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NOTE

From:	Commission Services
To:	Delegations
Subject:	Operationalization of the Pact – Action plans for strengthening comprehensive migration partnerships with priority countries of origin and transit Draft Action Plan: Niger

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (07.02.2022)

Delegations will find attached a draft action plan for Niger prepared by the Commission Services.

The Commission would very much appreciate that the text of the draft action plan be handled with discretion.

Action Plan: Niger

Overall EU Objectives – Lines to Take
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Goals for managing migration and addressing forced displacement – Lines to Take
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Measures

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Timelines for action

A. Next Steps for engagement by EU and by Member States

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B. Next steps for funding measures

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ANNEX I

Existing EU cooperation and areas of engagement under the New Pact

I. Asylum / international protection / humanitarian aid

- Promoting the protection for refugees, internally displaced persons and other persons of concern. This includes the capacity building of national stakeholders on protection to provide a protective environment and the provision of direct assistance (access to health facilities water and sanitation, land or shelter) for forced displaced persons with possibilities of resettlement.
- Enhancing the resilience of host communities, refugee populations and internally displaced persons; Specific actions focussing on access to justice, basic services and employment opportunities, and promoting peace building and reconciliation among host communities and forced displaced persons.
- An Emergency Transit Mechanism (ETM) in Niger was established in November 2017, under the African Union–EU–United Nations Tripartite Taskforce on the Situation of Stranded Migrants and Refugees in Libya. Operating under the auspices of UNHCR and supported by the EU (co-funding contribution from the EU Emergency Trust Fund for Africa of €45 million); the ETM serves as a primary mechanism to resettle or provide complementary legal pathways to vulnerable refugees evacuated from Libya. Under the mechanism, 3 318 persons have been evacuated from Libya to Niger since 2017.
- EU humanitarian aid in Niger included life-saving activities in protection, health, food security, nutrition, water and shelter and education, well-articulated with development programme. The Rapid Response Mechanisms aimed at providing multisector emergency humanitarian aid to forcibly displaced population amount to about €8 million in 2021. In the last three years, the amount of funds dedicated to humanitarian protection has reached €5 million in Niger.
- Under MFF 2014-2020, actions under the Regional Development and Protection Programme in North Africa (RDPP) have included the provision of literacy courses and informal teaching for refugees and asylum-seekers, individual consultancy services and psychological and medical assistance. At Zinder (at Niger's southern border with Nigeria), this has included providing support for victims of trafficking; at Assamaka, Arlit and Agadez (close to the Algerian border and along a key migration route through Niger), it has included the construction of new facilities, help with registration and the distribution of food and non-food items to persons in need. Nigerien authorities have also received specialised training to address the needs of victims of trafficking and those forcibly returned from Algeria.

II. Addressing root causes

- Wide range of external relations instruments deployed in bilateral cooperation focused on food security, nutrition and resilience; enhancing state capacities for the implementation of social policies (education, health); security, governance and peace consolidation; and enhancing road access to areas affected by insecurity.
- The EU has committed €716 million under the 11th European Development Fund (2014-2020) National Indicative Programme for Niger, including direct budgetary support.
- The EU Emergency Trust Fund for Africa has financed projects to enhance stability and address the root causes of migration and forced displacement. The Trust Fund also supported the resilience of agro-pastoral communities, infrastructures in the agricultural sector.

III. Migration governance and management

- Under MFF 2014-2020, the EU provides, under the EU Emergency Trust Fund for Africa, around €380 million worth of financial and technical assistance and capacity-building support for Niger in the areas of: i) strengthening migration and border management; ii) enhancing operational capacity to fight criminal networks; iii) improving the protection of IDPs, refugees and persons of concern via resettlement and reintegration, as well as the resilience of the forcibly displaced persons and host communities, with a focus on the status of persons of concern evacuated from Libya and those forcibly returned from Algeria; iv) developing

economic alternatives to the smuggling-based economy while supporting forcibly displaced persons; iv) reaping the benefits of legal migration and freedom of movement via regional (ECOWAS) and African economic integration opportunities. GAR-SI is contributing, through training and equipment, to ensure that national security forces have a more effective control of the territory and of borders and to create favourable conditions for a better cross-border and regional cooperation of countries involved.

Countering Migrant Smuggling and Trafficking in Human Beings

- The EU and Member States will continue implementing a Common Operational Partnership (COP) on North Africa and the Joint Investigation Team aimed at countering migrant smuggling, as well as trafficking in human beings, in Niger. The JIT has made an important contribution to Nigerien judicial and law enforcement authorities' capacity to combat organised crime networks engaged in migrant smuggling, trafficking of human beings and has contributed to the enforcement of 2015 Nigerien National Law on prosecuting and punishment of migrant smuggling. The Nigerien component of the COP on African migratory routes seeks to build upon the success of this pilot project.
- Common Operational Partnership, North Africa, against migrant smuggling and trafficking in human beings with an EU contribution of €7.5 million under MFF 2014-2020 is managed by a consortium of partners from Austria as its main coordinator and has France, Italy, Germany, the Netherlands and Interpol as members. It engages the competent authorities of African countries, regions and organisations, with a focus on Ivory Coast, Guinea, Tunisia, Nigeria, Ethiopia, Eritrea, Sudan and AFRIPOL and a working package involving Niger.
- Under MFF 2014-2020, the Rapid Economic Impact Action Plan in Agadez (PAIERA – €8 million), as well as the programme for the stabilisation and socio-economic strengthening of populations affected by irregular migration in transit zones in Niger (€7.6 million) propose accompanying measures in parallel with the police and judicial measures taken by the Government of Niger in relation to irregular migration. The objectives are (i) to initiate a dialogue with the main actors of irregular immigration channels, to sensitise them on the State policy in this field, and on the risks linked to trafficking, (ii) to study and formulate reconversion options, and to offer employment and socio-professional integration opportunities to economic actors who benefit directly or indirectly from the financial spin-offs linked to migrants, and (iii) to support assistance to migrants and access to priority basic services and economic opportunities to transit and return communities, while promoting community cohesion.
- Several African countries, including Niger, have partnered up with EMPACT (European Multidisciplinary Platform Against Criminal Threats) projects in the period 2018-2021, notably its Facilitation of Illegal Immigration component. The EMPACT EU crime priority on the Facilitation of Illegal Migration is driven by Greece and counts as members Austria, Italy, Germany, Spain, Europol and Frontex. Europol, with its European Migrant Smuggling Centre, and Frontex play an important supporting role. Eurojust, INTERPOL, EUNAVFORMED Irini and Euromed Police are participating, with the Commission as a supporting partner.
- Joint Operational Team (JOT) Dunqett, under the EMPACT priority on the facilitation of illegal immigration aims to dismantle organised crime groups involved in migrant smuggling and exchange operational information and best practices among law enforcement authorities. It extends to Western and North African countries impacted by migrant smuggling networks; Niger is associated. Important analytical work is also conducted on smuggling trends, including concealment methods and digital smuggling.
- Frontex is currently negotiating a working arrangement with EUCAP Sahel Niger on mutual cooperation in enhancing support for the Government of Niger in border management. A similar working arrangement is also under negotiation between Frontex and EUBAM Libya, which would, ideally in 2022, allow a trilateral framework of policy support to the Governments of Niger and Libya in managing mixed migration flows from sub-Saharan African to North Africa.
- EASO is currently rolling out a regional pilot project involving Niger, which seeks to assist Niger in developing its legislation on asylum and, generally, on international protection matters. With

co-funding by Denmark and the Czech Republic, and policy support by Austria, Belgium, Czech Republic, Denmark, Germany, Italy and the Netherlands, this project under the Regional Development and Protection Programme should enable Niger to develop its asylum system in line with international human rights standards.

Awareness raising

- An information and awareness raising campaign was conducted in Niger in 2019-2020 to promote informed decision making on migration. It consisted of direct community engagement, large-scale community events, as well as online and media outreach. 10 580 people transiting Niger attended in-person consultations, of whom 7 502 reported an increase in awareness across key risk areas. The Commission is currently developing a toolkit with good practices and recommendations, which it will seek to make use of in any future awareness campaigns in Niger. Information and awareness raising campaigns in North and Western Africa are supported with €5.5 million under MFF 2014-2020. Current campaigns cover target audiences in Niger, Tunisia, Mali, The Gambia, Ivory Coast, and Senegal.

IV. Returns, readmission, reintegration

- The EU-IOM Joint Initiative, launched in December 2016 with funding from the EU Emergency Trust Fund for Africa, is a comprehensive programme to save lives, protect and assist migrants along key migration routes in Africa. It enables migrants who wish to return to their countries of origin to do so in a safe and dignified way, in full respect of international human rights standards. It covers 26 African countries, including Niger, and has assisted 42 000 migrants to return from Niger to their home countries and provided reintegration assistance for 11 000 migrants following their arrival in Niger since May 2017.
- The return of Nigerien nationals from the EU is only a minor aspect of the EU's overall migration partnership with Niger.

V. Legal migration and mobility

- Under the last call for proposals for pilot projects on labour migration launched on 28 February 2020, the priority remained North Africa. The geographical scope of future Talent Partnerships should be kept wide and, if appropriate, opportunities should be sought for Niger and other countries in the Sahel.

ANNEX II

Member States’ bilateral engagement

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ANNEX III

Key figures and trends
Irregular migration
<ul style="list-style-type: none"> • Illegal border crossing of Nigerien nationals to the EU: 30 in 2020 (44 in 2019) of which 18 in Italy, 11 in Malta and 1 in Greece • Illegal stay of Nigerien nationals in the EU: 325 in 2020 (405 in 2019) of which 140 in France, 110 in Germany, 20 in Belgium and 20 in Spain
Return
<ul style="list-style-type: none"> • Nigerien nationals ordered to leave the EU: 280 in 2020 (330 in 2019) of which 150 in France, 50 in Germany and 45 in Belgium • Return rate: 7% in 2020 (11% in 2019)
Asylum
<ul style="list-style-type: none"> • First time asylum applications: 80 in the first 6 months of 2021. 235 in 2020 (445 in 2019) of which 65 in France, 45 in Belgium and 40 in Germany • First instance asylum decisions: 280 in 2020 (435 in 2019) • EU recognition rate excluding humanitarian protection: 12.5% in 2020 (30% in 2019) • EU recognition rate including humanitarian protection: 16% in 2020 (31% in 2019)
Forced displacement in Niger
<ul style="list-style-type: none"> • According to UNHCR, as of 30 September 2021, there were 280 818 IDPs and 249 765 refugees (refugees: 186 957 Nigerians, 61 320 Malians, 1 488 other)
Legal migration
<ul style="list-style-type: none"> • First time residence permits: 884 in 2019 of which 513 in France, 131 in Germany and 89 in Belgium. No available data for 2020 • Total valid residence permits: 5 869 in 2019 of which 2 506 in France, 1 344 in Italy and 1 019 in Belgium. No available data for 2020.
Visas
<ul style="list-style-type: none"> • Short stay visa applications to the EU: 1 483 in 2020 (7 550 in 2019); • Share of Multiple Entry Visas (MEVs): 39.7% in 2020 (43.7% in 2019). Top two Member States of MEV issuance in 2020: France (1 089) and Spain (91) • Visa refusal rate: 17.7% 2020 (14.7% in 2019)