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NOTE

From:	Presidency
To:	Delegations
Subject:	Ministerial Conference of the Khartoum process (Rome, 28 November 2014) - Declaration

Delegations will find attached the above Declaration, as adopted by the Ministerial Conference of the Khartoum process held in Rome on 28 November 2014.

Declaration of the Ministerial Conference of the Khartoum Process

(EU-Horn of Africa Migration Route Initiative)

Rome, 28th November 2014

We, Ministers of the following countries:

Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Kenya, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Somalia, South Sudan, Spain, Sudan, Sweden, Tunisia and United Kingdom,

and the European and African Union (AU) Commissioners in charge of migration and development, as well as the EU High Representative/Vice-President of the European Commission,

in the presence of Norway and Switzerland.

Meeting in Rome, on November 28th, 2014,

Reaffirming the commitments of the Heads of States and Governments in the EU-Africa joint declaration on migration and mobility adopted at the Fourth EU-Africa Summit on April 2nd-3rd, 2014, and the related Action Plan for 2014-2017;

Recalling the Ministerial Joint Africa-EU Declaration on Migration and Development signed in Tripoli on 22-23 November 2006;

Building on the positive outcome of the AU Regional Conference on human trafficking and smuggling in the Horn of Africa and of its ministerial meeting, held in Khartoum on 13-16 October 2014;

Recalling the outcome of the Senior Officials' Meeting held in Khartoum on October 15th, 2014,

Highlighting the importance of the regional dimension in tackling the challenges posed by the mixed migratory flows of irregular migrants, refugees and asylum seekers between countries of origin, transit and destination between Horn of Africa and Europe;

Acknowledging the potential mutual benefits of well managed migration and mobility for both our continents;

Deeply concerned about the serious social and human impact that mixed migration flows may produce, as well as about the growing number of lives endangered by hazardous journeys across desert and sea, in particular the Mediterranean, more than ever committed to undertaking action to try to avoid such tragedies in full observance of human rights and human dignity;

Expressing great concern at the harsh and blatant abuses suffered by victims, especially migrants in vulnerable situations, from organized criminal groups of smugglers and traffickers;

Acknowledging that trafficking in human beings and smuggling of migrants are two distinct yet interrelated phenomena;

Acknowledging that trafficking in human beings constitutes a serious crime and a violation of the human rights of the victims;

Underscoring the importance of prosecuting smugglers and traffickers and dismantling their criminal networks as they represent a serious threat also, in some cases, in terms of terrorism, including to the lives of migrants, as well as of providing protection to refugees and asylum seekers and assistance to migrants in vulnerable situations;

Fully aware of the importance to ratify and implement the UN Convention Against Transnational Organized Crime and the Protocols against Smuggling of Migrants and Trafficking in Persons, supplementing the UN Convention against Transnational Organized Crime, the so-called "Palermo Convention and its Protocols";

Underlining the need to ensure effective protection to refugees, asylum seekers, as well as to internally displaced persons, and to provide for due access to asylum processes in line with international law;

Stressing the importance of addressing the push and pull factors, and the root causes of irregular migration and mixed migration flows between Africa and Europe and underlining in this context the importance of promoting sustainable development, in line with the global development agenda;

Recalling that promotion and respect of human rights constitute a cross-cutting issue of our cooperation;

Emphasizing the need to work together in a spirit of mutual partnership and shared responsibility to establish a durable dialogue on migration and mobility, having also regard to security concerns.

We agree to undertake concrete actions to prevent and tackle the challenges of human trafficking and smuggling of migrants between the Horn of Africa and Europe, in a spirit of partnership, shared responsibility and cooperation.

To this end, we agree to launch the **EU-Horn of Africa Migration Route Initiative** (the Khartoum Process), which will initially focus on concrete cooperation in the following key areas:

- Developing cooperation at bilateral and regional level between countries of origin, transit and destination to tackle irregular migration and criminal networks, through concrete measures on a voluntary basis such as initiatives in the area of information-sharing, focused training and capacity building, technical assistance and the exchange of best practices;
- Assisting in improving national capacity building in the field of migration management in all its components upon individual request of the countries in the region;
- Assisting the national authorities in stepping up prevention measures, such as information campaigns to improve awareness of risks of irregular migration, with special regards to trafficking in human beings and smuggling of migrants;

- Establishing national strategies to strengthen horizontal coordination among all services involved to effectively and consistently address trafficking in human beings and smuggling of migrants, including ensuring protection to refugees and asylum seekers and assistance to migrants in vulnerable situations;
- Assisting in improving identification and prosecution of criminal networks by enhancing national law enforcement agencies, and the judicial systems responses, enhancing, and where appropriate, setting up systems of proper financial investigations and measures to prevent laundering of proceeds of crime, as well as tackling corruption more effectively;
- Improving or, where appropriate, establishing criminal law frameworks and fostering – where applicable – the ratification and the proper implementation of the Protocols against Smuggling of Migrants and Human Trafficking, supplementing the UN Convention against Transnational Organised Crime (Palermo Convention);
- Promoting a victim-centred approach, supporting the victims of trafficking and protecting the human rights of smuggled migrants and the needs of the most vulnerable ones, including through, where appropriate, the involvement of civil society in accordance with national law;
- Promoting sustainable development in countries of origin and transit in order to address the root causes of irregular migration;
- Developing a regional framework for return, including voluntary, and reintegration, in the full respect of human rights, while strengthening the national capacities in these fields;
- Where appropriate, on a voluntary basis and upon individual request of a country in the region, assisting the participating countries in establishing and managing reception centres, providing access to asylum processes in line with the international law, if needed, improving camp services and security, screening mixed migratory flows and counselling migrants.

This initiative aims at seeking contribution from all partners involved to implement concrete actions based on the objectives of the present Declaration. We recall that initiatives launched on the basis of this Declaration will be carried out on a voluntary basis and without prejudice to the sovereignty of the participating States. Moreover, this Declaration does not create legal rights or obligations under international law.

We express our firm political commitment to expand the Khartoum Process into a sustainable regional dialogue on migration and mobility which will address the root causes of irregular migration and mixed migration flows in a comprehensive and balanced way, including through efforts aimed at eradicating poverty and realizing Millennium Development Goals, and will be based on the following thematic priorities: better organizing legal migration and fostering well-managed mobility, including intra and inter-regional labour mobility; assisting in improving national capacity building in migration management in all its components and addressing irregular migration, including through cooperation on return, in particular voluntary return, and readmission, preventing and combating trafficking in human beings and smuggling of migrants; maximising the development impact of migration and mobility through concrete initiatives; promoting cooperation on protection and its principles for refugees and asylum seekers in accordance with relevant international conventions, and in particular the 1951 UN Geneva Convention.

The Khartoum Process will be steered by a group of core EU and African countries as well as by the European Commission, the European External Action Service, on the EU side, and the AU Commission. The steering group will meet on a regular basis. Moreover, a Senior Officials' meeting of the participating countries will be foreseen to ensure the proper follow-up of the Khartoum Process.

We are also committed to hold a second Ministerial Conference in [...] ¹ in order to assess the cooperation undertaken in the first phase and broaden the cooperation framework of the Khartoum Process on migration and mobility, including by harnessing the benefits of regular migration between countries of origin, transit and destination in order to better manage migration.

¹ Date and venue still to be defined