

REPORT	
Date of meeting	06 July 2018, 09:30-13:00- 5th Operational Committee of the EU Emergency Trust Fund for stability and addressing the root causes of irregular migration and displaced persons in Africa (EUTF) North of Africa window
Location	Brussels, Albert Borschette Conference Centre, room 4A
Participants	NEAR (Chair: Michael Köhler; [REDACTED]), DG HOME [REDACTED], EEAS [REDACTED] EU Member States, European donors (Switzerland and Norway), African partner countries (Morocco, Algeria, Tunisia and Egypt).
Purpose of meeting	<ol style="list-style-type: none"> 1. Opening remarks by DG NEAR, HOME and EEAS 2. Presentation on the state of play of the North of Africa window's financial situation, non-substantial amendments and strategic orientations 3. Presentation for approval of the fifth pipeline with three programmes totalling €90.5 million 4. Presentations on the state of play of project implementation, the North of Africa window Monitoring & Evaluation Framework and Research Facility.
Issues discussed	<p>1. Opening remarks and adoption of the agenda:</p> <p>The Chair (DG NEAR) opened the floor by framing the situation in the Central and Western Mediterranean Routes as well as the progress made by the EU in responding to the various challenges in Libya. The Chair recalled that the North of Africa window has become the preferred tool to operationalise commitments at EU and international level in this region. He also recalled the importance of the programmes submitted for adoption, which respond to the European Council Conclusions of 28 June, in particular by stepping up support to border management in the region. The Chair added that with the programmes submitted for approval the North of Africa window has almost reached an envelope of EUR 500 million in programmes committed. He informed that the Labour migration programme (EUR 15 million) had been withdrawn from the agenda the day before the meeting upon request from Germany that required further reflection on the programme before submitting it again to the Operational Committee for adoption. [REDACTED]</p> <p>[REDACTED]</p> <p>DG HOME recalled the importance of the EUTF for Africa in the materialisation of EU political commitments and the effectiveness of the actions implemented. It stressed the good cooperation and synergies between the European Commission and European External Action Service as well as International organisations (i.e. UNHCR and IOM). DG HOME highlighted the importance of programmes submitted for approval following the European Council Conclusions of 28 June. Finally, DG HOME commended the good cooperation with partner countries in the North of Africa region.</p> <p>EEAS underlined that the EUTF for Africa was the success of good cooperation and synergies between the European Union and its Member States as well as other donors. EEAS commended the efforts carried out by partner</p>

countries in responding to the various challenges of irregular migration. EEAS stressed that these challenges go beyond the North of Africa window. In this respect, EEAS commended good cooperation with the African Union and the importance of reinforcing cooperation in countries of origin.

2. Presentation on the state of play of the North of Africa window's financial situation, non-substantial amendments and strategic orientations

The Trust Fund Manager thanked Member States for their recent contributions to the North of Africa window budget (recent contributions coming from Visegrad countries, UK and DK) and informed that currently the window's budget is composed by EUR 346.3 million of EU contributions and EUR 203.7 million of Member States' contributions, making an overall amount of EUR 552 million.

The Trust Fund Manager reported on the current financial situation of the North of Africa window: out of a total allocation of €552 million, €371 million has been committed, €178 million contracted, and €78 million disbursed.

The Trust Fund Manager informed about a recent commitment by the European Commission to allocate €145 million following readjustments from unallocated IPA funds and new allocations from heading IV of the EU budget. She informed that with this contribution the funding gap of the window stands at €80 million but underlined that possible supplemental needs in the follow up of the recent European Council Conclusions have not yet been factored in. In this respect, the Trust Fund Manager and the Chair called donors for continued support.

Members of the Operational Committee thanked the Trust Fund Manager and her team. Several Member States and partners shared their regret concerning the withdrawal of the Labour Migration programme and informed that they looked forward to its future adoption. DE requested additional details on the level of funding for Voluntary Humanitarian Return and reintegration activities carried out by the International Organisation for Migration (IOM). DE and DK inquired about the future replenishment of the EUTF for Africa and in particular the North of Africa window after the announcements made during the European Council 28-29 June (i.e. transfer of EUR 500 million from the 11th EDF Reserve to the EUTF for Africa). DK and DE also inquired about the future pipeline of the North of Africa window. EG regretted the slow process of contracts.

The Chair informed that indeed EUR 145 million from the EU Budget are already in the pipeline for the North of Africa window's budget. The Chair underlined that, among the three windows of the EUTF for Africa, the North of Africa window is the window benefiting the most from Member States and other donors' contributions and commended efforts in this regard. The Chair recalled that discussions on the future pipeline of the North of Africa window and its financial situation take place regularly at COREPER level accompanied by an explanatory note. Nevertheless, the Chair stressed that additional needs will arise, in particular in the follow up to the European Council Conclusions.

The Trust Fund Manager underlined that the North of Africa window strategy responds to the priorities spelled out in the recent Council Conclusions. She

informed that more information would be provided on the progress of project implementation in the last point of the Agenda and that additional information could also be provided after the meeting. Concerning the contracting process of projects in Egypt, the Trust Fund Manager recalled that Egypt has requested to amend the Financing Agreement of programme Enhancing the Response to Migration Challenges in Egypt (ERMCE) programme. In addition, the latter will have to be ratified by the Egyptian Parliament. Consequently, the EU is actively working on the contracting of the projects, but will not be in a position to implement them until this process is completed.

Upon the request of DE, the Trust Fund Manager assured to provide more detailed information on the use of funds so far, including a detailed breakdown by implementing organization and respective project components and sub-components.

3. Presentation for approval of the fifth pipeline with three programmes, totalling €90.5 million

All three programmes were approved, with a number of suggestions for their implementation.

The Chair gave the floor to the Trust Fund Manager and her team to introduce the projects.

- T05-EUTF-NOA-REG-07 - Border Management Programme for the Maghreb region (BMP-Maghreb) – EUR 55 million

The programme aims to mitigate vulnerabilities arising from irregular migration and to combat irregular migration. The action aims to do so by enhancing the institutional framework of interested countries to protect, monitor and control the borders, while ensuring the free movement of bona fide travellers and goods.

Due to the late transmission of the Action Fiche on 29 June 2018, DE requested to submit the programme for adoption through written procedure while acknowledging that it did not contest the relevance and importance of such action. Overall, the members showed no opposition to the adoption of the programme *in situ*. NO requested reassurances about the compliance of the programme with OECD-DAC ODA-eligibility standards. FR, NO, DE, NL, UK, SE, BE, DK recalled the importance of operational work on border management to human rights and due diligence, in particular to respect the principle of *non-refoulement*. In this respect, members agreed on the importance to increase efforts to strengthen the link between border management and human rights, as it is the case in the Sahel. In the same vein, some Member States inquired on the monitoring of the implementation. SE and DK inquired about the budget allocation and the procurement procedure.

The Programme Manager explained that the Action Fiche was the result of close cooperation with partner countries and included several missions, the last formulation mission having been agreed upon only shortly before the Operational Committee. Concerning the absorption capacity, the Programme Manager informed that the programme will follow a phased-approach which will allow the programme to move forward according to the implementation progress. The Programme Manager concurred to reinforce the language on human rights and informed about the possibility to contract third party monitoring (i.e. OHCHR in a similar way to the tasks they will be soon

	<p>performing in Libya).</p> <p>Concerning the compliance with OECD-DAC standards, the Trust Fund Manager reassured that this was the case but also offered to consult the DAC Committee in Paris if required.</p> <p>The Chair emphasized the longstanding experience of the implementing partners identified under this programme.</p> <p>The Action Fiche was approved. A revised version which takes into account comments of Member States on the human rights dimension of the Action is annexed to the minutes.</p> <ul style="list-style-type: none"> • <u>T05-EUTF-NOA-MA-03 - Assistance aux personnes migrantes en situation de vulnérabilité – Maroc – EUR 6.5 million</u> <p><i>The programme aims to facilitate access to basic services for vulnerable migrants and improve capacities of local associations and organisations to deliver those services effectively.</i></p> <p>Overall, members expressed their support for the proposal. BE, FR, ES, DE recalled the importance of ensuring complementarity and synergies with other programmes (e.g. GIZ implementing a similar programme “RECOSA”). BE asked for more information concerning the targeted group, on how the available access will be measured and on the areas/ regions of intervention. In addition, BE asked for further clarifications on the composition and mission of the Steering Committee, in particular the level in which the Moroccan authorities will be represented (local, regional or national). Given their presence in the country, and their upcoming programme under the EUTF, BE expressed their interest in being part of the Steering Committee. DE asked for additional information on the role and composition of the Steering Committee. BE, FR, ES and NO asked for additional details on the selection criteria for CSOs stressing on the need for transparency as well as on their absorption capacity. DE requested that an ex post evaluation should be carried out.</p> <p>MA welcomed this new proposal, stating that this represents a new stage for the implementation of migration and asylum strategy in Morocco.</p> <p>The Trust Fund Manager confirmed that the EU Delegation is well aware of the different ongoing activities in the country and ensured participants that this had been taken into account when drafting the proposal. She mentioned that several coordination platforms and coordination groups already existed on migration programmes. The EU Delegation is notably chairing the local coordination group on EUTF programmes, where updates on progress in the framework of coordination groups (such as the one co-chaired by the Ministry in charge of migration affairs and Switzerland) are regularly exchanged.</p> <p>Concerning the target and the geographical scope, the Trust Fund Manager explained that the EU Delegation to Morocco had based the proposal on experience of previous action. In any case the target group are the most vulnerable people, irrespective of their status, whereas the geographical scope will be specified during the contract negotiations.</p> <p>Finally, the Trust Fund Manager highlighted the fact that it was the first time that the North of Africa window opted for this implementation modality (i.e. call for proposals). Transparency will be fully ensured through the publication</p>
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of the call comprising clear selection criteria. Support to solid organisations in the field will be ensured.

The Action Fiche was approved.

- T05-EUTF-NOA-LY-06 - Integrated approach to protection and humanitarian assistance to vulnerable and stranded migrants in Libya - €29 million

The objective of the programme is to reinforce its support to the protection of refugees and migrants in Libya at disembarkation points, in detention centres, in remote southern desert areas and urban settings.

Overall, members welcomed this additional support aiming to reinforce protection, assistance and resilience of migrants and host communities in Libya and expressed appreciation on the integrated approach promoted herein, adding search and rescue in the desert and labour migration components to ongoing protection interventions. This support is a new top-up to the Mixed Migration Programme adopted in April 2017. The latter will continue to be replenished according to needs, taking into account the pace of implementation of the two implementing partners (IOM and UNHCR).

DE and DK insisted on the necessity to keep a cautious approach as regards improvement of conditions in detention centres and to balance it by advocating for and promoting alternatives to detention, so that EU does not end up supporting the perpetuation of the arbitrary detention system currently prevailing in Libya for irregular migrants. DG NEAR confirmed its alignment with this approach and clarified that only light rehabilitation of basic infrastructures in detention centres was supported. This type of intervention carried out by IOM was closely scrutinized.

DE, SE, UK, BE and SK underlined the necessity to ensure close monitoring of EU interventions in Libya and requested additional information on the type of monitoring put in place, in particular as regards third party monitoring. The programme manager explained that a contract was about to be signed with OHCHR (under the Instrument contributing to Stability and Peace) for monitoring the human rights situation of migrants in Libya and increasing accountability of Libyan stakeholders in that respect. In addition, a regional project implemented by Global Initiative against Transnational Organized Crime in consortium with Clingendael Institute had just started to monitor trends in Libya and in the wider region in relation to irregular migration as well as smuggling and trafficking businesses. Finally, the Programme Manager explained that DG NEAR was currently working on the setting up of third party monitoring at project level.

The importance of working on a centralised registration system implemented at disembarkation points and in detention centres was underlined by DE, FR and BE in order to increase accountability of Libyan counterparts and improve the protection of migrants.

The Action Fiche was approved.

4. Presentations on the state of play of project implementation, monitoring

	<p>& evaluation framework and research facility.</p> <p>Programme Managers delivered a presentation on the current state of play of projects implemented in Libya. This was followed by a presentation of IT on the state of play of the Integrated Border Management Programme in Libya. Due to the lack of time, it was agreed that the presentations would be shared together with the minutes.</p> <p>With no other business on the agenda, the Chair called the meeting to a close at 13:40.</p>
Main outcomes	<ul style="list-style-type: none"> • The EU took note of the concern expressed by the Operational Committee about the late distribution of documentation for the meeting. • The three programmes were approved by consensus.
Follow up actions	<ul style="list-style-type: none"> • The Action Document of the Border Management Programme will be adapted along the comments of MS and re-circulated. • The next Operational Committee of the North of Africa window is planned end of November.