



COUNCIL OF
THE EUROPEAN UNION

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Joint Declaration on a Mobility Partnership between the European Union and Armenia

*3121st JUSTICE and HOME AFFAIRS Council meeting
Luxembourg, 27 and 28 October 2011*

The Council adopted the following joint declaration:

"The Republic of Armenia, the European Union, and the participating Member States of the European Union, namely the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the French Republic, the Republic of Italy, the Kingdom of the Netherlands, the Republic of Poland, Romania and the Kingdom of Sweden, (hereinafter referred to as "the Signatories");

ACTING within the existing framework for their cooperation, in particular the Partnership and Cooperation Agreement operating as from 1 July 1999, as well as the EU-Armenia European Neighbourhood Policy Action Plan endorsed on 14 November 2006; and taking account of the Joint Declaration of the Prague Eastern Partnership Summit of 7 May 2009, the Joint Declaration between the European Commission and the Government of Armenia signed on 29 April 2011 and the Joint Declaration of the Warsaw Eastern Partnership Summit of 30 September 2011;

REMINDING that negotiations for an association agreement with Armenia to replace the current partnership and cooperation agreement started in July 2010;

NOTING the benefits and opportunities that a well managed migration can bring to migrants and to the Signatories alike;

Recalling the Joint Declaration approved at the Prague Ministerial Conference of April 2009 on Building Migration Partnerships;

P R E S S

CONFIRMING their commitment to improving facilitation of movement of persons between Armenia and the European Union, whilst working to ensure better management of migration flows, including preventing and reducing irregular immigration, according to the best international standards;

RECALLING the Global Approach to Migration adopted by the Council of the European Union, the European Commission Communication on circular migration and mobility partnerships between the European Union and third countries, presented on 16 May 2007, the Council conclusions of 18 June 2007 on extending and enhancing the Global Approach to Migration to the Eastern and South Eastern regions neighbouring the EU and the Council conclusions on mobility partnerships and circular migration in the framework of the Global Approach to Migration adopted on 10 December 2007;

RECALLING the EU Migration Mission to Armenia conducted on 10-12 December 2008 with the purpose of strengthening the dialogue on migration issues between Armenia and the EU;

RECOGNISING the existing migration-related bilateral agreements as well as cooperation agreements between Armenia and some of the Member States;

REAFFIRMING the strong commitment of the Signatories to conclude and effectively implement future agreements concerning the facilitation of the issuance of visas and the readmission of persons residing without authorisation;

HAVE DECIDED to establish a Mobility Partnership based on reciprocity. The Mobility Partnership will have the purpose of better managing legal and labour migration, including circular and temporary migration, within the limits of the respective competences of the Signatories and taking into account their labour market and socio-economic situation, enhancing cooperation on migration and development and preventing and combating irregular migration and trafficking in and smuggling of human beings, as well as promoting an effective return and readmission policy, while respecting human rights and the relevant international instruments for the protection of refugees and taking into account the situation of individual migrants and the socioeconomic development of the Signatories.

To this end, they will ENDEAVOUR to develop further their dialogue and cooperation on migration issues, and in particular along the following lines:

Mobility, legal migration and integration

1. To promote a better framework for legal and labour mobility, including through the facilitation of temporary and circular migration, supported by more information and concrete and effective initiatives as well as protection of migrants.

2. To enhance the capacity to monitor migration, in particular by strengthening Armenia's capacity to manage migration, including through deepening interagency cooperation and coordination for effective exchanging information, as well as in the field of improving the legal framework and monitoring its implementation, especially through qualified human resources' development; to support the establishment and regular updating of Armenia's migration profile and to develop the legal and technical framework on migration related data collection and management, including cooperation with national institutions and European agencies like the European Training Foundation (hereafter referred to as ETF).
3. To inform potential migrants on opportunities for legal migration, including labour migration, to the European Union and on requirements for legal stay, including opportunities for studying in the Member States; to explore the possibilities of promoting labour migration and developing legal frameworks relating to employment conditions for migrants, while matching labour market opportunities, fully respecting Signatories' competences in this field and taking into account the different labour market situations and needs in Armenia and the EU Member States'; to provide information on job opportunities, the labour market situation and migration policies in Armenia and in the European Union;
4. To implement pre-departure training, especially in the area of vocational education and training and language training; to promote or establish exchange programmes and joint programmes in the area of vocational education and training and higher education, including academic and professional mobility schemes in accordance with the Bologna Process Ministerial Communiqués; to establish and strengthen schemes for recognition of academic and professional qualifications; taking into account the Lisbon Convention on Recognition of the Qualifications Concerning Higher Education in the European Region.
5. To further consider the social protection of legal migrants and members of their families, including by promoting the negotiation and signature of bilateral agreements on social protection;
6. To deepen the dialogue on visa issues and to improve the consular capacities through stepping up cooperation between Member States' diplomatic missions in Armenia or ensuring their representation by other already present Member States' consular posts;

Migration and development

7. To prevent, reduce and counteract the negative effects of the brain drain and brain waste, including through return policies targeting in particular skilled Armenian migrants and taking into consideration best standards of ethical recruitment; to facilitate the recognition of skills and qualifications, to develop labour-matching tools, to enhance exchange of students, researchers and specialists, training and temporary exchange and work programmes, including with the assistance of ETF;
8. To promote and support voluntary return and sustainable reintegration of returning migrants through implementation of specific joint programmes offering training, possibilities to improve migrants' employment qualifications and assistance in finding jobs; to provide joint specific programmes devoted to protection of and assistance for vulnerable categories of returning migrants; to develop entrepreneurship and build a legal framework in the field of small and medium enterprises;
9. To enhance cooperation with Armenian communities abroad, strengthening the links with the Diaspora; to support programmes creating the conditions for boosting the Diaspora's investment in their country of origin, including efforts to facilitate cheap and secure transfer of remittances and maximize their development impact; to cooperate further in the field of double taxation and portability of rights; to involve the Diaspora in sustainable return or circular migration activities.

Fight against irregular immigration and trafficking in human beings, readmission, security of identity and travel documents, border management

10. To enhance Signatories' efforts to fight further irregular immigration and trafficking in human beings, to strengthen the implementation of the integrated border management, including through further improvement of border surveillance and border management capacities and cross-border cooperation, according to the best international standards; to strengthen the security of travel documents, identity documents and residence permits, and to fully cooperate on return and readmission;
11. To develop effective mechanisms and concrete initiatives for preventing and combating irregular migration, including through actions aiming at raising public awareness;
12. To broaden further the application of readmission procedures, notably through the conclusion and effective implementation of the EU-Armenia Readmission Agreement, to intensify the cooperation with the EU Member States through concluding agreements on border cooperation, and implementing joint specific programmes on these issues;
13. To enhance the security of identity documents as well as to facilitate the authentication of citizens through introduction of the fingerprints searching systems as well as of the multifunctional electronic identification cards.

14. To improve the joint fight against irregular immigration and related cross border crime through joint operational measures including the exchange of information, best practices and risk analysis as well as improving the operational interoperability between the relevant border guard organisations of the EU Member States and Armenia. In this context, the European Agency for the Management of the Operational Cooperation at the External Borders of the Member States of the European Union (Hereafter referred to as FRONTEX) may be involved in this partnership, as and when appropriate.

Asylum and international protection

15. To strengthen the capacity of Armenia's government to implement an asylum policy and provide international protection according to best international standards.
16. To facilitate the reception of asylum seekers and submission of asylum requests through the development of specific simplified procedures, in particular for those with special needs.

Implementation

17. The Mobility Partnership is conceived as a long term co-operation framework in line with the Global Approach to Migration and based on political dialogue and cooperation, which will be developed on the basis of the existing relationship between Armenia and the European Union and its Member States in the framework of their Partnership and Cooperation Agreement, or its successor agreement, and the Eastern Partnership, and will evolve over time.
18. The EU intends to contribute to implementing the partnership through EU and Member States' initiatives, within the limits of their respective competences, in conformity with the applicable procedures and with due regard for the principle of EU preference. The EU agencies, in particular the ETF and FRONTEX, as well as the European External Action Service notably through the EU Delegation in Armenia, may be involved, as appropriate, in the implementation of the partnership. The partnership remains open to any other Member State wishing to participate.
19. In order to determine the issues of common interest and needs linked to migration and asylum, the Signatories intend to further develop their dialogue and consultation, in a spirit of partnership.
20. The Signatories intend to meet at least twice a year at the appropriate level, in the framework of the existing structure for dialogue and cooperation, in order to reconsider the priorities and further develop the partnership if need be.
21. The Signatories intend to cooperate, at an operational level in the field, to further ensure coordination between them and avoid overlapping of activities for the implementation of this partnership, including by incorporating relevant partners and actors present in Armenia through a cooperation platform as appropriate.

22. With a view to implementing the Mobility Partnership, the Signatories confirm their intentions with regard to the initiatives set out in the Annex, subject to their available financial means and – on the EU side – respecting the division of competences between the Community and the Member States and in conformity with the applicable procedures. They intend to ensure good coordination of their respective efforts. They intend to update the Annex with proposed activities on a regular basis.
23. Whenever appropriate, the Signatories will conduct an evaluation of the current partnership.
24. The provisions of this joint declaration are not designed to create legal rights or obligations under international law.

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Armenia, the European Union, and the participating Member States of the European Union, namely the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the French Republic, the Republic of Italy, the Kingdom of the Netherlands, the Republic of Poland, Romania and the Kingdom of Sweden."
