

MINUTES

Of the 2nd Operational Committee for the North of Africa Window of the EU Emergency Trust Fund for stability and addressing the root causes of irregular migration and displaced persons in Africa (the EU Emergency Trust Fund)

I. Introduction

On 16 December 2016, the Operational Committee for the North of Africa Window of the EU Emergency Trust Fund held its second meeting. The meeting was chaired by Michael Köhler, Director of Directorate B.

The objective of the Operational Committee for the North of Africa Window was to adopt 3 Action documents for a total amount of €37 million submitted by the Trust Fund Manager. The regional operational framework of the North of Africa Window was also adopted, whereas the discussion on the country operational frameworks will continue. Finally, the Committee offered the possibility to report on the state of play six months after the first operational committee was held. The agenda of the meeting is enclosed in Annex 1.

II. Agenda Items Discussed

Representatives of the Commission and External Action Service highlighted that a continued and strengthened cooperation with North of Africa Countries is key to address the challenges stemming from effective migration management.

The Chair introduced the points to be discussed and proposed to anticipate the discussion on the operational frameworks. The representatives of EU MS and Partner Countries agreed with the proposal.

The Trust Fund Manager supported by her team gave an overview of the state of play for the North of Africa Window. She notably reported on the state of implementation of the Research and Evidence Facility approved via written procedure in October 2016 on which consultations are ongoing as well as the formulation of a regional operational framework and its relative strategic objectives. In line with the strategic objectives, a monitoring and results' framework for the North of Africa Window is currently formulated and will be the basis for a strengthened monitoring and evaluation system. The Intervention logic of the North of Africa window of the EU Emergency Trust Fund for Africa is provided in Annex 2.

In parallel and jointly with the other two windows of the EU TF, a platform for reporting and monitoring has been set up and will allow timely reporting on the actions ongoing under the EU TF. Participants expressed their satisfaction on the presentation of the operational framework and the relative strategic objectives of the North of Africa Window.

Finally, the Trust Fund Manager also presented the bilateral operational framework for cooperation with the North of Africa Countries, namely with Egypt, Tunisia, Morocco and Libya. It was clarified that these operational frameworks are based on broad priorities so that the formulation of actions under the window can adapt to new needs emerging until 2020 and are anyhow living documents. The operational frameworks for Tunisia and Morocco were subject to a consensus whereas the Egyptian representative mentioned that he was not in a position to make comments and needed to go back to his authorities. Discussions on the operational framework for Algeria will start as soon as possible.

On the fact that a feedback from Algerian authorities on a proposed Action Fiche is still pending, the Algerian representative highlighted that cooperation with EU on migration is quite new for Algeria and stressed that the lack of feedback to the Action Fiche is mainly due to a delayed inter-institutional consultation.

The Egyptian representative highlighted that dialogue between EU and EGY is ongoing since long time but the Action Fiche approved during the first Operational Committee is still under consideration. He highlighted that the growing irregular flows from Egypt are mainly the result of the Libyan crisis and the situation in Horn of Africa and therefore actions aiming to curb this phenomenon should take into consideration its regional dimension.

Following requests of additional information by some EU MS, the chair clarified that, taking into account the current allocation and pledging, ideally the North of Africa Window should be able to commit the bulk of € 200 million in 2017. To this respect, he stressed the need to use the momentum to speed up identification of future actions. He also highlighted that the overall process which entails continued dialogue with Partner Countries and quality checks at different levels makes sometimes difficult to commit funds in short time.

On the point raised by Egypt, the chair reinsured that the Action fiche for Egypt had been formulated starting from the 35 projects' proposal elaborated by Egyptian authorities, but mentioned the availability of the Trust Fund team to go on mission to Egypt as soon as possible so as to formulate a programme appropriate to the needs.

On Libya, the need to ensure complementarity in Libya has been taken into consideration and that extensive consultation with MS was held by the EUD to Libya.

The Trust Fund Manager mentioned that, albeit North of Africa Window is focusing mainly on the priority 3 (Better Migration Management) of the EU TF, root causes remain a priority that cannot be put completely aside. Furthermore, on cross-window cooperation, she underlined that Algeria and Morocco have both express the willingness to work on the routes of migration through a cross-window approach.

On return and sustainable reintegration, cooperation with both windows on returns from the North of Africa region is in place and these will be taken on charge in the framework of the strategic partnership between Sahel and Lake Chad Window and IoM on one hand (which covers already fully Libya) and in the framework of the Facility on return and reintegration approved by the Horn of Africa Window in the operational committee of 15 December 2016 on the other hand. This complements already on-going programmes (Morocco) or programmes just presented (Tunisia).

II.2. Presentation of projects for approval

The Trust Fund Manager presented the 3 Action documents on the Agenda submitted for the approval of the Operational Committee. Individual action fiches are enclosed from Annex 3 to Annex 5.

A: Favoriser la mise en œuvre de la stratégie nationale migratoire de la Tunisie

Summary

The Action consists of 4 components:

The first one seeks to support the implementation of the Tunisian National Migration Strategy. The second component consists in mobilizing the Tunisian diaspora in EU countries for boosting job

creation and entrepreneurship. A third component aims at providing services for the social and economic reintegration of Tunisian returnees, including migrants returning on a voluntary basis, irregular migrants deciding to return to Tunisia to avoid forced return, returnees back to Tunisia following a return decision as well as students and researchers. The platform for reintegration is designed to provide care and support, guaranteeing social assistance at installation (6 months) and coaching at the job (12 months). The last component entails activities to tackle social integration in regions affected by migration.

Comments

The Tunisian representative highlighted that the programme is the result of comprehensive discussion with the EU. He took note of the fact that due to some administrative constraints, the Action had to be reformulated without the component led by the Italian Agency of Cooperation (AICS), but the possibility to allocate funds for future actions in this field in 2017 can be envisaged. The French representative confirmed that the organisations implementing the programme own the necessary expertise to implement the tasks and appreciated that the programme covered the costs of reintegration as it will serve as a study case for future actions.

The representative of Italy confirmed that Italy will continue working with MS, COM and EUDEL on other possible initiatives on migration.

On the administrative issues that led Italy to withdraw from the Action, the chair called for EU MS to work closely with their cooperation agencies to overcome administrative constraints and allow the formation of consortia with a co-delegation of responsibilities among different MS agencies.

Conclusion

The Action fiche is approved by the Operational committee.

B. Supporting protection and humanitarian repatriation and reintegration of vulnerable migrants in Libya

Summary

The Action aims to respond to the effects of the ongoing instability on migrants and their host communities in Libya, it is articulated along 5 components with the relative expected results as follows:

1. Relevant Libyan counterparts are better equipped and trained to respond and identify needs of migrants at disembarkation points;
2. Improved management capacity and minimum decent living standards in detention centres;
3. Improved management capacity and minimum decent living standards in detention centres - with a first target of 5000 migrants;
4. International and local partners have better access to migration data;
5. Protection and timely access to basic services for most vulnerable migrants, both in detention centres and in communities in full respect of the 'do no harm' principle.

Comments

Italy informed that a programme in line with the component 5 is envisaged and that complementarity should be sought.

The French representative commended the efforts to improve conditions in detention centres and assisted voluntary return to countries of origin and requested more information on how reintegration is envisaged in view of the current situation in Libya.

The German representative suggested extending the target group to stranded migrants that are not in detention centres, as only a small number of vulnerable migrants are located in detention centres. Germany expressed concerns on a cooperation with the DCIM and in particular how the EU will avoid that this cooperation will somehow be perceived as a legitimization of DCIM working methods that are not compliant with the principles of human and dignified treatment of migrants.

The Netherlands recommended to sign the contract for the implementation of the Action earlier in 2017 and raised its concerns for the low gender-based approach.

The Trust Fund Manager informed that, according to IOM there are approx. 700,000-800,000 migrants in Libya, out of which 266,000 are identified as vulnerable migrants. The great majority of those are located in communities (+/- 5,000 are located in detention centres). The EU has already ongoing or approved projects specifically tackling migrants at community level (e.g. ENI-funded IFRC project & EUTF-funded DRC-IMC-SCF-CESVI Consortium project) and on community stabilisation in Al Qatrun and Sabha (e.g. through the Instrument Contribution to Stability and Peace, IcSP).

Regarding the cooperation with DCIM, the Trust Fund Manager informed that IOM intervention will aim at guaranteeing that standards and living conditions are improved by providing lifesaving support, WASH and NFIs. In addition, presence of expatriates with a direct access to migrants will be a deterrent for the perpetration of inhuman practices. A stronger involvement of UNHCR, which has resumed registration of asylum seekers in Libya, will also help safeguarding minimum conditions for vulnerable migrants. Finally, the Trust Fund Manager reassured that all implementing partners are including gender-based approach in their activities.

EEAS added that EUDEL is working with Libyan authorities for a committed engagement and applying pressure for the respect of minimum standards and respect of human rights at detention centres and that the HoD is working on creating a Commission on Migration with the international community, national sovereign states and Libyan authorities.

Conclusion

The Action fiche is approved by the Operational committee.

C. Vivre ensemble sans discrimination : une approche basée sur les Droits de l'Homme et la dimension de genre

Summary

The Action in Morocco aims to strengthen the instruments and public policies preventing and fighting discriminatory practices against the migrant population. The Action is articulated along 5 components:

1. Support to the Kingdom of Morocco for the formulation of proposals aiming at improving institutional capacities at national and regional level;

2. Improvement of mechanisms for the identification and collection of complaints concerning the protection of human rights;
3. Strengthening the capacities of public administrations;
4. Strengthening the capacities of CSOs.
5. Sensitization activities for the promotion and protection of human rights

Comments

The Moroccan representative confirmed that the Action responds to the priorities of the national strategy on migration and asylum and that it is formulated according to the Moroccan needs. He highlighted the need to rephrase parts of the text.

The Spanish representative confirmed that the proposed Action is the result of extensive consultation and confirmed the readiness to take on board all the modifications that Morocco deem opportune to make. These requests will be taken on board during the contracting phase.

France suggested that the component 5 should also include visibility for the support that EU provides on such an important topic. The Belgian delegate reported on the recent agreement signed with Morocco to support the implementation of the National Strategy on Migration and asylum as well as fight irregular migration. Regarding the Action, Belgium deems key to invest more on the component 2, while for the component 3 the number of partners is considered ambitious. Finally, Belgium highlighted that UNESCO has extensive experience on media in Morocco and that including its expertise in the activities would add value to the Action.

Germany commended the proposal, especially on the aspect of human rights and fight against discrimination; it suggested that the gender focus could be better spelled out in the document.

The Trust Fund Manager ensured that the aim is to merge all efforts and ensure complementarity, to this respect the CNDH training modules as well as the UNESCO expertise will be taken into consideration in the implementation of the Action.

Concerning visibility and communication, [REDACTED] informed that a specific budget will be dedicated to raise the EU profile.

Conclusion

The Action fiche is approved by the Operational committee.

III Any other business

With no other items to discuss, the Chair thanked the EU Member States and Partner Countries for their participation and called the operational committee to close at 13:00.