



## Declaration of Intent

Bern, 13 November 2017

The Ministers of Interior of Algeria, Austria, the Chad, France, Germany, Italy, Libya, Malta, Niger, Slovenia, Switzerland, Tunisia and the Minister for Malians Abroad and African Integration, the European Commissioner for Migration, Home Affairs and Citizenship and the Representative of the European External Action Service, as well as the Minister of Interior of Estonia holding the Presidency of the Council of the European Union gathered in Bern on 12 and 13 November 2017 in the framework of the third meeting of the Central Mediterranean Contact Group:

Deeply concerned by the ongoing human tragedy occurring along the Central Mediterranean migration route and the number of migrants and refugees who have died *en route*, in the desert or attempting to cross the central Mediterranean Sea;

Recalling the recent fall in the number of departures from Libya towards the Italian shores in the course of the past months as a result – among other factors – of the common efforts deployed to fight against migrant smuggling and prevent further human tragedies while recalling that departures from the Southern Mediterranean remain a serious concern which requires continued effort;

Underlining the need to promote stability and to find a solution to the Libyan crisis through inclusive inter-Libyan dialogue, under the auspices of the United Nations and within the framework of the integrity of Libya and the respect of the principle of non-interference in internal affairs;

Underlining the need for full respect of the sovereignty of each concerned state;

Building on the conclusions of the previous meetings of the Central Mediterranean Contact Group in Rome on 20 March 2017 and in Tunis on 24 July 2017 and noting the progress jointly made since then by the participating countries in their implementation;

Recalling the priorities for action agreed upon in this framework, namely to strengthen the capacities of the Libyan Coast Guard and other relevant actors, including by providing equipment and capacity building to improve the protection of migrants and refugees in Libya and to increase border control at Libya's Southern border;

Recognizing the importance of the common objective to put an end to irregular migration and irregular pathways via the Mediterranean in order to stop the exploitation of migrants;

Welcoming the recent EU efforts and initiatives adopted at international, regional, and bilateral level to prevent irregular border crossings and smuggling of migrants;

Taking into account the commitments made in the framework of the Joint Valletta Action Plan, the Rabat and the Khartoum Processes, the Malta Declaration and commending the results achieved within those frameworks;

Underlining the need for a global, joint approach to integrated migration management, through the equitable sharing of responsibilities between countries of origin, transit and destination, and according to their national capacities, for instance by financing investment projects, in particular in the regions of origin of irregular migration;



Committing to act together in order to find durable, integrated and global solutions to the phenomenon of migration through peaceful conflict resolution as well as through programmes for economic and social development in the countries of origin of migrants;  
Supporting the efforts undertaken at the UN level towards adopting the Global Compacts on refugees and safe, regular and orderly migration;

Recalling the willingness to continue with a coordinated and comprehensive sustainable development approach, in order to address the root causes of irregular migration and forced displacement in the countries of origin;

Noting the efforts made by the various countries involved in the Central Mediterranean route, particularly by many local communities in transit countries, to fight against migrant smugglers, to prevent irregular migration, and to assist and return stranded migrants, and to cooperate in the identification and protection of asylum seekers and refugees;

Welcoming the European Commission's Recommendation calling on EU Member and Associated States to resettle at least 50'000 persons in need of international protection from priority regions including several countries along the Central Mediterranean route and the replies given by EU Member and Associated States to this call;

Reminding the initiatives launched by the EU, as well as its Member and Associated States, to strengthen the capacity of the Libyan Coast Guard and other relevant agencies, to support municipalities in Libya to promote local development, as discussed in the previous meetings in Rome and Tunis;

Recalling the importance for all countries along the route to ensure that all refugees and migrants enjoy adequate assistance and living conditions and have their human rights and dignity protected and respected, particularly in the case of detention, also keeping in mind the significant number of children on this route;

Recalling the necessity to eradicate trafficking in human beings which is a serious human rights violation, a serious form of organised crime and a security threat;

Recognising the importance to complement the measures aimed at curbing irregular migration flows and strengthening border control with increased protection for refugees, migrants, work on sustainable migration governance policies and development of legal pathways for refugees and migrants along the Central Mediterranean route;

Noting that all following measures in favour of migrants and refugees should be applied within the framework of the national legislation and procedures in force and under the control of the competent national authorities, in Libya and elsewhere, in line with existing international legislation.

The Ministers of Interior present at the third meeting of the Central Mediterranean Contact Group have agreed to:

**1. Improve the conditions in detention centers and promote alternatives to detention by:**

- Supporting the local authorities and international organisations such as UNHCR, IOM and ICRC who provide humanitarian assistance to migrants and refugees;
- Securing priority release from detention for vulnerable refugees and migrants, in particular children, including those unaccompanied and/or separated, women, the



elderly or persons with medical conditions, those in need of international protection, victims of torture, and victims of trafficking;

- Ensuring safe access to all migrants in detention centers along the Central Mediterranean route for all recognised international organisations providing humanitarian assistance and protection to migrants and improving structures in line with international human rights and humanitarian standards in accordance with the national procedures in force and under the control of the competent national authorities;
- Building mechanisms and developing in close cooperation with Libyan authorities capacities aimed at monitoring the situation of refugees and migrants in detention centers with the aim of improving the conditions of detention and ensuring the respect of international human rights and humanitarian standards.

## **2. Facilitate procedures for voluntary return and strengthen cooperation on return by:**

- Strengthening the consular capacities of countries of origin to enter into contact with and assist their nationals stranded in transit countries and ensuring their access to consular services and documentation;
- Continuing efforts to expand Assisted Voluntary Return and Reintegration Programmes in all countries along the Central Mediterranean route and in countries of origin in cooperation with the International Organisation for Migration;
- Improving cooperation on return and the readmission of irregular migrants to their countries of origin.

## **3. Strengthen protection and assistance for asylum seekers, refugees and IDPs by:**

- Developing and where appropriate strengthening existing asylum systems in transit countries through capacity building and technical support, focusing on building and accelerating fair and efficient asylum procedures according to international standards;
- Supporting transit countries in providing assistance and protection for asylum seekers and refugees including by helping to bear the costs of their reception;
- In all countries along the Central Mediterranean route, developing durable livelihood solutions taking into account both refugees' and local communities' needs and facilitating socio-economic inclusion of refugees;
- Encouraging local civil society involvement in protection systems, from initial care and legal counseling for refugees and asylum seekers, to long term integration measures respecting the legislation of each country.

## **4. Strengthen protection and assistance for all migrants by:**

- Ensuring that the human rights of all migrants are respected and that they are treated with dignity at all times and everywhere, including at border crossings, in line with international standards;
- Preventing and responding to identified protection concerns for people using the Central Mediterranean route, including death, torture, physical violence, sexual and gender-based violence, kidnapping for ransom, extortion, exploitation and human trafficking, arbitrary detention, detention conditions and other basic survival issues;
- Support the work of international organisations in the search of missing migrants and victims of trafficking of human beings, in accordance with international standards.



## **5. Address trafficking in human beings by:**

- Stepping up investigations and prosecutions of all cross border cases of trafficking in human beings according to each country's legislation, including by strengthening law enforcement and judicial cooperation at national, bilateral, regional and international level, in particular through capacity building and exchange of information and good practices;
- Engaging with local institutions and populations for the prevention of trafficking, including raising awareness among high risk groups to ensure prosecution of traffickers as well as identification of victims;
- Promoting efforts for early identification of victims of trafficking among others by:
  - Adopting a targeted approach to address trafficking in human beings, considering the particular situation and the vulnerabilities of women and girls;
  - Putting in place appropriate measures and referral mechanisms in close collaboration with all actors, including border guards, law enforcement agents, front-line officers, civil society organisations and international organisations such as UNHCR and IOM, respecting the legislation of each country;
  - Promoting capacity building and trainings to this end, including with a focus on the gender dimension of trafficking in human beings;

## **6. Prevent and combat smuggling of migrants by:**

- Putting in place and implementing appropriate legislative frameworks criminalising migrant smuggling and enhancing capacity of law enforcement and judicial authorities to dismantle the networks and seize their assets;
- Reinforcing the cooperation between countries of origin, transit and destination in order to identify and dismantle the networks of migrant smugglers on the basis of the existing national legislation;
- Creating where needed economic alternatives to smuggling activities in the region and develop resilience of local populations through the promotion of good governance and the rule of law as well as through increased access to basic services and the creation of livelihood and job opportunities.

## **7. Promote safe and regular pathways for refugees and migrants by:**

- Increasing, in close cooperation with UNHCR, resettlement efforts for people in need of international protection from transit countries along the Central Mediterranean route;
- Supporting resettlement programmes for refugees already present in Libya;
- Putting in place pilot projects facilitating legal pathways for the purpose of labour mobility or scholarship and apprenticeship programmes between European and African countries.

The Ministers commit to monitor the implementation of the above-mentioned measures and agree to meet again when appropriate in the framework of the Central Mediterranean Contact Group to assess the results achieved and agree on further actions needed.