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COVER NOTE

From:	European External Action Service
To:	Political and Security Committee
Subject:	Options for CSDP Support to Sahel-Saharan Border Management

Delegations will find attached EEAS document 01392/14.

Encl.: EEAS document 01392/14

EUROPEAN EXTERNAL ACTION SERVICE



**Crisis Management and Planning
Directorate - CMPD**

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Options for CSDP support to Sahel-Saharan border management

I. Background

1. In its conclusions on Common Security and Defence Policy on 25-26 November 2013 the Council called for concrete steps "*to continue to develop CSDP support to border management as part of wider and more joined-up EU approach to help third states and regions better manage their borders,..*". The Council invited the High Representative to present an options paper with further action to support Sahel-Saharan border management. It should take into account the EU Strategy for Security and Development in the Sahel ("Sahel Strategy") and the importance of strengthening the African Peace and Security Architecture.
2. On June 2014 the Council adopted conclusions on terrorism and border security calling, amongst others, for " the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, and the EU Counter Terrorism Coordinator should facilitate, support and promote the development of appropriate border security policies, programmes and instruments within third countries, including enhancing interoperability with EU and Member State policies, programmes and instruments."
3. Special Crisis Platform established an inter-service working group ("*GTI Security Sahel – Maghreb*") to strengthen the implementation of Sahel Strategy and to develop proposals of greater integration of EU instruments and the EU Member States activities. The working group has issued "*The GTI report on security in Sahel- Maghreb*"¹ on the implementation of the Sahel Strategy to which this document contributes by proposing sectorial measures to implement, in part, the "Security and the Rule of Law" line of action.
4. The African Union has various initiatives aiming at enhancing cooperation between the respective countries and agencies in different fields of governance. With regards to border security the AU's Nouakchott Process, the Tripoli Action Plan and G5-initiatives are central initiatives.

¹ Doc 2014/1793836 of 2 June 2014.

II. Aim and scope

5. This document aims to develop options for further CSDP support addressing border security in the regional context thus complementing the "*The GTI report on security in Sahel-Maghreb*" working group's efforts.
6. The document has focus on the *security* aspect of border management whereas the Sahel Strategy has a wider approach. Furthermore, equally important aspects of border management like trade facilitation and human rights are not covered by this proposal. As a conceptual proposal, it will not present country-specific solutions nor will it focus on any specific type of cross-border criminality.

III. Context and challenges

Security risks and operational challenges

1. The risks for border security in the region are well known and reported in numerous country related reports, EU documents and academic study reports. Key regional risks are smuggling of illicit goods and weapons, terrorism, separatism, trafficking in human beings (THB), human smuggling and illegal migration. Characteristically most of the risks are linked whether through using same routes in the region and/or substantially by being managed by the same local and regional actors. The cross-border criminality in the region uses popular trading hubs along the routes as *go-to* points which are not "commodity specific".
2. A border control action has integral links to the work of the other agencies. For example, a detection and interception of a smuggling caravan could reveal suspects (terrorists, foreign fighters) or provide intelligence on a mixture of the risks depending on its "cargo" (arms, drugs, migrants, cigarettes etc.) falling under the competencies of several agencies.
3. The operational environment in Sahel-Sahara region is unique with vast inhabited areas and extreme conditions. This makes it virtually impossible to control the borders by patrolling. Long reaction times to incidents at the border often render physical response efforts fruitless. Substantial investment in modern technology (and their maintenance) is often beyond the financial capacity of most of the countries, at least in the short term.

Political and strategic challenges

4. Apart from the security risks, a range of internal political challenges in governance, rule of law and ability to control remote border areas might hamper the countries' efforts to set up a functional security architecture including border management. Political relations between the states might also pose a challenge for effective bilateral and regional cooperation.
5. Due to the nature of the risks at their borders some countries have adopted a military approach to border security or the military is the only state organisation with the capacity to operate in remote regions. Internal security forces (police, gendarmerie, border guards) are often responsible for certain border related tasks like border checks at the border crossing points or responsible for limited sections of the national borders.
6. Such conditions have resulted in fragmented competencies on border security where no agency has full knowledge or capability to manage and secure national borders and where (scarce) national resources are not used up to their full potential.

IV. Operational lines of action

7. Border control is operationally based on surveillance capacity, intelligence/risk analysis and their response actions. To improve it some of these elements need to be improved.
8. The first measure should be to use existing operational resources more effectively through enhanced cooperation and coordinated use of resources. Sharing information and intelligence between all stakeholders *nationally* and *across borders* would increase available surveillance information and improve situational awareness. More effective operational responses could be launched focusing on the smuggling routes and hubs or targeted to the organisers of the criminal activities. Depending on the type of response, they could be planned and executed in coordinated way or as a joint action.
9. Various ongoing capacity building initiatives in the region supporting the agencies and the military would whether directly or indirectly contribute to border security.² The better each agency's capacities are the better would be their common and coordinated impact.

² E.g. EUTM Mali and EUCAP SAHEL Niger, "Training & Equip" initiative and "Enable and enhance" concept.

Establish inter-agency cooperation structures for border security

10. In order to be sustainable, information sharing and cooperation needs to be systematic. The key proposal of this document is **to develop a network of inter-agency cooperation centres** with participation of all border related agencies and militaries when their tasks are relevant for border security. Clearly defined objectives and scope for cooperation would enable national legislation and regulations to be adapted to further enhance the cooperation or to remove possible obstacles for it.³
11. Rather than command centres - which could launch competition on a leading agency - the centres would act as platforms for cooperation⁴ with tasks related to sharing operational information and establishing common situational picture/risk analysis (short term objective), sharing intelligence (short-medium term), coordinating agencies' operational efforts (medium term), planning joint activities and mutual support (short-medium term) as well as conducting joint intelligence and investigation measures (long term).
12. In time the centres should cover all borders at two levels; each different border section/region should have a centre for operational cooperation whereas one national cooperation centre would maintain a national situational picture for strategic level cooperation, national decision making and for international cooperation.
13. There are two possible ways to set up these centres; a top-down or a bottom-up approach. Ideally, by a top-down approach the centres would be established based on a national policy/legislative framework and a detailed implementation plan. For that approach political commitment and ability to implement government decisions are essential. By the bottom-up approach the centres could be developed starting with one (pilot) centre and when conditions permitted, gradually expanding the network. Once feasible, a national centre should be established with the necessary policy/legislative framework.

³ It should be noted that lack of legislation does not prevent operational cooperating and information sharing but would make it less effective and sustainable due to lack of enabling (and obliging) legislation, in particular with regards to intelligence sharing or exchange of personal data.

⁴ For example under the coordination of state's regional administration or a governor unless some of the agencies has a legally established mandate for it.

Establish a regional network of interconnected centres

14. Without cross-border cooperation there would be no regional context for border security.

The importance of cooperation is recognised in most of the relevant African initiatives, in particular in the Nouakchott Process, G5⁵ initiative and Tripoli Action Plan which all seek ways for better cooperation and information exchange. Implementation of the expressed commitment has yet to materialise and in this respect the proposals in this document could serve as a concrete implementing method.

15. Establishing **cross-border cooperation links between the centres** practically requires that regional centres across borders reach out to each other on tactical and operational matters whilst, concurrently or sequentially, national centres do the same on strategic level cooperation.

16. The cooperation and information exchange could be launched either formally based on agreements or informally as practical day-to-day cooperation on commonly agreed fields (beginning with statistical information and phenomena descriptions etc.) using the technical means available. This would also serve as a tool in building trust and exchange of experiences between the parties. Such cooperation could, subsequently, further be deepened by expanding the range of information and by using more sophisticated technical methods.

V. CSDP options

17. EU has currently three civilian CSDP missions in the region at different levels of establishment; EUCAP SAHEL Niger, EUCAP SAHEL Mali and EUBAM Libya all aim at supporting capacity building in their respective host countries. Although only EUBAM Libya's tasks are directly related to border security, promotion of inter-agency cooperation is within each mission's mandate.⁶ The BISON-concept in Libya and "PC Mixtes"⁷ in Niger are both initiatives in accordance with this proposal.

⁵ Mauritania, Mali, Niger, Chad and Burkina Faso.

⁶ Although border security is not within the mandate of CSDP operation EUTM Mali, its Advising Pillar could as well promote and encourage national inter-agency cooperation.

⁷ PC Mixtes do not particularly focus on border management but joint crisis management capabilities and cooperation/coordination against terrorism and organised crime. Niger is currently reviewing its coordination mechanisms with a view to setting-up inter-agency "Centres de Sécurité Régionaux" in the regions, whose role in the field of border management is still unclear. Additionally the mission is contributing to promote trans-border cooperation on border security with Libya, Mali, and Nigeria where more support has been requested by Nigerien authorities.

18. Should these pilots gain traction, the next step could be to launch a joint pilot project connecting these two centres across the Nigerien-Libyan border. CSDP missions could establish a common plan how to support Nigerien and Libyan authorities in the implementation of the pilot, including planning exercises in order to build trust, measure progress and develop lessons, and contribute to needs assessment by their host countries in support to their cooperation with other donors and EU initiatives.
19. Based on the progress of these projects, if established, the respective strategic reviews of the CSDP missions could examine possibilities to adapt their mandates with respect to finding mutual synergies and providing more coherent support to inter-agency cooperation and further expanding the cross-border cooperation in line with this proposal.
20. Need to strengthen the EU Delegations with security expertise (see para 27) is currently being discussed by the EU Member States. In addition to possibly more permanent solutions by adapting the personnel structures of the EU delegations, CSDP missions' possibilities to provide additional security expertise by deploying liaison officers could alternatively be considered where feasible.
21. At the time of writing, EU Member States are discussing the strategic review of EUBAM Libya. Without prejudice to the outcome of the discussions one of the tasks could be promoting inter-agency cooperation within Tunisia as well as across the border with the respective Libyan centres. Setting up a similar joint pilot as proposed on the Nigerien – Libyan border might also be examined later.
22. In order to support the operational work of the centres – or the possibly launched pilots – the EU could consider, on an operational case-by-case basis, providing satellite images and analysis to those demonstrating improved cooperation. This might serve as an incentive for cooperation and information sharing as well as being a concrete indication of EU's support.
23. The Rabat Conference on regional border security in November 2013 agreed to establish a permanent secretariat in Libya to support the implementation of Tripoli Action Plan. EUBAM Libya supports the Libyan authorities but currently more substantial support is difficult to achieve. If considered feasible in view of Libya's political progress, EUBAM

Libya could seek possibilities to enhance its support in line with the outcomes of the Rabat discussions.

24. In the same vein, future reviews of EUCAP SAHEL Niger and EUCAP SAHEL Mali could examine possibilities to further support Malian and Nigerien authorities in implementing actions under the Tripoli Action Plan with regards to cross-border cooperation and information exchange. Active networking between all the missions' intelligence and advisory capacities could also be examined with the objective of having common and coherent approach, even common plans, on their support to the inter-agency cooperation and information exchange in and between the countries.
25. The leaders of G5 agreed in June to create a regional organization ("G5 Sahel"), hosted by Mauritania, to strengthen cooperation on development and security in the Sahel region. Once the regional organisation is established, CSDP missions in Mali and Niger, amongst others, could support its border security cooperation elements in that context in accordance with this document's proposals.
26. The "*GTI Report on Security in Sahel –Maghreb*" proposes to launch a pilot initiative on border management in a comprehensive manner combining all the relevant instruments. Setting up an inter-agency cooperation centre(s) as proposed here and contributed comprehensively by other instruments could thus become a "pilot" initiative of coherent and coordinated EU support which could serve as a model for future activities. In the case, the CSDP missions could support the initiative both in planning and implementation phases in their respective countries.

Complementary EU support

27. The "*GTI Report on Security in Sahel –Maghreb*" proposes reinforcement of the EU Delegations, in particular in the G5 countries, by recruiting security expertise for example to strengthen capacity building efforts and cooperation with the CSDP missions. They would also be an important asset to the EU delegations for the cases of mobilisation of EU instruments' relevant to this proposal. For coordination and coherence of activities related to regional inter-agency cooperation, networking between the experts in the EU Delegations'

and CSDP missions would be needed and should focus in particular on interoperability between the centres.

28. The EU Member States are currently discussing on more effective use the CFSP budget (and in particular the use of Art 28 of TEU) for urgent operational needs. Without prejudice to the outcome of the discussions it could become useful tool in providing comprehensive support by tailored short term security expertise, equipment and training to a country willing to set up the cooperation centres but lacking appropriate knowledge and resources.
29. The EU's dialogue with, and support to, the AU's Nouakchott Process, the Tripoli Action Plan and G5-initiatives would be relevant political fora to promote the concept as a concrete way to implement the initiatives on cooperation and information exchange on border security.⁸
30. The conceptual model could also support relevant EU actors in their cooperation with the countries in particular supporting host countries' definition of needs for international support. Donor projects could be requested to support the development of one or more inter-agency coordination centres or horizontally some of their elements.⁹
31. In line with their established programming priorities and in agreement with the partner countries, the relevant geographic and thematic EU financing instruments (EDF, ENI, IcSP) may also support the development of the inter-agency coordination centres or some of their elements. The need for support and its possible nature would be defined during the identification and formulation phases (e.g. infrastructure, equipment/ICT, training of staff, etc.).

⁸ AU's Niamey Convention defines cross-border cooperation on security as one of the areas of cooperation. Equally, 2nd Ministerial meeting of Nouakchott Process emphasized, amongst others, the importance of arrangements for operational cooperation and exchange of information and intelligence. Furthermore, Regional ministerial Conference on Border Security (Tripoli Action Plan) builds heavily on cross-border cooperation and exchange of information. Up till now there has been limited development with regards to implement the commitment.

⁹ Operational priorities for such support could focus on setting up infrastructure, to provide basic equipment, information and communication tools and training of staff. Further support could provide possibilities to staff exchange, liaison officers and electronic exchange of information as foreseen for example in the Tripoli action Plan.

VI. Possible next steps

32. The following next steps could be envisaged and considered in the frame of the implementation of the Sahel Strategy:

- EU proposal for cooperation with AU, G5, Nouakchott process and Tripoli Action Plan could promote the proposals in this document as a concrete sectorial implementation measure supported by EU.
- Task Force Sahel and other relevant inter-service coordination elements could evaluate and propose measures to coherently put forward the proposals of the document in line with the overall framework of their work, as well as adequate means to finance them.
- In order to give guidance and harmonize approach of all actors, a document describing main functions and structures of the proposed inter-agency cooperation centres could be created by EEAS and disseminated to relevant EU actors via Task Force Sahel.
- Within, and as a part of, Task Force Sahel's work, identify needs and possibilities to reinforce the EU Delegations with relevant security expertise in line with this document's proposal and based on the Sahel Strategy report.
- Support the development of the centres in a comprehensive way through coordinated use of the appropriate EU instruments.
