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THIS ACTION IS FUNDED BY THE EUROPEAN UNION

ANNEX II

to the Commission Implementing Decision on the financing of the Annual Action Plan 2024 of the Multi-Country Migration Programme for the Southern Neighbourhood

Action Document for ‘Support to strengthening migration governance and management’

ANNUAL ACTION PLAN

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and action plan/measure in the sense of Article 23(2) of NDICI-Global Europe Regulation.

1. SYNOPSIS

1.1 Action Summary Table

1. Title OPSYS Basic Act	Support to strengthening migration governance and management. Commission Implementing Decision on the financing of the Annual Action Plan 2024 of the Multi-Country Migration Programme for the Southern Neighbourhood OPSYS business reference: ACT-62720 ABAC Commitment level 1 number: JAD.1571427 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe).
2. Economic and Investment Plan (EIP)	Yes VIII. Migration and Mobility
EIP Flagship	Yes, Flagship 8 “Migration”
3. Team Europe Initiative	Yes This action should contribute to the two Team Europe Initiatives (TEIs) covering the regional migration actions: <ul style="list-style-type: none">• The TEI for a Comprehensive Migration Approach in the Maghreb, Sahel and West African countries in the Atlantic/Western Mediterranean Route (AWMED) to which Belgium, Denmark, France, Germany, Italy, Spain and The Netherlands contribute as well as Switzerland, and

	<ul style="list-style-type: none"> The TEI for a Comprehensive Migration Approach in the Central Mediterranean Route (Central Med) to which Austria, Belgium, Denmark, Finland, France, Germany, Italy, Malta and The Netherlands contribute. <p>The TEIs offer a framework which allows the Union and Member States to improve coordination and increase efficiency of programmes and projects in the area of migration. Contributions can take different forms, including co-financing and individual projects contributing to the same objectives.</p> <p>The commitment of the EU's contribution to this action will be complemented by other contributions from Team Europe members. It is subject to the formal confirmation of each respective partners' meaningful contribution as early as possible. In the event that the Team Europe Initiatives (TEI) and/or these contributions do not materialise, the EU action may continue outside a TEI framework.</p>
4. Beneficiary(y)/(ies) of the action	The action shall be carried out in the Southern Neighbourhood region.
5. Programming document	Multi-Country Migration Programme for the Southern Neighbourhood 2021-2027 (C(2022)8015) ¹
6. Link with relevant MIP(s) objectives/expected results	<p>The action is linked to the priority areas of the Multi-Annual Indicative Programme for a Multi-Country Migration Programme for the Southern Neighbourhood (2021-2027)</p> <p>Priority Area 2: Strengthening migration and asylum governance and management</p>
PRIORITY AREAS AND SECTOR INFORMATION	
7. Priority Area(s), sectors	<p>151 – Government and Civil Society</p> <p>152 – Conflicts, Peace and Security</p>
8. Sustainable Development Goals (SDGs)	<p>Main SDG 10: Reduce inequality within and among countries</p> <p><u>Target 10.7:</u> Facilitate orderly, safe, regular, responsible migration and mobility, including through implementation of planned and well-managed migration policies.</p> <p>Significant SDG 5: Achieve gender equality and empower all women and girls</p> <p><u>Target 5.2:</u> Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking in human beings and sexual and other types of exploitation.</p> <p>Significant SDG 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels</p> <p><u>Target 16.2:</u> End abuse, exploitation, trafficking in human beings and all forms of violence against and torture of children.</p>

¹ C(2022) 8015 MULTI-ANNUAL INDICATIVE PROGRAMME FOR A MULTI-COUNTRY MIGRATION PROGRAMME FOR THE SOUTHERN NEIGHBOURHOOD (2021-2027), 28 November 2022 - European Commission (europa.eu)

	Significant SDG 17: Strengthen the means of implementation and revitalise the global partnership for sustainable development Target 17.9: enhance SDG capacity in developing countries.			
9. DAC code(s)	15190 – Facilitation of orderly, safe, regular, responsible migration and mobility (25%) 15210 – Security system management and reform (75%)			
10. Main Delivery Channel	10000 – Public sector institutions 21000 – International Organisations 40000 – Multilateral Organisations			
11. Targets	<input checked="" type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input checked="" type="checkbox"/> Human Rights, Democracy and Governance			
12. Markers (from DAC form)	General policy objective	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Principal objective
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Internal markers and Tags	Policy objectives	Not targeted	Significant objective	Principal objective

EIP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EIP Flagship	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
Tags	YES	NO	
Transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
environment, climate resilience	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Digital	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
economic development (incl. private sector, trade and macroeconomic support)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
human development (incl. human capital and youth)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
health resilience	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
migration and mobility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
agriculture, food security and rural development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
rule of law, governance and public administration reform	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Digitalisation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tags	YES	NO	
digital connectivity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
digital governance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
digital entrepreneurship	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
digital skills/literacy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
digital services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Connectivity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tags	YES	NO	
digital connectivity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
education and research	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Migration	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reduction of Inequalities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BUDGET INFORMATION

14. Amounts concerned	<p>Budget line: 14.020110 - Southern Neighbourhood</p> <p>Total estimated cost: EUR 87 000 000</p> <p>Total amount of EU budget contribution EUR 86 000 000</p> <p>The contribution is for an amount of EUR 86 000 000 from the general budget of the European Union for 2024.</p> <p>This action is likely to be co-financed in joint co-financing by other donor(s) for an estimated amount of EUR 1 000 000</p>
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MANAGEMENT AND IMPLEMENTATION

15. Implementation modalities (management mode and delivery methods)	<p>Indirect management with the entities to be selected in accordance with the criteria set out in section 4.3.1</p> <p>Direct management (procurement)</p>
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Summary of the action

The aim of the action is to contribute to strengthening migration governance along the Central Mediterranean, Western Mediterranean and Atlantic routes, while enhancing mutual understanding through relevant and impactful migration interventions. To do so, the action is composed of two pillars: the first will focus on supporting countries across the North of Africa in better managing their borders and better identifying, investigating and prosecuting criminal networks that engage in migrant smuggling and in trafficking in human beings (THB); the second will support Southern Neighbourhood countries to effectively reinforce migration governance systems, while at the same time providing data and analysis to implement a robust do no harm approach in sensitive EU-funded activities.

In doing so, the action will strengthen migration governance and management, as identified in the second priority of the Multi-Country Migration Programme for the Southern Neighbourhood 2021-2027, ultimately contributing to SDG 10 to facilitate orderly, safe, regular, responsible migration and mobility, including through implementation of planned and well-managed migration policies and to SDG 16 to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Main OECD DAC codes for this action are 15210 – Security system management and reform and 15190 – Facilitation of orderly, safe, regular, responsible migration and mobility.

This action is part of the Multi-Country Migration Programme for the Southern Neighbourhood 2021-2027 adopted in November 2022². It is building on actions already adopted under NDICI-Global Europe Instrument in 2021 and 2022, as well as under the European Union Trust Fund (EUTF) North of Africa window, to further support the comprehensive and balanced approach to migration governance as set out in the Joint Valletta action Plan³, the external dimension of the EU Pact for Migration and Asylum⁴, the New Agenda for the Mediterranean⁵, the Action Plan for the Central Mediterranean⁶ and the Action Plan for the Atlantic/Western Mediterranean⁷. It is also a key action underpinning the whole-of-route approach employed by the European Commission in addressing migration management on the migratory routes in the Southern Neighbourhood. This action will contribute to strengthening the capacity of authorities in the North of Africa to prevent and counter migrant smuggling and strengthening international cooperation in this area, in line with the Global Alliance to Counter Migrant Smuggling as launched by the European Commission on 28 November 2023, with a call to action to increase international cooperation on preventing and responding to migrant smuggling and providing alternatives to irregular migration. It will also contribute to the implementation of the Gender Action Plan III in EU external action⁸, more concretely to the gender-based violence thematic priority.

1.2 Beneficiaries of the action

Specific objective 2 of the action shall be carried out in Egypt, Libya, Tunisia, Algeria, Morocco, Jordan, Lebanon, Palestine* and Israel, except for Israel all of them are included in the list of ODA recipients.

Context

² C(2022)8015

As of the end of May 2024, over 19 500 migrants⁹ have arrived in Europe via the Central Mediterranean route, marking a 60% decrease compared to the same period in 2023. Libya has emerged as the primary country of departure, accounting for 54% of arrivals, followed by Tunisia. This represents a shift from the previous year when Tunisia was the leading departure point. The predominant nationalities recorded along this route in 2024 so far are Bangladeshi, Syrian, and Tunisian. In 2024, 684 people were reported dead or missing in the Central Mediterranean. 2024 also saw a nearly threefold increase in arrivals via the combined Western Mediterranean and Atlantic routes compared to the same period last year. The number of arrivals to mainland Spain has remained stable, with a modest increase of 2%. In contrast, the Atlantic route to the Canary Islands has experienced a significant surge, with a 278% increase, resulting in 19 900 arrivals thus far in 2024¹⁰. The primary nationalities along these routes are Malian, Senegalese, and Moroccan.

In this context of increasing demand, offer and favourable ecosystem for irregular travels to Europe, recent years have seen a growing interest for smuggling networks to facilitate illegal entry into many North African countries. Migrants along these perilous routes are often extremely vulnerable to fall prey to trafficking in human beings and smuggling networks with serious violations of their rights. In addition, climate change, environmental degradation and conflicts have increased vulnerability to trafficking in human beings in and outside of conflict areas. Forced to flee and often in economic need, migrant and displaced populations are easily targeted by traffickers and smugglers, who often abuse their vulnerability exposing them to life-threatening journeys and violence. Especially women who, during their migration path, are disproportionately vulnerable to sexual and gender-based violence. The destabilising effect of such illicit activity and its impact on development and security in North African countries is serious, posing an additional threat to governance and stability in the entire region and beyond. Criminal networks have intensified their operations in the region and profits generated from illicit activities, including migrant smuggling and trafficking in human beings, breed corruption and further undermine the rule of law and overall human and economic development.

Shortcomings in the technical and operational capacity of the national border management authorities affect their capacity to effectively manage migration and displacement in line with international obligations and international humanitarian laws. Lack of training and availability of adequate equipment are a limitation for the authorities to carry out search and rescue operations, effectively manage their land and maritime borders and prevent irregular departures.

Similarly, insufficient capacity to identify, investigate and prosecute the criminal organisations engaging in migrant smuggling and in trafficking in human beings allows those criminal organisations to expand their operations and further threaten vulnerable migrants and undermine the rule of law.

Across the region, human rights concerns remain at various levels, especially when engaging with migration management-related activities. It is therefore essential to include awareness raising, sensitization and training on human rights principles and laws of all institutional and non-institutional actors involved in migration management. While, at the same time put in place solid mechanisms to ensure adequate, result-oriented monitoring to help prevent, report, mitigate and if necessary, address human rights violations. This would therefore include assessing the effectiveness of existing measures, analysing trends, and making necessary adjustments to policies and practices.

⁹ ISAA Report no. 409, 30 May 2024

¹⁰ ISAA Report 12 June 2024

Gender and in particular detecting and responding to sexual and gender-based violence (SGBV) is a cross-cutting element relevant to all aspects of migration management, especially search and rescue operations, trafficking in human beings and migrant smuggling, informing migration drivers and choices, laws and policies developed to deal with the phenomenon, and protection and support services offered to migrants in vulnerable situations and victims of trafficking. Global studies on the incidence of sexual and gender-based violence (SGBV) among migrants reveal that over 50% of women experience it¹¹. Not only do they suffer from SGBV, but so do men, children, and especially LGBTI individuals.

The intersection of disability and migration is a topic that has not yet been adequately researched. There are no official statistics available for the number of disabled migrants, despite the International Organization for Migration (IOM) estimating that 12.4 million of the people who were forcibly displaced in 2020 were people with disabilities, or about 15% (Migration Data Portal, 2022). This estimate is calculated using the global disability prevalence data, but country-specific studies suggest that some countries have much higher rates of disability among their forcibly displaced populations¹²

The context and regulatory framework vary significantly in each one of the five countries in the region:

EGYPT

Egypt is a source, transit and destination country for trafficking in human beings and migrant smuggling. In the latest data collection (2022), Egypt is also ranked in the top-10 of non-EU countries of origin for suspects of trafficking offences identified in the EU. In recent years, the Egyptian Government has made considerable efforts in preventing and combating these crimes. Trafficking in human beings was criminalized in 2010 with the adoption of the Law no. 64 of 2010 Regarding Combating Human Trafficking which established a National Committee to Combat Human Trafficking, an inter-ministerial committee tasked with the coordination of all activities related to trafficking in persons in the country, including the protection of victims. In addition, the Government established three specialized courts for the prosecution of human trafficking cases in 2016 and adopted a national strategy to prevent and combat human trafficking for the period 2016-2021. In October 2016, the Government also adopted Law No. 82 on Combating Illegal Migration and the Smuggling of Migrants, which enlarged the mandate of the National Committee to Combat Human Trafficking to the issue of migrant smuggling and renamed it '*The National Coordination Committee for Combatting and Preventing Illegal Migration and Human Trafficking*'. A **national strategy to prevent and combat migrant smuggling** for the period 2016-2026 was also launched. Furthermore, the Government has been actively engaging in the dialogues of the Khartoum Process and the African Union's Horn of Africa Initiative.

All these actions and reforms have shown positive results. Several investigations of trafficking in persons networks have led to prosecutions in Egyptian courts, which are still pending. The National Coordinating

¹¹ A study on migrant women in a Sexual Violence Relief centre in Turin, Italy, found that 58.8% of respondents experienced violence while in Libya [40]. In interviews with 72 migrants at an asylum reception centre in France, Reques, Aranda-Fernandez [35] found that 53% of female respondents and 18% of male respondents reported experiencing sexual violence in Libya. <https://globalizationandhealth.biomedcentral.com/articles/10.1186/s12992-022-00860-2>

A *Sexual and reproductive health and gender-based violence among female migrants in Morocco: a cross sectional survey (2023)* Revealed that the majority of female migrants (76%) in Morocco have experienced one or more forms of SGBV during migration. Additionally, only a minority have sought social, health, or legal support services after being exposed to some form of SGBV (Figure 1). [https://www.bakerinstitute.org/research/migrant-women-morocco-improving-sexual-health-and-tackling-gender-based-violence#:~:text=Our%20findings%20revealed%20that%20the,of%20SGBV%20\(Figure%201\)](https://www.bakerinstitute.org/research/migrant-women-morocco-improving-sexual-health-and-tackling-gender-based-violence#:~:text=Our%20findings%20revealed%20that%20the,of%20SGBV%20(Figure%201))

¹² <https://sihma.org.za/online-resources/disability-and-migration-intersectionality>

Committee for Combatting and Preventing Illegal Migration and trafficking in persons has also reported the condemnation by the Criminal Court of Alexandria of 10 people on migrant smuggling charges^[1].

The Egyptian border management system is structured around various governmental agencies. The Ministry of Interior, manages immigration enforcement and is responsible for border checks at border crossing points, while the Ministry of Defence is patrolling strategic areas, particularly along desert borders. The National Coordination Committee for Combatting and Preventing Illegal Migration and Human Trafficking coordinates efforts against illegal migration and human trafficking by bringing together different stakeholders to implement national strategies. International cooperation, facilitated through agreements and participation in regional initiatives like the Khartoum Process and the African Union's Horn of Africa Initiative, is crucial for sharing information and coordinating actions against cross-border crimes.

Despite these efforts, Egypt faces challenges such as the vast and difficult terrain of its borders, particularly in desert areas, which complicates comprehensive surveillance and control. There is a need for better resources and training for border security personnel, and improved legal frameworks. Additionally, enhancing support for victims of trafficking and for smuggled migrants is essential to ensure the humanitarian aspect of border management is effectively addressed.

This action will be in line with the Strategic and Comprehensive Partnership between the Arab Republic of Egypt and the European Union¹³, which in addition to several areas of cooperation, such as macroeconomic stability, sustainable investment and trade, also aims at furthering a holistic approach to migration governance by tackling the root causes of irregular migration, combating smuggling of migrants and trafficking in persons, strengthening border management, and ensuring dignified and sustainable return and reintegration. Both sides are committed to the protection of the rights of migrants and refugees.

LIBYA

Libya – historically a destination country for migrants and refugees from other Arab countries and Sub-Saharan Africa – has become particularly vulnerable as a transit country after the fall of the Qaddafi regime and is presently considered as the gateway to Europe. Libya's geographical location, including its ideal position as departure point to cross the Mediterranean and as one of the oldest hubs along the trans-Saharan trade and smuggling routes, combined with its porous borders and weaknesses in its legislative, policy and institutional framework, including border control.

Indeed, due to the current political and security instability at national and regional level, the country has become one of the main locations for trafficking in human beings and migrant smuggling routes from Sub-Saharan Africa to many MENA countries and Europe. The collapse of Libya's justice system has allowed various armed groups, criminal gangs and individuals to engage in illicit activities, including migrant smuggling and human trafficking. There is a wide range of types and structures of criminal networks engaging in migrant smuggling and in trafficking in human beings, making it difficult for law enforcement agencies to adopt a systematic and standardized approach to dismantling those groups. Whereas very structured and transnational organized criminal groups exist and operate (mostly in trafficking in human beings), there exists also a large number of smaller groups that collaborate with each other only for one or a small series of smuggling operations. The main source of income for organised crime groups in Libya is presently generated through migrant smuggling and trafficking in human beings, both businesses with high gains and low risks.

¹³ [Joint Declaration on the Strategic and Comprehensive Partnership between The Arab Republic Of Egypt and the European Union - European Commission \(europa.eu\)](#)

Migrant smuggling and trafficking are one of four main markets, the others being smuggling of subsidised goods, drugs, weapons and other illicit trade, which are all inter-connected and interdependent. It is worth mentioning that Libya has ratified protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime on 24 September 2004.

The Libyan border management system involves multiple stakeholders and operates in a complex and challenging environment. Key stakeholders include the Ministry of Interior, the Libyan Border Guard, the Ministry of Defence, Customs and various tribal and local militia groups that control different parts of the border regions. The Ministry of Interior and the Border Guard are primarily responsible for managing official border crossings and patrolling the borders, while the Ministry of Defence provides additional support through military deployments aimed at securing strategic areas. Local militia groups and tribal authorities often have significant influence over border areas, particularly in remote regions, and their cooperation is crucial for effective border management. Moreover, outside of the regions under the control of the internationally-recognised Tripoli-based Government of National Unity and areas under tribal control, Field Marshall Haftar's Libyan National Army also controls important stretches of border with neighbouring countries, including with Egypt and Algeria.

Maritime border management is an integral part of Libya's efforts to secure its extensive coastline along the Mediterranean Sea. The Libyan Coast Guard (LCG), operating under the authority of the Ministry of Defence is tasked with patrolling Libyan waters to prevent irregular migration, smuggling, and other illicit activities. This includes carrying out search and rescue operations at sea. Another key actor under the Ministry of Interior is the General Administration for Coastal Surveillance (GACS). However, the effectiveness of maritime border management is challenged by limited resources, political instability, and the operational capabilities of the LCG and GACS, which struggle to cover the vast maritime area. Despite these efforts, Libya's border management system, both terrestrial and maritime, faces significant challenges due to the vast and porous nature of its borders, the presence of armed groups, and the lack of centralised control.

Finally, the absence of the rule of law and institutional control over armed groups along smuggling routes, some of which continue to operate under official mandates, have led to a deterioration of the human right situations. Abuse of migrants have been reported¹⁴. The human rights situation in Libya needs to be closely monitored.

TUNISIA

Long underestimated, the phenomenon of trafficking in human beings in Tunisia is regulated by Law 2016-61 of August 3, 2016 and the establishment of the *National Authority for the Fight against Human Trafficking*. International organisations support the Tunisian authorities in the implementation of Law 2016-61 through the development of a national strategy to combat human trafficking and an operational action plan as well as through the strengthening of the capacities of actors in the penal chain in the identification, investigation and judicial treatment of cases of trafficking in persons. Following the launch of the Tunisian National Referral Mechanism of victims of trafficking in human beings in 2021, supported by the Council of Europe/European Union joint PAII-T Project, a series of exchanges between programme beneficiaries has been carried out with the objective of reinforcing regional co-operation and capacity building of professionals, especially through targeted and multidisciplinary training.

¹⁴ See Security Council, United Nations, Final report of the Panel of Experts on Libya established pursuant to resolution 1973 (2011), S/2017/466, 1 June 2017, p.21 & 101, http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/466

Tunisia's border management system is facing challenges linked to the spike in irregular migration and crisis in the region. National border authorities need support in enhancing their operational capacities and adherence to international standards and procedures with technical assistance, capacity building activities and equipment.

A Code of Conduct for the Internal Security Forces (ISF) was published in March 2023 and represents an important document regarding issues pertaining to the rule of law, human rights, professional conduct, conduct linked to judicial investigations, conduct vis-à-vis women and children etc that need to be adhered to by the Tunisian ISF. Further support to the Code's dissemination and application is needed.

Despite being partner to the 1951 Refugee Convention and the 1969 Convention of the Organisation of the African Union governing the specific aspects of refugee problems in Africa, Tunisia does not have a comprehensive strategy on migration and no asylum legislation (the asylum law has been pending in parliament since 2014). In addition, according to the latest data (2022) on trafficking in human beings, Tunisia ranks as the 6th non-EU country of origin for suspects identified in the EU.

This action will be in line with the Memorandum of Understanding on a strategic and global partnership between the European Union and Tunisia¹⁵, which in addition to fostering cooperation in several policy areas, including macroeconomic stability, investment and trade, also aims at furthering a holistic approach to migration by encouraging an effective border management, countering migrant smuggling and trafficking in human beings and fighting irregular migration based on the respect of human rights.

ALGERIA

Algeria is a country of destination, transit and origin for migrants. Few sub-Saharan migrants attempt a direct passage from the Algerian shores. Only about 10% of the total irregular arrivals who depart from Algeria on the Western Mediterranean Route is of other nationalities. The migrants departing from Algeria on the Central Mediterranean Route are almost exclusively Algerian nationals. Migrant smuggling networks operate across the Southern borders (in particular with Niger) and in the South of the country to lead migrants from Sub-Saharan countries into Algeria. Some Sub-Saharan migrants continue travelling north and most likely seek to transit to Morocco, Tunisia or Libya before tempting the crossing towards Europe. Smuggling also exists in the North of the country enabling departures by sea from Algerian coasts. Self-smuggling is also popular in the North.

The country prohibits all forms of trafficking in human beings under Section 5 of its criminal code. Prescribed penalties range from three to ten years' imprisonment, which can be increased to 20 years if certain aggravating circumstances are found. The Algerian authorities have been working in recent years on a new self-standing anti-trafficking law. The government presented the draft law to Parliament in early 2023. This new law should remove the requirement, included in current legislation, of a demonstration of force, fraud, or coercion for child trafficking offenses. This should bring Algerian legislation in line with international standards and the definition of trafficking offenses provided in the Palermo Protocol.

The screening measures for trafficking victims among vulnerable population should be improved to reduce the risk that unidentified victims are punished for unlawful acts that traffickers compelled them to commit. In addition, the forced returns of migrants is likely to deter some victims from reporting trafficking crimes to the police or seeking much-needed assistance. The victims' profile is mostly undocumented sub-Saharan migrants

¹⁵ [Memorandum of Understanding between the EU and Tunisia \(europa.eu\)](https://euparl.europa.eu/media/default.do?app=press&lang=en&docId=12345678)

(from Mali, Niger, Burkina Faso, Cameroon, Guinea, Liberia, Nigeria) who are vulnerable to trafficking in human beings for the purpose of labour and sexual exploitation.

MOROCCO

Morocco engaged since 2013 in a major overhaul of its immigration and asylum policy. This series of reforms are based on the Morocco's "**National Immigration and Asylum Strategy**" (SNIA) which identifies several action programmes aimed at combating the smuggling of migrants and trafficking in human beings. Programme 8 provides for the strengthening of integrated border management with the aim of limiting irregular migration, the organization of training sessions for elements of the security services on issues of immigration, asylum and human trafficking, as well as the creation of a unit specializing in the fight against trafficking in human beings. In addition, Programme 10 of the SNIA provides for the upgrading of the national legislative and regulatory framework vis-à-vis Morocco's constitutional and conventional commitments. These include the revision of Law 02-03 currently governing the entry and stay of foreigners in Morocco, as well as the methods of combating irregular migration. SNIA Programme 10 also provided for the adoption of a law relating to the fight against human trafficking, which was done with **Law 27-14** on the fight against human trafficking entered into force in September 2016. This text introduces for the first time in Moroccan law, the definition of this phenomenon, in accordance with the Protocol aimed at preventing, suppressing and punishing trafficking in human beings, in particular women and children, as ratified by Morocco in 2011. Law 27-14 provides for four types of provisions, including the creation of a national commission, under the authority of the Head of Government, responsible for coordinating measures aimed at combating and preventing trafficking in human beings. The law also includes provisions relating to institutional measures for the fight against trafficking in human beings with the creation of an Advisory Commission to the Head of Government. Decree No. 2-17-740 of Chaoual 22, 1439 (July 6, 2018) establishes the composition and operating procedures of the National Commission responsible for coordinating measures aimed at combating and preventing human trafficking. The Ministry of Justice holds the permanent secretariat and organizes the meetings of the commission. The Commission is made up of 22 ministerial institutions and two associations representing Moroccan civil society. While in place since 2019, the National Commission still needs to develop or strengthen its coordination processes, its consultation and communication mechanisms, and its monitoring and reporting system. A technical assistance project funded by the EU is in place to support the efforts of the National Commission and its secretariat in the implementation of their respective responsibilities as defined in Decree No. 2-17-740 of July 6, 2018. The National Commission has recently adopted three documents: 1) National Strategy on trafficking in human beings, 2) National referral mechanism (NRM) and 3) Guide of indicators to detect and identify potential victims of trafficking in human beings.

This positive development shows the important progress of Morocco in trafficking in human beings and in the operationalisation of the National Commission. However, trafficking in human beings is sometimes confused by the various criminal justice, law enforcement and social practitioners with smuggling of migrants. Convictions are still low compared to the reported cases and the national referral mechanism to protect and assist victims of trafficking needs to be operationalised. The National commission needs sustained support to fully play its role of coordination, data gathering and analysis and the implementation of a national strategy to prevent and combat trafficking in human beings and operationalise the NRM (the EU delegation has already received a preliminary request to support the implementation of the mechanism in 5 regions in Morocco). The capacities of civil society in assisting and protecting the victims of trafficking needs to be strengthened in order to be able to fully implement the NRM.

2.1 Problem Analysis

Short problem analysis

Irregular migratory pressure in the Southern Neighbourhood is compounded by multiple factors. These include armed conflicts, political instability, lack of economic opportunities, environmental degradation, socio-cultural oppression, political prosecution and climate change impacts, the allure of offers from migrant smugglers, and general underdevelopment. These complex and interrelated issues exacerbate the challenges faced by North African nations in managing their borders and migration flows.

Authorities in North Africa are under increasing pressure to **enhance their border management capabilities** and to fight organised crime groups involved in migrant smuggling and trafficking in human beings. This necessitates substantial improvements in detection, investigation, and prosecution capacities within a highly complex operational environment. Furthermore, some countries in the region, such as Libya, are grappling with political fragmentation and internal instability that compounds these challenges. Factors such as weak legislative frameworks and governance, corruption, porous borders, and limited border and migration management capacities contribute to a worsening situation.

Despite significant variations in the situations of different North African countries, several common border management challenges can be identified:

- **Vast, uninhabited border areas:** Patrolling these extensive and often uninhabited areas presents significant human, logistical, and financial challenges. North African countries are points of origin but also of transit for migrants from an increasing number of countries worldwide.
- **Borders with Sahelian neighbours:** Managing these borders is a major challenge due to the complexity of political relations within the region and the difficulty of controlling vast border areas characterised by porous borders.
- **Maritime borders:** Monitoring and patrolling maritime borders along the Central Mediterranean and Atlantic routes is technically demanding, requiring operationally complex search and rescue operations and advanced technical and logistical capabilities.
- **Technical and operational weaknesses:** To effectively manage border security, border guards deployed at both land and maritime borders require strengthened operating procedures that align with international standards and human rights norms.
- **Investigative and prosecution gaps:** There is a critical need to bolster investigative and prosecutorial frameworks and capacities to effectively combat organised crime related to migrant smuggling and trafficking in human beings.
- **Limited cross-border and international cooperation:** Effective investigation and prosecution of transnational organized crime groups require enhanced cross-border, international law enforcement and judicial cooperation.
- **Victim identification, protection and assistance:** Support for victims of trafficking is often inadequate, affecting their willingness to cooperate with authorities and the overall success of investigations against perpetrators. Strengthening victim identification, protection, support and assistance is essential to promoting a rights-based approach to migration management.
- **Increased arrivals and instability:** The sharp increase in migrant arrivals via routes such as the Atlantic (e.g., a 278% increase in arrivals in the Canary Islands until May 2024 compared to the same period last year) poses significant challenges for criminal justice systems. Libya faces substantial rule of law gaps, hindering actions against smugglers and traffickers. Instability in Egypt, exacerbated by

an ongoing financial crisis and regional conflicts, also highlights vulnerabilities that smugglers may exploit.

- **Fighting, responding and supporting survivals of SGBV:** Prevalence of SGBV among migrants (women, girls, men and boys) is high and increases linked to the vulnerability status of the migrants (poverty, sexual and gender identity, legal status, disability status etc..). Sensibility, training, resources and facilities in the above mentioned countries are limited, which means that survivals do not receive adequate support.

In some North African countries, border management institutions operate in hybrid environments where formal functions and mandates are intertwined with armed actors. This is particularly complex in countries like Libya, where border control and surveillance capacities are extremely weak. **Cooperation between institutional partners and armed groups** can pose significant risks, potentially leading to the unintended empowerment of these groups or specific factions. This situation can also be observed in other North African countries, where ensuring effective border patrols across vast, uninhabited areas remains a substantial human, logistical, and financial challenge.

The ramifications of unmanaged borders extend far beyond increased irregular migration, impacting both local and regional stability:

- **Security concerns:** Inadequate border control and surveillance allows for the uncontrolled movement not only of migrants and potential victims of trafficking but also of criminals, terrorists, and illicit goods, including weapons, cultural heritage artifacts, and drugs. This situation is often exacerbated by close ties among local government officials, community leaders, tribes, and trafficking networks.
- **Human rights risks:** Weak border control and surveillance enables smuggling and trafficking networks to operate with impunity, making migrants vulnerable to exploitation, violence, and extortion. Reports frequently highlight the dire conditions and human rights abuses faced by migrants apprehended at the borders and held in Libyan detention centres, characterized by overcrowding, poor sanitation, and limited access to food and medical care. Migrants forcibly expelled to other countries in the desert also face dire challenges.
- **Regional destabilisation:** Unmanaged borders create a fertile ground for human smuggling and trafficking in human beings networks, strengthening criminal organizations and undermining the rule of law. Large influxes of migrants strain local resources, such as water, food, and healthcare, in already fragile border communities.

This specific context entails the need for the EU to design and implement actions in migration management in line with human rights, applying a **robust do-no-harm approach** to this area of cooperation. Monitoring and related exercises are crucial to ensure impactful migration assistance. Given the complexity and fluidity of the area, it is important to understand how and to what extent, EU funded projects have improved (or endangered) the human rights situation for migrants, refugees, IDPs, and host communities in the region.

In practice, this means that the Commission must enhance its **result-oriented monitoring** to strengthen its capacity to identify i.a. human rights risks and establish mechanisms for timely implementation of mitigating measures. This mechanism should include procedures for detecting, verifying, reporting and analysing human rights allegations while suggesting an appropriate response. This exercise needs to be accompanied by a continued dialogue with relevant authorities, who should be engaged from the outset of programmes, and

throughout implementation with the involvement of civil society organisations (CSOs) to adequately inform the EU and its implementing partners.

Implementing border management support programs in fragile contexts involves several challenges:

- **Security risks:** Programmes operating in unstable areas with the presence of armed groups face significant security risks for their personnel. There is often a limited choice of implementing partners who have the access and mandate to operate in these areas. Mitigating these risks requires robust security protocols and comprehensive planning.
- **Weak governance structures:** Ineffective governance and a lack of trained personnel in host countries hinder program implementation. Developing capacity-building initiatives and establishing sustainable and human rights-based border governance systems are essential.
- **Corruption:** Corruption within institutions and security forces can negatively impact program effectiveness by diverting resources. Implementing transparency and accountability mechanisms is crucial to ensure ethical use of program funds and resources. Additionally, the involvement of local communities and armed actors in smuggling activities necessitates thorough and regularly updated conflict sensitivity analysis.
- **Geopolitical influences:** The growing influence of geopolitical actors such as Russia can hinder the effectiveness of EU actions and the implementation of regional programs.
- **Implementation of human rights-based approaches** in instable contexts marked by a challenging legal, political and social environment.

Effective border management requires addressing strained relationships between **communities and governments**. Building trust and fostering cooperation between these groups are essential for long-term solutions. Tackling the root causes of irregular migration and forced displacement, such as poverty, conflict, and lack of opportunities in countries of origin, is crucial. **Engaging border communities in stabilisation activities** can help alleviate pressure on borders and mitigate possible conflicts between migrants and host communities.

Regional and cross-border cooperation is vital for sound border management. Collaborative efforts with neighbouring countries, through regional and bilateral cooperation and cross-border operational measures, significantly enhance border control and surveillance measures. This necessitates establishing effective communication and cooperation channels at both national and local levels and fostering a spirit of regional partnership.

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action.

The primary stakeholders in migration management include North African border authorities, law enforcement agencies, judicial authorities, human rights institutions and defenders and civil society. These encompass border guards, border police, migration management units, criminal investigation units, judicial police, and prosecutor's offices, along with their training departments and specialised entities within their respective Ministries. Border communities play a crucial role in the effective implementation of migration management initiatives as well as CSOs active in migration management and human rights. Additionally, migrants and, their formal and informal representatives -when existent-, are to be covered by the action.

2.2 Lessons Learned

In the aftermath of the 2015 migration and refugees crisis, the EU has provided significant support to its partners in North Africa to enhance their capacity in migration management. The action will build on lessons learned from a wide range of programmes mainly in the rule of law, security and protection sectors in the North Africa region. Looking at past evaluations of some of these actions, there are opportunities for assistance to maximise the scope for **building stability and peace** (rather than merely minimising the potential to cause harm). Delivered appropriately, **assistance can legitimise border management partners**, reinforce respect for armed forces and law enforcement, building trust in the state, its institutions, operational actors and their activities, and ultimately better assist people on the move across countries, including victims of trafficking and vulnerable migrants. Assistance can also help to develop the formal economy, confront notions of powerlessness, and generate messages aligned with norms and practices that adhere to good governance.

The NDICI Regulation emphasises the promotion and protection of human rights as a fundamental aspect of EU external action, ensuring that respect for human rights is a key criterion for eligibility and allocation of funds. To ensure this, the regulation highlights the need for monitoring and evaluation mechanisms to assess the human rights impact of EU-funded projects and programmes.

Evaluations conducted so far highlighted the need **to strengthen implementing partners (IPs) procedures on do no harm assessments, monitoring of the activities and identification and reporting of possible incidents**. IPs generally have processes in place to mitigate risks and manage programmes that are broadly designed to be conflict sensitive. Projects are implemented following technical, needs-based or conflict sensitivity assessments. The IPs adhere to procurement policies and potential partners and contractors undergo due diligence and background checks procedures, including via the UN-driven Human Rights Due Diligence Policy (HRDDP) risk register. IPs are expected to fulfil monitoring and reporting requirements.

An **Incident Tracker** is being set-up to detect and investigate incidents where human rights violations may have occurred in relation to EU support in Libya. Although this mechanism is still in the early phase of its implementation, initial feedback already indicates an added value for monitoring, decision making and underlines the importance of ongoing dialogue to address issues. If proved effective a similar mechanism could be established in countries covered by this action.

All these elements, albeit already present need to be strengthened. A key lesson learned is the need to further **develop actionable conflict sensitivity assessments, reliable background checks and monitoring procedures** that are both targeted and extensive in scope, thereby identifying, and responding to **secondary actors, i.e., ‘partners of partners’** who are the primary causes of risk. The ongoing support is largely designed to render border management actors more capable and effective at carrying out their mandates. One way the implementing partners could ensure the assistance achieves the desired effect is to make **robust monitoring procedures a precondition for assistance provision**.

From ongoing assistance, it stands clear that there is an identified need to work more closely with North Africa countries judicial authorities and international security and justice institutions to **strengthen criminal arrest and prosecution processes**. This sends a message that corruption, criminality or misconduct of any kind will not be tolerated. In addition, the very nature of the poly-criminal transnational organised crime groups engaging in criminal cross border activities, makes regional and **international law enforcement and judicial cooperation** indispensable to ensure successful investigation and prosecution.

From an operational perspective, one of the main lessons from past programmes is the difficulty to engage with the national authorities in a multi stakeholder framework. Having too many national stakeholders proves complex to manage and can result in serious delays in the implementation. A more streamlined approach, with only key national stakeholders is recommended for future interventions in the sector.

Another take away, is the need to **engage with the national authorities already in the identification phase** to assess the needs, agree on the activities and feed the formulation of activities. A recent evaluation of the **Border Management Programme for the Maghreb** region highlighted how it is of paramount importance to engage in a dialogue with the involved countries in assessing their needs on border management activities, both at capacity building and equipment level with a **view to sustainability and in full respect of the do no harm principle**. It is also recommended to use the political dialogue between the Commission and the national authorities to underline the objectives and limitations of the EU support and monitor its implementation.

Enhancing **coordination with EU agencies** such as Eurojust, Europol and Frontex. It should be noted that countries covered by this action are listed as priority partners by Europol to conclude Working Arrangements and are also covered by a Council mandate of 2018 authorising the Commission to open negotiations concerning an international agreement to exchange personal data with Europol. To date, negotiations with Tunisia and Egypt for working arrangements with Europol are ongoing. The Tunisian-CEPOL Working arrangement has shown the usefulness of pursuing these institutional links between EU Agencies and Southern Neighbourhood partners.

For aspects such as enhancing strategies, dialogues and identifying ways forward, the action will build on the lessons learned from the implementation of the EUROMED Migration programme, and it will focus on the main findings, such as (i) the value of the role of **EUROMED as an incubator** for new actions serving the Commission's priorities; (ii) need of avoiding duplication and creating synergies with ongoing EU-funded bilateral and regional activities; (iii) need of improving steer, as well as coordination and information-sharing with EU Delegations in partner countries.

However, to ensure the effectiveness, efficiency, and integrity of migration management initiatives, it is crucial to enhance data analysis. Accurate and comprehensive data provide, in fact, a solid foundation for informed decision-making, allowing policymakers to understand migration trends, identify human rights risks, and allocate resources efficiently. Detailed and disaggregated data would facilitate the development of policies, ensuring transparency and accountability while promoting stakeholder engagement among national authorities, international organizations, and civil society. Furthermore, data gathering, and analysis would set the basis to design tailored programmes, fostering discussions on migration and demographic issues, bringing together various stakeholder groups.

Furthermore, enhancing identification, **protection, support and assistance for victims** of trafficking is paramount both to achieve better results in the investigations, with witnesses more willing to cooperate and to promote a rights-based approach to migration management. Working on operating procedures and improving standards for dealing with smuggled migrants will also contribute to enhance the country resilience and governance systems. Criminal justice responses often do not recognise the **gender complexities at play when prosecuting women** for migrant smuggling as well as the aggravating circumstances to smuggling in general and the links to gender considerations specifically. Enhanced mechanisms and specific capacity building needs in this area must be identified and implemented to address migrant smuggling, trafficking in human beings, and sexual and gender-based violence. In responding to these crimes, border management institutions and

criminal justice systems face internal challenges in their national legal frames and social protection systems. This is coupled with rigid cultural and social norms and policies that result in a gendered labour market, discrimination against women in opportunities for professional advancement, underrepresentation of women in institutional and political roles (primarily in decision-making positions), as well as a distinct division of social and familial roles between the genders.

Corruption is a common facilitator of criminal activities across borders. It compromises the trust and the cooperation between various authorities and has also an impact on the protection of smuggled migrants and victims of trafficking. It facilitates the recruitment and transport of vulnerable persons, prevents or affect the effective investigation of exploitative situations and creates impunity for offenders. The presence of corruption can significantly hinder program effectiveness and undermine public trust.

Finally, a special care should be devoted to **communicating activities** in ways that avoid perpetuating negative narratives around migrants, people seeking international protection and migration. This can inadvertently perpetuate harm and empower armed and criminal actors.

3. DESCRIPTION OF THE ACTION

3.1 Objectives and Expected Outputs

The **Overall Objective** (Impact) of this action is improved safe human rights-based migration governance in the Southern Neighbourhood (MIP Priority 2)

The **Specific Objectives** (Outcomes) of this action are:

1. North African countries have an enhanced human rights-based border management which effectively counter migrant smuggling and trafficking in human beings, in compliance with international obligations and with a rights-based approach.
2. Mutual understanding on migration management is fostered in the Southern Neighbourhood.

The **Outputs** to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

Contributing to Outcome 1

- 1.1 Improved technical capacities for border management and search and rescue operations (MIP Priority 2 SO 3)
- 1.2 Improved capacities of law enforcement and judicial authorities to identify, investigate and prosecute criminal networks engaging in migrant smuggling and trafficking in human beings (MIP Priority 2 SO 2)
- 1.3 Strengthened regulatory framework and operational capacities on migration management.
- 1.4 Enhanced identification, assistance, and support to victims of trafficking and vulnerable migrants (MIP priority 2 SO 1 & 3)

Contributing to Outcome 2

- 1.1 Improved identification, implementation, and accountability of migration interventions
- 1.2 Enhanced capacity for migration governance in line with fundamental values and international standards

3.2 Indicative Activities

Activities related to Output 1.1 Improved technical capacities for border management and search and rescue operations.

- Conduct assessments on (i) challenges posed by irregular migration and transnational crimes in target locations and to evaluate needs; (ii) SAR governance mechanism, current responses mechanisms and challenges in SAR.
- Update existing equipment needs assessments and develop standard operating procedures on the use and maintenance of equipment delivered, in coordination with ongoing activities applying green procurement practices and circular economy principles, when possible.
- Support to the dissemination of already developed SAR Standard Operating Procedures (SOPs) and their implementation.
- Support, identify, design and conduct education and training, including but not limited to the following: border control and surveillance techniques; passenger examination and document inspection; advanced border patrol techniques; advanced SAR techniques and international best practices in SAR; collection of information, disaggregated data, data analysis and risk assessment; early warning systems at the borders, contingency planning, crisis response at borders, including to humanitarian crises; emergency first aid; dead body management; language training; counter-smuggling and interviewing techniques; data and identity management; DNA testing, profiling, and forensic sciences; operation and maintenance of new border technology and equipment; environmental awareness; training on the rights of migrants and asylum seekers, including the obligation of no-refoulement and human rights training.
- Conduct assessments, feasibility studies, technical analyses targeted to rehabilitation and procurement of **border security infrastructure**, including for sustainable retrofit and climate proofing if feasible.
- Rehabilitation of physical infrastructure - including for sustainable retrofit and climate proofing - at **identified border posts** or targeted areas along the borders, with a view to enhance surveillance and coordination capabilities. This could include, among other, providing prefabricated units or buildings to host administrative offices of relevant border authorities, setting up operations rooms for coordination of SAR and surveillance operations.
- Rehabilitation or construction of adequate sustainable and climate proof physical infrastructure at **identified key border areas** or **inland locations** along the migratory routes in the country. This could include, among other, setting up or equipping control and patrolling stations, control towers or checkpoints as needed; installing water, sanitation, and hygiene infrastructure (safe accessible and gender sensitive) in remote locations; installing solar energy and other power supply infrastructure; providing SAR and mobile patrol units equipment.
- Delivery of **equipment**, if conditions allow and in compliance with do-no-harm processes, conflict sensitivity considerations, monitoring arrangements and when possible, the promotion of green procurement and circularity principles. This could include search and rescue vessels, advanced communication equipment (satellite phones, radios with long-range capabilities), handheld night

vision devices and other advanced surveillance tools such as thermal and radar imagers, specialised vehicles suitable for SAR in the desert, essential lifesaving equipment, connection to relevant international databases (e.g. INTERPOL).

- Organise regional high-level cross-border thematic round tables and workshops on operational elements of shared interest in the region.

Activities related to Output 1.2 Improved capacities of law enforcement and judicial authorities to identify, investigate and prosecute criminal networks engaging in migrant smuggling and trafficking in human beings.

- Support national law enforcement and judicial authorities specialised in anti-smuggling and trafficking in human beings, possibly through the set-up of specialised units.
- Sensitise and strengthen capacities (skills and equipment) of frontline officers in the detection and interception of criminals involved in migrant smuggling and trafficking in human beings, including within the national authorities.
- Deliver training on advanced identification and interception methods to frontline law enforcement agencies both at central level, selected border crossing points and key hub cities.
- Improve national and regional cooperation mechanisms to better respond to migrant smuggling and trafficking in human beings.
- Strengthen information sharing by promoting the use of the Secure Information Exchange Network Application (SIENA) and enhancing cooperation with EUROPOL.
- Provide logistical and financial support to participate in EMPACT activities.
- Enhance the capacities of specialised law enforcement and judicial professionals dealing with smuggling and trafficking in human beings, including for the effective referral of cases, including for activities that are conducted with the use of digital means as well as financial investigations, asset confiscation and recovery linked to these crimes.
- Enhance the capacities of law enforcement and judicial authorities to improve the collection, analysis and use of data to inform effective responses.
- Raise awareness and information activities addressed to persons in vulnerable situations, including communities and potential targets of smuggling and trafficking in human beings.
- Address corruption, including through support to financial investigation units with capacity building and provision of equipment.
- Assess legislative, institutional and structural gaps hampering successful investigation and prosecution of migrant smuggling and trafficking in human beings cases.
- Strengthen capacities of law enforcement officers to effectively investigate, off and on-line, cases of trafficking in human beings and migrant smuggling, using a survivor-centred approach.
- Strengthen capacities of judges and prosecutors to effectively prosecute cases of trafficking in human beings and migrant smuggling, using a victim-centred approach.
- Provide operational expertise, training and on-site mentoring and coaching on investigations on organised crime cases.
- Provide equipment for police data management, allowing enhanced access, interoperability, and exchange of information.
- Support the development of standardised Mutual Legal Assistance (MLA) procedures at national level with the identification of clear focal points.
- Enhance judicial cooperation also through support to magistrate networks, such as the West African Network of Central Authorities and Prosecutors (WACAP) and the Liaison Magistrate Initiative.

- Support the creation of networks between North African prosecutors specialised in organised crime, and in particular migrant smuggling and trafficking in human beings, and relevant EU counterparts.
- Provide technical assistance, training and expertise in data management and protection, information exchange and joint investigations.
- Set up and support the activities of Joint Investigation Teams, where possible.

Activities related to Output 1.3 Strengthened regulatory framework and operational capacities on migration management.

- Support developing national evidence-based policy, legal and regulatory frameworks, in compliance with human rights standards.
- Support national, regional and international governance as well as coordination and oversight mechanisms.
- Support national coordination measures between the relevant structures on border and migration management as well as the relevant law enforcement structures.
- Perception surveys of community attitudes and beliefs in the targeted areas.
- Promote cooperation with and between border communities, through trust-building activities, community stabilisation initiatives, and community engagement activities (where applicable).
- Support and strengthen law enforcement and implementing partners (IPs) procedures on do no harm assessments as well as national human rights monitoring and oversight mechanisms, such as codes of conduct, Human Rights departments and judicial oversights and links in case of abuses.
- Conduct awareness raising and tailored trainings, which could include international human rights and humanitarian law; international migration law; humanitarian border management, etc.
- Develop activities to fight corruption and monitoring of the assets delivered.
- Support national and international stakeholders in steering the cross-border dialogue, if possible in the framework of national and regional initiatives, such as the One Desert Initiative.
- Provide capacity building initiatives towards strengthening cooperation and coordination on border management and protection of migrants in vulnerable situations in the region.
- Provide a framework to enhance situational awareness at borders and promote the exchange of operational information.
- Support developing Standard Operating Procedures (SoP) on cross-border cooperation and best practices aimed at enhancing mechanisms on formal international cooperation but also informal cooperation at the local level between neighbouring authorities.

Activities related to Output 1.4 Enhanced identification, assistance and support to victims of trafficking and vulnerable migrants.

- Improve policy, legal and regulatory frameworks on protection (e.g. upholding and protecting human rights, gender, labour rights, persons in situation of vulnerability, victims of trafficking, governing migration management).
- Support the improvement of institutional arrangements and coordination, through the development, strengthening or implementation of national action plans and national referral mechanisms, including management of specialised shelter for victims of trafficking.
- Enhance capacities of social actors and civil society to protect victims of trafficking and assist migrants in vulnerable situations, either directly or through support to state institutions.

- Support dialogue and coordination between migrants, CSO and local authorities.
- Support to establish or identify gender sensitive appropriate care, protection and long-term solutions for migrant children who are outside their countries of origin or habitual residence and in risk of abuse by traffickers and smugglers.
- Support delivery of gender sensitive protection and assistance services specifically tailored to trafficked children, along with building the capacity of law enforcement and other relevant authorities.
- Support the production and dissemination of disaggregated data and analysis to inform common understanding as well as strategies and action plans based on evidence.
- Support public health facilities on migratory routes to fill infrastructural and human resource gaps and set up additional health facilities on migratory routes where necessary.
- Conduct assessments on health standards at border crossing points (BCPs) and along migratory routes.
- Provide technical assistance to enhance health standards at BCPs and along migratory routes.
- Strengthen the provision of primary health care through mobile health inclusive services and enhanced referral systems in identified remote border communities located near migratory routes.
- Facilitate referral of migrants in vulnerable situations to secondary and tertiary care for specialised care and follow up services. Special measures to the violence survivors, in particular a SGBV referral system.
- Provide gender-based hygiene kits, clothes, light meals, drinking water, blankets, and mattresses to North African authorities for timely distribution following rescue operations.

Activities related to Output 2.1 Improved identification, implementation, and accountability of migration interventions.

- Conduct thematic/geographic research and surveys, political economy analyses, data collection exercises and lessons learnt studies.
- Support national institutions in creating a space for interaction and collaboration through improved data gathering and analysis.
- Conduct strategic dialogue on migration and mobility partnerships at national, regional, and international levels.
- Conduct EU led third-party monitoring and external evaluations to enable, inter alia, the timely identification of human rights risks and detection of incidents that may involve human rights violations, in line with fundamental rights.
- Support the setting up of systematic and timely reporting mechanisms to ensure Commission-level awareness. These mechanisms should include procedures for detecting, verifying, reporting and analysing human rights allegations and feed decision making processes.
- Establish mechanisms for timely implementation of mitigation measures.
- Ensure cooperation and coordination, where possible, with migrants representatives and local CSOs to gather grassroots-level information and insights in relation to EU funded activities.

Activities related to Output 2.2 Enhanced capacity for migration governance in line with fundamental values and international standards.

- Provide technical assistance to national authorities to enhance their capacities for national governance and for steering dialogue and exchange of best practices on migration governance at national and regional level.
- Provide support for enhancing inter-institutional cooperation and coordination mechanisms at national, regional and international level.
- Deploy expertise to facilitate the policy development process and encourage inter-departmental cooperation within partner countries.
- Develop knowledge exchange initiatives to transfer replicable good practices, inform policy development, and provide technical assistance for knowledge transfer in target countries, based on EU priorities.
- Raise state actors' awareness about the importance of ensuring that all migrants are treated in full compliance with international obligations and standards.
- Provide human rights capacity building for state actors, focusing not only on the use of provided equipment but also on broader aspects of rights-based migration management.
- Strengthen implementing partners (IPs) procedures on do no harm assessments, monitoring of the activities and identification and reporting of possible incidents.
- Develop and implement specialised training programmes to local authorities, implementing partners, CSOs and other stakeholders focused on the rights and needs of populations in vulnerable situations to ensure their rights are protected. Training will cover identification and response to SGBV.

The commitment of the EU's contribution to the Team Europe Initiative to which this action refers, will be complemented by other contributions from Team Europe members. It is subject to the formal confirmation of each respective member's meaningful contribution as early as possible. If the Team Europe Initiatives (TEI) and/or these contributions do not materialise, the EU action may continue outside a TEI framework.

3.3 Mainstreaming

Environmental Protection, Climate Change and Biodiversity

Outcomes of the Environmental Impact Assessment (EIA) screening

The EIA screening classified the action as Category C (no need for further assessment).

Outcome of the Climate Risk Assessment (CRA) screening (relevant for projects and/or specific interventions within a project).

The CRA screening concluded that this action is no or low risk (no need for further assessment).

Gender equality and empowerment of women and girls

As per OECD Gender DAC codes identified in section 1.1, this action is labelled G1. This implies that gender concerns will be mainstreamed in all activities under this action to the extent possible, considering the challenging and sensitive context in which the action will take place.

The EU is committed to scaling up its engagement with Gender Equality and Women Empowerment (GEWE) through the Gender Action Plan III. Technical assistance will support the strengthening of the efforts on GEWE

with a human-rights approach. The action will be aligned with the Gender Action Plan III¹⁶ 2021-2025 (GAP III), to the thematic area of engagement “Ensuring freedom from all forms of gender-based violence”.

To better respond to the needs gender context focus analysis will be used to inform the final planning and the implementation of the activities. When a gender analysis is not available, the action will consider the gathering of specific gender data, particularly in the area of sexual and gender-based violence. There is an engagement to report and measure on the gender impact of the action, to this end gender disaggregated data will be collected and reported on.

Human Rights

The proposed action is closely aligned with the European Union's existing human rights strategies and action plans. To enhance the capacity of North Africa authorities in identifying and prosecuting criminal networks, securing borders, and preventing migrant smuggling, human trafficking, and irregular migrant crossings, it is essential to raise awareness among these authorities about the importance of ensuring that all migrants—including refugees, asylum seekers, and victims of trafficking—are treated in full compliance with international obligations and standards, particularly the principle of non-refoulement. The assistance provided, especially to victims of trafficking, will be sensitive to the specific situations and vulnerabilities of migrants, considering factors such as the best interests of the child, gender, age, and the type of exploitation suffered.

To this end, the action will include human rights capacity building for state actors, focusing not only on the use of provided equipment but also on broader aspects of rights-based migration management. The third component of the action aims to support an effective "do no harm" approach by enhancing information gathering and reporting mechanisms. This will enable the timely identification of human rights risks and the detection of incidents that may involve human rights violations, ensuring that appropriate mitigation measures are in place.

Disability

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D0. Nevertheless, should persons with disabilities be targeted, special attention will be given throughout the process considering the specific situation and the degree of vulnerability. Notwithstanding, the action will ensure – to the extend possible - that infrastructures provided or sponsored by the action are accessible, people with disabilities are consulted and included, and all activities conducted are accessible and inclusive.

Given the lack of data concerning migrant people disability status and effort will be made to gather data that will be use in the future to inform the activities.

Democracy

¹⁶ The Gender Action Plan III is a Joint communication by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy which was welcomed through EU Presidency Conclusions of 16 December 2020. Drafting was led by European Commission in close consultation with EU Member States, EEAS, civil society organisations, partner governments, and international organisations (UN entities, International Finance Institutions among others). The different parties contributed to the drafting of the document through meetings and through responses to a survey conducted during the process.

The action will support the national stakeholders in closer aligning to principles of good governance such as participation, inclusion, transparency, and accountability. In doing so it will indirectly contribute to trust building in government's institutions and to ultimately reinforce democracy.

Conflict sensitivity, peace and resilience

The action will apply a conflict sensitivity analysis and approach across all activities, including solid baseline analysis, application of good conflict sensitivity practice in the design and implementation of the action, and monitoring of conflict sensitivity. As such, the activities foreseen under the action will support North Africa authorities to address their own fragilities and to strengthen their resilience by supporting stronger governance of migration, border policies, anti-smuggling and anti-trafficking to reduce unsafe and irregular routes and to support those in need of protection.

Further to its obligations, but also considering the country's fragility, the action will have a high level of vigilance regarding the equipment to be provided to ensure a do-no-harm approach. This will be strengthened by activities forecasted under component three which aims to support an effective "do no harm" approach by enhancing information gathering and reporting mechanisms.

Disaster Risk Reduction

N/A

3.4 Risks and Assumptions

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
External environment	Increased insecurity and/or political instability in the countries, as well as in the region.	Medium	High	The action will develop a solid inception phase and risk analysis. Activities will be modular, allowing to concentrate in regions/areas where the implementation is possible. The second component of this action will be anchored in a long-term approach and established mechanisms that allowed to establish in those countries a solid relationship based on cooperation, trust and coordination, in particular with the administrative structures.
	National authorities don't allow implementing partners access	Medium	Medium	The action will engage with institutional security actors operating across the countries. Activities under the action will conduct risk assessments to identify risks in the inception phase, proposing mitigating measures which could include targeting

	to targeted border areas.			specific areas or other solutions. A risk remains that in the course the project or after it, the supplies provided falls into the hands of armed groups in case territorial control changes.
	Limited political buy-in for some of the activities, especially in relation to third party monitoring, trainings and human rights.	Medium	High	The action will build upon existing support and best practices. Need for a third-party monitoring, respect for human rights, do no harm, sensitisation and capacity building on human rights principles will also be part of the political dialogue with the government.
Legality and regularity aspects	Risk of supporting individuals under sanctions or human rights abuses.	Medium	High	<p>Conduct a conflict sensitivity analysis and establish clear procedures in the inception phase for:</p> <ul style="list-style-type: none"> - vetting of the institutions and the individuals targeted in the trainings and supplies. - Reporting and follow up on serious incidents and alleged abuses. <p>In addition, a Human Rights due diligence process will be conducted before starting the implementation for UN led projects. Ensure that these procedures are followed through the lifetime of the project.</p>
	Corruption within institutions and/or security forces	Medium	High	The action will set up a robust transparency and accountability mechanisms to ensure the compliance in the use of funds and resources.
	The equipment supplied is lost, misused or not possible to monitor.	Medium	High	Establishment of a robust monitoring mechanism and procedures to report missing or misused items over the programme life. Strengthen political dialogue to allow monitoring missions and access to security sites, so to answer cases of misuse or loss of equipment.
Planning processes, and systems	Activities are delayed due to shifting priorities by	Medium	Medium	The action will be built in full agreement with the stakeholders and in flexible modules, to allow for a shift in operational activities.

	national authorities.			
	Decreasing buy-in from the authorities of one or more beneficiary country	Medium	High	<p>The action will be built using a modular approach, allowing efforts to focus on the pilot sites and operational activities receiving political agreement.</p> <p>Furthermore, the action will build upon existing best practices and lessons learnt from previous programmes in support of migration management. The action will include a stakeholder management plan and an outreach/ communication plan, to ensure better coordination with partner organisations, and build economies of scale and ownership.</p> <p>Political dialogue or technical engagement with the EU could also be envisaged, as appropriate.</p>
People and the organisation	Lack of cooperation between or responsiveness of targeted institutions and staff for capacity building, communication, and dialogue activities.	Medium	Medium	<p>Continued dialogue with competent authorities will raise the interest in engagement. The flexibility of the action will allow for a modular approach, with a first engagement in less sensitive cooperation areas.</p> <p>For component 1 it will be key to keep investing in close and flexible bilateral consultations with the nominated NFPs to provide needed support in coordination efforts and ensure commitment and ownership.</p>
	Limited border management capacities and governance	Medium	High	The action will include a strong governance and capacity building component to address lack of capacities and resources from the border management authorities.
	Stereotypical and simplified narrative on migration undermining efforts towards discussing migration in a constructive and outcome-oriented way in the Mediterranean	Medium	Medium	The action will mobilise academic and policy research in the field to help develop concrete tools in support of public communicators from participating countries, with a focus on preventive and crisis communication, as well as long-term public communications strategies. Communication will support sensitisation in human rights principles.

	Criminalisation of aid to asylum seekers and migrants and shrinking civic space	Medium	High	Enhance political dialogue and embed CSO acceptance in project implementation. Include local border communities in activities supporting migrants.
	Governments engage in refoulement of migrants and asylum seekers at the borders	Medium	High	Conduct EU led third-party monitoring and reporting and external evaluations to enable, inter alia, the timely identification of human rights risks and detection of incidents that may involve human rights violations, in line with fundamental rights.

3.5 Intervention Logic

The underlying intervention logic of this action is that:

IF there are improved technical capacities for border management and search and rescue operations.

And IF there are improved capacities of law enforcement and judicial authorities to identify, investigate and prosecute criminal networks engaging in migrant smuggling, trafficking in human beings and migrants human rights violations.

And IF there are strengthened regulatory framework and operational capacities on migration management.

And IF there is an enhanced assistance and support to victims of trafficking and migrants in vulnerable situations,

THEN North African countries will have an enhanced human rights-based border management which will effectively counter migrant smuggling, trafficking in human beings and migrant human rights violations, in compliance with international obligations and with a rights-based approach.

Equally, IF there is an improved preparation, implementation, and accountability of migration interventions,

And IF there is an enhanced capacity for migration governance in line with fundamental values and international standards.

THEN relevant and impactful migration management interventions will foster mutual understanding in the Southern Neighbourhood.

IF relevant and impactful migration management interventions will foster mutual understanding in the Southern Neighbourhood

And IF North African countries manage borders countering migrant smuggling and trafficking in human beings in compliance with international obligations and with a rights-based approach

THEN this will support safe and human rights-based migration governance.

3.6 Indicative Logical Framework Matrix

Results	Results chain: Main expected results	Indicators	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
Impact	To improve safe and human rights-based migration governance in the Southern Neighbourhood	TBD at inception	All baselines will be defined during the inception / implementation phase.	All targets will be defined during the inception / implementation phase.	1 2	<i>Not applicable</i>
Outcome 1	North African countries have an enhanced human rights-based border management which effectively counter migrant smuggling and trafficking in human beings, in compliance with international obligations and with a rights-based approach.	<p>1.1 Number of operations against trafficking in human beings or smuggling of migrant networks supported (Number) (MIP)*</p> <p>1.2 Number of criminal smuggling/trafficking networks disrupted, disaggregated by country. (MIP)*</p> <p>1.3 Number of victims of human trafficking per 100,000 population (disaggregated by sex, age and form of exploitation) (GAP III indicator) (OPSYS indicator 156170)</p>				

		1.4 Number of search and rescue operations on land supported, disaggregated by location.				
Outcome 2	Mutual understanding on migration management is fostered in the Southern Neighbourhood.	<p>2.1 Number and quality of outcomes of relevant policy dialogues that have taken place (Number) (MIP)*</p> <p>2.2 Number and quality / effectiveness of migration management or forced displacement strategies or policies a) developed/revised, or b) under implementation with EU support (EURF) (MIP)*</p> <p>2.3 Number of incidents reported.</p> <p>2.4 Number of mitigating measures in place.</p>				
Output 1.1 related to Outcome 1	Improved technical capacities for border management and search and rescue operations.	<p>1.1.1 Number of items of equipment delivered.</p> <p>1.1.2 Number of migrants intercepted/rescued through SAR operations on land disaggregated by sex, age group</p>				

		<p>and country of origin (Number) (MIP)*</p> <p>1.1.3 Number of supported border crossing and patrolling points, disaggregated by location.</p> <p>1.1.4 Number of border areas supported through the EU funded project, disaggregated by country.</p>				
Output 1.2 related to Outcome 1	<p>Improved capacities of law enforcement and judicial authorities to identify, investigate and prosecute criminal networks engaging in migrant smuggling and trafficking in human beings</p>	<p>1.2.1 Number of training institutions established, number of staff trained, curricula developed, and items of equipment delivered disaggregated by sex (Number) (MIP)* (GAP III)</p> <p>1.2.2 Number of law enforcement officers benefitting from specialised training disaggregated by sex (MIP)* (GAP III)</p>				

		1.2.3 Number of law enforcement officers benefitting from training on the rights of asylum seekers and migrants disaggregated by sex (MIP)* (GAP III)				
Output 1.3 related to Outcome 1	Strengthened regulatory framework and operational capacities on migration management.	1.3.1 Number of developed national evidence-based policy, legal and regulatory frameworks, in compliance with human rights and gender standards. (GAP III)				
Output 1.4 related to Outcome 1	Enhanced identification, assistance, and support to victims of trafficking and vulnerable migrants	1.4.1 Number of victims of trafficking and smuggled migrants in vulnerable situations assisted (disaggregated by sex, age, form of exploitation and disability status) (GAP III) 1.4.2 Number of presumed victims of trafficking / vulnerable migrants identified at selected border areas, disaggregated by location, nationality, disability status and gender. (GAP III)				
Output 2.1	Improved identification, implementation, and	2.1.1 Number of outcomes of				

related to Outcome 2	accountability of migration interventions	<p>operational exchanges (meetings or exchanges in written form between law enforcement agencies and authorities in the region) (Number) (MIP)*</p> <p>2.1.2 Number of rights-based border management mechanisms agreed and implemented. (Number) (MIP)*</p> <p>2.1.3 Number of reporting mechanisms set up to ensure EC awareness of incidents and human rights violations.</p> <p>2.1.4 Number of reports provided.</p>				
Output 2.2 related to Outcome 2	Enhanced capacity for migration governance in line with fundamental values and international standards	<p>2.2.1 Status of the strategic dialogue on migration.</p> <p>2.2.2 Number of campaigns and workshops on migration and mobility organised.</p>				

		<p>2.2.3 Number of human rights capacity building activities for state actors, focusing not only on the use of provided equipment but also on broader aspects of rights-based migration management.</p> <p>2.2.4 Number of procedures on do no harm assessments, monitoring of the activities and identification and reporting of possible incidents put in place by implementing partners (IPs)</p> <p>2.2.5 Number of specialised training programmes delivered to local authorities, implementing partners, CSOs and other stakeholders focused on the rights and needs of migrants in vulnerable situations to ensure their rights are protected.</p>				
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4. IMPLEMENTATION ARRANGEMENTS

4.1 Financing Agreement

In order to implement this action, it is not envisaged to conclude a financing agreement with the partner countries.

4.2 Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is **72 months** from the date of adoption by the Commission of this financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this financing decision and the relevant contracts and agreements.

4.3 Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures¹⁷.

4.3.1 Indirect Management with a pillar-assessed entity

A part of this action may be implemented in indirect management with pillar-assessed entity(ies), which will be selected by the Commission's services using the following criteria:

- a completed pillar assessment.
- proven experience in the implementation of projects in the relevant field.
- established operational capacity in the region with administrative and financial capabilities to run complex operations in the Southern Neighbourhood.
- extensive technical expertise in the sectors, including in border management and cross border cooperation; proven skills in feeding and informing the policy dialogue.
- extensive network of national and international partners.
- demonstrated capacity to lead and coordinate with various stakeholders.
- a robust, reliable and tested internal control mechanism to prevent, detect and deter non-compliance with EU restrictive measures.

4.3.2 Direct Management (Procurement)

Part of Specific objective 2 of the action, aiming at “*Mutual understanding on migration management is fostered in the Southern Neighbourhood.*”, may be implemented in direct management through procurement.

¹⁷ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

4.3.3 Changes from indirect to direct management (and vice versa) mode due to exceptional circumstances

If the implementation modality under indirect management as defined in section 4.3.1 and direct management (procurement) as defined in section 4.3.1 cannot be implemented due to circumstances beyond the control of the Commission, the modality of implementation by grants under direct management would be used according to the following section:

(a) The action grant will cover the whole implementation of the action or one of the two components.

(b) Type of applicants targeted:

- legal person, and
- non-profit making and
- specific type of organisation such as: civil society organisations, non-governmental organisation, public sector operator, local authority, international (inter-governmental) organisation as defined by Article 156 of the EU Financial Regulation.

4.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

4.5 Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)	Third-party contribution (amount in EUR)
Implementation modalities – cf. section 4.3		
SO 1, composed of		
Indirect management with pillar assessed entities – cf. section 4.3.1	76 000 000	500 000
SO 2, composed of		
Direct management (procurement) – cf. section 4.3.2	9 000 000	
Indirect management with pillar assessed entities – cf. section 4.3.1	1 000 000	500 000

Evaluation – cf. section 5.2	Will be covered by another Decision	N.A.
Audit – cf. section 5.3		
Strategic communication and public diplomacy – cf. section 6	N.A.	N.A.
Contingencies	N.A.	N.A.
Totals	86 000 000	1 000 000

4.6 Organisational Set-up and Responsibilities

The action will be coordinated through Programme Steering Committees (PSCs) with policy dialogue and coordination at technical and activity level.

PSCs will be chaired by the EU and the beneficiary countries and will involve other relevant stakeholders, such as the EUBAM mission and – if relevant – EU agencies. The EU may decide to invite other actors, after consultation with the beneficiary countries, if deemed relevant. PSCs will provide strategic and overall guidance, and global oversight of the implementation of the action under the specific contract, including assessment and exchanges of good practices. PSCs will provide an overarching framework for discussing emerging priorities. The results of the consultation process will, on one hand, inform the formulation of possible additional project funded actions and provide strategic guidance to ensure coherence between national initiatives (i.e., programme-funded actions) and the overall regional context. PSCs will convene at least once a year. The coordination at national level will mainly include the EU Delegation, EU Member States, relevant national authorities and international organisations. The main national stakeholders will unite in a Project Steering Committee where the implementation of the actions and related capacity building will be coordinated and approved. The involvement of national stakeholders will ensure ownership and sustainability of the overall programme and of the programme-funded actions while contributing to the improvement of inter-institutional coordination and migration governance at national and regional level.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

5 PERFORMANCE MEASUREMENT

5.1 Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its Outputs and contribution to the achievement of its Outcomes, and if possible, at the time of reporting, contribution to the achievement of its Impacts, as measured by corresponding indicators, using as reference the logframe matrix (for project modality). The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the

Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Arrangements for monitoring and reporting, including roles and responsibilities for data collection, analysis and monitoring:

As stated in the Better Regulation, to be comprehensive, the monitoring system put in place must also cover the objectives of the action. Implementing partners' monitoring system is therefore expected to measure, and report, on progress in relation to the planned outputs, outcomes and impact of the action by means of RACER (Relevant, Accepted, Credible, Easy, Robust) and SMART (Specific, Measurable, Achievable, Realistic, Time-related) indicators related to a baseline situation. A balanced indicator system should also include both quantitative and qualitative indicators as well as gendered indicators to be able to monitor gender equality. In addition, considering the multi-country nature of this action, indicator values will be measured, and reported, both on a country-by-country basis and in an aggregated manner.

Establishing corresponding baselines and targets for each indicator selected will be the responsibility of implementing partners' and this information will be provided at contracting level (at the latest at the end of the inception phase). If a baseline survey is deemed necessary, correlated periodic and/or final studies to collect results data during and/or at the end of implementation will need to be envisaged. Such surveys can be financed under the regular budget of the action and should be budgeted accordingly at contracting level (through specific budget lines identified for this purpose).

The Monitoring system put in place will collect and analyse data to inform on progress towards achievement of planned results to feed decision-making processes and to report on the use of resources. Considering the multi-country nature of this action, the separation of tasks and coordination on monitoring and reporting duties between the implementing partners involved in the action will have to be detailed and agreed upon by all parties involved at contracting stage. In addition, Result-based reporting will be used to foster the active and meaningful participation of all stakeholders involved in the action. In this sense, result-based reports will be presented and discussed during the action's steering committee or any other relevant coordination mechanisms established in the framework of this action.

Given the nature and the geographical scope of the action, baselines and targets will be provided by the implementing partner at contracting level at the end of the inception phase. Information will be collected during the inception phase by the project team in close consultation with other stakeholders and beneficiaries too. Information will be collected by the implementing partner(s) through desk research and field assessment missions, with particular attention to studies and surveys already published, a baseline survey and interviews. The finding of the baseline survey will be also reviewed during the mid-term and ex-post evaluations.

This action is not foreseeing to provide support to and strengthen the partner country's Monitoring and Evaluation (M&E) capacities to monitor progress. Stakeholder will be involved in the implementation of the action.

Stakeholder representatives will be members of the Steering Committee where their participation will be discussed and decided during the inception phase of the agreement. Monitoring and reporting related issues will be discussed starting from the kick off meeting and during the inception phase where baselines, targets, procedures and roles will also be discussed and defined. Gender equality will be mainstreamed in the implementation of the agreement where disaggregated data will be collected at this regard.

The monitoring and reporting of the action will be conducted centrally by the monitoring and evaluation unit to be established within the project team of the regional implementation unit and in close cooperation with the local implementation units established in the targeted location. Indicators values will be measured on a country-by-country basis and where possible on a disaggregated basis.

All monitoring and reporting shall assess how the action is considering gender equality, human rights-based approach, and rights of persons with disabilities, including inclusion and diversity. Indicators shall be disaggregated at least by sex” (when possible, age and disability).

To ensure a closer follow-up, every implementing partner will provide a regular (possibly monthly) Flash Report indicating past activities, activities in the pipelines, difficulties encountered and measures taken to mitigate.

5.2 Evaluation

Concerning evaluation, a mid-term, final or ex post evaluation will be carried out for this action or at least one of its components.

The Commission shall form a Reference Group (RG) composed by representatives from the main stakeholders at both EU and national (representatives from the government and if possible, from civil society organisations (private sector, NGOs, etc.), etc.) levels. If deemed necessary, other donors will be invited to join. The Commission shall inform the implementing partner at least 1 month in advance of the dates envisaged for the evaluation exercise and missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders following the best practice of evaluation dissemination. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

In addition, all evaluations shall assess to what extent the action is taking into account the human rights-based approach, as well as how it contributes to gender equality and women’s empowerment and disability inclusion. Expertise on human rights, gender equality and disability will be ensured in the evaluation teams.

The financing of the evaluation shall be covered by another measure constituting a financing Decision.

5.3 Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

6 STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

All entities implementing EU-funded external actions have the contractual obligation to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. To that end they must comply with the instructions given in the 2022 guidance document [*Communicating and raising EU visibility: Guidance for external actions*](#) (or any successor document).

This obligation will apply equally, regardless of whether the actions concerned are implemented by the Commission, the partner country, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU Member States. In each case, a reference to the relevant contractual obligations must be included in the respective financing agreement, procurement and grant contracts, and contribution agreements.

For the purpose of enhancing the visibility of the EU and its contribution to this action, the Commission may sign or enter into joint declarations or statements, as part of its prerogative of budget implementation and to safeguard the financial interests of the Union. Visibility and communication measures should also promote transparency and accountability on the use of funds. Effectiveness of communication activities on awareness about the action and its objectives as well as on EU funding of the action should be measured.

Implementing partners shall keep the Commission and the EU Delegation/Office fully informed of the planning and implementation of specific visibility and communication activities before the implementation. Implementing partners will ensure adequate visibility of EU financing and will report on visibility and communication actions as well as the results of the overall action to the relevant monitoring committees.

Appendix 1: IDENTIFICATION OF THE PRIMARY INTERVENTION LEVEL FOR REPORTING IN OPSYS

A Primary intervention (project/programme) is a coherent set of results structured in a logical framework aiming at delivering development change or progress. Identifying the level of the primary intervention will allow for:

Differentiating these actions or Contracts from those that do not produce direct reportable development results, defined as support entities (i.e. audits, evaluations);

Articulating Actions and/or Contracts according to an expected common chain of results and therefore allowing them to ensure a more efficient and aggregated monitoring and reporting of performance.

Having a complete and exhaustive mapping of all results-bearing Actions and Contracts.

The present Action identifies as:

Contract level (i.e. Grants, Contribution Agreements, any case in which foreseen individual legal commitments identified in the budget will have different log frames, even if part of the same Action Document)		
<input checked="" type="checkbox"/>	Single Contract 1	Contribution Agreements



[\[1\]](#) International organisations are international public-sector organisations set up by intergovernmental agreements as well as specialised agencies set up by them; the International Committee of the Red Cross (ICRC) and the International Federation of National Red Cross and Red Crescent Societies are also recognised as international organisations.