.

2. The Council reaffirms the need for genuine and concrete solidarity towards Member States most directly concerned by migratory movements and calls on the EU and its Member States to continue providing the necessary support as the situation evolves.
3. The Council calls on FRONTEX to continue to monitor the situation and prepare detailed risk analyses on possible scenarios with a view to identifying the most effective responses to them, and also invites FRONTEX to speed up negotiations with the countries of the region with a view to concluding operational working arrangements.
4. The Council urges Member States to provide further human and technical resources to support the Agency's operations, and in particular the existing Joint Operations Hermes, Poseidon Land and Sea and the possible deployment of a RABIT operation in Malta, in accordance with needs identified by the Agency in the light of the developing situation.
5. Considering the need for further resources to respond to the situation, the Council welcomes the intention of the Commission to mobilize supplementary funds that can be made available to FRONTEX or Member States at short notice when needed.
6. In order to rapidly strengthen the competences of FRONTEX and put more effective tools at its disposal, the Council agrees to accelerate negotiations on amending the FRONTEX Regulation, in cooperation with the European Parliament, with a view to reaching agreement by June 2011.
7. The Council attaches great importance to fostering cooperation on a performance-based approach in the field of migration, mobility and security with the countries of the region that are sufficiently advanced in their reform progresses, that effectively cooperate with the EU and its Member States in preventing illegal migration flows, managing their borders and cooperating in the return and readmission of irregular migrants. The Council stresses the need for early progress in the area of return and readmission in the case relevant third countries, beginning with the readmission their own nationals.

8. The Council welcomes the outcome of the visits of the Presidency and the Commission to Egypt and Tunisia and the intention of the Commission to follow-up these visits by setting up dialogues with the authorities of these countries at senior officials' level, in which Member States will also participate, and which will be aimed at promoting the swift development of cooperation on the management of migration flows. This dialogue should in first instance, focus on the identification and promotion of measures contributing to the prevention of illegal migration, to the facilitation of the return and readmission of irregular migrants, and on the development of a Regional Protection Programme. Subsequently, this dialogue could explore the possibilities for facilitating people-to-people contacts using instruments such as mobility partnerships.
9. The Council expresses appreciation for the decision of Tunisia and Egypt, as well as other countries neighbouring Libya, to receive people displaced as a result of the recent conflict and to cooperate with UNHCR, IOM and other organisations in providing support and assistance to those people, and encourages these countries to continue offering such support and facilities in cooperation with relevant organisations.
10. The Council stresses the importance of offering durable protection solutions to those in need of international protection present in the countries of the Southern Neighbourhood, and, in this respect, calls on the Commission and the Council's preparatory bodies to examine the possibility of assisting those countries of the Southern Neighbourhood in capacity building in the area of international protection, including by activating existing regional protection programmes, and assessing the need for additional programmes in the region.
11. The Council, recognises that resettlement of refugees, in particular those living for some years in a situation of protracted displacement and vulnerability, can represent a life-saving measure for them. The Council takes note of the willingness of certain Member States to consider offering resettlement opportunities for the refugees present in the region. The Council invites Member States to continue supporting UNHCR in the development of resettlement programmes and calls on the Commission to identify solutions for supporting financially such resettlement actions.

12. The Council underlines that the measures mentioned in the paragraphs above represent the immediate answer to the crisis situation in the Mediterranean, but that it is also crucial to put in place a more long-term sustainable strategy to address migration, mobility and security in general.

13. The Council welcomes the Commission's intention to come forward for that purpose with proposals in response to the Declaration of the Extraordinary European Council of 11 March and the Conclusions of the European Council of 24-25 March, and notes that the Presidency stands ready to convene an extraordinary meeting of the Council in May if necessary in the light of developments and to further consider these matters.
