

Joint Declaration of Intent
between
the Federal Republic of Germany
and
the Republic of Iraq
on Cooperation in the Field of Migration

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

Both Sides express their desire to strengthen their mutual cooperation in the field of migration, including legal migration, consular cooperation, return and reintegration in line with Article 105 paragraph 3 of the Partnership and Cooperation Agreement of 11 May 2012 between the European Union and its Member States and the Republic of Iraq.

Both Sides highlight the Joint Work Programme concluded on 13 January 2023 in Berlin by Prime Minister Mohammed Shia' Al Sudani and Chancellor Olaf Scholz. Both Sides desire to put in practice the provisions of the Joint Work Programme, in particular paragraph 13 thereof, which affirms the joint understanding "*to intensify cooperation in the field of migration, notably reliable procedures for readmissions in general, including reintegration assistance for Iraqi citizens returning to Iraq on a voluntary basis*".

Therefore, both Sides have come to the following understanding:

1. Cooperation for voluntary return

Both 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 the German Side to return to Iraq. To this end, both Sides desire to foster the voluntary return of persons without a right to stay.

The German Side intends to undertake measures in line with existing national, European and international programmes, such as, but not limited to:

- to provide assistance for voluntary return through *assisted voluntary return programmes (REAG/GARP and StarthilfePlus)*, namely:
 - to cover the travel costs from the place of residence in the Federal Republic of Germany to the Republic of Iraq;

- to provide financial assistance during the journey of 200 € per person (100 € per person under 18 years of age);
 - to provide medical support of up to of 2.000 € for up to three months after arrival in Iraq;
 - to pay a one-time support after arrival of 1.000 € per person (500 € per person under 18 years of age, maximum of EUR 4.000 per family);
 - to pay additional financial reintegration support 6 – 8 months after arrival of 400 € per person/person under 18 years of age (maximum of 800 € per family);
- to provide post-arrival assistance by offering short-term and long-term support for up to 12 months after departure through the *Joint Reintegration Services Programme*:
 - Short-term support (for up to three days after arrival) which may include: airport pickup, onward transport to destination, necessary overnight stays before reaching the destination, and caring for additional medical needs.
 - Long-term support (for up to 12 months after departure) through payment in kind (up to 2000 € for the main applicant and up to 1.000 € for each additional family member) which may cover housing support, medical needs for serious illnesses, school and vocational training measures, advice on job opportunities and help in finding a job, support in setting up a business, family reunion, legal advice and administrative support, and psychosocial support.

The German Side recalls that the specific assistance granted by the German 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 intends to [...]

[The assistance offered by Iraq should be available only for Iraqi nationals who entered Germany before [DATE] and should be open for applications to be submitted [within one year] of the application of this Joint Declaration.]

2. Information on and promotion of voluntary return

Both Sides express their desire to promote voluntary return and therefore wish to cooperate in informing Iraqi nationals without a right to stay in the Federal Republic

of Germany on the available assistance for voluntary return and reintegration, for the purpose of motivating Iraqi nationals to return to Iraq.

3. Sustainable Integration of returnees

Both Sides desire to cooperate to assist with the sustainable reintegration of returnees. The German 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 legal migration

Both Sides share the understanding that legal migration is of mutual benefit for both societies and strengthens the ties between both Sides. Both Sides share the desire to promote legal migration to the Federal Republic of Germany and to the European Union in accordance with national and European law, in particular by publicly promoting existing pathways for legal migration and by offering advice on legal migration, in particular through the Centres for Migration and Development (CMD).

The German Side expresses its willingness that Iraqi nationals may legally migrate to the Federal Republic of Germany in accordance with national and European law (in particular the "Skilled Immigration Act" (Fachkräfteeinwanderungsgesetz) of 1 March 2020).

5. Issuance of Visas for Business Travellers and Students

Both Sides express their desire to facilitate the issuance of visas for business travellers as well as for persons applying for student visas. In accordance with national and EU law, the German Side expresses its willingness to take practical measures to reduce waiting times for these visa applicants at the German Embassy in Bagdad and the German Consulate General in Erbil in order to speed up the issuance of visas.

6. Job opportunities and private sector engagement

Both 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, both Sides desire to involve the private sector, governmental and non-governmental agencies to assist returnees with enhancing their economic and employment opportunities.

7. Information exchange

Both Sides declare their willingness to exchange information in accordance with respective applicable national laws through appropriate police channels on nationals residing in the territory of the other Side who may represent a security threat to the other Side with a view to their return to their country of nationality.

8. Persons with established nationality

Each Side will not require any further formalities for the return of an individual holding a valid or expired passport, identity card or valid emergency travel document.

9. Identification of nationals

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

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).

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 both Sides. A decision on nationality will be taken at the end of the interview by the requested Side.

Travel documents 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. Scope of cooperation

Both Sides agree to readmit any of their nationals who do not, or who no longer fulfil the conditions in force for entry to, presence in, or residence on the territory of the other Side.

11. Transport

Returns will be communicated to the other Side at least one week in advance.

Transport by air may use scheduled or non-scheduled flights. Flights may take place to all airports 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. Transport costs will be borne by the requesting Side.

12. Fostering Academic Exchange

Both Sides concur that the academic exchange between both Sides should be deepened. The German Side expresses its readiness to provide scholarships for Iraqi students and academics and Iraqi-German university cooperation within existing programs of the German Academic Exchange Service (DAAD) in cooperation with the Iraqi Side.

13. Forged or Falsified Documents

Both Sides intend to deepen cooperation in the field of preventing the use of forged or falsified documents. To this end, both Sides declare to enhance cooperation through exchange of practical information and joint trainings to continue taking effective action to counter irregular migration. The German Side declares its willingness to assist the Iraqi Side in obtaining technology to detect forged documents and entry visas.

14. Application

This Joint Declaration of Intent will be applied as of the day of signature.

Each Side may end cooperation under the Joint Declaration of Intent at any time. It should inform the other Side in writing of its intention at least three months in advance.

This Joint Declaration of Intent is not meant to constitute an international treaty or to create any rights or obligations under national or international law.

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

Signed in duplicate in _____, on ____ May 2023 in the English language only.

For the Federal Republic of Germany

For the Republic of Iraq

[Name]

[Name]

[Function]

[Function]