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COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL AND THE EUROPEAN INVESTMENT BANK

on establishing a new Partnership Framework with third countries under the European Agenda on Migration

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Communication on establishing a new Partnership Framework with third countries under the European Agenda on Migration

Despite increased efforts by the EU, deaths in the Mediterranean Sea occur on a daily basis. Europe is currently experiencing unprecedented migratory flows, driven by geopolitical and economic factors that will continue, and maybe intensify, over the coming years and indeed it is a global challenge with more than 60 million displaced persons worldwide. They are fuelled by unscrupulous smugglers who seek to benefit from the desperation of the vulnerable. Europe is duty bound to respond; to address the fate of migrants and refugees; to show its citizens that migration, including on the scale we see today, can be managed in a sustainable way. The present Communication explains how the EU's external action will help achieve these goals.

Since the adoption of the European Agenda on Migration¹ a year ago, much has been done, not least beyond the EU's borders. Hundreds of thousands of people have been rescued at sea. The Valletta Summit in November 2015 brought migration issues to the heart of the EU's relations with African countries. The EU-Turkey Statement established new ways to bring order into migration flows and save lives. Its impact was immediate. To deliver the necessary assistance the new EU financial instruments are helping create a better future at home for those who might otherwise have been ready to risk their lives on the dangerous journey to Europe. These actions illustrate the EU's willingness to address specific migratory challenges, but also the long-term drivers of migration.

However, much more needs to be done. The EU is still faced with a humanitarian crisis. Third countries and EU partners are housing millions of refugees, many of them unaccompanied minors, forced to leave their homes², and economic migrants who aspire to come to Europe. Reports suggest that there are tens of thousands of migrants in Libya today, looking for ways to enter the EU, with the number of arrivals increasing every day.

To respond in a meaningful way, the EU must use all means available and set itself clear priorities and measurable objectives. Development and neighbourhood policy tools should reinforce local capacity-building, including for border control, asylum, counter-smuggling and reintegration efforts. All actors – Member States, EU institutions and key third countries – need to work together in partnership to bring order into migratory flows. In parallel, work is needed to tackle the root causes of irregular migration and forced displacement by applying sustained, medium and long term policies and to better use existing processes and programmes. All of this work must take place in a context which fully respects international law and fundamental rights. This is the idea of a new Partnership Framework.

This Partnership Framework should enhance support for those in need in their countries of origin and transit. It should help develop safe and sustainable reception capacities and provide lasting prospects close to home for refugees and their families in third countries affected by migratory pressure. It must create genuine prospects of resettlement to the EU to discourage irregular and dangerous journeys. An essential element underpinning this is a coherent, credible and effective policy with regard to the return of illegally staying third country nationals, which fully respects human rights and the dignity of the persons concerned as well as the principle of *non-refoulement*. Standing ready to provide greater support to those partner countries which make the greatest efforts, but without shying away from negative incentives, EU assistance and policies should be tailored to produce concrete results in stemming the flow of irregular migrants.

As such, the Partnership Framework will not only help respond to crises through immediate and measurable results, but also lay the foundations of an enhanced cooperation with countries of origin, transit and destination with a well-managed migration and mobility policy at its core.

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COM(2015) 240 final of 13 May 2015.

For example, Turkey, Lebanon and Jordan together host around 5 million Syrian refugees, Iran hosts some 2-3 million Afghans, Tunisia hosts 1 million Libyans, and the countries in the Horn of Africa have housed more than half a million each for many years.

1. LESSONS LEARNED

The message that migration issues are now at the top of the EU's external relations priorities has not yet been fully communicated to and appreciated by partners. It is essential that in close cooperation with all Member States it is made clear to our partners that a solution to the irregular and uncontrolled movement of people is a priority for the Union as a whole. While the High-Level Dialogues, which cover the key interests of the EU and its partners, have brought concrete political commitments and first practical actions to improve cooperation, much still needs to be done, in particular on returns and readmission.

Regular operational steps and weekly contacts are needed to take forward the European Agenda on Migration

High-Level Dialogues on Migration³ and the reviewed **European Neighbourhood Policy**⁴ have brought a new focus to relations with key countries on migration. The **Western Balkans Leaders' Meeting** in October 2015⁵ set up a system of regular and structured dialogue, information sharing and cooperation between countries in the region, combined with direct EU support to specific needs. Such day to day cooperation could be adapted for use with other relevant migration routes, for example to strengthen the operational implementation of the Rabat and Khartoum processes in Africa. The **Valletta Summit**, with its Action Plan of 16 priority initiatives, framed a shared responsibility, and underlined that the EU and African countries must work in a spirit of partnership. This Action Plan must now be translated into results. The intensity of the implementation process must be increased.

To have a real impact, the EU cannot rely on its migration toolkit alone

At the core of the **EU-Turkey Statement** of 18 March was the interlocking of migration management on both sides of the Aegean Sea, with an unprecedented degree of cooperation **between the EU and an external partner**. In full accordance with EU and international law, the aim was to remove the incentive to seek irregular routes. Together with the work of NATO and Frontex, its implementation, including on readmission of all arriving third country nationals, had an immediate impact on crossings from Turkey into Greece⁶. It showed that international cooperation can succeed – in saving lives at sea and breaking the business model of smugglers⁷. This has been achieved through financial assistance, resettlement opportunities and perspectives in the field of ongoing visa and accession negotiations. While every country is different and the EU-Turkey Statement reflects particular circumstances, its elements can inspire cooperation with other key third countries and point to the key levers to be activated.

Financial assistance must be increased

Dialogues at ministerial level were held with the authorities of several countries. Most Dialogues were carried out by the High Representative/Vice President and the Commission, and in some cases by Member States on behalf of the EU as a whole. German, French and Dutch ministers have visited third countries in this context. See Annex 2 for further details.

⁴ JOIN(2015) 50 final. There are currently contracted projects worth EUR 1.2 billion in ENP and enlargement countries to support refugees and host communities, ranging from migration management actions via socioeconomic development to education.

⁵ COM(2015) 676 final of 15 December 2016.

COM(2016) 231 final of 20 April 2016. The decreasing trend has continued (the average weekly level of arrivals from Turkey to the hotspots on the Greek islands was around 300 from 9 to 29 May 2016).

The intensified cooperation following the EU-Turkey Statement has led to a significant increase in action by the Turkish authorities: 124 migrant smugglers were apprehended in April 2016. Turkey has also deployed a Liaison Officer to Europol. Also for the Western Balkans a Joint Operational Office was opened in Vienna to help intelligence sharing and host investigators working on joint operations against smugglers.

The EU and Member States are the world's largest development and humanitarian donor, with an increasing financial commitment to immediate humanitarian support to refugees and more structural support on migration. The EU has a long-standing tradition of **support to refugees, internally displaced persons and host communities** for example in the Horn of Africa and Lake Chad area (Kenya, Somalia, Uganda, Ethiopia and Sudan). But the scale of global needs has put the onus on being more targeted and effective, with investment which has a real impact on migration, tailored to the needs and circumstances of each country. The Commission has set out its strategic vision on how EU external action can **foster the resilience and self-reliance of forcibly displaced people** as close as possible to refugees' country of origin. Immediate **humanitarian aid to Syrian refugees** has exceeded EUR 1 billion – as part of the EU's overall commitment of EUR 6 billion in humanitarian, development and stabilisation assistance – since the beginning of the crisis. The EU and its Member States total contribution pledged at the **London Conference "Supporting Syria and the region"** in February topped EUR 7.15 billion representing over 70% of all pledges, so the political imperative is now to deliver on this commitment.

Innovative instruments to offer targeted support

The EU Regional Trust Fund in Response to the Syrian Crisis seeks to address longer-term resilience needs of Syrian refugees in neighbouring countries, as well as supporting host communities, in terms of education, livelihoods and health¹⁰. Under the EU Emergency Trust Fund for Africa, with its initial allocation of EUR 1.88 billion, decisions have been taken on projects worth over EUR 750 million in areas such as job creation and resilience, with a focus on the most vulnerable, for the Sahel/Lake Chad area and the Horn of Africa¹¹. The Facility for Refugees in Turkey¹² combines both immediate and structural support to a total EUR 3 billion in 2016-2017. Close to EUR 200 million worth of assistance to refugees and host communities has already been decided and contracted, with the short-term objective that by end of July a total of EUR 1 billion will be contracted¹³. A further EUR 3 billion will be provided up to the end of 2018, provided the initial allocation is used to the full and all commitments have been respected.

The need for operational steps to fight against migrant smuggling

Fundamentally, the business model of smugglers must be broken, and credible and effective returns are key to this objective. In addition, operational cooperation targeting smugglers is needed. Cooperation in the **Western Mediterranean/Atlantic route** has been effective and continues to serve as a model for partnership. In the **Aegean Sea** and **the Central Mediterranean**, Frontex cooperates with NATO and Operation EUNAVFORMED Sophia, bringing together their different roles in terms of managing migration, gathering intelligence on smuggling, exchanging information, coordinating patrols, and working together on disembarkations¹⁴. This should be taken one step further in the Central Mediterranean by sharing assets in real time and establishing a common risk assessment on threats to maritime security and border security – work which could also involve the Italian operation "Mare Sicuro".

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⁹ COM(2016) 234 final of 26 April 2016.

See Annex 3 for examples of major ongoing EU funded actions.

Out of the total of EUR 733 million, EUR 427.5 have been adopted in 2015 and 2016 with EUR 200 million contracted and EUR 96 million paid, while an additional EUR 267 million are planned to be adopted in June 2016, leaving EUR 38.5 million remaining in addition to possible new contributions.

¹¹ With some extra EUR 150 million in the Sahel and North Africa windows foreseen in June.

¹² The Facility was set up in November 2015 following the EU-Turkey Joint Action Plan. See Annex 4 for contributions.

The main priorities the Facility will focus on in the immediate and medium term, including humanitarian assistance, migration management, education, health, municipal infrastructure, and socio-economic support. A EUR 60 million Special Measure was agreed in April to help returnees with shelter, food and health care.

For example, in October 2015 Frontex detected several migrant vessels by using a combination of ship reporting systems and satellite imagery, organised by Frontex with the European Maritime Safety Agency (EMSA) and the EU Satellite Centre. 350 migrants on four boats were rescued.

The activities of the **Operation EUNAVFORMED Sophia** have resulted in the arrest of 71 suspected smugglers and neutralisation of 129 vessels used for smuggling activities. The prevention of further loss of life at sea also remains a fundamental and legally binding activity for the Operation which has directly rescued 14,857 people. Another 31,096 have been rescued by others with the support of the Operation. Information sharing has been of critical importance, and this could be taken further by reinforcing the links between EUNAVFORMED and the European Migrant Smuggling Centre in Europol. The Council has agreed to extend the mandate of the Operation by one year and add two further supporting tasks. This would include operations, such as capacity building and training for the Libyan Coastguard and Navy, and implementation of the UN arms embargo at sea, on the basis of a new UN Security Council Resolution.

The importance of effective migration management inside Europe for effective policy outside Europe

Experience has shown that migration policy inside and outside the Union has a direct link. The reality of the past year on all migratory routes has been that when border and migration management were seen to fail, this became a pull factor. Credible action inside the EU – both to discourage smuggling and irregular entry and to show that legal pathways exist – is critically important to achieve our external goals.

The **European Border and Coast Guard**¹⁵ will bring consistency and robustness to the external border, notably at times of high pressure, with security a key consideration. A reformed **Common European Asylum System**¹⁶ will remedy the existing system which was unable to cope with people effectively ignoring the rules and travelling to their country of choice. Restoring order in these areas will drastically reduce the incentives for irregular entry but will also require sufficient EU funding to reflect the common responsibility. Effective action on **migrant smuggling**¹⁷ inside the EU – centred on the new European Migrant Smuggling Centre in Europol – is a prerequisite for successful practical cooperation with third countries.

As well as reducing the possibilities for irregular entry, the EU needs to put in place pathways¹⁸ for people to come to the EU legally – whether to seek international protection, or to seek work, education, research or investment opportunities¹⁹.

2. THE PARTNERSHIP FRAMEWORK – A NEW COMPREHENSIVE COOPERATION WITH THIRD COUNTRIES ON MIGRATION

External migratory pressure is the "new normal" both for the EU and for partner countries. This requires a more coordinated, systematic and structured approach to maximise the synergies and leverages of the Union's internal and external policies. To succeed, it needs to reflect both the EU's interests and the interests of our partners, with clear objectives and a clear way forward on how the objectives will be achieved, in terms of positive cooperation where possible but also the use of leverage where necessary. Such approach will be translated into compacts which will be embedded within the existing and future processes and partnership.

The short term objectives of the compacts are:

The EU Action Plan against Migrant Smuggling identified cooperation with countries of transit and origin as a key priority (COM(2015) 285 final of 27 May 2015).

In this spirit, the reform of the Blue Card presented on 7 June 2016 (COM(2016)378) aims at attracting

highly skilled migrants to the EU Labour Market.

¹⁵ COM(2015) 671 final of 15 December 2015.

¹⁶ COM(2016) 270 final of 4 May 2016.

This was an important theme in the reviewed European Neighbourhood Policy, which pointed to preferential schemes for nationals of the ENP countries willing to engage on further cooperation on migration with the EU.

- To save lives in the Mediterranean sea;
- To increase the rate of returns to countries of origin and transit;
- To enable migrants and refugees to stay close to home and to avoid taking dangerous journeys.

Immediate action should be taken with key partners in the following areas where specific and measurable targets should be set:

- Work with key partners to improve the legislative and institutional framework for migration;
- Concrete assistance for capacity building on border and migration management, including providing protection for refugees;
- Increasing rates of return and readmission with a preference to voluntary return and a focus on reintegration;
- Stemming the irregular flows while offering legal migration channels, including increased resettlement efforts.

In the long term, the EU should continue to increase its efforts to address the root causes of irregular migration and forced displacement and to provide capacity building to the host communities and relevant institutions. The compacts will benefit from synergies with all policies, initiatives and processes that are aimed at addressing the long-term objectives, such as the political, social, economic and environmental factors that constitute the root causes (including through the facilitation of economic, social and cultural investments of the diaspora in countries of origin).

The ultimate aim of the Partnership Framework is a coherent and tailored engagement where the Union and its Member States act in a coordinated manner putting together instruments, tools and leverage to reach comprehensive partnerships (compacts) with third countries to better manage migration in full respect of our humanitarian and human rights obligations.

To make change happen, the full range of policies and EU external relations instruments have to be brought to bear. This means a change in approach and fresh thinking with a mix of positive and negative incentives and the use of all leverages and tools. It is clear that we need to be ready to adapt our programming in terms of bilateral relations and funding to achieve our objectives.

The compacts will be the key components of the overall relationships between the EU and third countries of origin or transit of migrants. These relationships will be guided by the ability and willingness of the countries to cooperate on migration management, notably in effectively preventing irregular migration and readmitting irregular migrants.

Different partners face different challenges and different circumstances. The compacts should reflect this to the full. Countries of origin face the need to help people find livelihoods and stability at home, and to manage migration locally. Transit and host countries face acute pressure to provide humanitarian assistance and service delivery to migrants and refugees, to support the economic sustainability of migrants, refugees and host communities, and to target the criminal networks involved in smuggling and trafficking in order to prevent irregular flows. Particular attention should be paid to capacity-building to strengthen capacity in migration management.

Delivering returns, readmission and reintegration

Effective return, readmission and reintegration policies for those not qualifying for protection are an essential part of combating irregular migration and will help discourage people from risking their lives. Increasing the rate of return will lead to breaking the business model of smugglers – so that people realise that paying large sums of money to reach the EU in perilous conditions is not worth the

risk²⁰. The effect of increasing rates of returns will be multiplied if, in addition, legal routes to the EU are created.

The effectiveness of the EU return system is a prerequisite, starting from the implementation of the Action Plan on Return²¹. However, more efforts are required because third countries can be reluctant to cooperate on readmission and return. For countries of origin of irregular migrants, this needs cooperation to help facilitate identification²² and readmission of their nationals, and support for the reintegration of the returnees, in particular to further strengthen governance and service delivery capacity. Increased cooperation with countries of transit is equally important as they are more responsible for managing irregular migration flows – and have stronger incentives to step up border management – especially if they are obliged to readmit irregular migrants that crossed their territories.

So far, experience in dialogues with partner countries has shown a gap between expectations and results on returns and readmission.

The EU's goal should now be specific and measurable increases in the number and rate of return and readmissions. Therefore, the essential part of any compact will be joint efforts to make returns and readmission work. The compacts will also seek to increase the effectiveness and sustainability of the return process and provide adequate financial support to readmitting countries and in particular the communities that will reintegrate those who are returned. Partner countries should also benefit from EU assistance to voluntary return and reintegration (in partnership with the International Organisation for Migration).

To ensure that third countries fulfil their obligations to readmit their nationals, the following elements need to be prioritised and secured:

- A focus on the countries of origin, which should also facilitate cooperation on readmission with countries of transit.
- Coordinated and coherent EU and Member State coordination on readmission where the paramount priority is to achieve fast and operational returns, and not necessarily formal readmission agreements²³.
- The facilitation of the identification of irregular migrants in view of their readmission by strengthening third countries' capacity to ensure functioning civil registries and fingerprint or biometrics digitalisation, as well as capacity building on border and migration management.
- Stepping up Assisted Voluntary Return and Reintegration initiatives on the route to help countries of transit in returning third country nationals to their countries of origin whenever possible, including promoting regional cooperation among countries of origin and transit.
- The acceptance by partner countries to use the EU laissez-passer for return operations.

Delivering the compacts: better coherence and coordination between EU and Member States

An effective approach vis-à-vis third countries requires not only a tailored approach but also a common and better coordinated approach between all EU actors and Member States. The EU can achieve greater results only by speaking with a single voice.

COM(2015) 453 final of 9 September 2015.

The Return Directive provides key safeguards to ensure that return operations are humane and respect migrants' rights, including respect for the principle of non-refoulement, effective remedy, respect for family unity, the best interests of children and the special needs of vulnerable people.

²² Discussions are under way with relevant countries in Africa to organise visits to the EU to help with identification. Four countries have already committed themselves to organising such visits.

The recent examples of EU engagements in partnership with Member States in Western and Eastern Africa, as well as in Asia, should be taken as an example.

Recently, the EU has started to test a new approach to selected third countries. To feed into the High-Level Dialogues, **country packages** for 16 priority countries²⁴ have been discussed with Member States, mapping the different interests and listing the tools and incentives available at the EU level to foster cooperation on migration, including on return and readmission. The selected third countries should be aware of the concept and content of the "country packages", the opportunities but also the possible consequences of the extent of their cooperation. However, the country packages must now **be operationalised into compacts with a limited number of priority third countries of origin and transit** to ensure a truly integrated and coordinated approach to achieving visible results on the ground in the short term. This also requires clearly setting out positive and negative incentives. In view of this, the **Member States** are called upon to reinforce the incentives identified by the EU with complementary measures falling within their national competences.

The special relationships that Member States may have with third countries, reflecting political, historic and cultural ties fostered through decades of contacts, should also be exploited to the full for the benefit of the EU. At present, the opposite is often the case. Trust needs to be built up. The Member States with the most developed bilateral relationships with a particular partner country should be fully involved in the EU's discussions with it. They should be part of a coordination mechanism between the EU level and Member States that must be set up to deliver the compacts for each partner. The EU institutions and the relevant Member States should work in tandem to tap into the EU's collective influence to achieve joint objectives.

The expertise and resources of Member States are essential in delivering the compacts. Effective cooperation relies heavily on networks of EU experts on the ground in third countries. The further deployment of **European Migration Liaison Officers** to priority source and transit countries would help coordinate EU cooperation against migrant smuggling, and the Immigration Liaison Officers could prioritise joint Member State action to facilitate enforcement. To this end, Member States should quickly nominate candidates. **EU Cooperation Platforms on migrant smuggling** should be launched in key locations to step up the coordination of EU activity in supporting the capability of partner countries to target the organised crime behind migrant smuggling.

Delivering the compacts: a refocused way of using all policy tools

Each compact will be designed with appropriate packages which combine different policy elements within EU competence (neighbourhood policy, development aid, trade, mobility, energy, security, digital policy, etc.), leveraged towards the same objective. This refocused and reprogrammed use of all policies must be mirrored by the Member States when it comes to national policy tools and incentives.

To support the short term objectives of the compacts, **migration policy** itself offers a number of options for leverage. The upcoming proposal for a structured resettlement system providing a common approach to safe and legal arrival in the Union for persons in need of international protection via resettlement is a direct demonstration of the EU's commitment to helping countries under the heaviest pressure²⁵. Other **legal pathways** into the EU are also an accepted objective of many of the EU's partners, mutually beneficial for the EU and our partners: the Valletta Action Plan included a commitment by the EU and Member States to launch pilot projects that pool offers for legal migration. Visa policy can be a very powerful element in the discussions with third countries about cooperation on migration. Specific measures can also help prepare legal migrants for the needs the EU's labour markets, or support the transfer and reinvestment of migrants' remittances back home. Finally, **cooperation and information exchange** can be developed further in the mutual interest of the EU and its partners. Technological development, notably biometrics and digital identification, can act as a practical tool to bring migration management services together. The development of a **single platform**

Ethiopia, Eritrea, Mali, Niger, Nigeria, Senegal, Somalia, Sudan, Ghana, Ivory Coast, Algeria, Morocco, Tunisia, Afghanistan, Bangladesh and Pakistan.

²⁵ See COM(2016) 197 final of 6 April 2016.

for registration of displaced populations could facilitate aid delivery in third countries and entry and resettlement into the EU and elsewhere.

The Commission has consistently pursued a strategic approach on migration matters with partners to its East and South and further reinforced this through the **European Neighbourhood Policy** Review in 2015, in which migration and mobility features as one of the main fields of cooperation. With broadly half the available funding devoted to migration-related issues, this provides a good foundation for the compacts.

Increasing **coherence between migration and development policy** is important to ensure that development assistance helps partner countries manage migration more effectively, and also incentivises them to effectively cooperate on readmission of irregular migrants. Positive and negative incentives should be integrated in the EU's development policy, rewarding those countries that fulfil their international obligation to readmit their own nationals, and those that cooperate in managing the flows of irregular migrants from third countries, as well as those taking action to adequately host persons fleeing conflict and persecution. Equally, there must be consequences for those who do not cooperate on readmission and return. The same should be true of **trade policy**, notably where the EU gives preferential treatment to its partners: migration cooperation should be a consideration in the forthcoming evaluation of trade preferences under "GSP+".

Even though considered potentially effective, and building on their positive impact on migration, neighbourhood, development and trade are not the only policies that are relevant to support the compacts. No policy areas should be exempted from this approach²⁶. All EU policies including education, research, climate change, energy, environment, agriculture, should in principle be part of a package, bringing maximum leverage to the discussion.

Delivering the compacts: appropriate financing support

In order to achieve the goals of the compacts all financial instruments of the EU and its Member States must be used and mobilised in the most efficient way, guided by the ability and willingness of countries to cooperate on migration management, notably in effectively preventing irregular migration and readmitting irregular migrants. In principle, allocations devoted to better management of migration under EU external instruments should be further increased, making full use of innovative financial management tools such as EU Trust Funds or blending facilities as well as the opportunities offered by national, regional and thematic instruments.

Financial support to achieve the short term objectives of the compacts

All available instruments and resources will be deployed in a more targeted, coordinated, flexible and rapid manner.

First, in **deploying existing financial instruments, special attention** will be given to projects aimed at improving migration management and prioritising those projects enabling third countries to fulfil their obligations to readmit their nationals²⁷.

Second, existing innovative financial tools will be used to their full potential in order to support the immediate actions identified in the compacts. The Facility for Refugees in Turkey, the EU Regional

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However, no conditionality can be attached to the needs based humanitarian aid in line with the Humanitarian Principles.

In the Horn of Africa, projects worth EUR 124 million aim at creating the conditions for effective return and reintegration of irregular migrants and refugees hosted in other countries – for example, EUR 50 million to support the voluntary returns of Somalis from both the region and from Europe by increased access to basic services, new economic opportunities and reduced vulnerability for both returnees and return communities. Similarly, a project for Afghanistan, Pakistan and Bangladesh is being developed to strengthen the return and readmission capacities of these countries and provide reintegration packages to returnees from the EU.

Trust Fund in Response to the Syrian Crisis and the EU Emergency Trust Fund for Africa have allowed more flexible, coordinated and quicker identification and awarding of targeted projects. In this way, immediate measures have been financed, supporting refugees and host communities, as well as migration management and return and readmission through reintegration and capacity building. The same pattern will be replicated to deliver the compacts. Full Member State involvement is essential as support so far has fallen well short of the needs, and not all Member States have participated. The EU Regional Trust Fund in Response to the Syrian Crisis has a target volume of EUR 1 billion. A total of EUR 0.27 billion in Member States pledges are outstanding at present. As regards the EU Emergency Trust Fund for Africa, the Commission has set aside EUR 1.8 billion and is ready to increase this amount by a further EUR 0.5 billion from the EDF (European Development Fund) reserve to finance the immediate actions of the compacts. It calls on the Member States and other donors to match its contributions as swiftly as possible²⁸.

Third, **programming of aid by the EU and Member States should be even more targeted**²⁹. Recently, Official Development Aid (ODA) from the EU and its Member States to the key priority countries averaged EUR 4.4 billion per year³⁰. To deliver the compacts, the Commission will continue to ensure that in the design and implementation of all programmes under all focal sectors chosen in a country, positive impacts on migration flows and management will be maximised. Thus, for instance, actions adopted through the annual implementing measures of the geographical instruments in the relevant source countries will focus on the main areas of origin of migrants. In addition, the Commission will ensure that multiannual indicative programmes in the priority countries are in line with the current needs, in particular to help deliver the compacts. It will take the necessary steps to adjust such indicative programmes where appropriate. Member States are invited to contribute to these efforts via a targeted reorientation of their bilateral financial assistance and joint programming. The programming exercise of the thematic lines beyond 2017 will reflect the new Partnership Framework.

Fourth, **synergies with other financial instruments** will be exploited to the full. For instance, neighbouring countries will continue to be able to benefit on an exceptional basis – and in conjunction with a disbursing programme from the International Monetary Fund from EU macro-financial assistance (MFA) in the form of loans (or at times grants) to help them address an external financing crisis. While MFA as such is not a migration instrument, by helping to stabilise economies, it can tackle the impact of migration flows or prevent their emergence due to economic instability. MFA also fosters reforms to reduce push factors and increase the attractiveness the investment climate.

Against this background, the following main financial sources from the EU and its Member States can be available for delivering the compacts:

- Money for financing the immediate actions of the compacts: EUR 1 billion to be added to the EU Emergency Trust Fund for Africa, consisting of EUR 0.5 billion from the EDF reserve and EUR 0.5 billion from the Member States.
- Money from the existing innovative financing instruments: EUR 3.6 billion from the EU Emergency Trust Fund for Africa³¹ and EUR 1 billion from the EU Regional Trust Fund in Response to the Syrian Crisis.³²
- Nearly EUR 2.4 billion in total pledged contributions from the EU and its Member States as additional funds for Lebanon, Jordan (and Syria) at the London conference.
- Macro-financial assistance to avoid economic instability of up to EUR 1 billion in loans to Tunisia (EUR 0.3 billion being implemented and EUR 0.5 billion proposed by the Commission in February 2016) and Jordan (EUR 0.2 billion million under consideration).

Member States contributions so far amount to around EUR 80 million.

With the exception of humanitarian aid which is purely needs-based.

Source: OECD DAC net disbursements for Official Development Assistance. Data for 2015 will only be available at the end of 2016.

Of which over EUR 0.75 billion is already set aside to support agreed projects.

Of which EUR 428 million have been committed to date.

• Total aid flows from the EU and its Member States to the key priority countries which recently averaged EUR 4.4 billion per year.

This would mean that, provided that all Member States play their part, nearly **EUR 8 billion** are made available over 2016 -2020 for the delivery of the compacts to be complemented by the annual Official Development Aid flows from the EU and Member States.

Long term objectives – addressing the root causes

In the long term the EU will continue to address the root causes of irregular migration and forced displacement. This will require fundamentally reconsidering the scale and nature of traditional development co-operation models. A much greater role must be given to private investors looking for new investment opportunities in emerging markets. Instead of letting irregular migrants risk their lives trying to reach European labour markets, European private and public resources should be mobilised for investment in third countries of origin. This will contribute to the sustainable development of the local economies and the transformation called for by the Agenda 2030.

A particularly important role should thus be played by the full range of innovative financing mechanisms that can be deployed and developed to leverage loan and grant financing, encourage public-private partnerships and crowd in private investment. If deployed intelligently, leveraged use of the limited budget resources available will generate growth and employment opportunities in source as well as transit countries and regions. The removal of bottlenecks to investment in SMEs and sustainable infrastructure should address some of the root causes of migration directly, given the high impact of such investments in terms employment and inequality reduction.

The Commission therefore sees the need for an ambitious External Investment Plan that would tackle the root causes of migration, while contributing to the achievement of other development goals. Drawing on the experience and expertise of the European Investment Bank (EIB), as in the case of the successful 'Investment Plan for Europe', such a plan would be based on three pillars. The first pillar would enable using scarce public resources in an innovative way to mobilise private investment by offering additional guarantees and concessional funds. The second pillar would focus on technical assistance, helping local authorities and companies develop a higher number of bankable projects and make them known to the international investor community. The third pillar would target the general business environment by fostering good governance, fighting corruption, removing barriers to investment and market distortions. It would do so building upon current efforts and lessons learned. The EU, Member States, third countries, International Financial Institutions, European bilateral development institutions, as well as the private sector, should all contribute. In the design of the plan, the European Parliament and all relevant stakeholders will be appropriately involved.

In autumn 2016, the Commission will make a proposal drawing on the experience with existing investment programmes at EU level (such as the European Investment Bank-managed investment facility for African, Caribbean and Pacific countries, the "blending" investment facilities managed by the Commission and the external lending activities of the European Investment Bank). Ensuring complementarity and co-operation with the work of the European Investment Bank, European bilateral and other International Financial Institutions, and donors in the target region will be a key element of this approach in order to ensure maximised results and impact.

This proposal will set out details of a new Fund for external investment that would combine existing Blending facilities (such as the Africa Investment Facility and the Neighbourhood Investment Facility, NIF) to constitute Regional Investment Platforms that could further leverage additional funds from Member States and other donors³³. This would improve effectiveness and impact, maximise synergies, and attract private and institutional investors. This would also allow the expansion of innovative

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The funding from the new Fund would respect the regional allocations and eligibility rules of the contributing funds and instruments.

financing in those fragile and post-conflict countries which are often important for migration flows but where the potential for direct private or public investment is currently limited.

The Fund for external investments will leverage resources for investment in economic and social infrastructure, and the private sector including micro and Small-and-Medium-sized Enterprises. The new Fund would start with activities in Africa as well as the EU Neighbourhood (South and East) to support the priorities of the new Partnership Framework with the objective of being extended to other regions at a later stage.

The Fund would offer credit enhancement, risk sharing, investment grants and technical assistance based on a guarantee and funding from the EDF/EU budget and other contributors in line with their respective financial regulations.

To this end, the Commission will make available a total of EUR 3.1 billion until 2020: This will consist of EUR 2 billion from the EDF, of which EUR 1.6 billion from the African Investment Facility and an additional EUR 0.4 billion from EDF envelopes. Moreover, EUR 0.94 billion from the NIF and EUR 0.16 billion from the Development Cooperation Instrument will be mobilised. This total sum of EUR 3.1 billion is expected to trigger additional public and private investment volumes, mobilising total investments of up to EUR 31 billion. In order to enhance further the firepower and the efficiency of the new Fund, the Commission calls on Member States and other partners to match these total EU contributions, thus potentially bringing the total amount of additional investment close to EUR 62 billion.

The European Investment Bank will continue to play a key role, in Africa, Neighbourhood countries and other external regions. In particular, the European Investment Bank manages the ACP Investment Facility and finances infrastructure and private sector development in Africa. Earlier this year, the European Council invited the European Investment Bank to present an initiative in June that would rapidly mobilise additional financing in support of sustainable growth, vital infrastructure and social cohesion in Southern Neighbourhood and Western Balkans countries. To this effect, the European Investment Bank is working on a proposal for a package that could mobilise substantial additional financing over the next five years in the targeted countries.

Delivering the compacts: Effective multilateralism

Delivering the compacts can be further facilitated by strong and effective **multilateral partnerships**. Migration is a global phenomenon which requires a coordinated international response. Over the past year, cooperation has intensified with international organisations, such as the **United Nations** and particularly the UN High Commissioner for Refugees and International Organisation for Migration, as well as with partner countries within the **G7 and G20**. UN initiatives on issues such as global responsibility-sharing for Syrian refugees³⁴ and the first ever World Humanitarian Summit in May 2016 have put the spotlight on the shared responsibility of the international community. The UN General Assembly Summit on Large Movements of Refugees and Migrants in September 2016 represents a unique opportunity to secure concrete commitments from all participants. The EU fully supports UN-led efforts to reinforce the long-term capacity and effectiveness of the international system to deal with the movement of refugees and migrants in a spirit of burden sharing and solidarity.

While the EU has a duty to contribute its share in helping displaced persons in clear need of international protection, the **resettlement of refugees**, in particular of persons displaced by the Syrian conflict, is a joint responsibility of the international community. The EU's international partners need to assume their share of responsibility. The EU should use the political leverage at its disposal to garner stronger support from its partners in forging a more equitable system of resettlement. The EU should support the establishment of a UN-supported global resettlement scheme to enable their rapid

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The UNHCR-led High-Level meeting on Global Responsibility-Sharing through Pathways for Admission of Syrian Refugees took place in March 2016 in Geneva.

and efficient resettlement to safe countries. All countries should be invited to participate in such a scheme in line with the principles of responsibility sharing and solidarity.

As the world's largest development donor and humanitarian donor, the EU jointly with Member States should be fully engaged in any discussion on the global institutional and legal framework for migration management.

Key Actions to deliver the compacts: a new comprehensive partnership with priority third countries

Immediate and short term operational actions:

- To endorse the Partnership Framework a new results-oriented comprehensive partnership concept to mobilise and focus EU's action and resources to better manage migration with third countries.
- Building on the existing 16 country packages, agree on a limited number of priority third countries of origin and transit to elaborate compacts.
- On the basis of the High Level Dialogues experience, set up a coordination mechanism between the EU level and the Member States to deliver the compacts, where necessary building the special relationships that Member States may have with third countries. The identification of negative and positive incentives should be a key part of this process.
- The Member States should nominate European Migration Liaison Officers in order to complete the network by autumn 2016.
- To mainstream the goals of the Partnership Framework into all EU policies, tools and budget programming in an innovative, focussed and coordinated way to ensure the necessary synergies.
- Ensure that any EU external policy long term or short term actions in tackling root causes of irregular migration and forced displacement will also support the Partnership Framework.
- All available EU and the Member States instruments and resources will be deployed in a more targeted, coordinated, flexible and rapid manner.
- Deploy close to EUR 8 billion over 2016 2020 to deliver the compacts.
- Make a proposal for an External Investment Fund to mobilise up to EUR 62 billion of investment to address the long term objective of tackling the root causes of migration.

3. LAUNCHING THE COMPACTS WITH PRIORITY COUNTRIES

Short-term priorities

In the short term, to better manage migration with third countries and bring order into migration flows, the EU should launch discussions with a limited number of priority third countries of origin and transit to elaborate compacts.

The EU is currently finalising with **Jordan** and **Lebanon** new Partnership Priorities following the European Neighbourhood Policy Review of 2015, with the aim of reaching agreement by summer 2016. The compacts with both countries will contain mutual commitments with respect to aiding the plight of both Syrian refugees and host communities and helping these host countries deal with the crisis. The compacts will set out comprehensive packages which combine different policy elements towards the same objective, both within EU competence (trade, mobility, energy, security, etc.) and within national competence. In the case of Lebanon, those consist of an upgrade of basic services (waste management, water, education and health), as well as increased economic opportunities in Lebanon for both the Syrian refugees and the most vulnerable Lebanese communities. In exchange, the Lebanese government should make efforts on the social and economic inclusion of Syrian refugees

in order to improve their living conditions and legal residence status. In the case of Jordan, the compact will ease Rules of Origin for categories of goods for export produced in designated economic zones by a workforce including an agreed percentage of Syrian labour, as proposed by Jordan. So far, the Commission has allocated EUR 639 million to the crisis response in Lebanon, including addressing basic needs, healthcare and shelter, and EUR 637 million in assistance Jordan. In addition to trade facilitation through the targeted relaxation of rules of origin the package proposed to Jordan, includes a EUR 180 million macro-financial assistance operation in 2015; a new macro-financial assistance loan of around EUR 200 million is under consideration.

Since 2011 Tunisia has made remarkable progress to complete its peaceful and democratic postrevolution transition and is a positive example of the Arab Spring. However, this process is still fragile. With already high levels of youth unemployment and terrorism threat, its stability and prosperity will be key to manage migration flows in the region, although flows to the Union have been very low in the recent past. In addition to the Tunisian commitment to control its border and migratory flows from its territory, increased financial and political support is needed to accompany the fragile Tunisian transition. The EU should continue the process of progressively integrating the Tunisian economy in the EU internal market, taking forward the negotiations to build on the existing Association Agreement and agree a Deep and Comprehensive Free Trade Area. These negotiations will be accompanied by EU technical and financial assistance³⁵, including additional facilities for the mobility of Tunisians in the EU. Building on the broader engagement based on the existing Mobility Partnership, more effective cooperation on return and readmission should be developed, notably through the negotiation of the readmission agreement. A strategic Communication on Tunisia will soon be adopted, and taking relations with Tunisia to the next level must include a comprehensive and effective national migration policy. Total support to Tunisia from the ENI in 2016 will exceed EUR 200 million, the vast bulk of which will go to migration-related actions including socio-economic development, youth employability and security sector reform, as well as on migration.

Western Africa is a key region of origin for irregular migration towards Europe. Particular emphasis has been put on the regional dimension of migration, building on existing structures such as ECOWAS and the G5 Sahel. Specific funding provided by the EU Emergency Trust Fund for Africa is being mobilised to support agreed projects and activities that allow tackling the root causes of irregular migration in the long term and to improve migration management in the short term.

To increase the joint impact on cooperation within this region the Union should engage with Nigeria, Niger, Mali and Senegal and agree tailor made compacts, building upon high level dialogues and identified incentives. This will build on already existing partnerships with the countries concerned. A Common Agenda on Migration and Mobility (CAMM) was signed with Nigeria in March 2015, providing a solid reference for enhanced dialogue and cooperation on migration issues the negotiations on a readmission agreement should also start soon. In Senegal, dialogue is ongoing on migration related issues which should be strengthened in particular in view of offering economic opportunities and reducing irregular flows. Mali is a key country of origin of irregular migration towards Europe and a partner in the broader European engagement in the Sahel region. A High Level Dialogue took place in April. Niger is the main crossroads for migrants from Western and Central Africa, as of May 2016 it is estimated that more than 16,000 people per week transit through Niger on their way north. In the EU support to Niger, work on the existing multipurpose centre should continue in cooperation with international organisations such as UNHCR. Also a particular focus should be given on the fight against migrant smuggling and trafficking in human beings and to support growth and employment alternatives.

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A new EUR 500 million macroeconomic financial assistance operation was proposed by the Commission in February 2016 and adopted by the Council on 1 June 2016.

In the **Horn of Africa**, the EUR 46 million³⁶ 'Better Migration Management' project will start this summer under the Khartoum Process, as a model of how to target specific action on migration issues. Similarly, as part of the Rabat process, the EU is developing a 'Regional Migration Management Facility' supporting the implementation of migration management initiatives in countries of origin, transit and destination in the Sahel and the Lake Chad region.

Ethiopia is a strategic partner with a Common Agenda on Migration and Mobility in place since November 2015, and migration is already a crucial element of the strategic relationship. It hosts over 750.000 displaced persons including from Somalia, Eritrea and South Sudan. Ethiopia is a key country of origin and transit of irregular migration towards Europe. Strengthening this cooperation by developing a compact with Ethiopia should be sought as a matter of priority, including concrete follow up on the Ethiopian commitment to cooperate on returns.

The situation in **Libya** requires particular attention and strategic engagement. Over 230,000 migrants have been identified inside Libya³⁷. Of these, between 4,000 and 5,000 are in detention centres, and many lack access to healthcare and food, with the fragility of the state creating obvious doubts about their basic protection and respect of their rights³⁸. There are also over 400,000 internally displaced persons in need. Although some limited work has been carried out on migration in Libya, notably in cooperation with UNHCR and the International Organisation for Migration, more can only be done once the political situation has stabilised and security improves. This will require continued political investment, determination and financial support to establish a stable and united Libyan government. Supporting the Government of National Accord to allow it to provide basic social services and security for its own citizens will therefore be the primary objective. This will boost the new Government's legitimacy and promote stability.

The EU has a package in place to support the Government of National Accord and the population, some of which is already being implemented. This programme of support includes the following elements:

- Current financial support: A total envelope of projects worth around EUR 100 million has been committed, and part of it is already being disbursed. Since 2014 the EU has delivered EUR 12.5 million in pure humanitarian aid projects and up to EUR 40 million in projects to tackle the needs of those affected by the conflict.
- Protection: Fostering protection, resilience and stabilisation of displaced populations, together with their host communities, inside and outside the detention centres is of primary importance.
- Support to security sector reform, with focus on police and criminal justice as well as border management: A possible civilian Common Security and Defence Policy mission, building on the existing EU Border Assistance Mission as well as other EU-funded capacity-building programmes, could be set up at the request of the Libyan government to contribute to build capacity and provide support, including in the field of border management and migration. This could complement training activities for the Libyan Coast Guard and Navy.
- Governance: the EU stands ready to support the Government in the elaboration of legal and institutional frameworks compliant with human rights and international conventions. This includes capacity building of relevant administrations and institutions, including law enforcement bodies.
- Technical assistance: Besides possibilities for technical support from the cooperation envelope, possible Frontex support might be envisaged, by using the existing mandate to trigger a working arrangement with Libya.

EUR 40 million from the EU Emergency Trust Fund for Africa with a EUR 6 million co-financing contribution from Germany.

⁷ IOM's Displacement Tracking Matrix.

Of the 765 West African nationals being detained, 572 expressed interest in returning to their countries of origin.

South of Libya the EU has upgraded its dialogue and cooperation on migration, security and development around the increased regional ownership of the G5 Sahel. In this framework the EUCAP Sahel mission antenna is now opened in Agadez and a Joint Investigation Team has been launched with Niger. In addition to the current activities, it could be envisaged that the three Common Security and Defence Policy Missions in the region open their training courses to other G5 Sahel forces, on the invitation of respective governments. This could contribute to fostering interaction and facilitating joint patrolling operation across borders. Support to the establishment of operational cross border cooperation could also be considered. Close coordination of Common Security and Defence Policy activities in Mali and Niger with development projects, including those supported by the EU Emergency Trust Fund for Africa, will continue to be crucial.

While the present Communication identifies priority countries, the approach should ultimately be rolled out to all relevant countries. The compacts' long term objectives to tackle root causes of irregular migration and forced displacement will be supported by upcoming strategic policy instruments, notably the Global Strategy and the EU's Africa Strategy.

Long-term objectives

In the long term, **Africa** remains the priority region and this will be properly reflected in implementation of Agenda 2030 on sustainable development and the EU-ACP relationship after the Cotonou Agreement, as well as the future integrated Africa Strategy. New ideas on security, investment opportunities, the Sustainable Development Goals after a revised Consensus and a focus on youth employment should be a part of this, as well as increasing the already important levels of European ODA to Africa (EUR 20bn/year) in reaching the 0.7% ODA/GNI target. All of this will build towards the EU-Africa Summit in 2017.

As regards Asia, Afghanistan is a major source of irregular migrants and of refugees arriving to Europe. While continuing its long-standing effort to support the stabilisation of the country, the EU should step up its engagement to ensure Afghanistan's cooperation on readmission. Other priority countries of origin in Asia are Pakistan and Bangladesh. Iran is a source country in terms of its own nationals and a key transit country for migrants, notably from Afghanistan, but also from Iraq, Pakistan and Bangladesh, and is currently housing some 2-3 million Afghans. Therefore; the EU and Iran should launch a comprehensive migration dialogue. The EU should also continue to support Iran's efforts to socially integrate Afghan refugees inside Iran. EU humanitarian operations (EUR 9 million in 2016) will continue to complement the Iranian government's efforts to ensuring access to basic services for refugees.

In the **Neighbourhood**, the EU has a long-standing partnership with **Morocco** on migration issues and will take forward this fruitful cooperation as soon as the conditions are propitious. **Algeria** is not currently a country where migration issues are a major preoccupation but the EU stands ready to deepen the dialogue and cooperation on this at an appropriate moment. On the other hand, the Union will engage more strongly with **Egypt**, including through more financial assistance for capacity-building, the protection of vulnerable groups and socio-economic support to migration-prone groups. This engagement should be further stepped up in view of the increasing migratory flows departing from Egypt on the Central Mediterranean route, strengthening common action in the field of fight against smuggling as part of the broader engagement in the framework of the Khartoum Process.

Key actions:

- To conclude Jordan and Lebanon compacts and to explore with Tunisia how best to take EU-Tunisia cooperation to the next level.
- To launch and agree compacts with Niger, Nigeria, Senegal, Mali and Ethiopia.
- To stand ready to support the Libyan Government of National Accord in its efforts to manage irregular migration flows, also by making efforts to foster regional cooperation with Libya's

4. CONCLUSION

In view of substantially stepping up the impact of our actions on the external dimension of the European Agenda on Migration, the Commission and the High Representative propose a new results-oriented concept of cooperation, the Partnership Framework. The aim is to deliver coherent EU engagement, in which the Union and its Member States act in a coordinated manner. The EU and its Member States should combine their respective instruments and tools to agree compacts with third countries in order to better manage migration. This means, for each partner country, the development of a mix of positive and negative incentives, the use of which should be governed by a clear understanding that the overall relationship between the EU and that country will be guided in particular by the ability and willingness of the country to cooperate on migration management. The full range of policies, financial instruments and EU's external relations instruments will need to be used. In this context, it is also important to increase efforts to implement the Valletta Action Plan as agreed in the Valletta Summit, including its financial aspects. To ensure that the EU and its Member States work in tandem, a coordination mechanism between the EU institutions and Member States must be set up. This means exploiting to the full, for the benefit of the EU and the relevant Member States, the special relationships that Member States may have with third countries.

It is proposed in the short term to complete the compacts with Jordan and Lebanon, to explore with Tunisia how best to take EU-Tunisia cooperation to the next level and to launch and agree compacts with Niger, Nigeria, Senegal, Mali and Ethiopia; as well as to stand ready to support the Libyan Government of National Accord in its efforts to manage irregular migration flows, also by making efforts to foster regional cooperation with Libya's Southern neighbours and the Sahel. With the aim of supporting the delivery of the compacts, it is proposed to mobilise nearly EUR 8 billion within 2016 – 2020, in addition to the annual Member States and EU Official Development Aid.

In the long term, the EU should increase its efforts to address the root causes of irregular migration and forced displacement and to build up the capacity of host communities. In the view of the Commission, an additional EUR 62 billion can be mobilised to address these challenges, provided that all the Member States and partners, including International Financial Institutions, demonstrate the same level of commitment as the Commission and that the European Parliament strongly supports these efforts. The goal of the Partnership Framework is to enable the EU to manage the greatest migration flows the world has seen since the Second World War. In doing so, it will address all aspects of this migration crisis, from its root causes to the daily tragedies that occur in the Mediterranean. These ambitions can only be reached through close and sustained cooperation between the EU and its Member States, in partnership with the countries of origin and transit of migrants.

Against this background, the European Council is invited to endorse:

- The establishment of a new Partnership Framework to mobilise and focus EU action and resources to better manage migration with third countries. The full range of EU and Member States' policies and instruments should be used to achieve this objective. A mix of positive and negative incentives will be integrated notably into the EU's development and trade policies to reward those countries willing to cooperate effectively with the EU on migration management and ensure there are consequences for those who do not cooperate.
- Increased efforts to implement the Valletta Action Plan, including its financial aspects, will also be essential to this process.
- Close and sustained cooperation between the EU institutions and the Member States in delivering the compacts.
- A swift deployment of funds from EU and Member State budgets, in particular to top up the EU Emergency Trust Fund for Africa, to help deliver the compacts.
- The swift establishment of an External Investment Fund, with the aim of mobilising up to EUR 62 billion. To reach this objective, Member States, the European Investment Bank and other International Financial Institutions are called upon to contribute to the Fund.

• As a first stage in the process, to launch tailor made compacts with Niger, Nigeria, Senegal, Mali and Ethiopia, and an increased engagement with Tunisia and Libya.

Annexes

Annex 1: Illegal border crossings to the EU, return decisions and effective returns, 2014-2015

Annex 2: High-Level Dialogues

Annex 3: Examples of major ongoing EU funded actions

Annex 4: Financial pledging and contributions by the Member States to the Trust Funds and the

Facility for Refugees in Turkey