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**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX I**

of the Commission Implementing Decision on the financing of the Individual Measure for the multi-country migration programme in favour of the Southern Neighbourhood for 2022

**Action Document for Support to Cross-Border Cooperation and Integrated Border Management in North Africa**

**MEASURE**

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and Action plan in the sense of Article 23(3) of NDICI-Global Europe Regulation.

**1. SYNOPSIS**

**1.1. ACTION SUMMARY TABLE**

<b>1. Title CRIS/OPSYS Basic Act</b>	Support to Cross-Border Cooperation and Integrated Border Management in North Africa OPSYS business reference: ACT-60760 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)
<b>2. Team Europe Initiative</b>	No. This action is not a Team Europe Initiative (TEI) but could contribute to two envisaged TEIs covering regional migration actions namely, the TEI Migration Atlantic Route and the TEI for the Central Mediterranean Route
<b>3. Zone benefiting from the Action</b>	The Action shall be carried out in North Africa: Algeria, Egypt, Libya, Morocco, Tunisia and the neighbouring countries to the South
<b>4. Programming document<sup>1</sup></b>	No.
<b>5. Link with relevant MIP(s) objectives/ expected results</b>	Priority 2 (Strengthening migration and asylum governance and management). The Impact/Overall Objective corresponds very closely to Specific Objective (SO) SO3 (Partner countries' capacity and performance in border management [and search and rescue (SAR)] is enhanced). Both SO1 & 2 (outcomes) contribute to R3.1 (Capacity and performance of border management is improved) and hence SO3 of the said priority in the MIP. At impact level the Action may also contribute in: SO2 Partner countries' capacity and performance to combat migrant smuggling and trafficking in human beings is enhanced and broadened of the same MIP Priority.  SO3: Partner countries' capacity and performance in border management and SAR is enhanced

<sup>1</sup> This will fall under Multi-Country Migration Programme for the Southern Neighbourhood (under approval)

	R 3.1 Capacity and performance of border management is improved			
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>				
<b>6. Priority Area(s), sectors</b>	Priority area 2: Strengthening migration and asylum governance and management.			
<b>7. Sustainable Development Goals (SDGs)</b>	Main SDG 10, sub goal: 10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies			
<b>8 a) DAC code(s)</b>	15190 (Facilitation of orderly, safe, regular and responsible migration and mobility) – 100%			
<b>8 b) Main Delivery Channel</b>	21 000 – International Organisations: 47 000 - Member State Organisations			
<b>9. Targets</b>	<input checked="" type="checkbox"/> Migration <input type="checkbox"/> Climate <input type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input type="checkbox"/> Education <input type="checkbox"/> Human Rights, Democracy and Governance			
<b>10. Markers (from DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input checked="" type="checkbox"/>	<input 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"/>
	Trade development	<input checked="" type="checkbox"/>	<input 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"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	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"/>
	<b>11. Internal markers</b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>

	<b>Digitalisation</b> Tags: digital connectivity digital governance digital entrepreneurship job creation digital skills/literacy digital services	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	<b>Connectivity</b> Tags: transport people2people energy digital connectivity	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input 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"/>
	<b>BUDGET INFORMATION</b>			
<b>12. Amounts concerned</b>	Budget line(s) (article, item): 14.020110 - Southern Neighbourhood for all Actions Total estimated cost: EUR 7 000 000 Total amount of EU budget contribution EUR 6 000 000 This action is likely be co-financed in joint co-financing by another donor(s) for an estimated amount of EUR 1 000 000.			
<b>MANAGEMENT AND IMPLEMENTATION</b>				
<b>13. Implementation modalities (type of financing and management mode)</b>	Project Modality Indirect management with entity(ies) to be selected in accordance with the criteria set out in section 4.3.1.			

## 1.2. SUMMARY OF THE ACTION

The Action “Support to Cross-Border Cooperation and Integrated Border Management in North Africa” aims to contribute to enhanced border security, safety, legal mobility and protection-sensitive approach to mixed migration flows through mutually beneficial cross-border cooperation, in particular against organized crime groups, including those involved in migrant smuggling. This action is expected to contribute to delivering on the Joint vision for 2030 set out at the latest European Union (EU) - African Union (AU) Summit held in February 2022, where leaders agreed on an enhanced and reciprocal partnership for migration and mobility. This includes strengthened cooperation against smuggling of migrants, supporting border management and improving migration dialogues.

The Programme is based on the premise that cross-border cooperation in border management is a strategy that is beneficial to overall security and safety in often sensitive and fragile border areas, where organized crime is often prevalent. To advance this strategy, which builds on nascent cross-border cooperation and/political declarations in favour of such cooperation in the region, two specific objectives will be sought by the Action:

1. Roadmap adopted including selection of pilot border crossing points and/or border areas;
2. Cross-border mutually beneficial operational cooperation between border management authorities is established or enhanced.

The first objective aims at establishing a structured dialogue among border authorities across the region, with a view to learning about integrated border management practices and their benefits, agreeing on pilot border crossing points where cross-border cooperation mechanisms could be established or supported, and taking stock of the progress made through these mechanisms. The second objective aims at effectively setting up or supporting operational cross-border cooperation in border management at agreed sites across the region, including through the provision of equipment and training.

The programme targets all national authorities with responsibility over border management, including border police, border guards, customs, trade, and sanitary, phytosanitary and veterinary authorities. This broad spectrum of work is necessary to allow for the most comprehensive situational picture of cross-border crime, and therefore to develop the most effective cross-border cooperation mechanisms possible, benefitting the security and safety of communities on both sides of the border. The enhanced cooperation and situational awareness will fully integrate a protection-sensitive approach to border management, taking into account the mixed nature of migration flows across the region, including refugees, asylum seeker and victims of trafficking in human beings.

This action is also expected to contribute to delivering on the Joint vision for 2030 set out at the latest European Union (EU) - African Union (AU) Summit held in February 2022, where leaders agreed on an enhanced and reciprocal partnership for migration and mobility.

The Action will ensure complementarities and synergies with the second phase of the Regional Operational Centre for the Khartoum process (ROCK), as well as with the third phase of the Better Migration Management (BMM) programme in the Horn of Africa, both funded under the regional MIP for Sub-Saharan Africa.

## **2. RATIONALE**

### **2.1 GENERAL CONTEXT**

The migration context in North Africa can be broadly characterized as consisting of three closely interrelated factors: (a) forced displacement as a result of multiple, acute and protracted crises across the region; (b) mixed migration flows, driven by a mix of economic and other factors, within and transiting through the region, particularly to and through North Africa and towards Europe; and (c) the (regular and irregular) movement of labour migrants both within and from far beyond the region<sup>2</sup>.

Historically, in the context of cooperation between Europe and North Africa, the region was principally a source of migration. Gradually since the early 21<sup>st</sup> century, North Africa has also increasingly become a region of transit towards Europe. Additionally, the region has more recently seen its countries becoming countries of destination.

Labour migration has been an historical phenomenon in North Africa. Tunisia and Morocco are no exceptions<sup>3</sup> with an estimated number of citizens residing abroad of 1.2 million for a total population of just over 11 million and 3.4 million for a population of about 34 million respectively. In the 1960s, many EU Member States signed bilateral labour agreements. Family reunification quickly followed.

<sup>2</sup> <https://www.iom.int/middle-east-and-north-africa>

<sup>3</sup> European University Institute, *Migration Profile: Tunisia* (2016): [cadmus.eui.eu/bitstream/handle/1814/45144/MPC\\_PB\\_2016\\_08.pdf](http://cadmus.eui.eu/bitstream/handle/1814/45144/MPC_PB_2016_08.pdf). and *Migration Profile: Morocco* (2016); [http://cadmus.eui.eu/bitstream/handle/1814/41124/MPC\\_PB\\_2016\\_05.pdf](http://cadmus.eui.eu/bitstream/handle/1814/41124/MPC_PB_2016_05.pdf)

With the end of or the restrictions on most bilateral labour agreements in the seventies, irregular migration *de facto* became an alternative to legal migration channels. For instance, in Tunisia, the Jasmine Revolution in 2011 did not put irregular migration on hold. Shortly after the fall of the Ben Ali regime, an estimated 25,000 Tunisians left the country. As for Morocco, while the country remained stable during this uneasy period in the region, it also remained a source of irregular migration. Furthermore, both countries, as well as other North African countries, notably Libya, have had to deal with an increasing migration pressure, notably from Sub-Saharan Africa and countries of the Horn of Africa.

Forced displacement, a more recent phenomenon, is the consequence of political unrests in the region, including in Libya and in neighbouring sub-Saharan countries. As a result, a number of migrants and forcibly displaced persons are not only travelling to North African countries but also transiting through the region on their way principally to Europe. The key migration routes of concern to North Africa over the last decade have primarily been the Western and Central Mediterranean routes and the West Africa route.

The Central Mediterranean route connects North African countries with the European states of Italy and – in much lower numbers – Malta and Greece. The route has been used at least since the early 2000s, but seasonal movements intensified between 2011 and 2017. Between 2014 and 2017, more than 600,000 people departed from North Africa to reach the European Union via irregular sea crossings along the Central Mediterranean route. Since 2018, the number of people arriving in the EU irregularly along this route has dropped to pre-2014 levels.

The COVID-19 Pandemic has not halted irregular sea crossings on this route; in fact, two and a half times as many people arrived in 2020 as in 2019. The European Border and Coast Guard Agency Frontex detected over 35,600 irregular border crossings in 2020 along the Central Mediterranean route, compared to 14,000 in 2019. In addition, more than 11,900 people were returned to Libya in 2020 after being intercepted by the Libyan Coast Guard and more than 983 drowned while trying to reach European shores. The largest number of irregular border crossings in the EU in 2020 was detected among people arriving along the Central Mediterranean route, followed by the Western African/ Atlantic Route connecting the West African coast to the Canary Islands (Spain).

In 2022, as of 13 March, 18 468 arrivals had been recorded to the EU via the Mediterranean routes (8,269 via Western Mediterranean/Atlantic route, 6,152 through the central Mediterranean, and 4,047 through the Eastern Mediterranean) compared to 12,708 in the same period last year (+45%).

The Central Mediterranean route is used by refugees and migrants arriving from different regions of the world. In 2020, the majority of people arriving in Italy along the route originated from countries in North Africa, South Asia and West Africa.

In the shorter term, the war in Ukraine is generating a serious threat to food security across the Region. A worsening food security situation may lead to increasing outgoing migratory flows, including towards Europe, which will need to be monitored closely.

In this context, there is an increasing demand for migrant smuggling networks to facilitate entry into many North African countries and for travel towards Europe. As a result, and despite the lack of hard data on this phenomenon, the first evidences gathered by the region's authorities shows that migrant smuggling is undergoing an increasing professionalization, which strongly suggests that the market is increasingly taken over by organized crime groups. This should be a serious concerns for the governments of North Africa. Firstly, organized crime, is a threat to political, economic and social stability, as it undermines public institutions, hampers development efforts and ultimately damages the very fabric of society. Secondly, while human mobility is an inherently positive phenomenon, irregular migration facilitated by organized crime groups instrumentalises and exploits migrants, who are treated as mere commodities in the hands of organized crime groups, who do not hesitate to resort to bad treatment and life threatening travels.

The fact that organized crime groups operate transnationally calls for increased cooperation between the region's border authorities. Some nascent bilateral cooperation is established at some of the region's border crossing points and several recent political declarations indicate that the region's countries are willing to strengthen cross-border cooperation, with a view to strengthening security, but also to boost trade relations and bring sustainable livelihoods to fragile border communities.

The present Action intends to enhance the border security and safety in Algeria, Egypt, Libya, Morocco, Tunisia and their southern neighboursthrough mutually beneficial cross-border cooperation, in particular against organized crime groups, including those involved in migrant smuggling. It is in line with the EU's Action Plan against Migrant Smuggling, 2021-2025, in the context of which the Commission seeks to roll out a set of anti-smuggling operational partnerships with priority partner countries, including in North Africa and the Sahel. It will thereby further strengthen the impact of ongoing Common Security and Defence Policy (CSDP) missions in neighbouring countries and in the region (Mali, Niger and Libya) and complement Actions launched in North Africa under the EUTF and ENI in the areas of anti-migrant smuggling and border management, including:

- EUROMED Police
- Counter-Terrorism Information Exchange and Criminal Justice Responses (CT INFLOW)
- Border Management Programme for the Maghreb (BMP Maghreb)
- Dismantling the criminal networks operating in North Africa and involved in migrant smuggling and human trafficking

It will support the implementation of the New Agenda for the Mediterranean<sup>4</sup>, New Pact on Migration and Asylum<sup>5</sup>, and in particular partnerships to strengthen migration governance and management, including by assisting partner countries in strengthening capacities for border management, as well as the implementation of the renewed EU Action plan against migrant smuggling for the period 2021-2025<sup>6</sup>, which includes supporting partner countries' capacity to combat organized crime groups engaging in migrant smuggling.

## **2.2 PROBLEM ANALYSIS**

### ***Short problem analysis***

Border areas across North Africa are dynamic, complex and sensitive geographic zones, witnessing legitimate and illicit flows of persons and goods across countries, bona fide travellers and criminals, commercial goods and contraband, with communities on opposite sides often linked by family, ethnic, linguistic, religious and economic ties.

The growing market for irregular migration facilitation has attracted the attention and a wide variety of actors, ranging from self-starters to opportunistic contributors and to already-established organized crime groups engaged in the smuggling of other commodities such as drugs, petrol and other goods. This situation is highly conducive to a market consolidation of irregular migration facilitation, whereby the biggest actors, i.e. organized crime groups, progressively take over the market. This situation further destabilises complex and fragile border areas across the region undermining development efforts and thereby fuelling the attractiveness of criminal activities, including migrant smuggling to Europe.

Taking into account the complexity and fragility of border areas across North Africa, addressing this problem cannot be done through only 'strengthening' border management through the provision of border control and surveillance equipment and related training. Such an approach would risk further destabilizing

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<sup>4</sup>[https://www.eeas.europa.eu/sites/default/files/joint\\_communication\\_renewed\\_partnership\\_southern\\_neighbourhood.pdf](https://www.eeas.europa.eu/sites/default/files/joint_communication_renewed_partnership_southern_neighbourhood.pdf)

<sup>5</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0609>

<sup>6</sup> [https://ec.europa.eu/home-affairs/renewed-eu-action-plan-against-migrant-smuggling-2021-2025-com-2021-591\\_en](https://ec.europa.eu/home-affairs/renewed-eu-action-plan-against-migrant-smuggling-2021-2025-com-2021-591_en)

fragile border areas, whose population often rely on illicit activities as their sole means of livelihood and, as a consequence would be unlikely to receive political support.

Alternatively, the fact that North African countries are facing similar interlinked threats, including trans-border crime and terrorism, but are also sharing cultural, linguistic and business ties, favours pragmatic cross-border cooperation in border management. This can be achieved through a small steps approach that would carefully bring neighbour countries' authorities on board through dialogue, confidence building actions and pragmatic cooperation mechanisms. This should be done within a comprehensive approach including border police, border guards, customs and other security agencies, but also trade, sanitary, phyto-sanitary and veterinary authorities, who allow building less sensitive day-to-day cooperation. Such a comprehensive approach to cross-border cooperation in border management fosters security, stability and development in sensitive border areas, thereby contributing to regional security and development. Finally, adopting a comprehensive approach to border security allows for a more comprehensive and nuanced understanding of border dynamics by all border management stakeholders and ultimately a better understanding of criminal activities, including migrant smuggling. Furthermore, enhanced cooperation and situational awareness should fully integrate a protection-sensitive approach to border management, taking into account the mixed nature of migration flows across the region, including refugees, asylum seeker and victims of trafficking in human beings.

At a moment when North Africa is facing sustained migration pressure and the rapid development and strengthening of regional criminal networks, supporting confidence building measures and cooperation mechanisms among border authorities across borders is a smart way of enhancing border management, including against migrant smuggling.

This pragmatic approach, however, does require higher-level political exchanges to foster regional ownership and more generally to provide a political umbrella for pilot operational cooperation. These exchanges should aim at building trust and at supporting the development of a strategic dialogue between North African countries' border authorities through pragmatic capacity building and discussions on integrated border management concepts, strategies, approaches and standards, with a view to demonstrating the operational benefits of Integrated Border Management (IBM). This higher-level dialogue should generate interest in IBM and lead to identifying good practices and making recommendations for the launching of operational cross-border cooperation mechanisms at selected pilot sites. These sites are to be identified by and agreed between relevant authorities, but could include, for example:

- Ben Gardane-Ras Jedir (Tunisia-Libya)
- Debdeb-Ghadamès (Algeria, Tunisia, Libya)
- Ghat-Djanet (Libya-Algeria)
- Tabarka-Maloula (Algeria-Tunisia)
- Mousaid – Sollum (Libya – Egypt)

The impact of cross-border cooperation activities on border communities will need to be assessed before launching specific activities to ensure that they do not pose serious threats to fragile border communities, and in particular when the livelihood of these communities may be impacted, and mitigating measures will need to be developed and introduced by the authorities in cooperation with border communities and/or civil society organisations. Furthermore, a protection-sensitive approach to border management should be integrated throughout the Action.

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

Potential stakeholders of the proposed Action are:

- National authorities of Algeria, Egypt, Libya, Morocco, Tunisia and their southern neighbours with responsibility over border management, including – but not limited to – border police, border guards, customs, trade authorities, health authorities, and sanitary, phyto-sanitary and veterinary authorities.
- EUBAM Libya, EUCAP Sahel Niger
- Frontex, Europol<sup>7</sup>
- Border communities

Whereas all these potential stakeholders will be invited to participate in this Action, the final selection will depend on results of the discussions with the beneficiary countries, which will determine both the political buy-in for the Action and the conditions under which potential cooperation mechanisms would be established.

### **3. DESCRIPTION OF THE ACTION**

#### **3.1 OBJECTIVES AND EXPECTED OUTPUTS**

The Overall Objective (Impact) of this Action is to contribute to enhanced border security, safety, legal mobility and protection-sensitive approach to mixed migration flows.

The Specific Objectives (Outcomes) of this Action are:

1. Roadmap adopted including selection of pilot border crossing points and/or border areas;
2. Cross-border mutually beneficial operational cooperation between border management authorities is established or enhanced;

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

Contributing to Outcome 1 (or Specific Objective 1)

- 1.1 Improved engagement, capacities and competence (institutional/individual knowledge, skill, and attitude) on Integrated Border Management at national levels.
- 1.2 Identified priorities and objectives for cross-border cooperation (at technical level).
- 1.3 Adopted initial IBM Roadmap subsequently renewed on the basis of lessons learned (at strategic level).

Contributing to Outcome 2 (or Specific Objective 2)

- 2.1 Strengthened operational capacity of border management authorities at agreed border crossing points/areas.
- 2.2 Border management actors are able to identify and propose approaches that promote effective, efficient and sensitive local border management.

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<sup>7</sup> The extent of Frontex' and Europol's involvement is to be determined in agreement between the Commission and the two agencies.



### 3.2 INDICATIVE ACTIVITIES

The proposed Action will have two components corresponding to the two specific objectives:

1. A strategic component aimed at fostering understanding of the concrete benefits of IBM and at reaching high-level agreement on launching operational cross-border cooperation at selected border crossing points, and
2. An operational component aimed at establishing operational cooperation through mutually beneficial cross-border mechanisms.

#### Strategic Component (Specific Objective 1):

##### Output 1.1:

- Organise regional, sub-regional and national border management conferences/trainings focusing on Integrated Border Management concepts, strategies, approaches and standards;
- Organise study visit for senior officials as observers to an international operation conducted by Frontex.

##### Output 1.2:

- Organise workshops to identify common priorities and objectives for cross-border cooperation at selected border crossing points in the areas of:
  - Border security (involving mainly border police, customs, and other stakeholders relevant to regional security);
  - Trade facilitation (involving mainly customs, sanitary, phyto-sanitary, veterinary and trade authorities);
  - Overall border governance, involving inter alia border community stakeholders and integrating a protection-sensitive approach to border management).

##### Output 1.3:

- Organise a launching conference to present key Integrated Border Management concepts and benefits, with the objective of giving political support to the initiative and of reaching agreement on pilot border crossing points for the implementation of cross-border cooperation.
- Organise a high-level final regional conference on Integrated Border Management to take stock of the cooperation mechanisms implemented in the framework of the Programme, identify lessons learned, and discuss the possibility of developing an IBM Roadmap for continued/future cooperation activities.

#### Operational component (Specific Objective 2):

This component will focus on cross-border cooperation mechanisms at agreed pilot border crossing points and/or border areas (upon the approval by national authorities), as follows:

##### Output 2.1:

- Design tailored cross-border cooperation mechanisms based on priorities identified during the strategic dialogues (e.g. joint patrols, joint investigation teams, joint border operations targeting selected cross-border criminal activities, including migrant smuggling, creation of joint (border police, border guards, customs) border management coordination centres, border community engagement with state authorities, local councils, etc.);
- Implement cross-border cooperation mechanisms at pilot sites<sup>8</sup> identified through the strategic dialogue;

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<sup>8</sup> In agreement with the relevant authorities sites could include : Ras Jedir – Ben Gardane (Tunisia-Libya), Debdeb-Ghadamès (Algeria, Tunisia, Libya), Ghat (Libya – Algeria), Tabarka-Maloula (Algeria-Tunisia) and Mousaid – Sollum (Libya – Egypt).

- Feed lessons learned from operational cross-border cooperation mechanisms into the strategic dialogue to deepen exchanges.

#### Output 2.2:

Indicative activities include:

- Strengthen surveillance capability at selected border crossing points/areas through the provision of equipment and training;
- Set up mobile border units, including with necessary surveillance and communications equipment;
- Train on judiciary intelligence and evidence collection with a view to more effectively supporting prosecution and international cooperation (with possible contribution from Europol);
- Train security agencies according to EU and international standards to ensure that border controls (checks and surveillance) are conducted in full respect of the rule of law and human rights principles and with a protection-sensitive approach (with possible contribution by Frontex).

The Action is built to be fully modular and allow implementation of activities based on needs and political will. In practice, while all countries will be invited to take part in activities under Specific Objective 1, all activities under Specific Objective 2 will be optional.

EUBAM Libya will be called to contribute to all activities taking place in Libya, in full respect of state sovereignty and with the approval of state authorities.

### 3.3 MAINSTREAMING

#### **Environmental Protection, Climate Change and Biodiversity**

##### **Outcomes of the Strategic Environmental Assessment (SEA) screening**

The SEA screening concluded that no further action was required.

##### **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**

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, taking into account the challenging and sensitive context in which the Action will take place.

#### **Human Rights**

The proposed Action is fully aligned with the existing EU human rights strategies and Action plans. An increased capacity of Algerian, Egyptian, Libyan, Tunisian, Moroccan, and their southern neighbouring countries, authorities in securing their borders, preventing irregular crossings of migrants, has to be accompanied by an increased awareness of those authorities of the importance to guarantee a treatment of all migrants, including refugees, asylum seekers and victims of trafficking in human beings, fully compliant with international obligations and standards, and in particular non-refoulement. Respective topics shall be part of the strategic dialogues and become an important element of the training plan for the training provided with support of this Action.

#### **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 taking into account the specific situation and the degree of vulnerability.

## Democracy

The Action will take a serious and deliberate approach in supporting counterparts to adhere to the principles for good governance such as participation, inclusion, transparency and accountability.

## Conflict sensitivity, peace and resilience

The Action will take a serious and deliberate approach to conflict sensitivity 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 Algerian, Egyptian, Libyan, Moroccan, Tunisian and their southern neighbouring countries authorities to address their own fragilities and to strengthen its resilience by supporting stronger governance of migration and border policies to reduce unsafe and irregular routes and to support those in need of protection.

Further to its obligations, but also in light of the region's fragility, the Action will have a high level of vigilance regarding the equipment to be provided to ensure a do-no-harm approach<sup>9</sup>.

## Disaster Risk Reduction

N/A

## Other considerations if relevant

N/A

### 3.4 RISKS AND LESSONS LEARNED

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
External environment	Increased insecurity and/or political instability in the region or between 2 countries	Medium	High	The Action will be built using a fully modular approach, allowing efforts to focus on the pilot sites where implementation is possible.
	Health risks related to COVID-19 infections	Medium	High	Border management functions are fundamental security functions which are maintained despite health risks. If and where necessary, some cooperation activities can be conducted remotely or prepared remotely to avoid significant delays in the implementation of the Action
	Limited political buy-in for cross-border cooperation	Medium	High	Some cross-border cooperation already exists and the Action could focus on supporting already agreed

<sup>9</sup> The do-no-harm approach includes awareness of obligations related to dual use equipment.

				cross-border cooperation as ‘proof of concept’ for new cooperation sites.
Planning processes, and systems	Activities are delayed due to conflicting priorities of the authorities.	<b>Medium</b>	<b>Medium</b>	The Action will be built using a modular approach, allowing efforts to focus on the pilot sites and operational activities receiving political agreement.
	Decreasing buy-in from the authorities of one more beneficiary countries	<b>Medium</b>	<b>High</b>	The Action will be built using a modular approach, allowing efforts to focus on the pilot sites and operational activities receiving political agreement.
People and the organisation	Lack of cooperation between or responsiveness of targeted institutions and staff for capacity building activities.	<b>Medium</b>	<b>High</b>	The Action is designed to be fully modular, allowing the implementation of only those operational activities agreed by competent authorities. Continued dialogue with competent authorities will raise the interest for engagement in less sensitive cooperation areas.

### Lessons Learned:

The Action will take into account lessons learned from EU-funded projects such as:

Project Sharaka (2019-2022, EUR 3 million, implemented by INTERPOL): Focusing mainly on terrorism, but also on organised crime, Project Sharaka connects frontline agencies to INTERPOL’s secure, global police communications network I-24/7, particularly at airports, seaports and national borders. Lessons will be drawn at the project’s completion.

The **Global Action against Trafficking in Persons and Smuggling of Migrants** (GLO.ACT, 2015-2019), a regional programme implemented by UNODC in partnership with the International Organization for Migration (IOM) and the United Nations Children’s Fund (UNICEF) aims to assist the selected countries in developing and implementing comprehensive national counter-trafficking and counter-smuggling responses. GLO.ACT’s Final Independent In-depth Evaluation<sup>10</sup> identified the need to ensure agreement by beneficiary countries before officially launching the programme.

The EUTF funded Programme: “Dismantling the Criminal Networks Operating in North Africa and Involved in Migrant Smuggling and Human Trafficking” (2019-2022, EUR 15 million, implemented by UNODC) is currently being implemented and, taking into account an expected no-cost extension, should continue until 2023. The problems that will be encountered throughout implementation will be analysed to extract lessons learned, in particular regarding implementation in a health pandemic context.

### 3.5 THE INTERVENTION LOGIC

The underlying intervention logic for both components of this Action is that,

*if*, under the strategic component (SO1), capacities and competence (institutional/individual knowledge, skill, attitude) in Integrated Border Management at national levels are developed including an appreciation

<sup>10</sup> [https://www.unodc.org/documents/evaluation/indepth-evaluations/2019/GLO.ACT\\_Final\\_Independent\\_Evaluation\\_Report\\_December\\_2019.pdf](https://www.unodc.org/documents/evaluation/indepth-evaluations/2019/GLO.ACT_Final_Independent_Evaluation_Report_December_2019.pdf)

of the concrete benefits of Integrated Border Management, and in particular the benefits of cross-border cooperation, are demonstrated;

*And if*, IBM Roadmap[s] for continued/future BM cooperation activities are drafted;

*And if* Cross-border cooperation mechanisms at selected border points/areas are proposed;

*While* assumptions relating to the commitment of national authorities hold;

*Then* Roadmaps will be adopted including selection of pilot border crossing points and/or border areas [for enhanced cooperation].

This will moreover support attainment of outputs and outcomes under the second component.

*If* under the second component (SO2), border management actors are able to identify and propose approaches that promote effective, efficient and sensitive local border management;

*And if* operational capacity of border management authorities at agreed border crossing points/areas is strengthened;

*And if* assumptions hold, namely that:

- National agencies commit to new/enhanced cooperation mechanisms in local border areas; and
- Local realities allow the implementation of improved border management arrangements;

*Then* the Action will contribute to enhanced border security, safety, legal mobility, and protection-sensitive approach to mixed migration flows.

### 3.6 INDICATIVE LOGICAL FRAMEWORK MATRIX

Results	Results chain: Main expected results [maximum 10]	Indicators [it least one indicator per expected result]	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
Impact	Enhanced border security, safety, legal mobility and protection-sensitive approach to mixed migration flows	Enhanced effectiveness of law enforcement against organised crime.		To be determined during contracting stage	N/A	<i>Not applicable</i>
Outcome 1	1. Roadmap adopted including selection of pilot border crossing points and/or border areas	<p>1.1 Approval status of IBM Roadmap for future cross-border cooperation activities in the region (discussed, approved) <b>[potential match with following indicator from the MIP Indicator 1.1.1: Number and quality/effectiveness of migration management or forced displacement strategies or policies a) developed/revised, or b) under implementation with EU support PA 2, SO 1, a1)]</b></p> <p>1.2 Number of cross-border cooperation mechanisms agreed, disaggregated by location</p> <p>1.3 Number of agreed pilot border crossing points and/or border areas, disaggregated by location</p>	1.1. 0	To be determined during contracting stage	N/A	Overall political and security situation in border areas does not significantly deteriorate
Outcome 2	2. Cross-border mutually beneficial operational cooperation between border management authorities is established or enhanced	2.1 Number of cross-border cooperation mechanisms <sup>11</sup> implemented and operational, disaggregated by location <b>[match with MIP Indicator 1.1.2 Number of outcomes of operational exchange between (border) law enforcement agencies and authorities in the region PA1, SO 1, s2]</b>	2.1. 0	To be determined during contracting stage	N/A	

<b>Output 1 related to Outcome 1</b>	1.1.Improved engagement, capacities and competence (institutional/individual knowledge, skill, attitude) on Integrated Border Management at national levels.	1.1.1. Number of country stakeholders participating in workshops / conferences focusing on Integrated Border Management concepts, strategies, approaches and standards, disaggregated by gender, country/agency and theme.	1.1.1. 0	To be determined during contracting stage	N/A	
		1.1.2. Number of officials taking part in study visits as observers to an international operation conducted by Frontex.	1.1.2. 0			
<b>Output 2 related to Outcome 1</b>	1.2. Identified priorities and objectives for cross-border cooperation (at technical level)	1.2.1. Number of pilot cross-border cooperation mechanisms proposed, disaggregated by location	1.2.1. 0	To be determined during contracting stage	N/A	National agencies develop and/or strengthen a commitment to the roadmap process//
		<b>[potential match with the following indicator from the MIP</b> <i>Indicator 1.2.1 Number of state (Ministries, Agencies, ...) and non-state organisations actively exchanging information and participating to policy dialogue instances in the broad field of migration PA 2, SO 1, b1)]</i>	1.2.2. 0			

<sup>11</sup> It covers a range of jointly agreed initiatives, processes or protocols, implemented in a coordinated manner. This does not imply “jointly managed or jointly implemented necessarily; each international partner does his part of a jointly coordinated mechanisms”.

<b>Output 3 related to Outcome 1</b>	1.3. Adopted initial IBM Roadmap subsequently renewed on the basis of lessons learned (at strategic level)	1.3.1. Status of elaboration of draft IBM Roadmap for future cross-border cooperation activities in the region (started, in progress, completed) 1.3.2 Number of country stakeholders participating to high level meetings/conferences to discuss benefits of cross border cooperation mechanisms, disaggregated by country/gender	2.1.1. 0  2.1.2. 0	To be determined during contracting stage	N/A	National agencies commit to new/enhanced cooperation mechanisms in local border areas
<b>Output 1 related to Outcome 2</b>	2.1. Strengthened operational capacity of border management authorities at agreed border crossing points/areas	2.1.1. Number of functional pilot cross-border cooperation mechanisms established, disaggregated by location 2.1.2. Number of “lessons learned” drawn (recorded) from pilot cooperation mechanisms, disaggregated by location 2.1.3 Number of border crossing points and/or border crossing areas reinforced through equipment and training, disaggregated by types of equipment, beneficiaries and location 2.1.4 Number of operational mobile-border units (incl. necessary surveillance and communication equipment) [ <b>potential match with the following indicator from MIP: Indicator 3.2.2. Items of equipment delivered PA2, SO3, b2]</b>	2.2.1. 0  2.2.2. 0	To be determined during contracting stage	N/A	
<b>Output 2 related to Outcome 2</b>	2.2. Border management actors are able to identify and propose approaches that promote effective, efficient and sensitive local border management	2.2.1. Number of personnel trained, disaggregated by gender, agency and topic (intelligence and evidence collection, surveillance, border controls - checks and surveillance in full respect of the rule of law and human rights principles, local sensitivities)  2.2.2 Number of personnel who report improved competence on topics for which they have received training, disaggregated by gender, agency and	2.2.1. 0  2.2.2. 0	To be determined during contracting stage	N/A	Local realities allow the implementation of improved border management arrangements



		<p>topic (intelligence and evidence collection, surveillance, border controls - checks and surveillance in full respect of the rule of law and human rights principles, local sensitivities) <b>[potential match with the following EU RF indicator Number of state institutions and non-state actors supported on security, border management, countering violent extremism, conflict prevention, protection of civilian population and human rights - EU RF 29]</b></p> <p>2.2.3 Number of recommendations for enhanced cross-border cooperation, disaggregated by topic and location</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 country.

### **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 60 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 [APPLICABLE FOR PROJECT MODALITY OR FOR COMPLEMENTARY SUPPORT TO A BS]**

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 measures<sup>12</sup>.

#### **4.3.1 INDIRECT MANAGEMENT WITH AN INTERNATIONAL ORGANISATION OR MEMBER STATE ORGANISATION**

This Action may be implemented in indirect management with an entity, which will be selected by the Commission's services using the following criteria:

- proven established experience and operational capacity in the management and implementation of border management projects with particular attention to capacity building and international cooperation including in North Africa;
- technical competence in the sector and leverage for policy dialogue, including technical expertise in border management and law enforcement cooperation;
- administrative capability and the experience to implement this type of intervention due to its mandate and expertise;
- extensive network of national and international partners, which can be drawn on;
- demonstrated capacity to coordinate with various stakeholders.

The implementation by this entity entails full implementation of the Action as indicated in point 3 of the present document.

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<sup>12</sup> [www.sanctionsmap.eu](http://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.

#### 4.3.2 CHANGES FROM INDIRECT TO DIRECT MANAGEMENT (AND VICE VERSA) MODE DUE TO EXCEPTIONAL CIRCUMSTANCES (ONE ALTERNATIVE SECOND OPTION)

If the implementation modality under indirect management, as described under 4.3.1, cannot be implemented due to circumstances outside of the Commission's control, this action may be implemented in direct management through grants.

##### a) Purpose of the grant(s)

The grants will contribute to achieving the objective all the results under Specific Objectives 1 and 2.

##### b) Type of applicants targeted

The following applicants will be targeted (indicative list): legal entities, local authorities, public bodies, international organisations, NGOs, economic operators such as SMEs).

#### 4.4 INDICATIVE BUDGET

Indicative Budget components	EU contribution (amount in EUR)	Third party contribution (amount in EUR)
Objective 1: Roadmaps adopted including selection of pilot border crossing points and/or border areas, composed of		
Indirect management with entrusted entity - cf. section 4.3.1	1 500 000	500 000
Objective 2: Cross-border mutually beneficial operational cooperation between border management authorities is established or enhanced, composed of		
Indirect management with entrusted entity- cf. section 4.3.1.	4 420 000	500 000
<b>Evaluation</b> – cf. section 5.2	80 000	
<b>Audit</b> – cf. section 5.3		
<b>Communication and visibility</b> – cf. section 6	N.A.	N.A.
<b>Totals</b>	<b>6 000 000</b>	<b>1 000 000</b>

#### 4.5 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

A Project Steering Committee (PSC) will be set-up. It will be chaired by the EU and the beneficiary countries and will involve part-taking EU Member States and – if relevant – EU Agencies. The EU may decide to invite other actors, after consultation with the beneficiary countries, if deemed relevant. The PSC 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. The PSC 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. The Steering Committee will meet once a year.

The coordination at national level will mainly include the EU Delegations, EU Member States, relevant national authorities and international organisations. The main stakeholders will unite in a Project Steering

Committee where the implementation of the Actions and related capacity building will be coordinated and approved. Since the Action relates to the security sector, (I)NGOs will not be involved.

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 results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the log-frame matrix (for project modality) and the partner's strategy, policy or reform Action plan list (for budget support).

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).

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.

This Action does not specifically foresees to provide support to and strengthen the partner country's M&E capacities to monitor progress.

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 6 month 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 whereas possible on a disaggregated basis.

## **5.2 EVALUATION**

Having regard to the importance of the action, a mid-term or a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

In case a mid-term evaluation is envisaged, it will be carried out for learning purposes, in particular with respect to the intention to launch a second phase of the action when relevant.

The Commission shall inform the implementing partner at least 30 days in advance of the dates envisaged for the evaluation 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.

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. COMMUNICATION AND VISIBILITY**

Communication and visibility is a contractual obligation for all entities implementing EU-funded external actions, to advertise the European Union's support for their work to the relevant audiences.

To that end they must comply with the instructions given in the [Communication and Visibility Requirements of 2018](#) (or any successor document), notably with regard to the use of the EU emblem and the elaboration of a dedicated communication and visibility plan, to be completed for every action at the start of implementation.

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 delegation agreements.

Communication and visibility measures may be funded by another measure constituting a Financing Decision. 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 concerned EU Delegation/Office fully informed of the planning and implementation of specific visibility and communication activities before work starts. 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.