

2016 Discharge to the Commission

WRITTEN QUESTIONS TO COMMISSIONER AVRAMOPOULOS

Hearing on 23 January 2018

1. EU Emergency Trust Fund for Africa 73% of the EUTF finances come from the European Development Fund (EDF). Those funds are supposed to be used to combat poverty. However, not a single EUTF-project can directly be linked to a source in terms of finance. How can the Commission guarantee that the EDF-funds are being spent correctly?

Reply:

The EU Emergency Trust Fund for Africa is an instrument that tackles root causes of migration and includes poverty reduction. Several sources are used whose requirements are met. Indeed, programmes funded under the EUTF for Africa fully respect the thematic and geographic scope of the different contributing financial instruments and their respective rules. However, different sources of EUTF financing have different degrees of flexibility as regards the Official development Assistance (ODA).

The majority of activities implemented under the EUTF for Africa are fully aligned with the objectives of poverty reduction. Resources allocated to programmes approved by the EUTF for Africa as of the end of 2017 are distributed as follows:

- EUR 580.6 million (21%) to economic and employment opportunities
- EUR 732.2 million (30.5%) to strengthening resilience
- EUR 551.1 million (23.1%) to improving migration management
- EUR 502.9 million (21%) to improving governance
- EUR 27.3 million (1.1%) to other cross and cutting issues

This demonstrates that activities funded under the EUTF for Africa are fully aligned with the objective of poverty reduction.

2. To improve the speed of spending, the involvement of African governments and of local or international NGO's has been limited when it comes to the selection of projects. Is the Commission planning to work more closely together with local organisations in the near future in order to improve the implementation of the projects?

Reply:

The identification of the EUTF priorities and programs is the result of a thorough dialogue with African partners and relevant local, national and regional stakeholders. National authorities actively participate in the identification and formulation of the projects funded by the EUTF for Africa. National authorities, both at national and local level are also closely involved in the implementation of actions.

Moreover, national ownership is ensured by the innovative governance structure of the EUTF for Africa whereby representatives of partner countries and relevant regional organisations participate in the decision-making process through their participation in the meetings of the Board and of the Operational Committee.

Activities funded under the EU Trust Fund for Africa are implemented through a range of operating partners, including international and local NGOs. As of December 2017, 22% of the contracted funding goes to Civil Society Organisations (CSO) across the three regions (Sahel / Lake Chad and North African). Local CSOs are also mobilised by implementing partners to deploy targeted activities thereby bringing their experience and understanding of local contexts.

The EU Trust Fund is enhancing the communication and transparency of its activities, in order to ensure that CSOs have full access to information regarding opportunities for funding. Moreover, the Commission welcomes CSOs at large to share their analysis of the priorities of the EU Trust Fund in their areas of expertise, to participate in consultations and information meetings, to meet up with other actors in the field and eventually to participate in calls for expression of interest.

3. According to Oxfam, out of all contracted projects between November 2015 and October 2017, 63% has been spent on development aid and 35% has been spent on migration management, security and peacebuilding. Does the Commission agree with their assessment? If so, is the Commission satisfied with that balance?

Reply:

The EUTF for Africa is composed from funding coming from a variety of sources, including EU financial instruments other than the development ones. This is the case for AMIF and ISF who play a key role in delivering on EU strategic interests.

Under the EUTF for Africa, a total of 211 contracts have been signed as of the end of December 2017 across the three regions of the Trust Fund. If we look at the amounts allocated to signed contracts, resources have been distributed among the different sectors as follows:

1. Greater Economic and employment opportunities - EUR 408.7 million (30%)
2. Strengthening resilience – EUR 348.3 million (26%)
3. Improving migration management – EUR 315.4 million (23%)
4. Improved governance – EUR 276.5 million (20%)

Moreover, the EUTF for Africa has approved research and monitoring contracts for approximately EUR 6 million (0.4%).

The Commission considers that the above distribution is very relevant and in line with the strategic priorities of the EUTF for Africa.

4. Why has so little been spent on creating legal migration routes, which is one of the goals of the EUTF and the second pillar of the Valetta Action Plan on Legal Migration and Mobility?

Reply:

Regarding legal migration towards Europe, the EU and Member States share their competences on legal migration. While there are several existing legal migration avenues at EU level, it is up to Member States alone to determine the volumes of migrants coming to Europe to work.

Legal migration has always been an integral part of the EU cooperation with third countries on migration issues.

A number of recent measures have been taken at European level to facilitate legal migration. For instance, in 2016 the EU has adopted new rules to make it easier to foreign students, researchers, trainees and volunteers to get a visa and a permit to come to the EU and, as regards students and researchers, facilitate their access to the labour market and job-seeking.

The Commission further opened the Erasmus+ and Marie Skłodowska-Curie programs to students and researchers from African countries. Together with this, capacity building projects have been started to ensure the success of these programs.

Since 2014, Erasmus+ has funded the mobility of more than 6000 African students to come and study in Europe, and over 4000 researchers and staff. Marie Skłodowska-Curie has provided support to close to 600 African researchers since 2014. In addition, 89 Erasmus+ capacity building projects involving 218 universities and other relevant stakeholders have been funded to modernise, internationalise and improve the quality and relevance of African higher education.

In 2016, Member States transposed the Directives on seasonal workers and intra corporate transferees and the Commission proposed to revise the EU Blue Card Directive to make it easier and more attractive for highly-skilled workers to come

to Europe – negotiations on the latter are now ongoing with the Council and the European Parliament.

The Commission has regularly called upon Member States, including in its Communication on the Delivery of the European Agenda on Migration on 27 September, to increase the legal avenues for migration. In its Communication of 7 December 2017 on a way forward on the external and internal dimension of migration, it called upon Member States to launch first pilot projects for coordinating specific legal economic migration offers, depending on the economic needs of Member States, for key partner countries by May 2018. Discussions are currently ongoing between the Commission and EU Member States on setting up these pilot projects.

The EUTF (Sahel / Lake Chad and North African windows) has supported the drafting and introduction of legislation and practice on labour migration through, for example, the provision of information on labour possibilities to migrants, the portability and protection of social rights of regular migrants, the simplification of recruitment mechanisms, the implementation of integration strategies for migrants in host country societies as well as measures to combat labour exploitation.

In the EUTF Horn of Africa window, the regional action "Towards Free Movement of Persons and Transhumance in the IGAD region" (EUR 10 million) contributes to the creation of new, and the improvement of existing, avenues for legal migration and mobility between the countries of the region. It provides support for the negotiation, conclusion and implementation of regional Protocols on the free movement of persons and on livestock corridors, with the aim of enhancing opportunities for better labour mobility and economic development within the region. The action is implemented through a delegation agreement with ILO and a grant agreement with IGAD, both signed in December 2016.

Under DEVCO Thematic Migration and Asylum several interventions are directly addressing legal migration issues:

- 2013/317-804 – "Assessing the economic contribution of labour migration in developing countries as countries of destination" – OECD/ILO – EUR 3.5 million
- 2014/282-931 – "Brain drain to brain gain: supporting WHO Code of practice on international recruitment of health workers for better management of migrant health workers" – WHO – EUR 2 million
- 2016/364-227 – "Global action to improve the recruitment framework of labour migration" – ILO – EUR 8 million
- 2016/380-657 – "Projet de renforcement de la mobilité professionnelle en Afrique de L'Ouest: coopération triangulaire au bénéfice des services de l'emploi" – Pole Emploi France – EUR 1.7 million
- 2016/379-974 – "MADE West Africa - Migration and Development Partnerships for rights-based migration and mobility governance in, from and to West Africa" – ICMC – EUR 1.2 million

DG HOME Annual activity report

Overall estimated amount at risk

For DG HOME, the estimated overall amount at risk at payment for the 2016 payments made is stable at EUR 29.51 million (a range between €21.9 and 29.0 million in 2015) and the estimated overall amount at risk at closure is EUR 13.80 million. It appears nevertheless that the error rate is above 2% as regards the AMIF/ISF and the grants research.

5. In which Member States was the residual error rate higher than 2 %?

Reply:

For SOLID funds, the average residual error rate for all closed annual programmes across all four SOLID funds was 0.75%, well below 2%. This residual error rate is the result of all controls and audit procedures implemented since the beginning of the period (2007) both at national and Commission level. The outcome of the controls and Audits is the basis for determining and implementing financial corrections.

In 2016 financial corrections implemented amounted to EUR 5.89 million. Regarding a country by country assessment, the residual error rate was higher than 2% only in one Member State and concerning only two funds (EIF and ERF), for which the amounts to be corrected, following the audit process¹, are still in the contradictory phase of the procedure (Germany - EIF 10 % and ERF 5%). This error rate is a result of a project and system audit for the Annual Programmes 2008-2010 where some errors and weaknesses were identified in the management control system, such as compliance with the project target group and rules on the eligibility of staff costs, weaknesses in the selection and award process and deficiencies concerning audit activities.

Once the contradictory process is finalised and the corresponding recovery order issued, the residual error rate will be for all SOLID programmes lower than 2%. This demonstrates that controls in place to protect the financial interest of the Commission are well in place and are functioning.

For AMIF/ISF funds, the decision to issue reservation was not based on specific deficiencies found, but it was the result of a computation based on a risk assessment.

¹ Weaknesses in the management and control system mainly related to selection of operations and management verifications confirmed by the errors found during the audit of the projects.

Average residual error rate across AMIF and ISF was 1.34%, well below 2% (1.55% for AMIF and 1.00% for ISF). In case of AMIF, the risk assessment resulted in a computed Residual Error Rate of 2% for two MSs (France and Spain), mainly due to the methodology applied to compute the residual error rate. See also reply to question n. 6.

This assessment does not necessarily trigger financial corrections.

6. Which errors and deficiencies were identified in France and Spain regarding the management of the AMIF? How this situation had been redressed, which lessons had been taken for the future?

Reply:

The decision to issue this reservation was not based on specific deficiencies found but is based on the result of a computation based on a risk assessment, based on five building blocks.

1. Computation of a weighted Residual Error Rate from SOLID.
2. System changes for AMIF/ISF in comparison to Management Control System for SOLID.
3. System review.
4. Information stemming from the various audit work (ECA and DG HOME) and other relevant information.
5. Information provided with the accounts submitted in 2017 (opinions provided by the audit authorities).

Thus, in case of AMIF Spain and France, the resulting 2% average residual error rate was mainly due to a weighted combination of the residual error rate for SOLID, the audit authority assessment of MCSs and ECA audit work. This assessment does not necessarily trigger financial corrections.

The Commission encouraged the Responsible Authorities (RA) and the Audit Authority (AA) to redress the situation. In the case of Spain, the Responsible Authority and Delegated Authority have put in place corrective measures to bring the Management and Control System to an acceptable level. Important improvements have been introduced in the IT application, which was the main system weakness. Other deficiencies in on-the-spot controls or supervision procedures for delegated tasks have been removed. For France, IT system not still in place at the moment of ECA visit are now functioning and the eligibility of some expenditures for 2016 accounts was assessed and the corresponding payment by DG HOME will follow.

7. In his annual activity report the Director General of DG HOME refers to a cost efficiency indicator relating to the efficiency of the controls.

Can the Commission develop a little bit this notion and explain why there could be differences in this cost efficiency indicator from one year to another one?

Reply:

The indicator is part of a Minimum set of common control efficiency indicators requested by Commission's central services to be calculated across DGs in their Annual Activity Reports, as a percentage of total costs of controls in total payments done in the year.

DG HOME performed the exercise of estimation of costs of controls for each of the main control systems (shared management, direct management grants non-research, direct management grants research, direct management procurement, indirect management traditional agencies, indirect management delegation agreements).

Thus, even if the total costs of controls in nominal terms slightly increased over the years (EUR 19.27 million in 2014 → EUR 23.02 million in 2016), further improvements could be noticed in terms of cost-effectiveness of controls which take into account factors such as the significant increase in payments and the new portfolios received by DG HOME in 2015 (research funds). (total costs/total payments: 2.54% for 2014, 1.84% for 2015 and 1.13% for 2016).

8. In 2016, DG HOME's policies were supported by EUR 3.18 billion of commitment appropriations representing 2% of the EU budget, with a corresponding envelope of EUR 2.12 billion of payment appropriations. The appropriations managed by DG HOME in 2016 saw a sharp increase as compared to 2015 (67% in commitment appropriations and 72% in payment appropriations), following the steady increasing trend as of 2014.

The gap between commitment and payment appropriations is impressive: more than one billion. Can the Commission comment a little bit about the effect of the RAL on the future payments?

Reply:

The payment appropriations have been calculated by management mode and take into consideration the requirements set out in the various legal bases.

Member States have the right to declare expenditure once they consider them free from errors (controlled at national level). This often results in a lower level of payments requests at the beginning of each new programming period. Member States have the opportunity to report expenditures until June 2023.

It is in the interest of the Member State which receives funding from AMIF and ISF to present expenditures in the Annual accounts in order to be able to receive further payments for their multi-annual National Programme. DG HOME already noticed an increase of requests from 2014-2015 accounts presented in February

2016 and the accounts presented in February 2017. For AMIF and ISF expenditures accepted increased from EUR 224.869 million to EUR 543.168 million.

We expect that in the future accounts to be presented in February 2018 payment requests will be higher.

DG HOME is monitoring very carefully during the year if payment appropriations requested will be implemented, as part of its comprehensive monitoring strategy (see reply to question 30).

Performance approach

9. What is the assessment of the Commissioner on the adequacy between the means and tools and the challenges that his DG has to address? Are there enough resources: money, staff?

Reply:

For 2017, the budget for Home Affairs was reinforced in order to respond to the immediate increased needs resulting from the migration crisis and security threats provided the situation remains stable or at least predictable.

More specifically for 2017, the budget for title 18 includes EUR 3 billion of migration related expenditure for intra EU actions, equal to the significantly reinforced level of 2016:

AMIF: EUR 1.62 billion

ISF: EUR 0.738 billion

Agencies: EUR 0.626 billion (EBCGA, Europol, CEPOL, eu-LISA and EASO)

For 2018, based on the financial programming, the Commission proposes to address the challenges of migration, refugee inflows and security issues amounts to a total of EUR 2.2 billion (AMIF, ISF budget lines, DG HOME agencies except EMCDDA, SIS, VIS and PP/PAs) in 2018 under heading 3.

However, things can change very quickly and flexibility is important. Significant funding will be needed in the years to come also to implement key proposals currently on the table such as the Dublin reform and the Entry-Exit system.

Regarding the issue of staff, the situation of DG HOME remains very difficult.

In 2015, DG HOME assessed its needs and asked for 130 more posts to be created for DG HOME to be able to deliver on the Agendas on Migration and Security.

DG HOME has been reinforced a couple of times since then through internal deployment within the Commission. Part of this redeployment was made through transfer of staff with their posts from other Commission services. Within a very restrictive budgetary context (implementation of 5% staff reduction by 2017) the

Commission identified DG HOME as a priority service requiring net reinforcement in terms of posts and appropriations for external staff.

At the end of 2016, DG HOME had 480 staff (416 statutory staff and 64 other staff) as compared to 454 of 2015. DG HOME output has been increasing. In 2016 DG HOME was responsible for 283 adoption procedures (60 oral) and 260 adoption procedures (20 oral) were on the College agenda in 2015. This represented a 50% increase in comparison to years 2014 and 2013 and translated into huge workload for DG HOME's staff. As mentioned above, the size of funds for the security and migration crises managed by HOME also doubled and this had a considerable impact on the increase of workload too. The increased funding implies additional needs in the field of implementation, monitoring and control.

In 2017, in reply to its request for reinforcement with 48 additional posts, DG HOME benefitted from a limited reallocation 8 additional posts from other Commission services in December 2017.

In 2018, an additional reinforcement would be needed to align human resources with the initial needs assessment.

10. The EU-Turkey Statement was concluded on 18 March 2016. It had a profound impact on the number of arrivals in Greece. In the ten months before the Statement came into effect 960 681 migrants arrived to the Greek islands. In the ten months after, only 25 720. However arrivals in the EU kept exceeding returns to Turkey. DG HOME therefore contributed, with Greece, to a Joint Action Plan on the implementation of the EU-Turkey Statement, which was endorsed by the European Council on 15 December 2016. How much money had been invest in this plan? What has been the result?

Reply:

The effectiveness of EU support to the Member States under most pressure has been reinforced by the parallel efforts to work with third-country partners. The aim is to replace disorganised, irregular and dangerous migratory flows by organised, safe and legal pathways to Europe for those entitled to international protection in line with EU and international law.

More specifically, the EU-Turkey Statement has resulted in the reduction of dangerous journeys across the Aegean Sea and the significant decrease in migratory pressure in Greece. The numbers of arrivals to Greece dropped from some 177,000 in 2016 to around 35,000 in 2017. The daily crossings from Turkey have dropped from 10,000 a day to less than 100 a day on average and, more importantly, the number of deaths in the Aegean has fallen drastically. All safeguards to guarantee the rights of migrants who are still arriving to the Greek islands are in place: right to apply for asylum, individual assessment of the asylum claim, right to appeal/remedy.

Return rates at EU level still remain unsatisfactory low, but also from Greece to Turkey under the EU-Turkey Statement. It is of utmost importance to step up efforts to increase returns of those who have no right to stay on EU territories.

Furthermore, EU Member States are offering legal and safe pathways to Syrians refugees in Turkey through resettlement, with so far more than 12,000 resettled under the Statement.

Substantial EU financial resources are devoted to improving living conditions of Syrians in Turkey. The Facility for Refugees in Turkey managing a total of 3 billion EUR for 2016 and 2017 ensures that the needs of refugees and host communities in Turkey are effectively addressed on the ground. Through the Facility, a significant number of refugees have benefited from tangible support such as humanitarian assistance, education, health and socio-economic support.

At the same time, significant resources have been made available to support the implementation of the EU-Turkey statement in Greece. More than EUR 350 million in emergency assistance under the Asylum, Migration and Integration Fund and the Internal Security Fund have been awarded in 2015-16, out of which approximately EUR 70 million directly supporting the implementation of the EU-Turkey Statement, either directly to the Greek authorities or through EU Agencies and international organisations .

Additional information on the implementation of the EU-Turkey statement, including the projects under the Facility for Refugees in Turkey can be found in the following links:

https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu_turkey_statement_17032017_en.pdf
https://ec.europa.eu/neighbourhood-enlargement/news_corner/migration_en

11. Key performance indicator 1 in DG Home AAR 2016 indicates that the rate of return of irregular migrants to the third countries (measured as % of effected returns compared to return decisions) was 46,38% in 2016 which is only 3.88% higher than in 2015. What are the reasons behind the low return rate?

In the DG HOME 2016 AR is stated, that *“the total return rate increased from 42.2% in 2015 to 46.38% in 2016. In spite of the progress, given the very high number of irregular migrants currently present in the EU (over 2 million), it is necessary to undertake further efforts to increase the return rate even more”*. What further efforts has the Commission undertaken so far and how has it improved the return rate?

Reply:

Challenges are both internal (performance of the national return systems of our Member States) and external (cooperation from countries of origin authorities on readmission).

COM has been supporting Member States in their efforts to overcome the above-mentioned internal hurdles to effective returns.

Action was taken, e.g.: the Regulation on European travel document was adopted, the role of European Board and Coast Guard in implementing returns was strengthened, the Integrated Return Management Application (IRMA) within the Commission was set up. And in 2017, a renewed EU Action Plan on Return was elaborated together with a set of recommendations to Member States on making return procedures more effective, also through a revised Return Handbook.

In 2018, the return capacity in the European Border and Coast Guard Agency should be further enhanced so that by March 2018, the number of returned migrants in operations organised in cooperation with the Agency would increase by at least 20% compared to the same period of 2017 and increase by 50% by June 2018.

COM efforts to develop further cooperation with third countries on readmission continued: Negotiations on readmission were launched in 2016 with Tunisia (second round took place in late 2017), Nigeria and Jordan (however no second round took place/scheduled in 2017). The focus has also been on improving practical cooperation through arrangements that allow readmissions – starting with the Joint Way Forward with Afghanistan in November 2016, such arrangements were also agreed in 2017 with Bangladesh and Guinea and one is currently being finalised with Ethiopia.

12. The former key performance indicator 2 of last year: number of target group persons who received pre or post return reintegration assistance co financed by the Asylum, Migration and Integration Fund: 45 300 persons between 2011 and 2015. Why did this KPI disappear? What happened with the specific targets set up for 2017 (see page 16 and 17 of the 2015 AAR: 160 .000 persons in clear need of international protection from Italy and Greece by the end of 2017 plus 20.504 persons in the framework of another scheme by the same date)?

Reply:

In 2015, the Commission reviewed its Strategic Planning and Programming framework to make it more performance-oriented. As a consequence, some indicators were reviewed to be aligned with DG HOME's general and specific objectives.

With respect to the indicator "Number of target group persons who received pre or post return reintegration assistance co financed by the Asylum, Migration and

Integration Fund", DG HOME decided to continue using it in 2016, to measure expenditure-related outputs in view of progressing towards the specific objective of reducing incentives for irregular migration.

In 2016, 21 228 returnees received pre or post return reintegration support co-financed by AMIF. This was slightly below the target, which was 23 486, but it still compares favourably with results in previous years.

With respect to the indicator "Number of persons relocated", 9 654 people (2 462 from Italy and 7 192 from Greece) were relocated in 2016, supported by AMIF. Numbers increased further in 2017. By 8 January 2018, they reached:

- Italy: 11 436 relocated; 1 500 awaiting relocation
- Greece: 21 704 relocated; 290 awaiting relocation
- Total: 33 140 - around 93% of all applicants eligible and registered for relocation in Italy and Greece were successfully relocated.

The Commission stands ready to continue supporting relocation with financial support.

But we cannot continue to rely on ad-hoc measures. Since 2017, efforts are concentrated on the reform of the Common European Asylum System package including the Dublin reform.

With respect to the indicator "Number of persons resettled", in 2016, 14 205 people were resettled out of the 22 504 pledges made under the Conclusions of July 2015.

By 10 November 2017, 18,366 persons had been resettled. Of the 22 504 resettlements agreed in 2015, over 80% had thus been completed by then. Associated States made an important contribution to reaching this number. Together with resettlement under the EU-TK Statement (1:1), by the end of 2017, about 27,000 people had been resettled under the EU-level resettlement schemes since their launch and more than 39 000 pledges have been received from 19 MSs so far under the new COM ambitious plan for at least 50 000 resettlement places by 2019. The trilogues on the proposed Union resettlement framework regulation started on 13 December 2017.

13. Does the Commission consider the possibility to define a key performance indicator related to the elimination of the root causes of irregular migration?

Reply:

Addressing root causes of irregular migration and forced displacements is a priority for the Commission in its relations with third countries. Root causes

represent multiple drivers that lead people to flee their countries of origin such as: political instability, governance failures, corruption, trade poverty, unemployment climate change, trade imbalances and they vary between the third countries. Addressing them is a priority for the Commission in its relations with third countries.

For instance, the recently agreed External Investment Plan will promote inclusive growth, job creation and sustainable development and so tackle some of the root causes of irregular migration. The Plan will encourage private investors to contribute to sustainable development in countries outside of Europe. The newly created European Fund for Sustainable Development (EFSD) will be the financing mechanism used to support investments by public financial institutions and the private sector. With a contribution of €4.1 billion from the European Commission, the Plan is expected to leverage more than €44 billion of investments by 2020.

Addressing root causes of irregular migration is also a key area of action for DG HOME. It makes part of its Strategic Plan for 2016-2020 and is a long term objective. Its achievement depends on the cooperation and coordination among different commission services such as DEVCO, NEAR, TRADE, EAC in addition to the External Action Service, EU Member States, Partner countries and international organisations.

DG HOME contributes to the specific objective of reducing incentives for irregular migration in several ways by:

- Actively contributing to different regional processes such as the Valletta, Khartoum and Rabat Processes;
- Defining the strategic orientations for the future Global Compacts on migration and refugees;
- Tackling relevant drivers of migration based on the specific situation prevailing in each priority third country, through the 'Partnership Framework' approach;
- Supporting the EU Trust Fund for Africa for which indicators have been identified.

To measure progress from an EU perspective, DG HOME already uses indicators such as the number of resettlements and the number of voluntary returns with reintegration packages. To further monitor progress/trend in this area, it envisages using the '(decrease in) the number of irregular migrants of a given nationality arriving to the EU.

14. What is the evaluation of the Commission as to the number of Mobility partnerships and the creation of Mobility partnership Agreement with Belarus?

Reply:

The Mobility Partnerships (MP) is a bilateral framework through which the EU and the interested Member States can address relevant migration and mobility issues of mutual concern with neighbourhood third country. So far nine Mobility

Partnership Agreements have been signed, in most of the cases with EU neighbourhood countries: Moldova (2008), Cape Verde (2008), Georgia (2009), Armenia (2011), Azerbaijan (2013), Morocco (2013), Tunisia (2014) Jordan (2014) and Belarus (2016).

In 2017 the implementation of the Mobility Partnerships was well on track. Mobility Partnership High Level Meetings between EU, relevant MS and partner countries were held with Azerbaijan, Armenia, Cape Verde, Tunisia, Moldova, Georgia and Belarus. Furthermore, Mobility Partnerships have allowed the identification and implementation of many cooperation projects, and have provided support to a number of related initiatives such as the visa liberalisation process for Georgia, the implementation of the Visa Facilitation and Readmission Agreements in Azerbaijan and Armenia, and deeper dialogue on migration and mobility related topics (asylum, Integrated Border Management, legal migration) in all the countries.

The overall structure of the MPs was strengthened through the development of on-line scoreboard structures and streamlining the working arrangements with all partner countries. Additionally, the Mobility Partnership Facility, of which the aim is to provide financial support for preparing and implementing current and future MPs, was fine-tuned and reinforced. In 2017 the EU MS made full use of this financial instrument and showed their interest in its continuation.

The Joint Declaration on the EU-Belarus Mobility Partnership was signed by the EU and Belarus as well as the representatives of the participating Member States on 13 October 2016. The first Mobility Partnership High Level Meeting with Belarus took place on 10 November 2017, in Brussels.

The objective of the meeting apart from officially launching the cooperation was to approve the work programme and to agree on the future working arrangements. Belarus' side confirmed its interest in and commitment to implementing the Mobility Partnership and the active cooperation this will entail. The negotiation of the Visa Facilitation Agreement and Readmission agreement, which are also part of the Mobility Partnership with Belarus, are still on-going.

Facility for Refugees in Turkey

15. As of the end of September 2017 the Commission implemented 43,4% (= 813,8 Mio. EUR contracted amount) of the Facility of Refugees for Turkey itself. How many of those contracts and how much money are implemented with the help of the Turkish government? Which projects does the Commission implement under those contracts?

Reply:

The full envelope of the EU Facility for Refugees in Turkey was committed and all 72 projects were contracted by 31 December 2017. EUR 1.85 billion has been paid out, with the balance to be paid in the course of implementation of Facility projects through to mid-2021.

Facility contracts are signed with international NGOs, EU Member States and UN agencies, and International Financial Institutions. Only a limited number of contracts – three for a total value of EUR 660 million – are concluded with Turkish ministries exceptionally as only the Turkish authorities could provide these improvements to Syrians. These contracts are direct grants and cover incurred costs following verification.

One grant – worth EUR 300 million – aims to support the Ministry of National Education to integrate Syrian refugees into the Turkish education system.

The second grant – also worth EUR 300 million – aims to support the Ministry of Health to ensure availability and access to healthcare services for Syrian refugees.

The third grant – worth EUR 60 million – aims to improve the capacity of the Turkish Directorate-General for Migration Management (DGMM) to manage, receive and host migrants and returnees.

16. 5% of the contracted amounts of the Facility of Refugees in Turkey is implemented by Public law bodies. How many of those contracts and how much money is implemented via the Turkish government?

Please see answer to question 15.

17. 12% of the contracted amounts of the contracted amounts of the Facility of Refugees for Turkey is implemented by EU Trust Funds. How many of those contracts and how much money is implemented via the Turkish government?

Reply:

Slightly less than 10% of the Facility is managed via the EU Regional Trust Fund in Response to the Syrian Crisis (EUTF).

IPA II / Turkey

18. How much money of IPA II was used in 2016 for managing the refugee crisis? Who were the beneficiaries? Who was responsible for the implementation of such projects under IPA II? Which terms and conditions applied to use money of IPA II for the management of the refugee crisis? Could you please list all projects under IPA II that were implemented to manage the refugee crisis in 2016?

Reply:

Please note that IPA II funds have not a crisis or ad hoc urgent needs nature therefore it has not been a recurrent instrument for managing the refugee crisis. Funding to address the refugee crisis was provided through the Facility for the Refugee in Turkey as well as from the Africa Trust Fund, in particular from the North Africa Window.

Having said that, Home Affairs activities included in the 2015 and 2016 National Programmes to Turkey were designed taken into account the specific peak moment context of the refugee/migration crisis. They continue to put a special focus in combating irregular migration issues through, inter alia funding for the construction of reception and removal centres for irregular migrants, strengthening Turkey's capacity against human trafficking and increasing border surveillance, including coast guards equipment.

Implementation of migration projects under these two programmes are still under tendering process. The main partner on Turkish side is the Directorate General Of Migration Management (DGMM) within the Ministry of Interior.

In addition to this, nearly EUR 35 million of IPA II funds have been transferred to the EU Trust Fund for Syria crisis and EUR 40 million have been directly allocated to UNHCR by a Delegation Agreement. The terms and conditions applicable to the use of IPA II are those provided in the IPA II regulation and the framework agreement for assistance with Turkey.

19. What are the provisions for cancellation of commitment appropriations and for the transfer to different items under IPA II?

Reply:

If a Commission Decision has been taken (legal commitment of EU funds) and a Financing Agreement signed under IPA II, Article 18(1)(e) of the General Conditions of the individual Financing agreements for IPA II can be used for suspension of assistance, if this is what is meant with 'cancellation of commitment appropriations'

Article 18(1)(e): The Commission may suspend this Financing Agreement if the IPA II beneficiary breaches an obligation relating to respect for human rights, democratic principles and the rule of law and in serious cases of corruption

If funds from annual indicative country allocations (under the Indicative Strategy Paper) would be transferred to be used e.g. for other countries/thematic priorities theoretically inside IPA II, this would be re-programming and would actually need to happen within the same programming year, otherwise the funds would be lost.

20. Could you please list the paid amount to Turkey under IPA II grouped by policy area?

Reply:

Below is the preliminary table of payments for 2017 related to commitments made under IPA II in the years 2014-2016 (not including the Facility for Refugees in Turkey).

Programme	EU Payments
Democracy and Governance	1.5
Rule of Law and Fundamental rights	19.8
Environment and climate action	10.0
Transport	0.9
Energy	-
Competitiveness and innovation	-
Education, employment and social policies	-
Agriculture and rural development	2.4
Multi-annual Programmes	10.9
Total EU funds	34.6
Union Programmes	167.3
Total of all EU Funds Allocated to Turkey	201.9

Hotspots

21. In his annual activity report for 2016 the Director General of DG HOME adopted a very optimistic approach as to the performance audit published by the Court of Auditors on "EU response to the refugee crisis: the Hotspot approach"(ECA SPECIAL REPORT6:2017). However, the Court concludes that despite considerable support from the EU, at the end of 2016 the reception facilities in Greece and Italy were still not adequate. There was also a shortage of adequate facilities to accommodate and process unaccompanied minors in line with international standards. The hotspot approach further requires that migrants be channelled into appropriate follow-up procedures, i.e. national asylum application, relocation to another Member State or return to the country of origin. Implementation of these follow-up procedures is often slow and subject to various bottlenecks, which can have repercussions on the functioning of the hotspots. How did the Commission respond to this finding and what are the measures taken so far and what measures still need to be taken?

Reply:

Providing adequate reception conditions for everyone in need remains our priority. It is important to underline from the outset that Member States remain the ones responsible for ensuring the provision of adequate reception condition to migrants and an effective processing of their cases. The Commission, together with the Agencies, continued to provide considerable support, both technical and

financial, to Italy and Greece in meeting these challenges, with a particular focus put on the situation of vulnerable groups, including unaccompanied minors.

GREECE

The Commission is providing substantial financial and technical support to Greece to improve reception conditions for migrants and asylum seekers on the islands as well as to ensure that procedures are made more effective, reducing the time laps asylum applicants remain on the islands and ensuring a quicker determination of the status of the person concerned. Also, particular attention continues to be put by the Greek authorities, with technical and financial support from the Commission, to complete the winterization of the hotspots by extending/upgrading their capacity with new prefabricated housing units and adequate heating and electricity connections as well as ensuring cleaning, sanitation and medical care. Moreover the most vulnerable receive decent shelter by supporting the provision of up to 2 000 places in rental accommodation.

Commission services are in continuous dialogue with the Greek authorities looking for the best ways to support the creation of additional decent shelter places suitable for minors, as well as for ensuring that children are urgently moved to proper reception centres.

The Financial Plan 2017, agreed in 2016, contributed to further improving the situation on the ground, including in terms of adequate reception conditions more broadly in Greece by replacing camps-based accommodation with rental accommodation, improving reception standards and increasing the effectiveness and swiftness of procedures. The Financial Plan 2017 started building the necessary conditions for a progressive phasing out of EMAS funding to be replaced by funding under the National Programme through 2018.

Furthermore, in December 2017 Greek Ministers Mouzalas and Charitsis have shared with Commissioners Avramopoulos and Stylianides the 2018 Financial Plan which aims to ensure that reception needs in Greece are adequately covered this year with the timely, efficient and effective use of funding available.

As to increasing the efficiency of the procedures, the Commission, in close cooperation with the relevant EU Agencies (mainly EASO and the EBCGA) and international organisations has been in constant contact with the Greek authorities to find solutions to accelerate the processing of asylum applications and returns, and to provide the necessary operational support. EASO's operational support under the 2017 Operational Plan to Greece contributed to the provision of information to arriving migrants, the referral to adequate asylum-related procedures and to the registration and follow-up of asylum seekers in Asylum and Dublin procedures. EASO experts provided targeted support in all areas needed, inter alia on vulnerability assessment and best interest of the child assessment.

Under the AMIF National Programme, IOM is supporting the Greek authorities in providing information on asylum and migration law with a particular focus on assisted voluntary return and reintegration. Since the implementation of the EU-Turkey Statement and up to the end of 2016, 4 834 migrants used the programme.

ITALY

In 2017, the lower influx of migrants arriving by sea and the creation of dedicated temporary first line facilities for minors have significantly reduced the permanence of minors in hotspots before their transfer to dedicated reception facilities. At the Pozzallo hotspot, a new area destined to vulnerable migrants (mainly women and minors) was finalised. DG HOME funded the PUERI project under EMAS focusing on psycho-social assistance of unaccompanied minors in hotspots and first line reception. At national level, the approval of law 47/2017 on unaccompanied minors represents an important step to, among other, standardise the identification and age assessment procedures and to increase the number of available guardians. Under the AMIF National Programme, the Ministry of the Interior published in August 2017 a new call to finance first line reception of minors for EUR 52 million; this should allow for the creation of additional 1,100 places for minors.

As regards overall reception, the AMIF National Programme contributed to fund the MIRECO project aimed at supporting the systematic monitoring of reception facilities including reception at hotspots.

As to follow-up procedures, EASO's operational support under the 2017 Operational Plan to Italy contributed to the provision of information to arriving migrants, the referral to adequate asylum-related procedures and to the registration and follow-up of asylum seekers in Relocation and Dublin procedures. Under the AMIF National Programme, projects managed by IOM and UNHCR are supporting Italian authorities in providing information on asylum and migration law at disembarkations and hotspots, and referral of vulnerable migrants, including victims of trafficking to the responsible authorities.

[->see more details under next question]

22. The Court also found that reception facilities were not adequate to properly receive (Italy) or accommodate (Greece) the number of migrants arriving. Follow-up procedures, i.e. a national asylum application, relocation to another Member State (where appropriate) or return to the country of origin (or transit) are often slow and subject to bottlenecks – according to the Court.
- The Court seems to give a more favourable assessment of the situation in Italy as compared to Greece. How do you explain this difference? Why is Greece lagging behind when it comes to coping with the challenges?
 - Did the situation improve regarding the shortage of adequate facilities to accommodate and process unaccompanied minors since the publication of the special report in April 2017?

Reply:

The situation improved both in Italy and Greece, due also to significant financial support provided by the Commission. In particular, in 2017, DG HOME granted EUR 15.33 million to Italy under the AMIF emergency assistance scheme for the provision of services in three reception centres for migrants eligible for relocation. Regarding Greece, since the beginning of the crisis, DG HOME allocated to Greece EUR 385 million under AMIF and ISF emergency assistance. In addition, Emergency Support Instrument of DG ECHO provided significant support to UN agencies, non-governmental organisations and international organisations assisting Greece with the migration crisis.

Nevertheless, the situation is still particularly challenging in respect of Greece. This is due to constraints linked to the implementation of the EU-Turkey Statement, particularly the slow implementation of the second appeal procedures, which has an impact on return rates and consequently on the number of persons on the islands. In addition there are some delays in delivery of planned shelter places in general and specifically for unaccompanied minors. At the same time, Greece has stepped up its efforts to complete the winterisation on the islands.

Up to 31 December 2017, 99 unaccompanied minors were relocated from Italy and 495 from Greece, which means a big improvement, in particular for Italy from where back in April 2017 only one separated child has been so far relocated. In Greece the number of children in protective custody decreased. On 31 December 2017- 54, compared to 142, which was the peak in August 2017, 56 in April.

In Italy, new places in second level reception SPRAR were assigned at the end of 2017 in Italy, which should add to the 31200 places already existing. 98 municipalities offered 2982 new places, among which 115 for UAM and 80 for health vulnerabilities. It is reported that in 2017 there was an increase of 46% of SPRAR places.

– Are the hotspots still overcrowded? If yes, to what extent?

Reply:

While the situation in the hotspots in Italy is not of concern, the hotspots in Greece are indeed still overcrowded. According to the Greek figures, there are 13,515 migrants present on the islands. The Commission is assisting the Greek authorities to deal with the overcrowding, notably through improving reception conditions, speeding up asylum and return procedures.

23. According to Human Rights Watch, women have reported frequent sexual harassment in hotspots in Greece. What kind of strategy and procedures the Commission has in place to ensure the safety of women and accompanied minors held at hotspots? What is the impact of the EU's support teams (consisting of

input from the Commission and the EU Agencies) when it comes to ensuring the safety of women and minors at hotspots?

Reply:

Security and upkeep of public order inside the hotspots falls within the responsibility of the Greek authorities. The Commission has been working with the Greek authorities to increase security inside the hotspots. Funding by EBCGA of 280 Hellenic Police officers who have security tasks has also been secured. The Commission has moreover supported the creation of safe zones for UAM and in some cases single women inside the hotspots. The Commission funded rental scheme also covers vulnerable persons and single women. UAM's are as quickly as it is possible transferred to either safe zones or dedicated accommodation either on the islands or in the mainland. Whenever the Commission has become aware of reports of sexual or any other type of violence towards women or UAMs, it has raised the issue with the Greek Authorities, which initiate an investigation to look into the allegations. Greek authorities inform that offenders are removed from camps and are put in detention.

Efforts are ongoing in order to support the Greek authorities with regards to the safety of women and unaccompanied minors in the hotspots. In the context of the regular coordination meetings held between the Commission, Greek authorities and the EU Agencies, several urgent actions have been identified in order to create a safer environment for children and the conditions in which they feel confident to talk about the cases of abuse and exploitation that they may suffer.

Dedicated and secured areas for unaccompanied minors, child-sensitive information on victim's rights to enhance reporting of cases of abuse; the appointment of a child protection officer, training of staff on victim's identification and on how to effectively respond in cases of children victims of abuse and exploitation, and ensuring that unrestricted access to medical/psychological staff is provided are some of these actions whose implementation will be regularly monitored.

So there are some positive developments. Separate zones for unaccompanied minors that are supervised by police at night were created in hotspots ensuring more security and safety. Also, recently child protection teams have been deployed in all hotspots and their personnel is being now trained. We consider that this will also help further improve the situation.

24. Originally, hotspots were meant for a few days' transits yet it seems that people are held in hotspots relatively long periods. What is the average time a person seeking asylum or access to the Schengen area is held at hotspots in Greece and in Italy? Please provide a breakdown by each hotspot.

Reply:

In Italy, the entity that regularly receives such information, hotspot by hotspot, is the respective Prefecture. The individual contracts concluded between Prefecture and the

hotspot managing entities are the basis for this reporting. Such data has not been communicated to the Commission. According to information available to the Commission, from July 2017 onwards, and for the majority of Italian hotspots, migrants do not spend more than a couple of days in the hotspots. The limited period of time migrants spend in the hotspots could also be seen as related to the decrease in the number of arrivals noticed as of July 2017.

For Greece, the Hellenic Police is the entity responsible for the registration of migrants in the hotspots as well as for the lifting of the geographical restriction of asylum seekers or migrants who are legally entitled to leave the hotspots. Such data has not been communicated to the Commission. According to information available to the Commission, the average stay of migrants in the hotspots ranges from a few days' transit up to several months. The relatively higher arrivals (Week 33 to 50 of 2017) contributed to the backlog of migrant population.

Transparency

25. The Court of Auditors have noted in their annual report that "the overall amount of funds mobilised for the refugee and migration crisis was not reported by the Commission in 2016 and is difficult to estimate". Will the Commission undertake to regroup the budget lines financing migration policy under a single heading with the view to enhancing transparency?

Reply:

The Commission's proposals for mobilising funds in response to the migration and security crises were elaborated upon in the documents supporting the annual Draft Budget proposals, and in the relevant proposals for the mobilisation of special instruments, with a view to ensuring full transparency for the decision-making of the Budgetary Authority.

Asylum and migration policies address comprehensive challenges and complex needs, from addressing the root causes of migration and displacement of persons in third countries to providing effective external border control, and ensuring reception and integration measures for refugees and displaced persons in Member States and/or countries of transit.

The 2014-2020 programmes and actions under which the response to the migration and security crises has been channelled pursue different general and specific objectives, as prescribed under their legal bases, and which are relevant to the budget heading to which the programmes have been assigned. For the future, the re-grouping of activities into headings will follow the new general and specific objectives of the next generation of spending programmes post-2020, for which the Commission proposal, to be presented in May 2018, is now under preparation.

Separately, the Commission is analysing possible consolidation of its existing reporting in order to produce comprehensive information on refugee and migration expenditure.

AMIF and ISF

26. Could the Commission provide detailed data of subcontracting in the use of AMIF fund?

Reply:

The biggest part of AMIF is implemented under the shared management mode where the national authorities are in charge about the contracting of funding... For the part directly managed by the Commission, some activities, such as acquisition of goods, services or works for the performance of tasks that beneficiaries themselves are unable to undertake, may be sub-contracted to other entities, however this data is not available to the Commission. The grant agreement usually does not identify the entity to whom those tasks may be subcontracted. In any case, the beneficiaries can never sub-contract the core tasks of the project and any sub-contracting must comply with the rules stipulated in the grant agreements, notably the respect of public procurement procedures and value for money, and are subject to ex-post controls.

27. Could the Commission provide an estimated cost paid for migrant/asylum seeker country by country?

Reply:

This is not possible because the management of migratory flows comprises a wide range of activities. Combining all costs under one unit cost is difficult if not impossible and would bring little or no added value.

EU funding covers only a share of the Member States' spending in the field of asylum, migration, integration and return which also varies, per activity, to a great extent from one Member State to another and also between regions in one Member State. It should also be noted that relevant Eurostat data is not available.

Also, funding is not always directly linked to the number of migrants, but supports actions necessary to develop the Member States' capacity to manage migration. Moreover, depending on the category of migrant, Member States are providing different services, taking into account their specific situation. See for example the reception needs for vulnerables such as including unaccompanied minors, victims of torture or trafficking and so on.

In addition, some categories of costs, such as for checks at external EU borders, can be only partially attributed to the policy on migration as their objective is broader; while some categories of activities are largely exclusive such as integration and return.

28. Could the Commission provide the country-by-country data of consumption of the AMIF funds for 2016?

Reply:

Question repeated under question 33, consolidated reply provided under Q33

29. Could the Commission provide for 2016 data on the number of irregularities and frauds detected in the context of AMIF program and their nature?

Reply:

No irregularities and frauds were detected in 2016 in the context of the AMIF. During 2016, 2 cases of suspicion of fraud and irregularities were transmitted by DG HOME to OLAF for investigation. These cases did not concern AMIF, but ISF and ERF and they were both dismissed by OLAF.

30. The ECA states in its 2016 AR that “*two years into the seven-year programming period, progress in making shared-management AMIF and ISF payments was slow*”. The Commission replied that it is expected that the increasing trend in payments will continue in the future. What actions is the Commission doing or planning to do to increase the payments?

Reply:

The Commission monitors closely the implementation of the two funds and reminds regularly the Responsible Authority of the need to proceed with payments, in particular in order to allow beneficiaries to advance with the project implementation. The Commission also participates to the monitoring committees organised by the MS and performs regularly dedicated visits on-the-spot, with a special focus on those MS for which the Commission identifies risks for delays. In this regard, the Commission works together with and supports proactively the MS on identifying the difficulties and challenges hampering the implementation as well as the tailored solutions and follow-up actions such as ad hoc training or action plans. This issue will be also addressed in 2018 if necessary in the context of the mid-term review of the two funding programmes.

See also reply to Q8.

31. The ECA states in its 2016 AR that “*there was a high number of draft AMIF/ISF Programmes (e.g. the German ISF programme had 10 versions and the UK’s AMIF programme had nine) prepared by Member States and reviewed by the Commission prior to their approval*”, that could lead to “*delays in implementation*”. What is the Commission’s plan for the new MFF to avoid such situation?

Reply:

The Commission only partially agrees with the findings and the effects mentioned by the Court. The programming phase was an iterative process with the Member States necessary to ensure high quality of national programmes approved by the Commission for the entire 2014-2020 programming period.

Moreover, the high number of Draft AMIF/ISF comes also from a technical issue in SFC. Each time a correction has to be made, the Commission cannot do it directly but needs to send back the national programme to the Member States concerned. When the Member State sends back the corrected national programme to the Commission, a new version is automatically created in SFC. The Commission is currently assessing, in the framework of the preparations of the post 2020 MFF, how to improve the current situation, such as by possibly shortening the periods for defining the programmes.

32. The Court of Auditors pointed out several weaknesses at Commission and Member State level related to AMIF and ISF. What measures is the Commission undertaken in order to clear out the system weaknesses?

Reply:

1. On the Commission's control systems for AMIF/ISF:

➤ on the *High number of draft AMIF/ISF programmes*

The programming phase was an iterative process with the Member States necessary to ensure high quality of multiannual national programmes approved by the Commission covering the whole 2014-2020 programming period.

➤ *On the Commission assessment based on insufficient information of Member State audit strategy:*

Commission did not requested to all Member States Audit Strategies but asked all Audit Authorities to submit their system audit reports despite the fact that the legal basis does oblige them to provide it. The Audit strategies of the Member States are asked and/or assessed during missions and/or if particular problems are detected. Based on the assurance model under shared management, it considered neither realistic nor efficient to review and analyse the entire content of all individual system audit reports.

The Audit Authority audit reports are only one of the tools which allow the Audit Authority and subsequently the Commission to obtain assurance on the veracity of the three opinions expressed by the Audit Authority in the accounts. The assurance model under shared management approach is based on other 4 assurance pillars (Summary of audit strategy, Result of system audit work, Result of financial audit work, Re-performance, if applicable, and any other audits the Responsible Authority was subject to during the reference period, DG HOME own audit work, i.e. through desk reviews, system review meetings and system audits.).

The Commission is currently proposing a revision of the Regulation 1042/2014, clarifying the scope of system audits, the obligation to perform audits of expenditure and providing a standard reporting model.

2. On the weaknesses highlighted by the Court on the Member States' control systems for AMIF/ISF:

➤ *Delays in implementation*

See reply n. 8

Additionally, taking into account that the amounts committed at Member State level have reached for AMIF 36% and for ISF 40% as per 2016 Annual Implementation Report.

➤ *On the spot checks poorly selected/documented; lack of dedicated IT tool; weaknesses in audit activities*

The COM will consider the ECA's findings in its assessment of MSs's systems.

The Commission is currently proposing a revision of the Regulation 1042/2014, clarifying the scope of system audits, the obligation to perform audits of expenditure and providing a standard reporting model.

The Commission monitors closely the implementation of the two funds (monitoring visits, participation in the monitoring committees). At this occasion, the Commission looks carefully at the management and control systems implemented by the Responsible Authorities. The Commission can also check if the weakness of the systems have been addressed in the context of the annual accounts and based on the recommendation of the Audit Authorities.

33. Could the Commission provide country-by-country data of absorption rate of the Internal Security Fund (ISF) and the Asylum, Migration and Integration Fund

Reply:

The level of payments in the first accounts declared to the Commission covering the financial years 2014 and 2015 was low. At the beginning of the programming period Member States are focused on setting up their systems, preparing calls for proposals and selecting projects. Expenditures reported in 2016 accounts were still low (13 MSs reported only) but represents a clear tendency that programmes are being implemented and the controls have started.

As the MSs have the tendency to include in the accounts sent to the Commission only expenditure which have been already controlled, the level of reported payments remained relatively low. Taking into account that the amounts committed at Member State level have reached for AMIF 36% and for ISF 40% as per 2016 Annual Implementation Report, it is expected that the positive trend in payments will continue in the future years' accounts.

Concerning commitment implementation declared by Member state, please find below the state of play for AMIF/ ISF at the end of 2016:



AMIF 2014-2016 EUR 523.838 Million

ISF B 2014-2016 EUR 214.057 Million

ISF P 2014-2016 EUR 63.507 Million

Bulgaria

34. In 2016 DG HOME awarded 130 million EUR emergency assistance to Bulgaria as one of the Member States facing the most significant pressure on its external borders. In this regard:

- What was the exact amount of the funding to Bulgaria since there are different figures in the AAR – 130 or 131 million Euro? Also what was the funding awarded to Greece – 35 or 40 million Euro?

Reply:

Indeed, two slightly different figures were presented in the different sections of the AAR, on page 10 and page 24 respectively. The difference for Bulgaria is due to different rounding and the difference for Greece is due to the fact that one figure (p.24) referred only to direct grants (not including indirect management), while the other figure refers to the total.

The total amounts awarded in 2016 from the ISF Borders and Visa fund were respectively:

- Bulgaria: EUR 130.8 Million
- Greece: EUR 40.3 Million

- For what purposes was the funding for Bulgaria intended and what part of it is spent according to the latest available data?

Reply:

The objectives of the grants awarded to the Bulgarian authorities are twofold. Firstly, to enhance the capacity of an integrated surveillance, communication and information systems at the external borders. Secondly, to address the migratory pressure. More particularly, these two objectives are being met by, notably, financing the following actions: expansion and maintenance of an integrated border surveillance system at the Turkish border; improvement and extension of a TETRA communication system; purchase of vehicles, fuel, equipment and spare parts for the police forces patrolling the border; purchase of EURODAC stations; installation, improvement and

maintenance of integrate IT systems; deployment of police officers at the external border.

According to the latest available reports provided by the Bulgarian authorities, approximately EUR 18 Million were paid. However, as the majority of spending is related to procurement for which the payments are done at the end. The Commission is monitoring closely this aspect and has noted that all the necessary public procurement procedures by Bulgarian authorities are under way.

- According to the Commission estimates would the emergency assistance to Bulgaria be fully utilized or do you expect part of it to be recovered?

Reply:

The Commission is closely monitoring the advancement of the procurement procedures foreseen in the grant agreements. In order to support a full utilisation of the committed funds, the Commission has extended the grant duration at the request of the Bulgarian authorities. Currently the Commission has no indications that part of the budget will need to be recovered.

35. A system audit for AMIF and ISF has been launched in Bulgaria in 2016. What are the main findings of the audit?

Reply:

The audit has been finalised. There were no critical findings but two very important findings and several less significant findings and considerations. The Bulgarian authorities have accepted the majority of the findings on which will follow-up.

For example, one outstanding very important finding, concerns the use of Technical Assistance in relation to the implementation of projects.

Greece

36. Some emergency funding from AMIF, ISF and from the Emergency support instrument (ESI) was provided for Greece in late 2015 and in 2016. How was this money used? Does Commissioner Avramopoulos believe that this emergency support was used effectively and efficiently?

Reply:

In 2015 and 2016, from AMIF and ISF emergency assistance a total of EUR 352.9 Million was awarded to Greek authorities and other actors (Union Agencies and International Organisations) active in Greece. DG HOME is regularly publishing information in this regard, notably with the online factsheet "Managing Migration – EU Financial Support to Greece" and the overview of financial support to Member States under AMIF and ISF:

https://ec.europa.eu/home-affairs/what-we-do/policies/european-agenda-migration/background-information_en

https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/financial_support_to_mss_under_amif_and_isf_en.pdf

The emergency funding contributed to very concrete measures to alleviate the pressure posed by the crisis on Greece, for example:

- In 2016, to support the relocation mechanism and hotspots in Greece, a delegation agreement with UNHCR was signed – total EU support EUR 80 Million. Results: 20 000 places in non-camp facilities throughout Greece for relocation candidates and vulnerable migrants, such as unaccompanied minors. Complemented by the provision of services, e.g. transport, interpretation, protection monitoring, psychosocial and medical support. This accommodation mechanism has proved successful and is continuing in 2017 and 2018 through financing from the Emergency support instrument of DG ECHO.
- In 2016 and 2017, EUR 93 Million was awarded to the Greek Ministry of Defence to enhance response to migration crisis. 5 hotspots on the Greek islands and more than 50 camps on the mainland were quickly set up early 2016, providing emergency accommodation, catering, transport and basic health care to tens of thousands of migrants.

In order to monitor the use of these funds, DG HOME applies a specific control and monitoring strategy during the project implementation and in the assessment of the final reports received from the beneficiaries, applying corrective measures where necessary. Apart from the fact that DG HOME is represented on the spot by a dedicated team in Athens and on the islands, 11 specific funding-related missions were carried out to Greece in 2016, in addition to 2 dedicated monitoring visits concentrated only on the implementation of emergency assistance.

Checks are also being conducted after the stage of final payment, as projects are subject to a sample-based on-the-spot audits, and audits by the Court of Auditors. As the EMAS projects are generally of high value in comparison to the other projects, EMAS projects have a higher probability to be selected. Moreover, some of these projects can also be selected on a risk basis, i.e. in addition to the statistical sample.

The results of all the above controls in Greece have so far not indicated any major issues regarding effective and efficient use of the funds.

Regarding ESI funds, in 2016, the main operational priorities were the provision of shelter and winterisation, of assistance through cash transfers, of protection of unaccompanied minors (UAMs), of education in emergencies and the delivery of healthcare services¹. A total of EUR 191.9 million was contracted to humanitarian partners in 2016. The added value of the ESI was in:

- Speed in the delivery of assistance

- Experienced humanitarian partners addressing the needs of the affected population
- A clear focus on humanitarian assistance
- A complement to existing capacities
- The availability of proven expertise and monitoring capacity

More information available at:

<https://ec.europa.eu/transparency/regdoc/rep/1/2017/EN/COM-2017-131-F1-EN-MAIN-PART-1.PDF>

37. The Budgetary Control Committee is planning a fact-finding delegation to Greece in February. Members of the mission will visit the island of Lesbos to gain on-site experience of the functioning of the hotspot set up on the island. Could you please provide us with a short update on the situation there.

Reply:

Please find below some data:

- Arrivals in Lesbos 2017: **12812 migrants** (95348 in 2016)²
- Share of migrant arrivals to Lesbos compared to total number of migrants arriving to Greece by sea in 2017: **41,5%**³.
- Share of migrant arrivals to Lesbos compared to total number of migrants arriving to Greece overall in 2017: **37%**
- Average processing time of asylum application in Lesbos:
- Transferring vulnerable applicants to mainland: 6322 from Lesbos so far.

Sheltering vulnerable applicants:

- Over 600 applicants are now hosted in dedicated shelters in Lesbos, while a new call for the rental of hotels issued by UNHCR aiming to increase the capacity in apartments and hotels, renting up to 687 places so far in Lesbos.
- Extending and upgrading the accommodation capacity of Moria hotspot, by having installed 45 out of a total 65 new prefabricated housing units delivered and by improving electricity, heating and the cleaning of sanitation facilities.
- Extending the accommodation capacity of the Kara Tepe camp by 56% since August 2017, which can now host up to 1250 migrants and refugees. Transfers of migrants from Moria to Kara Tepe are continuously taking place.

² EBCGA (provisional) data in EURTF-Piraeus meeting of 11/01/2018.

³ EBCGA provisional aggregated data for 2017 in EURTF-Piraeus meeting of 11/01/2018

NGO's

38. There are numerous national and international NGO's and aid organizations which are supporting refugees and receive EU money. Could the Commission provide a list with NGO's you cooperate with and/or support with the corresponding amounts for 2016?

Reply:

NGOs can participate in open calls for proposals published by DG HOME every year. Under AMIF, so far two calls have been completed in the area of integration of third country nationals, with a total of 40 projects ongoing. These projects support in various ways the integration of third country nationals such as beneficiaries of international protection, asylum seekers etc. The beneficiaries of these projects can be NGOs, as well as public bodies and International Organisations.

As regards emergency assistance, DG HOME can only award funding to Member States, International Organisations and Union Agencies. In duly substantiated cases, and if the main beneficiary request so, NGOs can participate in the projects, but only as co-beneficiaries.

All grants and contracts awarded, together with the corresponding amounts and beneficiaries, are published on a yearly basis on the Financial Transparency System website: http://ec.europa.eu/budget/fts/index_en.htm

Under the Emergency Support Instrument (ESI), the Commission contracted humanitarian actions with the following NGOs in 2016:

<u>Partner</u>	<u>Contract Amount</u>
<u>OXFAM-NL</u>	<u>6 000 000</u>
<u>Save the Children –UK</u>	<u>7 000 000</u>
<u>Danish Refugee Council-DK</u>	<u>14 870 000</u>
<u>International Rescue Committee-UK</u>	<u>16 500 000</u>
<u>Medecins du Monde-BE</u>	<u>7 000 000</u>
<u>Arbeiter Samariter Bund-DE</u>	<u>6 800 000</u>
<u>Norwegian Refugee Council-NO</u>	<u>11 000 000</u>
<u>CARE-DE</u>	<u>3 500 000</u>
<u>Mercy Corps-UK</u>	<u>6 250 000</u>
<u>Terre des Hommes-CH</u>	<u>4 700 000</u>

39. Regarding the agreement on the relocation mechanism, the Czech Republic, Poland and Hungary are still not respecting their legal obligations. What is the state of play of the infringement procedures launched by the Commission? Could the Commission provide the figures of how many persons could be relocated and where? What are the commitments of the Member States in this respect?

Reply:

Given that the three Member States concerned did not comply with their legal obligations after receiving Reasoned Opinions, the Commission decided on 7 December 2017 to refer them to the Court of Justice under Article 258 TFEU. The Commission Legal Service has submitted the referrals to the Court and case numbers have been attributed: C-715/17 (Commission vs Poland), C-718/17 (Commission vs Hungary) and C-719/17 (Commission vs Czech Republic).

As of 15 January 33,178 persons were relocated (11 468 from IT and 21 710 from EL), which means an implementation rate of around 93% of those eligible and registered for relocation in Italy and Greece. There are still around 300 persons to be relocated from EL and 1 500 from IT. Member States of relocation, together with IT and EL, should complete all remaining relocation transfer as soon as possible.

Emergency assistance

40. Could the Commission provide the figures of Emergency Assistance allocated to International Organisations/Union Agencies by country and the purpose of the allocation for 2016?

Reply:

In 2016, Commission awarded a total of EUR 151.5 Million to International Organisations and Union Agencies based on the emergency assistance applications submitted by them. EUR 0.95 Million of this supported the complementary measures for relocation in Italy; the remaining amount supported various activities in Greece, according to the Annex (see excel table annexed).



Annex - IO and
UAs.xlsx

Under the ESI, the Commission contracted humanitarian actions with the following International Organisations in 2016:

<u>Partner</u>	<u>Contract Amount</u>
<u>United Nations High Commissioner for Refugees</u>	<u>65 000 000</u>
<u>International Federation of Red Cross and Red Crescent Societies</u>	<u>17 000 000</u>
<u>International Organizations for Migration</u>	<u>17 800 000</u>
<u>UNICEF</u>	<u>8 500 000</u>

41. Could the Commission provide the figures of the Emergency Support Instrument (ESI) for Greece and Italy?

Under the ESI, an overall EUR 191.9 million was contracted in 2016 for actions in Greece. There were no ESI actions in Italy.

In 2016, the main operational priorities for the ESI were the provision of shelter and winterisation, of assistance through cash transfers, of protection of unaccompanied minors (UAMs), of education in emergencies and the delivery of healthcare services.

Other issues

42. In Box 8.4 the annual report of the Court describes a case when the Greek authorities paid 8 million euro to charter vessels to be used to transport, accommodate and provide snacks to migrants. The Commission contributed a grant of 6 million euro to this action. The selected shipping companies transported over 150 000 migrants, and charged adult migrants 60 euro per ticket (children were charged up to 30 euro) for their passage, earning up to 9 million euro. The Commission considers that the tendering, evaluation of offers, award of contract, performance of services and payment by the Greek authorities were legal, regular and fully transparent and they do not share the Court's assessment regarding a lack of transparency of the split of funding between public sources and the revenue from migrants. The EU legislation does not allow beneficiaries of EU grants to obtain profits from the implementation of a project, and indeed the Greek authorities, as grant beneficiary, did not make a profit. However, this example raises some reputational issues for the Commission. From an ethical point of view one can question the handling of the matters. Does the Commissioner share the view of those who think this practice should not be repeated again?

Reply:

The Commission would like to remind that this was a procurement procedure implemented by the Greek authorities for services that went over and beyond those foreseen in the ticket price and the ferries had to return to islands empty, a consideration which had to be included in the costing. This was taken into account already during the contract and grant award procedure, ensuring that a fair contribution to the action was given by the EU funds and the rest of the costs were covered by ticket prices. The financial implementation of the action fully corresponds with the grant agreements with the Greek authorities and was implemented in accordance with the rules in force and therefore is legal and regular. The Commission calculation shows that the maximum price per person received by the shipping companies (the total of the grant and ticket price) was not excessive and is in line with the price of usual tickets.

With regard to the right to charge tickets from the migrants, this is up to the Member States to decide, in line with their own national rules and procedures, which must always take into account the need to ensure a dignified treatment to the persons concerned in line with the standards as defined in the EU acquis.

Since the objective of the emergency assistance granted was to support the Member State, the Commission applied here the principle of subsidiarity and respected the way Greek authorities conducted these procedures.

43. Does the Commission have any figures related to the cost difference in supplying refugees in different Member States of the Union and countries outside the EU, near the conflict-zones? For example, how many more people can be supported from the same amount of money in Jordan, Lebanon or Turkey (to provide refugees with the necessary accommodation, sustenance and medical attendance and education) as compared to do the same within the EU?

Reply:

The Commission does not have any figures related to the cost difference in supplying assistance to refugees in different Member states and in countries outside the Union.

It is difficult if not impossible to establish this cost per country, both within the EU and in third countries. For instance, in the case of funding within the EU, the EU funding covers only a share of the Member States' spending in the field of reception, which also varies to a great extent from one State to another and even between regions of the same State.