



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 21 March 2014
(OR. en)**

7946/14

LIMITE

**ASIM 27
COAFR 96
RELEX 250**

"I" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee

Subject: Draft Action Plan "Priorities for future cooperation in the area of Migration and Mobility in the framework of the Africa-EU Strategic Partnership"

1. Since the Africa-EU Lisbon Summit of December 2007, the two parties have developed a cooperation on migration and migration-related issues, as reflected in the Joint Africa-EU Strategic Partnership. This cooperation was also pursued in the framework of the Africa-EU Strategy Action Plan approved by the Tripoli Africa-EU Summit of November 2010.
2. At the upcoming Africa-EU Summit, to be held on 2-3 April 2014, the two Parties are expected to define a new Africa-EU Strategic Partnership, which will also include cooperation on migration and mobility among its priority actions. In this regard, the Summit is expected to endorse the draft Action Plan, as set out in the Annex to this Note, which defines the priorities for the future cooperation in this field for the period 2014-2017.

3. In order to jointly consider this issue, an Africa-EU Senior Official meeting (SOM) was organised in Brussels on 27-28 November 2013. As a follow-up to the SOM, a draft Action Plan was prepared, which was considered by the Africa-EU core-group at its meeting in Brussels on 10 February 2014.
 4. At EU level, the text of the draft Action Plan was considered by the High-Level Group on Asylum and Migration ("the Group") at its meetings on 31 January and 24-25 February 2014. The Group reached agreement on the text of the draft Action Plan as set out in the Annex to this Note.
 5. Given the very tight deadline and the absence of a Council meeting ahead of the Africa-EU Summit, the Committee of Permanent Representatives is invited to confirm the agreement reached by the Group.
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Draft Action Plan

Priorities for future cooperation in the area of Migration and Mobility in the framework of the Africa-EU Strategic Partnership

Introduction

At the Africa-EU Summit in Lisbon in 2007 the **Africa-EU Partnership on Migration, Mobility and Employment (MME)** was established, alongside seven other thematic partnerships, under the umbrella of the Joint Africa EU Strategy (JAES). The adoption and implementation of the 2007-2010 and the 2011-2013 MME Action Plans enabled the creation and consolidation of a unique dialogue at inter-continental level and led to the launch of several concrete initiatives.

Today, the Africa-EU Strategic Partnership that was established in 2007 is at an important crossroads. In preparation of the next (4th) Summit that will take place on 2 and 3 April 2014 in Brussels, a renewed structure is under discussion and whilst its outcome is yet unknown there seems to be a consensus to introduce more flexibility to address the challenges that both continents face. Migration and mobility will remain among those challenges and both the European Union (EU) and Africa are committed to continue and further deepen their cooperation in this area under the new framework. The on-going JAES reform provides a valuable opportunity to *take stock* of the MME Partnership, to carry out a lucid assessment of the past (thus acknowledging the achievements while identifying the loopholes and the shortcomings) in order to better project our future cooperation on solid grounds.

When it comes to *concrete cooperation* this assessment is driven by considerations of *continuity and enhancement*. The partners should build on the successes of the implementation of the on-going initiatives as well as the political dialogue as required. The partners should also consider new areas of cooperation for which the continental dimension of the dialogue brings a clear added value, through a global and concerted approach. The Joint African Union (AU)-EU Declaration on Migration and Development presented at the High Level Dialogue in New York in October 2013 provides for relevant guidance.

At the level of cooperation framework and modalities the assessment should look at ways to *improve and adjust* the structures currently in place. The partners should jointly address the shortcomings of the process and draw the appropriate conclusions to reinforce their cooperation and better deliver concrete results.

In order to achieve these objectives, it is essential to ensure that our joint cooperation in the area of migration and mobility focuses on the core feature that renders our cooperation under the JAES unique: its continental dimension. In the same spirit of coherence and efficiency, the organisational structure in which our cooperation will be framed should be flexible yet focused, to allow targeted action in the area of migration and mobility within a specific frame while maintaining the link between migration and mobility and other areas, including employment and higher education, within the broader framework of the reformed JAES.

Migration is a powerful vehicle for boosting sustainable economic and social development. Maximizing the development impact of migration and mobility, addressing the root causes of irregular migration, improving migration governance and cooperation in countries of origin, transit and destination should be common goals for promoting the role of migrants as agents of innovation and development. In this context, alternatives to irregular migration should be promoted; this would include enhancing regional mobility channels and employment opportunities.

Furthermore, the role of non-state actors (e.g. civil society organisations, private sector, trade unions and employers organisations) in implementing these initiatives should be acknowledged and encouraged.

At the Senior Officials Meeting which took place in Brussels on 27 and 28 November 2013, Senior Government Officials from African and European states along with representatives from the African Union Commission, the European Commission, Regional Economic Communities (RECs), International Organizations, and experts on migration engaged in extensive discussions on the proposed six areas, addressing the relevant aspects of migration, including its intra-continental dimension.

Building on the results of this meeting the two sides agree on the following key priorities for action.

Main objectives and priorities for the period 2014 – 2017

1. Trafficking in Human Beings

Addressing trafficking in human beings (THB) should remain one of the key priorities of the partnership for the years to come. Over the last two MME Action Plans, the African Union assisted RECs in capacity building in the field of THB with so far, encouraging results that need to be consolidated. Currently, THB is mainly addressed at national and sub-regional level. Nonetheless, it also has an inter-continental character, with important flows to Europe, as well as from the Horn of Africa to the Middle East. Trans-regional flows in Africa also exist, with the Eastern Africa migratory route and the Gulf of Guinea standing out. As for the substance, efforts should continue addressing all end purposes of human trafficking, including sexual exploitation, labour exploitation and removal of organs. It is also of utmost importance to address and reduce the demand that fosters all forms of exploitation.

In the years to come, the current level and scope of cooperation should be significantly boosted thus continuing to provide assistance to RECs, with a special focus to the trans-regional and trans-continental dimension of THB and bearing in mind the relevance of the above mentioned geographical areas. Similarly there is need to further elaborate on current policy approaches to fully address and combat all end-purposes of THB and focus on evaluating the impact of joint efforts.

Key priorities for action:

- The 4 Ps (Prevention, Protection, Prosecution, Partnership) should remain a key approach with special attention for the identification and appropriate referral of victims
- Implement tools and legislation in close cooperation with civil society
- Measure the impact of actions through efficient review and monitoring
- Develop and reinforce sustainable networks for cooperation, sharing of information and intelligence

- Encourage mechanisms for peer-to-peer assistance and review
- Systematically address the demand side dynamics of human trafficking and promote measures to tackle such demands where they exist.

2. Irregular Migration

Irregular migration, smuggling of migrants, readmission and return were already listed among the topics to be explored during the 2nd Action Plan. It is of utmost importance to further pursue efforts in these areas and pave the way towards a more comprehensive and efficient cooperation between the EU and the African continent to avoid the dramatic consequences of irregular migration and safeguard the lives of migrants. The human rights of migrants, irrespective of their status, should be duly taken into account. It is thus crucial that during the next phase of cooperation the questions stemming from irregular migration are adequately addressed, in a comprehensive approach, building on a common understanding of the causes of irregular migration, assessing the relevance and efficiency of the existing policies in this field, addressing the immediate challenges, as well as reflecting on alternatives to irregular migration at intercontinental, regional or national level.

Key priorities for action:

- Organise awareness raising campaigns in origin, transit and destination countries
- Foster prosecution of smugglers and traffickers and address corruption of law enforcement officials
- Promote return policies and enhance cooperation on return and readmission, including voluntary return and reintegration measures, common identification and documentation
- Promote capacity building including in the area of integrated border management
- Develop concrete responses to support migrants in crisis situations.

3. Remittances

Officially recorded remittances account for more funds than development aid. Lowering cost of remittances has become one of the priorities of the G8 and the G20. But remittances transfer costs represent a particularly acute problem within Africa. The *Send Money Africa* database shows that intra-African transfers can be over twice the price of transactions from Europe to Africa. The African Union has acknowledged the need to put in place mechanisms for better leveraging remittances and other Diaspora resources for the development of Africa. Following a preparatory phase supported by the EU, the establishment of the "*African Institute for Remittances*" (AIR) was formally endorsed by the July 2012 AU Assembly and will be located in Kenya. The AIR is one of the flagship initiatives of the MME 2nd action plan. It is important for the AIR to further clarify its mandate and ensure sustainable funding mechanisms. More broadly, further work is required to improve transparency and competition in both receiving and sending markets for remittance transfers, and promote and facilitate the use of formal channels.

Key priorities for action:

- Significantly reduce the costs of remittances in the EU-Africa corridors and in the intra-Africa corridors
- Substantially increase the volume of transfers through the formal remittance channels
- Accelerate and broaden financial inclusion in view of economic and social development
- Accelerate the operationalisation of the African Institute for Remittances inter-alia in support of the above mentioned objectives.

4. Diaspora

A '*Diaspora outreach initiative*' was launched in the 2nd Action Plan with the objective of engaging the diaspora and migrant communities in Europe in the development of Africa, and to build capacity and transfer skills and knowledge from the Diaspora to the African continent. While the pace of the progress was slow, results have been achieved especially in terms of mapping diaspora organisations in Europe, identification of their needs and elaboration of orientation papers for development interventions. In that framework, the EU supported a diaspora-led initiative to create a platform of African diaspora organisations in Europe active in the development of their country of origin: the Africa-Europe Platform (AEP). Such an initiative from the African Diaspora can be mobilised to contribute to the AU policy framework on diaspora. Other relevant questions such as reaching out to Diaspora members who are well established in their destination countries and reinforcing the institutional capacities of the authorities in charge of managing migration and development should be properly addressed.

Key priorities for action:

- Strengthen EU and Africa policy frameworks and institutional capacities for enhancing Diaspora engagement
- Support capacities of Diasporas as development actors in areas such as volunteering and network building
- Support initiatives aimed at developing a better knowledge of the African Diaspora.

5. Mobility and Labour Migration

The 2nd MME Action Plan listed regular migration, including circular migration, mobility and visa issues, among the topics to be further discussed. Little has been done so far and it is pertinent to start exploring concrete possibilities in this field in the years to come. In line with the AU's Migration Policy Framework for Africa and the EU Global Approach to Migration and Mobility (GAMM) and with the Agenda for Change, further efforts should be made to better organise legal migration and fostering well-managed mobility between Africa and the EU as well as to encourage policies to facilitate regional labour migration.

Intra-African mobility is of utmost importance within this chapter with a focus on intra and inter-regional labour mobility. Smooth yet effective border management between African states will enhance integration, stimulate people-to-people contacts and improve security. Integrated Border Management (IBM) should be further promoted at continental and regional level. Ensuring well managed regular labour migration is a key challenge for African states and should be addressed at different levels such as: improving labour migration governance and labour market analysis; establishing systems that encourage recognition of social rights, competences and skills; building capacity of labour market institutions and actors, including social partners, and promoting their cooperation across Africa and the EU; promoting vocational training and ensuring that labour markets take better account of the status and qualifications of migrant workers. These efforts could benefit from dialogue, exchange of practices and joint actions, possibly enriched by the EU experience on free movement.

Key priorities for action:

- Enhance labour market information systems and data management on labour migration, as well as mechanisms for the mutual recognition of skills and qualifications at continental and intercontinental levels
- Facilitate border-crossing procedures at continental and intercontinental levels while addressing security concerns

- Improve accessibility to visa application procedures and to the information on such procedures as well as streamline the implementation of applicable procedures for delivering visas for government officials, students, business people and scientists
- Involve the private sector as well as trade unions and other relevant stakeholders in advancing labour mobility within Africa and between Africa and the EU
- Foster and share experiences on the transposition and operationalization of free movement as well as in dealing with the challenges of social protection.

6. International protection

Supporting European and African actors (states and RECs) in adopting and fully enforcing the international legal instruments on international protection is an urgent need. The challenge of better addressing the situation of internally displaced persons (IDPs), refugees and asylum seekers is of special relevance to the Africa-EU Partnership. All relevant international conventions regarding the protection of refugees and displaced persons need to be taken fully on board and be placed at the centre of the Africa-EU cooperation in this area.

Moreover, beyond international protection, it is important to recall that the respect of the human rights of migrants, irrespective of their legal status, constitutes a cross-cutting issue within the Africa-EU Partnership and should remain at the core of it.

Key priorities for action:

- Implement the international and regional instruments for the protection of refugees, asylum seekers and IDPs and promote cooperation with the relevant international organisations active in this field
- Encourage the link between humanitarian response and long term development involving local communities in the process of building resilience and strengthening livelihoods

- Promote exchange of information and good practices between Africa and the EU as well as within RECs on refugee protection in the context of mixed migration flows
- Beyond international refugee protection, promote the respect of human rights of migrants as a cross cutting issue within the partnership including through the implementation of relevant continental and international legal instruments
- Develop concrete responses to support persons in need of international protection.

Conclusion

Dialogue and cooperation between Africa and the EU in the area of migration and mobility should focus on the above six areas and the key priorities for action to be implemented through appropriate support mechanisms. Among the key actions outlined in the Action Plan, both sides will identify, for each of the six relevant areas of cooperation, priority topics for immediate follow-up.

These concrete actions should be underpinned by a broader **Africa-EU Migration, and Mobility Dialogue (MMD)** and steered by a joint EU-Africa Core Group. The organisation of targeted policy seminars, research and communication activities in the context of MME proved essential to developing common understandings, exchanging experiences and kicking-off cooperation among the different players, and should be prolonged in the future. It is of utmost importance that the dialogue counts with the active participation of all African and EU states.
