



Brüssel, den 4. Februar 2019
(OR. en)

5983/19

LIMITE

JAI 93
ASIM 12
RELEX 83
IRAN 5

I/A-PUNKT-VERMERK

Absender:	Generalsekretariat des Rates
Empfänger:	Ausschuss der Ständigen Vertreter/Rat
Betr.:	Rahmen für einen umfassenden Dialog zwischen der Islamischen Republik Iran und der Europäischen Union über Migrations- und Flüchtlingsfragen - Billigung

Die Islamische Republik Iran ist ein wichtiges Herkunfts-, Transit- und Zielland von Migrations- und Fluchtbewegungen; sie hat schätzungsweise mehr als drei Millionen registrierte und unregistrierte Migranten und Flüchtlinge aufgenommen, die meisten davon Afghanen.

Die Europäische Kommission hat der iranischen Regierung daher in Zusammenarbeit mit dem Europäischen Auswärtigen Dienst ein rechtlich nicht bindendes Instrument zur Aufnahme eines Dialogs über Migrations- und Flüchtlingsfragen vorgeschlagen.

Seit Vorlage des ersten Entwurfs, der Iran im Juni 2017 übermittelt wurde, haben Vertreter der Kommission und der Islamischen Republik Iran Gespräche geführt, um ein nicht verbindliches Instrument auszuhandeln, in dem politische Verpflichtungen im Hinblick auf die Migration und ihre Steuerung in all ihren unterschiedlichen Dimensionen festgelegt sind. Ergebnis dieser Gespräche ist der Rahmen für einen umfassenden Dialog zwischen der Islamischen Republik Iran und der Europäischen Union über Migrations- und Flüchtlingsfragen (im Folgenden "Rahmen").

Der Rat wurde über die Beratungen auf dem Laufenden gehalten, und die **JI-Referenten** hatten am 1. Februar 2019 Gelegenheit, den Text zu erörtern.

Der umfassende Dialog zwischen Iran und der EU über Migration und Flüchtlinge bietet eine Möglichkeit, die Zusammenarbeit auf bilateraler Ebene zu vertiefen und nach Wegen zu suchen, um Migrations- und Flüchtlingsfragen in umfassender und konstruktiver Weise, zum gegenseitigen Nutzen und auf Basis der Grundsätze der Partnerschaft, der gemeinsamen Verantwortung und der Solidarität anzugehen.

Der Wortlaut des Rahmens wird dem Rat zur Billigung vorgelegt, bevor er von dem für Migration, Inneres und Bürgerschaft verantwortlichen Mitglied der Kommission oder einer von diesem benannten Person im Namen der Union unterzeichnet wird.

Der Ausschuss der Ständigen Vertreter und der Rat werden daher ersucht, den Wortlaut des beigefügten Rahmens vor dessen Unterzeichnung durch die Kommission im Namen der Union zu billigen.

Framework for a Comprehensive Dialogue

Between the Islamic Republic of Iran and the European Union On Migration and Refugee Issues

1. Context

The Islamic Republic of Iran (hereafter: Iran) and the European Union (hereafter: the EU) have agreed to launch a comprehensive bilateral dialogue on migration and refugee issues, to put in practice the April 2016 Joint Statement of Foreign Minister Javad Zarif and the EU High Representative and Vice President (HRVP) Federica Mogherini in accordance with the international obligations including the Geneva Convention 1951 and its 1967 Protocol.

The Comprehensive Iran-EU Dialogue on migration and refugees presents an opportunity to deepen cooperation at the bilateral level and to seek ways to comprehensively and constructively address, in a mutually beneficial manner and on the basis of the principles of partnership, shared responsibility and solidarity, matters relating to migration and refugees.

2. Objectives

- Open channels of communication, build working relationships and establish a comprehensive and regular dialogue - both at political and technical levels - on all relevant aspects of migration and refugee issues.
- Guided by the principles of partnership, shared responsibility and solidarity, with a view to addressing challenges facing Iran and the EU, map out the areas of common interest between Iran and the EU in relation to migration and refugee issues.
- Contour the expectations of both sides, exchange experience and establish joint activities;
- Seek synergies and coordination between migration and refugee issues and other policy areas of the bilateral relations.
- Identify areas where the EU could provide support to Iran with regards to different fields of migration policy and refugee issues, including support for refugees, voluntary repatriation and reintegration, integrated border management subject to agreed needs and in addressing illegal migration.

3. Content

In the Dialogue Iran and the EU should aim at addressing the following issues:

a) Increasing the knowledge base related to the migration phenomenon and refugee issues

Examine the present framework related to migration and refugee management and planning in Iran and the EU. Discuss reliable data gathering, research and analysis. Extend the knowledge base and exchange information on migration and refugee management with the aim of gaining a clear picture of the relevant patterns, routes, flows and trends as well as needs.

b) Afghan and to a smaller extent Iraqi population, living on the territory of Iran

Build on Iranian efforts and positive actions undertaken by hosting millions of Afghans (and Iraqis) for a protracted period of time in order to provide examples of good practice in the region. On the EU side, continue to support operations to complement the Iranian efforts to ensure access to basic services including livelihoods, health and education as well as provide more long-term assistance. Enhancing sustainable livelihoods and self-reliance opportunities for refugees, displaced persons and host communities, as well as voluntary repatriation and resettlement.

c) Voluntary repatriation of refugees

The EU and Iran should discuss avenues of cooperation on voluntary repatriation of refugees from Iran to their homeland, linked to EU's efforts on refugees in Iran.

d) Protection and asylum

Share information on the rules and practices applicable in Iran and EU related to providing international protection to those who qualify for it and the establishment of asylum systems in line with relevant international instruments accepted by both sides. Promote voluntary repatriation and resettlement and fight discrimination. Exchange best practices and experience in all these areas in view of maintaining international protection.

e) Addressing root causes of illegal migration and refugee situations

Discuss the drivers of illegal migratory and of forced displacement movements, their root causes and issues of socio economic development including inclusive growth, job creation and education to draw conclusions about drivers/root causes.

f) Prevention of and fight against illegal movements/migration including return

Exchange experience and best practices in prevention and fight against illegal migration flows. Discuss cooperation on borders, document fraud, preventing and reducing migrant smuggling and trafficking in human beings; promote voluntary return and reintegration of persons irregularly present on the territory of each side; open channels for discussion with respect to non-voluntary returns of persons irregularly present on the territory of each side. Discuss joint measures including identifying possible areas for financial and technical support.

g) Legal migration and mobility

Explore ways to promote legal pathways for migration and foster increased mobility for selected categories of people including students, researchers and entrepreneurs, through visa issues and skills development.

h) Regional initiatives on refugee and illegal movements of people

Both sides welcome to consider joining regional and international initiatives on refugees and illegal migration flows according to their national rules and regulations and encourage further involvement of Iran and the EU in the structured regional dialogue.

4. Format and Frequency

Following the launch at the political level by the Minister of Interior of the Islamic Republic of Iran H. E. Rahmani Fazli and the European Union Commissioner for Migration, Home Affairs and Citizenship H.E Dimitris Avramopoulos, meetings should subsequently take place at Senior Officials Level on an annual basis, alternating between Brussels and Tehran. Other technical level meetings on specific issues under the Dialogue should be held, as required.

The interlocutors for the Dialogue on the Iranian side should be the Ministry of Interior, the Bureau for Aliens and Foreign Immigrants (BAFIA), and the Ministry of Foreign Affairs. On the EU side interlocutors should be the Directorate general for Migration and Home Affairs and the European External Action Service. Other relevant services on either side should be associated, as appropriate.