

2017 Discharge to the Commission

WRITTEN QUESTIONS TO COMMISSIONER AVRAMOPOULOS

Hearing on 18 October 2018

Budget managed by DG HOME in 2017

1. **In the foreword and in the executive summary of the AAR the Director General of DG HOME refers to roughly: EUR 2, 145 billion to be managed by her services “DG Home managed a budget of EUR 1.831 Billion: for migration EUR 313, 75 Million for Security”**

Page 57, the AAR mentioned that in 2017 DG HOME’s policies were supported by EUR 3.21 Billion of commitment appropriations: (2 % of the Budget) with a corresponding amount of EUR 1.80 Billion of payment appropriations.

The numbers reported in page 57 do not correspond neither to the numbers referred to in the foreword and executive summary nor to the payment appropriations. Why? Which are the right numbers?

Reply

There are several figures mentioned in the AAR:

- The 2017 budget was authorised by the Budgetary Authorities with EUR 3.21 billion in commitment appropriations and EUR 1.8 billion in payment appropriations.
- As regards the implementation, the actual commitment rate was EUR 1.831 billion for AMIF and ISF-Borders and EUR 313.75 million for ISF-Police. In total this is EUR 2.145 billion.
- In addition to the AMIF and ISF Funds consumption, DG HOME implemented in particular the Fostering Secure European Society research programme (EUR 53.58 million), the Drugs programme (EUR 3.15 million), the SIS II and VIS systems (EUR 31.19 million) and the subsidies paid to the decentralized Agencies (EUR 636.63 million) (please see table page 58 of the AAR).
- End 2017, DG HOME implemented a total of EUR 2.9 billion in commitment and EUR 1.7 billion in payment.

Annex 3 of the AAR provides the detailed financial report 2017.

2. Does Mr AVRAMOPOULOS consider having enough staff for the high level ambition of the objectives and the new tasks?

Reply

To reply to the migration and security crisis, DG HOME's staff has been reinforced in the last years several times and at the end of 2017 DG HOME had 556 staff members as compared to 480 in 2016.

The workload in DG HOME continued to increase in 2017 to reply to the important political objectives in the migration and security areas and to be operational and supportive to Member States. A few examples:

The number of adoption procedures on the College agenda in DG HOME related areas continued to increase: 313 adoption procedures in 2017 (of which 44 oral) compared with 283 adoption procedures in 2016.

DG HOME managed a budget that increased from EUR 1.7 billion in 2015 to EUR 3.2 billion in 2016 and in 2017. Budget supervision, negotiation and implementation have radically increased in the past years. Furthermore, to keep the EU funds targeted on policy priorities, DG HOME has had to prepare several budget amendments and revisions in the national programmes.

At the same time, the Commission as a whole must do more with less. DG HOME therefore pursued and continues to pursue a proactive approach based on *inter alia* prioritisation of tasks, in order to give itself the means to fulfil the ambitious mandate Commission has in the migration and security areas.

3. Is the budget increase actually justified if the RALs are increasing? How will it be solved? Is there a problem of consumption, the AAR mentions a consumption rate of 89.73% for commitments. The absorption rate seems to be very good in 2017 but what about the impact of the carry over in 2018.

Reply

There was an increase in 2017 in the outstanding amounts for payments since the National Programmes of Member States were increased to cover new actions on return, integration, and resettlement. These could be financed due to the increase of budget allocated by the Council and the European Parliament. However, this was partially balanced by the decrease of the amounts to be settled and an increase of corresponding payments (up to 2016). The mechanics behind these budgetary processes are typical for the sequential development of programme execution.

The implementation rate is indeed good in 2017 and the rate of 89.73% reflects the fact that part of the commitment appropriations (i.e. those in relation to Entry-Exit System under ISF-Borders and integration and return measures under AMIF) were carried over to 2018. These commitments will be fully implemented by the end of 2018: AMIF amounts have already been committed on the National Programmes whereas, as regards the ISF-Borders amounts, the revision of National Programmes is in-going right now.

4. On which basis is the budgetary forecast done? What is the cost of the migration policy by migrant?

Reply

Budget forecast

The Draft Budget 2017 was prepared based on the initial 2017 financial programming and the needs linked to the migration challenges, including the support to the reform of the Common European Asylum System, and for which additional funding was provided by the Council and the European Parliament as Budgetary Authorities.

The level of payment appropriations was based on the expected implementation rate by the Member States and on cumulative implementation rate of commitment as regards funds managed directly by the Commission.

Cost of the migration policy per migrant

EU funding covers only a share of the Member States' spending in asylum, migration, integration and return. And it varies from one Member State to another and even between regions in Member States.

Moreover, EU funding is not always directly linked to the number of migrants, as it supports also the development of Member States' capacity to manage migration.

Member States provide different services, taking into account the specific situation of each migrant (i.e. the reception needs for vulnerable people such as unaccompanied minors, victims of torture or trafficking).

Therefore it is not possible to calculate the cost per migrant and any figure would be highly imprecise and speculative.

5. What is the average amount of money spent per refugee in Kenia? Where the refugees coming from Yemen and other current crisis are being resettled? Which NGO working in the camps outside EU borders are receiving funds from the EU?

Reply

The external funding is implemented by other Commission Services under the responsibility of other Commissioners and therefore DG HOME cannot provide a figure for the money spent per migrant in Kenya. NGOs working in camps outside EU borders work under contracting arrangements with other Commission services (DG DEVCO, DG NEAR and DG ECHO).

On resettlement from Yemen, since the start of the crisis in 2015, the huge majority of people displaced due to the Yemen conflict are staying inside Yemen.

According to the information received from the Member States, 62 persons from Yemen – mostly Eritrean and Somali nationals – were resettled in 2018 to Sweden.

As to further statistics on resettlement, see also replies to questions 18 and 29.

ECA annual report 2017 Box 83 and 8.5

6. ECA notes again in its annual report 2017 inconsistencies in the eligibility of VAT declared by public bodies. Box 8.3 describes a case in Spain, where the EU also reimburses the related VAT, and because of the high co-financing rate of 95%, the total EU contribution exceeded the net costs actually incurred by the Member State.

- **What action does the Commission take in order to ensure that the EU co-financing does not exceed the total eligible expenditure excluding VAT?**

Reply

The treatment of VAT at Member State level depends on the national legislation. According to the Spanish legislation, VAT is an eligible expenditure for the Guardia Civil as it cannot recover it. Thus, because VAT is definite expenditure for the beneficiary, the Responsible Authority has to treat it as such to comply with the principle of sound financial management.

To address the Court of Auditors' concerns, the Commission will clarify, in its guidance to Member States, how to mitigate the risk related to exceeding the co-financing rate when according to national rules VAT could represent part of a co-financing higher than that initially foreseen. Guidance to Member States will include a reminder of the co-financing rule and to pay particular attention to the eligibility of VAT.

7. ECA observes in Box 8.5 that the Commission had insufficient information on actual spending from AMIF and ISF, as reporting only on payments, without a breakdown between pre-financing and expenditure, can give a misleading view of the actual implementation of funds, which undermines the Commission's supervisory role.

- **Did the new Commission guidance provided to the Member States on reporting deliver the intended results?**

Reply

As from submission of accounts for Financial Year 2017, in February 2018, the Commission requested Member States to improve the reporting on the type of payments in the accounts. The Member States clearly identified in SFC 2014 (SFC/System for Fund Management in the European Union) payments constituting expenditure incurred and payments constituting advances, allowing the Commission to have a better picture of the actual expenditures incurred by Member States. This will be reported by the Commission in its 2018 Annual Activity Report, thus fully implementing the Court of Auditors recommendation.

- **Is the Commission in a position to give a guarantee that the above described situation will not occur again?**

Reply

Technical modifications were introduced in the SFC 2014 (SFC/System for Fund Management in the European Union) so that Member States can report by type of payment as from submission of accounts for the financial year 2017. All subsequent accounts will be reported in the same manner. Therefore the reporting with details by type of payments is ensured and the Commission will provide details on this in its 2018 and subsequent Annual Activity Reports.

Annual activity report of DG HOME

8. The annual activity report of DG HOME contains a number of reservations:

- **The management and control systems for the period 2007-2013 for Germany: European Fund for the integration of third-country nationals (EIF) (financial reservation, closed Annual Programmes up to year 2013) and European Refugee Fund (ERF) (financial reservation, closed Annual Programmes up to year 2013)**
- **The management and control systems for the period 2009-2013 for United Kingdom: European Fund for the Integration of third country nationals (EIF) and Return Fund (RF) (Financial reservation non-quantified)**
- **The management and control systems for the period 2014-2020 for Greece: Asylum Migration and Integration Fund (AMIF) (Reputational reservation)**
- **Financial reservation concerning the management and control systems for the period 2014-2020 for Finland: AMIF and ISF, accounts submitted for the clearance of accounts (expenditure 2016)**
- **The financial risk corresponding to the residual error rate in the non-audited population of grants in the programmes managed under the budget chapter 18 02 (Internal Security), 18 03 (Asylum and Migration) and 18 06 (Anti-Drug Policy)**
- **Reservation on reputational grounds related to significant weaknesses identified in the management and control systems of EASO**
 - **Could you give us an overview regarding the latest state of play regarding the implementation of the corrective actions?**

Reply

SOLID (General Programme “Solidarity and Management of Migration Flows”).

Germany European Integration Fund (EIF) and European Refugee Fund (ERF) (Financial reservation concerning the management and control systems)

The reservation issued on the two SOLID Funds for Germany has been issued initially in relation to the assurance for 2015, based on the preliminary findings of ex post audit reports, identifying both individual errors and system deficiencies. For the 2016 assurance, the errors and findings in the ex post reports were confirmed in the final report, therefore the reservation was maintained. Discussions were held in 2017 to set the final amount of EU contributions and calculate the amount of financial corrections.

The recovery process is now ongoing. DG HOME expects to lift the reservation for the 2018 AAR, once the recovery order is issued implementing the financial corrections.

United Kingdom European Integration Fund (EIF) and Return Fund (RF) (Financial reservation non quantifiable)

The reservation was issued based on the residual error rates above 2% for two SOLID Funds UK as a result of an ex post audit performed by DG HOME auditors in 2017 on the EIF Annual Programmes 2009-2013 and the RF Annual Programmes 2010 – 2013. The audit concluded that the management and control systems applied by the UK authorities worked only partially and substantial improvements were needed.

DG HOME is now working to determine the financial corrections (on individual projects and - in case of system-related findings – on a flat-rate basis) to be proposed to the UK. The UK will have the opportunity to provide any additional evidence to demonstrate that the risk to the Union budget is lower than the proposed financial corrections.

AMIF (Asylum, Migration and Integration Fund)/ISF (Internal Security Fund)

Greece / AMIF (Reputational reservation)

The reservation issued in the AAR 2017 was a precautionary measure to allow the Commission to clarify the method used by the Greek Audit Authority to calculate the error rate reported in the Greek accounts. The nature of the reservation is not financial, as the deficiencies detected in the methodology of the error rate calculation in the 2017 accounts will only potentially affect the Commission 2018 AAR. This is the reason why the reservation in the 2017 AAR is reputational.

The preliminary analysis of the AMIF annual accounts for the financial year 2017 identified deficiencies in the calculation of the error rate reported in the 2017 accounts. Additional information is currently being analysed. Subsequently a decision will be taken whether or not corrective actions are needed. As a matter of precaution, the Commission only partially paid the financial year 2017 AMIF accounts of Greece on 6 August 2018.

Finland / AMIF and ISF (Financial reservation)

A reservation regarding Finland (AMIF and ISF) was included in the Annual Activity Report 2017, following a system audit carried out in November 2017 by DG HOME. Some system weaknesses were identified in the functioning of the Audit Authority which is common to AMIF and ISF.

Immediately after the DG HOME's audit visit, the Finnish authorities adopted additional measures to address these deficiencies.

These changes were positively received by DG HOME and allowed the clearance of the accounts FY 2017, submitted in February 2018.

At the same time, as part of the contradictory procedure regarding the system audit Finland provided additional information on the management and control system, which is currently being analysed. A conformity clearance procedure may be launched to determine the potential risk of errors in accounts cleared prior to 2017. If the conclusions requires so, a recovery order will be issued by DG HOME for the irregular amount and the reservation lifted.

Centralised direct management – non-research grants

The reservation was issued based on the residual error rate (2.98%) above the materiality threshold of 2% for the grants awarded under the programmes Internal Security, Borders and Police, Asylum, Migration and Integration, and Anti-Drug Policy.

The errors have been found during ex post audits (carried out only after final payments). They are linked mainly to the previous generation of programmes (2007-2013) and due to the novelty of the policy areas, the complexity of eligibility rules and a high number of beneficiaries and co-beneficiaries. All irregular expenditure is recovered through recovery orders.

The re-assessment of the residual error rate will be performed for the 2018 Annual Activity Report. Based on the outcomes, a decision will be taken to lift or not the reservation. DG HOME increased efforts to give guidance and feedback to the participants and certifying auditors to prevent errors, and implement simplification of eligibility rules for the new generation of programmes (2014-2020).

DG HOME also maintains the (high) rate of audited projects. The ex post audit plan for 2017 foresaw 47 audits of grants and was fully implemented: all audits have been carried out and are now in the reporting phase, which is planned to be completed in 2018.

Centralised direct management – research grants (FP7)

This is a common reservation issued by all Research DGs. DG HOME is responsible for the Security strand of the Research programmes and is thus part of the common audit structures put in place by the Research family DGs, meaning a common audit strategy and a common representative audit sample.

As the error rate is computed globally by DG RTD for the full R&D family DGs, a detailed answer about this error rate should be addressed by DG RTD when discussing the research budget in chapter 1a.

Decentralised agencies – EASO

In its report on EASO's 2016 accounts, the European Court of Auditors issued a qualified opinion on the legality and regularity of the payments underlying the accounts, due to errors relating to two public procurement procedures. Intensive discussions took place in the CONT Committee, and the European Parliament voted initially to postpone the discharge.

DG HOME decided to issue a reservation on reputational grounds related to significant weaknesses identified in the management and control systems of EASO, until the agency clarifies the issues raised by the Court and by the Parliament.

During 2017, EASO started to implement an action plan to address the weaknesses in management and control system identified by the Court. DG HOME closely monitors the implementation of the action plan, notably through its representatives in the Agency's Management Board.

In June 2018 the former Executive Director resigned and an Executive Director ad interim was appointed by the Management Board. The actions taken so far by the ED a.i., supported closely by the DG HOME through advice and expertise (notably in procurement, budget and recruitment issues) are focusing on governance, strengthening the procurement budget planning and implementation, and recruitment process. They focus on both restoring the capacity and the compliance in these areas i.e. through enhanced and/or revised internal frameworks and guidance. Moreover, the Agency has recently taken measures to accelerate recruitments in view of filling vacant posts as soon as possible, focusing on the key areas described above.

The action plan should be fully implemented by the end of 2018. The EP has also reviewed the state of play of the actions implemented by EASO during the hearing of the ad interim Executive Director on the 3rd September in CONT. The decision to lift or not the reservation after a careful re-assessment of all available information (results of discussions in the Parliament, report of the Court of Auditors for 2017), will be done at the beginning of 2019 in the framework of the 2018 AAR.

Finally, the European Parliament in its draft EASO 2016 discharge report, as tabled to the October II plenary session (22-25/10) highlighted how the initial decision of 18 April 2018 postponing the discharge to EASO was followed by the strong corrective measures taken by the Commission's Directorate-General for Migration and Home Affairs, the Management Board and the Office's new Executive Director ad interim.

9. What are, in particular, the problems detected by DG HOME in Germany and UK as to the management of SOLID funds and in Finland and Greece regarding the AMIF/ISF funds?

Reply

The problems detected by DG HOME in Germany and UK in the management of the SOLID Funds are linked to system deficiencies confirmed during ex post audits carried out by DG HOME. This was the case also for Finland regarding AMIF/ISF Funds. On the other hand, the problem with regard to Greece stems from the calculation of the error rate for which the Commission has requested further information to the Greek Audit Authority. See also replies to question 8.

10. Why does it take such a long time to remedy the problems detected in Germany since 2013) considering that the scope of the reservation is not so large?

Reply

The reservation has been issued initially in relation to the assurance for 2015, based on the preliminary findings of ex post audit reports. For the 2016 assurance, the errors and findings in the ex post reports were confirmed, therefore the reservation was maintained. Discussions were held in 2017 to set the final amount of EU contributions and calculate the amount of financial corrections. The recovery process is now ongoing and we expect to lift the reservation in the 2018 AAR, once the recovery order is issued thus implementing the financial corrections.

11. Could the Commission elaborate on the fact that the reservation concerning the UK is not quantified?

Reply

The reservation was not quantified since no payments were made to the UK during the calendar year 2017 for SOLID.

12. As to the reputational reservation relating to Greece: is that enough, are you sure that there is no financial impact.

Reply:

As further explained in the reply under question 8, the Greek request for payments in the context of the clearance of 2017 accounts were only partially fulfilled in 2018 following deficiencies detected in the methodology of the error rate calculation. As these deficiencies did not affect the 2016 accounts, there is no financial impact on the 2017 EU Budget or expressed otherwise: if any error would materialise, the Commission would be able to not fully pay the Greek payment request linked to the 2017 accounts as part of a conformity clearance procedure.

13. How do you proceed for calculating the cumulative residual error rate, to which financial year correspond financial corrections that are deducted, if any, from the detected error rate?

Reply

Considering the multi-annual aspects of the programmes managed for grants under direct management and programmes under shared management, DG HOME follows a multi-annual approach by evaluating the cumulative budgetary impact of the residual errors over the whole programming period. As a consequence, the calculation of errors, corrections and materiality of the residual amount at risk are done on a "cumulative basis".

Annex 4 of the 2017 Annual Activity Report of DG HOME gives details on the approach used to calculate the cumulative residual error rate for the different management modes.

For the concerned programmes, the cumulated period refers to 2014 – 2018.

14. Why does DG HOME use only residual error rate for AMIF/ISF, as it does not know to which extent the correction launched in 2017 will be successful?

In particular, page 107 of the AAR the DG mentions that

- **the estimated overall amount at risk at payment in 2017 is EUR 26.90 million**
- **the conservatively estimated future corrections for the 2017 payments are EUR 14.33 Million**
- **the estimated overall amount at risk at closure will be EUR 12.57 Million.**
- **To which extend is this last number reliable? It seems just to be a hypothesis.**

Reply

For AMIF/ISF DG HOME only reports the residual error rate since, as foreseen by the legal basis, the National Audit Authorities do not have to report to DG HOME the detected error rates.

Consequently, for AAR 2017, the error rate reported is the residual one, meaning the estimated error rate minus any amounts corresponding to any corrective actions taken that have already effectively reduced the exposure.

The amounts that the Commission estimates to be recovered are not taken into account for the calculation of the residual error rate in this context. The data presented on page 107 of the AAR refers to the concept of weighted average error rate for the annual expenditure. This concept has been developed by the Commission to give a **best estimation** of the amount at risk corresponding to the **reporting year**.

As mentioned under Q13, for assurance purposes and decisions on issuing reservations, DG HOME favours the multiannual approach.

State of Play in Greece

15. The CONT delegation to Greece in early 2018 identified a lack of clarity of funding on local level as regards the refugee policy - the budgets of the camps are an amalgamate of different sources (civilian and military, local and central) which are not coordinated with each other. Have there been any progress in the meantime?

Reply

Member States are primarily responsible for the coordination and complementarity of the various funding interventions in addressing migration management needs. The Commission has been actively supporting the efforts of the Greek authorities in this respect and especially in relation to ensuring complementarity, better coordination and at the same time timely and effective use of the EU funding available for Greece. Pursuant to these efforts, and with a focus on reception needs including capacities on the ground, the Greek authorities have proposed a coordination mechanism in the form of annual financial plans that are being monitored on a monthly basis by Steering Committees. In this forum, the Commission meets together with all the relevant Greek Ministries and international organisations operating on the ground, like UNCHR and IOM, in order to discuss and coordinate from a funding point of view the response to the migratory crisis.

As to the EU funding in direct management mode, it is seamlessly coordinated between the Commission services as well as with international organisations.

The Commission has been constantly and strongly encouraging the Greek authorities to improve coordination. Moreover, a dedicated Commission team of experts has been deployed to Athens and the islands in order to support the Greek authorities actively on the ground in this respect.

- **Have there been any improvement when it comes to comparable figures about costs per refugee in different member states?**

Reply

The EU funding covers only a share of the Member States' spending in asylum, migration, integration and return. And it varies from one Member State to another and even between regions in Member States.

Moreover, EU funding is not always directly linked to the number of refugees, as it supports the development of Member States' capacity to manage migration. Member States provide different services to asylum seekers, to refugees (and more generally migrants), taking into account their specific situation.

Therefore any figures would be imprecise and unreliable. See also reply to the similar question 4 on "cost per migrant".

- **Has any evaluation been made on the long, short and medium term results?
Is there already a list of the best practices carried out by the EU?**

Reply

The Commission has carried out an interim evaluation report on the implementation of the AMIF Regulation, which assesses the performance of the Funds against the evaluation criteria defined in the better regulation guidelines and in accordance to Article 55 of Regulation (EU) No 514/2014: (i) effectiveness, (ii) efficiency, (iii) coherence, (iv) relevance and (v) EU added value, (vi) sustainability, and (vii) simplification and reduction of administrative burden.

This report was adopted by the Commission on 12 June 2018 (COM(2018) 464 final).

The specific case study on Greece, underlines “the coordination between DG HOME and DG ECHO through a special coordination mechanism put in place for Greece”. It mentions that “the main result of the implementation of the emergency actions under AMIF is the management of the refugee crisis and the prevention of major tensions. An important result was the increase in the capacity of the Asylum Service for implementing the asylum procedure and improvement in the reception conditions”. The report also analyses the performance and implementation of IOM and UNHCR projects, which were financed by the EU budget: “According to the UNHCR, the establishment of 20,000 reception places created under the project HOME/2016/MULT/IM/UNHCR/0001 is considered to be an example of best practice as it is more and more considered the proper way of implementing reception in a European country and a powerful instrument for the reception system. In addition, the pre-registration exercise under the HOME/2016/AMIF/AG/EMAS/0038 project implemented by UNHCR is largely recognised as a crucial activity that permitted the registration of asylum seekers through a fast procedure”.

It concludes that “Both Ministries of Defence and Health mentioned that the overall experience gained through EMAS and their cooperation with the DG HOME is very positive. Both were found to work under new circumstances, with new actors and the overall cooperation on the ground constituted an important capacity building. In that sense, the greatest contribution of the EMAS, apart from the general management of the refugee crisis, was the capacity building of the national authorities.

In short, there were considerable challenges and interrelated factors that affected the overall performance of the emergency actions implemented in the framework of Emergency Assistance. However, the added value of EMAS is high. Without the Fund, Greece would not have been able to manage the crisis and positive developments would not have occurred.”

16. Several news portals reported that OLAF has begun an investigation into alleged irregularities involving EU funds provided to Greece to better care for the hundreds of thousands of migrants and asylum-seekers. The investigation was launched following information submitted by the European Commission's Directorate-General for Migration and Home Affairs last year. In total, Greece is receiving more than EUR 1.6 billion to manage migration, humanitarian situation and the external borders for 2014-2020.

It is claimed that some of some of the recipients of the EU funding had overcharged for contracts providing catering services and had often not taken part in competitive tenders to secure the work.

- What were the conclusions of the Commission's on the spot inspections on the Island of Lesbos at the Moria refugee camp?**

Reply

As part of its monitoring strategy, DG HOME carries out on a regular basis monitoring on-the-spot visits of EU co-funded projects in Greece. The purpose of monitoring visits is to assess the smooth implementation of the projects from an operational point of view. DG HOME also ensures permanent presence on islands as part of its reinforced monitoring on the situation on the ground. High level visits to the islands, and especially to Moria, are also taking place frequently.

As regards more specifically the provision of catering services, DG HOME carried out a monitoring (not audit) visit together with DG ECHO at the end of 2016 and another visit in June 2017 in the framework of its monitoring strategy. The visits covered several but not all sites (one of the sites was Moria), confirming the existence of food provision in accordance with the grant agreements signed with the Greek Ministry of Defence. However, allegations concerning illegitimate profits made by catering companies could not be verified in the context of the monitoring visits, the purpose of which is to assess the smooth implementation of the project.

Based on the monitoring visits to the related projects, DG HOME has found no evidence to date of misuse of EU funds. Following press articles, this information was submitted by the Directorate-General for Migration and Home Affairs (DG HOME) to the European Anti-Fraud Office (OLAF) in 2017. Subsequently, OLAF opened an investigation into alleged irregularities concerning the provision of EU-funded food for refugees in Greece.

OLAF informed the Commission that as this investigation is on-going, it cannot issue any further comments at this stage. This is in order to protect the confidentiality of on-going and possible ensuing investigations, subsequent judicial proceedings, personal data and procedural rights.

The fact that OLAF is examining the matter does not mean that the persons or entities potentially involved have committed any frauds or irregularities. OLAF fully respects the presumption of innocence and the rights of defense of the persons and entities concerned by its investigations. See also replies to similar question 45.

17. For transparency and information sharing purposes, AMIF/ISF legislation requires Member States to maintain a designated website that details the implementation of their National Programmes, including a list of actions supported by the funds, the amounts of EU funding allocated to such actions, and information on each beneficiaries' actions. Greece maintains two websites which provide AMIF/ISF information; an older website (www.mopocp.gov.gr), and a new website (www.amifisf.gr), which was specifically built to host AMIF/ISF information.

- Do these two websites contain the full range of information required to be provided?

Reply

Member States, and more particularly the Responsible Authorities, are responsible for setting up a website providing information on and access to the respective national programmes.

The website of the Greek responsible authority is the www.amifisf.gr complemented by the websites of the Delegated Authorities ¹(www.ydeap.gr and <http://asylo.gov.gr>). The information provided includes, in addition to the national programmes, the call for proposals informing potential beneficiaries about funding opportunities, a list of actions supported by each national programme and information on the annual implementation reports publicising the progress, results and impact of the national programmes, in line with the regulatory requirements.

- Is the Commission satisfied with the degree of transparency provided by these websites with regards to how the funds are being implemented, and the results of such implementation?

Reply

Dissemination of information and publicity measures are the responsibility of the Member State. Member States report on information and publicity measures in the context of the annual implementation reports, and the Commission has the possibility to make observations. For example, in the case of Greece, the Commission requested the Responsible Authority in the context of 2016 annual implementation report to ensure that the website (www.amifisf.gr) – under construction at that time - is made fully operational as soon as possible. Since then, following this recommendation, the website is operational and considered updated. Furthermore, information and publicity measures are also monitored in the context of monitoring visits performed by the Commission.

As explained above, monitoring is a continuous process throughout the period of the implementation of the national programmes, in order to ensure that the information is updated regularly and in line with the regulatory requirements.

¹ The Responsible Authority may delegate some or all of its tasks to a Delegated Authority pursuant to the EU legislation in place.

- **Does the Commission intend to establish an online database of all EU-funded projects related to migration as requested by the Parliament?**

Reply

The Commission is currently finalising a financial report on the implementation of funding for the migration crisis 2015-2017 which will become available before the end of this year. It will be updated on a regular basis. A central online database dedicated to migration related projects is not planned.

- **Through which actions does the Commission ensure that the provisions of the AMIF regulation are fully upheld, which require that expenditures be reasonable and comply with the principles of sound financial management, in particular value for money and cost-effectiveness?**

Reply

The Commission has very clear rules about how EU funds must be managed and a very strict and thorough monitoring system in place to verify that all funds have been correctly spent.

DG HOME monitors the implementation of AMIF (and ISF) through controls that take place during the implementation of operations and after closure/payment include the following:

- management verifications and audits by the national authorities
- participation in the monitoring committees organised by the national authorities
- continuous monitoring by DG HOME desk officers to assist the Member States during the implementation phase (desk review of reports and on the spot visits)
- system audits by DG HOME auditors
- verification of the accounts and assurance package during the annual clearance of accounts procedures
- based on risk assessment, audits to assess the legality and regularity of the expenditure by DG HOME auditors.

In particular, regarding the legality and regularity of expenditure under shared management, the responsibility for the implementation and the control of the Funds lies first with the Member States. National authorities are responsible for putting in place all the legal, administrative and operational measures to ensure legality and regularity of the use of the Funds.

In addition, the Commission carries out controls and audits on the implementation of the Funds at national level. In order to prepare its audit plan, the Commission carries out an annual risk assessment exercise based on previous audit work, information received with the national annual accounts, and the outcome of the procedure to clear the annual accounts.

Based on the outcomes of the annual risk assessment, the Commission carries out financial and system audits to obtain reasonable assurance on the functioning of the

management and control systems in Member States and consequently on the legality and regularity of their declared expenditure.

If deficiencies are detected, the Commission requests Member States to put in place corrective measures.

In addition, the Commission has carried out an interim evaluation report on the implementation of the AMIF Regulation and will carry out an ex post evaluation report on the effects of this Regulation, following the closure of the national programmes. The evaluations assess the performance of the Funds against the evaluation criteria defined in the better regulation guidelines and in accordance to Article 55 of Regulation (EU) No 514/2014: (i) effectiveness, (ii) efficiency, (iii) coherence, (iv) relevance and (v) EU added value, (vi) sustainability, and (vii) simplification and reduction of administrative burden.

The report on the interim evaluation has been adopted by the Commission on 12 June 2018 (COM(2018) 464 final).

- **Has the Commission considered levying administrative and financial penalties against Greece, until Greece fully complies with the provisions of the AMIF regulation?**

Reply

Should evidence confirm that Greece or any other Member State is in breach of its legal obligations under the AMIF Regulation, the Commission may launch a conformity clearance procedure and recommend financial corrections. When deciding on a financial correction, the Commission shall respect the principle of proportionality by taking account of the nature and gravity of the breach of applicable law and its financial implications for the Union budget.

Resettlement and relocation schemes

18. Could the Commission provide data about the funding that has been dedicated in 2017 to finance Member States' resettlement programmes? How the funding has been spent (figures per Member State)? How many people were resettled as a result and to which Member States?

Reply

The table below shows the number of resettled persons by Member State and the corresponding expenditure declared in the 2017 accounts.

Resettlement		
Accounts Version 2017	Figures declared in the accounts	
MS	Total number resettled	Total amount declared (EUR)
AT	372	3.720.000,00
BE	885	8.850.000,00
CZ	11	110.000,00
DE	543	5.430.000,00
EE	9	90.000,00
ES	1.081	10.810.000,00
FR	1.637	16.350.000,00
IE	227	2.270.000,00
IT	882	8.820.000,00
LT	7	70.000,00
LU	28	280.000,00
LV	40	400.000,00
NL	199	1.990.000,00
RO	43	430.000,00
SE	491	4.910.000,00
UK	2.200	20.800.000,00
Grand Total	8.655	85.330.000,00

These figures correspond to data declared in the 2017 accounts, which have been controlled and audited by the Member States. De facto that means the resettlement and relocation was paid for. They can differ and might be lower from the figures Member States report on a regular basis (see AAR or question 29) because the corresponding payment was not yet declared and audited and will only be requested for payment in the accounts of 2018 or 2019.

19. Could the Commission provide information on how the funding to support the emergency relocation mechanisms from Italy and Greece has been allocated in 2017?

Reply

The funding to support the emergency relocation scheme has been allocated in 2016 Budget.

The table below shows the number of relocated persons from Italy and Greece by Member State and the corresponding expenditure, as declared in the 2017 accounts.

Row Labels	Total-Number	Total Amount
AT		
Italy	15	90.000,00
BE		
Greece	291	1.746.000,00
Italy	111	666.000,00
BG		
Greece	50	300.000,00
CY		
Greece	41	246.000,00
Italy	37	222.000,00
DE		
Greece	4.642	27.852.000,00
Italy	3.864	23.184.000,00
EE		
Greece	84	504.000,00
ES		
Greece	779	4.674.000,00
Italy	155	930.000,00
FI		
Greece	771	4.626.000,00
Italy	456	2.736.000,00
FR		
Greece	2.336	14.016.000,00
Italy	146	876.000,00
HR		
Greece	50	300.000,00
Italy	9	54.000,00
IE		
Greece	552	3.312.000,00
LT		
Greece	170	1.020.000,00
Italy	29	174.000,00
LU		

Greece	135	810.000,00
Italy	98	588.000,00
LV		
Greece	139	834.000,00
Italy	19	114.000,00
MT		
Greece	101	606.000,00
Italy	67	402.000,00
NL		
Greece	577	3.462.000,00
Italy	225	1.350.000,00
PT		
Greece	646	3.876.000,00
Italy	181	1.086.000,00
RO		
Greece	172	1.032.000,00
Italy	2	12.000,00
SE		
Greece	1.416	8.496.000,00
Italy	749	4.494.000,00
SI		
Greece	163	978.000,00
Italy	54	324.000,00
SK		
Greece	16	96.000,00
Grand Total	19.348	116.088.000,00

These figures correspond to data declared in the 2017 accounts, which have been controlled and audited by the Member States. De facto that means the resettlement and relocation was paid for. They can differ and might be lower from the figures Member States report on a regular basis (see AAR or question 29) because the corresponding payment was not yet declared and audited and will only be requested for payment in the accounts of 2018 or 2019.

20. How can we best spend the unused money still available for similar purposes (emergency relocation) which were initially thought (and not giving it back to MS)?

Reply

In 2018, the Commission has allowed the Member States to use these appropriations for voluntary relocation and resettlement.

Moreover, the Commission is currently exploring the legal venues to allow the Member States to continue to use the funding for relocation beyond the end of the year and including for other key priorities identified in the mid-term review of the implementation of the funds, such as integration.

21. What is the Commission doing to facilitate and encourage the participation of public administrations, regions and municipalities in the Member States wanting to host refugees?

Dialogue with and support to local and regional authorities in their work on integration is of great importance to the Commission. In full cooperation with national authorities, the Commission representatives regularly meet with local and regional authorities to provide targeted support and coordinated action.

Regarding the funding for Local and Regional Authorities, the current Asylum, Migration and Integration Fund, the European Social Fund and the European Fund for Regional Development provide for several actions that were put in place to strengthen cooperation:

- a partnership was launched under the Urban Agenda for the EU provides the framework for the Commission, the Member States, European cities and civil society organisations to develop common actions for the integration of migrants and refugees. The partnership already delivered concrete actions to support the exchanges and the transfer of knowledge between local and regional authorities in the field of integration. In particular, the Urban Academy for Integration launched in spring 2018 brings together practitioners and policy makers working on integration at the local, regional and national level. They share good practices and find solutions for common challenges. The Urban Academy will take place again in spring 2019.

- the European Migration Forum offers a platform to regional and local authorities and civil society to dialogue with the Commission on different topics related to migration and integration.

- Furthermore, in the context of the European Integration Network, the network of Member States authorities working on integration, the Commission organises activities to increase cooperation between different levels of governance on integration, including on the issue of funding. For example the Commission organised study visits in Germany, Sweden, and Portugal in 2017-2018 where Member States' representatives from national and local levels, as well as economic and social partners, participated.

- Timely labour market integration is crucial for migrants' not only full integration and participation in the host country's economy and society but also for contributing to the growing needs for specific skills in the EU. The involvement of all social and economic actors, including businesses, is crucial for a successful participation of migrants to the labour market. In this context, the Commission launched the European Partnership for Integration, which brings together social and economic partners to promote the integration of refugees into the labour market.

Under shared management, allocations to integration support measures are decided by Member States managing authorities. It can be considered that at the end of the programming period about 1 Billion Euros would be invested in integration measures by Member States although this figure can only be confirmed at the end of the implementation period in 2023. In this context, the implementation of measures are mainly carried out in partnership between the managing authorities managing the actions, public administration actors and social actors on the ground as final recipients of the support.

In addition to this, local and regional authorities and civil society organisation will continue to benefit from the funding managed directly by the Commission when they are implementing transnational projects. The Commission has only recently launched a call for proposal in July 2018 to support transnational cooperation between cities and regions under the Asylum, Migration and Integration Fund on integration. This follows similar call for proposals in previous years

Concrete examples of funding provided by either emergency assistance or transnational Union Actions include:

- The expansion of water system in Vathy (Samos), built by the Samos Municipality to increase water supply for the hotspot and the capital of the island.
- The ICARE project, where the region of Emalie-Romagna works on integrating and giving community care to asylum seekers and refugees in emergency situations.

The SAVE project (Support Actions for Vulnerability Emergency) that aims to better identify vulnerable migrants and perform age assessment of minors through a multidisciplinary approach, implemented by the Ministry of Interior and Regions.

- The Cities GroW project: Cities integrating refugees and migrants through work:

The project includes a total of 20 partners, of which 16 local/regional governments, led by EURO CITIES (the network of major cities in Europe) and is based on pairings of cities within a city-to-city mentoring relationship, with an additional 3 cities participating as observers. It aims at developing 4 new mentoring schemes (also called “thematic clusters”) on the following themes:

- A. Matching buyers and suppliers: access to public and private contracts for immigrant entrepreneurs.
- B. Engaging with businesses local job agencies and local educational institutions to promote job-skills match for employment of youth with migrant background.
- C. Services to promote and support migrant entrepreneurs
- D. Anti-discrimination strategies on the local job market.

This project enables the exchange of know-how, expertise and good practices between cities at transnational level on how to best implement concrete local actions to successfully integrate third country nationals and beneficiaries of international protection. The website <http://www.integratingcities.eu/integrating-cities/projects/cities-grow> already reflects the evolution of this project.

Outputs:

- 8 local implementation strategies (action plans) drafted in a collaborative manner and approved and endorsed by the administrative and political levels in each city. Their impact will extend beyond the project timeframe.
- Publication of 4 new Integrating Cities Toolkits, complementing the existing corpus of work developed within the “Integrating Cities” process. Existing toolkits are widely used as an inspiration by cities (members or not of EURO CITIES) and civil society organisations.

Under the next MFF 2021-2027, the partnership principle with local and regional authorities as well as with other stakeholders – which is already included in AMIF - is proposed to be reinforced under the proposal for the Asylum and Migration Fund. The proposal includes provisions to enhance the involvement of regional and local authorities and improve their access to the funds. It also includes incentives for Member States such as a higher EU contribution in funding for integration measures implemented by local and regional authorities or civil society organisations.

Moreover, the proposals for the European Social Fund Plus and the European Regional Development Fund for 2021-2027 foresee implementation of measures to address the migration challenges among their objectives and consequently increasing the participation of local and regional authorities in this area.

22. Could the Commission provide data about the participation rate of civil society organisations, government agencies, or other actors in AMIF funded projects at national level in 2017?

Reply

The largest part of the AMIF is implemented through shared management, which means directly by the designated national authorities. These authorities are responsible for the selection of their implementing partners, including civil society organisations, government agencies, or other actors.

The below table provides the percentage of projects by type of beneficiary, based on the total number of projects (2193) for the period 2014-2017.

Beneficiary/Participating type of actor	Participation rate based on the number of projects
Education/research organizations	4,74%
International public organisations	2,96%
Local public bodies	12,59%
National Red Cross	1,78%
Non-governmental organisations	53,35%
Private and public law companies	4,97%
State/federal authorities	19,56%
The International Federation of Red Cross and Red Crescent Societies	0,05%

23. With regard to shared management, how was the Commission monitoring the spending of funds in AMIF projects in 2017?

Reply

In 2017, on top up of the regular processes foreseen by the legal basis (accounts, annual implementation reports, participation to the Member States monitoring committees,

monitoring visits), the Commission has carried out a mid-term review of the implementation of the AMIF national programmes as well as the interim evaluation of the implementation of the actions and progress toward achieving the objectives of the Member States AMIF national programmes. In this framework, the Commission gathered a complete overview of the spending of the funds with a view to steer the remaining funding under the national programmes to Union priorities and new policy priorities. Based on this close monitoring, the Commission has been in close contact with the Member States where necessary to assist them in speeding up the implementation of their national programme.

24. Could the Commission provide figures on irregularities, if any, in managing AMIF projects (figures per Member State) that have been uncovered?

Reply

Member States are required to report irregularities, including suspected fraud and established fraud in the areas of shared management to the Commission for AMIF and ISF as set in the Implementing Regulation 2015/1977 and Delegated Regulation 2015/1973. This is done via the Irregularity Management System (IMS), a web-based application and database. Member States were invited for specific training on IMS and each MS has a designated correspondent to this end.

In the Annual Accounts submitted by the Member States they can also report on the cases declared via IMS.

25. Could the Commission provide some examples of successful integration projects funded under the AMIF in 2017?

In 2017 the Commission continued to give full support to Member States in the policy area of legal migration and integration. Several examples could be mentioned both under the direct and the shared management:

Projects financed directly by the Commission after a call for proposal in the area of integration of third-country nationals, with eligibility criteria limited mainly to public bodies and non-profit entities. The Union actions 2016 Call for Proposals (AMIF-2016-AG-INTE) financed in 2017 27 projects, with 203 beneficiaries:

The WELCOME Programme, consortium coordinated by TELECENTRE-EUROPE AISBL

WELCOME generates an exchange of best practices between organisations specialised in digital inclusion of disadvantaged target groups to develop and pilot (in a two-tier development process) an innovative approach to foster social inclusion of third country nationals in educational and social activities, cultural life, the volunteering sector and digital creation activities.

Through a common programme of creative IT workshops, a methodology and training materials in English, German, French, Dutch, Italian, Spanish and Greek are created based on best practices of the partners. Staff members from every organisation (Belgium, Germany, Italy, Spain and Greece) are trained to use the programme and its materials in pilots.

During the piloting, 120 young third country nationals aged 16 to 30 take part in the programme and improve their IT skills, language and soft skills through creative IT workshops. The young participants will then work as volunteers and organise 40 creative IT workshops, reaching 400 people in total in mixed groups of third country nationals and European nationals. The content of these workshops will foster peer learning and exchanges between local communities and third country nationals.

As part of the programme, young participants will produce digital stories to reflect on the programme experience and used to a) reach a total of 1000 of their peers to motivate these peers to volunteer or participate in educational, social and cultural activities and b) reach a total of 500 key stakeholders in education and social and cultural organisations to raise awareness about the need to make activities.

MINGLE: Generating Social and Human Capital for Third Country Nationals, consortium coordinated by Nicosia Municipality Multifunctional Foundation

Project MINGLE aims to facilitate active citizenship by developing social and human capital for third country nationals and foster their integration through interventions to reach a minimum of 500 locals and a minimum of 500 third country nationals in 5 countries.

The project provides training on horizontal skills, such as language, intercultural communication and social and civic skills. It also organises visits to cultural sites and institutions and participation in cultural activities, aiming to increase knowledge of the host culture and political trust.

Through the project social networks and relationships between third country nationals and locals develop, through events as well as mentoring by locals.

One of the outputs will be an ‘Online Interactive Active Citizenship Assessment Tool’, a tool to assess the migrant’s situation in terms of social activity as well as skills and knowledge and a set of activities with guidelines for their implementation in order to reinforce their skills.

The ‘How-to MINGLE’ platform, an online step-by-step guide available on an interactive web platform, will provide information on how to apply the project activities in different contexts.

Some examples being implemented at national level through the Member States national programmes:

Ireland: Yellow Flag Programme implemented by the Irish Traveller Movement (website: <http://www.yellowflag.ie>):

To date, 69 schools incorporating 26 000 children have been involved in the programme, representing 83 nationalities and over 1 600 teachers.

The Yellow Flag programme is a whole school intercultural initiative supporting integration among refugees' and asylum seekers' children.

Ireland has welcomed a large number of migrants in recent years. Successfully integrating them into local communities remains a challenge. The 'Yellow flag' programme was established by the Irish Traveller Movement to support inclusion and interculturalism within schools. It brings together students, staff, management, parents and wider community groups to celebrate diversity and challenge racism. The participating schools complete an eight-step programme within the day-to-day running of the school, including training for school management and staff; engaging with the local community; establishing a diversity committee of students, staff and parents; and producing a diversity code and an anti-racist policy for the school. The 'Yellow flag' programme targets schools with high proportions of third-country nationals, asylum seekers, refugees, travellers and other minority ethnic groups. On successful completion of the programme, participating schools are awarded the yellow flag, which they can fly with pride. It is anticipated that a further 10-15 schools will achieve the yellow flag through this project.

Lithuania: 'City of Vilnius Community integration centre'.

530 Third Country Nationals have received support (language courses, legal and psychological assistance, support in finding employment and housing).

The goal of the project, run by The Caritas organisation of the Vilnius Archdiocese, is to provide general and specialized services for third country nationals, in order to improve the conditions for their integration in Lithuania. An integration centre was established in Vilnius offering Lithuanian language courses, legal and psychological assistance, support in finding employment and housing as well as cultural and social activities, with particular attention to children. For example a Syrian refugee that participated owns now a successful barber shop in Vilnius.

26. Could the Commission provide figures on how much AMIF funding has been spent in 2017 to return irregular migrants?

The table below shows the funding spent by Member State, in relation to the specific objective return (forced and voluntary), as declared in the 2017 accounts.

Countries	Amount declared in the 2017 accounts
AT	2.508.103,08
BE	2.454.289,02
BG	69.266,46
CY	914.998,94
CZ	39.146,70
DE	4.335.035,71
EE	597.200,59
ES	18.106.414,58
FI	308.246,30
FR	8.341.634,39
GR	28.763.784,56
HR	30.240,29
HU	475.253,13
IE	460.938,84
IT	4.699.792,21
LT	162.863,30
LU	665.300,16
LV	445.298,94
MT	0,00
NL	11.834.506,00
PL	434.615,17
PT	698.896,15
RO	450.882,78
SE	476.733,54
SI	134.062,68
SK	315.972,94
UK	12.508.690,29
Grand Total	100.232.166,75

27. Could the Commission provide for 2017 data on the number of irregularities and frauds detected in the context of AMIF program and their nature?

Reply

Only one case due to information from press articles concerning AMIF was transmitted by DG HOME to OLAF for assessment.

28. Would not it better to have 4 budgetary lines corresponding to the 4 objectives rather than the 2 current ones? It could help for a better transparency of the AMIF spending

Reply

The area of migration needs a maximum of budget flexibility in order to be able to react on unforeseen events. The split of AMIF into 4 budget lines would entail new rigidities and limitations which are highly likely to be counter-productive to the achievement of the objectives of the Funds and the ability of the Funds or national programmes to deliver and respond to changing situations. Currently, the split on 2 budget lines for the AMIF generated technical difficulties and administrative burden when the Member States needed to use the flexibility allowed by the legal bases (for example when transferring an amount from asylum to integration following in the context of Mid-term review exercise).

The Commission remains fully committed to transparency and accountability on the implementation of the Funds and it provides the necessary information for the EP to exercise oversight. The Commission has regularly been reporting to the EP on the state of play of the preparation of the national programmes and will continue to do so during the implementation process. The Commission has the necessary IT system which allows reporting on the 4 specific objectives of the AMIF.

Against this background, the Commission has asked for a single budget line for the successor of the AMIF to ensure maximum flexibility for the future programming period. Moreover, the successor to the AMIF and ISF will be implemented under the Common Provisions Regulation rules where the reporting will be enhanced/more detailed.

Performance

29. Why DG HOME did not define any KPI(s) as regards the good achievement of the resettlements schemes and relocation?

Reply

In 2015, the Commission reviewed its Strategic Planning and Programming framework to make it more performance-oriented. This review resulted in the establishment of Strategic Plans for the 2016-2020 period which are organised around long-term objectives reflecting the political priorities set by president Juncker, and DG-level objectives to guide their operations. Progress towards these objectives is assessed against impact and result indicators. A small number of them are key performance indicators that measure the most critical aspects of policy performance. When DG

HOME elaborated its Strategic Plan in 2015 it selected four key policy performance indicators. Although they did not include the number of persons relocated and the number of persons resettled, both numbers have been consistently used as result indicators to measure progress in implementing the relocation and resettlement schemes since their launch in 2015 and early 2016, in response to the migration crisis.

In each Annual Activity Report, starting with the Report on 2016, DG HOME has reported the results achieved during the year in implementing the schemes and progressing towards the specific objective of enhancing protection and solidarity.

In the 2017 Annual Activity Report the reported numbers show again the progress achieved in 2017. The number of relocated persons increased steeply compared with 2016. 23 226 persons were relocated in 2017 compared with 9 656 in 2016. Regarding resettlements, by the end of 2017, 26 849 persons had been resettled under the EU resettlement schemes (2015 Conclusions and EU-TR statement).

In addition to reporting on relocation and resettlement in our annual activity reports, we have also monitored progress at regular intervals in additional communications. In 2017 alone, we produced 7 progress reports on relocation and resettlement.

30. Why DG HOME did not define any KPI regarding the situation of the most vulnerable migrants and in particular child migrants and refugee women and girls in order to prevent and avoid abuse and trafficking?

Reply

DG HOME reports on action taken and financial support allocated to protect vulnerable migrants including against abuse and trafficking. According to UNICEF, in 2017, out of the 178 000 arrivals, more than 32 300 were children. In the 2017 annual activity report, although no specific indicator was used, DG HOME described extensively the measures that were taken in hotspots in Greece and Italy. Their implementation was monitored in regular reports on hotspots.

In Italy for example, Italian authorities increased the number of first and second line reception facilities for unaccompanied minors under the AMIF national programme. In Greece, EUR 3 million was made available under the AMIF national programme for the Ministry of Defence to provide up to 1 000 new shelter places for minors.

In addition, in a Communication on the Protection of Children in Migration that we issued in April 2017, we recommended specific actions to be undertaken by the Member States, with support from the EU and its agencies, in order to strengthen the protection of children in migration.

To monitor progress in the implementation of the Communication, the Commission organises bi-annual meetings of child rights and migration experts from the Member States, EU agencies and the various Commission services. The minutes of the first two meetings, held on 1 December 2017 and 1 June 2018 in Brussels, are available on the Commission's website. The Commission has published online an extensive overview of Commission and EU agency actions in follow up to the April 2017 Communication, and survey responses from several Member States reporting on progress made at national level.

Regarding trafficking in human beings, prevention is the cornerstone of the EU policy against THB.

The EU legal and policy framework to address trafficking in human beings is human rights centred, victims centred, gender specific and child sensitive. Funding continues to be mobilised to support anti-trafficking objectives and priorities under multiple funding streams, including the Asylum Migration and Integration Fund with respect to third country national victims of trafficking, taking into consideration their specific needs, the gender specificity of the crime as well the age of the victims. This was the case with regard to 2017 and 2018 call for proposals for integrating third country national victims of trafficking, in addition to possibilities of funding under national programmes.

The signing of the joint statement of commitment on 13 June 2018 by 10 heads of EU agencies, being a key deliverable of the 2017 Communication, ensures that gender and child specificity of trafficking and its risks are taken into account, also in the migration context.

Women and girls are the vast majority of all trafficking victims registered in the EU, and disproportionately targeted for sexual exploitation. The same pattern emerges in the migration context with, as an example, a sharp increase in women and girls trafficked for sexual exploitation to the EU, through the Central Mediterranean route. This being said, it is important to recall in this context that trafficking in human beings is not a migration related phenomenon per se, and many of the victims registered in the EU are EU nationals.

To work towards the eradication of the crime, the Commission presented a set of new actions in its Communication of the 4 December 2017 focusing on countering the culture of impunity; improving victims' access to their rights; and ensuring that EU internal and external actions provide a coordinated response. Ensuring that EU funding matches policy priorities and objectives is a cross cutting action.

The Second Commission Progress Report, expected to be adopted by the end of 2018, will address trends and challenges including as to women and children, the migration context and non-EU citizens. It will also provide statistics available in EU Member States, including on the registered victims (identified and presumed).

External migration policies

31. How DG HOME contributed to the definition of external migration policies, the implementation of measures and the monitoring of progress on all migration aspects with third countries and how it played a key role in particular in the Prague process and the Regional Development and Protection Programme (page 21 of the AAR)?

Reply

The external and internal aspects of our migration policies are more interlinked than ever. This requires concerted, coordinated and strategic efforts from all the relevant actors. DG HOME has worked with the EEAS and all Commission Services (SG, DEVCO, NEAR, TRADE, FPI and others) and in the Council with Member States and with the European Parliament to approach and engage with partner countries in a coherent and credible way to build strong partnerships with them on issues of migration and mobility, placing the migration policies as a whole in the context and framework of our overall foreign policy. DG HOME has also supported the EUTF with a contribution of EUR 100 MEUR. DG HOME and the Commission as a whole monitor and regularly report on the implementation of our policies through regular progress reports as well as the established channels in the Council and Parliament.

The last Progress report on the Implementation of the European Agenda on Migration was published on 16 May 2018.

DG HOME's support to the *Prague Process* was of a limited nature. Its aim was to help implementing the recommendations and commitments stemming from the 2016 3rd Prague Process Ministerial Declaration, endorsed by around 50 countries. Through the Prague Process the European Union contributes to develop cooperation on migration with the Eastern Partnership and Central Asia. The actions supported help monitoring the migration risks and building up the migration management capacities of our partners in the East.

DG HOME is taking part to the implementation of the Regional Development and Protection Programme (RDPP) in the North Africa and in the Horn of Africa. While DG HOME supports interventions in the North Africa region addressing vulnerabilities of refugees and migrants safeguarding international protection, other funding instruments (such as European Neighborhood Instrument) aim at supporting the resilience of refugees and migrants and their socio-economic integration in the region. Synergies and complementarities between those two components of the RDPP- North Africa have been ensured through close coordination. In general, actions under the AMIF-funded RDPPs are co-ordinated with actions supported through other EU instruments, in particular the EU Trust Funds.

More in particular, by DG HOME, two grant agreements per each RDPP were signed in the years 2016-2017 with a total budget of EUR 30M from Asylum Migration and Integration Fund (AMIF). The supported actions aimed at the following objectives and results:

Actions in Libya (RDPP North Africa), for example, supported protection-oriented capacity building for the Libyan coast guard, provided support to the migrants and

refugees disembarked or rescued at sea, and scaled up resettlement opportunities and access to other legal avenues for vulnerable refugees. In Egypt the waiting time for the refugee status determination has been reduced and specific actions for the protection of migrant children have been put in place along with the capacity building for national actors. In Sudan, Ethiopia and Kenya the RDPP projects addressed child protection needs, reducing the risk of sexual and gender-based violence and provided support to the registration of refugees and asylum seekers. For example, the first ever birth certificates were delivered to refugees in Ethiopia as a result of the RDPP action. Having such documents allows for easier access to services such as healthcare, education etc. but also enables refugees and asylum seekers to participate in key social activities such as claiming inheritance or registering marriages etc.

The RDPP in the Horn of Africa played an early role in the support provided by the EU to refugees in the Horn of Africa region. Subsequently it contributed to the roll-out of the Comprehensive Refugee Response Framework (CRRF), linked to the Nairobi Declaration on Durable Solutions for Somali Refugees and Reintegration of Returnees in Somalia. This allowed the EU to play a key role in the 'Core Group' of partners supporting the Nairobi Action Plan”.

32. What is the real role of the European Migration Liaison Officers and what will be their added value?

Reply

European Migration Liaison Officers (EMLOs) are an important asset in stepping up coordination in EU Delegations to maximize the impact of EU action on migration and enhance the engagement of the authorities of partner countries on the entire spectrum of migration issues. They help with the operational implementation of the external dimension of EU's migration policy. The actual mandate of each of the EMLO depends on the specific situation of the hosting third country, in particular the migratory and security challenges there, and the level of its cooperation with the EU in the field of migration including legal and irregular migration, migrant smuggling and trafficking in human beings, return and readmission, asylum and border management. EMLOs establish and maintain contacts with competent national and regional authorities to promote and support engagement with the EU on migration, gather and analyse data and information, facilitate contacts with other liaison officers (e.g. of Member States) while working closely with other members of the EU delegation.

Currently there are 13 EMLOs deployed in: Mali, Sudan, Senegal, Tunisia, Jordan, Lebanon, Turkey, Nigeria, Niger, Serbia, Pakistan, Ethiopia, Morocco.

33. To which extent the external dimension of the migration policy finds its origin in a defensive way to envisage the migration policy;

Reply

The external dimension of the migration policy is not based on a defensive approach. It is intertwined with the internal aspects of migration and embedded in the overall foreign relations of the European Union. The EU has put in place a balanced and comprehensive migration policy based on the principles of solidarity and partnership. The European

Agenda on Migration rests on a set of mutually reinforcing objectives which together offer a stable long-term framework to address migration challenges and opportunities. There is a strong focus on saving lives, protecting asylum rights and protecting migrants along the route, dismantling smuggling and trafficking networks, fostering mobility through visa and border policies, enhanced and tailored cooperation with partner countries on legal migration, supporting legal pathways as well as addressing root causes of irregular migration. The EU has also stepped up cooperation with regional and international organisations in the spirit of effective multilateralism.

Improved common migration and mobility management is to the benefit of all and contributes to overall stability and sustainable development.

Communication policy

34. What can DG HOME achieve in cooperation with other services to improve the communicating policy of the Union as to the main achievements of the Union policy?

Reply

The communication efforts of DG HOME support the Spokespersons' Service of the European Commission in ensuring that the public is made aware of the key role played by the Commission in addressing ongoing challenges in migration and security. DG HOME communicates, mainly through social media initiatives and press material, the European Commission's action in these fields. DG HOME's policies will also be featured in the corporate communication campaign "EU Protects", starting in October 2018, telling stories of how the EU makes possible cross-border collaboration to tackle global threats, such as trafficking of human beings and radicalization.

In addition, DG HOME keeps providing information to migrants and asylum seekers on relevant rules and procedures. Its ongoing participation on the editorial board of the media consortium behind infomigrants.net and its related social media accounts, ensures that prospective migrants are informed of the risks of travelling to Europe illegally, and counters the narratives of smugglers and traffickers in third countries, such as Pakistan, Nigeria, Afghanistan, Ethiopia, Somalia, Mali, Senegal, Congo, Cameroon, Iraq, Turkey and Morocco. Furthermore, DG HOME runs a number of awareness-raising and communication activities in several third countries, mainly in Africa.

Finally, the EU Immigration Portal (<https://ec.europa.eu/immigration/>) provides up-to-date and practical information on EU and national immigration procedures and policies to non-EU citizens, who wish to migrate to the European Union. The Portal is available in 5 languages (EN-FR-ES-PT-AR) and is updated regularly.

EASO

35. How does Mr AVRAMOPOULOS envisage the responsibility of DG HOME and his responsibility in the EASO file?

EASO is a decentralised Agency of the Union with its own legal personality and is, in accordance with its Regulation, governed by its Management Board that is composed of the Member States and two Commission representatives. As a result of the outbreak of the migration crisis, EASO underwent rapid expansion to enable it to provide notably operational support to the frontline Member States. Following the qualified opinion of the European Court of Auditors on the 2016 accounts of EASO, the Commission in close cooperation with the Chair of the Management Board took several initiatives to improve the governance of the agency and prevent further possible irregularities. Several mitigating/preventive measures have been undertaken at the initiative of the Commission with full support of the Management Board, requiring the Executive Director to ask for key decisions in the area of procurements and recruitments the pre-authorisation from the Chair of the Management Board in conjunction with the Commission. After the resignation of the former Executive Director and the appointment of the Executive Director ad interim on 6 June, EASO has started to implement a comprehensive action plan that addresses the weaknesses in management and internal control systems as identified by the ECA and the IAS.

Senior management in DG HOME is closely monitoring the implementation of the action plan, notably through its representatives in the EASO Management Board, and has kept Mr Avramopoulos informed of the major developments of the situation, as Commissioner of EASO's partner DG.

The EP has also reviewed the state of play of the actions implemented by EASO during the hearing of the ad interim Executive Director on the 3rd September in CONT. See also question 8, the part on EASO.

Delays of payment and recovery orders

36. Delays of payment: total Number of Payments by DG HOME in 2017: 1180,

on time: 963: 81, 61 %

out of delay: 217: 18, 39 %. (Table 6 of annex 3 of the AAR)

- **Please comment, is that a good score, which are the main difficulties encountered?**

Reply

There were no specific difficulties but only the consequence of the high workload linked to the increase of the budget in each 2016 and 2017 and the related increase in numbers of transactions. DG HOME has started to put in place in 2017 mitigating measures. The first one was the set-up of a task force to tackle the problem of late payments of grants under direct management (Union actions), which was considered to be the most pressing issue. This task force has managed to reduce significantly the backlog of late open invoices in DG HOME.

In particular, page 107 of the AAR the DG mentions that

- the estimated overall amount at risk at payment in 2017 is EUR 26.90 million
- the conservatively estimated future corrections for the 2017 payments are EUR 14.33 Million
- the estimated overall amount at risk at closure will be EUR 12.57 Million.
- To which extend is this last number reliable? It seems just to be a hypothesis.

See the answer to Question 14.

37. Recovery orders: from the table 9 in annex 3 of the AAR it appears that:

- 5 recovery orders launched in 2015 did not make any progress for a corresponding open amount of 919 779 euros. : Why, what is it about?
- 2 recovery orders are still pending still 2014, why?
- 44 recovery orders have been launched in 2017 for an amount of 33.204.899, 89.
- What is the current state of play?

Reply

5 recovery orders launched in 2015: four recovery orders are still open due to legal proceedings (one recovery order waiting for the final legal judgement; two recovery orders are being recalculated based on a recent Ombudsman decision and one recovery order will be soon waived by the Authorising Officer based on Commission Decision C(2018) 4061 of 3 July 2018.) The 5th recovery order now closed has been waived based on Commission Decision C(2018)2469 of 27 April 2018.

2 recovery orders launched in 2014: only one still open, for an amount of EUR 84.91 representing an adjustment of the contribution of a Schengen Associated Country to the Eurodac Regulation.

44 recovery orders launched in 2017: only three recovery orders are still open.

38. What was the total cost of travelling including accommodation of the Migration, Home Affairs and Citizenship Commissioner in year 2017?

Reply

The total cost of travelling including accommodation of the Migration, Home Affairs and Citizenship Commissioner in year 2017 was EUR 171 277.66.

39. Who decides and approves the travels and different work related missions of the Commissioner?

Reply

Missions of Members are decided in compliance with the rules in the Financial Regulation, the internal rules on the implementation of the general budget of the European Union, the Commission's Guide to Missions and the rules set out in the Code of Conduct for Members of the Commission. A mission is defined as travel in the exercise of his or her duties by a Member away from the Commission's place of work. A mission is decided by the Member concerned. Mission expenses are authorised by the Head of Cabinet of the Member concerned as legal authorising officer. Expenses are paid on the basis of the invoice and proof of payment, under the responsibility of the Director of the Office for the Administration and Payment of Individual Entitlements (PMO – authorising officer for budgetary commitments and payments). Since 2018, the Commission publishes an overview of mission expenses per Member every two months on the webpage of each Member, covering the missions since December 2017.

Travelling for work is part of the Commissioner duties in the area of Migration, Home Affairs and Citizenship. His trips include, amongst others and as for other members of the Commission, many institutional obligations such as attending the Plenary Session of the European Parliament in Strasbourg, the Councils of Ministers in Luxembourg or in the Member State holding the Council Presidency, the various Ministerial meetings with EU Partners on issues related to his portfolio such as the EU-US Ministerial or the EU-Western Balkans Ministerial on Home Affairs. They also include meetings in Member States and third countries in order to discuss and agree on solutions and cooperation to address the migration crisis and security threats. Both issues have been political priorities for the EU and its partners in the last 3 years.

In addition, the duty as European Commissioners and in accordance with Art.11 TEU include to debate and explain the work of this institution with national Parliaments or at different events with stakeholders and civil society, notably through citizen's dialogues, conferences or congresses in the Member States or in third countries.

40. How many professional trips and work related missions did the Migration, Home Affairs and Citizenship Commissioner deliver in year 2017?

Reply

In 2017 the Migration, Home Affairs and Citizenship Commissioner has done 45 missions including several combined trips to 82 destinations. As mentioned above since 2018, the Commission publishes an overview of mission expenses per Member every two months on the webpage of each Member, covering the missions since December 2017.

41. Who decided about the attendance of the Migration, Home Affairs and Citizenship Commissioner at the 73rd Session of the UN General Assembly?

Reply

Commissioner Avramopoulos did not participate in the 73rd Session of the UN General Assembly. He participated in three events organised in the margins of the 73rd session of the UN General Assembly related to his competence: the High-level side event: The Global Compact on Refugees – A model for greater solidarity and cooperation on 24 September 2018, the High level side event "Road to Marrakesh" on 26 September 2018 and the Global Counter Terrorism Forum Ministerial Plenary. Upon invitation of the organisers, the Commissioner accepted to speak in those three events which are on topics related to his portfolio.

42. Who gave the mandate to the Migration, Home Affairs and Citizenship Commissioner to deliver the speech at the General Assembly?

Reply

Commissioner Avramopoulos did not deliver a speech at the 73rd session of the UN General Assembly. The President of the European Council Mr. Donald Tusk represented the European Union at the 73rd session of the UN General Assembly and delivered a speech on behalf of the EU. Commissioner Avramopoulos intervened at three events organised in the margins of the 73rd session of the UN General Assembly mentioned under question 41.

43. Who decided about the political messages and statements delivered in the speech?

Reply:

The Commission can express itself on aspects that are related to its competence. The interventions of Commissioner Avramopoulos at the events mentioned under question 41 were grounded in EU law and existing EU positions.

44. How is it possible that a Commissioner delivers a speech on behalf of the European Union including and endorsing political messages and statements, which are not in line with the policies of the institutions nor in line with the standpoint of certain Member States?

Reply:

The interventions of Commissioner Avramopoulos in the events mentioned under question 41 were not statements on behalf of the European Union and its 28 Member States. These interventions were grounded in EU law and existing EU positions.

Miscellaneous

45. **Last weeks, the international press is putting light on the arrest of three Greek journalists who have published on 21 September an investigation revealing the diversion of EU funds destined for refugees and migrants in the camp of Moria, on the Greek island of Lesbos. According to the published information, part of these funds is going to the entrepreneurs connected with the Greek Minister of Defence. Shortly after (September 22) the Minister filed a defamation lawsuit, an offence that in Greece carries significant convictions. The result was the immediate arrest of the three journalists who were released the next day while waiting for a date for the trial.**

The European Commission has avoided making a declaration about it. Regardless of the serious issue of violation of freedom of expression, have the Commission had access to the complete report of the journalists? Has the Commission carried out any investigation into the events reported by the journalists and covered by the European media? Has OLAF opened any investigation? What measures has the Commission taken to clarify the facts?

Reply

It is not the role of the Commission to comment or make any declarations on such specific cases, including in view of ongoing national judicial developments on the issue at stake.

As regards the allegations on potential irregularities in the use of EU funds, there are very clear rules about how EU funds must be managed and a very strict and thorough monitoring system in place to verify that all funds have been correctly spent.

In the framework of shared management, the responsibility lies first with the Member States. National authorities are responsible for putting in place all the legal, administrative and operational measures to ensure that the funds available are fully used in an efficient and effective manner. In fact, there are different levels of monitoring, control, evaluations and audits carried out by the responsible authority in the Member States, the Audit authority and the Commission services, as well as detailed reporting obligations. In case deficiencies are found, in any area or aspect, the Member State in question must make corrections, both financial and procedural, to rectify the situation.

At EU level, the Commission carries out full annual clearance of accounts exercises each year for all the long-term funding given to Member State, performs regular monitoring visits, on-the-spot audits or controls. The Commission can make financial corrections and recover all or part of the EU contribution, when appropriate.

The Commission also monitors the implementation of the emergency assistance projects supported with EU funding. Such monitoring is based on the analysis of interim

and/or technical reports and by carrying monitoring missions in the Member State. These checks aim to ensure the compliance of the actions carried out with the outputs foreseen in the grant agreements. Should there be any errors, irregularities or fraud, the Commission proceeds to the recovery of the amounts concerned.

On the particular projects in question, four emergency assistance grants were provided to the Ministry of Defence for food provision.

The Commission, through monitoring visits as well as through the HOME staff permanently deployed on the ground, could witness that food was being provided in accordance with the grant agreements. On that basis, DG HOME has no evidence to date about misuse of EU funds.

Following the press reports with allegations concerning catering services in 2017, DG HOME brought those to the attention of OLAF. Subsequently, OLAF opened an investigation into alleged irregularities concerning the provision of EU-funded food for refugees in Greece.

It should be noted that, OLAF is the only EU body mandated to investigate irregularities and suspicions of fraud affecting EU funds and EU financial interests. With an OLAF investigation now ongoing, we are not in a position to comment the matter further.

EUROPOL, CEPOL, eu-LISA and Eurojust

46. Internal security remains one of the Union's main priorities. The role of the EU Agencies in security, border and migration management is crucial in assisting Member States to respond to future security challenges.

European Parliament's draft report on the Council position on the draft EU budget for 2019 pointed out that the budgetary ceiling for security is vastly insufficient and unable to adequately meet internal security and migration challenges.

There is also the need to beef-up the budgets and staffing of EUROPOL, CEPOL, eu-LISA and Eurojust.

The draft report reinforces Heading 3 (Security and Citizenship) by almost EUR 128 million by a further mobilisation of special instruments.

In this context:

- **Could you define the EU agencies' immediate financial and staffing needs related to internal security and migration challenges?**

Reply

The Commission assesses the staffing and financial needs in the framework of the budgetary procedures and proposes the resources to allow the agencies to carry out their mandates, taking into account existing budgetary constraints. Notwithstanding the budgetary constraints, DG HOME's decentralised agencies received additional

resources in 2019 as compared to the original programming underpinning the multiannual financial framework (MFF)

On the procedure for the adoption of the EU budget 2019 by the budgetary authority, we are now approaching the conciliation period, after the plenary session in the EP.

In the budgetary procedure, the Council has proposed cuts as well as reserves on DG HOME budget. Taking a different stance, the EP (BUDG committee) has been supportive of DG HOME funds: it has voted amendments that restore the amounts before the cuts and the reserves proposed by the Council.

Moreover, the EP (BUDG Committee) supports increases in the budget and in the number of staff for the agencies as follows:

- EUROPOL: EUR 22.042 million in addition to the amount in the draft budget and additional 38 posts;
- CEPOL: EUR 2.687 million in addition to the amount in the draft budget and additional 8 posts;
- eu-LISA: EUR 10 million in addition to the amount in the draft budget and additional 17 posts.

The EP position on the 2019 Draft Budget is foreseen during the plenary session of 22-25 October 2018.

On the medium term, we are looking forward to the entry into force of two new Regulations that will enable two of our agencies to deploy enhanced services.

The proposed establishing Regulation on the European Border and Coast Guard Agency will enable the Agency to acquire its own equipment, such as vessels, planes and vehicles, available to be deployed at all times and for all necessary operations. A new standing corps of 10,000 operational staff with executive powers and their own equipment will ensure that the EU has the necessary capabilities in place to intervene wherever and whenever needed — along the EU's external borders as well as in non-EU countries. The European Border and Coast Guard Agency will be equipped with a stronger mandate on returns and will closely cooperate with the new EU Agency for Asylum. The total cost of setting up the standing corps, acquiring the Agency's own equipment and addressing the existing and new tasks amounts to EUR 1.3 billion for the period 2019-2020.

The proposed new establishing Regulation of the EU Agency for Asylum will allow the Agency's staff to become available at the request of Member States (or upon the Agency's initiative but in agreement with a Member State) to provide operational and technical assistance throughout the asylum procedure as well as during the procedure under the Dublin Regulation. The Commission's proposal includes a budget of EUR 364 million until the end of 2020, and an additional EUR 55 million per year between 2019 and 2027. For the next budget period (2021-2027), the Commission has proposed a budget of EUR 1.25 billion for the Agency.

We refrain from commenting on the budgetary needs of EUROJUST, as it is under Commissioner Věra Jourová's responsibility.

