

Joint Statement
Paris, August 28, 2017

Addressing the Challenge of Migration and Asylum

Migration and asylum represent a key challenge for both African and European countries. These issues require a comprehensive plan of actions along migration routes with consistent and concerted responses, long-term efforts and shared responsibility in order to address the root causes of irregular migration and the human rights abuses faced by migrants, while protecting those who need our protection and without compromising our support for the contribution of regular and well-managed migration to sustainable development and inclusive growth. Irregular, smuggler-driven migration requires a firm and determined response to preserve the security and stability of countries of origin, transit and destination as well as the lives, health and wellbeing of migrants themselves. Asylum is a key value for both African and European countries committed to respecting the Geneva Convention. Committed to curbing irregular migration and to improving the enforcement of asylum rules, the HOSG of France, Germany, Italy, Spain and the High Representative/Vice President of the Union for Foreign Affairs and Security Policy, together with the HOS of Niger and Chad, and the Chairman of the Presidential Council of Libya, met today to discuss the latest developments regarding the Mediterranean Route and the migration routes leading to it in Northern and Sub-Saharan Africa.

As a way forward they agreed on the following points.

1- Key principles:

- Our approach is compatible with international law and based upon the action plan adopted at the Valletta Summit by the European Union and the African Union, calling for a shared responsibility of countries of origin, transit and destination;
- Migration is a transnational phenomenon that cannot be tackled by a single state, requires a high degree of coordination within Europe and between European and African countries and implies a long-term development approach;
- Our policy is directed against smuggler networks, whose economic model we intend to break in order to limit irregular migration towards Europe and to protect migrants from the human rights abuses and degrading conditions they face.
- Humanitarian protection needs under asylum rules and the Geneva Convention in particular must be taken into account according to our international and European commitments in the field of asylum.
- We should aim at creating the conditions for irregular migrants not entitled to any form of international protection to be returned to their countries of origin, in a safe, orderly and dignified manner, preferably on a voluntary basis, taking into account national legislation in line with international law. Well-managed migration and mobility are mutually beneficial to countries of origin, transit, and destination.

2- Actions to be taken:

2-1 Towards countries of origin

2-1.1. The HOSG underline the considerable financial effort committed by the EU towards countries of origin, notably in the form of the European Development Fund and, more recently, the EU Emergency Trust Fund for Africa, and its essential role for the implementation of the Valletta Joint Action Plan and in contributing to addressing the root causes of irregular migration. Availability of means for the EU Emergency Trust Fund for Africa is of the utmost importance.

2-1.2. They agree to work together to seek increased cooperation with countries of origin to tackle root causes, prevent departures and to improve our ability to return irregular immigrants to their home countries, as well as through better implementation of existing migration compacts. New tools to intensify and facilitate voluntary returns and reintegration, in addition to those already existing at the national, EU or international level, could be examined, as could fostering socio-economic integration of migrants returning to their home communities. The EU-IOM partnership for West Africa and Libya adopted under the Emergency Trust Fund for Africa helps ensure the protection, voluntary return and reintegration of migrants in their countries of origin throughout the Central Mediterranean route.

2-1.3. They underline their determination to work with countries of origin and countries of transit to better coordinate the fight against smuggler networks, building upon existing EU instruments and reinforcing them.

2-2 Towards Niger and Chad

2.2-1. France, Germany, Italy and Spain, along with the EU, renew their mutual commitment to stopping irregular migration flows well ahead of the Mediterranean coast. They commend the cooperation of Niger and Chad and welcome the results already achieved in addressing the challenges of irregular migration and human trafficking. In line with the Declaration on Solidarity and Security agreed in Rome on 6 July 2017, and together with the EU, France, Germany, Italy and Spain intend to further support these countries in developing their capacity in this regard by:

- supporting an increased presence of State structures in the northern part of Niger and Chad, including by increasing their ability to rescue individuals in danger in the desert;
- strengthening current programmes aimed at improving control of their borders particularly with Libya to the North. Timely implementation of the GAR-SI project and EUCAP Sahel Niger support will contribute to this effort.
- stepping up security measures and measures combating human, drug and arms trafficking, including through support to the G5 joint force. Security capacities already deployed in the area should contribute in the fields of surveillance, intelligence and protection.

- supporting the EUCAP Sahel Niger mission with sufficient resources and personnel to implement the mandate. The mission provides support to the authorities in Niger through mentoring and training activities. Rapidly stepping up the EUCAP Sahel Niger mission is essential to support the activities of Niger's security and defence forces across the territory, and particularly in border areas, in addition to the management of migration flows through the Southern border of the country. Adaptation of EUCAP activities during the review of its mandate needs to be considered to address new challenges, including the management of migration flows in border areas.
- speeding up the regionalization of European CSDP activities in the Sahel – and the strengthening of cooperation between EUCAP Sahel Mali, EUCAP Sahel Niger, and EUBAM Libya in order to build national capacities to combat irregular migration and trafficking.
- supporting the resilience of host communities and providing alternative economic growth models;
- strengthening the implementation of the Regional Development and Protection Plan for North Africa, thus contributing to building the government of Niger's capacities;
- supporting the implementation of the national plan against irregular migration introduced by Niger at the November 2015 La Valetta summit in its two tracks, both economic and social development and reinforcement of the national defense forces.

2.2-2. They also intend to support Niger and Chad in the judicial field including by reinforcing the Joint Investigation Team (or ECI) currently based in Niamey in its capacity; cooperating with Niger and Chad to better monitor and dismantle financial networks used by smugglers; launching training programmes in the field of criminal procedure and continuing existing support to Niger and Tchad's justice ministries.

2.2-3. The HOSG and the High Representative are committed to supporting those who save lives along the routes of the Sahara desert, particularly the IOM and Niger's civil protection units. They will seek to support the extension of search and rescue actions in the region.

They recognize the importance of assisted voluntary returns operated by IOM. They will continue to support the activities conducted under the EU-IOM partnership for West Africa and Libya adopted under the Emergency Trust Fund for Africa, including the protection centres created along the route.

They recognize the need, as smuggler-driven migration is reduced, to organize the resettlement of people in need of international protection who are particularly vulnerable. While stressing the importance of resettlement from other Central Mediterranean route countries and the need to continue resettling from other migration routes, in close liaison with UNHCR and in line with EU priorities, France, Germany, Italy and Spain have decided to carry out protection missions in Niger and

Chad, in liaison and in agreement with their Governments (*cf.* attached non-paper) for resettlement of refugees. Combating human trafficking and fostering resettlement opportunities should go hand in hand. In the framework of European States' resettlement commitments, the number of resettlement from the Central Mediterranean route will be defined by each participating Member State.

2.2-4. France, Germany, Italy, Spain, and HR/VP agree to a joint mission to Niger and Chad to examine the conditions for implementation of the above-mentioned decisions, as well as to identify any other practical cooperation that would help these countries address the challenge of irregular migration.

2.2-5. They recognize the need for the EU (in particular through the European Development Fund) and Member States to increase their support to Niger and Chad.

2.3. Towards Libya

2.3-1. The HOSG and the HR/VP agreed on a common assessment on irregular migration through Libya, bearing in mind that no sustainable solution can prevail without an inclusive political transition and stabilization in Libya. They reaffirm their support for the implementation of the Libyan Political Agreement and to the UN Special Representative of the Secretary General, Ghassan Salamé. They welcome initiatives such as the Celle-Saint-Cloud meeting in support of his action.

2.3-2. In partnership with the EU, France, Germany, Italy and Spain will further enhance economic cooperation with communities along migration routes in Libya, with the aim to creating alternative resources of income, increasing resilience and making them independent of human trafficking. The Italian project to cooperate with 14 communities along migration routes in Libya is much welcomed in this respect, as are projects financed by the EU Emergency Trust Fund for Africa. Fighting the trafficking of human beings and building up the conditions to change the economic model of the local communities in Libya in order to make it sustainable from a humanitarian and social point of view are crucial objectives of our common strategy. France, Germany and Spain stand ready to support this approach.

2.3-3. The HOSG and the HR/VP underscore the importance of also strengthening border control capabilities along Libya's southern borders and enhancing cooperation with Niger, Chad and other African countries such as Mali. In this respect they support the project carried out by Italy in cooperation with the European Commission to enhance integrated border and migration management in Libya. Furthermore, they support the implementation of the peace agreement signed by Libya's southern tribes in Rome on 31 March 2017 as a significant additional tool to combat illegal trafficking in the region.

2.3-4. Efforts to deter irregular migration by sea must be paralleled with an effort to improve human rights protection and living conditions for migrants in Libya. France, Germany, Italy and Spain, together with the EU, will better support the valuable work of the UNHCR and IOM in Libya to support humanitarian facilities for refugees and migrants. They encourage the GNA to step up cooperation with the UNHCR and IOM in Libya, with a view to improve, on the basis of good standards treatment of migrants

in the country, in particular for those who are rescued by the Libyan coast guards. This action includes setting up facilities with adequate humanitarian standards, intensively boosting voluntary returns of migrants to their home countries, and organizing resettlement for people in need for protection.

2.3-5. The HOSG and the HR/VP encourage Libya, Niger, UNHCR and IOM to address the situation of the most vulnerable persons who could benefit from resettlement or assisted voluntary return opportunities.

2.3-6. The HOSG welcome the efforts by the GNA to control its national waters, thus strengthening the protection of human lives and weakening the economic model of human trafficking networks. They recognize the importance of adequately equipping and training Libyan coast guards with a strong focus on protection of human rights. The recent prolongation of the mandate of EUNAVFORMED Sophia also offers a guarantee of the continued EU engagement to improve maritime situational awareness and security in the Central Mediterranean. EUNAVFORMED Sophia should continue to benefit from the support of Member States for the implementation of its mandate.

2.3-7. The EUBAM Libya mission has been extended until 31 December 2018 in order to continue and deepen support for the Libyan authorities to the extent possible, particularly in the areas of policing, border management and criminal justice.

2.3-8. The European Union will continue implementing a coherent and integrated political approach vis-à-vis neighboring countries to the South of Libya, strengthening existing initiatives in the area of border and migration flow management and utilizing all available instruments (diplomacy, development and security). The EU has stepped up its efforts to support the management of migration by Libyan authorities, particularly at the country's southern borders.

2.4. *At sea and in the EU.*

2.4-1. Rescue at sea remains key priority. France, Germany, Spain, and the HR/VP commend the actions taken by Italy, in full respect of the international law, as the frontline Member State with regard to the Central Mediterranean Route. The Code of Conduct for rescue at sea operations is a useful step to improve coordination and effectiveness of rescues. The HOSG call upon all NGOs operating in the area to sign and adhere to the Code of Conduct.

2.4-2. France, Germany and Spain remain committed to further assisting Italy, in particular by stepping up relocations and appropriately staffing Frontex and EASO. France, Germany and Spain are available to send expert teams to Italy to speed up the relocation process of persons in need for international protection.

2.4-3. France, Germany, Italy, Spain, and the HR/VP commend the cooperation and efforts of Morocco, as well as Mauritania and Algeria, in the fight against migrant smuggler networks and in the management of migratory flows from sub-Saharan Africa. They will encourage a strengthening of the EU's financial, technical and material cooperation with these countries of transit of irregular migrations from sub-

Saharan Africa for better protection of their borders and the fight against migrant smugglers.

2.4-4. The HOSG remain committed to the establishment of a new common European asylum system which needs to strike the right balance between responsibility and solidarity with the Member States that manage an external border, and to ensure resilience to future crises. To this end, the European Council conclusions of June 2017 should be implemented as soon as possible. In this spirit, the HOSG will insist on adequate contributions from all Member States in the field of asylum policy.

2.5. Task force for the implementation

To implement the joint actions agreed in this declaration, France, Germany, Italy and Spain agree to establish a coordination Task Force, working together with their African partners including Libya, Niger, Chad, and Mali. The Task Force will work in close cooperation with the HR/VP and the European Commissioner for Migration.