



Brussels, 12.6.2018
COM(2018) 456 final

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE
COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE
COMMITTEE OF THE REGIONS**

**Ex post evaluation reports for the period 2011 to 2013 of actions co-financed by the four
Funds under the framework programme 'Solidarity and Management of Migration
Flows'**

{SWD(2018) 333 final} - {SWD(2018) 334 final} - {SWD(2018) 335 final} -
{SWD(2018) 336 final}

1 INTRODUCTION

Although the movements of persons into, out of and within each EU State vary, our societies share similar migration opportunities and challenges. Adequate, flexible and coherent financial resources are essential for strengthening the area of freedom, security and justice and for developing the common Union policy on asylum and immigration based on solidarity between EU States and towards non-EU countries.

For the period 2007-13, almost EUR 4 billion was allocated for the management of the Union's external borders and for the implementation of common asylum and immigration policies through the General Programme “Solidarity and Management of Migration Flows” (SOLID)¹, which consisted of four instruments (the 'SOLID Funds'): the European Refugee Fund (ERF)², the External Borders Fund (EBF)³, the European Fund for the Integration of third-country nationals (EIF)⁴ and the European Return Fund (RF)⁵.

The present report builds upon four ex post evaluation studies. It focuses on the period 2011-13, and presents findings from the ex post evaluations for the period 2007-10⁶. In line with the Commission's 'Better Regulation Guidelines', the evaluations assessed the Funds in light of their relevance (whether their objectives matched with societal needs), effectiveness (to what extent objectives have been achieved), efficiency (to what extent costs were proportionate to the achieved benefits), sustainability of effects after the intervention ended, coherence with and complementarity to other EU financial instruments or national resources of the Member States and the added value of intervening at EU level.

Some of the findings have already been taken into consideration under the current Funds: the Asylum, Migration and Integration Fund (AMIF)⁷ which succeeded the ERF, EIF and RF,

¹ Communication from the Commission to the Council and the European Parliament establishing a framework programme on solidarity and management of migration flows for the period 2007-2013, COM(2005) 123 final.

² Decision No 573/2007/EC of 23 May 2007 establishing the ERF for the period 2008 to 2013 as part of the General programme ‘Solidarity and Management of Migration Flows’.

³ Decision No 574/2007/EC of 23 May 2007 establishing the EBF for the period 2007 to 2013 as part of the General programme ‘Solidarity and Management of Migration Flows’.

⁴ Council Decision 435/2007/EC of 25 June 2007 establishing the EIF for the period 2007 to 2013 as part of the General programme ‘Solidarity and Management of Migration Flows’.

⁵ Decision No 575/2007/EC of 23 May 2007 establishing the RF for the period 2008 to 2013 as part of the General Programme ‘Solidarity and Management of Migration Flows’.

⁶ Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee of the Regions on the ex post evaluation of the EBF for the period 2007-2010, 23 April 2014, COM(2014)235. Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee of the Regions on the ex-post evaluation of the RF for the period 2008-2010, 23 April 2014, COM(2014)230. For ERF and EIF, the present report aims at reporting on the period 2007-10 as well.

⁷ Regulation (EU) No 514/2014 of 16 April 2014 laying down general provisions on the AMIF and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management; Regulation (EU) No 515/2014 of 16 April 2014 establishing, as part of the ISF, the instrument for financial support for external borders and visa; Regulation (EU) No 516/2014 of 16 April 2014 establishing the AMIF.

and the Internal Security Fund (ISF)⁸ which succeeded the EBF. The findings of these evaluations complement the 2018 interim evaluations of the AMIF and the ISF. They contribute to the shaping of the future policies in the area of migration and security, especially in the framework of the Multiannual Financial Framework post 2020.

THE 'SOLID FUNDS'

Main elements

The aim of the SOLID General Programme was to provide financial support to Member States to help them better manage the Union's external borders, and better implement the common policies on asylum and migration:

1. The EBF⁹ was established with the aim of protecting and managing the EU external borders, with a focus on efficient organisation of controls and management of the flows of persons, uniform application of EU legislation by border guards and improvement of consular services.
2. The EIF¹⁰ aimed to assist Member States in enabling third-country nationals of different backgrounds to fulfil the conditions of residence and to facilitate their integration into European societies, with an emphasis on those who had recently arrived in the country.
3. The ERF¹¹ supported Member States in receiving asylum applicants and beneficiaries of international protection taking into account the EU legislation relating to the Common European Asylum System (CEAS). It notably supported actions related to the reception of asylum seekers and processing of their asylum applications, the integration of beneficiaries of international protection and, to a limited extent, resettlement or transfer¹² of beneficiaries of international protection between Member States. When the ERF priorities were set, the enhancement of responsibility sharing between Member States and third countries remained optional.
4. The RF¹³ aimed to develop an integrated return management and enhanced cooperation between Member States, providing assistance with the implementation of return operations to countries of origin and making information available to returnees on relevant procedures. It also sought to encourage the use of voluntary return over forced return.

⁸ Regulation (EU) No 513/2014 of 16 April 2014 establishing, as part of the ISF, the instrument for financial support for financial support for police cooperation, preventing and combating crime, and crisis management.

⁹ Decision No 574/2007/EC, Art. 3.

¹⁰ Decision No 435/2007/EC, Art. 2.

¹¹ Decision No 573/2007/EC, Art. 2 and 3.

¹² Decision No 573/2007/EC, Art. 3(6).

¹³ Decision No 575/2007/EC, Art. 2 and 3.

The financial allocation of EUR 2.43 billion allocated to the SOLID Funds over the period under review¹⁴ was distributed between the four Funds as follows: EUR 1 097 million for EBF, EUR 486 million for EIF, EUR 386 million for ERF and EUR 463 million for RF. The funds allocated were implemented mainly by the Member States via shared management (94%), where they hold the primary responsibility for the implementation, management and control of the interventions, presenting annual programmes to the Commission based on a previously agreed multiannual strategy. The average absorption rate under the 2011-13 annual programmes was 87% for EBF, 81% for ERF, 81% for RF and 77% for EIF. Only 6% was implemented in direct management via Community Actions, including emergency action grants under EBF and RF. For ERF, emergency actions were implemented via shared management while under EIF no possibility was envisaged to provide emergency assistance.

Context

The geo-political context changed significantly between 2005, when the SOLID General Programme was designed, and 2011-13, the period under review. The consequences of the 2011 uprisings in North Africa, the 'Arab Spring', the protracted crisis in Syria and the collapse of the Libyan state led to a sudden and unexpected increase in migratory pressure on the EU's southern and south-eastern external borders. This migratory pressure significantly affected the context in which the Funds were implemented. The Impact Assessment¹⁵ annexed to the Communication establishing the SOLID Programme refers to 203 298 first applications for asylum (in 2002) while this number was 259 400 in 2010 (the year before the period under review), 335 290 in 2012 and 1 322 825 in 2015¹⁶. A similarly sharp increase was observed for the number of third-country nationals found to be illegally present in Member States (500 000 in the Impact Assessment and 2 154 675 in 2015¹⁷).

2 EX POST EVALUATION

2.1 METHODOLOGY AND LIMITATIONS

The four Decisions establishing the Funds required the Commission to submit the *ex post* evaluation report for the period 2011 to 2013 by 31 December 2015. However, since the eligibility period of the Funds ran until 30 June 2015, Member States had until 31 March 2016 to report on the implementation of the last annual programme and an independent *ex post* evaluation had been carried out between 2016-2017, the Commission was not in a position to report earlier.

The evaluation's detailed findings and the methodology employed are described in the Commission staff working documents accompanying this report. The preparation of the staff

¹⁴ Annual programmes running from 1 January 2011 until 30 June 2015. This also includes Community actions implemented under the 2010 Annual Work Programmes as their implementation started in January 2011.

¹⁵ Commission Staff Working Document SEC(2005)435 of 6 April 2005.

¹⁶ Eurostat [tps00191] - Asylum and first time asylum applicants - annual aggregated data – persons.

¹⁷ Eurostat [migr_eipre] - Third country nationals found to be illegally present - annual data.

working documents was supported by a study carried out by an external contractor¹⁸ which combined desk research, open public consultations, on-site visits and qualitative and quantitative analysis. The four evaluations were severely hindered by the absence of quantitative data, indicators and baselines which could be compared across Member States or across years. Each Member States independently defined its indicators for the actions implemented. This is due to the fact that the reporting requirements in the Funds' legal bases did not foresee that Responsible Authorities (RA) should collect the data that would make an EU-wide assessment of the evaluation criteria possible. Therefore, the assessment had to rely on more qualitative data collected through the stakeholder consultations and the National Evaluation Reports.

2.2 KEY RESULTS

The External Borders Fund (EBF)

Overall, Member States considered the EBF objectives relevant in view of their needs related to the management of the EU external borders and the processing of Schengen visas. Thanks to the design of the distribution key of annual allocations, a significant part of the funds was allocated to Member States experiencing high migration pressure at the southern and south-eastern external borders and to the Member States with significant traffic volume of *bona fide* travellers. In both 2007-10 and 2011-13, the highest allocations of funding went to the same three Member States: Italy, Spain and Greece. In addition, the EBF was flexible enough to respond to the changing needs induced by the beginning of the migration crisis by allocating additional resources to the affected Member States via Emergency Actions.

The EBF made a crucial contribution to the application of the Schengen *acquis*¹⁹ considering both the increase of migration flows experienced since 2011 and the financial constraints faced by many Member States at the time. The EBF 2011-13 actions made a positive contribution towards a progressive establishment of a common integrated border management system by promoting harmonized checks on persons at border crossing points (BCPs) through training programmes, the construction and upgrading of BCPs and the acquisition of vehicles, vessels and aircrafts used for border patrols. However, only few Member States reported that the Fund support was essential for the acquisition of state-of-the-art technology at the EU external borders.

The Fund also helped tackle the fragmentation of Member States information exchange systems by supporting the development at the national level of EU systems such as VIS and SIS II and EUROSUR²⁰. In a context where national funding was scarce, the Fund helped ensure that these systems became operational, as it contributed to the finalisation of their

¹⁸ <https://publications.europa.eu/en/publication-detail/-/publication/38ae6def-51a1-11e8-be1d-01aa75ed71a1/language-en/format-PDF/source-70934237>

¹⁹ The Schengen *acquis* is derived from the 1990 Schengen Convention, which abolished checks at the internal borders of a number of EU Member States by 1995, creating the 'Schengen Area'.

²⁰ Respectively Visa Information System, Schengen Information System II and European Border Surveillance System.

building blocks. The EBF also fostered a better use of resources by increasing the capacity of Member States to undertake border surveillance.

For both the 2007-10 and 2011-13 periods, the EBF moderately contributed to the development of consular cooperation between Member States and third-countries.²¹

Overall, EBF investments were considered to be sustainable: most of the assets acquired and the knowledge generated were still being used at the time of the evaluation. Member States highlighted the complementarity of the EBF with the objectives of the ISF, which made it possible for activities implemented under ISF to build on the results of the EBF. A few specific projects faced financial constraints and therefore raised sustainability concerns, such as the deployment of immigration liaison officers in third countries.

The EBF investments were found to be complementary and coherent with activities funded under other EU Funds, with European Border and Coast Guard Agency²² activities, as well as with national investments. The EBF added value has been assessed as being particularly high in Member States with limited financial resources or facing tight budgetary constraints.

The European Fund for the Integration of third-country nationals (EIF)

The EIF findings for both 2007-10²³ and 2011-13 show that the Fund was generally able to respond to Member States' integration needs and was designed in a way that allowed it to adapt to changing circumstances. However, some Member States felt that the definition of the target group was too restrictive and others highlighted a lack of interest from NGOs/local administrations. Some Member States indicated that support should not have been limited to newly-arrived third-country nationals as integration measures may still be needed for second and third generation migrants.

The EIF was found to have been generally able to achieve its main objective of facilitating the integration of third-country nationals into their host society in both 2007-10 and 2011-13. In the majority of Member States, the Fund had a concrete positive impact on the immediate integration process. The EIF improved access to services, employment and education in the host country, including language courses central to the integration process. This appeared to be the main focus of the funding used by Member States.

²¹ This was due to factors such as a lower than expected interest from Member States, the instability of some regions which made cooperation with third countries difficult.

²² At the time referred to as Frontex.

²³ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/financing/fundings/pdf/integration/synthesis_of_the_national_evaluation_reports.pdf

Many Member States reported implementation issues for 2007-10 due to the novelty of the Fund at the time such as the lack of or insufficient number of eligible projects. For 2011-13, the EIF was found to have made a limited contribution to the development and implementation of admission procedures which support the integration of third-country nationals due to the fact that the annual programmes of several Member States did not specifically focus on this objective, which resulted in a limited number of actions implemented in this area. The EIF contributed to policy capacity-building and coordination within Member States, but had a limited impact on the exchange of experience, good practice and information between Member States.

While for 2007-10, only half of Member States assessed the Fund's efficiency as satisfactory. For 2011-13 most Member States considered that the EIF costs were proportional with the outputs of the projects and that it would not have been possible or would have been difficult to achieve the same results at a lower cost. Furthermore, only half of Member States reported that the effects of the 2007-10 and 2011-13 EIF actions lasted to a great extent after funding ended. According to interviewed stakeholders, limited sustainability was mainly due to factors such as varying political commitment and support at national level.

Projects were also found to be coherent with and complementary to other actions targeting the integration of third-country nationals at national level and supported by other EU financial instruments, with some difficulties encountered due to different timing of EU funds and awareness of Community actions. The vast majority of Member States reported that the EIF enabled actions to be implemented which could not have been funded via national resources, confirming the added value of the Fund.

The European Refugee Fund (ERF)

The evaluation found that the ERF objectives overall reflected the needs of Member States. However, one key shortcoming highlighted for both the 2008-10²⁴ and the 2011-13 periods was the allocation mechanism, which was based on historic inflows (previous three years) and which could therefore not address Member States unprecedented needs following the drastic increase in asylum flows from 2013. This issue was partly mitigated by the allocation of emergency assistance to Member States, which proved useful to address the crisis.

During the 2008-10 and 2011-13 periods, the ERF was particularly effective in supporting Member States in their efforts to improve their reception conditions and asylum procedures and the integration of beneficiaries of international protection. It was the most effective in Member States having acceded to the EU more recently (with less developed asylum systems). In these Member States, the ERF brought support to enhance their capacity to establish national asylum systems. It was also highly effective in supporting the Member States faced with emergency situations. During the implementation period, the ERF could only make a limited contribution to the harmonisation of the Member States asylum systems

²⁴ <http://ec.europa.eu/smart-regulation/evaluation/search/download.do?documentId=10697239>

and implementation of the CEAS due to the legal framework which gave a lot of discretion to Member States in this area. As the results of the Community actions were not widely disseminated and most ERF projects remained purely national, limited support was provided to cooperation and experience-sharing amongst Member States. The Fund was also effective to a limited extent in implementing responsibility-sharing projects, such as the resettlement and intra-EU transfer of beneficiaries of international protection.

The ERF outputs were assessed to have been achieved at a reasonable cost, despite some inefficiency identified in several Member States, mostly due to a lack of experience and to insufficient technical and administrative capacities. The sustainability of ERF projects depended on the type of projects funded. It generally led to sustainable networks among stakeholders while investments in reception capacities were deemed as most sustainable. The ERF was complementary to other SOLID Funds. All Member States considered that the ERF allowed for funding innovative projects or projects aimed at specific target groups which would not have been implemented without the support of the Fund. The added value of the ERF was crucial for Member States with less developed asylum systems.

Concerning the 2008-10 period, most Member States found that the Fund had been effective in reaching its objectives. However, the Fund was less effective in enhancing Member States responsibility sharing or between Member States and third countries given the very few projects implemented in these areas. The ERF outputs were assessed to have been achieved at a reasonable cost by most Member States, even though it was indicated that the same results could have been achieved at lower costs. All Member States found that the Fund enabled projects that could not have been financed by national public resources only.

The European Return Fund (RF)

The majority of Member States found that the objectives of the Fund corresponded to their needs in the field of return management, with some priorities considered more relevant than others.²⁵ Some Member States indicated that the Fund could have been more relevant if the target group had also included migrants residing legally in the Member States but wishing to return to their country of origin.

The RF was also found to have been generally successful in reaching its objectives, with its achievements assessed as positive by the vast majority of Member States. The Fund was particularly effective in contributing towards the development of national integrated return management systems by encouraging voluntary rather than forced returns and enhancing Member States return capacity in general. The RF also made a positive contribution to the provision of support to Member States in emergency situations. However, the Fund had only a moderate impact on enhancing cooperation between Member States and with third-countries

²⁵ Most Member States saw the development of a strategic approach to return management as the most relevant priority.

and on implementing EU standards due to the low number of projects implemented in that respect.

Projects were generally found to have been implemented at a reasonable cost in terms of financial and human resources. The evaluation showed that unit costs of return varied greatly across Member States, depending on the number of returnees, the accessibility of the destination country of return, the number of countries collaborating in return operations and the amount of financial assistance provided to returnees. Several Member States and beneficiaries provided examples of less efficient projects due to management costs and administrative burden. Voluntary return was found to be generally more cost-efficient than forced return.

The majority of Member States found that most of the RF actions had long lasting effects after the projects' ended. However, there was no strong evidence to demonstrate the long-term impact of the actions as many Member States highlighted that further funding was required to be able to continue return activities launched with RF funding. The most sustainable type of actions were those which had structural effects, such as improvements to the infrastructure of detention facilities and actions which improved cooperation between Member States or Member States and third countries.

The evaluation concluded that actions funded by the RF were coherent and complementary to other national actions in the area of return and generally coherent with and complementary to other EU Funds in the area of return. However, limited complementarity was found with reintegration policies funded by other EU instruments, such as the European Social Fund, with a potential risk for overlaps.

Finally, Member States reported that the Fund added value in different ways, providing Member States with the means to fund new projects or to enhance those already in effect and encouraging the recourse to voluntary return over forced return. Member States reported that the RF had the effect of developing their assisted voluntary return system to an extent which would have not been possible in its absence, by implementing systematic reintegration grants, monitoring the return to third-countries, building supporting networks for reintegration and disseminating information and by raising awareness on return-related issues. However, most Member States reported that forced returns would probably have been carried out in the absence of the RF to the same scale. Additionally, the Fund allowed for different and innovative approaches in return management. It facilitated the involvement of new stakeholders and contributed to the achievement of EU standards and requirements.

Findings related to the period 2008-10 are similar to the ones above, notably on the relevance and effectiveness of the Funds. The average absorption rate was higher in 2011-13 (81%) than in 2008-10 (70%), which suggests that stakeholders developed greater expertise over the period studied. For both periods, the largest allocations were granted to the four Member States with the highest influxes of irregular migrants and number of returnees, namely Greece, the United Kingdom, Spain and France.

3 WAY FORWARD

Considering the findings of the evaluation, the Commission identified some main lessons learned. Some corrective measures have already been adopted in the AMIF and the ISF while others are given due consideration in the preparation of the next generation of Funds.

Administrative burden

The evaluation showed that the architecture of the Funds was too complex and that the annual programming cycle and the implementation of the Funds were perceived as a high administrative burden. This was also emphasised in the impact assessment accompanying the setting up of AMIF and ISF²⁶. To address this shortcoming, a single Fund (AMIF) was set up to cover all migration aspects (replacing three Funds with their own legal basis and implementing rules), a single national programme per Fund covering the whole 2014-20 period was adopted for each Member States, simplified cost options were introduced and eligibility rules were aligned to the national rules of the Member States.

Monitoring and evaluation

The absence of effective monitoring and evaluation mechanisms, common to all Member States, with baselines and targets, was a critical issue for the evaluation of the SOLID Funds. This problem was addressed for the AMIF and ISF, with a first list of common indicators included in the legal base and a common monitoring and evaluation framework²⁷ providing evaluation questions, result and impact indicators and indicators on efficiency, added value and sustainability²⁸. A guidance document²⁹, an active network of Member States evaluation coordinators and a specific IT system (SFC) to report on evaluation were also set up.

Allocation mechanism

The allocation mechanism based on historic data and inflows could not take into account more recent and sudden changes in migratory pressure. Under AMIF and ISF-Borders and Visa the distribution key is still based on the 2011-13 allocations for the ERF, the EIF and the RF and on the 2010-12 allocations for EBF. Some flexibility is ensured by the more considerable envelope allocated for emergency assistance. For example, Bulgaria was granted under AMIF and ISF-Borders and Visa an allocation of respectively EUR 20.5 and 41 million, but was granted under emergency assistance a total of EUR 170 million under the two Funds (up to October 2017) to support its response to unexpected migratory pressure.

²⁶ Commission Staff Working Paper SEC(2011)1358 final of 15 November 2011.

²⁷ Commission Delegated Regulation (EU) 2017/207 of 3 October 2016 on the common monitoring and evaluation framework (CMEF) provided for in Regulation (EU) No 514/2014.

²⁸ It should be noted that EU funded research projects can contribute to the data collection and analysis of implementation and effectiveness of upcoming financial instruments and Funds.

²⁹ The Guidance on the CMEF was developed in the framework of the evaluation network. It is a working document which is regularly updated, following discussions with Member States authorities and other stakeholders which are held during working group and evaluation network meetings. It is available to the Member States.

However, despite increased flexibility, the unbalanced distribution key remains an important issue which would still need to be addressed in the next Multiannual Financial Framework.

Solidarity: resettlement and transfer of beneficiaries of international protection

The evaluation found that the principles of solidarity and responsibility-sharing at EU level could be optimised for resettlement and intra-EU transfer of beneficiaries of international protection. For the latter, Member States preferred to use their allocation for actions addressing their own specific needs and the ERF did not foresee additional financial incentives per person transferred. For resettlement, there was a financial incentive (EUR 4 000 to 6 000) but it proved insufficient to cover the cost of resettling a person. AMIF has addressed these shortcomings to a limited extent with additional funding in the form of increased lump sums (EUR 6 000 to 10 000) and a system of pledging which brings political attention to bear.

Steering of the implementation towards EU priorities

The evaluation showed that Member States allocated little funding to some of the priorities, thereby limiting the effects of the Funds in certain areas (e.g. consular cooperation, transfer and resettlement, cooperation with countries of return or cooperation between Member States on integration). The AMIF and ISF already feature some improvements which help better steer implementation towards EU priorities, such as financial incentives (increased co-financing rates and higher lump sums), additional funding for Specific Actions and top-ups to the allocation of all Member States for specific EU policy priorities.