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NOTE

From: European Commission and European External Action Service (EEAS)
To: Permanent Representatives Committee

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

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



EUROPEAN COMMISSION

Brussels, 24 February 2016
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FROM:	European Commission and European External Action Service (EEAS)
TO:	COREPER Ambassadors
SUBJECT:	Joint Commission-EEAS non-paper on enhancing cooperation on migration, mobility and readmission with Senegal

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

1- Key migration features

Senegalese nationals as migrants to the EU

- 6 352 irregular border crossings of Senegalese nationals to the EU were registered in 2015 (4 789 in 2014)¹. In 2015 5,966 Senegalese nationals were found irregularly present in the EU which was an increase from 4,326 in 2014.
- Asylum requests doubled from nearly 3000 in 2013 to over 6 200 in 2014, with over 2/3 of them introduced in Italy. Preliminary figures for 2015 (8 190) indicate a further increase². The recognition rate in 2014 was 34%.
- Cooperation of Senegal with Spain and Frontex on setting up maritime control operations has allowed to practically bloc the migratory route towards the Canary Islands since 2006/07. Since 2010, irregular migrants from Senegal are taking inland routes, mainly via Mali, Niger and Libya across the Mediterranean to Italy.
- In 2014, 5 510 return decisions regarding Senegalese nationals were issued in the EU³, while 1 250 returns took place, yielding a return rate of 22,7%.⁴
- In December 2014, more than 220 000 Senegalese nationals were residing in the EU with a valid residence permit.
- Furthermore, an important Senegalese diaspora lives in the EU.

¹ Frontex, January 2016.

² Eurostat, 05/02/16

³ Most return decisions were issued by FR (ca 2340) and ES (ca 1190) with a return rate of 24,5% respectively 26,4%, and by Italy (ca 1050) with a much lower return rate of 5,7% .

⁴ Eurostat, 2015.

Migrant situation in Senegal

- Country of origin of both legal and irregular migration, with a strong tradition of migration to Europe, but also to other West African countries, essentially for economic reasons.
- Remittances are an important economic factor, making up about 10% of the Senegalese GDP in 2014 (approximately USD 1,6 billion/year)⁵. Most of the transfers go through informal channels.
- The government is committed to raise awareness among potential migrants as well as provide alternatives to irregular migration. They also intend to step up the political role of and the support to the diaspora.
- The Senegalese MFA has adopted an action plan (2015-2018) for the Senegalese diaspora, the aims of which include among others fighting against irregular migration and support to voluntary returns. A comprehensive national migration policy is currently being elaborated.

2 – Relations with the EU

General

- EU Relations with Senegal are excellent and dynamic, based on trade, development cooperation, political dialogue and shared fundamental values. In relative terms, development cooperation is of decreasing importance, while political, trade and security issues grow in relevance.
- Senegal is a major and trusted partner on regional and international files (e.g. security in the Sahel, Hissène Habré trial, ICC, climate change). President Macky Sall is personally engaged and instrumental in the conclusion of the Economic Partnership Agreement (EPA) with West Africa.
- The allocation in the 11th EDF is EUR 347 million. Sectors of the first phase (2014-2017, 200 M€) are governance, sustainable agriculture/food security and water/sanitation. The second phase of the NIP (2018-2020, EUR 147 million) will be marked by joint programming of the EU Member States having bilateral cooperation with Senegal, the EIB and the EU. The EIB has a very important portfolio which may be of additional interest to Senegal.

Migration relations Senegal - EU

- Senegal has been the most active sub-Saharan country in the Rabat Process and is a member of its Steering Committee.

⁵ World Bank, Oct 2015.

- Senegal was identified as a priority country for bilateral meetings to enhance practical cooperation on readmission in the EU Action Plan on Return.
- Senegal, and especially President Sall (current President of ECOWAS), played a very active and constructive role in the framework of the Valletta Summit, efficiently coordinating the position of the 15 ECOWAS member states.
- Senegal is eligible for EU Emergency Trust Fund support. 3 projects, totalling EUR 13.5 million, were agreed by the Operational Committee on 14 January 2016. More requests are under discussion. Two technical missions to identify possible EU Emergency Trust Fund projects took place in November 2015 and January 2016.
- Senegal is among the beneficiaries of several regional projects in the framework of the thematic programme of cooperation with third countries in the area of migration and asylum.
- Senegal is part of the EU-ACP Dialogue on Migration and Development. This dialogue has so far covered the issues of visas, remittances and readmission, and more recently smuggling of migrants and trafficking in human beings.
- A joint technical mission (EU and interested Member States) on return and readmission in October 2015 brought rather encouraging results, including initial exchange on EU Laissez-Passer. A second mission is planned in March 2016.

Migration relations Senegal – EU Member States

- Senegal accepts the principle of return, although return and readmission are not among its priorities. However, they take place at a low pace.
- Senegal has readmission agreements with Spain and France, but the agreement with France is not implemented in a satisfactory way. Italy has tried to negotiate a memorandum of understanding, so far unsuccessfully. Belgium has submitted a bilateral protocol to Senegal but did not receive any reply. Overall, cooperation on readmission remains challenging.

3 - Key interests of the country and the EU

Interests of the country

- Play a significant role in the region and on the international scene (UNSC member 2016-2017).
- Reach middle income status and develop its role as a regional economic and logistical hub.
- Continued flows of remittances from the diaspora, which are important for local investment but also as social security at family level.

RESTREINT UE/EU RESTRICTED

- Consolidate/extend channels for legal migration to the EU; facilitate work, business and student visa, as well as family reunification.
- Facilitate social and economic reintegration projects for returning migrants.
- Support/cooperation in the fight against terrorist threats and criminal networks.
- Continued development cooperation and benefits from the EU Emergency Trust Fund for Stability and addressing root causes of irregular migration and forced displacement in Africa.
- Creation of employment opportunities in the agricultural sector, especially for young people, to address root causes of irregular migration.
- Address the growing impact of climate change on key economic sectors and natural resources.
- Ensure the sustainability of the fishery sector, in particular as regards the artisanal segment and improve fight against illegal, unreported and unregulated fishery.

Interests of the EU

- Reduce the flow of irregular migrants from Senegal and the related loss of lives in the Mediterranean.
- Step up co-operation and results on return and readmission.
- Continue the successful cooperation on the maritime borders' surveillance.
- Encourage Senegal to use its current ECOWAS presidency to facilitate dialogue and cooperation with the West African region.

4 - Possible components of an EU incentives package⁶

- High level dialogue, recognition of and support to Senegal's role as a regional player and UNSC member.
- Facilitation of visa, legal migration and related issues (e.g. transfer of remittance), depending on Member States' possibilities to do so.
- Support to reintegration schemes for returning migrants, including support to Senegal's existing repatriation fund.
- Mobilisation of EU Emergency Trust Fund resources in support of the five areas of cooperation within the context of dialogue and progress in migration, in line with principles agreed in Valletta.

⁶ No conditionality can be attached to needs-based humanitarian aid in line with the Humanitarian principles.

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- Support to the upgrade of the existing biometric ID database/card system.
- Support to the identification missions of Senegalese experts in some of the consulates of Senegal in the EU Member States to facilitate the cooperation on readmission.
- Support targeted projects addressing the root causes of irregular migration, and promoting youth employment and combatting negative impact of climate change, etc. in particular in traditional regions of origin.
- Enhancing of the mutual recognition of academic qualifications and mobility of students and researchers both within Africa and between Africa and the EU (Erasmus+ and Marie Skłodowska-Curie Actions).
- Pursue ongoing cooperation on maritime control and repatriation (mainly through bilateral cooperation with Member States).
- Support policy dialogue in the agri-food sector, including attracting responsible investments which in turn can create jobs.
- Explore stepping up of cooperation on fisheries, including fighting against illegal, unreported and unregulated fishery. A bilateral fisheries agreement is currently in place (more or less EUR 1.7 million/year).
- Collectively, EU and Member States development cooperation is important. A first joint programming document on programming totalled the significant amount of EUR 1,2 billion of development aid (2014-2017). A more joined up approach is foreseen for 2018, which is key signal of a joined up approach from the EU and its MS to continue supporting politically Senegal's path to consolidate middle income status. Regarding upcoming rounds of programming, EU funds are committed until 2020, but bilateral funding is not yet totally committed,
- Mobilisation of EU Emergency Trust Fund resources in support of the five areas of cooperation within the context of dialogue and progress in migration, in line with principles agreed in Valletta. Given the excellent relations and overall importance of Senegal as an EU ally, the use of negative incentives could be counterproductive to EU interests, including migration itself, but also EPA, security, regional integration, etc.
- 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.

5 – Recommendations

- Given excellent relations with Senegal and its openness to dialogue and cooperation on migration, including on return and readmission, engagement and dialogue should be pursued at all levels. All strands of the Valletta action plan are to be covered, taking into account a number of (clearly voiced) areas of national interests.
- A well balanced approach, combining collective EU messaging with a package of positive incentives seems advisable. To be noted that a considerable part of the positive incentives lie in Member States competence. However, the EU and its MS should stand equally ready collectively to consider some of the elements outlined in the fiche as negative incentives, having in mind the potential impact this could have on EU interest and other policies' objectives.
- Additional EU support (e.g. through the EU Emergency Trust Fund) would create positive incentives and enable Senegal to swiftly address a number of its own priorities for action related to migration, e.g. related to the creation of jobs for youth, the re-integration of migrants and to local investment, in line with its national strategies. In turn, improvement regarding cooperation on return and readmission should be expected. The fact that this is a very sensitive subject at domestic level should be taken into account, preferring low-profile practical arrangements.

6 - Proposed next steps

- Include migration on the agenda of the next Article 8 political dialogue.
- Follow-up technical mission (EU and interested Member States) on readmission and return currently foreseen on 14-15 March 2016.
- Follow-up technical mission to identify possible Trust Fund projects in 2016.
- Possible ministerial meeting in the margins of the EU/ECOWAS ministerial political dialogue in the 2nd trimester 2016.
- Possible HL dialogue by Dutch MFA Koenders or alternatively bilateral meeting at the occasion of Commissioner Mimica's planned participation in the EU-ACP Joint Ministerial Council in Dakar on 28-29 April 2016.
- Possible visit of Commissioner Avramopoulos, in the second quarter 2016.