



Council of the
European Union

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LIMITE

JAI 72
MIGR 17
ASIM 8
RELEX 60
COASI 15

NOTE

From: Presidency
To: Delegations

Subject: Discussion on the EU's migration relationship with Pakistan

Delegations will find in Annex a courtesy translation of doc. 5522/22.

The objective of this discussion is to exchange views on cooperation between the EU and Pakistan on migration. Delegations will be invited to define priority guidelines for improving this cooperation, with a view to a possible action plan that the Commission and the EEAS could produce at the request of the Council. The Presidency suggests that Pakistan be identified among the additional priority countries to be covered by an action plan.

1. Pakistan is a host country

Pakistan is home to approximately 3 million Afghans (of which 1.4 million are registered with the UNHCR and more than 1 million are in an irregular situation) and 1 to 2 million Bangladeshis. Since the beginning of 2021 and until January 10, 2022, UNHCR has registered more than 89,300 arrivals of Afghan nationals in Pakistan, including more than 50,000 since the Taliban took control of Afghanistan. Pakistani authorities have repeatedly reiterated since mid-August that they do not wish to open the border to displaced Afghans. Only nationals with valid travel documents are allowed to enter Pakistan for medical or professional reasons (according to local authorities, about 3,500 regular crossings of the Afghanistan-Pakistan border are reported per week). The Pakistani Foreign Minister expressed strong concern at the December 7, 2021 high-level dialogue about the expected increase in the flow of Afghan nationals to his country in the coming weeks and months. The hosting of an Organization of Islamic Cooperation ministerial meeting on December 19, 2021 in Islamabad on support to Afghanistan demonstrates Pakistan's intention to play a major regional role in addressing the consequences of the Afghan crisis.

2. Pakistan is also a major source and transit country on the Eastern Mediterranean route

In the region

With 6 million expatriate citizens, i.e. 3% of the country's total population, emigration is an important phenomenon in Pakistan, due to a deteriorated economic context (growth down to 3.3% in 2018-2019; unemployment up to 7.7% in 2018; 60% of young people aged 15-24 unemployed), combined with a dynamic demographic situation (44% increase in the population in 10 years, mainly composed of young people under 30). The Pakistani authorities encourage emigration, with the support of the International Labor Organization, by developing mechanisms for Pakistanis seeking employment abroad, mainly in the Gulf.

In this context, human trafficking is a widespread phenomenon in Pakistan, the main forms of which are bonded labor, forced labor and sexual exploitation. With the labor force growing at +0.3% per year compared to the rate of job creation, unemployed citizens are particularly vulnerable to trafficking. According to the UNODC, nearly 300,000 people from Pakistan are victims of human trafficking each year.

The main destination for Pakistani migrants remains the Gulf countries (51% of Pakistani emigrants according to the United Nations) and in particular Saudi Arabia (1.3 million) and the United Arab Emirates (950,000) - ahead of the EU (850,000) - despite the tightening of employment conditions in these countries in recent years.

In this context, the question of a possible shift to irregular flows to Europe can be raised.

Towards the EU

Pakistani irregular immigration to the EU transits mainly through Turkey, and has declined significantly since the adoption of the March 2016 EU-Turkey Joint Declaration. Nevertheless, it stands out for the diversity of the routes used, and arrivals of Pakistani nationals continue on the Western Balkan route as well as on the Central Mediterranean route. Thus, despite a decrease from 71,000 to 13,800 arrivals from Pakistan between 2019 and 2020, according to Turkish authorities, irregular flows to the EU have not decreased on the Western Balkan route and have increased in Italy.

In 2021, according to EASO, Pakistan is the 4th largest country of origin of asylum applications with 20,559 applications, mainly in Italy (34%), Greece (19%) and France (12%), with a first instance protection rate of 9% in 2020 that knows strong disparities between EU+ states (from 2% to 100%).¹

1 Source : EASO

3. Cooperation with the EU on migration

While there is no formal dialogue on migration between the EU and Pakistan at this stage, the EU-Pakistan Strategic Engagement Plan states that both sides should work towards "the full and effective implementation of the EU-Pakistan readmission agreement and the establishment of a broader, mutually beneficial and comprehensive dialogue on migration and mobility". It should contain "clear objectives and common commitments" in which the Pakistani authorities express a strong interest.

Migration issues are regularly discussed in the framework of the Budapest Process, the Joint Commission and the EU-Pakistan Political and Strategic Dialogue. In addition, cooperation on return and readmission is closely monitored through the meetings of the joint committee provided for in the EU-Pakistan agreement on the readmission of persons residing illegally on their respective territories, which came into force in 2010, and whose main objective is to establish, on the basis of reciprocity, rapid and effective procedures for the identification and safe and orderly return of these persons.

In these different fora, Pakistan regularly expresses its willingness to strengthen its cooperation with the EU on mobility and migration issues. It reiterated its interest in concluding an administrative arrangement to facilitate legal mobility and a visa facilitation agreement at the 6th EU-Pakistan Strategic Dialogue held on 7 December.

Pakistan is a key partner for the EU on the Silk Road and its role at the regional level remains important in view of the situation in Afghanistan.

A strengthened cooperation seems to be emerging in the framework of the migration relationship with Pakistan, including the following three areas of cooperation, which were discussed at the meeting of the High Level Working Party on Asylum and Migration on 26 November 2020:

- **Support for Pakistan's efforts to receive displaced persons and Afghan refugees and for its stabilization role in the region.** Pakistan has admitted 3 million Afghans to temporary stay on its territory², and is actively participating in the Strategy for Afghan Refugee Solutions (SSAR) platform whose Core Support Group is chaired by the EU. The EU is already committed to increasing its support to the countries of the neighborhood, including Pakistan, notably in the framework of the proposed Team Europe Regional Initiative on the situation of Afghan IDPs. This TEI aims to promote, in the long term, the protection, integration, voluntary return and reintegration of Afghan nationals through increased support to Pakistan, Iran and the countries of Central Asia. In this context, a new program to support Afghan refugees and displaced people in Pakistan, Iran, Central Asia and Afghanistan (50 million euros) was recently validated by the Member States (last November). The contracts to implement this commitment were signed at the end of 2021.
- **Strengthening cooperation on forced and voluntary returns, including with assistance for reintegration and sustainable reintegration,** which remains uneven across Member States (return rate at 11% in 2020, with 2,060 people removed out of 19,290 return decisions issued). In 2010, the country concluded a readmission agreement with the EU and, in conjunction with several Member States, deployed a computerized identification and travel document application system (Readmission Case Management System - RCMS), which is intended to be generalized. An EMLO has been posted in Islamabad since 2016. Pakistan has recently concluded a readmission agreement with Bosnia and Herzegovina and voluntary returns with reintegration assistance to Pakistan are supported by the ERRIN network which has benefited over 7,000 people.

2 With the implementation of the “Proof of the registration card” (POR)

- **Prevention of departures, border management, and the fight against migrant smuggling and human trafficking.** The country passed two laws in 2018 that provide very heavy criminal penalties against smugglers and human trafficking networks. However, the capacity of Pakistan's security and judicial system to effectively investigate, prosecute, and convict smugglers needs to be tested. In addition, Pakistan has developed an Integrated Border Management System (IBMS), a software program that has collected travel history information on more than 142 million travelers since 2002. The system records the passport numbers of travelers and all information is stored within NADRA. Nevertheless, the country does not have a fully-fledged departure prevention policy. The EU has supported four regional projects that include Pakistan in the 2014-2020 multi-annual financial framework on border management, combating migrant smuggling, and human trafficking³. The National Indicative Program for Pakistan addresses issues related to migration management and governance as well as forced displacement and will be complemented by the Asia/Pacific Regional Program which provides 422 million euros in the area of migration⁴ as well as a potential Team Europe Initiative. The country is not currently cooperating with Frontex, but during the visit of Frontex representatives last August, it expressed interest in initiating concrete cooperation in the area of border management, possibly through the appointment of a liaison officer (FLO) or the negotiation of a working arrangement.

3 The project “Global Action against trafficking in Persons and the Smuggling of Migrants – Asia and the Middle East” (Glo.ACT) et the programme “Integrated Border Management in the Silk Route Countries”.

4 WK14286/2021 INIT - State of Play of migration-related expenditure outside the EU – Non-paper by the Commission.

It will also be necessary to take into account specific factors, such as political instability, unemployment and inequality, especially as they affect migration movements.

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On the basis of these elements, the Presidency would like to invite delegations to answer the following questions:

- **Do the three lines of work mentioned above seem relevant to you and, if so, what European or national means could be mobilized to achieve concrete results? How could EU agencies contribute to this?**
 - **Should other areas of cooperation be considered, and if so, which ones?**
 - **Do you consider it necessary to open a migration dialogue with the Pakistani authorities? What would be the conditions for the opening of such a dialogue?**
 - **Taking into account all these elements of discussion, do you consider it appropriate to develop an action plan for Pakistan?**
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