



Council of the European Union  
General Secretariat

**Brussels, 15 December 2023**

**WK 16821/2023 INIT**

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**NOTE**

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From:	Presidency
To:	Delegations
N° prev. doc.:	WK 15558/2023 INIT
Subject:	Update - Revised Action file - Tunisia

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In view of the COREPER meeting of 20 December 2023, delegations will find attached the revised MOCADEM Action file on Tunisia.

# Operational Coordination Mechanism for the External Dimension of Migration

**MOCADEM**

Revised Action file

**TUNISIA**

15 December 2023

## Specific objectives

Continue dialogue and intensified cooperation with Tunisian authorities on overall migration issues, including in the framework of the Memorandum of Understanding signed on 16 July 2023, in order to notably:

- Prevent irregular departures from, as well as irregular arrivals to, Tunisia, strengthen counter-smuggling cooperation and border management, notably through the Anti-Smuggling Operational Partnership, and increase search and rescue efforts;
- Reinforce protection of those in need;
- Increase assisted voluntary returns from Tunisia and sustainable reintegration in sub-Saharan Africa;
- Strengthen return, readmission and reintegration cooperation between Tunisia and the EU;
- Highlight the importance the EU attaches to legal migration, and develop a successful, mutually beneficial Talent Partnership.

The protection of human rights of all migrants and the full respect of international law are guiding principles for EU engagement.

Joint priorities on migration have been spelled out in the Joint Press Statement following the visit of Commissioner Johansson on 27 April, which identifies three key areas of action:

- 1) Operational Partnership on anti-smuggling;
- 2) Protection and support of voluntary return of irregulars from Tunisia to countries of origin;
- 3) Establishing a Talent Partnership on legal migration.

These priorities have then been further developed under the Memorandum of Understanding, notably under the pillar on migration.

To implement these objectives and agreed actions, enhanced coordination within and between MS and EU services, and between capitals and Tunis, will be needed. A thorough understanding of the migratory situation in Tunisia is useful to guide EU engagement.

In parallel, it is crucial for the EU to step up efforts to address the root causes of irregular migration through programmes in support of youth, access to quality education, creation of sustainable economic opportunities, decent jobs, vocational training and education, step up support to small and medium-sized enterprises. In addition, the EU should support the Tunisian authorities in establishing a legal and institutional framework for the management of migration, reception and asylum.

## Measures

### **Political and technical outreach**

**Measure 1:** Intensify political and senior official level contacts, including through joint missions when possible and appropriate, making full use of the common EU messages on migration (annex) and integrating these messages into a broader set of messages on the political and economic situation (agreed in MaMa WP and endorsed in PSC).

- **Lead actors:** Commission, EEAS and Member States
- **Timeframe:** On going

#### **Achieved:**

- Visit of Commissioner Johansson on 27 April 2023. 9-10 May 2023: Following FAC tasking, BE and PT Foreign Affairs Ministers visit on behalf of the HRVP.
- Joint mission of President von der Leyen, IT Prime Minister Meloni and NL Prime Minister Rutte on 11 June; followed by another visit for the signature of Memorandum of Understanding on 16 July 2023.
- June 2023: Visit of DE and FR Ministers of the Interior, Nancy Fäser and Gérald Darmanin.
- Video conference between DG Koopman (NEAR), DDG Luchner (HOME) and DG MOFA Ferchichi on 6 of September 2023.
- Call between Commissioner Johansson and MOFA Nabil Ammar on 11 September 2023
- Call between Commissioner Várhelyi and MOFA Nabil Ammar on 21 September 2023
- Meeting at SOM level (DG COM and Ambassador of Tunisia Mr Sahbi Khalfallah) on the MoU. The Matrix with proposed updated detailed measures for the five pillars of the MoU, developed by the COM was transmitted to TUN on 13 November
- Call at SOM level (DG COM with MOFA DG Ferchichi) on 21 November 2023)

**Measure 2:** Follow up at technical level of the joint press statement (27 April), the operational conclusions of the EU-Tunisia sub-committee on migration, employment, and social affairs (31 January); continue the implementation of the Memorandum of Understanding.

- **Lead actors:** Commission, EEAS
- **Timeframe:**
  - o Ongoing

#### **Achieved and ongoing:**

- COM expects to relaunch political and technical discussions for all five pillars in the coming weeks.
- COM is delivering a package of immediate (around EUR 25 million) and short-term (around EUR 42 million) support to Tunisia for a total value of EUR 67 million by the end of the year.
- The immediate package, which has been delivered, includes spare parts and engines for putting search and rescue vessels of the Garde Nationale Maritime back into operation, and increasing support to voluntary returns and protection of migrants. Contracts with UNHCR on protection and with IOM on voluntary returns to countries of origin were signed on 27 September.
- The short-term package, which includes training and equipment for the Garde Nationale Maritime and the Navy, will be delivered by the end of December.

- The packages are to be financed mostly from the EUR 105 million migration funding of 2023, together with funds from previous years and EUTF.
- Technical meeting between Tunisian authorities and European Commission on the implementation of Anti-smuggling and border management programmes, 28 November 2023.

***Prevent irregular departures from, as well as irregular arrivals to Tunisia, strengthen anti-smuggling and border management cooperation and increase search and rescue efforts.***

**Measure 3:** Roll out the Anti-smuggling Operational Partnership (ASOP) and launch of a new regional Anti-Smuggling programme.

- **Lead actors:** Commission, Member States
- **Timeframe:**
  - o Q2 2023: Appoint focal points at the EU side and Tunisian side, explore Tunisian and Member States' availability to launch a Joint Investigation Team under the ASOP.
  - o Q4 2023: finalisation of the contract of Anti-Smuggling regional action to increase the investigative and prosecution capacity, number of convictions and criminal networks dismantled, as well as to improve the code of conduct of the police forces.

**Achieved:**

- Europol analyst has been deployed since 19 September 2023 to the Italian Central Operational Service in Rome to assess the existing information on the flows from Tunisia and to identify suitable cross-border investigations.
- A mentorship programme between Tunisian mentees and EU mentors (AT, IT and ES) on migrant smuggling to start in October (Euromed Police).
- 2 regional info campaigns are underway since May and June 2023 respectively: one covering Tunisia, Niger, Nigeria targeting the Central Mediterranean Route (consortium of organisations from IT, BE and GR); started on 1 May 2023, and the other covering Tunisia, Morocco (consortium of organisations from IT, FR and ES).

**Planned:**

- Anti-smuggling regional action, which aims to support Tunisia in its effort to dismantle criminal networks of migrant smugglers and traffickers of human beings, and to enhance operational cooperation between law enforcement authorities will be launched in January 2024.

**Measure 4:** Support the Tunisian Coast Guard and the Tunisian migration and border management system, while ensuring the safeguard of human rights of migrants.

- **Lead actors:** Commission, Member States
- **Timeframe:**
  - o Q2-Q3 2023: Explore with Tunisian authorities' ways of reinforcing cooperation at technical level, including at international airports.
  - o Q2-Q3 2023: Encourage Tunisian dialogue with key countries of origin on factors driving irregular flows to Tunisia.
  - o Q2-Q3 2023: Strengthen Tunisia's active participation in the ongoing border management projects, e.g. SAR, training academy and BMP projects.
  - o Q4 2023: finalisation of contract on border management for Tunisia.

**Achieved:**

- Ongoing programmes of a total of EUR 35 million (adopted in 2021, contracted in 2022) and 17 million (2023) to support for Search and Rescue operations, including to the Maritime Rescue Coordination Centre and the training academy of the Garde Nationale Maritime of Tunisia.
  - o Support search and rescue operations at sea in Tunisia (EUR 16.5 million 2021 budget, EUR 17 million 2023 budget)
  - o Strengthening the Tunisian Coast Guard Training Pillar (EUR 13.5 million 2021 budget)
  - o Border Management Programme Maghreb (Tunisia: additional EUR 5 million 2021 budget)
- Under the Border Management Programme for the Maghreb region, funded under the EUTF, engines and spare parts have been delivered to make 12 boats operational again. A first batch has been delivered to the Coast Guard and will allow to put eight boats back into operation. Two Tunisian officials have been deployed in Rome as of 9 October.
- Contract for the delivery of fuel (Italy).

**Planned:**

- A contract for a EUR value of 18 M to be signed to support the GNM capacities for signature in Q4.
- Delivery of a SAR boat in Q4.
- Under preparation (2022 allocation) by Q4 2023: support to cross-border cooperation, including the support to a coordination and control centre for the Garde Nationale for the land borders. Main aim of the contract is to build and equip a **command-and-control centre** for the Tunisian national guard at the border with Libya and to enhance cross border cooperation with Libya.

**Measure 5:** Intensify and formalise EU agencies' (Frontex, Europol, Cefpol, EUAA, Eurojust) cooperation with Tunisia.

- **Lead actors:** Commission, EU agencies
- **Timeframe:**

**Achieved:**

- A 2-day familiarisation visit by a Tunisian delegation to Frontex took place on 13-14 September, to also explore the interest of Tunisia in a working arrangement. The visiting delegation was comprised of personnel from the Ministry of Defence, Navy, Coastguard and Border Police under the overall lead of the Ministry of Foreign Affairs. The delegation showed interest to gradually engage into dialogue but felt it is pre-mature to start talks on the working arrangement.
- Tunisia has been invited to the forthcoming Frontex Search & Rescue exercise (in Greece from 24-25 October); invitation sent on 2 October. Tunisia did not attend the exercise due to limited time for internal nomination procedures, but interest is shown in future SAR exercises. Two maritime experts from MRCC Tunis participated to the SAR Workshop in October 2022 in Italy within JO Themis.

- Europol is still waiting to hear back from Tunisia on the suggested draft agreement text which has been proposed for the working arrangement. Commissioner Reynders sent a letter on 26 September, to relaunch discussions for an international agreement on cooperation with EUROJUST. Tunisia held internal consultations between Ministers of Interior, Justice and Foreign Affairs on the text of the working arrangements shared by Europol. The meeting allowed the three line ministries to agree positions of which should allow for Tunisia to revert back to Europol and plan a meeting to clarify any outstanding issues.

**Planned:**

- COM to relaunch the discussion on an international agreement for the exchange of personal data between Europol and Tunisian authorities.

***Increase assisted voluntary returns from Tunisia and sustainable reintegration in sub-Saharan Africa and reinforce protection of those in need.***

**Measure 6:** Support relevant partners, in particular IOM and UNHCR, in activities and operations for protection of migrants and assisted voluntary return from Tunisia to sub-Saharan Africa.

- **Lead actors:** Commission, EEAS and Member States
- **Timeframe:**
  - o June 2023: Adoption of a regional North Africa action document including additional support to assisted voluntary return from the North Africa region (mainly Tunisia and Egypt), and sustainable reintegration.
  - o Q4 2023: engage with Tunisian authorities to develop a national mechanism for returns facilitation.

**Achieved**

- COM signed a new project with UNHCR “Renforcement de la protection et de l’accès aux services de base des réfugiés et demandeurs d’asile vulnérables en Tunisie” [budget: EU EUR 8 million + EUR 1 million from NL] to enhance reception and access to international protection for asylum seekers and refugees.
- COM renewed the regional programme on “Migrant Protection, Return and Reintegration in North Africa” with a top up of EUR 13 million.

**Planned**

- New technical assistance programme to further support the return system in Tunisia is under preparation by the COM and expected to be signed in Q4 2023.

***Strengthen return and reintegration cooperation between Tunisia and the EU***

**Measure 7:** Strengthen EU and Member States' assisted voluntary return and reintegration projects for Tunisian nationals, in particular on the basis of existing good practices, and promote synergies and coherence of these actions with the Joint Reintegration Services of Frontex, the EU-funded national reintegration support mechanism ‘Tounesna’ and the TEI of the Central Mediterranean route.

- **Lead actors:** Commission, EEAS, Frontex and Member States
- **Timeframe:**

- Q2-Q3 2023: Ongoing discussions between COM, EUD Tunisia and Frontex on complementarities/synergies between JRS Programme and “Tounesna”.

**Achieved:**

- Tunisia is one of the seven priority third countries chosen for the targeted joint return actions proposed to the High Level Network for Return in October 2023.
- COM further topped-up financing for sustainable reintegration of Tunisian returnees in Tunisia through the national reintegration mechanism “Tounesna”.

**Measure 8:** Pursue all opportunities to improve cooperation on readmission with Tunisian authorities, incl. by engaging on operational cooperation and by exploring possibilities to restart negotiations on a readmission agreement when appropriate.

- **Lead actors:** Commission
- **Timeframe:** Ongoing

- Tunisia has shown no interest to date to relaunch the negotiations for a readmission agreement and a visa facilitation agreement (suspended since 2019).

***Highlight the importance the EU attaches to legal migration.***

**Measure 9:** Consider Tunisian concerns related to visa procedures, while reminding Tunisia of the link between readmission cooperation and visa issuing. Explore availability to restart negotiations on a visa facilitation agreement. Consider enhancing consular resources for visa processing in Tunis in parallel with strengthening readmission cooperation.

- **Lead actors:** Member States, Commission

Discussion on an adaptation of the Multiple Entry Visas cascade proposed by the Local Schengen Cooperation in Tunis took place in the Visa Committee in May 2023, but has not yet found agreement.

**Measure 10: Launch of a Talent Partnership.**

- **Lead actors:** Commission, Member States
- **Timeframe:**
  - o Q2 2023: Roundtable planned (date TBC) to set the main elements of the partnership and roadmap thereafter.

**Achieved:**

- **Roundtable** held in June 2023 on **Talent Partnership between Tunisia**, COM and Member States (IT, FR, DE). COM is awaiting Tunisian feedback on the conclusions of this meeting.
- 3 projects covering Tunisia already on-going and the fourth being evaluated under Mobility Partnership Facility (MPF) with a budget of EUR 5,7 million.

**Planned:**

- Joint Roadmap for Talent Partnership to be finalised in Q4 2023
- Renewed regional programme on legal migration (THAMM +, EUR 18 million) in preparation by the COM, to be signed in Q4 2023 includes Tunisia.



## **ANNEX: Common messages**

### **General messages (complemented by the lines to take agreed in the MaMa Working Party)**

- Recall the long-standing, close and comprehensive partnership between the EU and Tunisia and express the EU's will to continue and deepen this mutually beneficial cooperation, based on mutual commitments, shared priorities, democratic values, and the respect for human rights. The EU-Tunisia partnership encompasses the full range of shared interests – political, economic, and sectoral in addition to migration – and must be deepened across the board to be effective.
- On the economic front, the European Union is convinced that the implementation of structural reforms is a key element in ensuring the country's macroeconomic stability and future prosperity. The EU and its Member States stand ready to accompany the Tunisian authorities at every stage of this process by supporting socio-economic reforms that create jobs and investment.
- The prospect of the EU-Tunisia Association Council meeting in the coming months will provide an opportune moment to adopt the new 2024-2027 Strategic Priorities and to take stock of the various areas of our bilateral cooperation.
- Recall the EU's intention to work closely with Tunisia through the prism of the implementation of the five pillars of the Memorandum of Understanding on a strategic partnership concluded on July 16, 2023, and the Ten-Point Plan for Lampedusa presented by the European Commission on September 17, 2023. The European Union remains ready to implement all the commitments it has made in recent months, in all areas of our partnership.

### **Complementing messages on migration**

- Express strong concerns over recent numbers of irregular departures from Tunisia, resulting in several serious incidents of shipwrecks and severe loss of life at sea. The situation must be addressed urgently in a common effort, reflecting the shared responsibility of all parties.
- Emphasize the importance of the protection of human rights of all migrants, including access to an asylum procedure, basic services and infrastructure, as well as of preventing and addressing all forms of violence against migrants.
- Thank the Tunisian authorities for the efforts to prevent the loss of human lives and underline the need to strengthen these efforts, while respecting human rights of rescued migrants.
- Encourage Tunisia to consider ways to improve management of arrivals to Tunisia e.g. at airports and the land border with Libya, as well as mitigating consequences of visa free regimes. Stress the importance of accurate data on migration.
- Stress the EU's willingness to strengthen support to Tunisia in the field of border management, search and rescue, and through capacity building in the field of migration and reception, based on an updated assessment of the needs of the Tunisian authorities and on ensuring the protection of migrants' human rights. Encourage active participation of relevant Tunisian actors in the SAR project.
- Highlight that the fight against the networks of migrant smugglers and human traffickers will be further supported through the Anti-Smuggling Operational Partnership, launched on 27 April 2023 and through enhanced cooperation with EU agencies. On border management, developing cooperation between Tunisia and Frontex would be an important step forward. In this regard, Frontex will be proposing to the Tunisian authorities proposing a number of light capacity building and familiarisation activities in the border management domain. Stepping up

operational cooperation with EU MS law enforcement authorities would also be a significant step forward.

- Underline EU's willingness to continue to address the root causes of irregular migration and forced displacement in Tunisia and countries of origin of those migrating to/through Tunisia, focusing particularly on youth by supporting education, vocational training, entrepreneurship, and job creation.
- Underline the potential of the Talent Partnership, bringing together several Member States' engagement in the field of legal migration and creating a platform for exchanges on labour market needs and concrete follow-up actions, including the facilitation and scaling-up of mobilities, in line with the mutual interests of Tunisia and the EU. Look forward to the conclusion of Joint Roadmap later this year.
- Highlight the regional TEI (Team Europe Initiative) for the Central Mediterranean migration route, which should enable us to strengthen, in an integrated and coordinated manner, the support of the EU and the Member States to Tunisia, taking into account all the migration matters that arise along the route, in dialogue and cooperation with Tunisia and other participating states.
- Stress the need for Tunisian authorities to facilitate assisted voluntary returns from Tunisia to countries of origin, sustainable reintegration and protection of those in need, in full respect of the human rights of all migrants and reiterate the EU's commitment to step up support. Welcome the removal of fees for departures.
- Recall that the EU and Tunisia remain committed to effective cooperation with each other in the field of return and readmission with all Member States. Underline the readiness of both the EU and its Member States on one side and Tunisia's on the other to work on returns (both voluntary and non-voluntary) and reintegration of Tunisian nationals, including in the framework of the EU supported national Tounesna mechanism, as well as the Frontex JRS and other EU and Member States reintegration projects.
- Highlight that the EU and its Member States are open to discuss the prospect to facilitate the issuance of short-stay and multiple entry visas, provided there are positive developments on readmission cooperation.
- Stress that the EU is following with concern the developments in Sudan, and its already visible impact on the migratory situation in the region, including Tunisia.