

# JOINT DECLARATION OF INTENT

between

the Government of the Republic of Austria

and

the Government of the Republic of Iraq

on an enhanced cooperation in the Field of Migration

The Government of the Republic of Austria and the Government of the Republic of Iraq (hereinafter "The Sides" or individually "Side") express their commitment to deepen their mutual relations.

The Sides welcome the re-establishment of a permanent diplomatic presence of the Republic of Austria in Baghdad and express their willingness to discuss ways to enhance bilateral relations for the benefit of the peoples of both countries.

The Sides share the understanding that migration can only be managed in partnerships, through a comprehensive approach covering a broad range of aspects for a balanced and coherent migration management. A first, important step towards this aim, was the signature of the Joint Declaration of Intent between the Government of the Republic of Iraq and the Government of the Republic of Austria on cooperation in the Field of Migration on 24 May 2023, which remains in effect in its entirety.

The Sides express their desire to strengthen their mutual cooperation in the field of migration, consular cooperation, return, readmission and reintegration in line with Article 105 of the Partnership and Cooperation Agreement between the European Union and its Member States on the one part, and the Republic of Iraq, on the other part, signed on 11 May 2012.

Therefore, the Sides jointly declare the following:

## 1. Cooperation for voluntary return

The Sides express their intent to establish a multi-pronged programme to assist Iraqi nationals without a right to stay currently residing within the territory of Austria to return to Iraq. To this end, the Sides desire to foster the voluntary return of persons without a right to stay. The Austrian Side intends to take measures in line with existing national, European and international programmes, such as, but not limited to:

- Providing assistance for voluntary return through *assisted voluntary return programmes*, namely:

- Return counselling regarding the individual perspectives in Iraq;
  - Provision of information about possible assistance both administrative as well as financial;
  - Procurement of travel documents and organisation of the return (including flight tickets);
  - Coverage of the travel costs from the place of residence in the Republic of Austria to the Republic of Iraq;
  - If possible and needed, assistance at the airport in Austria at the point of departure and organization of transit assistance;
  - If needed, clarification of medical assistance before, during and after the travel;
  - Financial start-up assistance (one-time support after arrival) of €250 up to €900 per person depending on the time of application (a maximum of €3.000 per family);
  - Coverage of additional costs such as medical costs and other exceptional costs i.e. for accompanying persons of up to €2.000 after arrival in Iraq.
- The Sides are open to discuss the desirability to set up further programmes for additional assistance of Iraqi nationals returning home
  - Providing post-arrival assistance by offering short-term and long-term support for up to 12 months after departure through the *EU Joint Reintegration Services Programme*:
    - Short-term support of up to €615 (for up to three days after arrival) which may include: airport pickup, onward transport to destination, necessary overnight stays before reaching the final destination and direct medical assistance. In case none or only some of the immediate services are required, the proportional amount of €615 in cash is provided by the local partner.
    - Long-term reintegration support up to €2.000 through payment in kind for the main applicant and up to €1.000 for each additional family member (for up to 12 months after departure) which may cover housing support, medical needs for serious illnesses, school and vocational training measures, advice on job opportunities and assistance in finding a job, support in setting up a business, family reunion, legal advice and administrative support.

The Austrian Side recalls that the specific assistance granted by the Austrian Side will depend on the individual circumstances of the case and may vary depending on the needs of the applicants. Payments will be made based on existing budgetary allocations for *assisted voluntary return programmes* and are subject to national and

European budgetary allocations as well as regulatory and approval requirements. All programmes and specific amounts paid will be subject to continuous review.

The Iraqi Side will introduce a programme that includes financial support to the returnees through the Ministry of Labour and Social Affairs, seek their integration by providing procedural facilities to the returning citizens who were governmental employees or were in employment or study, excluding them from some of the requirements of the laws in force and granting them exemptions.

## **2. Information on and promotion of voluntary return**

The Sides express their desire to promote voluntary return and, therefore, wish to cooperate in informing Iraqi nationals without a right to stay in the Republic of Austria on the available assistance for voluntary return and reintegration for the purpose of motivating Iraqi nationals, who do not or no longer have a right to stay, to return to Iraq.

## **3. Sustainable integration of returnees**

The Sides desire to cooperate in assisting with the sustainable reintegration of returnees. The Austrian Side expresses its willingness to provide available statistical data on the age, marital status and region of origin of returnees to enable the Iraqi Side to better receive and integrate their citizens.

## **4. Promoting information exchange on legal migration**

The Sides share the understanding that orderly, regular and safe migration is of mutual benefit and strengthens the ties between the Sides. The Sides share the desire to promote information exchange on existing pathways for legal migration to the Republic of Austria within the framework of applicable national law.

## **5. Job opportunities and private sector engagement**

The Sides share the view that the economic reintegration of returnees is an essential part of sustainable reintegration. Returnees should be provided with qualification and/or job opportunities where possible. To this effect, the Sides desire to involve the private sector, governmental and non-governmental agencies to assist returnees with enhancing their economic and employment opportunities.

The Sides consider it desirable for returnees to find employment opportunities with Austrian companies investing in the Republic of Iraq.

## **6. Information exchange**

The Sides declare their willingness to explore the exchange of information through relevant channels on possible security threats related to migration in accordance with respective applicable national laws.

In recognition of the importance of promoting, strengthening and deepening police cooperation and its role also in fighting organized crime related to migration, the Sides intend to reach an understanding on enhancing bilateral cooperation in the field of internal security as well.

## **7. Provision of identity**

The Sides share the view that all nationals residing in the territory of the other Side should be identified and provided with appropriate identity documents.

## **8. Persons with established nationality**

Each Side will not require any further formalities for the return of an individual holding a valid passport.

## **9. Identification of nationals**

The competent diplomatic or consular representation of the requested Side will issue travel documents within one week following the submission of an expired passport or a valid or expired identity card.

The competent diplomatic or consular representation of the requested Side will issue travel documents within one week following the submission of confirmation of identity as a result of a search carried out in the EU Visa Information System (VIS) and in conformity with the Iraqi registration system.

For persons without established nationality, verification of nationality will take place by exchange of biometric data or by interviews. Interviews will be conducted by the competent diplomatic and consular representation of the requested Side unless another format is agreed between the Sides. A decision on nationality will be taken at the end of the interview by the requested Side.

Travel documents are valid for 6 months and will be issued by the competent diplomatic and consular representation of the requested Side for all persons for whom nationality is established, within one week after the request and, upon request, will be prolonged or re-issued within one week of the request.

## **10. Forged or Falsified Documents**

The Sides intend to deepen cooperation in the field of preventing the use of forged or falsified documents.

To this end, the Sides declare to enhance cooperation through exchange of practical information and joint training and to continue taking effective action to counter irregular migration.

## **11. Transport**

Returns will be communicated to the other Side at least two weeks in advance.

Transport by air may be conducted by use of scheduled or non-scheduled flights. Flights may take place to Baghdad International Airport and with the possibility to receive returnees in another Iraqi airport after the Iraqi Side notified the Austrian Side of its readiness to do so, and with all airlines (preferably using airlines registered in Iraq). Landing permits for non-scheduled flights will be requested at least four weeks in advance and landing permits will be issued at least two weeks prior to the scheduled date of arrival. Non-scheduled flights may start at or transit via any EU or Schengen-associated State and may comprise returnees from various EU or Schengen-associated States in pre-coordination between EU-Member States or Schengen-associated States and the Iraqi Side. Transport costs will be borne by the requesting Side.

## **12. Fostering academic exchange**

The Sides share the view that the academic exchange between both Sides should be deepened. The Austrian Side expresses its readiness to provide scholarships for Iraqi students and academics within existing programmes according to their respective regulations to facilitate cooperation between autonomous Austrian higher education institutions and Iraqi partners and to explore future opportunities for bilateral activities in cooperation with the Iraqi Side.

## **13. Prevention of irregular migration**

The Sides underline the necessity to address irregular migration as a common challenge and shared responsibility. The Sides recognize that awareness-raising information campaigns - such as the EU project MIRAMI recently launched in Iraq with the support of Austria and other EU member states - can make important contributions to the prevention of irregular migration and point out alternatives.

#### 14. Joint Migration Dialogue

In addition, the Sides intend to immediately set up a regular bilateral Joint Migration Dialogue of their competent national authorities with a structure that allows for a frequent open and constructive dialogue on a range of topics, including those mentioned in this Joint Declaration of Intent. At least every twelve months representatives from the relevant Ministries and Agencies on a Senior Official level will discuss the progress. The meetings will be jointly chaired from the Austrian Side by the Ministry of Foreign Affairs and Ministry of the Interior and from the Iraqi Side by the Ministry of Foreign Affairs. Additionally, a Vienna-based return dialogue between the competent authorities of the Austrian Side and the consular and diplomatic representations of the Iraqi Side will be set up and meet every three months regarding aspects of return and readmission.

#### 15. Application

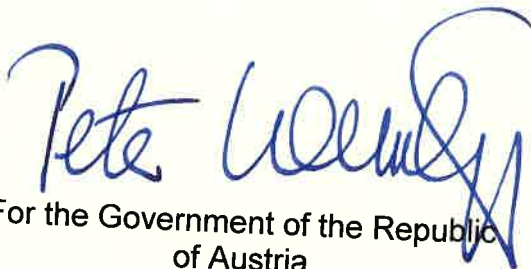
This Joint Declaration of Intent will enter into effect as of the day of signature.

Each Side may end cooperation under the Joint Declaration of Intent at any time, after having informed the other Side in writing of its intention at least three months in advance.

This Joint Declaration of Intent will not create any rights or obligations under national or international law nor create any legal or financial rights.

This Joint Declaration of Intent may be amended in writing at any time by mutual consent.

Signed in duplicate in Vienna on 20 July 2023 in the English language only.

  
For the Government of the Republic  
of Austria

  
For the Government of the Republic  
of Iraq

