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**NOTE**

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**From:** European Commission and European External Action Service (EEAS)  
**To:** Delegations

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**Subject:** Joint Commission-EEAS non-paper on enhancing cooperation on migration, mobility and readmission with Eritrea

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Delegations will find attached the above joint Commission-EEAS non-paper.



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Brussels, 16 March 2016  
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<b>FROM:</b>	<b>European Commission and the High Representative</b>
<b>TO:</b>	<b>COREPER Ambassadors</b>
<b>SUBJECT:</b>	<b>Joint Commission-EEAS non-paper on enhancing cooperation on migration, mobility and readmission with Eritrea</b>

## **Country Fiche proposing possible leverages across Commission-EEAS policy areas to enhance returns and effectively implement readmission commitments.**

### **General**

Given the political and human rights situation in Eritrea the recognition rate for asylum seekers is at 89%. Under the current circumstances return and readmission is not a realistic option. It can only be sought once and if the political environment changes, leading to a considerable drop in asylum recognition rate:

- Hence for the time being the EU's engagement in Eritrea focuses on addressing root causes of migration (general living conditions, youth employment, etc.) and engaging in political dialogue.
- The EU's engagement in Eritrea carries a high reputational risk and needs to be carefully assessed at every step, particularly in view of past and future UN Commission of Inquiry reports on the human rights situation in Eritrea.

### **1. Key migration features of Eritrea**

#### Eritrean nationals as migrants in the EU

- Given the human rights situation in the country, notably unlimited duration of the "national service" composed of obligatory military service and a public-sector employment and a difficult economic situation, **Eritrea is currently the most important country of origin**, among Sub Saharan countries for migration flows to the EU.

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- **Eritrea is a significant country of origin:** according to UNHCR, approximately 5 000 people leave Eritrea each month. The number of asylum seekers in the EU remains generally stable over the last 2 years: i.e. 36 250 applications in 2014 and 33 145 in the first 10 months of 2015 (expected to reach 35 000 in 2015). The **recognition rate in the EU Member States** in 2014 and 2015 was at 89%, well beyond 75% threshold eligible for relocation.<sup>1</sup>
- At least 205 Eritreans have been relocated within the EU so far (sometimes the flights are reported as mixed nationalities, so there are no exact figures for the nationalities).

### Migration situation in Eritrea

- Eritrea is not a country of destination for migrants. According to the UNHCR, there were 2 549 refugees in Eritrea (2 485 Somali and 64 other nationalities) in 2014.

### Other key features concerning migration from Eritrea

- **As regards Eritrean refugees in the region, the highest number of Eritrean refugees can be found in Ethiopia and Sudan.** According to UNHCR, 22 270 Eritreans arrived in Ethiopia in 2014 (total number of Eritrean refugees: 106 670) and 10 720 in Sudan (total number of Eritrean refugees: 117 320).
- **Migrant-trafficking and smuggling is a major concern.** Estimates indicate that 25 000-30 000 people were victims of trafficking in the East and Horn of Africa region between 2009- 2013, with approximately 95% of these trafficking victims of Eritrean origin.

## 2. Relations with the EU

### General

- The human rights situation in Eritrea is dire. The EU engages with Eritrea to address and improve the human rights situation in the country, to support economic development and improve the livelihood of the Eritrean population and thereby to address root causes for migration. For this purpose an allocation of EUR 200 million is allocated to Eritrea under the National Indicative Programme (NIP) under the 11<sup>th</sup> European Development Fund (EDF).
- Root causes of migration are addressed at high level meetings with the government of Eritrea. The last discussion between the High Representative F. Mogherini and Minister for Foreign Affairs, O. Saleh, and the senior advisor to the president, Y. Gebreab, took place in the margin of the summit in Valletta (November 2015).
- At regional level, Eritrea is playing a constructive role in the context of the Khartoum Process and a member of the Steering Committee.

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<sup>1</sup> The 75% recognition rate threshold has two objectives: to ensure that all applicants who are in clear and urgent need of protection can enjoy their right of protection as soon as possible; and to prevent applicants who are unlikely to qualify for asylum from being relocated and unduly prolonging their stay in the EU. (Art. 3, COUNCIL DECISION (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece).

- Considering the dire human rights situation in Eritrea, a High Level Dialogue on return and readmission is currently unrealistic. In addition, if the next report of the UN Commission of Inquiry concludes that severe human rights violations persist in Eritrea and if this report is endorsed by Member States, this could severely complicate dialogue on migration with the country.

#### Migration relations Eritrea- EU

- The EU holds Article 8 political dialogues with the Government of Eritrea on migration. During these meetings, root causes for migration are discussed.
- Apart from Article 8 political dialogues on migration there has been one common mission to Eritrea from EU services in June 2015 to find ways of addressing issues related to root causes of migration and inquire about the migration policies of Eritrea.

#### Migration relations with EU Member States

- Some Member States have undertaken fact finding missions to Eritrea on conditions for return and readmission. So far, only the UK had informal talks with the government of Eritrea on possible (involuntary) returns and readmissions.

### **3. Key interests of the country and the EU**

#### Eritrean interests

- Engagement of the international community to facilitate the resolution of the border dispute with Ethiopia, and lifting of sanctions.
- Informally accepted until recently, the migratory outflows are beginning to be a concern for the government, notably because it is leading to a massive brain drain. The government considers generous asylum practices granting *prima facie* asylum as a main pull factor. However, it is clear that the migration trend also had positive effects from a government perspective such as reducing the number of discontent young people without jobs and, crucially, the inflow of remittances constitutes a significant proportion of the population's revenues.
- Under the Khartoum Process, Eritrea has requested support for: (1) capacity building for national authorities to fight human trafficking and migrant smuggling, and (2) support for awareness rising on risks related to migration.
- The government requests support for socio- economic development.

#### EU interests

- The EU interest is twofold: 1) addressing irregular migration in general and in particular by fighting migrant smuggling and human trafficking and 2) encouraging the government of Eritrea to reform the national service, to improve the human rights situation and review its macroeconomic framework to make it more conducive to economic growth and investment and, to reduce the push factor.
- At EU level, much closer and effective cooperation is needed, particular in fighting trafficking and smuggling, and addressing root causes of migration.

#### 4. Possible incentives<sup>2</sup>

- Reinforce the political dialogue focusing on key interests identified by Eritrea.
- Development aid constitutes a leverage with Eritrea, notably:
  - a) Trafficking and Smuggling:** "Support to Africa-EU Migration and Mobility Dialogue" programme (EUR 17,5 million under the Pan-African Programme) and programme on "Better Migration Management in the Horn of Africa" (EUR 40 million, EU Emergency Trust Fund). Under this programme migrant smuggling and trafficking in human beings (including victim protection) will be addressed. Actions related to the development of national and regional strategies to address migrant smuggling, as well as targeted information should also be included.
  - b) Addressing Root Causes:** The 11<sup>th</sup> EDF NIP (EUR 200 million) foresees interventions in the energy sector and support for improving public finance management and economic governance which is expected to contribute indirectly to creating job opportunities. Furthermore, **the EU is envisaging the elaboration of a project under the EU Emergency Trust Fund for an amount up to EUR 15 million.** The government of Eritrea is expected to make proposals in this regard. As regards the improvement of the human rights situation, support for the implementation of the recommendations made to Eritrea and accepted by Eritrea under the UN- Universal Periodic Review (UPR) is foreseen under the 11<sup>th</sup> EDF NIP.
- There is agreement that **the implementation of the 11<sup>th</sup> EDF NIP must be accompanied by reform measures**, such the improvement of the human rights situation (reform of the national service; effective implementation of the UPR recommendations) and economic governance.
- The European Investment Bank (EIB) is considering projects with the objective to tackle the root causes of migration.
- Participation of Eritrea in the EU's higher education programmes (Erasmus Mundus and now Erasmus+) could be increased. The Eritrea Institute of Technology and the College of Business and Economics are already participating in the "Harmonisation of Higher Education and Tuning Initiative".
- Leverage of Schengen visa issuance, within the boundaries of the Visa Code, to be discussed with the Member States.
- Restrictions in bilateral visa exemption agreements for diplomatic and service passport holders, to be discussed with the Member States.

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<sup>2</sup> No conditionalities can be attached to needs based humanitarian aid in line with the humanitarian principles.

## 5. Recommendations

### Short summary

- Reinforce the political dialogue focusing on key interests identified by Eritrea, while considering the reputational risk for the EU in engaging with Eritrea.
- Migration and root causes for migration should be tackled by a step-by-step approach in the implementation of the 11<sup>th</sup> EDF NIP, the migration management programme under the Khartoum Process and the Eritrea project under the EU Emergency Trust Fund.

### Recommendations

- Step by step implementation of the 11<sup>th</sup> EDF-NIP to address root causes of migration depending on the implementation of the "more for more principle" (effective implementation of the UPR recommendations and improvement of economic governance).
- The request from Eritrea under the Khartoum Process for support for (1) capacity building for national authorities to fight human trafficking and migrant smuggling, and (2) for awareness rising on risks related to migration should be accommodated under the Emergency Trust Fund project "Better Migration Management in the Horn of Africa" (EUR 40 million, EU Emergency Trust Fund).
- Identification of interventions under the EU Emergency Trust Fund to address root causes of migration.

## 6. Next steps

- Include migration in the agenda of next article 8 political dialogue. The expected outcome should be to agree to hold more detailed discussions at local level and/or agree on conduct of a technical mission from HQ. The possibility of launching a migration dialogue in 2016.
- Continued EU engagement and support to Eritrea in the context of the Khartoum Process, covering all aspects of migration cooperation.
- Examine further EU's and Member States' funding possibilities to support additional incentives.
- Regular reporting from EU Delegation in Asmara and from MS on all relevant aspects covering migration.