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**COMMISSION STAFF WORKING DOCUMENT**

**on the Ex Post Evaluation of the External Borders Fund 2011-2013**

*Accompanying the document*

**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'**

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## 1 INTRODUCTION

The External Borders Fund (EBF) was established in 2007 for the period 2007 to 2013. It is one of four Funds (SOLID Funds) set up under the General Programme ‘Solidarity and Management of Migration Flows’<sup>1</sup>. The aim of this General Programme was to address the issue of a fair share of responsibilities between Member States concerning the financial burden arising from the introduction of an integrated management of the Union’s external borders and from the implementation of common policies on asylum and immigration.

The Decision establishing the EBF requires the Commission to submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions three evaluations reports:

- by 31 December 2010, an intermediate report on the results achieved and on qualitative and quantitative aspects of implementation of the Fund, based on evaluation reports provided by the Member States by 30 June 2010<sup>2</sup>;
- by 31 December 2012, an *ex post* evaluation for the period 2007 to 2010 based on national evaluation reports on the results and impact of actions co-financed by the Fund<sup>3</sup>. This *ex post* evaluation report covered the implementation of the 2007 to 2010 annual programmes implemented by the Member States<sup>4</sup>.
- by 31 December 2015, an *ex post* evaluation for the period 2011 to 2013 based on national evaluation reports on the results and impact of actions co-financed by the Fund<sup>5</sup>. The present staff working document reports on this *ex post* evaluation covering the evaluation of the 2011 to 2013 annual programmes implemented by 28 Participating States (25 Member States (including the Special Transit Scheme for Lithuania) and 3 Schengen Associated States<sup>6</sup>), from 1 January 2011 to 30 June 2015. The implementation of the 2007 to 2010 EBF annual programmes are not within the scope of this evaluation but are considered where relevant, specifically as part of the analysis of complementarity and coherence.

The present document also covers the evaluation of the Community Actions (including Emergency Actions) implemented under the 2010<sup>7</sup> to 2013 annual work programmes and the

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<sup>1</sup> 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.

<sup>2</sup> Decision No 574/2007/EC, Articles 52(3)(b) and 52(2)(a). Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the results achieved and on qualitative and quantitative aspects of implementation of the External Borders Fund for the period 2007-2009, 11 May 2012, COM(2011) 857 final/2.

<sup>3</sup> Decision No 574/2007/EC, Articles 52(3)(c) and 52(2)(b).

<sup>4</sup> 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 External Borders Fund for the period 2007-2010, 23 April 2014, COM(2014)235.

<sup>5</sup> Decision No 574/2007/EC, Article 52(3)(c) and 52(2)(b).

<sup>6</sup> CH, IS and NO. Based on established practice in this area, the term ‘Member States’ in this report is used to mean the countries participating in the EBF, regardless of whether they are EU Member States or associated States.

<sup>7</sup> As Community actions implemented under the 2010 annual work programme were implemented after 1 January 2011 they are covered by the evaluation.

Specific Actions implemented under the 2010<sup>8</sup> to 2012 annual work programmes Specific actions. The present evaluation builds upon the results of the *ex post* evaluation of the actions implemented under the EBF 2007-2010 annual programmes and the intermediate report mentioned above.

*The ex post evaluation study<sup>9</sup> was carried out by a consulting firm specialised in evaluation. The study's methodology combined desk research, on-site visits, qualitative and quantitative analysis, more precisely:*

- systemic synthesis of the evidence regarding the implementation of the Fund that is derived mainly from the 26 national evaluation reports (NERs) and the Annual Work Programmes of the Member States (AWPs); and
- interviews with 140 stakeholders, 12 case studies and a public consultation.

*Despite this thorough evaluation process, the assessment of the impact of investments under EBF during the relevant period is constrained by lack of robust data in some national evaluation reports, by data quality such as the absence of harmonised official statistics on border management resources and investments, and lack of objectives and indicators set beforehand.*

The *ex post* evaluation assessed EBF in the light of its relevance (whether its objectives matched with societal needs), utility (whether the intervention satisfies stakeholders' 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 between the actions financed by the instrument and complementarity to other interventions as well as the added value of intervening at EU level.

The results of this evaluation will complement the interim evaluation of the Internal Security Fund (ISF)<sup>10</sup>, the successor of the External Borders Fund for the period 2014-2020. The interim evaluation of the ISF is due in 2018<sup>11</sup>. The Commission will submit an interim evaluation report of the Fund by 30 June 2018 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. This interim evaluation report will be based on the interim evaluation reports provided by the Member States on the implementation of the actions and progress towards achieving the objectives of their national programmes to be submitted to the Commission by 31 December 2017. The

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<sup>8</sup> As Specific actions implemented under the 2010 annual work programme – Specific actions were implemented after 1 January 2011 they are covered by the evaluation.

<sup>9</sup> The *ex post* evaluation report conducted by external evaluators has been published here: <https://publications.europa.eu/en/publication-detail/-/publication/38ae6def-51a1-11e8-be1d-01aa75ed71a1/language-en/format-PDF/source-70934237>

<sup>10</sup> Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC, OJ L 150, 20.5.2014, p. 143–167.

<sup>11</sup> Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management, OJ L 150, 20.5.2014, p. 112–142, Article 57. Part of the interim evaluation is the mid-term review of the ISF national programmes of the Member States (Regulation (EU) No 515/2014, Article 8) which will take place in 2017 and 2018. The purpose of the mid-term review exercise is for the Commission and the Member States to review their national programmes and assess the need for a possible revision of the programme, in the light of developments in Union and national policies through a questionnaire and bilateral dialogues with the Member States. In addition, if the need arises, the results of the mid-term review of the national programmes may support requests for additional funding made by the Commission to the budgetary authorities for the remaining implementation period.

interim evaluation report which the Commission will submit will also include an assessment of the mid-term review carried out by the Member States and of the implementation of the emergency assistance grants and Union actions. The results of the interim evaluation together with the results of the present evaluation will contribute to the shaping of the future policies in the migration and security areas, especially to the preparation of the new funding instruments in the framework of the Multiannual Financial Framework (MFF) post 2020.

## 2 BACKGROUND TO THE INITIATIVE

The Schengen Area is one of the greatest achievements of the EU. It is an area without internal borders and where free movement of persons is ensured without being subjected to border checks. While having abolished their internal borders, Schengen States have improved and tightened controls at their common external borders on the basis of common rules to ensure the security of those living or travelling in the Schengen Area and prevent illegal entry, while facilitating legitimate travel.

The Schengen *acquis* provides for common rules and procedures to be applied by signatory States with regard to short-term visas and border controls. All signatory States therefore needed to contribute to ensure a high and uniform level of control on individuals and surveillance of the EU external borders.

However, the burden borne to implement the common standards for control of the EU's external borders varied significantly from country to country. These variations were explained through the differences between Member States in terms of the geography of their external borders, the number of border crossing points (BCPs), the level of migratory pressure, the risks and threats encountered and the number of Schengen visa applications received.

The consolidation and the functioning of the Schengen area requires an overall borders policy architecture at the Union's level supporting all the components of the common Integrated Border Management System (IBMS).

As indicated in the Council Conclusions of 4-5 December 2006, the IBMS concept encompasses three dimensions<sup>12</sup>:

- A common corpus of legislation, in particular the Schengen Borders Code as well as the Regulation on local border traffic;
- Operational cooperation between Member States, including cooperation as coordinated by Frontex;
- Solidarity between Member States and the Union through the establishment of an External Borders Fund.

The Council then identified the following components of the IBMS:

- Border control (checks and surveillance) as defined in the Schengen Borders Code, including relevant risk analysis and crime intelligence;
- Detection and investigation of cross border crime in coordination with all competent law enforcement authorities;

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<sup>12</sup> Council Conclusions, Justice and Home Affairs, 2768th Council Meeting, Brussels, 4-5 December 2006.

- The four-tier access control model (measures in third countries, cooperation with neighbouring countries, border control, control measures within the area of free movement, including return);
- Inter-agency cooperation for border management (border guards, customs, police, national security and other relevant authorities) and international cooperation;
- Coordination and coherence of the activities of Member States and Institutions and other bodies of the Union.

The Council thus identified the External Borders Fund as one of three dimensions of the IBMS. However not all components of the concept were covered by the Fund (e.g. return).

The consolidation and the functioning of the Schengen area requires the MSs to acquire and develop the skills and obtain the equipment and technology necessary to be operational within an integrated border management system at EU level. The work towards achieving the IBMS is a long-term and complex process, which benefitted from the support of the EBF and continues to be supported under ISF Borders and Visa.

In this political context, the EBF 2007-2013 is one of the four EU funding instruments established in 2007 as part of the Framework Programme on Solidarity and Management of Migration Flows<sup>13</sup> and of a wider policy package which also included the Frontex Agency<sup>14</sup>, the Schengen Borders Code<sup>15</sup> and the Schengen Evaluation Mechanism.<sup>16</sup>

The EBF was designed to support the process towards the IBMS, through a **solidarity mechanism** between the Member States. The States participating in the EBF are the ones taking part in the Schengen area, i.e. the EU Member States except United Kingdom and Ireland and four Schengen Associated States (Norway, Switzerland, Liechtenstein and Iceland). It was the **first funding instrument dealing with borders**. The EBF had a slow start due to the inclination of Member States to protect their national sovereignty on border management. However, during its implementation, these States gradually realised the crucial role of an integrated border management system for the security of the whole territory of the Union.

One of the main developments during the period under assessment was the sudden and unexpected increase in migratory pressure on the EU southern and south-eastern external borders. The total number of detections of **illegal border-crossing** increased from 104 000 in

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<sup>13</sup> COM (2005) 123 final, Communication establishing a framework programme on Solidarity and the Management of Migration Flows for the period 2007-2013, European Commission, 6 April 2005.

<sup>14</sup> Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, OJ L 349, 25.11.2004, p. 1. Frontex has now been replaced by the European Border and Coast Guard Agency Regulation (EU) 2016/1624 of 14 September 2016 on the European Border and Coast Guard (OJ L 251, 16.9.2016, p. 1).

<sup>15</sup> Regulation (EU) No 562/2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), 15 March 2006.

<sup>16</sup> Council Regulation (EU) No 1053/2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen, 7 October 2013.

2010 to 141 000 in 2011 (+35%)<sup>17</sup>. The 2011 uprisings in North Africa contributed to a rise in migratory pressure, especially for the Mediterranean countries. High numbers of undocumented migrants were apprehended in Greece, Italy, Spain and Portugal, with Greece accounting for 227 420 apprehensions per year on average, or about a third of the EU total. Detections of illegal border-crossings along the EU's external borders sharply dropped in 2012 to 72 437 detections, a 49% decrease compared to 2011 due mainly to the combined effects of enhanced surveillance at the land border between Greece and Turkey<sup>18</sup>. The year 2013 saw a second peak of detection of illegal crossings along the EU external borders (107.000)<sup>19</sup> which represents an annual increase of 48% in comparison to 2012. The year 2013 was characterised by three phenomena: a large increase in illegal border-crossings by Syrians on the Eastern Mediterranean route and in the Central Mediterranean, subsequently applying for asylum; a steady flow of migrants departing from North Africa (Libya and Egypt) and a sharp increase, mostly in January-June, in detections reported by Hungary at its land border with Serbia. In 2014, detections of illegal border-crossing reached a new record, with more than 280 000 detections. This was twice as many as the previous record of 140 000 detections in 2011, the year of the Arab Spring. This unprecedented number of migrants crossing illegally the external border has roots in the fighting in Syria that have created the worst refugee crisis since the Second World War. Indeed, most of the detections at the borders concern migrants from Syria, who later applied for asylum within the EU<sup>20</sup>. The year 2015 marked the explosion of the refugee crisis due to the conflict in Syria, with more than 1.8 million detections<sup>21</sup> of illegal border crossing over the year, with Greece receiving thousands of migrants and refugees every day. This unprecedented crisis was addressed by the Internal Security Fund, the successor of the External Borders Fund, notably through emergency assistance grants to support Greece<sup>22</sup>.

On the other hand, several IT tools supporting the management of EU external borders were enhanced and deployed during the period under assessment in order to facilitate legal migration to the EU while ensuring a high level of protection at the external borders. The Commission announced in December 2015 that the Visa Information System (VIS) had been rolled out and was fully operational<sup>23</sup>. As for the Schengen Information System (SIS), whose main purpose is to help preserve internal security in the Schengen States in the absence of internal border checks, SIS II was launched in 2013 after significant delays<sup>24</sup>. Through the

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<sup>17</sup> Frontex, Annual Risk Analysis 2012, p.12. The migration pressure at the external border increased even more than EU-level figures suggest, as they were offset by extensive reductions in Albanian circular migration following the visa liberation.

<sup>18</sup> Frontex, Annual Risk Analysis, 2013, p. 19.

<sup>19</sup> Frontex, Annual Risk Analysis, 2014, p. 7.

<sup>20</sup> Frontex, Annual Risk Analysis 2015, p. 17.

<sup>21</sup> Frontex, Annual Risk Analysis 2016, p. 16.

<sup>22</sup> The first emergency assistance grants awarded under the Internal Security Fund helped support Greece (12 month projects, starting from early 2015, other projects supported with emergency assistance grants started in May, July and November 2015). Emergency assistance grants were also awarded to help support Hungary (12 month project starting in January 2015) and Italy (12 month project starting in January 2015).

<sup>23</sup> European Commission daily news briefing, 2 December 2015: *Schengen Visa Information System now fully operational worldwide*. The roll out started in 2011.

<sup>24</sup> The initial end date was set in 2006 then in 2008, then to 2010 and finally to 2013. There were many reasons for the delay of SIS II implementation and the revision of the planned end date including an unrealistic initial deadline not based on adequate technical analysis, evolving system requirements, changing costs and expected benefits, insufficient allocation of staff for management and supervision, and tender difficulties.



EBF Emergency actions, in 2011, the Commission made significant efforts to mitigate the risk of further delays of SIS II implementation due to Member States lacking financing. As for the European Border Surveillance System (EUROSUR), it became operational on 2 December 2013.

Between 2010 and 2014, the total number of Schengen visas issued by the Schengen States increased by 42 % (from 11.018.936 in 2011 to 15.684.796 in 2014)<sup>25</sup>.

The evaluation period saw also the further development and use of new technologies to facilitate legitimate travel, such as Automated Border Control systems (ABC gates or e-gates), thus giving Member States tools to manage their passenger flows more efficiently whilst releasing human resources which were needed at the external border for checking higher risk travellers or serving other travellers. In that regard, the total number of arrivals at Schengen airports from third countries increased by 53% between 2009 and 2013 (from 71 413 602 in 2009 to 109 375 635 in 2013)<sup>26</sup>.

### **3 THE EBF AS FUNDING INSTRUMENT (OBJECTIVES AND PRIORITIES)**

As mentioned above, the EBF was set up to support the progress towards the IBMS through a solidarity mechanism among Member States. To achieve its overarching objective, the EBF was designed to contribute to the achievement of four general objectives<sup>27</sup>:

1. Efficient organisation of control, covering both checks and surveillance tasks relating to the external borders;
2. Efficient management of flows of persons at the external borders in order to ensure, on the one hand, a high level of protection at the external borders and, on the other, the smooth crossing of the external borders in conformity with the Schengen acquis and the principles of respectful treatment and dignity;
3. Uniform application by border guards of the provisions of European law on the crossing of external borders;
4. Improvement of the management of activities organised by the consular and other services of the Member States in third countries with regards to the flows of third-country nationals into the territory of the Member States and the cooperation between Member States in this regard, with a view to the further development of the common visa policy.

Each one of these general objectives was further detailed in several specific objectives (between 9 and 5 specific objectives per general objective)<sup>28</sup>. In addition, in accordance with

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<sup>25</sup> [https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en)

<sup>26</sup> Frontex, Annual Risk Analysis 2015, p .13.

<sup>27</sup> Decision No 574/2007/EC, Article 3.

<sup>28</sup> Decision No 574/2007/EC, Article 4. General objective 1 was further detailed in Article 4(1) letters a) to i). General objective 2 was further detailed in Article 4(2) letters a) to e). General objective 3 was further detailed in Article 4(3) letters a) to g) and general objective 4 was further detailed in Article 4(4) letters a) to i).

the Decision establishing the EBF<sup>29</sup>, the Commission adopted in 2007 Strategic Guidelines which identified five funding priorities<sup>30</sup> and twelve specific priorities (2 to 3 specific priorities per priority). The specific priorities were defined to target particular actions for which the Member States could request an EU co-financing rate of 75%<sup>31</sup> (See Section 7.1). Each action planned in the annual programme had to be programmed under one of the priorities set in the Strategic Guidelines. As the Strategic Guidelines did not set any threshold per priorities, Member States could distribute their annual allocation as they wished provided that Member States address at least three of the five priorities<sup>32</sup>. The priorities set in the Strategic Guidelines were aimed at making the Fund more operational and more closely linked to the new policy and legislative initiatives and related IT-systems (e.g. EUROSUR<sup>33</sup>, SIS<sup>34</sup>, VIS<sup>35</sup>, etc.).

The priorities are the following:

1. Priority 1: Support for the further gradual establishment of the common integrated border management system as regards the checks on persons at and the surveillance of the external borders. This Priority can be linked to general objective 1.
2. Priority 2: Support for the development and implementation of the national components of a European Surveillance System for the external borders (EUROSUR) and of a permanent European Patrol Network (EPN)<sup>36</sup> at the southern maritime borders of the EU Member States. This Priority can be linked to general objective 1.
3. Priority 3: Support for the issuing of visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries. This Priority can be linked to – but does not entirely cover – general objective 4.
4. Priority 4: Support for the establishment of IT systems required for implementation of the Community legal instruments in the field of external borders and visas (namely VIS and SIS). This Priority can be linked to – but does not entirely cover - general objective 2.
5. Priority 5: Support for the effective and efficient application of relevant Community legal instruments in the field of external borders and visas, in particular the Schengen

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<sup>29</sup> Decision No 574/2007/EC, Article 20.

<sup>30</sup> Commission Decision No 2007/599/EC of 27 August 2007 implementing Decision No 574/2007/EC of the European Parliament and of the Council as regards the adoption of strategic guidelines for 2007 to 2013.

<sup>31</sup> Decision No 574/2007/EC, Article 16(4).

<sup>32</sup> Annex to Commission Decision No 2007/599/EC.

<sup>33</sup> EUROSUR is an information exchange framework which seeks to increase situational awareness and reaction capability for reducing the number of illegal immigrants entering the EU undetected. It also contributes to the fight against cross-border crime and to enhance the EU's search and rescue capacity. In practical terms, each participating country was to set up a National Coordination Centre (NCC) coordinating their national surveillance activities and serving as a hub for information exchange with other countries.

<sup>34</sup> The Schengen Information System (SIS II) is a system which supports external border control and law enforcement cooperation, allowing signatories of the Schengen Agreement to share data on criminals, on people who may not have the right to enter or stay in the EU, on missing persons and on stolen, misappropriated or lost property.

<sup>35</sup> The Visa Information System (VIS) is a system for the exchange of visa data between Schengen States.

<sup>36</sup> European Patrol Network (EPN) is a permanent Coastal Patrols Network on Europe's southern maritime borders. It coordinates patrolling activities covering defined maritime areas and the exchange of information between countries. Ultimately, the EPN and EUROSUR are to be integrated into a single system.

Borders Code and the European Code on Visas. This Priority can be linked to – but does not entirely cover – general objective 3 (for border guard services) and general objective 4 (for officials at consulates).

While those priorities helped to better target EU funding to policy priorities, it also resulted in a complex architecture, with the general and specific objectives and the priorities and specific priorities not always matching perfectly. This is because they often focused on rather different aspects of EU border control. For example, Priority 4 focuses on the support for the establishment of IT systems for the Community legal instruments in the field of external borders and visa (namely VIS and SIS) while the development of these two IT systems is covered by only one of the five specific objectives under general objective 2. Another example is that the two specific objectives listed under general objective 3 (namely upgrading of the security at the premises of BCPs and building and upgrading of areas and centres for persons whose entry is refused) were not reflected in Priority 5, which focused on dissemination of information and training related to legal instruments in the field of external borders and visa.

As priorities, being more concrete and more operational, were used to guide implementation of the national programmes by MSs, the latter were requested to programme their actions and report on their implementation per priority. However, the evaluation methodology, as defined by the Better Regulation Guidelines, required analysing the extent to which the EBF had achieved the general objectives as set in the legal base. The complexity of the global architecture of the Fund, combined with the limitations imposed by the reporting format, made the evaluation exercise more difficult. This being said, since the general objectives and priorities of EBF were explicitly drawn from the Schengen acquis, they are naturally strongly linked and reinforce each other. As a result, the EBF has been assessed through the priorities, which, given the interlinkage with general objectives, enabled the Commission to draw valid conclusions about the overall performance of the EBF.

The weaknesses in the architecture of the Fund have been addressed when preparing the subsequent funding instrument: the ISF Borders and Visa includes one general objective and two specific objectives supported by seven operational objectives, and Member States are requested to report on the implementation of their national programmes in light of the objectives set out in the legal base.

#### **4 EVALUATION QUESTIONS**

The evaluation was planned and tendered before the Better Regulation Guidelines were adopted on 19 May 2015, but still covered all the five key evaluation criteria required by the Guidelines i.e. effectiveness, efficiency, relevance, coherence and EU added value. In addition to these criteria, the Fund was also evaluated for its utility, sustainability and complementarity. To assess these eight criteria, the evaluation reviewed the 16 questions that are included in Annex 4.

#### **5 METHOD**

The Commission's evaluation relies on an external study carried out between June 2015 and November 2016 by a consulting firm specialised in evaluation. The study's methodology

combined desk research, on-site visits and both qualitative and quantitative analysis. It required a systemic synthesis of the evidence regarding the implementation of the EBF. Information was derived mainly from the 26<sup>37</sup> national evaluation reports (NERs) and the Annual Programmes of the Member States (APs). The APs set out the operational objectives for each year whilst the NERs provided information on outputs, results and the impacts of the actions.

Further information was obtained from interviews with 140 stakeholders (responsible authorities (RAs), beneficiaries, EU officials and case study respondents, twelve case studies covering 12 Member States (each involving a site visit) and a public consultation. The case studies illustrate practical examples of projects carried out by MSs with EBF support. They correspond to 12 projects, i.e. a project per selected Member State. The total number of projects funded by EBF in 2011-2013 in the selected 12 MSs is equal to 606. As a result, the 12 selected projects represent only 1.98%. For this reason, the sample cannot be considered as representative and therefore it does not allow for conclusions to be drawn or projected to the entire population. An internet-based public consultation was also carried out (a detailed analysis of its outcome may be found in Annex 2).

Information was triangulated to ensure validity and robustness. Findings from the study are presented in this report together with the financial data extracted from SFC<sup>38</sup> and ABAC<sup>39</sup> in December 2016.

## 6 LIMITATIONS

The evaluation process encountered a number of difficulties that induced methodological limitations (see Annex 3 for more details).

The assessment of effectiveness, efficiency and utility was hindered, to a certain extent, by the absence of comparable quantitative data. For the annual programmes, this is due to the fact that the reporting requirements in the Fund's legal base did not stipulate that RAs should collect the data that would be required to conduct an assessment of effectiveness and efficiency<sup>40</sup>. To mitigate this, the assessment of these criteria had to rely on the qualitative data collected through the stakeholder consultations and the NERs. This, combined with the absence of a baseline<sup>41</sup>, proved to be a limitation in terms of methodology.

Due to these limitations, it has not been possible to establish causal links between the EBF's intervention or identified needs on the one hand and observed impacts or results on the other hand; therefore, effectiveness has been evaluated in terms of outputs – which were more

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<sup>37</sup> IS and DK did not submit their NERs when the study took place.

<sup>38</sup> System for Fund Management 2007 (SFC) is an online monitoring tool managed by the Commission services and used for certain funding programmes, where Member States can upload implementation reports and financial information.

<sup>39</sup> ABAC is the Commission's accrual-based online accounting system.

<sup>40</sup> This is explained by the fact that the Better Regulation agenda, which formalised the criteria of the evaluations to be carried out by the Commission, was adopted after the EBF was established.

<sup>41</sup> Due to strong opposition from Member States, no baseline was set when the Fund was established.

easily measured and compared across MSs – rather than impacts or results. Furthermore, it has been difficult to measure efficiency (the relationship between the inputs utilised such as time, human and financial resources and the results achieved) because the evaluation concluded that it was not possible to compare different types of projects. Hence, no clear trends could be established. In addition, results could not be measured due to the lack of ex ante targets. It was not feasible to compare the "cost of actions" under EBF to other similar actions due to the absence of comparable projects. As a result, the evaluation looked into the procurement procedures as these tend to determine the cost of the actions, under the assumption that if fair tendering took place, then this was the reasonable cost that the market could offer. Finally, given these limitations, the evaluation study cannot draw conclusions on the degree of correspondence of the results and/or impacts to the needs (utility).

Furthermore, indicators and quantitative targets were set by Member States through their Annual Programmes when selecting the actions supported by the programme for each year. For each action proposed, Member States defined independently the expected quantified results. As a result, there was a multitude of indicators across Member States with no harmonisation and a limited assessment on the side of the Commission representing a limitation for the evaluation.

Moreover, the absence of convened definitions for benchmarks or units, particularly for EBF purchases, stems from different understandings among Member States of what to record in the NERs<sup>42</sup>. Despite the fact that guidance on the interpretation of the indicators was provided to RAs on an ad hoc basis, upon their request, and answers were made accessible to all RAs, the information recorded in the NERs still proved to be diverse and hardly comparable.

In order to improve transparency and accountability in the future, the Commission and the Member States have developed a specific common monitoring and evaluation framework<sup>43</sup> as well as a document to guide RAs in the evaluation exercise of the ISF.<sup>44</sup>

In order to ensure that comparable quantitative data are collected for the evaluation of the ISF, the following was adopted:

- Common indicators for the measurement of the Specific objectives of the ISF have been developed and added to the legal basis of the Fund<sup>45</sup>;
- Common result and impact indicators - indicators by specific objectives were adopted<sup>46</sup>. In addition, Article 2.2 of the Common monitoring and evaluation

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<sup>42</sup> Some MSs recorded the total compound number relating to an indicator in a given year (i.e. the total for the year in question and all the previous ones), while others only provided the additional number for that year (i.e. the change in the number). Some countries were not consistent in the units used for the indicators (e.g. number of hours of patrols conducted rather than the number of patrols conducted).

<sup>43</sup> Commission Delegated Regulation (EU) No 2017/207 of 3 October 2016 on the common monitoring and evaluation framework provided for in Regulation (EU) No 514/2014 of the European Parliament and of the Council laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management, OJ L33, 8.02.2017, p. 1.

<sup>44</sup> The Guidance on the Common Monitoring and Evaluation Framework was developed in the framework of the evaluation network. It is a living document which is regularly updated, following discussions with Member State authorities and other stakeholders which are held during working group and evaluation network meetings. It is available to the Member States.

<sup>45</sup> Regulation (EU) No 515/2014, Annexe IV.

<sup>46</sup> Commission Delegated Regulation (EU) No 2017/207, Annex IV, point 1.

framework provides that the Commission shall set out the definition, source and baseline for these the indicators<sup>47</sup>;

- Common indicators on efficiency, added value and sustainability<sup>48</sup>;
- Evaluation questions were set at the beginning of the implementation period of the Fund<sup>49</sup>.

To mitigate to the extent possible the limitations mentioned, different mitigation strategies were taken by the evaluator. For effectiveness and efficiency, the analysis was restricted to being based primarily on stakeholders' assessments, gathered through interviews with beneficiaries and RAs. In addition, the potentially positive stakeholder bias was corrected by looking at past achievements of predecessor programmes and the judgment of the evaluators. Overall, the availability, robustness and reliability of the data were sufficient to generate findings.

## 7 MANAGEMENT MODE OF THE EBF

The actions co-financed under EBF were implemented through two different management modes:

### 7.1 Shared management through the implementation of national annual programmes

**Programming:** Under the shared management mode, Member States hold the primary responsibility for the implementation and management and control of the interventions of the Fund. Under this management mode, the Fund is implemented on the basis of strategic **multiannual programmes** adopted for each Member State covering the 2007-2013 programming period. In addition **annual programmes** were negotiated each year with each Member State within the framework set by the multiannual programme to implement the annual financial allocation granted to each Member State.

**Calculation of the annual financial allocation** for each Member State: To express solidarity with the Member States who bear, for the benefit of the EU, a lasting and heavy financial burden, the Fund Basic Act lays down objective criteria broken down according to the type of border, taking into account **the flow and the levels of threat** at the external borders of the Member States<sup>50</sup>.

Article 14 provides that the total amount available for the Fund has to be broken down each year between the Member States as follows:

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<sup>47</sup> Commission Delegated Regulation (EU) No 2017/207, Article 2.2.

<sup>48</sup> Commission Delegated Regulation (EU) No 2017/207, Annex IV, point 2: (i) number of Full Time Equivalent in the Responsible Authority, the Delegated Authority and the Audit Authority working on the implementation of the Fund and paid by the technical assistance or national budgets as compared to the number of projects implemented and to the amount of the funds claimed for the financial year; (ii) technical assistance plus the administrative (indirect) cost of projects as compared to the amount of funds claimed for the financial year; (iii) absorption rate of the Fund; (iv) number of equipment in use 2 years after their acquisition/number of equipment acquired under the Fund (> than EUR 10 000); (v) share of the maintenance cost of acquired equipment under the Fund in the total Union contribution to actions co-financed by the Fund.

<sup>49</sup> Commission Delegated Regulation (EU) No 2017/207, Annex II.

<sup>50</sup> Decision No 574/2007/EC, Articles 14 and 15.

- (1) 30% for external land borders
- (2) 35% for external maritime borders
- (3) 20% for airports
- (4) 15% for consular offices.

Regarding land and maritime borders ((1) and (2)), 70% is allocated with respect to the length of the external border coupled with weighing factors determined by Frontex (see below). The remaining 30% is allocated on the basis of the work-load in managing the border (defined by the average figures over the previous two years of the number of persons crossing the borders at authorised border crossing points, the number of third country nationals refused at the external border and the number of persons apprehended after having crossed the external, border illegally). Article 15 sets out the framework for the calculation of the weighting factors for external land and maritime borders. The Frontex Agency has been entrusted with the task of identifying the levels of threat at each external border section (high, medium, normal risk for land borders and high, medium, normal, minimum risk for maritime borders). With regard to airports, the allocation is calculated according to the work-load at the air borders (defined by the average figures over the previous two years of the number of persons crossing the borders at authorised border crossing points and the number of third country nationals refused at the external border). As for consular offices the allocation is calculated according to the number of consular offices and the number of visa applications (work-load).

The provisional allocations were communicated to the Member States the year before (by 1<sup>st</sup> July each year<sup>51</sup>) the adoption of the annual programme in question and were based on average figures over the **previous two years** (e.g. allocation for the 2013 AP were based on average data of 2010 and 2011). In 2011, an assessment on the annual distribution of resources in the Member States for the SOLID Funds was carried out. The report concluded that the interpretation and measurement of the data to be provided for the implementation of the EBF proved difficult and burdensome at times for the Member States<sup>52</sup>. This is due to the fact that for the EBF the Member States were the main data suppliers for the purpose of the calculation of the annual allocation and, in this sense, the situation under the EBF differs fundamentally from the other three SOLID Funds for which the bulk, if not all of the data, are compiled as EU statistics. As the application of the criteria have converged the bulk of the EU available resources around those Member States most affected by migratory pressure, this 2011 report also concluded that this confirms the purpose of the Fund as an instrument of financial solidarity on integrated border management in the EU.

**Content of the Annual Programme:** The annual programme sets out the **actions** to be implemented in the Member State and indicates their purpose, scope, **beneficiaries (public authorities** in charge of border management and visa issuance), expected results and financial allocation (EU and national co-financing<sup>53</sup>). Each action is then implemented by one or more

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<sup>51</sup> Decision No 574/2007/EC, Article 23(2).

<sup>52</sup> Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions - The application of the criteria for the distribution of resources among the Member States under the External Borders Fund, the European Fund for the Integration of third-country nationals and the European Return Fund, 20 July 2011, COM(2011)448.

<sup>53</sup> A special case was the Lithuania National Programme as it included the Special Transit Scheme (STS) for Russian Federation citizens travelling on EU territory to and from the Kaliningrad region. This provided support to compensate

**project(s)** on the ground. In the shared management context, the projects are selected by competent national authorities. Member States are therefore independent and only ex post assessment is carried out by the Commission at the time of submission of the closure report of the annual programme in question.

During the eligibility period of each annual programme, Member States were entitled to request a **revision of their annual programme** to adjust the actions to the changing migration flows and/or emergency situations. Member States could not however request additional funding for the implementation of a specific annual programme.

The **EU co-financing rate** is set at 50%<sup>54</sup>. This rate may be increased to 75 % for projects addressing specific priorities identified in the Strategic Guidelines as well as for projects implemented by the Member States covered by the Cohesion Fund<sup>55</sup>.

**Technical assistance:** Member States were entitled to use the funds allocated to the AP to cover the management costs of the Fund<sup>56</sup>. For the AP 2011 to 2013, the technical assistance was set at 4% of the total annual amount of funding allocated plus EUR 30 000<sup>57</sup>.

**Closure of the Annual Programme:** The eligibility period of each annual programme was set at two years and a half (e.g. 2013 annual programme ran from 1 January 2013 until 30 June 2015). After the end of eligibility period, the Member States submitted a final report, which included an audit report. The part of the annual allocation not spent – if any – after the end of the eligibility period was lost for the Member States and de-committed for the Commission.

## **7.2 Direct management through the adoption by the Commission of Annual Work programmes (Community Actions including Emergency Assistance and Specific Actions)**

**Annual Work programmes:** Up to 6% of the EBF's resources were available to finance transnational actions or actions of interest to the EU as a whole (**Community actions**), at the Commission's initiative<sup>58</sup>. Political priorities and objectives for projects are defined in the Commission's annual work programmes (AWPs) adopted each year and calls for proposals launched following the approval of each AWP. The maximum duration of the awarded projects was 24 months.

In addition, to top up the allocation to Member State's Annual Programmes, the 2010 to 2013 AWPs provided for the possibility for the Commission to grant **emergency assistance** – without a call for proposal - to Member States in duly substantiated emergency situations requiring urgent action. Over the period, the Commission awarded 25 emergency actions grants under EBF Community actions for a total of EUR 39.96 million. These actions were implemented by public bodies of the Member States and/or International Organisations. The

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for foregone transit fees and additional costs involved in implementing the scheme in accordance with the Protocols of the Act of Accession into the EU.

<sup>54</sup> Decision No 574/2007/EC, Article 14(4).

<sup>55</sup> Decision No 574/2007/EC, Article 14(4).

<sup>56</sup> Decision No 574/2007/EC, Article 18.

<sup>57</sup> Decision No 574/2007, Article 18(2)(b).



duration of the projects supported by the Fund under emergency assistance ranged from 6 months to 12 months.

**Annual Work programmes – Specific Actions:** Between 2010 and 2012, the Commission adopted AWP dedicated to **Specific Actions**<sup>59</sup> to be implemented by the Member States and which contributed to the development of the Integrated Borders Management System (IBMS) by addressing weaknesses at strategic border crossing points identified in the risk analysis carried out every year by Frontex (see Section 7.1)<sup>60</sup>. The available resources for these actions were capped at EUR 10 million per year. The financial assistance from the Fund for specific actions was limited to a period of six months and complemented the activities carried out under the national annual programmes. Over the period, the Commission awarded 23 Specific Action grants for a total of EUR 22.26 million.

## 8. IMPLEMENTATION STATUS OF THE TWO MANAGEMENT MODES

The EBF was launched in 2007 with a total allocation of EUR 1 820 million. The allocation for the period 2011-2013 was equal to EUR 1 118 million, out of which EUR 1 032 million for shared management (including the Special Transit Scheme for Lithuania) and EUR 86 million for direct management (Community actions including Emergency and Specific Actions implemented under the AWPs 2010 to 2013). The table below shows the EU distribution of financing to the different management modes during the period under assessment.

Table 1: Total programmed EU contribution for EBF in 2011-2013 (in EUR)

	2010	2011	2012	2013	Total
<b>Shared management (via annual programmes)</b>	Out of the scope of the evaluation	253 762 001	337 910 920	440 706 601	<b>1 032 379 522</b>
<b>Direct management (via AWPs)</b>	21 650 000	21 000 000	31 607 080	11 848 562	<b>86 105 642</b>
<b>Total EBF EU budget</b>	<b>21 650 000</b>	<b>274 762 001</b>	<b>369 518 000</b>	<b>452 555 163</b>	<b>1 118 485 164</b>

### 8.1 Implementation through shared management<sup>61</sup>

Finding 1: Absorption rates are good and remain stable at 87%

<sup>58</sup> Decision No 574/2007/EC, Article 7.

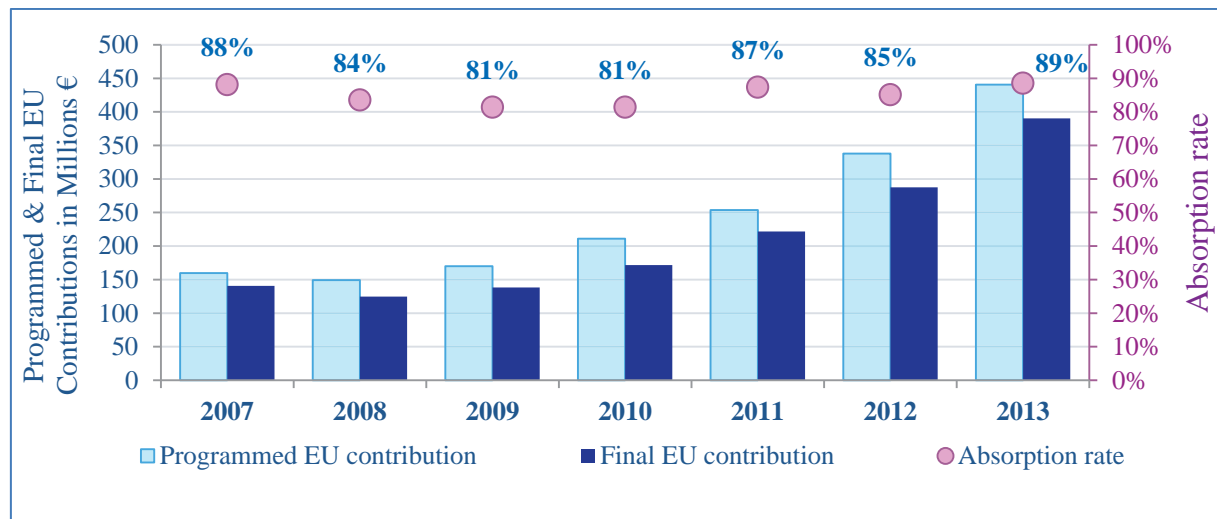
<sup>59</sup> Article 19 of Decision No 574/2007/EC. EBF Specific Actions have been discontinued since 2012. While the overall definition of eligible and high priority border sections was relevant to the actual situation on the ground (based on Frontex risk assessment), the assessment of specific needs and how these can be met through Specific actions was not specific enough, leading to implementation of actions that overlapped with other EBF parts, such as the Emergency actions or the national APs. The main issues with Specific actions were already raised by the European Court of Auditors Special Report on the EBF (2014) and addressed by the Commission, including through abolishing Specific actions in the next programme period and the related legal framework. Problems were mainly related to the lack of coordination of the objectives – and the Specific actions funded – with the other parts of the EBF, and similar activities have been supported both under the Emergency actions but also under the national APs, while the EU added value was not always clear. Finally not all projects included clear monitoring indicators and reporting was poor in many instances.

<sup>60</sup> Decision No 574/2007/EC, Article 15.

<sup>61</sup> The implementation of the actions under national programmes ran until June 2015, hence some annual programmes were not closed yet when this ex post evaluation was carried out. At the end of 2016, nine annual programmes were still to be closed out of 83 (28 countries for three years but LU did not participate in 2013). Implementation statistics presented in this document are based on an updated extraction from ABAC/SFC dated 31 December 2016.

As illustrated by Figure 1, the programmed EU contribution rose progressively from 2007 to 2010. The total allocation to the 2013 annual programmes saw an increase of 74% in comparison to the 2011 allocation (from EUR 254 million to EUR 441 million). The average absorption rate for EBF 2011-2013 annual programmes ranges between 85% and 89% and is 87.1% overall for the evaluated period. The average implementation rate for the previous evaluation period (2007 to 2010 APs) was 86.7%<sup>62</sup>.

Figure 1: Programmed<sup>63</sup> and final<sup>64</sup> EU contributions and absorption rates by year, EBF shared management, 2011-2013



Source: European Commission's data as of 31/12/2016 (ABAC/SFC)

Obstacles to 100% absorption rates put forward by stakeholders through the NERs and case studies were:

- Secondary impacts of the financial crisis affecting the conditions for borrowing;
- Member States with relatively young border management systems having to build capacity;
- Administrative delays which had an impact on the capacity to stick to the agreed deadlines.

Despite the obstacles listed above, the absorption rate of the Fund in shared management remains high throughout the evaluation period and is the highest out of the four SOLID Funds<sup>65</sup>. This is due to the fact that projects of a more significant financial value are implemented under EBF and that EBF beneficiaries are state institutions, which means that the implementation processes are quite straightforward.

<sup>62</sup> COM(2014)235, p.6.

<sup>63</sup> Allocation granted to the Annual programmes of the Member States.

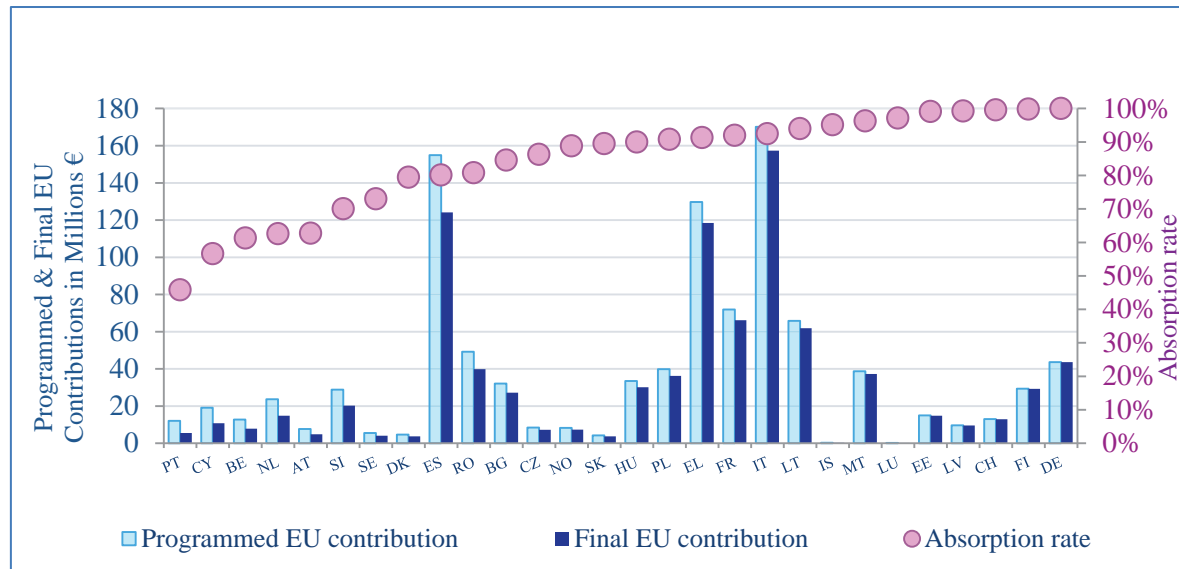
<sup>64</sup> Actual costs incurred reported by the Member States in their closure report submitted each year after the end of the eligibility period of the Annual programme in question.

<sup>65</sup> The European Refugee Fund and the European Return Fund had an absorption rate of 81% for the same period whereas for the European Integration Fund it was of 77%.

*Finding 2: Due to the calculation method of the annual allocations to Member States, the distribution of EBF funding mostly focused on support to the Europe's southern Member States*

As highlighted in Figure 2 below, programmed and final EU financing were the highest in the Member States' located on Europe's southern maritime borders (IT, ES, EL). All in all, these three Member States accounted for 44% of the total programmed EU contribution.

Figure 2: Programmed and final EU contributions and absorption rates by Member State, EBF shared management, 2011-2013



Source: European Commission's data as of 31/12/2016 (ABAC/SFC)

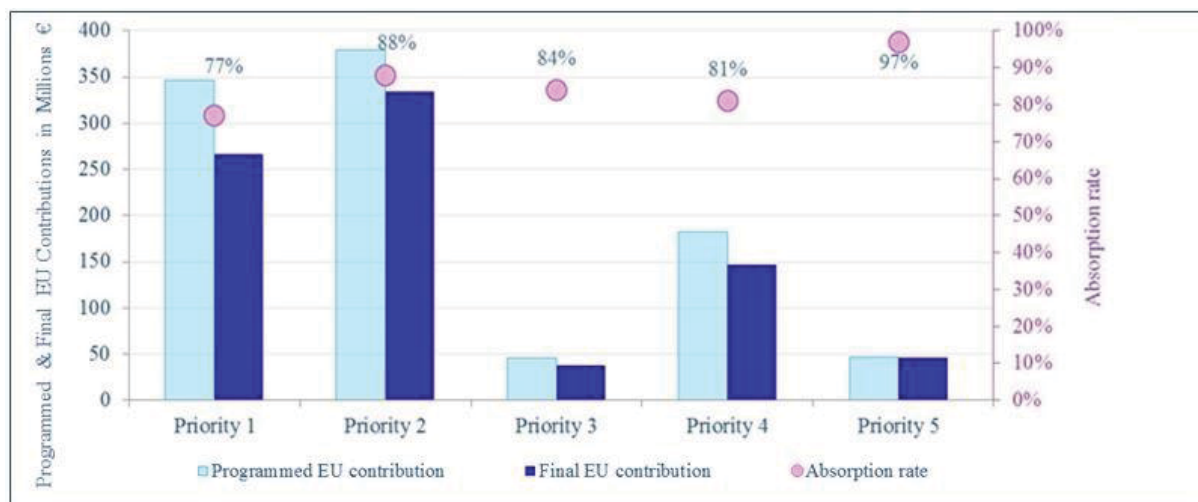
*Finding 3: EU funding was concentrated on Priorities 1 and 2 (General Objective 1)*

Under the 2011-2013 annual programmes, funds were allocated to the five priorities unequally. Figure 3 below shows that 72% of the Fund under the 2011-2013 APs was absorbed to support Priority 1 and Priority 2 of the Fund, namely support to the IBMS (checks and controls) and the support for the development and implementation of EUROSUR and the EPN (European Surveillance System and Patrol Network). Priority 2 in particular is the most commonly financed priority by programmed (EUR 379 million) and by final EU contributions (EUR 334 million). Priority 4 supporting the establishment of large-scale IT systems such as SIS and VIS received 147 million.

Priority 3 supporting the issuance of visa and the tackling of illegal immigration by the consular services in third countries was the least popular in terms of allocation of funding (42.4 million). For Priority 5, the overall programmed EU contribution for the period was EUR 47.34 million. However, this figure is misleading as over EUR 40 million of the programmes funds for Priority 5 benefited the Special Transit Scheme for Lithuania<sup>66</sup>.

<sup>66</sup> A special case was the Lithuania National Programme as it included the Special Transit Scheme (STS) for Russian Federation citizens travelling on EU territory to and from the Kaliningrad region. This provided support to compensate

Figure 3: Programmed and final EU contribution by Priority 2011-2013



Source: European Commission's data as of 11/05/2016 (SFC2007)<sup>67</sup>

## 8.2 Implementation through direct management

Community Actions (including Specific Actions and Emergency Actions) were implemented through direct management. The total programmed EU contribution in the Annual Work Programmes was EUR 86 million, of which only EUR 69 million were awarded. At the end of 2016, the global amount of EU funds already paid accounted for EUR 51 million, showing an absorption rate of 74%.<sup>68</sup>

Of 79 projects selected under the 2010 and 2013 AWP, 69 closed<sup>69</sup> projects were mostly concentrated in 2011 and 2012. Absorption rates were 67% in 2010, 75% in 2011, 71% in 2012 and 91% in 2013. Although the average absorption rate per project (74%) is lower than for shared management, absorption rates increased over time for projects conducted under this mode, suggesting an increase in expertise among stakeholders as the Fund progressed through the cycle.

The mechanism that was best able to use its programmed funding was Emergency Actions, with an absorption rate of 80%. The Specific Actions were more complicated to implement as they had to be completed within a 6-month time frame, which caused difficulties with procurement and resulted in a rather low absorption rate (67%). Community Actions (other

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for foregone transit fees and additional costs involved in implementing the scheme in accordance with the Protocols of the Act of Accession into the EU.

<sup>67</sup> Source: SFC2007 11/05/2016. These data were aggregated manually and are an undercount as not all final reports had been received at this juncture and projects spanning more than one Priority are not included.

<sup>68</sup> More details on the programmed and awarded contributions for EBF direct management are provided in Annex 5. The absorption rate is calculated on the awarded contributions.

<sup>69</sup> Data at the time of the drafting of the external study (European Commission (2017) *External Study on the Ex Post Evaluation of the EBF 2011-2013*). Projects are regarded as closed/completed once the Technical Implementation report has been received and approved, final payment (and de-commitment, if applicable) made.

than emergency actions and specific actions) have been slow to draw to a close and absorption is rather low (63%).

## 9. ANSWERS TO THE EVALUATION QUESTIONS

### 9.1 Relevance – Utility

#### 9.1.1 Relevance

**EQ1a:** *To what extent did the objectives of the EBF correspond to the needs related to the management of the EU external borders and the processing of the Schengen visas?*

**Main conclusion:** Overall, the evaluation showed that Member States considered the EBF objectives relevant as they were **satisfied with the degree of correspondence of EBF general objectives<sup>70</sup> to their needs** related to the management of the EU external borders (land, maritime and air external borders) and the processing of the Schengen visas. The allocation of funding to each Member State was based on historic inflows (previous two years) and took into account risk factors on external borders and the workload to manage each external border section. Consequently, a significant part of the Fund was allocated to Member States experiencing high migration pressure at the southern and south-eastern external borders and to the Member States with significant influx of bona fide travellers. Member States located at southern and south-eastern external borders of the EU invested heavily in surveillance systems and in ad hoc reinforcement of capacity to check and control their borders, with less emphasis on actions related to Schengen visas and IT systems while Member States where irregular migration was relatively low and/or with no or limited land and maritime external borders, invested in actions targeting the efficient management of the legal flows of persons at the external borders or in Schengen visa-related actions and actions in third countries.

A weakness identified by the evaluation refers to the eligibility conditions which sometimes prevented certain needs from being fully addressed such as insufficient staffing at BCPs and equipment or infrastructure used by both border guards and custom officers (mixed use).

As regards funds implemented under direct management, the priorities of Community Actions were configured to change on an annual basis and, hence, responded to short-term needs.

Overall, the objectives of the EBF had, in the period under evaluation, a high degree of correspondence to the need related to the management of the EU external borders (land, maritime and air external borders) and the processing of the Schengen visas. The evaluation showed that, in terms of prioritisation of needs at national level, the major criterion with regard to investments at the external borders under **shared management** was the migration pressure (irregular flows). Investments were also needed at external borders which did not experience immediate migratory pressure in order to ensure a smooth and fast crossing of *bona fide* travellers.

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<sup>70</sup> Please see section 3 for further details on the interlinkage between specific priorities and general objectives.

As indicated in section 7.1, a significant part of the Fund was allocated to Member States facing significant migration pressure at the southern and south-eastern external borders. The major challenge of the period was a sudden and unforeseen increase in migratory pressure on these parts of EU external borders. This situation has been taken into consideration in the allocation of EU financing, as it was highest in the Member States facing those challenges. Italy, Spain, and Greece together accounted for 44% of the total programmed EU contributions under the 2011 to 2013 APs. These Member States invested heavily in surveillance systems and (in the case of EL) in *ad hoc* reinforcement of capacity to check and control their borders, with less emphasis on actions related to Schengen visas and IT systems.

Member States where migration pressure deriving from irregular migration flows was relatively low and/or with no or limited land and maritime external borders invested in actions targeting the efficient management of the legal flows of persons at the external borders (e.g. ABC or upgrades of BCPs) or in Schengen visa-related actions and actions in third countries (e.g. VIS upgrades or the deployment of document advisors in third countries). For instance France received the fourth highest allocation under the 2011 to 2013 APs, behind Italy, Spain and Greece. This is mainly due to the fact that the allocation key (See Section 7.1) also takes into account the workload at airports (number of persons crossing the external border at authorised border crossing points and number of third country nationals refused entry at the external border) and the number of consular offices and their workload (number of visa applications). For these two criteria (airports and consular offices) that form part of the allocation key alongside the criteria of land and maritime borders, France ranked first for the 2011 to 2013 EBF allocations.

For bigger Member States accustomed to larger migration flows, the EBF played a complementary role to national budgets, while for smaller countries with limited means the EBF financed investment<sup>71</sup> that according to Member States would not have been possible otherwise. Furthermore, the new EU Member States had to invest heavily in order to catch up with the other Member States and implement as early as possible the IBMS.

The relevance of the EBF has been ensured by the way national annual programmes (APs) were developed and revised. Recognising the ever-changing risks and priorities with regard to the management of external borders, the 2007-2013 MAPs defined national needs and priorities in very broad terms and the APs provided an updated and more detailed analysis of needs and respective solutions. As explained in Section 7.1, the annual exercise to allocate funding to the APs, which was based on a methodology foreseen in the legal basis and which took into account risk factors on external borders and changes in migratory pressure *inter alia*, represented a regular check on the rising or changing needs of each Member State. This ensures that the funds went to the Member States in the appropriate proportion. An assessment of the annual distribution of resources in the Member States for the SOLID Funds made in 2011<sup>72</sup> concluded that the application of the criteria was generally perceived as

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<sup>71</sup> For instance, HU reported the investment under EBF as highly relevant to its needs in 2011. Indeed, before investing under EBF, waiting lines at HU borders with Serbia and Ukraine caused significant inconvenience for passengers and freight traffic entering and exiting the EU. Moreover, the long queues at the border presented an environmental threat hence numerous complaints and negative media coverage were reported.

<sup>72</sup> Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions "The application of the criteria for the distribution of resources among the Member States under the External Borders Fund, the European Fund for the Integration of third-country nationals and the European Return Fund", COM (2011) 448.

satisfactory and therefore it was not deemed necessary to amend the criteria.

In the period implementation of the 2011 to 13 APs, most of the MS revised their APs at least twice. Revisions included additional projects and modification of actions and their respective budgets. For instance, in Italy whose needs changed unpredictably as it faced increasing pressure on its borders over the period, 35 new actions were introduced via the Annual Programmes through revisions. Consequently the budget allocated to less urgent actions decreased. In fact, in many cases the revisions were prompted by changing needs and priorities of the Member States.

The evaluation concluded that while the EBF was sufficiently broad to cater for most scenarios, the EBF still had eligibility limitations that prevented the implementation of some actions that could have addressed the identified needs such as insufficient staffing at border crossing points (BCPs). This shortcoming has been addressed under ISF with the introduction of the operating support which gives the possibility to Member States to use up to 40% of the amount allocated under the instrument to their national programmes to finance operating support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union, including staff costs<sup>73</sup>. Another example of eligibility limitation quoted by some Member States was that upgrades of BCPs where border guards and customs officers work together in the same facilities (mixed use) were only partially eligible under the EBF, i.e. such actions were only partially financed to the extent that they were linked to the objectives of the Fund<sup>74</sup>. This however was kept in the ISF as the control of goods is not part of the objective of the Fund<sup>75</sup>.

As regards funds implemented under **direct management**, the priorities of **Community Actions** were configured to change on an annual basis and, hence, responded to short-term needs. They have been of high relevance for supporting the needs of broader and strategic EU-level initiatives such as EUROSUR by funding the interlinking and exchange of information between MS National Coordination Centres and deployment of Immigration Liaison Officers in third countries (ILOs)<sup>76</sup>. Consular co-operation, which was a high priority, enabled MSs to work together by rationalising visa processing and pooling resources such as staff and rentals.

The flexibility of Community actions enabled to direct a large proportion of funding to **Emergency Actions** as the needs arose. For example, Bulgaria was granted 2.4 Million EUR to implement an action as of 1<sup>st</sup> December 2013 aimed at addressing the migratory pressure at the Bulgarian-Turkish border (reinforcing first reception services, additional deployment of border guards and covering essential needs for migrant reception as well as multidisciplinary

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<sup>73</sup> See article 10 of Regulation (EU) 515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC.

<sup>74</sup> HU, PL.

<sup>75</sup> Article 4.5 of Regulation (EU) No 515/2014.

<sup>76</sup> Immigration liaison officer is a representative of one of the Member States, posted abroad by the immigration service or other competent authorities in order to establish and maintain contacts with the authorities of the host country with a view to contributing to the prevention and combating of illegal immigration, the return of illegal immigrants and the management of legal migration.

teams). Bulgaria was granted emergency assistance once during the period under evaluation. This reflects the migratory movement and pressure this land border was experiencing at the time, mostly due to the ongoing conflict in Syria. Following a set of Greek operations in August 2012 as well as the continued implementation of Frontex coordinated Joint Operations the Greek-Turkish land border saw a significant drop in detections. Consequently, migration flows rerouted partly to the Bulgarian-Turkish land border. The detections of illegal crossings at this land border started to increase slowly and then sharply as of August 2013. At the time of this crisis, the 2013 allocation to the AP of Bulgaria had already been approved and it had been calculated on the basis of 2010 and 2011 data and the Frontex analysis carried out in the first semester of 2012. Even though emergency assistance under the EBF and under ISF are overall similar tools, additional elements of flexibility were added to the emergency actions supported under the ISF, such as the possibility to adopt a separate financing decision without comitology, the possibility to finance projects whose implementation started before the submission of the request for emergency assistance, the possibility to finance projects up to 100%, the possibility to grant emergency assistance to agencies and the possibility to finance actions linked to third countries.

On the other hand, **Specific Actions** were not sufficiently well focused. Specific Actions deemed to be administratively heavy to implement and resulted in an overlap with Emergency Actions and projects implemented under the national programmes. To address this problem, it was decided to abolish Specific Actions under direct management in the subsequent funding instrument and include such actions in the ISF national programmes to allow Member States to have more ownership and flexibility.

### **9.1.2 Utility**

While the evaluation criteria 'relevance' assesses the extent to which the Fund objectives are pertinent to needs that are to be addressed, the criteria 'utility' is a measure of whether results and impacts achieved do correspond to the needs identified.

It has already been mentioned that the RAs didn't have the obligation to monitor to what extent results were achieved. Therefore, due to the lack of available information on wider results and impacts of actions supported by the Fund and given the absence of an initial baseline against which any results and impacts could be evaluated (see section 6 for more on methodological limitations), the evaluation study cannot draw conclusions on the degree of correspondence of the results and/or impacts to the needs.

## **9.2 Effectiveness**

To report on effectiveness of the Fund, the analysis presented below is structured around the overarching objective and the 4 general objectives set out in the legal basis. The assessment is based on 10 evaluation questions (EQs2-11) which address the overarching objective, the general objectives and priorities.



General Objective 1 - Interoperable checks and surveillance systems: EQs 2, 4 and 5;  
General Objective 2 - Efficient management of flows of persons at the external borders: EQs 3 and 6  
General Objective 3 - Uniform application by border guards of the provision of EU Law on the crossing of the external borders: EQs 7 and 11;  
General Objective 4 - Management of consular, ITech and co-operation activities: EQs 9, 10 and 11.

Overarching objective - Support the process towards the IBMS through a solidarity mechanism among Member States

As indicated in section 6, some methodological limitations have made the assessment of the overall effectiveness of the EBF particularly challenging. Due to the lack of a baseline and of comparable indicators, it has not been possible to establish causal links between the EBF's intervention and observed impacts or results. Effectiveness has been evaluated only in terms of outputs, as these were more easily measured and compared across Member States than impacts or results. Furthermore, the measuring of outputs has relied on largely qualitative rather than quantitative reporting from the Member States. However, where possible, potential causal links have been highlighted. The second difficulty in assessing whether the Fund has been effective relates to its general objectives according to the legal basis. These general objectives were not expected to be achieved by the end of the EBF but were rather longer-term goals. Therefore, the overall effectiveness of the EBF 2011-2013 (i) has been assessed where possible against priorities and other elements related to the Union's overall borders policy architecture (such as EUROSUR, VIS or SIS II) and (ii) should be seen as a series of building blocks progressively building towards the achievement of the overarching policy objectives.

In this context, globally, the evaluation concluded that the EBF effectively contributed to the achievement of the objectives laid down in the legal basis. The evaluation reviewed the extent to which the EBF 2011-2013 actions contributed to the gradual establishment of the common Integrated Border Management System (IBMS) through a solidarity mechanism<sup>77</sup> between Member States. This required the development of capacities, procedures and infrastructure that allow for a high, uniform, effective and efficient level of control on persons and surveillance at the external borders of the Member States of the Union. The deployment and functioning of EU-wide integrated systems which constitute the backbone of an integrated management of the external borders of the EU Member States suggests that the Fund achieved its objectives to a large extent. The concerned systems are the Schengen Information System (SIS II), the Visa Information System (VIS), the European Surveillance System (EUROSUR), the European Patrols Network (EPN), as well as joint missions coordinated by Frontex, to which an increasing number of MSs can contribute thanks to the availability of duly trained staff, upgraded surveillance systems and integrated information systems.

In addition to the above factual results, Member State public authorities referred to another significant result achieved with EBF support: the smooth flows of persons at Europe's

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<sup>77</sup> For more information on the solidarity mechanism please see the dedicated sub-section under section 9.2 (Effectiveness).

external borders thanks to the application of the Schengen code in practice.<sup>78</sup> This required an increase in staff capacity, the set-up of common operations and the use of interoperable equipment. This being said, it is important to note that this is only a qualitative assessment based on interviews with the national authorities. The EBF legal base did not require Member States to report on this.

**Objective 1 – Efficient organisation of control, covering both checks and surveillance tasks relating to external borders**

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<sup>78</sup> This was mentioned as a contribution of the EBF by 9 out of 10 respondents to an open Internet-based public consultation carried out by DG HOME in the context of this ex post evaluation (these respondents were public authorities from 7 Member States: 2 from Spain, 2 from Lithuania, 1 from Portugal, 1 from Cyprus, 1 from Slovakia, 1 from Hungary and 1 from Malta).

**EQ2:** *To what extent did the EBF 2011-2013 actions contribute to the efficient organisation of control, covering both checks and surveillance tasks relating to the external borders?*

**EQ4 to assess priority 1:** *To what extent did the EBF 2011-2013 actions contribute to the gradual establishment of the common integrated border management system as regards the checks on persons at and the surveillance of the external borders?*

**EQ5 to assess priority 2:** *To what extent did the EBF 2011-2013 actions contribute to the development and implementation of the national components of a European Surveillance System for the external borders and of a permanent European Patrol Network at the southern maritime borders of the EU Member States?*

**Main conclusions:**

Overall, the EBF was evaluated as having been effective at national level. In particular, Member State qualitative assessments suggest that automatic checks for regular migrants have contributed to the reduction of border crossing times in most Member States. They also suggest that the infrastructure at BCPs as well as the systems and processes to deal with the flow of persons at BCPs have been improved. In fact, Member States reported that the investments made in equipment and systems aimed at increasing the surveillance capacity of MSs at the external borders contributed to greater efficiency in detecting irregular migrants.

However, some difficulties emerged when it came to assessing the overall effectiveness of the EBF at EU level, given the lack of an initial baseline and the fact that the EBF monitoring and evaluation system did not allow for detailed monitoring and assessment of the performance of the Fund<sup>79</sup>. Set indicators were rather weak and monitoring data were not fully reliable.

With this limitation in mind, the evaluation found that at EU level the EBF 2011-2013 actions made a positive contribution to the establishment of the common integrated border management system (priority 1) by promoting the harmonisation of checks on persons at border crossing points (BCPs) through training programmes; the construction and upgrading of BCPs; acquisition of vehicles, vessels and aircraft used for border patrols; acquisition of equipment and ITech to undertake checks on persons and the authenticity of documents; purchase of ITech and the establishment/development of surveillance systems, allowing for closer and more extensive monitoring of the external borders and exchange of information; construction of first reception and detention facilities for irregular migrants as well as the purchase and installation of ABC gates (e-gates).

The EBF made a positive contribution to the development of a European Surveillance System for the external borders and an EPN at the Southern maritime borders of EU Member States (priority 2), as the actions funded contributed to an increased surveillance capacity of Member States which resulted in a more efficient detection of irregular border crossings.

With regards to **priority 1**, related to the checks on persons at the external borders and the surveillance of the external borders, the evaluation showed that the underlying aims have been achieved and were perceived by stakeholders to be effective.

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<sup>79</sup> Under the ISF, the European Commission has addressed this issue by developing a common monitoring and evaluation framework with the active cooperation of the Member States.

On land, 193 BCPs and infrastructures at BCPs were constructed, renovated and/or upgraded with the support of the Fund. In addition, EBF supported the improvement of facilities related to BCPs i.e. reception centres, screening and first detention centres, and vehicle parking lots. Different types of equipment, and software and hardware were purchased for border control at land BCPs. MSs considered that the equipment significantly reduced the time needed for border checks, hence making the checks more efficient and effective. Overall, most MSs reported positively on the purchase of vehicles<sup>80</sup>, commenting on the increased efficiency of patrolling and checks on persons at harder-to-reach parts of the Schengen external border.

Under the EBF 2011-2013 APs, more than 200<sup>81</sup> e-gates were installed with MSs reporting that this installation contributed to positive effects, such as an increase in efficiency of border checks of travellers (BE, FI, IT, NL), the reduction of processing time per passenger (BE), a more effective use of human resources (BE, EE, NO) and improving the quality/security of border checks through facial recognition and document checks). In addition, according to qualitative assessments made by MSs, the e-gates contributed to smooth border crossings (FI, NL), reduced queuing (FI, NL), and improved customer satisfaction (FI, NO). However, Bulgaria and Norway noted that the time spent at border controls was not necessarily reduced for passengers using the e-gates; they also reported a lower than expected usage rate of the e-gates by passengers (BG NER and NO case study).

For maritime border and surveillance, some MSs purchased planes, helicopters and vessels<sup>82</sup>, such as coastal patrol vessels and rigid inflatable boats. In fact, MSs reported positively on the purchase of sea vessels, stating that they optimised surveillance of the external maritime borders, in terms of the area covered and conditions in which they can be deployed (i.e. in bad weather conditions and at night).

The combined use of systems and equipment described above allowed the achievement of the following outputs:

- **Interoperability of national communication systems** – a number of projects were successfully implemented (e.g. FR: setting up of the SIAM system<sup>83</sup>; ES: maintenance and improvement of the SEAHORSE communications network<sup>84</sup>).
- **Improved capacity for border controls** at the land and maritime borders and airports. Overall, 1,410 out of 1,700 BCPs were equipped with equipment acquired or upgraded under the 2011-2013 APs.<sup>85</sup>

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<sup>80</sup> In total 2,736 vehicles were bought with EBF funding (2011-2013) across 14 countries.

<sup>81</sup> Based on information drawn from the National Evaluation Reports of ten MSs.

<sup>82</sup> Overall, 14 Member States acquired or upgraded 127 vessels through EBF funding in the 2011-2013 timeframe.

<sup>83</sup> SIAM refers to for aero-maritime integrated system ('*Système Intégré Aéro-Maritime*' in French) This system secured multichannel transmission (radio and satellite) between naval, air and land patrol units, harmonising working methods and increasing the exchange of information (NER FR).

<sup>84</sup> The SEAHORSE communications network interconnects National Coordinating Centres with African third countries which are at the origin of irregular immigration in the North Atlantic area (Morocco, Mauritania, Senegal, Cape Verde, Guinea Bissau and Gambia). The proper functioning of this network is considered essential for the monitoring and control of the external borders (ES NER).

<sup>85</sup> According to the data reported in the NERs.

- **Interoperability of the control of external borders** which takes into account the results of the common integrated risk analysis<sup>86</sup> (e.g. AT, BE, ES, NO installed or further developed e-gates).
- **An increased capacity for Member States to take part in and/or contribute to operational cooperation** between Member States as coordinated by the Frontex Agency (e.g. BE: purchase of a video platform to equip a helicopter which enabled the Federal Police to do around 300 hours of surveillance per year at its maritime border; ES: SIRDEE communications terminals for the border control units at the Mediterranean Basin, Balearic Islands and Canary Islands. This contributed to operational cooperation such as the SIRDEE network, which with the new handheld radios allowed Spanish law enforcement agencies and border control units to perform secure voice and data communications throughout the national territory)<sup>87</sup>.

With regards to **priority 2**, which supports the development of a European Surveillance System for the external borders and EPN at the Southern maritime borders of the EU, the evaluation concluded that actions funded in this area had a positive effect in terms of increasing the surveillance capacity of MSs at the external borders.

This is mainly due to the combination of:

- Purchase and/or upgrading of equipment such as aircraft, vessels, vehicles, radios, camera, radars and sensors for detection, identification and intervention at the borders ;
- Implementation of systems to facilitate coordination and national improvements to improve patrol capacity, including equipment in patrol vehicles/vessels and,
- Dissemination and sharing of information 24/7 between all authorities involved in external border control.

Overall, it can be concluded that the actions funded under Priority 2 contributed to the development and implementation of the national components of a European Surveillance System for the external borders. Several Member States have established sophisticated surveillance systems with EBF funding, in particular Spain (SIVE) and France (SPATIONAV) in terms of maritime surveillance systems. Bulgaria also established an Integrated System for Surveillance (ISS) along the border with Turkey as a result of the increased migration pressure on the Bulgarian-Turkish border<sup>88</sup>. Other important investments under priority 2 in this regard include the establishment of National Coordination Centres (NCCs) that supported these surveillance systems and functioned as the backbone of EUROSUR, fostering operational cooperation within Member States in the field of border control. The EBF also contributed to the integration of Member State civil-guards maritime coastal and border surveillance systems into EUROSUR.

The EBF also supported the development of the national components of a European Patrol Network (EPN), the platforms for the joint surveillance of Europe's southern and south-

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<sup>86</sup> See Article 4 of Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, which tasks Frontex with the development and application of this common integrated risk analysis model.

<sup>87</sup> This equipment should be put at the disposal of Frontex via a specific database, so as to use it also in common operations coordinated by Frontex.

<sup>88</sup> Bulgaria received funding for this under priority 1 rather than priority 2.

eastern maritime borders. Spain, France and Italy have all used EBF funding to acquire different types of equipment such as aircraft, helicopters and vessels equipped with modern technology to increase and improve the capacity of their patrolling of the Mediterranean Sea. Surveillance and patrolling of the Baltic Sea was also enhanced, thereby contributing to increased surveillance of EU external borders.

As can be seen in table 2 below, the fact that there was an increase in land, air and maritime surveillance patrols over the period of implementation of the Fund suggests that EBF investments under priority 2 were effective to some extent.

Table 2: Land, air and maritime surveillance patrols in 2010-2014

	2010	2011	2012	2013	2014	Increase 2010-14
Number of border surveillance flights performed	14 559	15 886	15 067	15 254	16 314	12%
Number of border surveillance patrols using vehicles	647 518	717 455	787 713	822 006	781 455	21%
Number of border surveillance patrols using vessels	60 438	66 192	62 071	67 513	69 801	15%

Source: Data compiled by Optimity Advisors from Member State NERs.

**Objective 2 – Efficient management of flows of persons at the external borders in order to ensure, on the one hand, a high level of protection at the external borders and, on the other hand, the smooth crossing of the external borders**

**EQ3:** *To what extent did the EBF 2011-2013 actions contribute to the efficient management by the Member States of the flows of persons at the external borders in order to ensure, on the one hand, a high level of protection at the external borders and, on the other, the smooth crossing of the external borders in conformity with the Schengen acquis and the principles of respectful treatment and dignity?*

**EQ6 to assess priority 4:** *To what extent did the EBF 2011-2013 actions contribute to the establishment of IT systems required for implementation of the EU legal instruments in the field of external borders and Schengen visas?*

**Main conclusion:**

Overall, the actions undertaken under Objective 2 of the EBF appear to have fulfilled their purposes, in particular the full implementation of the VIS and SIS II. The implementation of the VIS in turn contributed to the real-time identification of forged and falsified documents at BCPs, strengthening visa security.

The efficient management of flows of persons requires equipment and IT systems to enable the checking of persons at BCPs, human resources capable of undertaking the border check tasks using equipment and IT systems (mainly through training), co-operation/information exchange on forged or false travel documents between all BCPs along the external borders in real time. This is achieved through (i) first-line collection of information at the point of visa application and (ii) second-line identification of false or forged documents at BCPs.

With regards to **IT systems**, given the need to launch the Schengen Information System (SIS II) in 2013 and the rolling out of the VIS between 2011 and 2015, the Commission identified investments linked to the SIS II and the VIS as a main priority – priority 4.

Some actions funded under the EBF 2011-2013 APs aimed to improve **co-operation and information exchange** between BCPs through the use of VIS and SIS II. Indeed, all Member States implemented actions relating to VIS or SIS II. It has been noted that some countries (such as Iceland) have only participated in the EBF to get specific funding relating to these actions.

**SIS II** was launched in April 2013 and the EBF contributed to the Schengen information management and coordination by:

- Development, testing and implementation of national SIS II systems.
- Upgrading or modernisation of the **SIRENE** bureaux. **SIRENE** bureaux are responsible for any supplementary information exchange and coordination of activities connected to SIS alerts; as such, they are a key link in the successful implementation of the SIS.

For the purpose of the implementation of the **VIS**, consular posts and external border crossing points of the Schengen States should be connected to the central VIS database. The integration of Member States' information systems into the VIS enhances consistency in visa security and applications and consequently reduces 'visa shopping'. This has been achieved, at least partly, through EBF-funded actions. According to 2015 data, there were 1 628 consulates of EBF Member States in non-Schengen countries<sup>89</sup>. The EBF made a positive contribution in this area by supporting the connection of 63.3% of all consulates between 2011 and 2013. There are approximately 1 700 sea, air and land BCPs with non-Schengen States<sup>90</sup>, more than half of which were supported by the EBF for joining the VIS. 1 072 out of 2 189 consulates had access to and input into VIS by the end of 2014, an increase of 573%; 889 had access to SIS II by this time. In addition, 914 BCPs are now connected to VIS. In December 2015 the system was publicly declared to be fully operational<sup>91</sup>.

In addition to border guard **training**, the EBF has also funded the development of new **working methods, logistical measures and state-of-the-art technology to strengthen systematic controls of persons on entry and exit at BCPs**. The number of border guards that have been trained (22 505) suggests an increase in capacity and expertise. Most MSs reported a positive change in terms of the number of false or falsified travel documents detected at BCPs with equipment acquired or upgraded under the 2011-2013 APs.

In terms of management of flows of persons at the external borders, the EBF contributed to some extent to the following outputs:

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<sup>89</sup> RO, BG and CY were considered as part of the Schengen Area.

<sup>90</sup> Calculations of evaluation experts based on notifications under article 34 of Regulation (EC) No562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code).

<sup>91</sup> European Commission daily news briefing, 2 December 2015: *Schengen Visa Information System now fully operational worldwide* – <http://europa.eu/rapid/midday-express-02-12-2015.htm>

- More than 200 000 false /falsified travel documents or Schengen visas were detected at BCPs 2011- 2014;
- An increase in the capacity and level of qualification of border guards to undertake border checks and surveillance tasks (according to Member State NERs);
- VIS and SIS II became fully operational, facilitating working processes for more effective structural, strategic and operational coordination between all authorities operating at BCPs at the national level.

### **Objective 3 – Uniform application by border guards of the provision of EU Law on the crossing of the external borders**

**EQ7:**<sup>92</sup> *To what extent did the EBF 2011-2013 actions contribute to the uniform application by border guards of the provisions of EU law on the crossing of external borders, in particular Regulation (EC) No 562/2006*<sup>93</sup>?

**EQ11 to assess priority 5:** *To what extent did the EBF 2011-2013 actions contribute to the effective and efficient application of relevant EU legal instruments in the field of Schengen visas, in particular the Visa Code?*

#### **Main conclusions:**

The short- and medium-term outputs and results of the actions funded in this area are clearly positive in terms of the number of staff trained, the increase in the understanding and application of the Visa Code, operation of the STS and support to other EBF priorities as well as the general objectives through training of personnel. Furthermore, the EBF has achieved wide-reaching effects in terms of training of border guards, construction, renovation and upgrading of Border Crossing Points (BCPs)<sup>94</sup> and first reception centres.

While it is not possible to assess the overall impact of the training of border guards, these activities have *inter alia* contributed to the achievement of outputs under other priorities (e.g. identification of forged documents at BCPs, number and processing time for visa applications at consulates, etc.). Actions financed in this area also contributed to the adequate use of the investments in equipment already analysed under EQ5, such as the training of helicopter pilots, other training programmes for border guards, or facilities used to provide the trainings.

In addition to these activities, the EBF supported the Special Transit Scheme<sup>95</sup> (STS) through the APs of Lithuania, which provided financial support to compensate for the additional costs resulting from the delivery of transit visas to be issued to travellers between the Kaliningrad Oblast enclave and the mainland of the Russian Federation. Three types of eligible actions were included in STS: (i) infrastructures, (ii) training of staff and (iii) operational costs. The

<sup>92</sup> EQ7 is very similar in its scope to EQ11, where aspects other than border guards are examined.

<sup>93</sup> Defined in Article 3(1)(c) of Decision No 574/2007/EC establishing the EBF.

<sup>94</sup> As stated in section 4, due to the architecture of the fund, there were some overlaps between priorities which matched several objectives. In this case, the actions relating to the construction, renovation and upgrading of BCPs fall under both objectives 2 and 3.

<sup>95</sup> Special Transit Scheme was set up by Article 6 of Decision 574/2007/EC establishing the EBF.



actions funded appear to have been effective in achieving the objective of training staff to ensure the functionality of the STS, and the objective of covering the operational costs of the transit of foreign nationals. 1 400 officers were trained on the practical aspects of the STS and other trainings were provided on, for example, Community Law, the effective use of SIS and VIS, document examination and verification, and foreign languages.

The Fund enabled Member States to increase their provision of vocational training for border guards in the application of the provisions of EU law on the crossing of external borders. In fact between 2011 and 2013 more than half (22 500) of all 42 000 border guards operating in Member States received training financed by the EBF, which included the use of VIS and SIS II at BCPs and learning foreign languages. As an example, in IT, over 400 navy personnel was given Arabic and English classes to be able to communicate with migrants intercepted or rescued at sea. In HU, a training centre was set up providing optimal conditions for border guards to be trained; Hungary found that these trainings helped border guards more effectively carry out their duties.<sup>96</sup>

In order to contribute to the uniform application by border guards of the provisions of EU law on the crossing of external borders (EQ7), detention facilities and BCPs could be constructed or upgraded. Only four MSs invested in the construction and/or upgrading of 38 detention facilities and construction and/or upgrading of 547 places within detention facilities through EBF funding 2011-2013. Overall, the number of facilities and places used for the detention of third-country nationals apprehended in connection to an irregular border crossing remained stable over the period. 13 MSs used EBF funding for the upgrading of BCPs. However, it is unclear how many of these investments contributed to the specific objective which these actions sought to address ('security at the premises of BCPs to secure the safety of border guards and the protection of equipment, surveillance systems and means of transport', Specific Objective C7).

#### **Objective 4 – Management of consular and co-operation activities**

**EQ9:** *To what extent did the EBF 2011-2013 actions, and in particular the EBF Community Actions, contribute to the improvement of the management of activities organised by the consular and other services of the Member States in third countries as regards the flows of third-country nationals into the territory of the Member States and the co-operation between Member States in this regard?*

**EQ10 to assess priorities 3 and 5:** *To what extent did the EBF 2011-2013 actions contribute to the effective processing of Schengen visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries?*

**EQ11 to assess priority 5<sup>97</sup>:** *To what extent did the EBF 2011-2013 actions contribute to the effective and efficient application of relevant EU legal instruments in the field of Schengen visas, in particular the Visa Code?*

<sup>96</sup> Reported in Hungary's NER.

<sup>97</sup> This question will be taken into consideration under this chapter to the extent that it relates to the implementation of Objective 4 (i.e. the training of consular staff).

**Main conclusions:**

The EBF made a weak to moderate contribution to the improvement of the management of activities organised by the consular and other services of the Member States in third countries. This is largely due to the fact that a relatively low amount of funding was dedicated to funding priority 3 and that Member States showed little interest in developing projects related to consular cooperation – including under Community actions.

External factors, such as difficult diplomatic relations or the situation on the ground, turned out to be a barrier for the implementation of some of the projects in this area.

Under the Community actions, limited results have been achieved with respect to consular cooperation with only two projects implemented. Regarding the enhancement of ILO activities, actions in this area achieved most of their objectives. However, the number of actions and the MSs applying for funding were very similar to those under the previous programming period (2007-2009), and projects implemented in 2011-2013 were often a continuation of projects from the previous period.

The type of projects funded under Objective 4, priority 3 focused on **three main types of activities**:

- The deployment of **document advisors** in third countries;
- The deployment of **immigration liaison offices (ILOs)**<sup>98</sup>; and
- The **upgrade and enhancement of security systems at consulates** issuing Schengen visas.

An amount of EUR 42.4 million was programmed to be spent under Priority 3 of the 2011 to 2013 APs – which was the lowest amount of the 5 priorities. The final EU contribution stood at EUR 31.5 million, a total implementation rate of 74%. While 17 Member States had co-funded actions programmed under the priority<sup>99</sup>, three Member States (DE, MT and NL) accounted for 50% of the programmed and 58% of the final EU contribution for Priority 3.

Member States showed little interest in developing projects related to consular cooperation. This is mainly due to the fact that Member States perceived common visa application centres to be too costly, chose to keep their representations in third countries or do not consider the visa system as an area where they want to cooperate and share costs.

The Commission has decided to incentivise this area through a 90% co-financing rate in national programmes under the ISF, while the scope has been extended beyond common application centres to include other types of consular cooperation in addition to the renovation, adaptation and/or equipping of consulates.

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<sup>98</sup> Council Regulation (EC) No 377/2004 of 19 February 2004 on the creation of an immigration liaison officers network, Article 1: "immigration liaison officer" means a representative of one of the Member States, posted abroad by the immigration service or other competent authorities in order to establish and maintain contacts with the authorities of the host country with a view to contributing to the prevention and combating of illegal immigration, the return of illegal immigrants and the management of legal migration".

<sup>99</sup> AT, BE, BG, CH, CY, CZ, DE, ES, FI, FR, HU, MT, NL, NO, RO, SE, SI.

### 9.2.1 Document advisors and ILOs

541 ILOs and document advisors per year<sup>100</sup> were deployed during the implementation period of the 2011-2013 APs, the bulk of which (366) were deployed by Germany.

Projects related to the deployment of ILOs and document advisors generally attained or outperformed the objectives set in their APs. Germany reported that the number of rejections of visa applications and passengers being excluded from flights based on the assumption that they were using counterfeit border-crossing documents increased significantly due to the advice provided by the document advisors on counterfeit border crossing documents or missing visas (DE case study). The effectiveness of actions was also enhanced by the increased cooperation between some Member States in the implementation of these types of projects (e.g. joint deployment of ILOs).

### 9.2.2 Consulates

Under the 2011-2013 APs, 4 513 consular officials were trained and 889 out of 2 189 consulates were equipped with operating equipment for Schengen visa processing. The following outputs can be listed:

- Spain was the most active participating Member State with 100 out of 2,189 consulates equipped with security enhancing equipment (security doors, bulletproof windows, etc.)
- The objectives of Malta, one of the largest beneficiaries of Priority 3, were to extend the country's ability to issue visas through mobile consulates as well as setting up Schengen compliant consulates in Tripoli, Misrata, Doha, Shanghai, Qatar, Abu Dhabi and Kuwait City. However, due to the critical political situation in Libya, the Misrata consulate could not be opened. The Doha consulate was not opened either due to difficult bilateral relationship between the Qatari and Maltese governments. The EBF allowed Malta to increase the number of Schengen processing consulates from 31 to 35.
- Slovenia purchased safes to store visas and visa stickers.

External factors, such as difficult diplomatic relations or the situation on the ground, turned out to be a barrier for the implementation of some of the projects. However the EBF's contribution to the construction or renovation of consulates, as well as its contribution to the training of consular officials is likely to have facilitated the processing of visa applications.

As for international cooperation between Member States in the field of consular activities, not all projects were effective. The BE consular cooperation action in Gaza (establishing a common application centre – CAC) was ineffective due to factors such as a lower than expected interest from Member States (only DK and SE expressed interest), reducing the potential economies of scale, the instability in the region and a lower than expected number of visa applications. The action was therefore discontinued and the processing of visa applications in the territory has been outsourced to a private organisation (BE NER), with the visas now being processed in Jerusalem, as was the case before the project.

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<sup>100</sup> The data in NERs appear to show the number of deployed personnel over a period of one year; an ILO deployed for three years will therefore count as three in the figures.

### 9.2.3 Community actions under objective 4

Under the Community actions there were two main annual priorities dealing with issues relevant to this objective: strengthening consular cooperation (accounting for only 7.3% of all grants allocated) and enhancing ILO activities (32% of community funds approved).

As is the case with national actions, limited results have been achieved with respect to consular cooperation under Community Actions, with only two projects implemented:

- a follow-up project for a visa application centre. Under the 2011 AWP, a Community Action was awarded to PT in partnership with BE and LU, concerning the further development of a common visa application centre (CVC) in Cape Verde. This was a follow-up project of an initiative already established under the previous programme period (funded under the 2007 and 2009 AWP). The objective of the centre was to strengthen cooperation at local level with other MS and to reduce costs for the implementation of VIS and the Visa Code. It also aimed to increase the Schengen visa applications made on behalf of several MSs (PT, BE, LU, AT, SK, CZ, IT, SL, SE, FI, FR, NL, DE). The outputs included trainings of consular staff and local authorities, conferences and local meetings, promotion activities, computer equipment, and document fraud laboratories. Mobile consulates / mobile equipment were introduced in several islands in order to extend the service coverage of the CVC. The results included a 647% increase registered at the CVC in visa applications requested on behalf of the partners and represented MSs, consolidation of CVC activities and expansion of coverage and visibility. The DG Home Mission Report conducted in 2014 described the project as an EU flagship project, and noted its added value and sustainability as being on track.
- the deployment of Common Immigration Advisors on combating fraud in migration procedures, deployed between 2014 and 2015 in Ghana. Although the project's results were assessed as successful due to increased cooperation between MSs at local level and increased awareness of migration-related fraud, the 12-month placement was also seen by the implementing body as too short to ensure the sustainability of efforts. Some of the results included the review/investigation of 320 cases for potential fraud, the launch of four joint investigations with the UK, DE, PT and BE, and a 40% detection fraud rate in all different procedures conducted. A follow-up project under the 2014 ISF Specific actions was approved for a Regional Schengen Cooperation Officer. The specific results achieved by these two projects speak of a high level of impact and effective response against the set objectives.

The set-up of ILOs has been an important objective of DG Home's policy units, which was emphasised in the AWPs and calls for proposals. For the period under review, **17 community projects** were approved for funding for the priority 'Enhancement of activities of ILOs in several regions and/or in third countries'. The overall value of Community actions approved for financing under this priority amount to EUR 4.94 million (36% of all Community Actions for 2010-2013 AWPs – excluding emergency assistance).

Regarding the two categories of eligible activities under this priority, most projects (13) focused on setting up or maintaining **ILO points acting on behalf of several Member States**

(DE, LV, EE and PT), while only two projects dealt with promoting **ILO networks** (NL and HU) through meetings, conferences, exchange of information and training.

Not only was the number of actions similar to the 2007-2009 programming period, but Member States applying for community funds were the same (mainly DE, LV (on behalf of EE and LT), PT and NL). Several of the actions implemented in 2010-2013 were follow-up projects from the previous EBF period and the majority were implemented by Member States with previous experience of deploying ILOs to third countries and cooperating with other Member States. The region most intensively covered by ILO cooperation was Eastern Europe (Russia, Georgia, Ukraine, Moldova, and Belarus) on the part of the Baltic States.

Overall, ILO-related Community Actions depended on the willingness of Member States to apply, rather than on the actual need for the deployment of ILOs in third countries. Hence, the priority has not been fully addressed in terms of number and scope of outputs (projects) implemented, although the outputs are similar to the previous programme period.

The review of the available technical implementation reports shows that most of the objectives expected from ILO postings to third countries have been achieved. The more notable positive examples concern a few Member States which applied consistently for Community Assistance related to ILO activities. A good level of cooperation seems to have been achieved between the Baltic States through three projects deploying ILOs by EE or LV, also acting on behalf of LT and FI. The ILOs were posted in Russia, Ukraine and Moldova, identified as source countries of significant illegal migration flows. Similarly, ES, PT and FR have enhanced the activities of their common ILO in locations in Africa.

#### **Effectiveness of the principle of solidarity**

**EQ8.** To what extent were the EBF 2011-2013 actions, and in particular the EBF Community Actions, effective in providing support services to Member States in duly substantiated emergency situations requiring urgent action at external borders?

**Main conclusions:** The evaluation found that the Fund has been effective in achieving financial solidarity among the Member States. The distribution key was designed in such a way that it helped support Member States which were under the highest migratory pressure during the period under evaluation. However, given the fact that the allocations provided in a given year to the Member States were calculated on the basis of data from previous years, the funding could not take into account sudden and unforeseen circumstances. Consequently, the use of emergency measures proved to be crucial for the Member States which were subject to acute and urgent migration pressure. Hence, Emergency measures partially counter-balanced the limitations of the distribution key.

According to recital 4 of the Decision setting up the EBF, the Fund was conceived as a *'Community financial solidarity mechanism in order to support the Member States who bear, for the benefit of the Community a lasting and heavy financial burden'*.

The evaluation found that the Fund has been effective in achieving financial solidarity among the Member States. As shown in Section 8.1 (Finding 2), the distribution key was designed in such a way (See Point 7.1) that it helped support Member States located on Europe's southern maritime borders; these were the MSs which were under the highest migratory pressure

during the period under evaluation. This finding is supported by the European Court of Auditors: "*The EBF allocation clearly helped to spread the Member States' financial burden caused by the introduction of the Union's integrated management of common external borders*"<sup>101</sup>.

The financial solidarity that the Fund helped materialize can for instance be illustrated by the case of Switzerland. In accordance with the Agreement concluded between the Commission and the four Associated States on supplementary rules in relation to the EBF<sup>102</sup>, Switzerland paid financial contributions to the Fund between 2009 to 2013 for a total amount of 53.4 Million EUR while it participated in the Fund only as of 2010 and received in total 15.2 Million EUR for the implementation of its 2010 to 2013 annual programmes<sup>103</sup>.

However, the distribution key, and in particular the reference period of the data on which it was based showed its limitations in the context of the crisis and following unforeseen circumstances. The yearly revision of the allocation of EU funds to the annual national programmes has been key to ensure that the funds available have targeted the most affected Member States. However, given the fact that the allocations provided in a given year to the Member States were calculated on the basis of data from previous years (See Point 7.1), the funding could not – for obvious practical reasons – take into account sudden and unforeseen circumstances. Consequently, the use of emergency measures proved to be crucial for those Member States which were subject to acute and urgent migration pressure. Hence, Emergency measures partially counter-balanced the limitations of the distribution key.

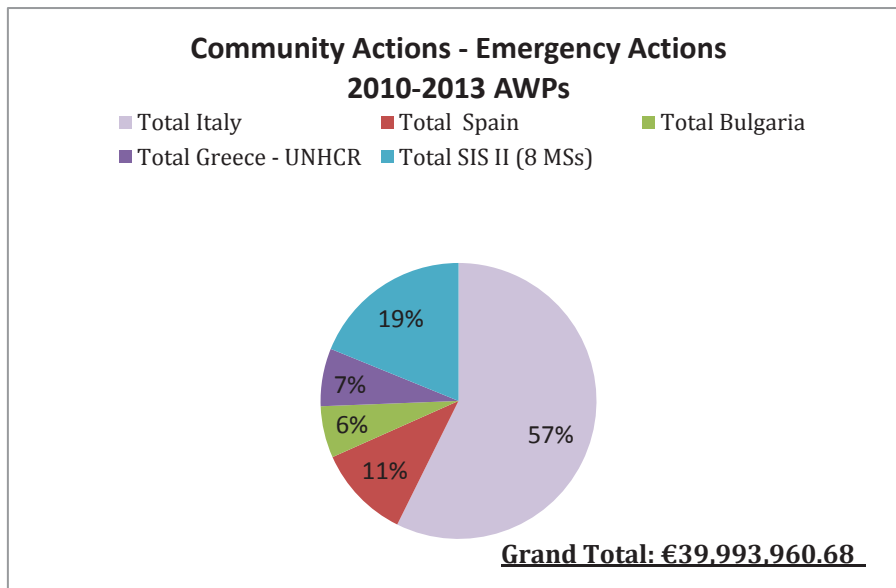
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<sup>101</sup> European Court of Auditors, Special Report 2014, The External Borders Fund has fostered financial solidarity but requires better measurements of results and needs to provide for further EU added value, para 31.

<sup>102</sup> Agreement between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein on supplementary rules in relation to the External Borders Fund for the period 2007 to 2013, OJ L 169, 3.07.2010, p. 24, Article 11.

<sup>103</sup> The four Associated Countries were all net contributors to the Fund. It goes without saying that some Member States are also net contributors to the Fund but the calculations of their precise financial contribution to the Fund is not possible as the Fund budget is covered by the overall budget of the Union.

Figure 4: Allocations provided to MSs through Emergency Actions under the 2010-2013 AWP



Source: Emergency Action grants

#### Examples of emergency measures provided under Community actions:

**Italy** received the highest allocation for the implementation of the annual programmes and was the first recipient of emergency assistance. Indeed the central Mediterranean route has long been popular. In 2008, nearly 40,000 migrants were detected, mostly near the islands of Lampedusa. Migration along this route almost completely stopped in 2009 following a bilateral agreement between Italy and Libya. The situation changed dramatically in 2011 i.e. the year of the Arab Spring. Between January and March alone, some 23 000 Tunisians (most of them economic migrants hoping to find jobs in France)– arrived on the small Italian island of Lampedusa. Then, between March and August 2011, more than 40,000 sub-Saharan Africans arrived on Lampedusa. Many had been forcibly expelled by the Gaddafi regime. With the collapse of the Gaddafi regime in August 2011, the flow of migrants again almost entirely stopped. Detections remained very low throughout 2012. By 2013, however, the smugglers had reorganised themselves and there was no shortage of customers desperate to escape Libya as the state imploded and violence escalated. The size and the scope of the emergency assistance grants to Italy mirrored the above mentioned migratory flows to the country. Indeed, Italy was granted emergency assistance under all AWP under evaluation as the route has always been very popular. However, in 2012, Italy received around half of the amount received during the other years. This corresponds to the year during which the number of irregular crossings was the lowest<sup>104</sup>. These grants provided support to Italy with first aid and medical assistance for search and rescue operations, the internal transfer of migrants until first reception, the deployment of multidisciplinary teams for first reception response and interpretation/cultural mediation services to assist border police during screening procedures. **Greece** received the third highest allocation from EBF for the implementation of the 2010-

<sup>104</sup> Under the 2010 AWP (implemented in 2011), Italy received around 6 Million EUR of emergency assistance. Under the 2011 AWP (implemented in 2012), Italy received around 3.2 Million EUR. Italy received around 6 Million and around 5.6 Million, respectively under the 2012 AWP (implemented in 2013) and the 2013 AWP (implemented in 2014).

2013 APs and was the third highest recipient of emergency assistance grants in the period under evaluation. This was due to the fact that the Eastern Mediterranean route remained one of the most transited routes to the EU during this time<sup>105</sup>. In 2010-2011, Greece registered the highest number of irregular border crossings at the Greece-Turkey border.<sup>106</sup> Following the implementation of a set of Greek operations at the Greece-Turkey border in August 2012<sup>107</sup>, there was a significant decrease in irregular border crossings detected there<sup>108</sup>. This led to a shift in migration flows from the region of Evros (land border with Turkey) to the Aegean Sea (sea border with Turkey), which in turn led to an increase in detections of irregular border crossings in this area.<sup>109</sup> As a result of these changes, Greece needed to enhance its first reception response capacity in both the Aegean Sea and the region of Evros, which nevertheless continued to receive considerable irregular migrant arrivals. To cater for these needs, Greece received support through two grants which complemented each other; the first grant (awarded to UNHCR) amounted to 2,707,585.01 EUR and was implemented from 1 January 2013<sup>110</sup> while the second amounted to 999,734 EUR and was implemented from 1 November 2013<sup>111</sup>. Both actions lasted about two years.

It can also be noted that the number of irregular crossings were significantly lower in 2012 (see Introduction). In view of this, more than half (56%) of the budget available for emergency assistance was re-directed towards supporting certain Member States in implementing SIS II in order to catch up with the delayed transition period<sup>112</sup>. Eight Member States (CY, CZ, EE, LU, MT, NL, PT, SK) were awarded emergency assistance in the final stages of SIS II development (actions implemented in late 2011 and 2012) which led to the successful launch of SIS II in 2013. In the reply to the Court of Auditors' report on EBF, the Commission highlighted that the financing of SIS II final development steps for some Member States constituted an emergency because a failure or delay on the part of a single MS

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<sup>105</sup> Frontex, Annual Risk Analysis 2014, p. 17-18.

<sup>106</sup> The Greek authorities reported 47,706 irregular border crossing detections (Frontex Annual Risk Analysis, 2011, p. 14).

<sup>107</sup> For example, operation Aspida, which involved the deployment of 1800 Greek police officers to the Greek land border with Turkey (Frontex, Risk Analysis Quarterly Report, Issue 3, July-September 2012, p. 5).

<sup>108</sup> Indeed, detections of irregular border-crossings along the EU external borders generally dropped sharply in 2012 to 72,437 detections, a 49% decrease compared to 2011. This was largely due to the enhanced surveillance at the Greek border with Turkey; detection at this border decreased by 44% (Frontex, Annual Risk Analysis 2013, p. 19).

<sup>109</sup> A 912% increase was registered for irregular border detections in this area in 2013 (Frontex Annual Risk Analysis, 2013, p. 23).

<sup>110</sup> This grant enabled UNHCR and its partners to provide in the several first reception-related centres located in the region of Evros and the Aegean islands the following: information services to newly arrived persons, interpretation services between new arrivals and authorities, facilitation of persons with especial needs (excluding medical needs), information about assistance voluntary return options, and distribution of emergency non-food stock.

<sup>111</sup> This grant provided support to the Greek First Reception Service of the Ministry of Public Order and Citizen Protection with the setting up of two Mobile Operation Units in Samos and Lesbos which significantly contributed to the improvement of first reception procedures, through for example providing assistance to vulnerable persons.

<sup>112</sup> In 2001 the Council tasked the Commission with the development of the second-generation SIS II system (the decision had been made by Schengen countries in 1996) in order to connect new EU Member States after their accession to the EU in 2004 to the Schengen Area and to enhance the system functions, with an initial planned end in 2006, which was later delayed to 2008 and to 2010. In 2010 the Commission issued a final schedule, after having more complete information on the system requirements and having put in place a more efficient management system. In late 2011, emergency assistance support with the development of SIS II was allocated to MSs facing delays in their development of the system, and which had very low EBF allocations and/or whose EBF resources were absorbed by other key priorities in the area of external borders. The system became fully operational in May 2013 and replaced SIS I, Court of Auditors (2014) Special Report No 3/2014, Lessons from the European Commission's development of the second generation Schengen information system (SIS II).



in completing the SIS II tests scheduled in the second half of 2011, would have resulted in a delay for the entire project. This reflects the significant efforts that the Commission made to mitigate the risk of delay by Member States in adhering to the SIS II schedule due to a lack of financial resources to complete the development and testing of the national SIS II components<sup>113</sup>.

The evaluation shows that emergency action grants were effective in supporting Member States in duly substantiated emergency situations, mainly Member States with the highest migratory pressure at their external borders as the annual allocation did not take into account unforeseen circumstances.

**The main results of the Emergency Actions include:**

- Reinforcement of means of transport (for border patrolling activities and internal relocation of migrants) which led to **immediate relief of crowding of first arrival places** and more efficient registration of migrants as well as increased patrolling and surveillance capacity;
- Increased financial capacity to address immediate needs in order to react to unplanned events and migration influx (i.e. fuel costs, deployment of additional personnel, repair of equipment, refurbishing first reception centres, and consumables for first reception centres);
- Deployment of trained multidisciplinary teams for first reception as well as search and rescue operations. This resulted in more efficient identification of arriving migrants who received information, counselling, aid packages and medical assistance and identification and recovery of disaster victims;
- Successful launch of SIS II in the remaining eight MSs.

The average absorption rate of emergency assistance grants is rather good and amounts to 80.03%<sup>114</sup>.

### 9.3 Efficiency

**EQ12:** *To what extent were the effects of the EBF 2011-2013 actions achieved at a reasonable cost in terms of financial and human resources deployed?*

**Main conclusion:** The evaluation concluded that the EBF actions, for the most part, have been implemented efficiently i.e. comprehensive management and control systems that included stringent procurement procedures, have greatly contributed to this result.

However, the majority of Member States also reported on the efficiency issues they faced, such as issues linked to the difficulties in finding the required national co-financing, timeliness of the programming cycle length and dissatisfaction with the perceived high administrative costs, especially in the Member States with the lowest allocations. Further difficulties regarding the annual programming cycle were reported, in terms of finalising the acquisition of large and complex equipment and the acquisition of large systems purchased over many years. The difficulty of having to attribute multiannual investments to specific

<sup>113</sup> European Court of Auditors report, p. 54.

<sup>114</sup> Situation on 22.11.2016. Not all projects were closed at the time of the drafting of the Contractor's evaluation.

annual programmes for programming purposes added a level of administrative burden for RAs.

It should also be highlighted that the measurement of the efficiency of EBF was subject to heavy limitations. The average administrative cost at the level of MSs is not known, as data on it was not made available by the RAs during the evaluation. The Fund was implemented by public authorities and the staff allocated to the implementation of the Fund did not work exclusively on it. To mitigate the difficulties associated with the evaluation of efficiency under the new Fund, the Commission included some common indicators in the "Common Monitoring and Evaluation Framework" of ISF.

The majority of Member States<sup>115</sup> reported that, to a large extent, the EBF actions were implemented in an efficient manner, with the 'value for money' principle considered as a key driver. Implementing public procurement procedures was also considered to be an effective way of ensuring efficient use of inputs. The case studies provide the bulk of the information on the efficiency of actions in terms of public procurement. Overall, the findings appear to show high levels of efficiency in the processes used, in spite of the pressure to complete the procedures in a limited amount of time<sup>116</sup>. In addition to using public procurement procedures, the **national management and control systems** were vital to ensuring efficiency i.e. project and system audits, verification of eligibility and appropriate use of funds and constant monitoring. Additional success factors reported by the RAs include the presence of staff with extensive experience in the management of EU funds and the low turnover of staff.

Assessing efficiency requires an analysis of the relationship between the inputs used (time, human resources, financial resources) and the results achieved by the EBF 2011-2013. The evaluation study concluded that it was not feasible to compare 'cost of actions' under EBF (controls at border crossing points, issuance of visa, surveillance of EU external borders etc) with other similar actions or with some average market prices, as the activities and services implemented under EBF are an **exclusive competence** of well identified public bodies. As a result, the evaluation looked into the **procurement procedures** as these tend to determine the cost of the actions, under the assumption that if fair tendering took place, then this was the reasonable cost that the market could offer. Nevertheless, some weaknesses related to the procurement procedures could be generally identified<sup>117</sup>, namely the subsequent use of the same supplier without adequate competition, the fact that the responsible authorities' verification of procurement procedures could be inadequate or the fact that Member States could not adequately justify their use of the exception clause for defence and security procurements. However, the issues mentioned are regularly checked by the Commission<sup>118</sup> at the stage of closures and through *ex post* audits. Project-specific corrections or flat-rate financial corrections were applied in case of irregularities in procurement procedures and/or insufficient documentation on the justification of the choice of procurement.

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<sup>115</sup> BE, BG CY, CZ, DE, EE, EL, ES, FI, FR, HU, IS, IT, LT, MT, NL, NO, PL, RO, SE, SI and SK.

<sup>116</sup> In Italy for instance, the eligibility period of the EBF annual programmes restricted the choice of the specific type of public procurement process adopted for the implementation of the action.

<sup>117</sup> European Court of Auditors report, p. 33-34.

<sup>118</sup> See the replies from the Commission, European Court of Auditors report, p. 58-59.

Existing frameworks played an important role in ensuring the efficiency of the procedures. In FI, the central purchasing body of the government signed **framework contracts** with vehicle suppliers, whereby the RA and Finnish Border Guards (FBG) had input in specifying requirements. In this way the process of selecting and acquiring the desired vehicles was simplified, particularly for the FBG and the vehicle acquisition manager. By law the lowest price was the selection criterion. This approach eliminated lengthy tender procedures, negotiations and appeals, and guaranteed maximum efficiency.

In CH, the costs of the contracts were determined only after **negotiation procedures** between the contracting authority, relevant stakeholders and the contractors. The cost-effectiveness of the projects cannot be compared to other similar projects in CH. The costs were based to a large extent on hourly rates of expert work, which allowed some comparison to market prices and were determined in the most efficient way. Under the contracts with the IT Service Centre a significant part of the services were delivered by regular staff. In addition, a monitoring and supervision system ensured that the resources were allocated and spent efficiently.

The majority of Member States also reported on efficiency issues they faced. In some instances, they were significant and linked to the general implementation of all projects<sup>119</sup> while in most of the cases they were restricted to specific projects. These included difficulties in the delivery of EBF programmes due to the fact that certain Member States<sup>120</sup> encountered some issues in finding the required national co-financing, they could not count on sufficient human resource capacities, or experienced issues on public procurement such as the need to impose financial corrections on contractors<sup>121</sup>. Additional factors influencing this dissatisfaction included the timeliness of the programming cycle length and the unfamiliarity with the EBF rules and procedures which lead to difficulties in implementing these rules<sup>122</sup>. Further difficulties with the annual programming cycle were reported, in terms of finalising the acquisition of large and complex equipment and systems (as was the case for IT) and the acquisition of large systems purchased over many years. The difficulty of having to attribute multiannual investments to specific annual programmes with a two year and a half eligibility period purely for programming purposes added a level of administrative burden and programming difficulty for RAs. For the 2014-2020 programming period this issue has been addressed, as in ISF Borders and Visa the programming instrument of the Member State – the national programme – is a multiannual instrument and covers the whole period from 2014 to 2020. The national programme lays down the objectives that are to be achieved using the resources of the Fund, identifies targets and examples of actions, thereby ensuring to the Member States some flexibility to cover - to a certain extent - the evolution of their needs.

With regard to specific types of projects, several Member States<sup>123</sup> found the IT projects to be relatively inefficient. For instance, where IT projects comprised two thirds of total funding

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<sup>119</sup> For instance, PT experienced internal difficulties in approving projects and in managing public procurements due to a lack of familiarity with EU legislation on public procurement.

<sup>120</sup> AT, BE, PT, CZ, EE, EL, FI, IT and RO.

<sup>121</sup> BG, CZ, EE, IT and RO.

<sup>122</sup> For instance, AT reported high costs associated with the development of comprehensive specifications and control system.

<sup>123</sup> AT, EE, FI, NO and RO.

across the 2011-2013 APs, costs readjustments were often needed due to higher than expected implementation costs<sup>124</sup>.

In terms of human resources necessary to administer the EBF at national level, the situation varies between Member States. Regardless of the size of the funding, there is a certain level of financial and human input necessary to administer the EBF at national level. As a result, proportionally higher management costs were experienced by Member States receiving smaller volumes of funds like DK and LU<sup>125</sup>. Management and control systems must be put in place and kept running, no matter the size of the Fund; reporting (on evaluation, mid-term review...) is also an essential task that MSs have to deal with. However, under the successor funding instrument, a threshold has been set so as to ensure that a more consequent amount of funds is allocated to each MS as a starting block<sup>126</sup> and the percentage of allocation that can be used for technical assistance (i.e. costs linked to the management of the Fund) has been slightly increased to reduce national funding Member States have to use to cover the costs linked to the management of the Fund<sup>127</sup>. On the other hand, MSs that received large amounts of funding felt differently. Furthermore, in some Member States, the units in charge of administering the EBF were also in charge of other SOLID funds (the European Return Fund, European Refugee Fund and European Fund for the Integration of third-country nationals), leading to economies of scale.

The measurement of the efficiency of EBF was subject to heavy limitations. The average administrative cost at the level of MSs is not known, as data on it was not made available by the RAs during the evaluation. The Fund was implemented by public authorities and the staff allocated to the implementation of the Fund did not work exclusively on it. Moreover, the collection of timesheets for civil servants across MSs is not consistently done. MSs were not requested to disclose data on their administrative costs when the Fund was launched.

To mitigate the difficulties associated with the evaluation of efficiency under the new Fund, the Commission included some common indicators in the "Common Monitoring and Evaluation Framework" of ISF. These take into consideration the cost of staff working on the implementation of ISF (paid by the technical assistance under the AP or national budgets), in relation to the number of projects implemented and the amount of funds claimed for the financial year. The indirect cost of projects will also be measured in relation to the amount of funds claimed for the financial year.

During the inception phase of the interim evaluation of ISF Borders and Visa the external evaluators will be requested to design and propose a methodology for the assessment of the efficiency tailored to ISF.

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<sup>124</sup> NO.

<sup>125</sup> Representatives of the DK RA calculated that the management and administrative costs required to implement the EBF (and not covered by the EBF) were equivalent to 40% of the total funds received. Representatives of the LU RA remarked that management and administrative costs amounted to 55% of the total funds received.

<sup>126</sup> Regulation (EU) No 515/2014, Annex I. All Member States received an allocation of 5 000 000 EUR as minimum amount.

<sup>127</sup> Regulation (EU) No 515/2014, Article 16(2): 5 % of the total amount allocated plus 500 000 EUR can be used for technical assistance. Under the 2011 to 2013 EBF APs, Member States could use up to 4% plus 30 000.

## 9.4 Sustainability

**EQ13:** *To what extent have the positive effects of the EBF 2011-2013 actions lasted after the interventions were terminated?*

**Main conclusion:** With some minor exceptions explained below, actions funded under the 2011-2013 APs were considered as sustainable, although with different degrees of sustainability, depending on the type of investment.

Overall, the EBF investments made under the 2011 to 2013 APs were sustainable: most of the assets acquired and the knowledge generated were still being used at the time the national evaluation reports were developed (2015) and interviews conducted for the ex post evaluation (2016). In addition, RAs highlighted the complementarity with the objectives of the successor Fund (ISF Borders and Visa, for the period 2014-2020) and possibility to build on the results of the previous programming period for the activities implemented under the new one as **evidence of the sustainability** of the investments made under EBF.

Most of the evaluation reports and interviewed officers from the RAs claimed that financial support for the continued utilisation (e.g. maintenance and update) of acquired assets is secured through national budgets, and only to a limited extent (NL, RO) through the successor Fund (ISF Borders and Visa).

A few specific projects faced financial constraints and therefore raised sustainability concerns, such as the deployment of ILOs in third countries, as it requires significant operating costs (HU and CH NERs) and consular cooperation in third countries, which requires recurring costs for the common application centres (BE NER).

The EBF 2011-2013 APs covered a broad spectrum of actions, with very different sustainability expectations. The required life-span of assets provides useful elements for the evaluation: i.e. three years or more for ICT equipment, five or more for operating equipment and means of transport, and 10 years for helicopters, vessels and aircraft<sup>128</sup>. However, the life-span of assets does not cover actions like system and facilities upgrades, training, or support of Immigration Liaison Officers in third countries. Warranty for the acquired equipment and vehicles is a guarantee that in case of malfunction the assets will be repaired or replaced at no additional cost to the beneficiaries: interviews with beneficiaries and RAs confirmed that warranties were in place for all vehicles acquired through EBF. Another good practice followed by some RAs (PL, BG, IT, RO) is to include training of end-users in the terms of procurement for complex equipment and systems, such as surveillance systems, unmanned aircraft, thermo-vision cameras, and helicopters.

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<sup>128</sup> 2011/148/EU: Commission Decision of 2 March 2011, amending Decision 2008/456/EC laying down rules for the implementation of Decision No 574/2007/EC of the European Parliament and of the Council establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund.

## 9.5 Complementarity and Coherence

**EQ14:** *To what extent were the EBF 2011-2013 actions coherent with and complementary to other actions related to the management of the EU external borders and the Schengen visa processing financed by other EU financial instruments and from national resources of the Member States?*

**Main conclusion:** Actions implemented under the EBF proved to be especially coherent with and complementary to investments made under the European Return Fund, the European Refugee Fund, PHARE, the Schengen Facility<sup>129</sup> and in the framework of the Neighbourhood Policy's cross-border cooperation programmes. The EBF complemented national resources that Member States engaged to comply with relevant EU legislation in the fields of border management and visa processing and international commitments undertaken at the higher security level.

### *Complementary actions financed by other EU financial instruments*

The EBF, together with the European Refugee Fund (ERF), European Integration Fund (EIF) and Return Fund (RF) form the SOLID Funds.<sup>130</sup> The four SOLID funds were configured to ensure complete and mutually-exclusive coverage of funding requirements for EU migration policies. Links have been identified between actions developed under the different EBF priorities (and in particular Priorities 1, 2, and 3) and funds allocated through the RF and the ERF<sup>131</sup>. For example, the investments made in RO in the Border Police sectors' infrastructure and endowments are complementary with projects regarding forced returns funded by the Return Fund.

The degree of complementarity between the EBF and other EU financing tools varied significantly across Member States. MSs which benefited from the Schengen Facility and PHARE underlined strong programmatic and operational interlinks between these funds and the EBF. At the same time, other Member States indicated that the projects funded under the EBF were isolated activities, and that no other EU financial instruments were used for actions in the field of external border and Schengen visa processing. In other MSs, the EBF priorities were complemented by EU funds not specifically directed at supporting border control and visa processing activities.

To avoid overlaps, actions conducted under the EBF were carried out taking into account interventions realised through other EU programmes (e.g. Lifelong Learning Programme, Culture Programme, Youth in Action Programme, FP7, OLAF's Hercule II Programme) and funding from international financial institutions. Beside these financial instruments, no other EU funds were reported to be complementary with EBF measures.

<sup>129</sup> PHARE and the Schengen Facility are both enlargement Funds. The Phare Programme is a pre-accession financial instrument of the EU for cooperation with Central and Eastern European countries to support their transition to market oriented economy and their accession to EU. The overall objective of the Phare Programme is to support candidate countries in their preparation for EU accession. The Schengen Facility was a temporary instrument aimed at helping beneficiary Member States to finance measures at the EU's new external borders to implement the Schengen acquis and external border control.

<sup>130</sup> General programme Solidarity and Management of Migration Flows (Decision No 574/2007/EC).

<sup>131</sup> Lack of evidence in relation to complementarities between the EBF and the EIF can be explained by the fact that the actions implemented with the support of EIF do not directly relate to border control and management activities.

### *Complementary actions financed through national resources of the Member States*

Most Member States identified complementarity between the EBF and the national activities relating to external borders and short-term visa processing.

A number of MSs reported that the 2011-2013 EBF annual programmes were implemented as components of larger national projects and were supplementing other strategies and activities financed from national budgets.

Overall, EBF actions did not conflict with nationally funded actions and projects but rather functioned as a complement to them. Among the EBF projects described as creating especially strong synergies with other EU and nationally funded actions, some MSs noted that EBF projects involving the deployment of ILOs and document advisors in third countries helped to promote systematic and regular cooperation between the consular services and other services of the Member States. EBF actions also generated synergies between sectors (asylum sector, criminal investigation sector, return, etc.) and facilitated redistribution of the heavy financial burden related to the maintenance of consulates and visa application centres. Moreover, MSs indicated that projects relating to ITech systems (and in particular, VIS, SIS II and EUROSUR) created strong complementarities by connecting all national and European partners (e.g. eu-LISA<sup>132</sup>, and AENEAS<sup>133</sup>) involved in Schengen visa processing and border controlling to the same centralised platforms.

**EQ15:** *To what extent were the EBF 2011-2013 actions complementary to the activities of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex)?*

**Main conclusion:** The evaluation concluded that the actions funded by the EBF complemented most of Frontex's core activities, in particular those actions conducted in the field of rapid response capability and training.

Overall the synergies between the EBF programming and the activities conducted by Frontex have been identified in the majority of the NERs. In particular, the Agency used the data made available by the Member States within the Frontex Risk Analysis Network and the information obtained from Frontex joint operations and open sources to support the Commission in the performance of the (country by country) threat assessment for the EBF. At the same time, whilst the data and analysis provided by Frontex reflected abrupt and rapidly changing trends in irregular border crossings at the EU external border, the Agency's threat assessments were used in the framework of a multiannual programming and implementation exercise.

A series of projects supported by the EBF over the 2011-2013 period complemented activities conducted by Frontex to perform its tasks. In general, the actions conducted under the EBF's Priorities 1 and 2, which resulted in the acquisition of vehicles and equipment destined to

<sup>132</sup> EU Agency for large-scale ITech systems.

<sup>133</sup> Programme for financial and technical assistance to third countries in the area of migration and asylum.

increase the effectiveness of border patrolling at the external borders were coherent and complementary with Frontex's mandate.

According to eight MSs (ES, IT, FI, LT, NL, PT, RO, SE), when implementing EBF supported actions directed at the purchase of aircraft, vessels, vehicles and equipment, the ability to conduct joint operations has been expressly taken into account. Actions directed at updating air, sea and terrestrial assets (for example, by installing appropriate new technologies on board to help carry out surveillance activities) implemented through the EBF, allowed national border guards to participate (using their own means) in the operational activities promoted by Frontex.

Seven MSs (BE, BG, EE, FI, HU, IT and RO) referred to the EBF's contribution in aligning the training activities delivered to border authorities to the common training standards developed by Frontex.

Some MSs confirmed that actions implemented under the EBF 2011-2013 APs have also contributed to Frontex's tasks related to information analysis, in particular to risk analysis and strategic analysis. In general, the improvements brought by the EBF to Member States' surveillance and information systems facilitated the provision of relevant and high-quality data which can be used by Frontex, for instance, in building up an image of the situation, patterns and trends in irregular migration and cross-border criminal activities at the external borders.



## 9.6 EU added value

**EQ16:** *To what extent would be the Member States able to carry out the investments necessary for the implementation of the EU policies in the field of border management and Schengen visa processing, and in particular the investments related to EUROSUR, VIS, SIS II, automatic border controls, consular co-operation, and contribute to the Frontex joint operations, without the support of the EBF 2011-2013 actions?*

**Main conclusion:** The EBF support was assessed as essential or considerable in carrying out the investments required to improve the EU external border management systems, especially for Member States which are responsible for the surveillance of critical sections of the EU's external borders and which have faced a drastic increase in migratory pressure.

The EBF added value has been particularly high in Member States with limited financial resources and/or facing tight budgetary constraints. At the same time it has been noted that where the volume of EBF funds has been relatively limited in relation to the total national expenditure in the field of external borders and Schengen visa processing, the incentive effect to make investments in joint EU border management systems has probably been the most valuable contribution of the EBF. In this sense, EBF had a leverage effect which multiplied Member States' investments in border management systems, infrastructure and activities.

On the other hand, the EBF had only limited added value for the acquisition of state-of-the-art technology at the EU's external borders (ABC gates). Similarly as highlighted by the Court of Auditors, specific actions under Community actions had very limited EU added value and that is why they were discontinued as of 2013.

According to the volume, scope, role and effects of the financial support granted by the EBF in the field of border management and Schengen visa processing, the EU added value of the Fund has been evaluated as either essential (the investments would not have been possible without the EBF), considerable (the investments would not have been carried out to the same extent and/or in the same timeframe without the EBF) or low (i.e. the same project could have been realised even without the EBF).

Most of the NERs analysed for this evaluation indicated that investments related to **EUROSUR** would not have been possible without EBF contributions. For some Mediterranean MSs, which are responsible for the surveillance of critical sections of the EU's external borders and had to deal with increasing influxes of migrants since the launch of the programme, the EBF contributions were essential in order to ensure EUROSUR-related investments. The same finding is confirmed by other MSs. The ES case study confirmed that the construction of the operations centre for the maritime border and coastal surveillance would not have been possible without the EBF, whose contribution reached 95%. This investment allowed ES to comply with the EUROSUR Regulation and to enhance cooperation and information sharing with other MSs, Frontex and selected third countries.

The EBF contribution to the establishment and development of IT systems, and in particular of **VIS and SIS II**, was referred to as essential or at least considerable by several Member States. In quantitative terms, the EU added value of the EBF in this area was 75-95% coverage of the total investment required for upgrading and extending the VIS in one particular MS. In another MS, the number of national SIS II projects launched and

implemented increased significantly after the EBF activation. In qualitative terms, in several MSs the EBF's input extended the scope and quality of VIS and SIS II. In some cases, the EBF's added value in the implementation of VIS and SIS II was the facilitation of software development processes. FI and SE stated that their projects would not have been carried out within the given timeframe without the support of the Fund.

The EBF was significant in filling the gaps in national public funding and supported the national efforts in the implementation of the different priorities underlying the funds. The EBF **added value has been particularly high in Member States with limited financial resources and/or facing tight budgetary constraints**<sup>134</sup>, as expressly confirmed in the national evaluation reports of several MS. Moreover, without the EBF contributions, a strict prioritisation of available resources would have been necessary, with an impact on timeliness, quality and quantity of a number of actions. At the same time it has been noted that where the volume of EBF funds has been relatively limited in relation to the total national expenditure in the field of external borders and Schengen visa processing, **the incentive effect to make investments in joint EU border management systems** has probably been the most valuable contribution of the EBF. In this sense, EBF had a leverage effect which multiplied Member States' investments in border management systems, infrastructure and activities.

On the other hand, it seems that the EBF had only limited added value for the acquisition of state-of-the-art technology at the EU's external borders. Only one Member State reported EBF support as essential for the overall **Automatic Border Controls** domain whilst one Member State (FI) assessed the EBF added value in this area as considerable.

Either due to the high costs related to **consular cooperation** activities or the pressures to cut external representation expenditures, a few MSs<sup>135</sup> reported that EBF support was essential, or at least very considerable. In the field of consular cooperation, as seen under Effectiveness, the ILOs have listed one of the projects where EBF support had particular added value. In HU, for example, training of consular officials would have been carried out to a much lower extent and language training would not have happened without EBF co-financing. However as indicated under title 8.1 (Finding 3), Priority 3 - which includes but is not limited to consular cooperation - was the least popular priority among the Member States.

Concerning the contribution to Member States' capability to take part in **Frontex joint operations**, the EBF achieved a good degree of added value. In particular, beneficiaries confirmed that the EBF financial support allowed both an increase in the number of available assets and an improvement of the technical features of surveillance equipment that have been put at the disposal of Frontex.

In its report on the Fund, the Court of Auditors highlighted that further EU added value of the Fund was limited notably with regard to consular cooperation, emergency actions and specific actions<sup>136</sup>. As for consular cooperation, the reasons why the Fund had a limited effect on the development of consular cooperation projects have been analysed and lessons have been

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<sup>134</sup> EL, FR, IT, CY, LT, NL, PT, RO, FI and NO.

<sup>135</sup> AT, BE, BG, FI and HU

<sup>136</sup> Report p.39, para 79.

learnt for the programming period that followed. In particular, the scope of the consular cooperation has been extended to other forms of consular cooperation rather than the common application centres as provided for by the visa code (colocation, representation, outsourcing), hence giving more possibilities to Member States<sup>137</sup>. This is now reflected in the legal base of the Internal Security Fund (Borders and Visas — specific actions) for the period 2014-2020<sup>138</sup>. As for emergency assistance, "*The added value of the fund is related to the financial solidarity established through Member States facing drastically different situations at their external borders. In doing so, the fund has created a tangible solidarity between the Member States most exposed to migratory pressure at the borders and the ones less exposed. Thanks to the allocation mechanism, the bulk of resources were directed to the most exposed Member States (mostly south Mediterranean ones). In addition, European added value is also represented by the fact that major projects for the Schengen area were supported successfully by the fund (VIS, SIS II and Eurosur)*"<sup>139</sup>. However for specific actions, the Commission agreed with the Court and specific actions were cancelled in 2013.

## 10. CONCLUSIONS

This report provides an evaluation of the extent to which the different EBF actions contributed to the **relevance, utility, effectiveness, efficiency, sustainability, complementarity and coherence**, and **EU added value** of the Fund. This chapter summarises these findings and provides an assessment of the EBF's overall role in the implementation of effective and common standards for control and surveillance of the external borders. For each of the evaluation criteria as well as at a general level, conclusions and relevant lessons learnt are presented below.

**Relevance and Utility** - Overall, Member States considered the EBF objectives relevant as they were satisfied with the degree of correspondence of EBF general objectives to their needs related to the management of the EU external borders (land, maritime and air external borders) and the processing of the Schengen visas. Thanks to the design of the distribution key of annual allocation, 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. The objectives of the Fund were therefore broad enough to correspond to the various needs of Member States that varied in accordance with their geographical situation and the migratory flows. Furthermore, the relevance of the EBF was ensured by the annual programming cycle which provided an updated and more detailed analysis of needs. Correspondence to the needs was also somehow ensured through the possibility for the Member States to modify their national programmes at any time and to reallocate funds in the area which required a stronger financial support. A weakness identified by the evaluation refers to the eligibility conditions which sometimes prevented certain needs from being fully addressed.

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<sup>137</sup> Report, page 53, para 36.

<sup>138</sup> Regulation (EU) No 515/2014, Article 3.3. (c) and Annex IV (a)(i). The list of common indicators linked to consular cooperation activities clearly shows that all types of consular cooperation are eligible.

<sup>139</sup> Page 61, para 75.

Due to the absence of monitoring and evaluation framework and the limitation in the evaluation methodology, the evaluation could not bring conclusive evidence with regard to the utility of the Fund.

**Effectiveness:** Overall objective of financial solidarity: The Fund was conceived as a '*Community financial solidarity mechanism in order to support the Member States who bear, for the benefit of the Community a lasting and heavy financial burden*'. In that respect, the evaluation found that the Fund has been effective in achieving financial solidarity among the Member States. The key to allocate the annual funding was designed in such a way that it helped support Member States located on Europe's southern maritime borders which were the ones under the highest migratory pressure during the period under evaluation. However, given the fact that the allocations provided in a given year to the Member States were calculated on the basis of data from previous years, the funding could not – for obvious practical reasons – take into account sudden and unforeseen circumstances. Consequently, the use of emergency measures proved to be crucial for those Member States which were subject to acute and urgent migration pressure. Hence, Emergency measures partially counter-balanced the limitations of the distribution key.

*General Objective 1:* Overall, the EBF was evaluated as having been effective at national level. In particular, border crossing times have been reduced in most Member States thanks to automatic checks for regular migrants. The infrastructure at BCPs as well as the systems and processes to deal with the flow of persons at BCPs have been improved. With the evaluation limitations in mind, the evaluation found that at EU level the EBF 2011-2013 actions made a positive contribution to the establishment of the common integrated border management system (priority 1) by promoting the harmonisation of checks on persons at border crossing points (BCPs) through training programmes; the construction and upgrading of BCPs; acquisition of vehicles, vessels and aircraft used for border patrols; acquisition of equipment and ITech to undertake checks on persons and the authenticity of documents; purchase of ITech and the establishment/development of surveillance systems, allowing for closer and more extensive monitoring of the external borders and exchange of information; construction of first reception and detention facilities for irregular migrants as well as the purchase and installation of ABC gates (e-gates). The EBF made a positive contribution to the development of a European Surveillance System for the external borders and an EPN at the Southern maritime borders of EU Member States (priority 2), as the actions funded contributed to an increased surveillance capacity of Member States which resulted in a more efficient detection of irregular border crossings.

*General Objective 2:* Overall, the actions undertaken under Objective 2 of the EBF appear to have fulfilled their purposes, in particular the full implementation of the VIS and SIS II. The implementation of the VIS in turn contributed to the real-time identification of forged and falsified documents at BCPs, strengthening visa security.

*General Objective 3:* The short- and medium-term outputs and results of the actions funded in this area appear to be clearly positive in terms of the number of staff trained, the increase in the understanding and application of the Visa Code, operation of the STS and support to other EBF priorities as well as the general objectives through training of personnel. Furthermore, the EBF has achieved wide-reaching effects in terms of training of border guards, construction, renovation and upgrading of Border Crossing Points (BCPs) and first reception centres.

*General Objective 4:* The EBF made a weak to moderate contribution to the improvement of the management of activities organised by the consular and other services of the Member States in third countries. This is largely due to the fact that a relatively low amount of funding was dedicated to funding priority 3 and that Member States showed little interest in developing projects related to consular cooperation – including under Community actions. External factors, such as difficult diplomatic relations or the situation on the ground, turned out to be a barrier for the implementation of some of the projects in this area.

**Efficiency:** Due to the absence of monitoring and evaluation framework and the limitation in the evaluation methodology, the evaluation could not rely on a cost-benefit analysis to assess the efficiency of the Fund. However, Member States indicated that EBF investments, for the most part, were overall efficient. However the majority of Member States also reported on efficiency issues they faced, such as issues linked to the difficulties in finding the required national co-financing, timeliness of the programming cycle length and dissatisfaction with the perceived high administrative costs, especially in the Member States with the lowest allocations. Further difficulties regarding the annual programming cycle were reported, in terms of finalising the acquisition of large and complex equipment and the acquisition of large systems purchased over many years. The difficulty of having to attribute multiannual investments to specific annual programmes for programming purposes added a level of administrative burden for RAs.

**Sustainability:** Overall, the EBF investments made under the 2011 to 2013 APs were considered to be sustainable: most of the assets acquired and the knowledge generated were still being used at the time of the evaluation. RAs highlighted the complementarity with the objectives of the ISF and possibility to build on the results of the previous programming period for the activities implemented under the new one as evidence of the sustainability of the investments made under EBF. Sustainability of the investments made is also ensured by the recourse to national funding. A few specific projects faced financial constraints and therefore raised sustainability concerns, such as the deployment of ILOs in third countries, as it requires significant operating costs and consular cooperation in third countries, which requires recurring costs for the common application centres.

**Complementarity and coherence:** The EBF investments made under the 2011-2013 APs were complementary and coherent with activities funded both under other EU Funds (European Return Fund, European Refugee Fund, Neighbourhood policy), enlargement funds (Phare and the Schengen Facility), with Frontex activities (in particular those conducted in the field of rapid response capability, and training), as well as with national investments. The Fund was particularly important in ensuring the coherence of the systems which can only become operational and effective once all building blocks have been finalised (such as the SIS II and VIS) in a context where national government funding was scarce.

**EU added value:** The EBF contribution has been assessed as essential in order to ensure EUROSUR-related investments and as essential or at least considerable in relation to the establishment and development of IT systems, and in particular of VIS and SIS II. The EBF added value has been particularly high in Member States with limited financial resources and/or facing tight budgetary constraints. Where the volume of EBF funds has been relatively limited in relation to the total national expenditure in the field of external borders and Schengen visa processing, the incentive effect to make investments in joint EU border management systems has probably been the most valuable contribution of the EBF. In this

sense, EBF had a leverage effect which multiplied Member States' investments in border management systems, infrastructure and activities. On the other hand, the EBF had only limited added value for the acquisition of state-of-the-art technology at the EU's external borders (ABC gates) and consular cooperation.

### **Lessons learnt:**

The limits of the EBF were also tested during this period and some key lessons were learnt. Some corrective measures have already been adopted under ISF Borders and Visa:

- The architecture of the EBF was rather complex, as it consisted of four broad objectives, numerous specific objectives and five priorities which were subsequently formulated by the Commission in an effort to make the Fund more concrete and operational but which did not fully match the objectives.  
*Whilst the priorities of the EBF remained relevant also in the successor fund (ISF Borders and Visa 2014-2020), the architecture was simplified as ISF-Borders and Visa includes only two specific objectives (one for Borders and one for Visa) supported by seven operational objectives.*
- Some difficulties linked to evaluation limitations emerged when it came to assessing the overall effectiveness of the EBF at EU level, given the lack of an initial baseline and the fact that the EBF monitoring and evaluation system did not allow for detailed monitoring and assessment of the performance of the Fund. Set indicators were rather weak and monitoring data were not fully reliable.  
*This issue has been addressed for ISF Borders and Visa, as the Commission has included a list of common indicators in the legal base of the instrument. In addition, a Delegated Regulation (EU) 2017/207 was adopted in October 2016 on the common monitoring and evaluation framework for ISF Borders and Visa (covering also ISF Police and AMIF). It provides evaluation questions and a set of indicators to be used by all MSs for evaluation purposes. The Commission has also developed a guidance document on the monitoring and evaluation framework for MSs and is organising regular workshops on this matter, and a common template for the evaluation reports to be submitted by the MSs, to ensure consistency. To ensure consistency, the Commission has also developed a common template for the evaluation reports to be submitted by the MSs. Furthermore, regular workshops in regard to the guidance document are being organized. To raise awareness and develop skills and knowledge within the responsible authorities in charge of the implementation of ISF (and also AMIF), the Commission has set up an evaluation network composed of staff appointed by MSs, who meet and discuss regularly with the Commission on evaluation-related matters.*
- The Fund had eligibility limitations that prevented the implementation of some actions that could have addressed the identified needs such as insufficient staffing at border crossing points (BCPs).  
*This shortcoming has been addressed under ISF with the introduction of the operating support by which MS can cover staff costs at border crossing points.*

- Specific Actions were not sufficiently well focused, were administratively heavy to implement and resulted in an overlap with Emergency Actions and projects implemented under the AP.  
*To address this problem, it was decided to abolish Specific Actions under direct management in the subsequent funding instrument and include such actions in the ISF national programmes to allow Member States to have more ownership and flexibility.*
- Member States showed little interest in developing projects related to consular cooperation. This is mainly due to the fact that Member States perceived common visa application centres to be too costly, chose to keep their representations in third countries or do not consider the visa system as an area where they want to cooperate and share costs.  
*The Commission has decided to incentivise this area through a 90% co-financing rate in national programmes under the ISF, while the scope has been extended beyond common application centres to include other types of consular cooperation in addition to the renovation, adaptation and/or equipping of consulates.*
- Regardless of the size of the funding, there was a certain level of financial and human input necessary to manage the EBF at national level. As a result, proportionally higher management costs were experienced by countries receiving small volumes of funds.  
*Under the successor funding instrument, a threshold has been set so as to ensure that a more consequent amount of funds is allocated to each MS as a starting block and the percentage of allocation that can be used for technical assistance (i.e. costs linked to the management of the Fund) has been slightly increased.*
- The EBF was implemented through a strategic multiannual programme covering the whole programming period, but annual programmes were adopted every year and the financial allocations were set each year. Even though this annual cycle enabled to update the distribution key of the funds on annual basis, the annual programming cycle was felt to be a burden by some MSs and it brought about some difficulties when major investments required implementation periods exceeding the two and half year eligibility period of each AP.  
*For the 2014-2020 programming period this issue has been addressed, as in ISF Borders and Visa the programming instrument of the Member State – the national programme – is a multiannual instrument and covers the whole period from 2014 to 2020. The national programme lays down the objectives that are to be achieved using the resources of the Fund, identifies targets and examples of actions, thereby ensuring to the Member States some flexibility to cover - to a certain extent - the evolution of their needs.*

**Lessons learnt not addressed in ISF:**

- Efficiency was addressed to a limited extent in the ex post evaluation of EBF. A major limitation was the lack of quantitative data in border management, as there are no harmonised official statistics on border management resources and investments, or comparable studies on their impact on apprehending illegal crossings. The evaluation study concluded that it was not feasible to compare 'cost of actions' under EBF with other similar actions or with some average market prices.





ANNEX 1 - PROCEDURAL INFORMATION

Leading Directorate-General	DG HOME
Participating Units of DG HOME	A2 – Legal Affairs B2 – Visa Policy and document security B3 – Information Systems for Borders and Security C2 – Border Management and Schengen E1 – Union Actions E2 – National programmes for South and East Europe, evaluation, AMF/ISF Committee E3 - National programmes for North and West Europe, budget, MFF, agencies
Participating DGs	Secretariat-General DG BUDG DG JUST DG TAXUD
Roadmap approval	October 2015
Agenda Planning	2016/HOME/055
External consulting firm specialised in evaluation	Contract signed in June 2015 with consortium of : – Matrix Insight Ltd, UK (now Optimity Advisors, UK); – International Centre for Migration Policy Development (ICMPD), AT; – Council on Refugees and Exiles (ECRE), BE; – Centre for European Policy Studies (CEPS), BE
Number of steering group meetings	5
Last deliverable handed in	December 2016
Approval of the final report by Steering Group	December 2016
Regulatory Scrutiny Board (RSB) meeting	March 2017
Resubmission of the SWD to the RSB	June 2017

**Changes in response to the Regulatory Scrutiny Board's recommendations (Ares(2017)1147765 of 3/03/2017)**

<b>(B) Main considerations</b>	
<p>The evaluation does not make clear the relevant context of the programme at the start and end of the review period, and the contribution of the programme to the changed circumstances.</p> <p>The evaluation does not draw clear conclusions on the strong and weak points of the programme, and the extent to which these conclusions remain relevant for policy makers today.</p> <p>The relationship between the Fund's objectives and priorities is unclear. Given the programme's disparate and broad objectives, the report fails to establish how funding decisions related to goal achievement. As a result, the report presents little basis to conclude that the fund met its objectives.</p> <p>The evaluation does not explain how effectively and efficiently funds were distributed. It is also unclear whether the EBF addressed Member States' priorities and the EU's most pressing needs, especially in countries with less pressure at their borders. There is a discrepancy between case study evidence and the conclusions of the evaluation.</p> <p>The evaluation does not provide clear lessons for the future implementation of EU financial instruments in the field of border controls and visas.</p>	<p>The political context of the programme related to irregular and legal migration has been explained in Section 3. 'Background to the initiative'. The contribution of the programme to changed circumstances has been developed in Section 9.1.1. 'Relevance' and in Section 'Effectiveness' under the title 'Effectiveness of the principle of solidarity'.</p> <p>The lessons drawn from the evaluation, including the ones that remain valid for the post-2020 instrument have been added to the Section 10 'Conclusions'.</p> <p>In Section 4 'the EBF as Funding instrument' we have clarified how the general objectives and priorities of EBF related to each other. Within the limitations expressed in Section 6. 'Method', we have developed the point on the achievement of the objective in Section 9.2 'Effectiveness'.</p> <p>The method for allocating the funds to MSs was clarified in Section 7.1. 'Shared management through the implementation of the national programme'. The impact of this method was assessed in Section 9.1.1 'Relevance'. Data limitations on the use of case studies have been explained in Section 6. 'Method'.</p> <p>In Section 10 'Conclusions' we have included lessons learnt that were not addressed by the current Fund and could be considered for the preparation of the post-2020 funding instrument.</p>
<b>(C) Further considerations (of the RSB) and adjustment requirements</b>	
<b>(1) Drawing lessons</b>	
<p>The Staff Working Document (SWD) should clarify the purpose and general context of this evaluation. It should explain which other related evaluations are being or will be carried out (e.g. on the Internal Security Fund or ISF), what is the timing of these evaluations, whether they will</p>	<p>The clarification of the purpose and general context has been improved, notably in Section 2. Introduction.</p>

<p>analyse the longer-term effects of the EBF actions, and how their findings will feed into future programmes.</p> <p>The SWD should better describe the political context in which the EBF was conceived, and outline how the context has evolved over time. On this basis, the SWD should draw clear lessons from the evaluation of the 2011-13 period, explain which aspects have already been addressed in the current programming period (and how), and which lessons are still relevant in today's changed context. The SWD should clarify its interpretation of programme flexibility, including how this relates to multiannual programming. The relevance and value added sections should reflect these considerations.</p> <p>The SWD should more clearly link the case study evidence to the conclusions. Conclusions should inform policy maker for their deliberations for the post-2020 programming period, with appropriate caveats regarding data limitations.</p> <p>The SWD could integrate these different aspects in a shorter report that does not repeat the findings of the detailed evaluation questions from the main report.</p>	<p>The political context and its evolution related to irregular and legal migration has been explained in Section 3. 'Background to the initiative'.</p> <p>The lessons drawn from the evaluation have been added to the Section 10. 'Conclusions' and are reflected in the whole document.</p> <p>In Section 9.1.1 Relevance we have explained better the flexibility of the Fund and how this impacted on the relevance. The lack of flexibility linked to the annual programming cycle is further explained in Section 9.3 'Efficiency', including how the current Fund addressed this issue.</p> <p>Data limitations on the use of case studies have been explained in Section 6. 'Method'. In Section 10. 'Conclusions' we have included lessons learnt not addressed by the current Fund which could be of interest for the preparation of the post-2020 funding instruments.</p> <p>DG HOME has opted for an encompassing SWD which includes the clarifications required; hence there will be no separate shorter report.</p>
<p><b>(2) Intervention logic</b></p> <p>The SWD should explain how the Fund's objectives and priorities were defined and clarify how these relate to each other. It should also comment on the continued relevance of the Fund's objectives today. In case the objectives were defined in too broad terms, it should explain how they were used or modified in practice to guide programme implementation. If the defined objectives were not useful for evaluating the Fund's effectiveness, the SWD should clearly acknowledge this, and explain whether (and how) this has been addressed in the ISF. The SWD should then indicate relevant conclusions for setting objectives beyond 2020.</p>	<p>Clarifications on Fund's objectives and priorities have been elaborated in Section 4 'the EBF as Funding instrument'</p>

<p><b>(3) Effectiveness and efficiency</b></p> <p>The SWD should better describe the criteria and mechanism for the geographical allocation of the funds. It should explain how the programme made operational the solidarity objective. It should provide data that illustrates the actual needs of Member States (e.g. 3 migratory movements, border crossings, length of external borders, risk factors etc.) and show how the funds were allocated with respect to these needs and added value to Member States' actions. This is important because the case studies describe several projects where EU value added was not obvious. The SWD should explain how projects were selected in a shared management context.</p> <p>The SWD should also explain practical limitations to measuring the Fund's efficiency, whether these limitations are addressed in the ISF, and how they might be further addressed in the next programming period. In particular, it should explore the underlying reasons for high administrative burdens observed in some countries. The SWD should take a more nuanced position on the extent to which public tendering delivers efficiency.</p>	<p>The criteria and mechanism for the geographical allocation of the funds (including risk assessment by Frontex) and project selection in the shared management context have been described in Section 7.1 'Shared management through the implementation of the national programme'. The solidarity principle has been explained in Section 3. 'Background to the initiative', in Section 7.1 'Shared management through the implementation of national annual programmes' (method to allocate the funds to the MSs). Its effectiveness has been assessed in Section 9.2 under 'Effectiveness of the solidarity principle'. In this part, examples have also been provided to show how emergency assistance was used to cater to the evolving needs of Member States. The selection of projects at national level is carried out by national authorities in full independence. A clarification on this point has been added in Section 3. 'Background to the initiative'.</p> <p>Limitations to measuring the Fund's efficiency and its mitigations have been explained in Section 9.3.' Efficiency'. In the same section we have also explained whether these limitations are addressed in the ISF and we have explained the limitations of the use of public tendering as a tool to assess efficiency.</p>
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**Changes in response to the Regulatory Scrutiny Board's recommendations (Ares(2017)5760613 of 24 November 2017)**

<p><b>Main recommendations</b></p>	
<p>The report does not always clarify which conclusions/lessons from the EBF evaluation are still relevant today for the future development and implementation of financial programmes on EU border controls</p>	<p>At this stage, as we cannot anticipate the outcome of the midterm review, all lessons learnt from this exercise are relevant for the development of the next generation of Fund on external borders.</p>

<p>The report does not sufficiently explain how the limited number of emergency measures allowed the EBF to accommodate the evolving needs of Member States due to changing circumstances.</p>	<p>The contractor's report has been used to the maximum possible. No additional information or analysis could be added to the report. The contractor's report was not very detailed with regards to the assessment of emergency actions. The contractor's report moreover underlines that <i>'The effects of the Emergency actions and how they correspond to Member States' needs are more difficult to establish, as assistance has been released in highly dynamic and quickly changing circumstances, hence integrating target indicators into the actions was not the highest priority. Emergency actions follow no strict definition/scope; rather, funding under this type of action was assessed on a case by case basis. It was more important to address the urgent need than to develop detailed indicators and targets'</i>.</p>
<p><b>C) Further considerations and recommendations</b></p>	
<p><b>(1) Lessons to be learnt</b></p> <p>The report now lists the lessons learnt and indicates whether they were taken into account by the successor fund (ISF). The report could further clarify whether there are any lessons from the EBF evaluation which – without anticipating on the mid-term evaluation of the ISF - may still be of relevance for the programming of the next MFF.</p> <p>In particular:</p> <ul style="list-style-type: none"> <li>- The report could further develop the weaknesses of monitoring and how the necessary data collections can be ensured in the future. Given that the evaluation was hindered by data limitations, the report could be more precise in the conclusion on the data missing (e.g. average administrative costs, costs of staff for measuring efficiency) and indicate whether the ISF addresses these problems.</li> <li>- Regarding administrative costs, the report</li> </ul>	<p>See above (first main recommendation)</p> <p>Section 6.1 has been further developed to include clarifications as to the changes introduced in the ISF legal framework.</p>

refers to the solutions brought by the ISF to address the sometimes high management costs of the Fund, especially for smaller countries. The report could clarify for example how "increasing the percentage of allocation that can be used for technical assistance" will help to reduce these costs (see footnote 160).

The report could better reflect important data limitations in order to avoid too affirmative conclusions on the programme's performance (see for example how successes in border control and in flows of persons at borders are too easily attributed to the fund in section 9.2).

## **(2) Lack of flexibility of the Fund**

The report explains the problems that Member States encountered with the annual programming cycles and how flexibility has been provided in the context of the EBF (section 9.3). However, the report could be more precise in setting out whether the Fund has been flexible enough and sufficiently resourced to respond to the rapidly changing migratory patterns. The report could further clarify in how far the need for flexibility has been met by the new measures under the ISF.

We understand this comment is linked to footnote 129. The text linked to this footnote has been clarified.

Nuances were made throughout Section 9.2 to clarify that, due to the lack of a baseline and of comparable indicators the evaluation of the programme's performance relied on qualitative reporting from Member States and focused mostly on outputs. Several affirmative conclusions were re-drafted to clarify that, based on Member State reports, the Fund has been found to have contributed to positive outputs. No causal links have been established but where possible potential links have been suggested.

The contractor's report has been used to the maximum possible. No additional information or analysis could be added to the report. The contractor's report was not very detailed with regards to the assessment of emergency actions, which were the most flexible part of the Fund and help addressed changing needs of the Member States. However additional clarifications were made concerning the elements of flexibility brought by the ISF (emergency assistance) in comparison to the emergency assistance granted under the EBF (Section 9.1).

### Overview

In order to inform the ex post evaluation of the External Borders Fund (EBF) 2011-2013, several stakeholders were consulted through public and targeted consultations conducted both by the European Commission on the one hand, and an external consulting company specialised in evaluation in the framework of their contract with the Commission to provide a study on the ex post evaluation of the implementation of the EBF ('the external evaluators'). This Annex provides an overview of the consultation processes and the type of stakeholders consulted, and presents the results of these consultations.

#### *The public consultation conducted by the European Commission*

Between 10 May 2016 and 9 August 2016, the European Commission held an Internet-based open public consultation on the EBF 2011-2013 in the form of an online questionnaire. Contributions were sought from individuals (experts, beneficiaries), local and national Member State authorities, intergovernmental and non-governmental organisations, social partners and civil society, academic institutions, international organisations, and EU Institutions and Agencies. The final number of respondents was low: ten participants from eight Member States (CY, ES, HU, LT, LV, MT, PT and SI), all representatives of a public authority. Given this low response rate, contributions cannot be considered as being representative of the targeted stakeholders, but the results may provide additional insights nonetheless and will be presented below together with the findings of the other consultations. Another limitation is the fact that the information available on the identities of the participants is based on self-reported values which cannot be verified.

#### *The consultations conducted by the external evaluators*

The external evaluators conducted a targeted consultation using three different types of interview with varied types of stakeholders. This section provides an overview of each type of interview and the consultation process that took place in each case. Access to the relevant EU-level stakeholders, as well as RAs, was supported by the unit responsible for the evaluation (DG HOME, Unit E2), while access to relevant beneficiaries was often provided by the Responsible Authorities. Stakeholders were first approached via e-mail introducing the study and the importance of their contribution, including a letter of introduction from DG HOME.

1) **EU-level interviews** were carried out with relevant personnel currently or formerly working for DG HOME. In total 20 stakeholders from DG HOME and one stakeholder from Frontex were consulted either through telephone interviews or through face to face interviews. In these interviews, stakeholders were asked about the intervention logic (problems and needs, objectives, inputs, activities, outputs, results and impacts) of the EBF 2011-2013 as a whole at EU level, and on the evaluation criteria (relevance, utility, effectiveness, efficiency, sustainability, coherence, complementarity and EU added value).

2) **National interviews** were also carried out with the RAs of all 28 participating countries, first through a telephone interview on the same topics as the EU representatives, and then focusing on the national level instead of EU-wide level. This second conversation built upon the information already provided in the National Evaluation Reports (NERs) submitted by Member States to the European Commission by November 2015.

3) The RAs in the 12 selected case studies (FR, IT, ES, DE, CZ, FI, EL, CH, BG, PO, HU, NO) were then consulted a second time through **case study interviews** regarding the intervention logic elements of the specific National Action the case study related to, as well as the evaluation criteria of this National Action. From October 2015 to March 2016, a total 110 beneficiaries from these case study countries were also consulted on these same subjects through face-to-face interviews held during field visits. Over 140 interviews with RAs and beneficiaries took place, as well as 12 field visits to the case study countries.

## Results

The most relevant results of the consultations carried out by the European Commission and the external evaluators are grouped in this section and presented according to the following evaluation criteria: relevance and utility, effectiveness, efficiency, sustainability, coherence and complementarity, and EU added value.

### *Relevance*

Generally, the RAs and beneficiaries consulted found that the actions funded by the EBF were relevant (EBF objectives corresponded to their needs) both at EU level and for individual Member States. The European Commission public consultations support the positive findings of the other stakeholder consultations. Question 8 of the Commission's public consultation asked participants whether, in their opinion, the projects and activities supported or financed by the Fund addressed the needs related to the management of the EU external borders and the processing of the Schengen visas. The majority (6/10) replied "Yes", 2/10 "Generally yes, but with some problems" and 2/10 "Don't know".

Interviews with representatives of RAs indicated that potential beneficiaries of the EBF (such as Border Police/National Police and various structures within the Ministries of Foreign Affairs (MFA) or Ministries of the Interior (MOI)) were involved in the identification of high-priority needs related to their specific areas of responsibility. The Multiannual Programmes (MAP) and Annual Programmes (APs) were elaborated through a participatory process where potential beneficiaries were invited to present their specific needs to the national RA. RAs from IT, PL, HU, RO and BG highlighted that they sought to ensure that planned investments were in line with national strategic priorities, in order to guarantee that projects selected for implementation under Member States' APs corresponded to their needs.

Regarding the prioritisation of needs, the major criterion for investments at external borders was the migration pressure experienced by Member States in recent years (interview with DG Migration and Home Affairs official), but some countries also highlighted the need for investments at borders not experiencing immediate migration pressures (eastern and north-eastern EU borders).

Direct management actions, including Community, Emergency and Specific Actions, had separate objectives and priorities identified and agreed on an annual basis, which refer to those in the basic act. In general, Community action priorities have been stable but flexible enough to direct resources where they are most needed, for example for using the majority of annual funds for emergency assistance. They have also been of high relevance to support the needs of broader and strategic EU-level initiatives such as EUROSUR through support to the



interlinking and exchange of information between Member State National Coordination Centres.

### *Effectiveness*

EBF investments contributed to the national components of the common Integrated Border Management System (IBMS) for the protection of the EU external borders, especially regarding: checks on persons at BCPs, the development and implementation of the national components of a European Surveillance System for external borders, and the strengthening of cooperation between different national EU agencies involved in the protection of borders. Question 4 of the Commission's public consultation asked participants whether, based on respondents' experience, the actions financed by the Fund in their Member State were consistent with the general and specific objectives of the Fund. The vast majority of respondents (8/10) thought that the actions were consistent with the objectives of the Fund, thus replied "Yes", 1/10 answered "Generally yes" and 1/10 "Don't know".

The EBF promoted a homogenous approach to **checks on persons applied by the participating States at the external EU borders** and increased the overall quality of these checks, through the installation of ABC gates (in BE, BG, EE, ES, FI, HU, IT, NL and NO, for example) as well as the implementation of large information sharing systems such as VIS. EL and RO constructed or upgraded the most detention facilities (20 and 12 respectively). In terms of the effectiveness of e-gates, BE, FI, IT and NL reported an increase in efficiency of border checks of travellers, a reduction of the processing time per passenger (BE), more effective use of human resources (BE, EE, NO) and the quality/security of border checks through facial recognition and document checks (BE, NL, NO). Some countries found that e-gates contributed to smooth border crossings (FI and NL), reduced queuing (FI and NL) and improved customer satisfaction (FI and NO). NO however indicated that the time spent at border controls was not necessarily shortened when passengers used the automated border control check (NO case study). BG and HU also noted a lower than expected usage rate of the e-gates by passengers.

Several countries acquired equipment or set up systems aimed at improving the detection of false travel documents or visas, such as the provision of access to databases or the setting up of data systems for the verification of document validity and authenticity (BE, DE, NO), equipment for checking security features on travel documents and detecting their counterfeits (EE, EL, FR, IT, LT).

**Regarding the area of surveillance**, four Member States (ES, FR, NO and SI) established or upgraded a single National Coordination Centre (NCC) with EBF funding under Specific Priority 2.1 in the time-frame of 2011-2013. All actions in this area were perceived by these countries as effective. Four countries took actions to establish or upgrade the national surveillance system (EE, ES, FR, and HU) under Specific Priority 2.2. As they had already set up surveillance systems by 2011, their investments aimed to upgrade or improve the current systems.

Most EBF funding under Priority 2 was used by Member States (BG, EE, ES, FI, IT, MT, and NL) to purchase, upgrade or repair different types of equipment for detection, identification and intervention at the borders under Specific Priority 2.3. This included, for example:

- Thermal, night vision and/or infrared cameras (EE and SE).

- Radars and/or sensors (HU, EE, SE).
- Helicopters and aircraft (BE, CY, EL, ES, FI, FR, IT and MT, SI).
- Vessels/boats (DE, EE, EL, ES, FI, FR, HU, IT, LT, MT, NL, NO, PT, RO).
- Vehicles (BG, EL, ES, FI, HU, IT, LT, MT, NO, PL, PT, RO, SE, SI, SK).

The purchase of surveillance equipment enabled Member States to increase their border surveillance capacity to detect irregular migrants at the border and improve the reaction capacity. EE and SE for example noted that, as a large part of the surveillance activities in their countries is conducted at night time or in the winter season, infrared and night vision cameras helped to improve visibility and enabled detection of vessels at the sea border and irregular migrants at the land border.

Only a few countries invested in the building and upgrading of areas and centres for persons whose entry is refused and for persons who are intercepted after having crossed the border irregularly. Interview responses show that RAs and/or beneficiaries experienced difficulties in assessing exactly which element of funding was relevant for which fund. Only four Member States (CY, EL, LT and RO) invested in the construction or upgrading of 38 detention facilities and construction or upgrading of 547 places with detention facilities through EBF 2011-2013 funding.

**Strengthening of cooperation** took place between different national and EU agencies involved in the protection of borders, through the implementation of the information sharing system SIS II or other large surveillance systems that allow for sharing of information with other Member States (for example SPATIONAV in FR and SIVE in ES), or through the deployment of Immigration Liaison Officers (ILOs) and by allowing Frontex to use some of the equipment purchased. Some problems were identified in the rolling out of large ITech systems, sometimes due to the different technical standards used by Member States. FI reported a trade-off between ensuring a system was built adequately and the need to do so in a timely manner, such as where a temporary solution had to be developed. Some actions funded under the EBF 2011-2013 APS which were seen to foster operational cooperation between Member States in the field of border control were the establishment of NCCs (ES, NO and SI), and the fact that some Member States subscribed to international databases/systems, which allows them to authenticate and check travel documents such as the Public Key Directory of the ICAO (BE and SE) and the Interpol ASF SLTD (DE).

Under EBF Community Actions (2010-2013 AWP) there were **25 Emergency Actions**, which were focused mainly on the provision of first aid and medical assistance (IT), the reinforcement of BCPs in Ceuta and Melilla (ES), the reinforcement of first reception services, provision of support for migrant reception, and the deployment of border guards and multidisciplinary teams (BG and EL). Part of the emergency assistance was also allocated to assist CY, CZ, EE, LU, MT, NL, PT and SK in the final stages of the SIS II development. The RA from ES reported that emergency assistance was instrumental to handling critical situations, because it was the most flexible part of the EBF and allowed funding to be released quickly where most needed. Emergency assistance was also found highly effective in the case of BG, whose authorities had in general very little experience of handling migration influx to the extent seen in the second half of 2013.

Other responses were mixed. Representatives of Implementing Authorities from IT and ES reported lengthy and cumbersome procurement procedures which were not compatible with the objectives and needs underlying Emergency Actions. Implementing Authority

representatives from IT highlighted challenges related to implementing Emergency (and Specific) Actions and assessing their effectiveness (interview with two representatives of the Central Directorate for Technical-Logistic Services and Assets Management, IT Ministry of Interior). The interviewees reported that since the implementation of the Emergency Actions, there has been a 30% improvement in the intervention performances of the IT authorities, but it was difficult to measure the extent to which this improvement is due to the EBF given the absence of precise reporting indicators and duties established ex-ante for the actions conducted using EBF-purchased goods/resources. At the same time, introducing reporting duties for the beneficiaries seemed at odds with the emergency nature of the implemented actions. In the case of IT, in order to precisely assess the outcomes/results of the actions, it would have been necessary to register every single operation conducted using tools/resources obtained through the EBF. This would have constituted a further burden for the authorities engaged in the actual operations.

### *Efficiency*

Overall, reports from RAs and beneficiaries on the implementation of the EBF 2011-2013 tended to be positive and suggested that the observed effects of the EBF were achieved, in the majority of cases, at an efficient cost. Question 9 of the Commission's public consultation asked whether participants considered that the effects of the actions carried out under the Fund were achieved at a reasonable cost in terms of financial and human resources deployed. The majority of respondents (6/10) considered that the effects of the EBF actions carried out in their country were achieved at a reasonable cost in terms of financial and human resources deployed to some extent. 3/10 answered "Generally yes, but with some problems", 1/10 "Don't know"

At the national level, EBF actions were reported as being implemented efficiently thanks in large part to comprehensive management and control systems, including stringent procurement procedures. At the European level, the Commission was reported to have been dedicated to ensuring efficiency through the time committed to the management of the EBF, the provision of support to Member States and the carrying out of audits and monitoring processes. Several countries reported positive interactions with the Commission, but most also highlighted issues such as a perceived high level of administrative burden, management costs, and the timeliness of programming cycle lengths.

Regarding the **efficiency of procurement procedures**, the findings of the 12 country case studies show high levels of efficiency in the processes used, despite the pressures to complete the procedures in a limited amount of time. Examples of cases worth highlighting are:

- In 2011 in IT the limited time made available by the EBF annual programme conditioned the choice of the type of public procurement process adopted for the implementation of the action. Given some delay in the drafting of the tender specification for the acquisition of two helicopters, an extension for the delivery and testing of the vehicles was agreed.
- In CH, the costs of the contracts were determined only after negotiation procedures between the contracting authority, relevant stakeholders and the contractors. To a large extent, the costs were based on hourly rates of work, which allowed some comparison to market prices. A monitoring and supervision system ensured that resources were

allocated and spent efficiently (data provided by the beneficiary). An ad-hoc audit on all public procurement relevant to the EBF was conducted by the Swiss Federal Audit Office. The European Commission identified irregularities on two contracts of the AP 2011 due to conflict of interests, but established that this did not lead to financial loss for the contracting authority. However, the Commission applied a 100% financial correction on the affected contracts and decreased the amount of the EBF contribution (CH case study).

- Existing frameworks played an important role in ensuring the efficiency of the procedures. In FI, the central purchasing body of the government signed framework contracts with vehicle suppliers, whereby the RA and Finnish Border Guards (FBG) had input in specifying requirements through the system's website, with the lowest price as a key selection criterion. This simplified the process of selecting and acquiring the desired vehicles, eliminated lengthy tender procedures, negotiations and appeals, and guaranteed maximum efficiency (FI case study).

Regarding **efficiency at the national level**, the majority of countries whose RAs were interviewed, found that, to a large extent, EBF-funded actions were undertaken in an efficient manner, with the 'value for money' principle considered as a key driver (BE, BG, CY, CZ, DE, EE, EL, ES, FI, FR, HU, IS, IT, LT, MT, NL, NO, PL, RO, SE, SI and SK). National management and control systems were regarded as vital to ensuring efficiency, the AT Federal Ministry (BMI), for example, stated that "processing the EBF required an appropriate management and control system". RO stated that following public procurement regulations was the main instrument to ensure efficiency of the resources utilised (RO NER). In LT, it was essential for public procurement procedures to be undertaken in accordance with national procurement law as well as Article 11 of the EBF Implementing Rules. Additional success factors reported by AT, BG and RO were the presence of staff with experience in the management of EU funds and continuity of staff/minimal turnover.

Difficulties encountered by participating countries varied. PT reported that efficiency could not be evaluated due to a lack of foresight at national level in determining relevant and consistent impact, result and output indicators, and in implementing a system to collect such data. PT also encountered difficulties approving projects and problems in public procurement due to a lack of familiarity with EU legislation on this area. Other issues reported included insufficient financial and HR capacities (AT, BE, PT, CZ, EE, EL, FI, IT and RO); incorrect interpretation of priorities (BE and PT); and issues such as the need to impose financial corrections on contractors and/or difficulties in appealing against public procurement decisions (BG, CZ, EE, IT and RO).

In relation to specific types of projects, many countries perceived ITech projects to be relatively inefficient, particularly those related to Priority 4 (AT, EE, FI, NO, RO).

Regarding **efficiency at EU level**, Member States reported on a number of positive elements related to the Fund's management which improved its efficiency. One element was good cooperation between the Member States and European Commission desk officers. For example, the AT RA representative stated that frequent consultation with the European Commission was considered very useful, especially as they had the same desk officer throughout the Fund's duration. Several countries, such as ES, highlighted advantages resulting from the Fund's flexibility.

However, European Commission (EC) representatives and the majority of countries reported some issues regarding EBF efficiency, such as a lack of human resource capacity to monitor implementation of national actions. Both Commission representatives and countries also mentioned: timeliness related to the programming cycle length (EC, AT, BE, IT, NL, NO and RO); interpretation of the scope of the EBF (EC and MT); and issues relating to project implementation (EC). Several Member States (AT, BE, DK, DE, EE, FI, IS, IT, NL and PT) also reported dissatisfaction with the level of administrative and management costs they had to contribute. Factors influencing this dissatisfaction included: the use of EBF rules (such as procurement procedures) alongside national rules (DK); unfamiliarity with EBF rules and procedures and difficulty implementing these rules (AT); and lack of programme planning at national and EU level (IS).

### *Sustainability*

Overall, most of the actions funded under the EBF in 2011-2013 were considered sustainable by the stakeholders interviewed, as shown in the case studies carried out by the external evaluators. This is confirmed by the findings of the European Commission public consultations. Question 10 of the public consultation questionnaire asked participants whether they considered that improved services and procedures (achieved also through the Fund) would continue without EU support in their country. The majority of respondents (7/10) stated that improved services and procedures (achieved also through the Fund) would continue without EU financial support. 1/10 replied "Generally yes, although with some problems", 1/10 "Don't know" and 1/10 "No".

Some minor exceptions mentioned by RAs were due to delays or lack of trained personnel. For example, BG RA and beneficiary (Border Police) reported that mobile surveillance posts that are part of the integrated surveillance system at the Bulgarian-Turkish border were introduced only in March 2016 due to administrative obstacles. NO also reported that mobile border check units were utilised to a limited extent due to a lack of operators.

Regarding **warranties**, beneficiaries and the RAs reported when interviewed that these were in place for all acquired assets. PL reported a good practice in this area, where in order to secure a longer useful life of the purchased equipment selection criteria in the procurement of surveillance equipment included the length of warranty terms and the offered technical support (interview with a Border Guard beneficiary in PL). Most of the acquired equipment therefore obtained a five-year warranty. Border officers were also required to purchase personal accident insurance, covering personnel use of equipment (interview with the PL Border Guard). RO identified a similar practice.

Regarding **financial support**, most of the officers from the RAs interviewed claimed that financial support for the continued utilisation of acquired assets is secured either through national budgets or through the ISF (NL, RO). The issue of insufficient finances or finances not guaranteed was highlighted as being of serious concern for a number of investments. For example when helicopters were acquired under the 2011 AP in IT, operational and maintenance costs were not secured in the budget of the beneficiary (National Police), as no ex-ante assessment of the investment was carried out. As public tenders were applied, the beneficiary expressed concerns that lengthy procedures may lead to interruptions in the validity of the helicopters for emergency response (IT case study).

Other projects reported as having raised sustainability concerns due to financial constraints were:

- the deployment of ILOs in third countries, as it required significant operating costs after the EBF actions were terminated (HU, CH NER);
- consular cooperation in third countries, as it also involves recurring costs for the common application centres (interview with DG Migration and Home Affairs officer);
- the deployment of sufficient border guard officers in EL after the end of the ad-hoc reinforcement operation at the land border with Turkey, although by design, the ad-hoc operation had very limited sustainability as it covered operational costs for the redeployment of police officers from EL (case study).

**Regarding training of personnel**, interviews with RAs and beneficiaries in BG, IT and PL revealed that for complex equipment systems such as surveillance systems and helicopters, the terms of procurement included training of end-users. This ensured the sustainability of assets, as trainees could share their knowledge and skills with additional end-users (MT). HU and NO mentioned that when the intervention itself was training of staff, the sustainability of the positive effects was shorter due to changing technologies and practices and the need for continuous training. AT and HU quoted the high turnover of personnel as a negative factor affecting sustainability of training projects.

The different types of **activities funded under Community Actions** do not allow a general statement on their sustainability. ILOs and common visa application centres were generally assessed as unsustainable beyond the end of the particular project due to the high running costs involved. Investments made on surveillance capacities and interoperability of surveillance tools are expected to be sustainable due to the continued needs for their use under EUROSUR integration. Regarding Emergency Actions, there was interest from beneficiaries in BG in the continuation of emergency assistance with follow-up actions.

### *Coherence and Complementarity*

Overall, stakeholders assessed positively the coherence and complementarity of the EBF actions with other EU and national interventions related to the management of the EU external borders and the Schengen visa. The EBF was also found to complement national resources used by Member States to comply with both relevant EU legislation in the field of border management and visa processing, and international commitments taken at a higher security level. Synergies between overall EBF programming and activities conducted by Frontex were also identified.

The results of the European Commission's public consultation confirm these findings. Question 11 of the consultation asked participants whether they considered that projects and actions supported by the Fund were coherent and complementary to other actions in the same field funded by other EU financial instruments and national resources of the Member States, including activities implemented by Frontex. The majority of respondents (8/10) found that projects and actions funded by the EBF were coherent and complementary to other actions in the same field funded by other EU financial instruments. 1/10 replied "Generally yes, but some actions were not coherent with and complementary to other actions" and 1/10 stated "Don't know".

The degree of **complementarity between the EBF and other EU financing tools** varied significantly across Member States. Member States (BG, EU, HU, LT, RO and SI) which benefited from the SF (Schengen Facility) and PHARE (Programme of Community aid to the countries of Central and Eastern Europe), highlighted strong programmatic and operational interlinks between these funds and the EBF. But AT, DK and NL indicated that projects funded under the EBF were isolated activities and that no other EU financial instruments were used for actions in the field of external border and Schengen visa processing. In EL, ES, IT and CY, EBF priorities were complemented by EU funds not specifically directed at supporting border control and visa processing activities.

Some Member States (AT, BU, EE, LT and PT) noted that they built on the knowledge and experience gained through the implementation of previous and/or interrelated EU funds for the implementation of EU actions. For example, in LT, training projects carried out under the EBF's Priority 5 (STS) are the follow up of the Special Kaliningrad Transit programme for 2004-2006, the training financed by the European Social Fund and by the Norwegian Financial Mechanism. These trainings corresponded highly to those financed by the EBF and further enhanced the skills of officers used in the Schengen visa processing and external EU border control systems.

The external evaluators also found, based on National Evaluation Reports (NERs), that **synergies were developed between the EBF and EU initiatives** undertaken under the Neighbourhood Policy framework with, for example, the Estonia-Latvia-Russia cross-border cooperation Programme; the European Structural and Investment Funds, in particular the European Regional development Fund (ERDF); and the European Social Fund.

Regarding **complementarity between the EBF and national activities relating to external borders and short-term visa processing**, 11 Member States (AT, BG, CZ, DK, EL, ES, FR, HU, FI, IT and NO) reported that the 2011-2013 EBF APs were implemented as components of larger national projects and supplemented other strategies and activities financed from national budgets. CZ, ES, FR and NL also reported that complementarity was ensured by avoiding overlaps and double financing. FR highlighted a strong complementarity among EBF funds and national contributions, particularly in the area of visa equipment.

In relation to **synergies between EBF overall programming and activities conducted by Frontex**, EL, FI, FR and IT confirmed that the actions conducted in the framework of the EBF, particularly actions under EBF Priorities 1 and 2, were coherent with Frontex's objectives of increasing Member State response rapidity and overall capability. ES, IT, FI, LT, NL, PT, RO and SE reported that when implementing EBF supported actions directed at the purchase of aircraft, vessels, vehicles and equipment, the ability to conduct joint operations has been expressly taken into account. Other Member States (BE, BG, EE, FI, HU, IT and RO) found that EBF contributed in some way to aligning the training activities delivered to border authorities to the common training standards developed by Frontex. EE and FI also identified synergies between EBF actions and Frontex's role in the field of research and development.

### *EU added Value*

According to the interviews conducted with Member State RAs and the case studies, the EBF was found to have significantly helped to fill gaps in national public funding, and to have

supported the national efforts in the implementation of the different priorities underlying the funds. The results of the European Commission public consultation confirm this trend. Question 1 asked participants whether they considered that the implementation of the Fund in their country had affected positively the work of the public administrations dealing with border management. The majority of survey participants found that the implementation of EBF during 2011-2013 had indeed affected positively the work of the public administrations. 8/10 replied "Generally yes, to a great extent", 1/10 Partially yes, but to limited extent", 1/10 "Don't know"

The EBF added value was seen as particularly high in countries with limited financial resources and/or facing tight budgetary constraints (CY, EL, FI, FR, IT, LT, NL, NO, PT and RO). According to these countries, the EBF helped to make possible large investments which would not have been made otherwise, or would only have been made with significant delays occurring in all areas of intervention of the EBF. EL, ES and IT also indicated that investments related to EUROSUR would not have been possible without EBF contributions. For example, interviews conducted during the ES case study visit confirmed that the construction of the operations centre for the Maritime Border and Coastal Surveillance Control Centre would not have taken place without EBF funding, as EBF provided 95% of the funds for these actions.

For DE, EE and FI the EBF also had a considerable added value in the area of Smart Borders Package, as it either made funds available which were not available to the required extent for the purpose of improving the sustainability of surveillance systems, or it significantly speeded up the upgrade and renewal of operational equipment for border surveillance. No country reported low EU added value in this area. Regarding investments made for the conduction of border management activities in general, 6 Member States (BE, BG, HU, EE, ES and IT) reported the EBF to be an essential or substantial source of financial support. In this area, the EBF was seen to have had limited added value only with respect to the acquisition of state-of-the-art technology at EU external borders.

Nine Member States (CY, CZ, EE, EL, ES, IT, LT, PT and SI) referred to the **establishment and development of ITech systems**, in particular VIS and SIS II, as essential or at least considerable.

Five Member States (AT, BE, BG, FI and HU) highlighted **Consular cooperation** as another area where the EBF contributions allowed several beneficiary countries to implement measures that could not have been implemented to the same extent by national funding alone. HU indicated the ILOs as one of the projects where EBF support had particular added value.

Regarding **Frontex operations**, IT, SE and BG affirmed that the EBF financial support allowed both an increase in the number of available assets and an improvement of the technical features of vehicles that have been put at the disposal of Frontex. Without EBF contributions, a strict prioritisation of available resources would have been necessary. The RA of SE stated in an interview that without the Fund the investment for SIS II would have been made using national resources, but this would have engendered a lack of resources for other initiatives which proved both relevant to the beneficiary's needs and the overall EBF objectives, but also complementary to Frontex activities.



## ANNEX 3 - METHODOLOGY

### Study conducted by external evaluators

The preparatory ex post evaluation study conducted by the external evaluators was regarded as providing the most robust and impartial overview possible of the Fund because it was highly structured:

- A regular and transparent dialogue took place between the Commission services and the contractors;
- The parameters of the contract were clearly set out and respected;
- The Fund's management modes are clearly distinguished in the methodology;
- All data sources were assessed and presented data are clearly labelled;
- 3-tiered analysis was elaborated.

### Communication between the Commission services and the external evaluators

The study's progress was followed by an Inter-service Steering Group (ISG) comprised of officials from SG, DG BUDG, DG JUST, DG TAXUD, DG HOME (particularly Units A2, B2, B3, C2, E1, E2 and E3) as well as the contractors with their partners and experts. Four meetings took place between the contractors and the ISG and structured feedback (in both directions) was provided on a weekly basis throughout the contract. This two-way dialogue was enriched by the active participation in the ISG of policy and implementation units and shadowed by horizontal units and the Secretariat-General.

### Modes and phases

Shared and direct management modes are clearly distinguished in the external study's methodology and in the presentation of findings. Shared management comprises actions co-financed by the EBF under the 2011-2013 Annual Programmes implemented by the Member States (including the Special Transit Scheme). The scope of direct management in the study was the EBF 2010-2013 Community Actions (including Emergency Actions) and the EBF 2010-2012 Specific Actions.

Another structuring feature of the external evaluation was the segmentation of the tasks into clearly defined phases which were closely observed by all parties. These phases had been determined in the Terms of Reference. Adherence to the Terms of Reference made the study itself more efficient and transparent.

### Data sources and quality

The information analysed by the contractors can be regrouped into two categories:

1. Documentation relating to implementation – legal acts; high level contextual documents (i.e. Frontex risk analysis); Programme documents (Annual Work Programmes) and addition evaluation documents (National evaluation reports for shared management and Technical implementation reports for direct management).
2. Statistical data – this includes:
  - Official statistics from Eurostat, Frontex etc. (i.e. border guards, illegal crossings);

- Financial data extracted from ABAC on 10/08/2016 for EBF and all SOLID Funds in order to present programmed and net EU contributions and absorption rates;
- Financial data extracted from SFC2007 on 11/05/2016 to present the breakdowns by priority and specific priority;
- Financial data extracted from SFC2007 on 31/12/2016 to present Programmed and Net EU contributions and absorption rates for Annual Programmes that were closed after 10/08/2016; and
- Financial data for direct management were provided by the Commission services. Figures presented are the sum of the cost claims minus the ineligible costs.

### Output and result indicators

By systematically combing information through the NERs, it has been possible to aggregate information on the main types of investment supported under the EBF 2011-2013 national actions and compile a series of output and result indicators. Commonly reported output indicators include:

- Improvement to surveillance equipment at Border Crossing points (BCPs) (data provided by 23 countries);
- Training of border guards (22 countries) and consular officials (16 countries);
- Connectivity to the VIS (17 countries) and issuance of Schengen visas.

Result indicators include:

- The number of consulates equipped with operating equipment for Schengen visa processing under the 2011-2013 annual programmes – which has notably increased to 889 out of a possible 2 189.

However, there are gaps in the information provided in the NERs. Out of 18 indicators identified by the external contractors, the Member States best able to provide data were ES (15 indicators); FR (14) and BE, HU, LT (12 each).

### Analysis

Three different levels of analysis were undertaken by consulting company:

- Descriptive analysis, at two levels, to provide context and a basis for the development of other types of analysis:
  - EU level: Different official documentation, such as the Decision establishing the EBF, as well as interviews with DG HOME were analysed and used to describe the context of the EBF, such as the objectives it was aiming to achieve and the type of actions eligible for funding under the EBF.
  - Case studies: The analysis of the data collected relating to the national actions as part of the case studies (all programmatic documents, national evaluation reports and interview notes) was carried out and described according to the intervention logic elements, as well as all the evaluation criteria in the case study reports. The case studies were selected according to four fixed criteria to improve representativeness (objectives, priorities, types of intervention); relevance (external borders and migratory pressure); solidarity (where investments exceed input) and coverage of the evaluation questions in the national evaluation reports.

- Thematic analysis: For this analysis, Nvivo, a qualitative analysis tool, was used to encode and subsequently analyse the information from the national evaluation reports and relevant interviews (EU level and interviews with RAs). The encoding was done according to a coding framework which included all the different intervention logic elements, as well as all the evaluation criteria, and allowed for the creation of “sub-nodes” as further themes emerged from the analysis. Through the encoding, trends and themes emerged across the Member States under the different evaluation criteria and EBF objectives and priorities. In addition, quantitative data collected was analysed, such as the context and effectiveness indicators from the final reports (as presented in the SFC2007 database) and national evaluation reports. This quantitative analysis also allowed for key messages to emerge from the data (such as type of priority receiving the most funding).
- Comparative analysis: Building on the descriptive and thematic analysis, a comparative analysis was undertaken, comparing the findings from different Member States under each of the evaluation criteria. The comparative analysis allowed the study team to assess the extent to which the research findings were coherent. The case studies were also included in the analysis and used to illustrate certain findings.

#### Assessing the impacts of the EBF

Evaluating the impacts of the EBF at national level is more complicated as it requires experiment conditions with a matched control where EBF was not utilised. In order to mitigate this, the external study used information from the case studies and interviews, as well as the evaluators' own judgement.

#### Public consultation

Between 10 May 2016 and 9 August 2016, the European Commission also held an Internet-based public consultation on the EBF 2011-2013 in the form of an online questionnaire. The types of stakeholder invited to participate in this consultation were: individuals (experts, beneficiaries), local and national Member State Authorities, intergovernmental and non-governmental organisations, social partners and civil society, academic institutions, international organisations, and EU Institutions and Agencies. The final number of respondents was small: ten participants from eight Member States (CY, ES, HU, LT, LV, MT, PT, SI). This means that contributions cannot be considered as being representative of the targeted stakeholders, but the results provide additional insights. All stakeholders that participated in this consultation were representatives of a public authority.

## ANNEX 4 - LIST OF EVALUATION QUESTIONS

### Relevance

EQ1a. To what extent did the objectives of the EBF correspond to the needs related to the management of the EU external borders and the processing of the Schengen visas?

### Utility

EQ1b. To what extent did the actual effects of the EBF 2011-2013 actions correspond to the needs related to the management of the EU external borders and the processing of the Schengen visas?

### Effectiveness

EQ2. To what extent did the EBF 2011-2013 actions contribute to the efficient organisation of control, covering both checks and surveillance tasks relating to the external borders?

EQ3. To what extent did the EBF 2011-2013 actions contribute to the efficient management by the Member States of the flows of persons at the external borders in order to ensure, on the one hand, a high level of protection at the external borders and, on the other, the smooth crossing of the external borders in conformity with the Schengen acquis and the principles of respectful treatment and dignity?

EQ4. To what extent did the EBF 2011-2013 actions contribute to the gradual establishment of the common integrated border management system as regards the checks on persons at and the surveillance of the external borders?

EQ5. To what extent did the EBF 2011-2013 actions contribute to the development and implementation of the national components of a European Surveillance System for the external borders and of a permanent European Patrol Network at the southern maritime borders of the EU Member States?

EQ6. To what extent did the EBF 2011-2013 actions contribute to the establishment of ITech systems required for implementation of the EU legal instruments in the field of external borders and Schengen visas?

EQ7. To what extent did the EBF 2011-2013 actions contribute to the uniform application by border guards of the provisions of EU law on the crossing of external borders, in particular Regulation (EC) No 562/2006?

EQ8. To what extent were the EBF 2011-2013 actions, and in particular the EBF Community Actions, effective in providing support services to Member States in duly substantiated emergency situations requiring urgent action at external borders?

EQ9. To what extent did the EBF 2011-2013 actions, and in particular the EBF Community Actions, contribute to the improvement of the management of activities organised by the consular and other services of the Member States in third countries as regards the flows of third-country nationals into the territory of the Member States and the co-operation between Member States in this regards?

EQ10. To what extent did the EBF 2011-2013 actions contribute to the effective processing of Schengen visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries?

EQ11. To what extent did the EBF 2011-2013 actions contribute to the effective and efficient application of relevant EU legal instruments in the field of Schengen visas, in particular the Visa Code?

#### Efficiency

EQ12. To what extent were the effects of the EBF 2011-2013 actions achieved at a reasonable cost in terms of financial and human resources deployed?

#### Sustainability

EQ13. To what extent have the positive effects of the EBF 2011-2013 actions lasted after the interventions were terminated?

#### Complementarity and coherence

EQ14. To what extent were the EBF 2011-2013 actions coherent with and complementary to other actions related to the management of the EU external borders and the Schengen visa processing financed by other EU financial instruments and from national resources of the Member States?

EQ15. To what extent were the EBF 2011-2013 actions complementary to the activities of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union?

#### EU added value

EQ16. To what extent would the Member States be able to carry out the investments necessary for the implementation of the EU policies in the field of border management and Schengen visa processing and in particular the investments related to EUROSUR, VIS, SIS II, automatic border controls, consular co-operation and contribute to the Frontex joint operations, without the support of the EBF 2011-2013 actions?

**ANNEX 5 - DETAILED OVERVIEW OF THE BUDGET ALLOCATED TO COMMUNITY, EMERGENCY AND SPECIFIC ACTIONS UNDER EBF 2010-2013 ANNUAL WORK PROGRAMMES**

Year	2010	2011	2012	2013	TOTAL
<b>COMMUNITY and EMERGENCY ACTIONS (in EUR)</b>					
<b>Programmed EU Contribution</b>	<b>11 650 000</b>	<b>16 000 000</b>	<b>21 607 080</b>	<b>11 848 562</b>	<b>61 105 642</b>
Awarded EU Contribution: Community Actions (All 29 projects)	60 165	2 336 668	10 582 562	670 260	13 649 654
Awarded EU Contribution: Emergency actions (All 25 projects)	6 078 132	13 409 973	10 469 979	9 999 610	39 957 693
<b>Awarded EU Contribution: Community and Emergency Actions (All 54 projects)</b>	<b>6 138 297</b>	<b>15 746 640</b>	<b>21 052 541</b>	<b>10 669 870</b>	<b>53 607 347</b>
Final EU Contribution: Community Actions (Closed 21 projects)	54 652	1 828 951	2 427 134	0	4 310 738
Final EU Contribution: Emergency Actions (Closed 25 projects)	3 991 839	10 057 362	8 872 356	9 054 660	31 976 218
<b>Final EU Contribution: Community and Emergency Actions (Closed 46 projects)</b>	<b>4 046 491</b>	<b>11 886 314</b>	<b>11 299 490</b>	<b>9 054 660</b>	<b>36 286 955</b>
<b>SPECIFIC ACTIONS (in EUR)</b>					
<b>Programmed EU Contribution</b>	<b>10 000 000</b>	<b>5 000 000</b>	<b>10 000 000</b>	<b>0</b>	<b>25 000 000</b>
<b>Awarded EU Contribution: Specific Actions (23 projects)</b>	<b>8 705 101</b>	<b>4 976 765</b>	<b>8 584 870</b>	<b>0</b>	<b>22 266 735</b>
<b>Final EU Contribution: Specific Actions (23 projects)</b>	<b>5 862 872</b>	<b>3 700 965</b>	<b>5 360 121</b>	<b>0</b>	<b>14 923 958</b>
<b>SUMMARY FOR CLOSED PROJECTS (69 Projects)</b>					
<b>TOTAL Final EU Contribution (closed projects only)</b>	<b>9 909 363</b>	<b>15 587 279</b>	<b>16 659 611</b>	<b>9 054 660</b>	<b>51 210 913</b>
<b>TOTAL Absorption Rate (closed projects only)</b>	<b>67%</b>	<b>75%</b>	<b>71%</b>	<b>91%</b>	<b>74%</b>

A sharp reduction in the volume of activities in the final year, when only one Community Action and six Emergency Actions were implemented, resulted in a higher absorption rate. Overall, the amounts awarded/committed only differ noticeably from the programmed EU contribution in 2010 when the programmed contribution for Community and Emergency Actions was not fully awarded. Once operational, in some cases, the total actual costs turned out to be lower than the budgeted total costs. In other cases, the declared costs may have been considered ineligible by the Commission (for example, falling outside the scope of the eligible activities, or outside the eligible territorial and temporal scope).

## **ANNEX 6 - LIST OF ABBREVIATIONS AND COUNTRY CODES**

ABC Gates	Automated Border Control Gate
AP	Annual Programme
AWP	Annual Work Programme
BCP	Border Crossing Point
EASA	European Aviation Safety Agency
EBF	External Borders Fund
EPN	European Patrols Network
ERDF	European Regional Development Fund
EUROSUR	European Border Surveillance System
Frontex	European Border and Coast Guard Agency as of 16/10/2016, previously European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
FTE	Full Time Equivalent
IBMS	Integrated Border Management System
ICAO	International Civil Aviation Organisation
ILO	Immigration Liaison Officer
ISF	Internal Security Fund
ITech	Information Technology
MAP	Multiannual Programme
NCC	National Coordination Centre
NER	National Evaluation Report
PHARE	Programme of Community aid to the countries of Central and Eastern Europe
SF	Schengen Facility
SIRENE	Supplementary Information Request at the National Entries
SIS	Schengen Information System
VIS	Visa Information System

### **List of country codes**

AT	Austria
BE	Belgium
BG	Bulgaria
CH	Switzerland
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HR	Croatia
HU	Hungary
IE	Ireland
IS	Iceland
IT	Italy
LT	Lithuania

LU	Luxembourg
LV	Latvia
MT	Malta
NL	Netherlands
NO	Norway
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom