

# EU migration and asylum funds for third countries





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## **Abstract**

This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the LIBE Committee, provides an overview of EU funding for asylum and migration in third countries. It considers funding both from the Justice and Home Affairs funds and the external action funds, covering the previous Multiannual Financial Framework (MFF) (2014-2020) and the current MFF (2021-2027) funding periods. The study seeks to identify good practice in EU funding, including but not limited to the two country case studies on Afghanistan and Niger. It proposes a set of recommendations to improve the effectiveness, efficiency, coherence and transparency of EU funding.

This document was requested by the European Parliament's Committee on Civil Liberties, Justice and Home Affairs.

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## LIST OF ABBREVIATIONS

<b>AFIC</b>	Africa-Frontex Intelligence Community
<b>AMIF</b>	Asylum, Migration and Integration Fund
<b>BMVI</b>	Border Monitoring and Visa Instrument
<b>CAPD</b>	Cooperation Agreement on Partnership and Development
<b>CAR</b>	Central African Republic
<b>CPR</b>	Common Provisions Regulation
<b>CSDP</b>	Common Security and Defence Policy
<b>DAC</b>	Development Assistance Committee
<b>DCI</b>	Development Cooperation Instrument
<b>DG HOME</b>	Directorate General for Migration and Home Affairs
<b>DG INTPA</b>	Directorate General for International Partnerships
<b>DG NEAR</b>	Directorate General for Neighbourhood and Enlargement Negotiations
<b>DiREC</b>	Displacement and Returnees Executive Committee
<b>EC</b>	European Commission
<b>ECA</b>	European Court of Auditors
<b>ECHO</b>	European Civil Protection and Humanitarian Aid Operations
<b>EDA</b>	European Defence Agency
<b>EDF</b>	European Development Fund
<b>EDRIS</b>	European Disaster Response Information System
<b>EEAS</b>	European External Action Service
<b>EFI</b>	European Funding Instruments
<b>EIDHR</b>	European Instrument for Democracy and Human Rights
<b>EMAS</b>	Emergency Assistant grant scheme

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<b>ENI</b>	European Neighbourhood Instrument
<b>ERRIN</b>	European Return and Reintegration Network
<b>EU</b>	European Union
<b>EUMS</b>	EU Member States
<b>EURCAP</b>	European Readmission Capacity Building
<b>EU TF</b>	European Union Trust Fund
<b>EUCAP</b>	European Union Capacity Building Mission
<b>FPI</b>	Foreign Policy Instruments
<b>Frontex</b>	European Border and Coast Guard Agency
<b>FTS</b>	Financial Transparency System
<b>GPGC</b>	Global Public Goods and Challenges
<b>IcSP</b>	Instrument contributing to Security and Peace
<b>IDP</b>	Internally Displaced Person
<b>IO</b>	International Organisation
<b>IPA</b>	Instrument for Pre-Accession Assistance
<b>ISF-BV</b>	Internal Security Fund – Borders & Visa
<b>JAP</b>	EU – Turkey Joint Action Plan
<b>LIBE</b>	Committee on Civil Liberties, Justice and Home Affairs
<b>MDGs</b>	Millenium Development Goals
<b>MFF</b>	Multi Financial Framework
<b>MIP</b>	Multi-annual Indicative Programme
<b>MLS</b>	Monitoring and learning system
<b>MOCADDEM</b>	Operational Coordination Mechanism for the External Dimension of Migration
<b>MS</b>	Member States



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<b>NDICI – Global Europe</b>	Neighbourhood, Development and International Cooperation Instrument – Global Europe
<b>NGO</b>	Non-Governmental Organisation
<b>ODA</b>	Official Development Assistance
<b>OECD</b>	Organisation for Economic Cooperation and Development
<b>PFM</b>	Public Financial Management
<b>PDES</b>	<i>Plan de Développement Economique et Social</i>
<b>RDPP</b>	Regional Development and Protection Programme
<b>RIAT</b>	Reintegration Assistance Tool
<b>ROM</b>	Results Oriented Monitoring
<b>SLC</b>	Sahel Lake Chad
<b>SDDCI</b>	<i>Stratégie de Développement Durable et de Croissance Inclusive du Niger</i>
<b>SDGs</b>	Sustainable Development Goals
<b>SSAR</b>	Solutions Strategy for Afghan Refugees to support voluntary repatriation, sustainable reintegration and assistance to host countries
<b>TEI</b>	Team Europe Initiative
<b>TF</b>	Trust Fund
<b>UNHCR</b>	UN High Commissioner for Human Rights

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## EXECUTIVE SUMMARY

### Background

The prominence of asylum and migration at the EU policy level has increased over the last two decades, particularly since the increase in arrivals of people in need of protection in 2015. EU funding plays a significant role in the EU's response to these developments. While the overall amount of EU funding dedicated to asylum, forced displacement and migration has increased, the relevant oversight and transparency mechanisms and structures have not followed suit.<sup>1</sup> The plethora of funding sources and funding modalities mean that it is difficult to gain an overview of how EU funding, both from home affairs funds and from the external action budget, have in the past and can currently support asylum and migration priorities outside the EU. This study contributes to filling the gap, building on previous research and studies. It aims to answer the following overall research question: **How can EU migration and asylum funds for third countries be demonstrably more efficient, effective and coherent, including with EU values?**

This study is based on publicly available academic and policy reports, official evaluations and knowledge and expertise available within the research team. It focuses on expenditure during the previous Multiannual Financial Framework (MFF) (2014-2020) and the current MFF (2021-2027). Data collection focused on a review of accessible databases, including the Financial Transparency System (FTS) of the EU,<sup>2</sup> the EU Aid Explorer<sup>3</sup> and EDRIS,<sup>4</sup> and of open-source information, including legislative texts determining EU spending, programming documents, evaluations and mid-term reviews of funds, programme statements, and annual activity reports. In addition, studies from academics and civil society experts were analysed. The analysis for the home affairs funds benefits from a dataset developed in the framework of the ECRE and UNHCR Follow the Money IV research.<sup>5</sup>

### EU funding for asylum, forced displacement and migration in third countries in the previous funding period (2014-2020)

Based on the information that is available in the public domain, **it is not possible to ascertain how much EU funding has been spent in support of asylum, forced displacement and migration outside the EU in the previous funding period (2014-2020)**. There is no official record of DG HOME spending outside the EU under the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund-Borders and Visa (ISF-BV). Similarly, there is no publicly available analysis of the range of asylum, forced displacement and migration-related activities supported by the EU external action budget.

In the absence of official reports, the study looked at relevant datasets, evaluations and reporting documents. **However, publicly available data and reports do not usually include the level of detail that would be necessary to analyse how much funding was dedicated to each activity with migration and asylum policies.** The absence of consistent terminology and classification of what qualifies as asylum-related or migration-related spending is another obstacle. The EU has not applied a migration marker to its past spending so the extent to which a project or activity relates to migration is often unclear and cannot be distilled via reading a project description. In response to these limitations, **the study provides an overall mapping of available sources for EU funding on migration and asylum in EU third countries. This is because it is not possible to provide an**

<sup>1</sup> Davis, L., *EU external expenditure on asylum, forced displacement and migration 2014-2019*, ECRE Working Paper, 2021, available online at: <https://ecre.org/wp-content/uploads/2021/03/Working-Paper-14.pdf>

<sup>2</sup> European Commission, 'Financial Transparency System', 2022, available online at: <https://ec.europa.eu/budget/financial-transparency-system/>

<sup>3</sup> European Commission, 'EU Aid Explorer', 2022, available online at: [https://euaidexplorer.ec.europa.eu/index\\_en](https://euaidexplorer.ec.europa.eu/index_en)

<sup>4</sup> European Commission, 'EDRIS', 2022, available online at: <https://webgate.ec.europa.eu/hac/>

<sup>5</sup> Casajuana, E., Westerby, R., *Follow the Money IV: The use of AMIF and ISF-BV funds outside the EU*, 2022, ECRE & UNHCR.

**accurate picture of how much money has been allocated and to which specific activity**, given that previous research has shown that this level of detail is not available.

**For the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund-Borders and Visa (ISF-BV)** only funding managed by the European Commission could be analysed in relation to spending outside the EU. The amount of funds managed by the Commission constitutes 39% of total funding for AMIF and 18% of total funding for ISF-BV. Of this money, 4.7% was spent outside the EU in the case of AMIF and 0.32% in the case of ISF-BV. The bulk of AMIF and ISF-BV funding is managed by the Member States, and only limited amounts appear to have been spent outside the EU. Nonetheless, it is impossible to provide a conclusive assessment due to the lack of information.

For the **EU external affairs budget**, it is not possible to ascertain the full financial envelopes of all the instruments because the information is not published. Thus, **figures provided in the study should be treated as best estimates rather than an accurate depiction of spending given the limitations of the data set** and in particular the absence of higher cost projects managed indirectly by international organisations and third countries (which are not included in the FTS). These projects would likely significantly increase the percentages for migration-related spending for some instruments. Other databases, such as the EU Aid Explorer, only allow for a break-down of funding for the criterion of 'Facilitation of orderly, safe and regular migration' which is too narrow to capture the full range of activities of interest to the study. ECHO is a particular challenge due to its complex legal structure, and the fact that it works within and outside the EU. Also, its financing is largely categorised by geographic scope. **It is therefore not possible to get a reasonable working estimate for the relevant part of its budget.**

### **Assessment of EU funding on asylum, forced displacement and migration in the previous funding period (2014-2020)**

**Transparency:** There is a **lack of accessible information on migration-related expenditure by the EU outside of the EU**. This is in part because of the **disconnect between political objectives and the development and humanitarian objectives and indicators of the programmes, which is reflected in how data is collected and made available**. As key databases (FTS, Aid Explorer) are not searchable by migration-related markers that represent the whole range of asylum, migration and forced displacement activities covered by this study, an overview of spending is impossible to ascertain. The **EU Trust Funds demonstrated good practice by making their annual reports and monitoring and evaluation reports easily accessible**. However, in the absence of overall improvement on accountability and oversight of EU funding, specific improvements for individual funds will not address the overall scarcity of comparable data. While it can be assumed that the migration marker applied to NDICI-Global Europe will improve this, it is unclear whether related provisions in the AMIF and ISF-BV Funds will be adequately exploited.

**Coherence:** Incoherence in relation to the EU's overall objective in a third country seems to characterise activities aimed at preventing migration and mobility. This is due to the **difference in objectives between the EU and third country governments, as well as to tensions among the EU's own objectives**, where migration management objectives may undermine efforts related to other priorities, for example, conflict prevention and peacebuilding. Both internal coherence (the coherence of different activities supported by the same fund) and external coherence (the coherence of activities supported by different funds) need to be improved, **particularly in the area of return and readmission**, where the introduction of Frontex as a key actor in external relations makes the need even more pressing. The **establishment of coordination bodies amongst the relevant DGs and Services** which would then meet regularly to discuss EU activities related to migration including funding, has been highlighted as a way to improve coordination and coherence.

**Effectiveness and efficiency:** The effectiveness of activities related to forced displacement are easier to measure as the indicators used are quantitative. This contrasts with spending on migration which

often relates to capacity building where the results are more difficult to measure and where results are only apparent over the longer term. The fact that **Member States have divergent views as to what should be the objectives of EU activities** related to migration also contributes to making robust monitoring of impact difficult. Efficiency may be hampered by the limited number of organisations that are supported to work on forced displacement and migration, which results in considerable amounts of funding being channelled to just a few international organisations. The **late approval of AMIF and ISF-BV in the previous funding period meant that only a few projects were completed at the time of the interim evaluation** of the two funds in 2017. As a result, **scarce information on effectiveness and efficiency was included. The same could be expected for the AMIF and Border Management and Visa Policy (BMVI) Regulations in the current funding period unless specific efforts are undertaken to assess effectiveness and efficiency in the interim evaluation in 2024.**

**Monitoring mechanisms, including on fundamental rights:** Monitoring mechanisms vary depending on the funding instrument and management modality. **Previous evaluations and analysis highlighted shortcomings in the case of Trust Funds** which were newer funding modalities without established monitoring mechanisms. **There are no indications that the fundamental rights provisions in the AMIF and ISF-BV Funds were operationalised in the 2014-2020 funding period.**

### EU funding for asylum, forced displacement and migration in the current (2021-2027) funding period

The current funding period further expands the possibility of EU funding for asylum, forced displacement and migration in third countries. The current **AMIF and the BMVI Regulations establish a wider basis for action in relation to third countries than their predecessors.** Whether relevant oversight mechanisms and safeguards – such as the requirement for Member States to consult the Commission prior to the approval of a project with or in a third country for AMIF and BMVI funding – will be applied, remains to be seen.

The Neighbourhood, Development and International Cooperation Instrument – Global Europe (NDICI – Global Europe) includes **several novelties in relation to migration: an indicative 10% spending target, positive conditionality in relation to migration (a flexible incitative approach to migration) and a coordination group between EU institutions and Member States to oversee migration-related funding.**

A **migration marker** has been introduced and is applied to all NDICI-Global Europe spending which classifies activities and enables the European Commission to determine whether funding contributes to the 10% spending target.

### Recommendations

#### Availability and transparency of data:

- The focus of efforts to **improve transparency and accessibility of data** should be on strengthening overall accountability of EU funding **including through scrutiny by the European Parliament**, rather than on increasing communication about it. The introduction of the **migration marker** should be used to improve overall transparency and accountability for migration-related EU funding, also going **beyond NDICI-Global Europe**. It should lead to a revision of EU databases of aid expenditure to enable scrutiny of migration-related expenditure across all funds.
- The **European Parliament should request detailed information for migration-related spending**, broken down to show how much funding is committed to different aspects of migration (e.g. addressing root causes of forced displacement, supporting rights of people who are displaced or are migrating, border management, return and readmission, labour mobility etc). **The European Commission should provide the European Parliament with the same level of detail regarding migration-related spending as the Council.**

- **DG HOME should develop a template with the information that MS would be expected to include on the implementation of projects in or in relation to a third country in their annual performance reports.** It should define the frequency and timeframe to report on the use of the thematic facility which supports actions with, in or in relation to third countries, and the share of the thematic facility used for supporting such actions, as well as the content of the reporting. **This information should be published in an open, machine-readable format** which allows data to be sorted, searched, extracted and compared, as required by the AMIF and BMVI Regulations. At a minimum, it should be possible to sort the data by specific objective, name of beneficiary, the amount legally committed, and the nature and purpose of the measure.

#### Coherence:

- The **European Parliament should require the EC/EEAS/TEIs and EUMS to account for disparities in the prioritisation of different types of migration-related programming.** The lack of resources dedicated to strengthening access to legal migration and increased protection of labour migrants within Africa, and between Africa, the Gulf States and Europe is notable.
- DG HOME, DG INTPA, DG NEAR and the EEAS should **define how external policy coherence will be assessed** for both national programmes and the thematic facilities of Home Affairs funds. **The European Parliament could encourage this process through questions to Commissioners.** In particular, the Commission should provide the EP with details on the information that Member States and other beneficiaries of DG HOME funding should provide, the potential outcomes of the assessment, and the inputs from DGs in charge of external affairs.

#### Effectiveness and efficiency:

- **DG HOME, DG INTPA and DG NEAR should ensure that the interim evaluations of the AMIF, BMVI and NDICI-Global Europe** (expected in 2024) **will include specific efforts to assess the effectiveness and efficiency of the actions** and projects supported by them, even if these actions and projects are not fully implemented by that point due to the late approval of the AMIF, BMVI and NDICI-Global Europe Regulations.
- **More consistent evaluations of migration-related programming** should be introduced in order to give an overview of how the EU is supporting people on the move. Outcomes rather than outputs should be measures. Similar instruments (e.g. TEIs) should be evaluated against the same migration-related objectives and indicators in different contexts. **These evaluations should be available to Parliament and to the public.**

#### Monitoring mechanisms:

- DG HOME should implement the obligations required for actions with or in third countries for funding in shared and direct management. It should consider the adoption of a delegated act in accordance with Article 31 of the BMVI Regulation and Article 33 of the AMIF Regulation to **amend, review and complement monitoring and evaluation frameworks**, including on information to be provided by the Member States in relation to third countries.
- The European Parliament should ensure that any budget support provided in relation to migration-related programming should be preceded by a **rigorous public finance management assessment and conflict analysis, and accompanied by robust Public Financial Management (PFM) and human rights monitoring.** In line with the EU Budget

Support Guidelines<sup>6</sup>, the EU must ensure that appropriate dialogue platforms that include national stakeholders, including civil society, are meaningfully constituted. Given the purpose of budget support in the context of migration-related programming, civil society must include representative associations of female and male migrants.

#### **Compliance with fundamental rights:**

- Given that migration-related programming has been shown to have exacerbated conflict dynamics in certain situations (e.g. Niger), the Parliament should require TEIs to conduct a **rigorous conflict analysis that integrates gender analysis, as a precondition for all interventions**. This would build on and be coherent with the excellent example of the conflict analysis requirement for all NDICI-Global Europe interventions.
- **Budget support may be a political necessity but carries high risks in states with weak accountability, including where there is limited control over state security actors.** Therefore, any such support (as in Niger) should be accompanied by rigorous public financial management and human rights monitoring. It is important to note that in some circumstances budget support may also be destabilising for host governments.
- DG INTPA and DG NEAR should consider developing a **specific risk assessment and management framework for expenditure on displacement and migration** as per Article 8 (14) of the NDICI-Global Europe Regulation.
- DG HOME and Member States should ensure that national programmes include enough **information on how MS plan** to fulfil the enabling condition “**to have in place effective mechanisms to ensure compliance with the Charter of Fundamental Rights**”.
- **DG HOME should commission a study on the most significant human rights impact of the Funds and how the AMIF and ISF-BV ensure compliance with fundamental rights.**

<sup>6</sup> European Commission (2017) *Budget Support Guidelines* Available at [https://international-partnerships.ec.europa.eu/funding/funding-instruments/budget-support\\_en](https://international-partnerships.ec.europa.eu/funding/funding-instruments/budget-support_en) Accessed 7 October 2022.



# 1. INTRODUCTION

## KEY FINDINGS

- The **increase in prominence and levels of EU funding for asylum, forced displacement and migration outside the EU since 2015 has not led to increased transparency of or oversight mechanisms** for asylum-related and migration-related spending;
- Past research on the issues covered here has focused on assessing spending under different EU funding instruments or modalities for specific activities or in particular countries or regions. **To date, no comprehensive assessment of all asylum-related and migration-related EU funding outside the EU in a particular funding period has been carried out;**
- It is **impossible to provide an accurate overview of past spending levels for asylum, forced displacement and migration in third countries or an accurate breakdown of how funding has been spent.** This is due to the absence of consistent terminology and absence of a related monitoring framework; to the difficulty in accessing data; and to the fact that data that is accessible cannot be analysed in a consistent way.

## 1.1. Background

### 1.1.1. Developments related to EU funding for asylum and migration

The prominence of asylum and migration at the EU policy level has increased over the last two decades, particularly since the increase in arrivals of people in need of international protection in 2015. This prominence is translated into the increasing number of EU legislative and non-legislative proposals related to asylum and migration, including the reform of the Common European Asylum System (CEAS) (nine legislative proposals issued since 2016) and numerous initiatives aimed at improving relations with third countries (e.g. Migration Partnerships, Joint Valletta Action Plan). EU funding plays a significant role in this development.

The steady increase in the number of people who are forcibly displaced worldwide from just below 41 million in 2012 to an estimated 100 million in 2022<sup>7</sup> justifies the increased resources spent by the EU addressing issues related to asylum and forced displacement. To illustrate the need, at the time of writing, UNHCR reported that 12 of the emergency operations which it operates had not reached 50% of the funding required for the calendar year 2022 by the end of August.<sup>8</sup>

In parallel to growing needs, the EU, and particularly its Member States, have identified funding as a key component for demonstrating the importance they attach to the new priority of forced displacement and migration. This has taken the form of a proliferation of new funding modalities to support activities in third countries (e.g. Trust Funds, Facilities) and the introduction of an indicative spending target of 10% of the overall amount of the NDICI-Global Europe fund, as well as attempts to use it as leverage in relations with third countries through the 'flexible incentive approach' included in the NDICI-Global Europe fund. In addition, the Council and the European Parliament have agreed to expand the range of activities that can be supported in third countries via the Home Affairs funds.

While the overall amount of EU funding dedicated to asylum, forced displacement and migration has increased, the relevant oversight and transparency mechanisms and structures have not followed suit.<sup>9</sup>

<sup>7</sup> UNHCR, 'Global Trends: People forced to flee worldwide', 2022, available online at: <https://www.unhcr.org/globaltrends.html> (accessed 23 August 2022).

<sup>8</sup> UNHCR, *Underfunded Report*, 2022, available online at: <https://reporting.unhcr.org/underfunded-report-2022>

<sup>9</sup> Davis, L., *EU external expenditure*, 2021, op. cit.



The plethora of funding sources and funding modalities means that it is difficult to have an overview of how EU funding, both from Home Affairs funds and from the external action budget, have in the past and can currently support asylum and migration priorities outside the EU. This study contributes to filling the gap, building on previous research and studies in this area.

### 1.1.2. Overview of past research relevant to this study

Due to the complexity of the EU funding landscape in relation to asylum and migration, past studies have focused on analysing specific funding instruments, funding modalities or specific geographic areas. Together, these studies provide a patchwork of information which is far from comprehensive. While they all include some useful information, the challenge is to understand the overall picture, which this study aims to do. Nonetheless, information is far from complete.

In 2015, the European Parliament commissioned a study<sup>10</sup> to provide an overview of EU funding and agencies in the field of migration, asylum and integration inside the EU, and to undertake a brief assessment of their effectiveness and efficiency. It focused on the Home Affairs funds in the 2007-2013 budget period and assessed the External Borders Fund (EBF), the European Refugee Fund (ERF), the European Fund for the Integration of Third-Country Nationals (EIF) and the European Return Fund (RF). It also included the role of the EU agencies, Frontex and EASO.

Since 2018, ECRE and UNHCR have jointly commissioned research analysing programming and implementation of national programmes under the AMIF (2014-2021) in three consecutive “Follow the Money” studies published by ECRE in cooperation with UNHCR:

- Follow the Money I: Assessing the use of EU Asylum, Migration and Integration Fund (AMIF) funding at the national level.<sup>11</sup>
- Follow the Money II: Assessing the use of EU Asylum, Migration and Integration Fund (AMIF) funding at the national level 2014-2018.<sup>12</sup>
- Follow the Money III Solidarity: The use of AMIF funds to Incentivise Resettlement and Relocation in the EU.<sup>13</sup>

A fourth Follow the Money report entitled “The use of AMIF and ISF-BV funds outside the EU” has recently been published.<sup>14</sup> It assesses activities outside the EU supported by EU internal funds during the last MFF (2014-2020) and analyses the provisions in the new legislative instruments which govern external spending of EU internal funds in relation to asylum, migration and border management objectives for the current funding period (2021-2027).

There are a number of European Court of Auditors Reports which have examined the more recent funding arrangements in the form of Trust Funds or Facilities and which are relevant for this research. These include:

<sup>10</sup> European Parliament, Directorate-General for Internal Policies, *EU funds for Migration policies: Analysis of Efficiency and best practice for the future*, 2015, available online at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2015/552298/IPOL\\_STU\(2015\)552298\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2015/552298/IPOL_STU(2015)552298_EN.pdf)

<sup>11</sup> Westerby, R., “Follow the Money”: Assessing the use of EU Asylum, Migration and Integration Fund (AMIF) funding at the national level, 2018, available online at: <https://ecre.org/wp-content/uploads/2018/01/follow-the-money-AMIF-UNHCR-ECRE-23-11-2018.pdf>

<sup>12</sup> Westerby, R., “Follow the Money II”: Assessing the use of EU Asylum, Migration and Integration Fund (AMIF) funding at the national level 2014-2018, 2019, available online at: <https://ecre.org/wp-content/uploads/2019/01/Follow-the-Money-II-AMIF-UNHCR-ECRE.pdf>

<sup>13</sup> Westerby, R., “Follow the Money III” Solidarity: The use of AMIF funds to incentivise resettlement and relocation in the EU, 2020, available online at: <https://ecre.org/wp-content/uploads/2020/03/Follow-the-Money-III-AMIF-UNHCR-ECRE.pdf.pdf>

<sup>14</sup> Casajuana, E., Westerby, R., Follow the Money IV: The use of AMIF and ISF-BV funds outside the EU, 2022, ECRE & UNHCR, available online at: [UNHCR-ECRE-Follow the money-screen.pdf](https://ecre.org/wp-content/uploads/2022/03/UNHCR-ECRE-Follow-the-money-screen.pdf)

- Special report no 11/2017: The Bêkou EU trust fund for the Central African Republic: a hopeful beginning despite some shortcomings<sup>15</sup>
- Special report No 27/2018: The Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money<sup>16</sup>
- Special report no 32/2018: European Union Emergency Trust Fund for Africa: Flexible but lacking focus<sup>17</sup>

Funding under the EU Trust Fund for Africa has also been the subject of two pieces of research published by Oxfam, one in January 2020<sup>18</sup> and one in 2017.<sup>19</sup>

Other studies have focused on particular policy areas within migration and have assessed how EU funding is spent. The following European Court of Auditors report is insightful in that respect:

- Special Report 17/2021: EU readmission cooperation with third countries: relevant actions yielded limited results<sup>20</sup>

Given the complexity of EU funding on asylum and migration, some studies have focused on the country level in order to analyse in more detail the use of EU funding in a particular country. These geographic studies thus also form part of the patchwork of information.

In a study on the EU approach to Migration in the Mediterranean commissioned by the European Parliament in 2021<sup>21</sup>, an analysis of financial tools and funding in external migration policy focused on Libya, Turkey and Niger. In 2019, a group of journalists published an attempt to break down funding related to migration in Nigeria.<sup>22</sup> In 2020, ECRE commissioned analysis<sup>23</sup> from African civil society experts on the role of EU policy, including funding, in their country contexts covering The Gambia, Morocco, Niger, Kenya, Senegal, Ethiopia as well as broader EU – African Union relations.

To support a better understanding of past EU spending on asylum and migration outside Europe, ECRE published a working paper<sup>24</sup> on EU external funding on asylum, forced displacement and migration

<sup>15</sup> European Court of Auditors, *The Bêkou EU trust fund for the Central African Republic: a hopeful beginning despite some shortcomings*, Special Report, 2017, available online at: [https://www.eca.europa.eu/Lists/ECADocuments/SR17\\_11/SR\\_BEKOU\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR17_11/SR_BEKOU_EN.pdf)

<sup>16</sup> European Court of Auditors, *The Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money*, Special Report, 2018, available online at: [https://www.eca.europa.eu/Lists/ECADocuments/SR18\\_27/SR\\_TRF\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR18_27/SR_TRF_EN.pdf)

<sup>17</sup> European Court of Auditors, *European Union Emergency Trust Fund for Africa: Flexible but lacking focus*, Special Report, 2018, available online at: [https://www.eca.europa.eu/Lists/ECADocuments/SR18\\_32/SR\\_EUTF\\_AFRICA\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR18_32/SR_EUTF_AFRICA_EN.pdf)

<sup>18</sup> Oxfam, *The EU Trust Fund for Africa: Trapped between aid policy and migration politics*, Oxfam briefing paper, 2020, available online at: <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620936/bp-eu-trust-fund-africa-migration-politics-300120-en.pdf>

<sup>19</sup> Oxfam, *An emergency for whom? The EU Emergency Trust Fund for Africa – migratory routes and development aid in Africa*, Oxfam briefing note, 2017, available online at: [https://oi-files-d8-prod.s3.eu-west-2.amazonaws.com/s3fs-public/file\\_attachments/bp-emergency-for-whom-eutf-africa-migration-151117-en\\_1.pdf](https://oi-files-d8-prod.s3.eu-west-2.amazonaws.com/s3fs-public/file_attachments/bp-emergency-for-whom-eutf-africa-migration-151117-en_1.pdf)

<sup>20</sup> European Court of Auditors, *EU readmission cooperation with third countries: relevant actions yielded limited results*, Special Report, 2021, available online at: [https://www.eca.europa.eu/Lists/ECADocuments/SR21\\_17/SR\\_Readmission-cooperation\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR21_17/SR_Readmission-cooperation_EN.pdf)

<sup>21</sup> European Parliament, Directorate General for Internal Policies, *The EU Approach on Migration in the Mediterranean*, 2021, available online at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694413/IPOL\\_STU\(2021\)694413\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694413/IPOL_STU(2021)694413_EN.pdf)

<sup>22</sup> Vermeulen, M. et al, 'A breakdown of Europe's EUR 1.5bn migration spending in Nigeria', *The Correspondent*, 2019, available online at: <https://thecorrespondent.com/150/a-breakdown-of-europes-eur1-5bn-migration-spending-in-nigeria/19837235550-e86e62a5>

<sup>23</sup> The working papers are available online at: <https://ecre.org/from-imposing-to-engaging-african-civil-society-perspectives-on-eu-africa-cooperation/>

<sup>24</sup> Davis, L., *EU external expenditure*, 2021, op. cit.

covering the period from 2014-2019 in 2021. It was an attempt to fill the void of publicly available analysis of EU external funding for the full range of asylum, forced displacement and migration-related activities taking place outside the EU during the period covered by the previous MFF. The report is a desk-based study conducted in November – December 2020, drawing on publicly-available sources, to examine EU external funding for asylum and migration by analysing asylum and migration-related spending in the previous MFF (2014-2019) through the various funding instruments and modalities. The report complements the overview with three short country case studies of EU funding on asylum, forced displacement and migration in Afghanistan, Sudan and Nigeria.

## 1.2. Methodology

This study is based on publicly available academic and policy reports, official evaluations, and the knowledge and expertise available within the research team. The researchers have used triangulation methodologies, ensuring that evidence is available to support findings, and then corroborating the evidence with reference to other sources when required. In addition, targeted expert interviews have been conducted in order to further corroborate research findings.

The preliminary desk research reviewed the current state of the art when it comes to analysing EU funding. It was used to compile information on migration and asylum funds spent in third countries, which was then summarised.

Data collection focused on a review of available databases including the Financial Transparency System (FTS) of the EU<sup>25</sup> and open-source information, including legislative texts determining EU spending, programming documents, evaluations and mid-term reviews of funds, programme statements and annual activity reports. In addition, studies from academics and civil society experts were analysed. The analysis for the Home Affairs funds builds on a dataset that was developed in the framework of the Follow The Money IV research. It is based on the lists of AMIF and ISF-BV supported projects published by DG HOME, annual work programmes for Emergency Assistance and Union Actions, as well as a data request to DG HOME. The team complemented this research with an assessment of the mid-term review of the AMIF and ISF-BV published by the European Commission, AMIF and ISF-BV Programmes Statements, Annual Activity Reports of DG HOME, and DG HOME publications on the funding instruments.

In assessing EU funding for asylum and migration in third countries, the research team adopted a broad definition of the activities and programmes that fall under these policy areas. This is because there are a variety of definitions used in EU law and policy of asylum and migration activities. In some cases, definitions are not explicit but it is nonetheless possible to infer from activities that they are considered to fall under asylum or migration policy. The definition used therefore covers activities and programmes that are related to asylum and migration. This includes measures that support access to asylum and those that seek to limit access to asylum. It also includes measures that facilitate migration, as well as those that manage and limit it. It covers humanitarian assistance plus security and development programmes where these are directly linked to asylum and migration. In this sense, the study seeks to avoid qualitative judgments about what types of asylum and migration policies, programmes and activities the EU should have in place, or what objectives the EU should be pursuing on asylum and migration. Instead, the focus is on what the EU is funding and how effective, efficient and coherent the funding is.

A non-exhaustive list of the programmes and activities concerned includes:

- Access to protection, support to asylum systems and processes
- Promotion of the rights of people who are displaced, asylum seekers, refugees or migrants

<sup>25</sup> European Commission, 'Financial Transparency System', 2022, available online at: <https://ec.europa.eu/budget/financial-transparency-system/>

- Service provision to people who are displaced, asylum seekers, refugees or migrants
- Root causes of displacement
- Facilitating mobility at the national, regional and intercontinental level, and related pathways
- Development interventions the objectives of which relate to migration and mobility
- Protection pathways, including resettlement
- Migration management frameworks, including policy and institutional development
- Border management, including training and provision of equipment and material support
- Surveillance technology used in the context of migration
- Return and readmission

This study builds on previous attempts to categorise expenditure<sup>26</sup> for asylum and migration. For expenditure under the external affairs funds, classification into a set of categories has been applied to illustrate the various kinds of activities that receive funding. For the home affairs funds, which support a more limited range of activities, this was not necessary.

The desk research formed the basis for further detailed thematic expert exchanges. Given the scarce information publicly available on EU migration and asylum funds for third countries, the study relied on valuable information from the EC and from implementing organisations of the EU funds, through semi-structured interviews with the aim of gaining a broader picture on how the funds are being used.

The ten interviews with representatives from EU institutions, Member States, implementing organisations and civil society served to validate and complement the information gathered. Finally, the team filled remaining knowledge gaps with direct information requests to relevant authorities.

### 1.3. Limitations

#### 1. Accessibility of data

Accessing useable data on EU funding is a significant challenge: publicly available reports usually do not include the level of detail to allow analysis of how much funding has gone to which activity. Evaluations could have provided alternative data sources (which would be particularly useful in relation to money committed to specific migration-related activities) if expenditure were disaggregated according to clear indicators. However, programme- and instrument-level evaluations are rarely carried out and/or made publicly available.

Relevant datasets, such as the European Commission's Financial Transparency System (FTS), have limitations. The FTS is limited to beneficiaries of funding which is either implemented directly by the Commission, whether in headquarters or in Delegations, or implemented through 'direct management' by other EU agencies and beneficiaries of the EDF. It does not include information on funding from the EU budget implemented by both the Commission and Member States (i.e. under 'shared management') or by other international organisations, such as the UN, or non-EU countries ('indirect management'). Trust Funds and the EU-Turkey Facility are not included in the FTS. Also, projects and programmes in the FTS are not coded by objective so the only way to search the FTS is by using key terms hoping that they are included in project titles.

<sup>26</sup> Davis, L., *EU external expenditure*, 2021, op. cit.; Oxfam, *The EU Trust Fund for Africa*, 2020, op. cit.; Oxfam, *An emergency for whom?*, 2017, op. cit.

This study relies in part on data collected through the FTS in November-December 2020 and analysed at that time.<sup>27</sup> Since then, the searchability of the FTS has changed with the result that the extraction of data pertaining to migration-related activities is even more difficult in 2022 than it was in 2020.

In the 2021 report, results from FTS searches were sifted manually to identify likely migration-related programming for the years 2014-2019. Programming for 2020 was not yet available as the programming cycle was still in progress. The totals of migration-related expenditure were then calculated as a percentage of the total instrument funding rated at 80%, recognising that 80% was likely to be an inaccurate rate of programming, but the best fit given that programming data was not then available for 2020.

Ideally, the data from the 2021 report would be completed by using the same (arduous and not very accurate) research methodology to establish a good estimate for migration-related programming in 2020. However, changes to the searchability of the FTS at the time of researching the current study mean that that method is no longer possible, and detailed search by funding instrument is not possible. As a result, the current study applies the percentages calculated as an estimate of migration-related programming for the period 2014-2019 for the complete cycle of the EDF to estimate total funding on migration-related funding for the 11<sup>th</sup> EDF (2014-2020).

An additional challenge is that in the absence of a single clear marker or other search tool, amounts may be counted twice, especially when projects are administered through the Trust Funds. These duplicates are impossible to identify other than on a case-by-case basis, which is beyond the scope of this study.

For Home Affairs Funds, there has been no official publicly available analysis of the funding spent by DG Home outside the EU. Research by ECRE and UNHCR as part of the 'Follow the Money' series aimed to fill this gap and developed a database which the findings in the study draw on.<sup>28</sup>

The focus of efforts to improve the accessibility of data needs to be placed on strengthening overall accountability of EU funding and oversight mechanisms, rather than on increasing or improving communication of activities.

The Foreign Policy Instruments (FPI), however, improved the searchability of the programmes funded through the Instrument contributing to Stability and Peace (IcSP) to some extent. The (historic) database for the MFF 2014-2021 included a search 'theme' called 'assistance to migrants and host populations'.<sup>29</sup> This was available in September 2022, but by mid-October the site had been archived and is no longer (publicly) accessible.

## 2. Absence of consistent terminology

The absence of consistent terminology and classification of what qualifies as asylum and migration-related spending is another obstacle. The EU has not applied a migration marker to its past spending so the extent to which a project or activity relates to migration is often unclear and cannot always be discerned through reading a project description.

## 3. Lack of adequate monitoring and evaluation framework

The European Court of Auditors (ECA) has criticised the absence of results frameworks and adequate monitoring and evaluation in relation to the Trust Funds (TFs). The Progress report on the European Agenda on Migration is unusual in listing financial allocations, yet progress is measured by amounts

<sup>27</sup> Davis, L., *EU external expenditure*, 2021, op. cit.

<sup>28</sup> Casajuana, E., Westerby, R., *Follow the Money IV: The use of AMIF and ISF-BV funds outside the EU*, 2022, ECRE & UNHCR, available online at: [UNHCR-ECRE-Follow the money-screen.pdf](https://unhcr-ecre-follow-the-money-screen.pdf).

<sup>29</sup> European Commission (undated) Service for Foreign Policy Instruments IcSP map Available at <https://instrument-for-peace-map.ec.europa.eu/?format=> Accessed 22 September 2022. On 22 November it has been archived here: [Instrument contributing to Stability and Peace \(archive-it.org\)](https://archive-it.org/).

contracted and disbursed rather than results achieved. This means that a rigorous assessment of effectiveness and efficiency is difficult to obtain.

In response to these limitations, the focus of this study is on providing an overall mapping of available sources of EU funding for asylum and migration activities in EU third countries. It does not aim to provide a picture of how much money has been allocated to specific activities, given that previous research shows that information with this level of detail is not available. Instead, this study includes specific country case studies which provide more in-depth analyses of EU funding in particular countries. The case studies show what EU funds actually support in particular contexts. The study also provides detailed recommendations on how (1) the lack of transparency of EU funding on asylum and migration can be overcome, and (2) monitoring and evaluation practices, especially results frameworks, can be consistently built into EU funds on migration and asylum for third countries, with a proposal for tools to assess the effectiveness and efficiency of this funding.

## 1.4. Research question

The overall research question that this study is seeking to answer is: How can EU migration and asylum funds for third countries be demonstrably more efficient, effective and coherent, including with the values in the EU Treaty?<sup>30</sup>

To address this question, the following set of specific research questions guide the research:

- Which EU funding instruments, programmes, and other sources supported activities on migration and asylum in third countries in the past? (covering the previous MFF) Which can do so in the current EU budget? What are the amounts of funding per instrument and as proportion of available funding? What are the breakdowns by type of activity and type of beneficiary?
- How coherent, effective and efficient has EU funding on asylum and migration been?
- What safeguards are in place to ensure funds benefit the intended beneficiaries and that funding complies with EU rules and values?
- How is expenditure under the respective funding instrument monitored and assessed?
- How transparent is information about EU funding for asylum and migration in third countries?
- What was the interplay between EU home affairs and external affairs funds in particular countries?
- What learnings and insights can be identified from analysing EU funding at the country level?

More detailed research questions have been developed for the different parts of the study and for the expert interviews (see Annex II for the questionnaire used in expert interviews).

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<sup>30</sup> Which include respect for human rights and rule of law (See Article 2 and 21 of the Treaty on the European Union)



## 2. OVERVIEW OF EU MIGRATION AND ASYLUM FUNDS FOR THIRD COUNTRIES DURING THE 2014-2020 FUNDING

### KEY FINDINGS

- For the 2014-2020 funding period, there is **no official record of DG Home spending outside the EU under Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund-Borders and Visa (ISF-BV)**. This study can only provide estimates for the part of the funds under the direct management of the European Commission (39% of AMIF expenditure and 18% of ISF-BV expenditure, respectively). Of these funds, 4.8% was spent outside the EU for AMIF and 0.32% in the case of ISF-BV;
- To date, there has been **no publicly available analysis of EU external funding for the full range of asylum, forced displacement and migration-related activities** taking place outside the EU during the period covered by the previous Multiannual Financial Framework (MFF);
- The interim evaluations of AMIF and ISF-BV from 2017 do not provide particular insights into funding spent outside the EU;
- **AMIF funding** fully or partially spent **outside the EU was a significant proportion (67%)** of total Union Actions spent via grants;
- ISF-BV funding under direct management supported three projects outside the EU;
- **AMIF and ISF-BV funding under shared management outside the EU appears to have been limited**, although it is impossible to provide a conclusive assessment;
- Due to challenges related to classification and accessibility of data, it is **not possible to ascertain the full financial envelopes for all the instruments that has been spent on asylum, forced displacement and migration** or to provide a detailed breakdown of what activities EU funding has been spent on;
- The EU-Turkey Facility and EU Trust Funds were created as funding instruments to increase speed and flexibility of disbursing EU (and Member State) funds for migration-related programming in this period. An **estimated EUR 11 billion of EU funds was committed through the EU-Turkey Facility, the EU Emergency Trust Fund for Africa, the EU TF for Syria, and the Bêkou Trust Fund in this period.**

### 2.1. Home Affairs funds

To date, there has been no official publicly available analysis of the funding spent by the European Commission's department in charge of migration and home affairs (DG HOME) outside the EU in the previous Multiannual Financial Framework (MFF), covering the years 2014 to 2020. It is not known how much money DG HOME has spent, or how it was spent. Research by ECRE-UNHCR as part of the series 'Follow the Money' sought to fill that gap and provided a first approximation. The main findings of the research are summarized below, together with the legislative bases of the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund-Borders and Visa (ISF-BV).<sup>31</sup>

<sup>31</sup> The Internal Security Fund – Police is not covered in the study.

## 2.1.1. Asylum, Migration and Integration Fund (AMIF)

Table 1: AMIF expenditure (2014-2020)

Overall amount	EUR 7.5 billion
Estimated amount of funding going to migration outside the EU (only direct management) <sup>32</sup>	EUR 357.8 million
Percentage of the Fund used outside the EU	4.8%

Source: Casajuana, E., Westerby, R., *Follow the Money IV: The use of AMIF and ISF-BV funds outside the EU*, 2022, ECRE & UNHCR.

The legal bases of AMIF were the Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management<sup>33</sup> and the Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund (hereinafter 2014-2020 AMIF Regulation).<sup>34</sup> The first lays down common rules for the budget managed by Member States (MS) (shared management). The latter provides the AMIF specific provisions and the rules for the budget that is managed by the EC (direct management).

The general objective of the 2014-2020 AMIF was 'to contribute to the efficient management of migration flows and to the implementation, strengthening and development of the common policy on asylum, subsidiary protection and temporary protection and the common immigration policy, while fully respecting the rights and principles enshrined in the Charter of Fundamental Rights of the European Union.'<sup>35</sup>

The 2014-2020 AMIF had four specific objectives:

- strengthening and developing the establishment of the Common European Asylum System (the 'asylum priority');
- supporting legal migration to MS in accordance with their economic and social needs and promoting the effective integration of third-country nationals (the 'legal migration and integration' priority);
- enhancing fair and effective return strategies with a view to countering illegal immigration (the 'return priority'); and
- increasing solidarity and responsibility sharing between MS, with a particular focus on those most affected by migration and asylum flows (the 'solidarity priority').<sup>36</sup>

<sup>32</sup> Data is not available for shared management.

<sup>33</sup> Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management [2014] OJ L 150/112, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0514>

<sup>34</sup> Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC [2014] OJ L 150/168, available online at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>

<sup>35</sup> Regulation No 516/2014, article 3(1).

<sup>36</sup> Regulation No 516/2014, article 3(2).



The 2014-2020 AMIF Regulation prescribed a financial envelope of EUR 3.1 billion which had to be divided as follows: 12% for Union Actions and Emergency Assistance to be managed directly by DG HOME and 88% for national programmes to be managed by MS. In practice, during the period of its implementation (2014-2020) the overall budget was increased to EUR 7.5 billion, representing an increase of 142%. Moreover, the proportion of funds under direct and shared management changed considerably: of the final amount 39% was allocated to Union Actions and Emergency Assistance managed directly by DG HOME and 61% to national programmes.<sup>37</sup>

The 2014-2020 AMIF Regulation established flexible provisions on the use of funding outside the EU. For each of the Fund's specific objectives, the 2014-2020 AMIF Regulation included actions that could be supported in cooperation with or in third countries. For example, AMIF could support infrastructure and services relevant to migration and asylum in third countries, infrastructure and equipment to facilitate returns, and information measures and campaigns in third countries on the risks of irregular migration.<sup>38</sup> The 2014-2020 AMIF Regulation included references to certain policy frameworks to guide the implementation of actions outside the EU, including Mobility Partnerships and Regional Development and Protection Programmes (RDPPs). The AMIF Regulation did not impose a limit on the amount of funds that could be spent outside the EU.

The Interim Evaluation of the 2014-2020 AMIF, which assessed progress towards meeting its objectives during the years 2014-2017, is almost silent on the use of AMIF outside the EU. It only included one example of a measure supported by the Fund outside the EU, the RDPPs.<sup>39</sup> This is regrettable, as the 2014-2020 AMIF Regulation imposed on the EC an obligation 'to pay particular attention to the monitoring and evaluation of actions and programmes related to third countries.'<sup>40</sup> Up to this date, the EC has not issued any other publication including information on the use of the AMIF outside the EU.

Research by ECRE-UNHCR as part of the report series 'Follow the Money' provides for the first time information on the use of AMIF outside the EU. As far as direct management is concerned, the report found that Emergency Assistance from AMIF was not used to support any projects outside the EU during 2014-2020. The total amount of funding for Union Actions where funds were fully or partially spent outside the EU was limited to EUR 357.8 million. While this represents only 4.8% of total AMIF funding, it is a significant proportion (67%) of the total Union Actions spent via grants (EUR 535.6 million). According to the ECRE-UNHCR research, 'The largest AMIF contribution was to the EU Trust Fund for Africa (EUTF), which received a total of 135 million euros in the period 2014-2020 (representing 38% of the total AMIF Union Action expenditure outside the EU). Regrettably, the EUTF for Africa does not provide traceability of funds to projects, so it is unknown which individual projects of the EUTF for Africa were supported with AMIF funds. Next come five Union Actions that together represented 55.6% of the AMIF expenditure outside the EU: The Regional Development and Protection Programme in North Africa (RDPP NA), the Migration Partnership Facility, the Re-admission Capacity Building Facility (RCBF), the Regional Development and Protection Programme in the Horn of Africa (RDPP HA), and InfoMigrants. Each of these projects received three to five contributions over the period 2014-2020 via direct award grants. The remaining eight projects, which represented only 2.5% of funds,

<sup>37</sup> Casajuana, E., Westerby, R., *Follow the Money IV*, 2022, op. cit., p. 10. See also European Commission, *Summary of the allocation received per Member State under AMIF and ISF-Border, Visa and Police*, September 2022, available online at: [https://home-affairs.ec.europa.eu/system/files/2022-09/summary-allocation-member-state-amif-isf-border-visa-and-police\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2022-09/summary-allocation-member-state-amif-isf-border-visa-and-police_en.pdf) (accessed 12 October 2022).

<sup>38</sup> See for example Regulation No 516/2014, articles 12 and 13.

<sup>39</sup> The Interim Evaluation states: 'Finally, along with other sources, the Fund contributed to developing an external dimension, most notably through two RDPPs (one in the north of Africa and one in the Horn of Africa). These were initiatives from the EU, Member States and other partners (international organisations) designed to help host communities in third countries protect refugees, and strengthen the capacities of local authorities in managing migration.' in European Commission, *Interim Evaluation of the Asylum, Migration and Integration Fund 2014-2017*, SWD(2018) 339 final, 2018, p. 30, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018SC0339&rid=6>

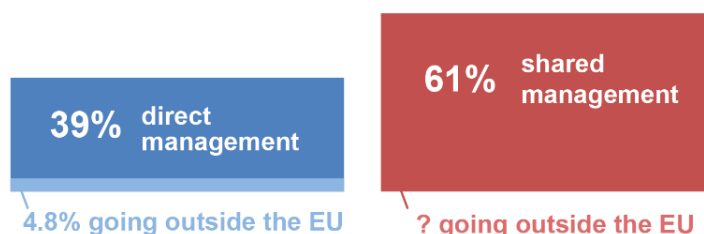
<sup>40</sup> Regulation 516/2014, article 55(7).

included three calls of proposals (CfP) – which awarded a total of 18 projects – as well as seven projects that received a single contribution from the AMIF via direct award grants.<sup>41</sup>

The use of AMIF funds under shared management outside the EU was also limited. The findings of the research are based on the response of 11 Member States to a survey. While the findings are not comprehensive, they still provide a useful indication of the situation. Of the 11 respondents, seven MS reported using AMIF funds outside the EU and they all implemented projects under the return priority.<sup>42</sup> Return was also the objective to which MS allocated the most funds, even though contributions varied significantly, ranging from EUR 200,000 in Greece to EUR 18 million in Belgium. Most of the projects focused on voluntary return and reintegration schemes. Only two MS (Belgium and Germany) reported having used funds under the objectives of legal migration and asylum. Their projects on legal migration focused on information campaigns on the risk of irregular migration; Germany supported two projects to strengthen the asylum system in the Western Balkans, and Belgium also used funding for resettlement.<sup>43</sup> It should be mentioned that some of the MS who could have reasonably been expected to have spent funding outside the EU due to their stated political objectives related to the external dimension of migration, such as France, Italy and the Netherlands, did not respond to the survey. For example, information available elsewhere shows that the Ministry of Justice and Security of the Netherlands managed the funding for the European Return and Reintegration Network (ERRIN), which received EUR 58.5 million<sup>44</sup> from contributions of the MS which participated in the network.

Figure 1 : AMIF Funding (2014-2020) Breakdown

### Total AMIF Funding EUR 7.5 billion



<sup>41</sup> Casajuana, E., Westerby, R., *Follow the Money IV*, 2022, op. cit., p. 4.

<sup>42</sup> Belgium, Bulgaria, Greece, Czechia, Germany, Slovenia, Spain.

<sup>43</sup> Casajuana, E., Westerby, R., *Follow the Money IV*, 2022, op. cit., p. 10. For further information on resettlement see, Westerby, R., *Follow the Money III*, 2020, op. cit.

<sup>44</sup> European Court of Auditors, *EU readmission cooperation*, 2021, op. cit.

### 2.1.2. Internal Security Fund – Borders and Visa (ISF-BV)

Table 2: ISF-BV expenditure (2014-2020)

Overall amount	EUR 3 billion
Estimated amount of funding going to migration outside the EU (only direct management)	EUR 9.9 million
Percentage of the Fund used outside the EU	0.32%

Source: Casajuana, E., Westerby, R., *Follow the Money IV: The use of AMIF and ISF-BV funds outside the EU*, 2022, ECRE & UNHCR.

The legal bases of the ISF-BV 2014-2020 were the Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management<sup>45</sup> and the Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa (hereinafter ISF-BV Regulation).<sup>46</sup> The first lays down common rules for the budget managed by MS (shared management). The latter provides the ISF-BV specific provisions and the rules for the budget managed by the EC (direct management).

The general objective of ISF-BV was 'to contribute to ensuring a high level of security in the Union while facilitating legitimate travel, through a uniform and high level of control of the external borders and the effective processing of Schengen visas, in compliance with the Union's commitment to fundamental freedoms and human rights.'<sup>47</sup>

The ISF-BV had two specific objectives:

- supporting a common visa policy
- supporting integrated border management

The ISF-BV Regulation prescribed a financial envelope of EUR 3 billion which was to be divided as follows: 12% for Union Actions and Emergency Assistance to be managed directly by DG HOME, and 88% for national programmes to be managed by MS. In practice, the distribution between direct and shared management also changed from the initial forecasts: 18% was allocated to Union Actions and Emergency Assistance under direct management and 82% to national programmes.<sup>48</sup>

The ISF-BV Regulation dedicated a specific provision to the actions in relation to and in third countries: '(...) the Instrument shall support actions in relation to and in third countries and in particular the following:

- 'information systems, tools or equipment for sharing information between Member States and third countries;
- actions relating to operational cooperation between Member States and third countries, including joint operations;

<sup>45</sup> Regulation No 514/2014, op. cit.

<sup>46</sup> Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC [2014] OJ L 150/143, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0515>

<sup>47</sup> Regulation No 515/2014, article 3(1).

<sup>48</sup> Casajuana, E., Westerby, R., *Follow the Money IV*, 2022, op. cit., p. 10. See also European Commission, *Summary of the allocation under AMIF and ISF-BV*, September 2022, op. cit.

- iii. projects in third countries aimed at improving surveillance systems to ensure cooperation with Eurosur;
- iv. studies, seminars, workshops, conferences, training, equipment and pilot projects to provide ad hoc technical and operational expertise to third countries;
- v. studies, seminars, workshops, conferences, training, equipment and pilot projects implementing specific recommendations, operational standards and best practices resulting from operational cooperation between Member States and Union agencies in third countries.<sup>49</sup>

The Interim Evaluation of the ISF-BV, which assessed the Fund's progress towards meeting its objectives during the years 2014-2017, only included general and anecdotal information on the implementation of the Fund outside the EU. The evaluation states: 'A number of Member States have used the Fund to strengthen cooperation with third countries.'<sup>50</sup> Most projects in this area improved the exchange of information between authorities along migration routes and on the return of illegal migrants. Furthermore, the Fund helped to tackle illegal migration by supporting the MS in deploying temporary liaison officers and visa experts to consulates in third countries, who were directly responsible for the fight against fraudulent documentation or through consulates regularly consulting with each other in order to detect counterfeit documents.<sup>51</sup> Up until now, the EC has not issued any further publications on the use of the ISF-BV outside the EU.

The findings of ECRE-UNHCR are aligned with the ISF-BV Interim Evaluation. Regarding direct management, there were only three projects supported by ISF-BV Union Actions that included expenditure outside the EU: the Mobility Partnership Facility, the European Network of Immigration Liaisons Officers and an action supporting Regional Cooperation on Border Management, which focused on strengthening cooperation between Greece, Bulgaria, and Turkey on border control and migration management. These projects received a total of EUR 9.9 million, which represents a very small percentage of the total ISF-BV funding (0.32%) but constitutes almost a quarter (22%) of the total Union Actions spent via grants (EUR 44.3 million).<sup>52</sup>

Regarding shared management, the use of DG HOME funding under shared management outside the EU was also limited. Only three MS<sup>53</sup> reported having used ISF-BV funding outside the EU. These projects focused mainly on capacity building activities (training). In addition, Germany reported having used funds for the deployment of Information Liaison Officers in Morocco, Turkey, Georgia, Serbia and Russia, and for the deployment of document and visa advisors in Jordan, Russia, India, Thailand and Iran.<sup>54</sup> Again, it is useful to underline the relatively small sample size of 11 respondents to the survey, as well as the fact that several MS which may be expected to spend ISF-BV funds outside the EU did not respond.

<sup>49</sup> Regulation 515/2014, article 4(2).

<sup>50</sup> Austria, Belgium, Bulgaria, Cyprus, Czechia, Estonia, Finland, Germany, Greece, Luxembourg, Malta, Poland, Switzerland; see European Commission, *Interim Evaluation of the Internal Security Fund – Borders and Visa 2014-2017*, SWD(2018) 340 final, 2018, p. 32, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018SC0340&from=EN>

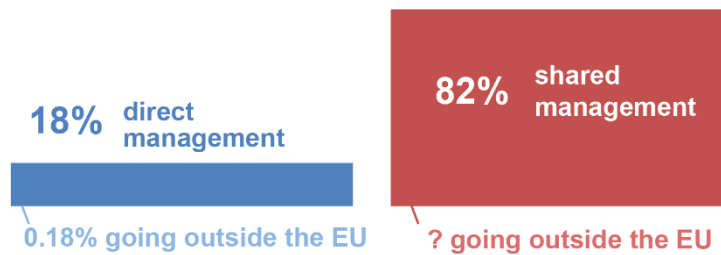
<sup>51</sup> Results from the online survey: beneficiaries in 7 Member States (Austria, Belgium, Czechia, Luxembourg, Latvia, the Netherlands and Romania), 2 members of Monitoring Committees (Austria and Bulgaria).

<sup>52</sup> Casajuana, E., Westerby, R., *Follow the Money IV*, 2022, op. cit., p. 10.

<sup>53</sup> Czechia, Greece, Germany.

<sup>54</sup> Casajuana, E., Westerby, R., *Follow the Money IV*, 2022, op. cit., p. 19.

Figure 2: ISF-BV Funding (2014-2020) Breakdown

**Total ISF-BV Funding EUR 3 billion****2.2. External Affairs Funds<sup>55</sup>**

To date, there has been no publicly available analysis of EU external funding for the range of asylum, forced displacement and migration-related activities taking place outside the EU during the period covered by the previous MFF, 2014 to 2020. As with the Home Affairs Funds, it is not known how much money the EU spent on asylum and migration activities outside the EU between 2014 and 2020, nor how it was spent. Nonetheless, understanding this expenditure will be key to effective migration programming through the NDICI – Global Europe in the current MFF.

The ECRE working paper of 2021 on ‘EU External Expenditure on Asylum, Forced Displacement and Migration 2014-2019’ sought to fill that gap by drawing on publicly-available sources, to examine EU external funding for asylum and migration by analysing asylum and migration-related spending in the previous MFF (2014-2019). In the absence of an EU marker on migration which assesses the extent to which an activity can be classified as addressing migration, the report created data codes to attempt to identify relevant funding of different kinds of migration-related funding. The limitations of the methodology are discussed in that report, as are the severe limitations of publicly-available information on EDF expenditure for this period.

Information is less easily available in 2022 than it was in 2020 and the Commission’s Financial Transparency System (FTS) is more opaque and less searchable on migration-related programming than it was in 2020. As a result, the information in this section needs to be treated with caution.

In developing a typology of migration-related external expenditure, the 2021 report found that:

1. EU spending worldwide on **support to or strengthening of access to asylum and the functioning of asylum systems is so low as to be negligible**, as is expenditure on **migration facilitation and mobility including pathways to protection**, and particularly **to the EU**. The partial exceptions to this finding are provisions to encourage mobility for students and university staff in the Neighbourhood, under the ENI.
2. The biggest single area of expenditure is also the broadest field: **Promotion and protection of the rights** of asylum seekers, refugees, displaced people and migrants, including provision of **support to displaced populations and measures explicitly supporting their human rights (socio-economic, cultural, civil and political)**. This is the largest spending category for all instruments except IPA II and EU TF for Africa and in most cases (EIDHR, ECHO, EU Turkey Facility, Bêkou TF, Syria TF) this category represents 100% of spending on relevant activities.<sup>56</sup>

<sup>55</sup> This section summarises Davis, L., *EU external expenditure*, 2021, op. cit., with additional material for 2019-2020 duly cited.

<sup>56</sup> This may also be overrepresented as a category as projects specifying migrants, refugees, asylum-seekers or displaced people and not specifying other activities were placed here. Disaggregating service provision from other rights might also be a useful investigation.

3. **Migration restriction** and reduction efforts, including all measures where an objective is clearly to limit regular or irregular migration, including return, readmission and (re)integration, and prevention of onward movement, and excluding border management, is the second largest category, representing 8.4% of all expenditure. The sources for this expenditure are five instruments: ENI, DCI, IPA II, 11<sup>th</sup> EDF and the EUTF for Africa.
4. Support to research and campaigning on asylum and migration and **tackling the root causes of forced displacement and other migration** are very low priorities. What is particularly concerning is that there has been **no evaluation of the impact of migration-related policies, programming or instruments** on the political and other systems that cause forced displacement, despite calls for evaluation of – for example – support to the Sudanese and Libyan security systems due to concerns that the EU's migration-related programming in these countries may be harming (current) migrants and leading to the displacement of more people in the future.
5. **Institutional support** to third countries to manage migration is low but may be underrepresented in this data set due to the limitations of the FTS and available data.
6. **Border management** that has an impact on the movement of people across borders represented 5% of all expenditure, through ENI, DCI, IPA II, IcSP and the EUTF for Africa. It represented 28% of expenditure through IcSP and 19% through the EUTF for Africa (2014-2019).

It is not possible to ascertain the full financial envelopes of all the instruments. ECHO is a particular challenge due to its complex legal structure, and the fact that it works within and outside the EU and its financing is largely categorised by geography, so it is not possible to get a reasonable working estimate for the relevant part of its budget.<sup>57</sup> The reasoning behind how relevant total envelopes were calculated is included here instrument by instrument.

Comparison between the instruments excluding ECHO suggest the following estimates on migration-related expenditure and as percentages of the relevant financial envelope of the instrument.<sup>58</sup> These figures can only be treated as best estimates and do not accurately depict spending given the limitations of the data set and in particular the absence of higher-cost projects managed indirectly by international organisations and third countries (and therefore not included in the FTS) which would likely significantly increase the percentages for migration-related spending for some instruments if included.

The following tables work from the estimated migration-related expenditures by Instrument and the Trust Funds/Facility calculated in the 2021 report, and apply those percentages to the overall funding allocations by Instrument/TF. To limit inaccuracies, where possible the most relevant funding sources (e.g. the regional/national indicative programmes for EDF) rather than the overall total is used.

(For the methodological challenges in collecting and analysing this data, please see section 1.3 above)

<sup>57</sup> See the section on ECHO below.

<sup>58</sup> Financial envelopes for EDF and the budget are rated at 80% to reflect the fact that most of the envelopes cover 2020 for which there is no data yet available.



Table 3: Best estimates of funding on migration per External Affairs fund 2014-2020, where activity is captured by available data

Instrument	Total amount	Estimated total spent on migration-related activities	% of estimated instrument spending on migration-related activities
11 <sup>th</sup> European Development Fund (EDF) *	EUR 24.4 billion	EUR 51 million	0.21%
Development Cooperation Instrument (DCI) **	EUR 5.1 billion	EUR 158 million	3.1%
European Neighbourhood Instrument (ENI)	EUR 15 billion	EUR 300 million	0.002%
Instrument for Pre-accession Assistance (IPA)II***	EUR 2.9 billion	EUR 91 million	3.81%
European Instrument for Democracy and Human Rights (EIDHR)	EUR 1.3 billion	EUR 28 million	2%
Instrument contributing to Stability and Peace (IcSP)	EUR 2.3 billion.	EUR 374 million	16%
<b>Trust Funds (TFs)**** and EU-Turkey Facility</b>			
Bêkou TF*****	EUR 310.2 million	EUR 17.4 million	5.6%
EU TF Syria	EUR 2.4 billion	EUR 2.4 billion	100%
EU-Turkey Facility	EUR 6 billion	EUR 6 billion	100%
EUTF for Africa	EUR 4. 9 billion	EUR 3 billion	62%

\* This is the amount earmarked for national and regional indicative programmes which is most appropriate for migration related activities

\*\* This is the amount for Global Public Goods and Challenges one of the thematic programmes of the DCI which includes potential funding for migration

\*\*\* Multi-country funding

\*\*\*\* There is no migration-related data for the TF for Colombia (see below)

\*\*\*\*\* see the limitations of data for migration-related programming through Bêkou Trust Fund below

Source: developed from Davis, 2021, p. 11

### 2.2.1. 11th European Development Fund (EDF)

Table 4: EDF expenditure (2014-2020)

National, regional indicative programmes	EUR 24.4 billion
Overall amount	EUR 30.5 billion
Estimated Funding going to migration	EUR 51 million
Estimated Percentage going to migration	0.21%

Source: Developed from Davis, 2021, p.14; Cotonou Agreement (2000, 2015).

The legal basis of the 11th EDF is the Cotonou Agreement (2000, revised 2015), the objective of which is poverty reduction in the African, Caribbean and Pacific states. Migration is not mentioned in the objectives, although it could be inferred from the commitment to the Sustainable Development Goals (SDG).<sup>59</sup> Migration-related language can be found in Article 11, and Article 13 is dedicated to migration. Article 28 discusses free movement of persons within the African, Caribbean and Pacific states, and Article 72a notes the needs arising from the displacement of people (refugees, displaced persons and returnees).<sup>60</sup> Asylum is not mentioned.

The financial allocation for the 11<sup>th</sup> EDF is EUR 30.5 billion for the period 2014-2020, with EUR 24.4 billion earmarked for national and regional indicative programmes under Articles 1-5, 6-11. This is the budget used in the calculations above, as it seems most appropriate for migration-related activities, but note that the majority is programmed through national and regional indicative programmes / country / regional strategy papers, and analysis of these is beyond the scope of this study.

The lack of indicators and results in general, and specifically related to asylum and migration, also poses a significant challenge. The Staff Working Document on the (external) Mid-term evaluation stated that it is 'difficult to measure the performance of the 11<sup>th</sup> EDF in the absence of indicators in the legal basis beyond the Millennium Development Goals (MDGs)/ Sustainable Development Goals. Despite progress, there is still not enough focus on results.'<sup>61</sup> Nonetheless, the evaluation found that 'unprecedented migration/refugee flows justified an increased emphasis on security concerns and migration issues by addressing the root causes of irregular migration.'<sup>62</sup>

The Staff Working Document discusses concerns with the use of EDF financing in relation to migration-related activities (the external evaluation is not accessible to the public):

'The external evaluation points at a tension between the ownership and partnership principles of the 11th EDF and agendas perceived as deviating from the fundamental objective of poverty alleviation such as security and migration that have been financially supported by the 11th EDF.'<sup>63</sup>

The top three main priorities of EDF migration-related spending are:

1. Promoting rights and providing support
2. Migration restriction and reduction
3. Institutional development on migration<sup>64</sup>

<sup>59</sup> Partnership agreement 2000/483/EC between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, [2000] OJ L 317/3, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A22000A1215%2801%29>

<sup>60</sup> Cotonou Agreement (2000, 2015), articles 11, 13, 28, 72.

<sup>61</sup> European Commission, *Evaluation of the 11th European Development Fund*, SWD(2017) 601 final, 2017, p. 2, available online at: [https://ec.europa.eu/info/sites/default/files/edf\\_swd\\_601.pdf](https://ec.europa.eu/info/sites/default/files/edf_swd_601.pdf)

<sup>62</sup> European Commission, *Evaluation of the 11th EDF*, 2017, op. cit., p. 2.

<sup>63</sup> European Commission, *Evaluation of the 11th EDF*, 2017, op. cit., p. 15.

<sup>64</sup> Davis, L., *EU external expenditure*, 2021, op. cit. and European Commission, *Evaluation of the 11th EDF*, 2017, op. cit.



## 2.2.2. Development Cooperation Instrument (DCI)

Table 5: DCI expenditure (2014-2020)

Global Public Goods and Challenges (GPGC)	EUR 5.1 billion
DCI total	EUR 19.7 billion <sup>65</sup>
Estimated GPGC Funding going to migration	EUR 158 million
Estimated GPGC Percentage going to migration	3.1%

Source: Developed from Davis, 2021, p.16; European Parliament, *Briefing: How the EU budget is spent. Development Cooperation Instrument*, 2017, available online at:

[https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/608764/EPRS\\_BRI\(2017\)608764\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/608764/EPRS_BRI(2017)608764_EN.pdf)

DCI's legal basis is Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020.<sup>66</sup>

The primary objective of DCI is to eradicate poverty, guided by the MDGs. The Regulation mentions migration: 'In a globalised world, different internal Union policies such as environment, climate change, promotion of renewable energies, ... migration ... are increasingly becoming part of the Union's external action.'<sup>67</sup>

In the European Consensus on Development (2017) migration is referenced as a cross-cutting theme, in Article 20,<sup>68</sup> and the emphasis on regular and irregular migration and forced displacement is much stronger than in the Regulation.

DCI combines geographic programmes for countries not eligible to receive funding through EDF, ENI or IPA, and thematic programmes. Global Public Goods and Challenges (GPGC) is one of the thematic programmes, for which the indicative 2014-2020 allocation is EUR 5.1 billion. It addresses issues such as the environment, climate change, sustainable energy, human development, food security, migration and asylum, while ensuring coherence with poverty reduction goals.<sup>69</sup> This is the budget used in the calculations, as it seems most appropriate for migration-related activities.

The FTS does not record whether projects are financed through the GPGC or through the geographic programmes, but as asylum and migration are attributed to the GPGC, this study will use the funding allocation of GPGC as the percentage committed to asylum and migration expenditure, in the knowledge that this is likely to be inaccurate to some degree, and assuming that all DCI funds could be available for migration and asylum expenditure is likely to be more inaccurate.

The top three main priorities of DCI migration-related spending are:

1. Promoting rights and providing support

<sup>65</sup> Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 [2014] OJ L 77/44, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0233>

<sup>66</sup> Regulation (EU) No 233/2014

<sup>67</sup> Regulation No 233/2014.

<sup>68</sup> European Commission, *The new European consensus on development 'our World, our Dignity, our Future': joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament, and the European Commission*, 2018, available online at: [https://www.consilium.europa.eu/media/24004/european-consensus-on-development-2-june-2017-clean\\_final.pdf](https://www.consilium.europa.eu/media/24004/european-consensus-on-development-2-june-2017-clean_final.pdf)

<sup>69</sup> European Parliament, *Briefing: How the EU budget is spent. Development Cooperation Instrument*, 2017, available online at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/608764/EPRS\\_BRI\(2017\)608764\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/608764/EPRS_BRI(2017)608764_EN.pdf)

2. Migration restriction and reduction
3. Support to freedom of movement outside the EU

### 2.2.3. European Neighbourhood Instrument (ENI)

Table 6: ENI expenditure (2014-2020)

Overall amount	EUR 15 billion
Estimated Funding going to migration	EUR 300 million
Estimated Percentage going to migration	0.002%

Source: Developed from Davis, 2021, p. 18; European Commission (undated) *European Neighbourhood Policy*

The ENI implements the European Neighbourhood Policy (ENP), and its legal basis is Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument.<sup>70</sup>

The budget for the ENI is EUR 15 billion for 2014-2020,<sup>71</sup> and 'migration and mobility' is one of ENP's four main domains of the ENP.<sup>72</sup> There is no accessible budget broken down by policy objective or 'domain'.

The Mid-term evaluation of the ENI (covering 2014-2017) found that 'the ENI, as it has been implemented to date, has marginalised the short-medium term crisis prevention realm which is critical in the increasingly unstable Neighbourhood to help protect the EU's vital interests. Even when combined with other EFIs [(European Funding Instruments)] (mainly IcSP) and other tools available to EEAS and DG NEAR, this lack of sufficient coverage cannot fully be compensated.'<sup>73</sup> This report is no longer publicly available, however a recent summary speaks to this point, stating 'the legislative authority could consider increasing the ENI allocation of funds to avoid the marginalisation of conflict prevention.'<sup>74</sup> Neither summary references migration or mobility.

The top three main priorities of ENI migration-related spending are:

1. Promoting rights and providing support
2. Institutional development on migration
3. Design of national and regional strategies

There is no recorded funding for asylum, nor for displaced people for 2016-2019.

<sup>70</sup> Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument [2014] OJ L 077/27, available online at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0027:0043:EN:PDF>

<sup>71</sup> European Commission (undated) *European Neighbourhood Policy* available at [https://neighbourhoodenlargement.ec.europa.eu/european-neighbourhood-policy\\_en](https://neighbourhoodenlargement.ec.europa.eu/european-neighbourhood-policy_en) Accessed 29 November 2022.

<sup>72</sup> See European Commission, *Review of the European Neighbourhood Policy*, JOIN(2015) 50 final, 2015, available online at: [https://ec.europa.eu/info/policies/european-neighbourhood-policy\\_en](https://ec.europa.eu/info/policies/european-neighbourhood-policy_en) Note that 'migration' was added after the 2017 review of the ENP; the original phrasing was 'mobility and people to people contact' (see Regulation No 236/2014).

<sup>73</sup> Anonymous (undated). External Evaluation of the European Neighbourhood Instrument Executive summary Available at [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/eni\\_eval\\_-\\_executive\\_summary\\_-\\_particip\\_gmbh.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/eni_eval_-_executive_summary_-_particip_gmbh.pdf). Cited in Davis (2021), no longer available online by October 2022.

<sup>74</sup> Anonymous, undated. External Evaluation of the European Neighbourhood Instrument Short Summary. Available at <https://www.europarl.europa.eu/cmsdata/139379/ENI%20Final%20Evaluation%20-%20Executive%20Summary.pdf> Accessed 28 November 2022.

## 2.2.4. Instrument for Pre-Accession Assistance (IPA II)

Table 7: IPA II expenditure (2014-2020)

Multi-Country Funding	EUR 2.9 billion
Overall amount	EUR 11.7 billion
Estimated Multi-Country Funding going to migration	EUR 90.8 million
Estimated Percentage going to migration	3.81%

Source: Developed from Davis, 2021, p.20; European Commission 2018; Regulation 231/2014

The legal basis of IPA II is Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II). The budget allocation for Multi-Country expenditure 2014-2020 is EUR 2.9 billion<sup>75</sup> (the Instrument's total budget allocation is EUR 11.7 billion).<sup>76</sup>

The Regulation includes the specific objective 1 (a) (vii): 'capacity-building measures for improving law enforcement, border management and implementation of migration policy, including the management of migration flows', and 'manage migration flows and provide asylum to those in need'; is included as a thematic priority in Annex II.<sup>77</sup>

In accordance with the Regulation, the (revised) Multi-Country Indicative Strategy Paper sets out the priorities for EU horizontal and regional financial assistance for 2014-2020 and includes capacity building for border police and civil servants, as well as harmonisation towards and implementation of international legal standards on mixed migration flows 'for protection-sensitive management of migration flows in accordance with international standards' as a priority for regional cooperation. Managing migration is also mentioned in the context of addressing organised crime.<sup>78</sup> Actions will be aligned with the EU Agenda on Migration. As a number of chapters of the *acquis* relate to asylum and migration, general funding that supports the harmonisation of legislation and improves adoption of the *acquis* in these policy areas can be considered relevant for this study.

The amount of money allocated to migration- and asylum-related programming cannot be discerned from the indicative allocations of IPA II, and there are no indicators relative to migration.<sup>79</sup> Migration management and asylum likely figure in Country strategies for IPA II, but these fall outside the scope of this study.

The top three main priorities of IPA II migration-related spending are:

1. Institutional development on migration
2. Migration facilitation (people to people exchange, education)

<sup>75</sup> European Commission, *IPA II: Revised Multi-Country Indicative Strategy Paper (2014-2020)*, 2018, p. 8, available online at: <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180817-revised-multi-country-indicative-strategy-paper-2014-2020.pdf> (not accessible 3 October 2022).

<sup>76</sup> Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II) [2014] OJ L 77/11, article 1, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0231&from=EN>

<sup>77</sup> Regulation (EU) No 231/2014

<sup>78</sup> European Commission, *IPA II: Revised Multi-Country Indicative Strategy Paper (2014-2020)*, 2018

<sup>79</sup> Allocations and (blank) indications for mobility through ERAMUS+ are partial exceptions to this. European Commission, *IPA II: Revised Multi-Country Indicative Strategy Paper (2014-2020)*, 2018, op. cit., p. 37.

### 3. Promoting rights and providing support

#### 2.2.5. European Instrument for Democracy and Human Rights (EIDHR)

Table 8: EDIHR expenditure (2014-2020)

Overall amount	EUR 1.3 billion
Estimated Funding going to migration	EUR 28 million
Estimated Percentage going to migration	2%

Source: Developed from Davis, 2021, p.21; European Parliament, 2015

The legal basis of EIDHR is Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide.<sup>80</sup> It was allocated a financial envelope of EUR 1.3 billion for 2014-2020.<sup>81</sup> The Multi-Annual Action Programme 2018-2020 for the EIDHR does not mention migration, displacement or asylum.<sup>82</sup> The EU Action Plan on Human Rights and Democracy (2015-2019) includes commitments to support the human rights of migrants and refugees.<sup>83</sup> It does not address 'asylum policies', despite the title. The Mid-Term Review of the Action Plan (2017) does not reference migration, asylum or displacement.<sup>84</sup>

All migration-related spending under EIDHR falls under the category Promoting rights and providing support.

#### 2.2.6. European Civil Protection and Humanitarian Aid Operations (ECHO)

ECHO has a more complex legal structure than the other instruments analysed in this study, and an overview of the relevant Council conclusions and Regulations is available on the ECHO website.<sup>85</sup>

ECHO's involvement is in support of the Global Compact on Refugees.<sup>86</sup> There are no relevant evaluations of ECHO's work in this period accessible online. Moreover, insofar as ECHO works with migrants and displaced people, it is not in relation to preventing arrivals in Europe, or any other particular destination. Indeed, ECHO's main beneficiaries are usually those left behind. The people leaving their countries as migrants, and particularly migrants heading for Europe are not necessarily

<sup>80</sup> Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide [2014] OJ L 77/85, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0235&from=EN>

<sup>81</sup> European Parliament, *Briefing: How the EU budget is spent. European Instrument for Democracy and Human Rights*, 2015, available online at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/568332/EPRS\\_BRI\(2015\)568332\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/568332/EPRS_BRI(2015)568332_EN.pdf)

<sup>82</sup> Assumed European Commission, *Multi-Annual Action Programme 2018-2020 for the European Instrument for Democracy and Human Rights (EIDHR)*, undated, was available online at: [https://ec.europa.eu/international-partnerships/system/files/eidhr-maap-implementing-decision-summary\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/eidhr-maap-implementing-decision-summary_en.pdf) (not accessible 3 October 2022).

<sup>83</sup> Council of the EU, *Council Conclusions on the Action Plan on Human Rights and Democracy 2015 – 2019*, 10897/15, 2015, available online at: <https://data.consilium.europa.eu/doc/document/ST-10897-2015-INIT/en/pdf>

<sup>84</sup> Council of the EU, *Council Conclusions on the Mid-Term Review of the Action Plan on Human Rights and Democracy - Council conclusions* (16 October 2017), 12815/17, 2017, available online at: <https://www.consilium.europa.eu/media/21512/st12815en17-cc.pdf>

<sup>85</sup> European Commission, 'European Civil Protection and Humanitarian Aid Operations: Legal Framework', undated, available online at: [https://ec.europa.eu/echo/who/about-echo/legal-framework\\_en](https://ec.europa.eu/echo/who/about-echo/legal-framework_en)

<sup>86</sup> European Commission, *Commission Staff Working Document Accompanying the document: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Lives in Dignity: from Aid-dependence to Self-reliance Forced Displacement and Development*, SWD(2016) 142 final, 2016, available online at: [https://ec.europa.eu/echo/files/policies/refugees-idp/Staff\\_working\\_document\\_Forced\\_Displacement\\_Development\\_2016.pdf](https://ec.europa.eu/echo/files/policies/refugees-idp/Staff_working_document_Forced_Displacement_Development_2016.pdf)

the most in need (although their need for assistance may be great) and it is the most in need that ECHO, according to humanitarian principles, should address.<sup>87</sup>

As ECHO works within and outside the EU and its financing is largely categorised by geography, it is not possible to get a reasonable working estimate for the relevant part of its budget. According to the FTS search, EUR 900 million were made available via ECHO for providing support to refugees, migrants, asylum-seekers and the displaced in the five-year period of 2014-2019, which is far short of the EUR 1.6 billion of aid that, according to ECHO itself 'help[s] forcibly displaced populations and their host communities in 2019' – i.e. in just one year – and particularly in the 'key countries': Turkey, Syria, Iraq and Yemen.<sup>88</sup> All migration-related spending under ECHO falls under the category 'Promoting rights and providing support.'

Although it is not possible to estimate amounts that ECHO spends on migration-related programming, it is worth noting that the EU has allocated EUR 240 million to Uganda in humanitarian aid since 2017.<sup>89</sup> Not all of that aid is destined for migrants, but as the ECHO website points out, Uganda hosts over 1.5 million refugees.<sup>90</sup> This can be compared to the EUR 6 billion allocated to the EU Turkey Facility for a similar period, to support 4 million refugees in that country.<sup>91</sup>

## 2.2.7. Instrument contributing to Security and Peace (IcSP)

Table 9: IcSP expenditure (2014-2020)

Overall amount	EUR 2.3 billion
Estimated Funding going to migration	EUR 374 million
Estimated Percentage going to migration	16%

Source: Summary of Davis, 2021, p.24; European Parliament, 2017.

IcSP was established by Regulation No 230/2014 of 11 March 2014 establishing an instrument contributing to stability and peace<sup>92</sup> with a financial envelope for 2014-2020 of EUR 2.3 billion.<sup>93</sup>

Article 3 includes 'support to measures to address the potential impact of sudden population movements.'<sup>94</sup>

<sup>87</sup> Interview, Representative of the European Commission I, 19 September 2022.

<sup>88</sup> ECHO, 'Forced Displacement: Factsheet', undated, available online at: [https://ec.europa.eu/echo/what-we-do/humanitarian-aid/refugees-and-internally-displaced-persons\\_en](https://ec.europa.eu/echo/what-we-do/humanitarian-aid/refugees-and-internally-displaced-persons_en) (accessed 3 October 2022).

<sup>89</sup> ECHO, 'Uganda: Factsheet', undated, available online at: [https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/uganda\\_en](https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/uganda_en) (accessed 12 October 2022).

<sup>90</sup> ECHO, 'Uganda: Factsheet', undated, op. cit.

<sup>91</sup> European Commission, *Strategic Mid-Term Evaluation of the Facility for Refugees in Turkey (2016-2019/20)*, 2021, available online at: [https://neighbourhood-enlargement.ec.europa.eu/strategic-mid-term-evaluation-facility-refugees-turkey-2016-201920\\_en](https://neighbourhood-enlargement.ec.europa.eu/strategic-mid-term-evaluation-facility-refugees-turkey-2016-201920_en)

<sup>92</sup> Regulation (EU) No 230/2014 of the European Parliament and the Council of 11 March 2014 establishing an instrument contributing to stability and peace [2014] OJ L 77/1, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0230> (accessed 17 October 2022).

<sup>93</sup> European Parliament, *Briefing: How the EU budget is spent. Instrument contributing to Stability and Peace*, 2017, p. 1, available online at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599331/EPRS\\_BRI%282017%29599331\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599331/EPRS_BRI%282017%29599331_EN.pdf)

<sup>94</sup> Regulation (EU) No 230/2014 of the European Parliament and the Council of 11 March 2014 establishing an instrument contributing to stability and peace [2014] OJ L 77/1, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0230> Article 3.2.(o) (accessed 17 October 2022).

The Mid-Term Evaluation of the IcSP found that migration-related activities under Article 3 contributed to the EU's evolving policy in this area (e.g. EU Agenda on Migration) and provided a bridging function between other instruments and TFs that no other instrument could.<sup>95</sup> The EU Agenda on Migration included written commitments for immediate support to projects such as the Agadez Transit Centre in Niger, and the IcSP was the only instrument that could mobilise the necessary funds in a short-time frame, one month in this case.<sup>96</sup> An important characteristic of the IcSP is that, like the Trust Funds and unlike EDF or NDICI, it does not require host government consent for programming nor do activities have to meet the criteria for Official Development Assistance, as defined by the OECD's Development Assistance Committee (i.e. to be 'DAC-able').

A broader external evaluation of EU support to conflict prevention and peacebuilding had a similar finding: increasing attention to migration is one of the 'initiatives [that] raised concerns over an increasing "securitisation" of EU development policy and wider external action'<sup>97</sup> It noted that 'clashes between...[migration management] efforts in a few cases undermined the achievement of EU CPPB [conflict prevention and peacebuilding] objectives'<sup>98</sup> particularly in Niger.<sup>99</sup> This suggests that at least some of EU migration management programming is undermining attempts to deal with the root causes of migration, and may even exacerbate these causes.

There is more data regarding IcSP-funded projects than for the other instruments, and the Service for Foreign Policy Instruments or FPI (which manages IcSP) includes 'assistance to migrants and host populations' in its historical database.<sup>100</sup>

The top three main priorities of IcSP migration-related spending are:

1. Promoting rights and providing support
2. Border management
3. Coexistence IDPs, refugees, hosts

## 2.3. Trust Funds and Facilities

The Trust Fund (TF) is a relatively new instrument for managing EU and Member State funds, and the methods used for selecting projects and procurement are not without controversy. The European Court of Auditors (ECA) expressed concerns about potential conflicts of interest that may arise due to the presence of some implementing organisations on the operational committee of the Bêkou Trust Fund,<sup>101</sup> and about the management of funds through the EUTF for Africa.<sup>102</sup>

Spijkerboer and Steyger, in analysing the management of European external migration funds through the Syria and Africa Trust Funds and the EU-Turkey facility from a public procurement law perspective, find it 'remarkable that European public procurement law is not well integrated into external migration policy. This leads to a situation where the expenditure of billions of euros is vulnerable to political

<sup>95</sup> European Commission, *External Evaluation of the Instrument contributing to Stability and Peace (2014-mid 2017)*, 2017, p. 12, available online at: <https://fpi.ec.europa.eu/system/files/2021-05/icsp-mte-final-report.pdf>

<sup>96</sup> Interview, Representative of the European Commission I, 19 September 2022.

<sup>97</sup> Particip, *External Evaluation of EU's support to Conflict Prevention and Peacebuilding 2013-2018*, 2020, p. 4, available online at: [https://international-partnerships.ec.europa.eu/policies/monitoring-and-evaluation/strategic-evaluation-reports/external-evaluation-eus-support-conflict-prevention-and-peacebuilding-2013-2018\\_en](https://international-partnerships.ec.europa.eu/policies/monitoring-and-evaluation/strategic-evaluation-reports/external-evaluation-eus-support-conflict-prevention-and-peacebuilding-2013-2018_en)

<sup>98</sup> Particip, *External Evaluation*, 2020, op. cit. p. 12.

<sup>99</sup> Particip, *External Evaluation*, 2020, op. cit. p. 17.

<sup>100</sup> European Commission (undated) Service for Foreign Policy Instruments IcSP map Available at <https://instrument-for-peace-map.ec.europa.eu/?format=> Accessed 22 September 2022. Now available on archived website: <https://wayback.archive-it.org/12090/20220823091937/https://instrument-for-peace-map.ec.europa.eu/>.

<sup>101</sup> European Court of Auditors, *The Bêkou EU trust fund*, 2017, op. cit., p. 24.

<sup>102</sup> European Court of Auditors, *European Union Emergency Trust Fund for Africa*, op. cit.



challenges, as well as to legal challenges from parties whose interests may have been harmed by the failure to apply public procurement procedures.<sup>103</sup>

### 2.3.1. Bêkou Trust Fund

The EU Trust Fund for the Central African Republic (CAR), or Bêkou Trust Fund, was created in July 2014 to address the political and security crisis of 2013 in the Central African Republic, and brought together the EU, France, Germany and the Netherlands.<sup>104</sup> It has a financial allocation of EUR 310.2 million (2014-2021).<sup>105</sup> DCI, IcSP, EIDHR and humanitarian aid can contribute to it.<sup>100</sup>

Financial reports for the years 2020-2021 do not appear to be publicly available. For the period 2014-2019, the Bêkou Trust Fund supported two programmes that explicitly reference refugees and IDPs: a short-term and medium-term project to address the influx of refugees from CAR into Cameroon (EUR 4,500,000, or 1.9% of the total), and a 'programme to promote social cohesion, dialogue and reconciliation in Central African society.' This second programme was allocated EUR 20 million (8.2% of the total). Within it, the component 'Supporting return of Central African IDPs and refugees' was allocated EUR 9 million (3.7%).<sup>107</sup>

In the results table, the number of refugees and asylum seekers in the care of UNHCR is an indicator for the general objective 'to improve the stabilisation and reconstruction of CAR and build the population's resilience'; the indicator measures a result, but there is no target or baseline; the engagement of refugees and asylum seekers other than in the component described above is unclear.<sup>108</sup> The specific objective 2.2 related to increasing social cohesion is that 'IDPs and refugees are reintegrated into local communities.' The target for this specific objective has been attained at 55%.<sup>109</sup> Given the high number of IDPs and refugees in CAR, many, if not most of the activities of the TF may somehow contribute to migration-related activities but without disaggregated data or a migration-related marker, it is impossible to tell, and the descriptions of the projects (except for the component described above) do not reference IDPs, returnees or refugees. Indeed, the lack of an overall framework against which to measure performance is a cause for concern.<sup>110</sup>

The report '*Capitalisation d'expériences : le fonds Bêkou, un outil innovant, une recherche permanente de pertinence, des leçons clés pour mieux travailler sur le nexus*'<sup>111</sup> evaluates the Bêkou TF against the TF's key priorities (*axes clés*), none of which explicitly mention migration-related activities. The report assesses the extent to which the activities of the Bêkou TF are consistent with the humanitarian-development-peace nexus (the 'triple nexus'). EU implementation of the triple nexus is based on the 2017 Council conclusions on operationalising the humanitarian-development nexus,<sup>112</sup> together with other policies

<sup>103</sup> Spijkerboer, T. and Steyger, E., 'European External Migration Funds and Public Procurement Law', *European Papers*, Vol. 4, 2019, No 2, p. 521, available online at: <https://www.europeanpapers.eu/en/e-journal/european-external-migration-funds-and-public-procurement-law>

<sup>104</sup> Within the meaning of Article 42 of the Annex to Council Regulation No 567/2014.

<sup>105</sup> European Commission, *EU Trust Fund Bêkou for the Central African Republic extended until 2020*, 2019, available online at: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_19\\_3002](https://ec.europa.eu/commission/presscorner/detail/en/ip_19_3002); Groupe URD, *Capitalisation d'expériences : le fonds Bêkou, un outil innovant, une recherche permanente de pertinence, des leçons clés pour mieux travailler sur le nexus* Avril 2022, 2022, p. 8, available online at: <https://europa.eu/capacity4dev/trust-fund-bekou/discussions/etude-de-capitalisation-version-finale>

<sup>106</sup> Agreement establishing the European Union Trust Fund for the Central Africa Republic, 'The Bêkou EU Trust Fund', and its internal rules, available at: [Bêkou Trust Fund \(europa.eu\)](https://europa.eu/bekou-trust-fund)

<sup>107</sup> Bêkou Trust Fund, *Rapport Annuel d'Activités et de Résultats*, 2019, p. 26 available online at: <https://europa.eu/capacity4dev/trust-fund-bekou/documents/rapport-annuel-2019-0>

<sup>108</sup> Bêkou Trust Fund, *Rapport Annuel*, 2019, op. cit. p. 47.

<sup>109</sup> Bêkou Trust Fund, *Rapport Annuel*, 2019, op. cit. p. 47.

<sup>110</sup> ECA, *The Bêkou EU trust fund*, 2017, op. cit., p. 26.

<sup>111</sup> Groupe URD, *Capitalisation d'expériences*, 2022, op. cit.

<sup>112</sup> Council of the EU, *Operationalising the Humanitarian-Development Nexus - Council conclusions (19 May 2017)*, 9383/17, 2017, available online at: <https://www.consilium.europa.eu/media/24010/nexus-st09383en17.pdf>

such as the Commission Communication on Forced Displacement, the Strategic Approach to Resilience, and the EU's Comprehensive Approach to external conflict and crisis. The opening paragraph of the Council conclusions highlights the importance of supporting millions of people displaced by natural and man-made crises, and the Capitalisation report acknowledges the importance of meeting the needs of displaced people (refugees and IDPs) in the Bêkou TF, yet does not address migration-related issues directly, or consider displaced people as a distinct population group, except through examining coherence with the triple nexus.

The report also notes coherence with the government '*Plan National de Relèvement et de consolidation de la paix*' in the pillar social cohesion and reconciliation of the Bêkou TF, in which IDPs and refugees figure strongly, and found that Bêkou TF was relevant to humanitarian-development nexus, and to EU policies on resilience, both in CAR and in neighbouring Cameroon.<sup>113</sup>

Migration-related programming was therefore clearly a high priority of the Bêkou Trust, particularly through promoting rights and providing support, yet it is not formally recorded as such and the evaluation does not measure migration-related outcomes.

### 2.3.2. EU Trust Fund for Colombia (2016-2021)

The EU Trust Fund for Peace in Colombia was established in 2016, to support the implementation of the provisions established in the Peace Agreement in that country and to accompany the Colombian population in overcoming the negative effects of the 50-year old internal armed conflict.<sup>114</sup> Its total financial allocation from creation to 2021 was approximately EUR 131 million.<sup>115</sup> After 2021, the TF will be replaced by a Team Europe Initiative for Peace, which will also have access to the TF's remaining resources.<sup>116</sup>

The need to take into account issues connected to forced displacement is repeated throughout the Strategy Document.<sup>117</sup> However, as the Global Results framework does not appear to have either an indicator or a marker connected to displaced people, and the reports do not appear to address the displaced, the amount of money disbursed on projects engaging displaced people is not known.<sup>118</sup>

### 2.3.3. EU Regional Trust Fund in Response to the Syria Crisis (Madad) (2014-2021)

The EU Trust Fund for Syria was established by Constitutive Agreement, according to which:

'The primary objective of the Trust Fund is to provide a coherent and reinforced aid response to the Syrian and Iraqi crises and the massive displacement resulting from them on a multi- country scale. In pursuit of this objective, the Trust Fund shall address the needs of three groups: refugees, internally displaced persons, and returnees, and provide assistance to the communities and the administrations in which those groups find themselves, as regards resilience and early recovery.'<sup>119</sup>

<sup>113</sup> Groupe URD, *Capitalisation d'expériences*, 2022, op. cit. p. 47

<sup>114</sup> Constitutive Agreement concluded in Luxemburg between the European Commission and Germany, Ireland, Italy, the Netherlands, Portugal, Slovakia, Spain, Sweden and the United Kingdom on 17 October 2016.

<sup>115</sup> EUTF Colombia, *5<sup>th</sup> Annual Report to the Management Board*, 2021, p. 4, available online at: <https://www.fondoeuropeoparalapaz.eu/wp-content/uploads/bsk-pdf-manager/2022/06/annual-report-EUTF-VF08062022.pdf>

<sup>116</sup> EUTF Colombia, *5<sup>th</sup> Annual Report*, 2021, op. cit., p. 4.

<sup>117</sup> EUTF, *Strategy Document*, undated, available online at: [https://ec.europa.eu/international-partnerships/system/files/eutf-strategy-revised-20171206\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/eutf-strategy-revised-20171206_en.pdf)

<sup>118</sup> EUTF, 'Global Results', undated, available online at: <https://www.fondoeuropeoparalapaz.eu/en/global-results/> ; EUTF, *5<sup>th</sup> Annual Report*, 2021, op. cit.

<sup>119</sup> Revised Constitutive Agreement establishing the European Union Regional Trust Fund in Response to the Syrian Crisis, 'the Madad Fund', and its internal rules ['Constitutive Agreement'], 2020, Article 2, available online at: <https://trustfund->



The objectives of the Trust Fund are to foster more self-reliance of refugees, while at the same time assisting the countries and communities hosting them in line with the Global Compact on Refugees.<sup>120</sup> It is established under ENI, and draws resources from DCI, IPA II, EIDHR, IcSP and humanitarian aid.<sup>121</sup> The Strategic Outcome Framework<sup>122</sup> and the results frameworks<sup>123</sup> lay out the expected results. Most of these results would be classified under promoting and protecting the rights of asylum seekers, displaced people and migrants in the rubric used here, with some research and campaigning and capacity strengthening of national / local institutions.

A random sample of projects were passed through the FTS, with no results found. The Results-oriented monitoring reports<sup>124</sup> were analysed and all the activities included in these can be considered as contributing towards promoting and protecting rights, a finding supported by the EU TF's 4<sup>th</sup> results report:

'...the Trust Fund has mobilised EUR 1.7 billion to date. Of this, EUR 1.3 billion have been contracted in 67 projects focusing on quality education, livelihoods, health, protection, and water, sanitation and hygiene (WASH) protection and social cohesion to the Trust Fund's implementing partners, benefitting refugees, IDPs and local communities.'<sup>125</sup>

The EC's website states that between 2014 and 2021, the EU Member States, Türkiye and the UK mobilised EUR 2.4 billion through the Trust Fund, to improve livelihoods, the health sector and provide protection services to Syrians and host communities. This page also states that the EU and MS have mobilised EUR 25 billion since 2011 in response to the Syrian crisis.<sup>126</sup>

## 2.4. EU Facility for Refugees in Turkey

The Facility was established in 2015 and updated several times<sup>127</sup> to implement the decisions of the EU-Turkey Statement of 2015,<sup>128</sup> and the EU-Turkey Joint Action Plan (JAP) to address the 'crisis created by the situation in Syria.'<sup>129</sup> (The study uses the original names of the documents, which refer to 'Turkey' rather than Türkiye, which is used for contemporary developments). The Action Plan tries to address

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[syria-region.ec.europa.eu/system/files/2020-12/constitutive\\_agreement\\_eutf\\_2020\\_fourth\\_revision.pdf](https://syria-region.ec.europa.eu/system/files/2020-12/constitutive_agreement_eutf_2020_fourth_revision.pdf) Accessed 3 October 2022.

<sup>120</sup> European Commission, 'EU Regional Trust in Response to the Syrian crisis: Our Mission', undated, available online at: [https://trustfund-syria-region.ec.europa.eu/our-mission\\_en](https://trustfund-syria-region.ec.europa.eu/our-mission_en)

<sup>121</sup> Constitutive Agreement, 2020, op. cit., paragraph 16.

<sup>122</sup> European Commission 'EU Regional Trust in Response to the Syrian crisis: Results' Available at [https://trustfund-syria-region.ec.europa.eu/results\\_en](https://trustfund-syria-region.ec.europa.eu/results_en) (accessed 17 October 2022)

<sup>123</sup> European Commission 'EU Regional Trust in Response to the Syrian crisis: Results' Available at [https://trustfund-syria-region.ec.europa.eu/results\\_en](https://trustfund-syria-region.ec.europa.eu/results_en) (accessed 17 October 2022)

<sup>124</sup> Particip, *EUTF Syria Results-Oriented Monitoring (ROM) – Reviews completed until 15/09/2020*, undated assumed 2020, available online at: [https://trustfund-syria-region.ec.europa.eu/system/files/2020-09/rom\\_summary\\_15092020.pdf](https://trustfund-syria-region.ec.europa.eu/system/files/2020-09/rom_summary_15092020.pdf)

<sup>125</sup> EUTF Syria, *EU Regional Trust Fund in Response to the Syrian Crisis: 4<sup>th</sup> results report*, 2019, p. 2, available online at: [https://trustfund-syria-region.ec.europa.eu/results\\_en](https://trustfund-syria-region.ec.europa.eu/results_en) Accessed 3 October 2022.

<sup>126</sup> European Commission, 'EU Regional Trust Fund in Response to the Syrian Crisis: Homepage', undated, available online at: [https://trustfund-syria-region.ec.europa.eu/index\\_en](https://trustfund-syria-region.ec.europa.eu/index_en) Accessed 22 September 2022

<sup>127</sup> European Commission, *Commission Decision of 24.11.2015 on the coordination of the actions of the Union and of the Member States through a coordination mechanism – the Refugee Facility for Turkey*, C(2015) 9500 final, 2015, article 1, available online at: [https://neighbourhood-enlargement.ec.europa.eu/system/files/2019-05/commission\\_decision\\_on\\_facility\\_for\\_refugees\\_in\\_turkey\\_24\\_november.pdf](https://neighbourhood-enlargement.ec.europa.eu/system/files/2019-05/commission_decision_on_facility_for_refugees_in_turkey_24_november.pdf); for updates see European Commission, 'European Neighbourhood Policy and Enlargement Negotiations: News', undated, available online at: [https://ec.europa.eu/neighbourhood-enlargement/news\\_corner/migration\\_en](https://ec.europa.eu/neighbourhood-enlargement/news_corner/migration_en)

<sup>128</sup> See Council of the EU, 'Meeting of the EU heads of state or government with Turkey, 29 November 2015, 2015, available online at: <http://www.consilium.europa.eu/en/meetings/international-summit/2015/11/29/>

<sup>129</sup> European Commission, 'EU Turkey Joint Action Plan', 2015, available online at: [https://ec.europa.eu/commission/presscorner/detail/en/MEMO\\_15\\_5860](https://ec.europa.eu/commission/presscorner/detail/en/MEMO_15_5860)

the current crisis situation in three ways: (a) by addressing the root causes leading to the massive influx of Syrians, (b) by supporting Syrians under temporary protection and their host communities in Turkey (Part I), and (c) by strengthening cooperation to prevent irregular migration flows to the EU (Part II).<sup>130</sup>

The Facility is intended to mobilise resources for Part 1 of the JAP 'Supporting the Syrians under temporary protection and their Turkish hosting communities.'<sup>131</sup> The facility combined EUR 3 billion from the EU budget and EUR 3 billion from EU MS contributions. The total EUR 6 billion, including IPA II funding and extra resources mobilised through the Syria Trust Fund combined EU budget and Member States contributions as externally assigned resources.<sup>132</sup> This funding arrangement allows for joint management between the EC and MS, which would not be possible with funding sourced exclusively from the EU budget.<sup>133</sup> The EU budget allocations come from humanitarian aid, the ENI, IPA II and DCI. Funds from ENI and DCI are transferred to and implemented by IPA II and the EU Regional Trust Fund in Response to the Syria Crisis.<sup>134</sup> Foreign Policy Instruments (FPI) manages funds contracted under the IcSP.<sup>135</sup>

The projects that appear in the EC's list of supported projects under the Facility are a mix of development and humanitarian aid.<sup>136</sup> Analysis of these projects suggests that all projects (funded by both humanitarian and development aid sources and listed by the Commission) would fall under the category 'Promotion and protection of the rights of asylum seekers, refugees, displaced people and migrants, including provision of support to displaced populations.'

The Fourth Annual Report on the Facility, a different document in the form of a Communication, however, reports on 'Migration Management', including support for the Turkish coastguard and capacity building to enable the Turkish institutions to take up the projects after 2021 (sustainability).<sup>137</sup> These activities cannot be identified among the projects judging by the titles of the projects listed. The lack of breakdown of funding allocations between Parts I and II of the JAP, and a lack of detail on funding allocations for Part II are problematic from a protection perspective and should be more clearly reported on.

A random sample taken from the project list suggests that the projects listed in the Annual Reports are not included in the FTS, and therefore not already counted in the analysis by funding instrument, and so the expenditures listed here are added to other totals.

In addition to the mismatch between the activities referred to in the Communication and what is publicly available in the FTS, return of migrants to Türkiye is part of the work of the Facility,<sup>138</sup> yet there appears to be no financial allocation for this process, at least according to the project list.

<sup>130</sup> EC, 'EU-Turkey Joint Action Plan', 2015, op. cit.

<sup>131</sup> EC, 'EU-Turkey Joint Action Plan', 2015, op. cit.

<sup>132</sup> European Commission, *Strategic Mid-Term Evaluation of the Facility for Refugees in Turkey*, 2021, op. cit.

<sup>133</sup> European Commission, *Explanatory Memorandum: Adoption of the Commission Decision on the Facility for Refugees in Turkey amending Commission Decision C(2015)9500 as regards the contribution to the Facility for Refugees in Turkey*, 2018, available online at: [https://www.avrupa.info.tr/sites/default/files/2018-03/C\\_2018\\_1500\\_F1\\_COMMISSION\\_DECISION\\_EN\\_V11\\_P1\\_968650\\_1.pdf](https://www.avrupa.info.tr/sites/default/files/2018-03/C_2018_1500_F1_COMMISSION_DECISION_EN_V11_P1_968650_1.pdf)

<sup>134</sup> European Commission, *Communication from the Commission to the European Parliament and the Fourth Annual Report on the Facility for Refugees in Turkey*, COM(2020) 162 final, 2020, available online at: <https://www.avrupa.info.tr/sites/default/files/2020-07/Fourth%20Annual%20Report%20on%20the%20Facility%20for%20Refugees%20in%20Turkey.pdf>

<sup>135</sup> European Commission, *Evaluation Road Map, Strategic Mid-term Evaluation of the EU Facility for Refugees in Turkey (2016-2019/2020)*, 2018, available online at: <https://op.europa.eu/en/publication-detail/-/publication/0e7a4f2e-b7f4-11e8-99ee-01aa75ed71a1>

<sup>136</sup> The list is taken from: European Commission, *EU Facility for Refugees in Turkey: List of projects committed/decided, contracted, disbursed*, 2020, available online at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/facility\\_table.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/facility_table.pdf)

<sup>137</sup> European Commission, *Fourth Annual Report on the Facility for Refugees in Turkey*, 2020, op. cit.

<sup>138</sup> European Commission, *EU-Turkey Statement: Four Years on*, 2020, available online at: [https://home-affairs.ec.europa.eu/system/files/2020-03/20200318\\_managing-migration-eu-turkey-statement-4-years-on\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2020-03/20200318_managing-migration-eu-turkey-statement-4-years-on_en.pdf)

### 2.4.1. EU Emergency Trust Fund for Africa (EUTF for Africa) (2015-2021)

The European Union Emergency Trust Fund for Stability and addressing the Root Causes of Irregular Migration and Displaced Persons in Africa, or EUTF for Africa, was established in 2015,<sup>139</sup> following the Valletta Summit of the same year. It is guided by a Strategic Orientation document, which states that EUTF for Africa will 'help address the root causes of destabilisation, forced displacement and irregular migration by promoting economic and equal opportunities, strengthening resilience of vulnerable people, security and development.'<sup>140</sup> It will focus on the Sahel region and Lake Chad area, the Horn of Africa, North Africa and the African neighbours of eligible countries.

Although EUTF for Africa programmes will be implemented until the end of 2025, 2021 was the last year in which the Trust Fund was able to make financial commitments. As of 31 December 2021, the total amount the EUTF for Africa had committed was EUR 4.9 billion,<sup>141</sup> out of which EUR 2.2 billion (45%) in Sahel/Lake Chad, EUR 1.8 billion (37%) in the Horn of Africa and EUR 907,3 million (18%) in the North of Africa.<sup>142</sup>

The funding is spread across the strategic objectives (SO) as follows:

- SO 1: greater economic and employment opportunities: EUR 855,5 million (17%)
- SO 2: strengthening resilience of communities: EUR 1.4 billion (28%)
- SO 3: improved migration management EUR 1.5 billion (31%);
- SO 4: improved governance and conflict prevention EUR 1.1 billion (22%)<sup>143</sup> Detailed research by Oxfam analysed funding patterns within the EUTF, in different eligible countries, regions and over time.<sup>144</sup> The titles of projects listed in the Annual Reports 2016-2019<sup>145</sup> were analysed to provide the following distribution of funding per relevant activity.

The top three main priorities of EUTF for Africa for migration-related spending are:

1. Migration restriction and reduction
2. Promotion of rights and services
3. Border management

The combined contributions of the EU and EDF budgets to the TF to the end of 2021 amounted to EUR 3.4 billion<sup>146</sup> and from the 'external contributors' (Member States, Norway and Switzerland) EUR 623 million (of which the biggest contributors were Germany, Italy and Denmark).<sup>147</sup> As the table below demonstrates, the EU and EDF budget contribution to the EUTF for Africa is more than five times the

<sup>139</sup> Agreement Establishing the European Union Emergency Trust Fund for Stability and addressing the Root Causes of Irregular Migration and Displaced Persons in Africa, and its Internal Rules, 2015, available at [https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/original\\_constitutive\\_agreement\\_en\\_with\\_signatures.pdf](https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/original_constitutive_agreement_en_with_signatures.pdf)

<sup>140</sup> Anonymous, *The European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa Strategic Orientation Document*, undated, p. 1, available online at: [https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/strategic\\_document\\_eutf\\_africa\\_1.pdf](https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/strategic_document_eutf_africa_1.pdf)

<sup>141</sup> European Commission, *EU Emergency Trust Fund for Africa Annual Report 2021, 2022*, p. 6, available online at: <https://ec.europa.eu/trustfundforafrica/sites/default/files/eutf-report-2021-eng-for-digital.pdf>

<sup>142</sup> EC, *Trust Fund for Africa Annual Report 2021, 2022*, op. cit., p. 16.

<sup>143</sup> EC, *Trust Fund for Africa Annual Report 2021, 2022*, op. cit., p. 17.

<sup>144</sup> Oxfam, *The EU Trust Fund for Africa*, 2020, op. cit.

<sup>145</sup> Available at: European Commission, 'EU Emergency Trust Fund for Africa: About', undated, available online at: [https://ec.europa.eu/trustfundforafrica/content/about\\_en](https://ec.europa.eu/trustfundforafrica/content/about_en) As the rubric for this report is different from the objectives used in the EUTF's monitoring system, there may be inaccuracies particularly in section 5 on root causes, where only projects connecting activity with preventing migration in their titles are included here.

<sup>146</sup> EC, *Trust Fund for Africa Annual Report 2021, 2022*, op. cit., p. 43-44.

<sup>147</sup> EC, *Trust Fund for Africa Annual Report 2021, 2022*, op. cit., p. 41-42.

total of all other contributors combined, and is 15 times that of the biggest single external contributor (Germany).

Table 10: Main contributors to EU TF for Africa (2015-2021)

Main contributors to EUTF budget 2015-2021 (total: EUR 4.9 billion)			% of total external contributions	% of EU and EDF contributions
EU and EDF budgets		EUR 3.4 billion		
All external contributions (Member States, Norway, Switzerland)		EUR 623 million		18%
of which the top three contributors:				
	Germany	EUR 232 million	37%	6,8%
	Italy	EUR 123 million	20%	3.6%
	Denmark	EUR 54 million	8.7%	1.6%

Source: data from *EU TF for Africa Annual Report 2021*<sup>148</sup>

There is considerable variance by window, however:

Table 11: External Contributions to EUTF for Africa by window

Window	External contributions
Sahel/Lake Chad (EUR 2.2 billion)	EUR 281 million 12.6%
Horn of Africa (EUR 1.8 billion)	EUR 101 million 5.6%
North of Africa (EUR 907.3 million)	EUR 241 million 26.6%

Source: data from *EU TF for Africa Annual Report 2021*<sup>149</sup>

The tables above suggest that Member State interest in a particular region and issue can leverage far greater contributions of EU and EDF budget contributions through mechanisms such as the TF – even the North of Africa window, which has the highest proportion of external funding of all the windows, still leverages nearly 75% of the funding from the EU/EDF.

<sup>148</sup> EC, *Trust Fund for Africa Annual Report 2021*, 2022, op. cit., p. 41-44.

<sup>149</sup> EC, *Trust Fund for Africa Annual Report 2021*, 2022, op. cit., p. 41-42.

The disparity in contributions between Member States is clear in Table 10: the biggest contribution (Germany), at nearly 40% of all external contributions is nearly twice as large as the second biggest (Italy) which, at 20% of all contributions, is in turn is nearly twice the size of the third contributor (Denmark). This may suggest that the interests of individual (large) Member States may have a strong influence on EU programming in key areas.

France, on the other hand, contributed apparently very little in contrast to other Member States, given its interest in both migration and the concerned regions – a total of EUR 9 million, of which EUR 7.2 million was for the Sahel window<sup>150</sup> yet it is the instigator of, and major contributor to security missions including Common Security and Defence Policy (CSDP) missions in the region. This would appear to suggest that for France, addressing migration-related issues through the EUTF is not its priority, and it prefers – or sees an added value in French support for – a more security-oriented response.

The EUTF for Africa includes a Research and Evidence Facility with the objective of enhancing the knowledge and understanding of the root causes of instability, insecurity, irregular migration and forced displacement in West and North Africa and of migration routes, drivers and underlying factors, as well as analysing and disseminating the most effective policies and approaches to address and reduce them and improve migration management.<sup>151</sup> These reports do not, however, appear to cover the outcomes or impact of the TF on migration and other factors.

The Mid-term Evaluation of the TF (the most recent evaluation available) did examine these questions. It found that ‘although the EUTF has not been able to dent the levels or causes of forced displacement, EUTF interventions have been able to mitigate the consequences through interventions under SO-1 and SO-2’<sup>152</sup> (the EUTF’s Strategic Objectives are listed above).

## 2.5. Insights on surveillance

In line with the ToR for this study, the research took particular efforts to identify instances where EU funding supported surveillance technologies or was used for migration surveillance outside the EU. Following the search of relevant databases, programming documents and surveys described in section 1.2, no specific allocation of EU funding from the relevant funding programmes to activities related to surveillance technology can be identified. However, due to the limitations of data when it comes to identifying specific project expenditure, as described in section 1.3, it is not possible to provide a definitive conclusion. The European Ombudsman opened three cases on EU support to surveillance. The first, opened in November 2021, focuses on how the European Commission assessed human rights impacts before providing support to African countries to develop surveillance capabilities,<sup>153</sup> the second focuses on the how the EEAS assesses potential human rights risks and impact when providing assistance to non-EU countries to develop surveillance capabilities,<sup>154</sup> and the third looks at the same issue in the case of Frontex.<sup>155</sup> The subsections below provide an overview of programmes, databases and funds that receive direct funding from the EU budget.

<sup>150</sup> EC, *Trust Fund for Africa Annual Report 2021, 2022*, op. cit., p. 41–42.

<sup>151</sup> European Commission, ‘EU Emergency Trust Fund for Africa: Research and Evidence Facility for the Sahel and Lake Chad’, undated, available online at: [https://ec.europa.eu/trustfundforafrica/content/research-facility-sahel-and-lake-chad\\_en](https://ec.europa.eu/trustfundforafrica/content/research-facility-sahel-and-lake-chad_en)

<sup>152</sup> GDSI, *Mid-term Evaluation of the European Union Emergency Trust Fund for Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa 2015-2019*, 2020, p. 5, available online at: [https://ec.europa.eu/trustfundforafrica/sites/default/files/mtr\\_final\\_report\\_1.pdf](https://ec.europa.eu/trustfundforafrica/sites/default/files/mtr_final_report_1.pdf)

<sup>153</sup> European Ombudsman, CASE 1904/2021/MHZ, available online at: <https://www.ombudsman.europa.eu/en/opening-summary/en/149798>

<sup>154</sup> European Ombudsman, CASE 1472/2022/MHZ, available online at: <https://www.ombudsman.europa.eu/en/case/en/62239>

<sup>155</sup> European Ombudsman, CASE 1473/2022/MHZ, available online at: <https://www.ombudsman.europa.eu/en/case/en/62240>



### 2.5.1. European Border Surveillance System (EUROSUR)

EUROSUR is a common framework, set up in 2013, for the exchange of information and for the cooperation between EU Member States and Frontex in order to improve situational awareness and to increase reaction capability at the external EU borders for the purpose of detecting, preventing and combating irregular migration and cross-border crime.

In 2018, the Commission evaluated EUROSUR and found that it could better meet its objectives by evolving from a technical information system into a governance framework for information exchange and cooperation, covering border control and possibly also other components of European Integrated Border Management.<sup>156</sup> In line with this recommendation, the European Border and Coast Guard Regulation was amended. In 2021, an implementing regulation on the situational pictures of EUROSUR was adopted, which standardises the information included in situational pictures and other reports, to ease information exchange.<sup>157</sup>

Copernicus implements the Border Surveillance component that is managed by Frontex in the detection of irregular migration, in fighting cross-border crime and in countering terrorism. The component provides near-real-time data on the EU's external land and sea borders, supporting the EU's external border surveillance information exchange framework (EUROSUR). Copernicus Border Surveillance Services are provided via the Eurosur Fusion Services to end users in the Member States' border and coast guard authorities, Frontex and other European institutions.<sup>158</sup> The research done in the framework of the 'Follow The Money' report did not reveal any funding from either AMIF or ISF-BV expenditure used outside the EU for EUROSUR.

### 2.5.2. European Agency for the Operational Management of Large-scale IT Systems in the area of Freedom, Security and Justice (eu-LISA)

The European Agency for the Operational Management of Large-scale IT Systems in the area of Freedom, Security and Justice (eu-LISA) was established in 2011 and its legal basis strengthened in 2018. It has become the digital hub of the Schengen area, implementing and managing the main centralised databases for migration control and security purposes. The Statewatch report 'Funds for Fortress Europe: spending by Frontex and eu-LISA' notes that in 2014-2020, eu-LISA spent EUR 1.5 billion. Frontex spent EUR 434 million on private sector contracts, particularly after 2017. Frontex spent over EUR 100 million on private contracts for aerial surveillance (2014-2020), and a further EUR 84 million on private sector aerial surveillance services in 2021. Eu-LISA's biggest contract during this funding period was the EUR 300 million deal for private sector provision of a new Biometric Matching System which will provide a central biometric register of all external border crossings by almost all non-EU citizens.<sup>159</sup>

It is worth noting that partner countries involved in efforts to reduce irregular migration have concerns about the scope of EU border surveillance. Cooperation with Frontex has proved a sticking point in EU-Tunisia relations, for example.<sup>160</sup>

<sup>156</sup> European Commission, *Report from the Commission to the European Parliament and the Council on the evaluation of the European Border Surveillance System (EUROSUR)*, COM (2018) 632 Final, 2018 available online at: [https://www.europarl.europa.eu/RegData/docs\\_autres\\_institutions/commission\\_europeenne/com/2018/0632/COM\\_COM\(2018\)0632\\_EN.pdf](https://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_europeenne/com/2018/0632/COM_COM(2018)0632_EN.pdf)

<sup>157</sup> European Commission, 'Migration and Home Affairs: Eurosur', undated, available online at: [https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/border-crossing/eurosur\\_en](https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/border-crossing/eurosur_en)

<sup>158</sup> Copernicus in Situ, 'Fact Sheet on Copernicus in Situ Data Requirements', undated, available online at: [https://insitu.copernicus.eu/FactSheets/CSS\\_Border\\_Surveillance/](https://insitu.copernicus.eu/FactSheets/CSS_Border_Surveillance/)

<sup>159</sup> Statewatch, 'Funds for Fortress Europe: spending by Frontex and eu-LISA', 2022, available online at: <https://www.statewatch.org/analyses/2022/funds-for-fortress-europe-spending-by-frontex-and-eu-lisa/>

<sup>160</sup> Statewatch, 'EU: Tracking the Pact: Tunisia refuses cooperation with Frontex but will set up an "integrated border surveillance" system', 2022, available online at: <https://www.statewatch.org/news/2022/april/eu-tracking-the-pact-tunisia-refuses-cooperation-with-frontex-but-will-set-up-an-integrated-border-surveillance-system/>

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### 2.5.3. European Defence Agency (EDA)

Activities supported by the EDA, and funded through the European Defence Fund, support EU capacities for land, air and sea surveillance including in relation to migration. However, a migration marker appears not to be applied to European Defence Fund expenditure and information is only accessible through a manual search of individual project descriptions. For example, the website of the CapTech Maritime project, which supports European Navies in relation to current and future challenges within the naval areas of research and technology, cites the 'migrant crisis' as one of the challenges facing European Navies. Whether and how the project supports developing surveillance capacities of people on the move is unclear.<sup>161</sup>

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<sup>161</sup> European Defence Agency, 'CapTech Maritime', undated, available online at: <https://eda.europa.eu/what-we-do/all-activities/activities-search/captech-maritime>



### 3. OVERVIEW OF EU MIGRATION AND ASYLUM FUNDS FOR THIRD COUNTRIES FOR THE 2021-2027 FUNDING PERIOD

#### KEY FINDINGS

- The current **AMIF and BMVI Regulations** have established a **wider scope of action in relation to third countries** than their predecessors;
- Member States **shall consult the Commission prior to the approval of projects with or in a third country** for AMIF and BMVI funding;
- **NDICI–Global Europe includes several novelties in relation to migration**: an indicative **10% spending target**, positive conditionality in relation to migration (the “**flexible incitative approach**” to migration), and a **coordination group** of EU Institutions and Member States to oversee migration-related funding;
- A **migration marker has been introduced and is applied to all NDICI-Global Europe spending** which classifies activities and enables the European Commission to determine whether funding contributes to the 10% spending target;
- The **coordination group is chaired by the European Commission and brings together representatives of the relevant EU services and Member States**. It meets on a regular basis to discuss all projects related to forced displacement and migration before they are approved.

#### 3.1. AMIF

The legal bases of AMIF 2021-2027 are the Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (hereinafter CPR), and the Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund (hereinafter AMIF Regulation). The first lays down common rules for the part of AMIF that is implemented under shared management. The latter provides the AMIF-specific provisions and rules for the funds that are implemented under direct and indirect management of the EC via a thematic facility.

The policy objective of AMIF is ‘to contribute to the efficient management of migration flows and to the implementation, strengthening and development of the common policy on asylum and the common immigration policy, in accordance with the relevant Union acquis and fully respecting the international obligations of the Union and the Member States arising from the international instruments to which they are party.’<sup>162</sup>

The Fund has four specific objectives:

- strengthening and developing all aspects of the Common European Asylum System, including its external dimension (the ‘asylum priority’);

<sup>162</sup> Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund [2021] OJ L 251/1, article 3, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1147>

- strengthening and developing legal migration to the Member States in accordance with their economic and social needs, and promoting and contributing to the effective integration and social inclusion of third-country nationals (the 'legal migration and integration priority');
- contributing to countering irregular migration, enhancing effective, safe and dignified return and readmission, and promoting and contributing to effective initial reintegration in third countries (the 'return priority');
- enhancing solidarity and fair sharing of responsibility between the Member States, in particular as regards those most affected by migration and asylum challenges, including through practical cooperation (the 'solidarity priority').

The AMIF Regulation prescribes a financial envelope of EUR 9.9 billion which has to be divided as follows: 36% allocated to a thematic facility managed directly by DG HOME and 64% for Member States' programmes to be managed by the EU Member States.<sup>163</sup>

To achieve its objectives, AMIF may support any action listed in the Scope of Support (Annex III) in and in relation to third countries,<sup>164</sup> which establishes a wider scope for actions in relation to third countries than its predecessor. The 2021-2027 AMIF Regulation does not refer to any particular policy framework, such as Mobility Partnerships or Regional Protection Programmes. Instead, the new AMIF follows the policy framework of the EC's Communication on a New Pact on Migration and Asylum, which is based on the understanding that the internal and external aspects of migration are inextricably linked.<sup>165</sup>

A novelty of AMIF 2021-2027 is that the Fund shall be open to third countries – non-EU countries – if they have signed an agreement with the EU 'on the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or lodged in that third country.'<sup>166</sup> According to the EC, currently, there are no countries associated or negotiating their association to AMIF.<sup>167</sup>

Regarding programming, MS define their policy priorities in their programmes and allocate funding to each of the Fund's specific objectives. The AMIF Regulation requires national programmes to 'primarily serve internal Union policy.'<sup>168</sup> The programmes are submitted to the EC for review and approval, according to the process established by the CPR.<sup>169</sup> The AMIF Regulation stipulates that 'whenever a Member State decides to implement a project with or in a third country with the support of the Fund, the Member State concerned shall consult the Commission prior to the approval of the project.'<sup>170</sup>

The thematic facility's priorities are set through annual or multiannual work programmes, adopted by Commission Implementing Decisions. The thematic facility can be used to finance Union actions;

<sup>163</sup> AMIF Regulation, article 10(2).

<sup>164</sup> AMIF Regulation, article 5(2).

<sup>165</sup> European Commission, *Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions on A New Pact on Migration and Asylum*, COM/2020/609 final, 2020, p. 1, available online at: [https://ec.europa.eu/info/sites/default/files/1\\_en\\_act\\_part1\\_v7\\_1.pdf](https://ec.europa.eu/info/sites/default/files/1_en_act_part1_v7_1.pdf)

<sup>166</sup> AMIF Regulation, article 7(2).

<sup>167</sup> European Commission, 'Asylum, Migration and Integration Fund (2021-2027)', undated, available online at: [https://home-affairs.ec.europa.eu/funding/asylum-migration-and-integration-funds/asylum-migration-and-integration-fund-2021-2027\\_en](https://home-affairs.ec.europa.eu/funding/asylum-migration-and-integration-funds/asylum-migration-and-integration-fund-2021-2027_en)

<sup>168</sup> AMIF Regulation, article 11(1).

<sup>169</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy [2021] OJ L 231/159, article 21(2), available online at: <https://eur-lex.europa.eu/eli/reg/2021/1060/oj>

<sup>170</sup> AMIF Regulation, article 16(8).

emergency assistance; specific actions; resettlement and humanitarian admission; support to Member States for the transfer of applicants for international protection or of beneficiaries of international protection; the European Migration Network; and technical assistance. While the thematic facility can provide funding to any action eligible for AMIF support, 'given the internal nature of the Fund, the thematic facility shall primarily serve internal Union policy in line with the specific objectives set out in Article 3(2).'

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### 3.2. BMVI

The legal bases of the BMVI are the Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (CPR), and the Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy (hereafter BMVI Regulation). The first lays down common rules for the budget of the BMVI that is implemented under shared management. The latter provides the BMVI specific provisions and rules for the budget that is implemented under direct and indirect management of the EC via a thematic facility.

The policy objective of the BMVI is 'to ensure strong and effective European integrated border management at the external borders, thereby contributing to ensuring a high level of internal security within the Union, while safeguarding the free movement of persons within it and fully respecting the relevant Union acquis and the international obligations of the Union and the Member States arising from the international instruments to which they are party.'

<sup>172</sup>

The Fund has two specific objectives:

- i.* supporting effective European integrated border management at the external borders, implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively manage migratory flows (the 'border management priority');
  - ii.* supporting the common visa policy to ensure a harmonised approach with regard to the issuance of visas and to facilitate legitimate travel, while helping to prevent migratory and security risks (the 'visa priority').
- <sup>173</sup>

The BMVI Regulation prescribes a financial envelope of EUR 6.3 billion which has to be divided as follows: 30% allocated to a thematic facility managed directly by DG HOME and 70% for Member States' programmes to be managed by the EU Member States.

<sup>174</sup> To achieve its objectives, the Fund may

<sup>171</sup> AMIF Regulation, article 11(1).

<sup>172</sup> Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy [2021] OJ L 251/48, article 3(1), available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1148&qid=1665666463885>

<sup>173</sup> BMVI Regulation, article 3(2).

<sup>174</sup> BMVI Regulation, article 7(3). These percentages are based on the initial allocations established in the Regulation 2021/1148. Nevertheless, the amounts allocated to National Programmes could be altered during the implementation of the Fund, for example via Specific Actions funded through the Thematic Facility..

support any action listed in the Scope of Support (Annex III) in and in relation to third countries,<sup>175</sup> again establishing a wide scope for action.

Regarding programming, MS define their policy priorities in their programmes and allocate funding to each of the Fund's specific objectives. The BMVI Regulation, similarly to the AMIF Regulation, requires national programmes to 'primarily serve internal Union policy.'<sup>176</sup> The programmes are submitted to the EC for review and approval, according to the process established by the CPR.<sup>177</sup> In addition, the BMVI Regulation stipulates that 'whenever a Member State decides to implement a project with or in a third country with the support of the Fund, the Member State concerned shall consult the Commission prior to the approval of the project.'<sup>178</sup> The BMVI Regulation also requires that 'Whenever a Member State decides to implement an action with, in or in relation to a third country with the support of the Instrument in relation to the monitoring, detection, identification, tracking, prevention and interception of unauthorised border crossings for the purpose of detecting, preventing and combating irregular immigration and cross-border crime or for the purpose of contributing to the protection of migrants and contributing to saving the lives of migrants, that Member State shall ensure that it has notified the Commission of any bilateral or multilateral cooperation agreement with that third country in accordance with Article 76(3) of Regulation (EU) 2019/1896.'<sup>179</sup>

The thematic facility's priorities are set through annual or multiannual work programmes, adopted by Commission Implementing Decisions. The thematic facility can be used to finance Union actions; emergency assistance; specific actions; and technical assistance. While the thematic facility can provide funding to any action eligible for AMIF support, 'given the internal nature of the Fund, the thematic facility shall primarily serve internal Union policy in line with the specific objectives set out in Article 3(2).'<sup>180</sup>

### 3.3. NDICI

The Neighbourhood, Development and International Cooperation Instrument – Global Europe (NDICI–Global Europe)<sup>181</sup> brings together most of the EU's external funding instruments which existed as separate instruments in the previous budget period (2014–2020). It thus incorporates those that were of relevance to asylum, migration and forced displacement mentioned above (i.e. DCI, ENI, EIDHR, and IcSP, as well as the EDF). It amounts to EUR 79.5 billion.

NDICI-Global Europe can be spent through direct management (i.e. directly by the European Commission) or through indirect management (i.e. by an organisation or an authority outside the EU).

Migration features prominently in the regulation establishing the NDICI–Global Europe. Activities related to migration can be supported under all the funding streams and an indicative spending target for migration has been introduced, as well as conditionality related to migration for third countries who are recipients of NDICI-Global Europe.

<sup>175</sup> BMVI Regulation, article 5(2).

<sup>176</sup> BMVI Regulation, article 13(3).

<sup>177</sup> CPR, article 21(2).

<sup>178</sup> BMVI Regulation, article 13(3).

<sup>179</sup> BMVI Regulation, article 13(4).

<sup>180</sup> Regulation 2021/1148, article 8(1).

<sup>181</sup> Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009 [2021] OJ L 209/1, available online at: <https://eur-lex.europa.eu/search.html?scope=EURLEX&text=2021%2F947&lang=en&type=quick&qid=1665666609171>

The NDICI is divided into the following funding streams, each of which includes the possibility to spend on forced displacement and migration:

- Geographic programmes (migration, forced displacement and mobility can be covered if priority for a country) (EUR 60.38 billion)
- Thematic programmes (cover global challenges including migration, forced displacement and mobility) (EUR 6.36 billion)
- Rapid response actions (Actions contributing to peace, stability and conflict prevention in situations of crisis including those resulting from migratory flows and forced displacement; actions strengthening resilience and linking humanitarian aid, development and peacebuilding; actions addressing foreign policy priorities) (EUR 3.18 billion)
- Emerging challenges and priority cushion (can include forced displacement and migration) (EUR 9.53 billion)

A broad definition of activities that can be supported under the theme of migration, forced displacement and mobility has been adopted and is detailed particularly for the geographic programmes. This includes inter alia:<sup>182</sup>

- Strengthening bilateral, regional and international partnerships on migration, forced displacement and mobility
- Implementing Union bilateral or regional agreements, dialogues and arrangements, including those on return and readmission, legal pathways and mobility partnerships
- Supporting sustainable reintegration of returning migrants and their families, as well as voluntary returns amongst partner countries;
- Addressing and mitigating root causes of irregular migration and forced displacement;
- Reducing the vulnerabilities in migration including those caused by human trafficking and smuggling, stepping up cooperation on integrated border management in line with international and Union law, human rights law and data protection standards;
- Strengthening scientific, technical, human and institutional capacity for the management of migration, including human rights trainings, support partner countries' reception, processing, asylum and return procedures;
- Supporting effective and human rights based migration policies, at all levels, including protection programmes;
- Promoting conditions for facilitating legal migration and well-managed mobility, including in education, research and innovation, cultural exchange and intercultural dialogue;
- Supporting development oriented solutions for forcibly displaced persons, internally displaced persons and their host communities, including through socio-economic inclusion with access to labour market, decent jobs, education and services, to promote the dignity, resilience and self-reliance of displaced persons;

<sup>182</sup> The list is a compilation of elements covered in Annex II (Areas for Cooperation for geographic programmes); Annex III (Areas of intervention for thematic programmes); Annex IV (Areas for intervention for rapid response actions) of the NDICI – Global Europe Regulation.

- Supporting diaspora engagement and promoting faster, cheaper and safer remittance transfers.

The prominence and weight that migration and forced displacement have within NDICI–Global Europe was contentious during the negotiation of the funding instrument by the Council and the European Parliament. After extensive political debate, it was agreed that indicatively 10% of the financial envelope, thus EUR 7.9 billion, should be dedicated particularly to ‘actions supporting management and governance of migration and forced displacement within the objectives of the Instrument. In addition, that target should also include actions to address the root causes of irregular migration and forced displacement when they directly target specific challenges related to migration and forced displacement.’<sup>183</sup> This is the first time that the EU has set itself a migration specific funding target which will result in systematic classification of programmes and projects in relation to their migration and forced displacement components. For this purpose, a migration marker was adopted in October 2021 as an internal EC note, which grades activities as follows:

- 0= no migration relevant spending and thus 0% of the activity is contributing to the 10% spending target
- 1= migration is a significant objective of the activity and 40% of spending is counted as contributing to the 10% spending target
- 2= migration is the focus objective of the activity and 100% of spending is counted as contributing to the 10% spending target

As this study is conducted early on in the current funding period, no report on NDICI-Global Europe implementation, including analysis related to the spending targets, has yet been published. The first report from the EC to the Council for all spending targets that are included in the NDICI-Global Europe regulation is expected in November 2022.

Officials involved in reviewing the use of the migration marker mentioned that the system is rather strict and that they take a conservative approach to classifying activities as related to migration. However, some officials closely involved in migration-related programming are concerned that the 40% rating marker may, inadvertently, reduce the amount of funding available for migration-focused activities. As migration-related activities undertaken through NDICI have to be DAC-able, it means that their overall objective must be connected to poverty reduction, and poverty reduction is a way of tackling the root causes of irregular migration. But if, then, projects which are focused on poverty reduction in situations at risk of high-levels of irregular migration are rated at 40% under the migration marker, this means that the 10% overall NDICI target on migration-related spending will be reached quickly and that NDICI funding for targeted (i.e. 100% on the marker) migration-related programming (through, for example, the Sub-Saharan Regional Migration Support Programme) will not be required to fulfil the 10% NDICI commitment, and therefore not made available.<sup>184</sup>

Another novelty of NDICI-Global Europe is that it introduced conditionality related to migration in EU development assistance beyond the neighbourhood region. A ‘coordinated, holistic and structured approach to migration [...] shall combine all appropriate tools and the necessary leverage through a flexible incitative approach with, as appropriate within this context, possible changes in allocation of funding related to migration in accordance with the programming principles of the Instrument.’<sup>185</sup>

The ‘flexible incitative’ approach applies to funding under the geographic programmes and differs depending on the DG managing the funds. It is available and may be applied to all geographic regions covered by NDICI-Global Europe apart from Americas and the Caribbean. DG INTPA has integrated the

<sup>183</sup> See Regulation No 2021/947, recital 51.

<sup>184</sup> Interview, Representatives of DG INTPA, Directorate A, European Commission, 15 September 2022.

<sup>185</sup> Regulation No 2021/947, article 8(10).



flexible incitative approach into the regional multi-annual indicative programme (MIP) for the Asia and Pacific Region and for the Sub-Saharan African region. For Asia and the Pacific, the regional programme identifies migration, forced displacement and mobility as one of its priorities. A Flexible Instrument Migration has been included with EUR 141 million to implement the flexible incitative approach.<sup>186</sup>

For Sub-Saharan Africa, in addition to the regional MIP, a regional programme on migration, the Sub-Saharan Regional Migration Support Programme has been developed.<sup>187</sup> The proposed Regional Migration Support Programme will include two main components: (a) country interventions; and (b) multi-country and regional actions. Country specific-actions funded by the programme will allow to complement actions under the country MIP and offer to selected partner countries an incentive to go beyond what their country MIP offers, in line with a flexible incitative approach. Of the total EUR 1 600 million for migration and forced displacement in the regional MIP, EUR 600 million have been allocated to the Flexible Funding Mechanism which implements the flexible incitative approach. The Flexible Funding Mechanism is intended to fulfil some of the flexible-funding capacity that the Trust Funds previously had. An Action document identified EUR 200 million worth of contracts for regional and national programmes on migration management. The result of a consultative process, the Action document took one year from drafting to adoption.<sup>188</sup>

Three examples of migration-related activities supported by the regional MIP can be provided at the time of writing the study. Those are a EUR 103 million grant for the implementation of the EU-IOM Joint Initiative for Migrant Protection and Reintegration in the Sahel and Lake Chad, as well as the Horn of Africa regions which is implemented by indirect management via IOM.<sup>189</sup> A grant of EUR 5 million has been made available to the Regional Operational Centre in Khartoum (ROCK) in support of the Khartoum Process, the African Union Horn of Africa Initiative and the Eastern Africa Police Chiefs Cooperation Organisation (EAPCCO) in Sudan implemented in direct management by ROCK.<sup>190</sup> Finally, a grant of EUR 40 million for the project Better Migration Management (BMM) phase III carried out in the Horn of Africa Region (HoA): Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, and Uganda has been awarded for indirect management with Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).<sup>191</sup>

For the neighbourhood region, the regional MIP for the Southern Neighbourhood does not include migration related programming. Instead it suggests that 'a separate programming document for a multi-country Migration Programme for the Southern Neighbourhood will cover cooperation at regional level and relevant actions in this area.'<sup>192</sup> For the Eastern Neighbourhood, migration features as a specific objective in the regional MIP with activities aimed to 'enhance mobility and people-to-

<sup>186</sup> European Commission, *Asia and the Pacific Regional Multi-annual Indicative Programme 2021-2027*, 2022, available online at:

[https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9251-asia-pacific-annex\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9251-asia-pacific-annex_en.pdf)

<sup>187</sup> European Commission, *Sub-Saharan Africa Multi-Annual Indicative Programme 2021-2027*, 2022, available online at:

[https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9373-sub-saharan-africa-annex\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9373-sub-saharan-africa-annex_en.pdf)

<sup>188</sup> Interview, Representatives of DG INTPA, Directorate A, European Commission, 15 September 2022.

<sup>189</sup> European Commission, *Commission Implementing Decision of 15.11.2021 on the financing of the individual measure in favour of Sub-Saharan Africa in support to migration for 2021-2022*, 2021, Available online here: [https://international-partnerships.ec.europa.eu/action-plans\\_en?f%5B0%5D=document\\_title%3Amigration](https://international-partnerships.ec.europa.eu/action-plans_en?f%5B0%5D=document_title%3Amigration) (accessed August 2022, no longer available 17 October 2022. Download on file with author)

<sup>190</sup> European Commission, *Commission Implementing Decision of 29.4.2022 on the financing of the individual measure in favour of Sub-Saharan Africa for migration for 2022*, C(2022) 2893 final, 2022, available online at: [https://international-partnerships.ec.europa.eu/action-plans\\_en?page=1](https://international-partnerships.ec.europa.eu/action-plans_en?page=1)

<sup>191</sup> European Commission, *Commission Implementing Decision of 30.09.2022 on the financing of the multiannual action plan in favour of Sub-Saharan Africa for 2022-2024 Part I*, C(2022) 7113 final, 2022, available online at: [https://international-partnerships.ec.europa.eu/action-plans\\_en?f%5B0%5D=local\\_ndici\\_regions\\_regions%3A130](https://international-partnerships.ec.europa.eu/action-plans_en?f%5B0%5D=local_ndici_regions_regions%3A130)

<sup>192</sup> European External Action Service & European Commission, *Regional Multiannual Indicative Programme (MIP) 2021-2027 for EU support to the Southern Neighbourhood*, 2021, available online at: [https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-01/C\\_2021\\_9399\\_F1\\_ANNEX\\_EN\\_V2\\_P1\\_1627350.PDF](https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-01/C_2021_9399_F1_ANNEX_EN_V2_P1_1627350.PDF)



people contacts including cooperation on migration and integrated border management.<sup>193</sup> Within the regional approach, the following funding was granted with migration as principal objective: EUR 15 million for the EU Border Assistance Mission to the Republic of Moldova and Ukraine implemented by the mission in indirect management.<sup>194</sup>

As a result of the difficult negotiation on the NDICI-Global Europe and the insistence of MS on increasing their oversight and control over the fund, particularly in regards to migration spending, a coordination group has been established to respond to the requirement in the NDICI-Global Europe regulation to create a mechanism that 'should enable ongoing and emerging migration challenges to be addressed under the Instrument, using all appropriate components through flexible funding, while respecting its financial envelopes and relying on their flexible implementation.'<sup>195</sup>

The coordination group takes the form of an informal group chaired by the EC, which brings together two focal persons per MS from the Ministry of Interior and the Ministry of Foreign Affairs. It is not a decision-making body and meets on a regular basis. During the meetings, projects related to migration and forced displacement which are at the early stages of their development are discussed. At the time of writing this study, four meetings have taken place in which 73 actions that have a 1 or 2 classification on the migration marker have been presented by the EC to MS for their input. This represents an additional step of coordination with MS solely for activities related to migration and forced displacement. For all other activities under the NDICI-Global Europe, MS are informed about the funding decisions in the regular NDICI Committee. At the time of writing the study, no equivalent coordination or exchange with the European Parliament is taking place or is being envisaged.

The NDICI-Global Europe Regulation includes a rights-based approach as one of the general principles applying to its implementation.<sup>196</sup> A Commission Staff Working Document from 2021 seeks to operationalise this commitment and provides an 'updated Toolbox for placing rights holders at the centre of EU's Neighbourhood, Development and International Cooperation.'<sup>197</sup>

The NDICI-Global Europe Regulation does also allow for the Commission to develop specific risk management frameworks<sup>198</sup> which could be used to address particular fundamental rights risks and provide assessment and mitigation measures, particularly but not limited to activities in the framework of forced displacement and migration.

<sup>193</sup> European External Action Service & European Commission, *Regional Multiannual Indicative Programme (MIP) 2021-2027 for the Eastern Neighbourhood*, 2021, available online at: [https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-01/C\\_2021\\_9370\\_F1\\_ANNEX\\_EN\\_V2\\_P1\\_1609850.PDF](https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-01/C_2021_9370_F1_ANNEX_EN_V2_P1_1609850.PDF)

<sup>194</sup> European Commission, *ANNEX III of the Commission Implementing Decision on the financing of the multiannual action plan in favour of the NDICI Neighbourhood East Region part 1 for 2021-2022: Action Document for EUBAM 13 – Supporting resilience across borders*, 2021, available online at: [https://neighbourhood-enlargement.ec.europa.eu/system/files/2021-12/C\\_2021\\_9719\\_3\\_EN\\_annexe\\_acte\\_autonome\\_nlw\\_part1\\_v1.pdf](https://neighbourhood-enlargement.ec.europa.eu/system/files/2021-12/C_2021_9719_3_EN_annexe_acte_autonome_nlw_part1_v1.pdf)

<sup>195</sup> Regulation No 2021/947, recital 51.

<sup>196</sup> Regulation No 2021/947, article 8.

<sup>197</sup> European Commission, *Commission Staff Working Document: Applying the Human Rights Based Approach to international partnerships An updated Toolbox for placing rights-holders at the centre of EU's Neighbourhood, Development and International Cooperation*, SWD(2021) 179 final, 2021, available online at: [https://international-partnerships.ec.europa.eu/news-and-events/news/taking-forward-commitment-reducing-inequalities-human-rights-based-approach-toolbox-adopted-2021-07-05\\_en](https://international-partnerships.ec.europa.eu/news-and-events/news/taking-forward-commitment-reducing-inequalities-human-rights-based-approach-toolbox-adopted-2021-07-05_en)

<sup>198</sup> Regulation No 2021/947, article 8(4).

## 4. THEMATIC ANALYSIS

### KEY FINDINGS

#### Coherence:

- **Incoherence in relation to the EU's overall objectives in third countries characterises activities aimed at preventing migration and mobility;**
- **Opportunities for improvement of both internal coherence** (coherence of different activities supported by the same fund) **and external coherence** (coherence of activities supported by different funds) **have been identified**, particularly in the area of return and readmission; the expansion of Frontex as an actor in this area has been highlighted as a factor making this even more pressing.

#### Effectiveness and efficiency:

- The **effectiveness of activities related to forced displacement are easier to measure as the indicators used are quantitative;**
- As **many migration activities relate to capacity building**, where results are more difficult to measure and only become apparent in the longer term, **effectiveness is difficult to assess;**
- Member States have **divergent views as to what should be the objectives of EU activities on migration. This contributes to making it difficult to put in place robust monitoring of impact;**
- **Effectiveness may be affected by the limited number of organisations receiving funding related to forced displacement and particularly migration.** While those organisations may be the ones best equipped to apply for and receive EU funding, they may not always be the most effective in the sense of achieving results.

#### Monitoring mechanisms, including on fundamental rights:

- Monitoring mechanisms **vary depending on which funding instrument and management modality is considered.** Previous evaluations and analysis highlighted shortcomings in the case of Trust Funds which are newer funding modalities without established monitoring mechanisms;
- There is **no indication that the fundamental rights provisions in the AMIF and ISF-BV Funds were operationalised in the 2014-2020 funding period;**

#### Transparency:

- **Accessibility of data in relation to EU funding for asylum, forced displacement and migration is a considerable challenge.** While it can be assumed that the migration marker applied to NDICI–Global Europe will improve the situation, it is unclear whether related provisions in the AMIF and ISF-BV Funds will be used.

### 4.1. Coherence of objectives

There are many different definitions and understandings of coherence, the study has tried to limit its analysis to certain specific usages of the term. First, coherence was mainly considered as the extent to which the objectives of specific projects are coherent with the EU's overall objectives in relation to a third country (as referenced in respective country strategy papers) and the needs identified by the third country (as identified in national development programme or equivalent document). Subsequently, further secondary aspects of coherence were also considered.

- Coherence in relation to the EU's overall objectives in a specific third country

At the heart of assessing the coherence of migration-related funding is the challenge that EDF and NDICI–Global Europe funded activities have to be ‘DAC-able’, meaning that they have to meet the criteria for Official Development Assistance (ODA), as defined by the OECD’s Development Assistance Committee (DAC). The DAC definition sets out the (civilian) activities, support, resources and equipment that qualify as ODA. In addition, EDF activities and now NDICI–Global Europe funded activities should contribute to the SDGs, which broadly means reducing poverty, providing alternatives to irregular migration (including legal pathways) and protecting the rights of people on the move. In the Treaty on the Functioning of the EU (TFEU), eradicating poverty remains the guiding principle for development policy. Reducing the number of migrants arriving in Europe (or indeed elsewhere) is not, and cannot be, an objective of DAC-able development aid, yet since the beginning of the perceived crisis of 2015 – and arguably before – reducing the number of arrivals in Europe has been a political imperative for the EU.

The Treaty on the European Union (TEU) provides in Article 21 the overall objectives of all EU external action, including development cooperation. In the course of the research, the treaty basis and the related legal obligation for development assistance to focus on poverty eradication and comply with the DAC criteria was mentioned by an EU official involved in EU funding as an important safeguard to ensure that funding was not diverted to activities outside the scope of development.<sup>199</sup>

The focus on strengthening state capacities to manage migration flows may have harmed vulnerable people, which points to a lack of coherence between migration-related programming on the one hand, and the EU’s development commitments on the other. The EUTF Mid-Term Evaluation notes that, while regularising trans-border movement is a legitimate concern of the state, ‘increased focus on border controls may have negative effects on vulnerable groups that are dependent on cyclical or regional trans-border movements for household survival.’<sup>200</sup>

An additional challenge is that migration management does not have the same priority for national authorities of third countries as it has for the EU. Indeed, for some governments, the reverse is true as high (potential) migration from that country may be an incentive for seeking international aid, including from the EU.<sup>201</sup> Even with that as an incentive, no country falling under NDICI–Global Europe has listed migration among its top priorities for cooperation with the EU,<sup>202</sup> meaning that the EU’s focus on it, including in the form of a specific spending target, risks undermining coherence with the priorities of partner countries and the underlying principle of local ownership. The Mid-Term Evaluation of the EUTF for Africa noted, however, that ‘national ownership of the EUTF has increased over time, particularly as the EUTF became more context-sensitive and attentive to host communities.’<sup>203</sup> It is reasonable to suppose that as national ownership increases, so too does the coherence (alignment) of EUTF with national strategies.

AMIF funds for cooperation in third countries are not part of development cooperation, so do not have to respect the DAC criteria. They instead focus on issues that are directly linked with the internal dimension. In relation to coherence between EU funding and the priorities of third countries, an EU official remarked that Home Affairs funds do not need to be relevant to the needs of the third country; this is a difference compared to EU development assistance.<sup>204</sup> Similarly, IcSP funds can even be disbursed without host government assent.<sup>205</sup>

- Coherence between funding programmes in different parts of the world (external coherence)

<sup>199</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>200</sup> GDSI, *Mid-term Evaluation*, 2020, op.cit., p. 5.

<sup>201</sup> Interview, Representative of the European Commission I, 19 September 2022.

<sup>202</sup> Interview, Representative of the European Commission II, 20 September 2022.

<sup>203</sup> GDSI, *Mid-term Evaluation*, 2020, op.cit., p. 5.

<sup>204</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>205</sup> Interview, Representative of a European Institution, 19 September 2022.

Even within particular funding instruments, there is a lack of coherence among objectives. For example, not all (potential) migrants are treated in the same way. As discussed above, the EUR 240 million of humanitarian aid allocated to Uganda since 2017<sup>206</sup> (not all of which relates to displacement, although much will do so as Uganda is a leading host country of refugees) can be compared to the EUR 6 billion allocated to the EU Turkey Facility for a similar period, to support 4 million refugees in that country. Similarly, the IcSP was mobilized very quickly to support migration-related programming such as the Agadez reception centre in order to bridge the gap between EU political commitments and the establishment of EU Trust Funds to implement those political commitments. This reflects the fact that EU decision-making responded to internal EU political needs, rather than the relative needs of different (potential) groups of displaced people.

Finally, important areas of migration policy, such as legal migration and mobility from and between European and African countries, remain poorly resourced<sup>207</sup> and are 'hardly addressed by the EUTF [for Africa]'.<sup>208</sup>

- Coherence within funds, in relation to objectives (internal coherence)

With regards to internal coherence, the interim evaluations of the AMIF and ISF-BV found that there was 'high complementarity between national programmes and EMAS [Emergency Assistance] (which have clearly supported each other) and high coherence between national programmes and Union actions (the Union actions being clearly designed to complement the national programmes)'.<sup>209</sup> However, coherence could be improved between the programmes managed by the Commission itself, that is, between EMAS and Union Actions. For example, 'AMIF beneficiaries are not very aware of the actions and projects completed within the AMIF framework (beneficiaries appear to perceive most coordination as informal, being done on own initiative and not incentivised, while there is a clear need for more formalised information on project and national level)'.<sup>210</sup>

For external funding, evaluation of migration-related programming against migration-related indicators is either limited to outputs (e.g. number of people assisted or number of security agents trained) rather than outcomes, or – as in the case of the Békou Trust Fund – not measured against migration objectives, but rather against coherence with the humanitarian-peace-development nexus and against flexibility of the instrument.

For the EU Trust Fund, the North Africa and Horn of Africa windows have no documented criteria for selecting project proposals. Instead, the European Commission explained that it takes into account each proposal's relevance to regional or national strategies, as well as potential implementing partners' specific expertise and presence on the ground. Only the Sahel/Lake Chad (SLC) window's operational framework includes criteria for selecting actions.

With the replacement of the EUTF with the Team Europe Initiative (TEI), in which the national development agencies of Member States are key actors, there may be a further divergence from the EU's overall objectives as these agencies are usually implementers of national programmes and therefore organisationally aligned with national rather than EU objectives and working practices.

- Coherence of activities supported by different funds (external coherence)

<sup>206</sup> ECHO, 'Uganda: Factsheet', undated, op. cit.

<sup>207</sup> Interview, Representatives of DG INTPA, Directorate A, European Commission, 15 September 2022.

<sup>208</sup> GDSD, *Mid-term Evaluation*, 2020, op. cit., p. 5.

<sup>209</sup> European Commission, *Interim Evaluation of AMIF 2014-2017*, 2018, op. cit., p. 46.

<sup>210</sup> European Commission, *Interim Evaluation of AMIF 2014-2017*, 2018, op. cit., p. 47. This also applies to the ISF-BV. See, for more information, European Commission, *Interim Evaluation of the ISF-BV 2014-2017*, 2018, op. cit., p. 50. Interview, Magdalena Irzycka, Federal Public Service Home Affairs, Belgium, 23 September 2022

The AMIF Regulation imposes on the Commission and the Member States, together with the European External Action Service, an obligation to ensure coordination with relevant Union policies, strategies and instruments, as follows:

‘They shall, in particular, ensure that actions in and in relation to third countries:

- (a) are carried out in synergy and in coherence with other actions outside the Union supported through other Union instruments;
- (b) are coherent with external Union policy, respect the principle of policy coherence for development and are consistent with the strategic programming documents for the region or country in question;
- (c) focus on measures that are not development-oriented; and
- (d) serve the interests of internal Union policies and are consistent with activities undertaken within the Union.’<sup>211</sup>

However, the AMIF Regulation does not explain how coordination with external union policy should be operationalised and how it will be evaluated. The interim evaluations of AMIF and ISF-BV found that DG HOME’s Funds were coherent with each other and complementary to other EU Funds, including the EDF and EUTF. Measures to ensure coherence included coordination mechanisms in the programming and implementation phases, including exchange of information among authorities responsible for different EU Funds and potential beneficiaries, as well as formal institutional arrangements set up to boost the coordination and synergies with other EU Funds. At the national level, the responsible authorities and monitoring committees were found to be key to ensuring synergies and avoiding overlaps, for example by requiring beneficiaries to report on other sources of European funding they receive and to ensure there was no duplication.

The interim evaluation of AMIF also dedicates a paragraph to actions that relate to third countries. It found that ‘DG HOME together with other DGs and services (EEAS, DEVCO, NEAR, ECHO, JUST, EMPL) used coordination groups at the programming stage to ensure different interventions were coherent and complementary — examples of such assessments are the Regional Development and Protection Programmes (RDPPs); the actions funded by the EU Trust Fund for Africa; the Development Cooperation Instrument; or the Mobility Partnership Facilities supported by Union actions and those by ISF Police and ISF Borders.’<sup>212</sup> Representatives from DG HOME confirmed that their funding for actions related to third countries aims to complement the external funds. They also reported that the coordination groups mentioned in the interim evaluation of the AMIF will continue to operate during 2021-2027.<sup>213</sup> For example DG HOME, DG INPA and DG NEAR have already set up a steering group. In addition, the different DGs have established informal channels of communication and feedback.

The linkages between EU internal and external funds have worked well in the past – particularly through the RDPP for the Horn of Africa which had budget contributions from the EDF, Member States and DG HOME. Discussion within the framework was good.<sup>214</sup> Complementarity between the different funding instruments worked well, and DG HOME external actions, such as combatting trafficking and smuggling, make sense in a development context.

According to a European Commission representative<sup>215</sup>, coherence of EU funding on asylum and migration supported by different funds outside the EU has improved in the current funding period. Since 2015, more coordination is taking place between all the relevant DGs on migration, including

<sup>211</sup> AMIF Regulation, article 5(3).

<sup>212</sup> European Commission, *Interim Evaluation of the Asylum, Migration and Integration Fund 2014-2017* SWD(2018) 339 final, 2018, p. 47

<sup>213</sup> Interview, Representatives of DG HOME, European Commission, 30 September 2022.

<sup>214</sup> Interview, Representatives of DG HOME, European Commission, 30 September 2022.

<sup>215</sup> Interview, Representative of the European Commission II, 20 September 2022.



funding. Weekly meetings at Director level take place for all relevant services (DG INTPA, DG NEAR, DG ECHO, FPI, DG HOME) and cabinets. While those meetings are not exclusively focused on funding, it is covered. The Quality Support Group established under the EUTF Africa which brought together relevant EC services and the EEAS was also considered as a useful model.<sup>216</sup> In addition, the fact that NDICI–Global Europe merges five separate funding instruments from the previous funding period was mentioned as potentially contributing to improved coherence.<sup>217</sup>

The area where the challenges of coherence between activities funded by internal funds and external funds is most prominent is return and reintegration. The preparation in an EU country for return, the flight itself to the country of origin and the post-arrival reintegration are funded by AMIF. Sometimes the support to individuals who return funded by AMIF can be up to six months, at which point it may overlap with reintegration interventions supported by development assistance. As a result, before agreeing on development-related interventions on reintegration, DG INTPA has to find out the various kinds of return programmes that are supported by DG HOME and individual Member States to avoid double funding.<sup>218</sup> The fact that AMIF funding for return, for instance as part of the previous European Return and Reintegration Network (ERRIN), is jointly managed with Member States while development support to reintegration is managed either directly or indirectly by the European Commission, is challenging because the funding modalities and reporting lines are very different.<sup>219</sup> The recent arrival of Frontex as an actor in the field of reintegration, also in the area of capacity building, is likely to complicate the situation and create additional coordination challenges.<sup>220</sup> As the Frontex budget follows a different reporting and discharge procedure, the challenges for oversight on this and other areas related to Frontex activities in third countries – also in terms of coherence with other activities – have yet to be addressed.

- Coherence in relation to activities funded by EU Member States

Assessing this level of coherence falls outside the scope of the study because funding from EU Member States was not analysed. However, some elements became apparent during the study.

First, analysis by the European Court of Auditors pointed out that joint implementation plans of DGs (ECHO and NEAR) and Member States could have enhanced overall coherence of EU assistance in the Facility of Refugees in Turkey<sup>221</sup> and also that there were no procedures for ensuring systematic coordination of projects with other activities supported by donors to the fund in the case of the Békou Trust Fund.<sup>222</sup>

Second, the principles behind NDICI programming are “co-creation” and “geographisation”, meaning that Member States are regularly consulted on programming and that actions should take place at the lowest relevant level, which is usually at the national rather than regional level. It was mentioned that the focus on priority countries for activities related to migration and forced displacement within the EU institutions and in coordination to Member States, via the drafting of Action Plans, has further strengthened coherence. However, ensuring coherence with Member State funding on migration, including via the Team Europe approach has been highlighted as a continuous challenge<sup>223</sup> by some and having potential for improved coherence by others.<sup>224</sup>

<sup>216</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>217</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>218</sup> Interview, Representative of the European Commission II, 20 September 2022.

<sup>219</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>220</sup> Interview, Representative of the European Commission II, 20 September 2022.

<sup>221</sup> European Court of Auditors, *The Facility for Refugees in Turkey*, 2018, op. cit.

<sup>222</sup> European Court of Auditors, *The Békou EU trust fund*, 2017, op. cit.

<sup>223</sup> Interview, Representative of the European Commission II, 20 September 2022.

<sup>224</sup> Interview, Representative of the European Commission III, 10 October 2022.

## 4.2. Effectiveness and efficiency of funds

For the purpose of this study, the definitions of effectiveness and efficiency from the EU's own Better Regulation methodology<sup>225</sup> were used. Effectiveness was defined for the purpose of the study as how successful the EU action was in achieving or progressing towards its objectives and what benefits have been the result of the EU action for different stakeholders including final beneficiaries, entities funded, relevant authorities and the EU itself. Efficiency of EU funding considers the resources used by an intervention compared to the given changes generated by the intervention (which may be positive or negative), and particularly the costs of the EU intervention as they accrue to different stakeholders.

Due to the late approval of the Regulations establishing the AMIF and ISF-BV (July 2014) and other Regulations covering management and control systems, only a few projects were completed by 2017. This is why the interim evaluations of the two funds included little information on effectiveness and efficiency. Their focus is mainly on effectiveness, offering some examples of supported actions. References to efficiency are not included.

- Effectiveness

Assessing overall effectiveness has to take into account the different objectives of the key funding instruments discussed in 4.1 above. Competition between the political priorities of Member States and the objectives of development aid mean that some areas of migration-related programming and other priority areas for EU external action remain under-funded and deprioritised.

It was considered that activities related to forced displacement are easier to measure for effectiveness as the indicators used are quantitative (e.g. how many people have been reached via specific service delivery). For migration, measuring impact is more difficult as activities often cover capacity building, training institutions, and developing policies which are long-term processes. The sensitivity of the topic also contributes to the difficulty of evaluating impact. In addition, migration activities in third countries often focus on the EU's own objectives rather than what is referred to as the 'comprehensive, mutually beneficial' approach which can be illustrated by the scarce activities related to expanding regular pathways for migration. This in turn makes third country governments suspicious of the EU and less willing to cooperate, thereby reducing the effectiveness of EU funding and the credibility of the EU on migration.<sup>226</sup>

The fact that MS have divergent views as to what should be the objectives of EU activities related to migration can also contribute to making it more difficult to set up robust monitoring of impact. According to an EC official, half of EU Member States think that the objective should be to stop migration to the EU, while the other half thinks that the objective should be to facilitate migration and make it safer for people who migrate – objectives in direct tension with each other.

Within the broad sweep of migration-related programming, addressing labour migration has been deprioritised, both in terms of (political) attention and in funding. There have been plans to work with the African Union, the Economic Community of West African States and the Intergovernmental Authority on Development to develop frameworks to protect migrant labour. There has been some success in this field in bilateral work and more could be done to build on these successes. For example, the EC worked with the government of Ethiopia through the MIP to support developing labour agreements between Ethiopia and the Gulf states, and the engagement of Ethiopian labour attachés in the Gulf to support Ethiopian nationals working there.<sup>227</sup>

<sup>225</sup> European Commission, 'Better Regulation toolbox', undated, Chapter 7, available online at: [https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox/better-regulation-toolbox-0\\_en](https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox/better-regulation-toolbox-0_en)

<sup>226</sup> Interview, Representative of the European Commission II, 20 September 2022.

<sup>227</sup> Interview, Representatives of DG INTPA, Directorate A, European Commission, 15 September 2022.



There are also the uncountable opportunity costs. For example, IcSP funded the purchase of new boats for the Turkish coastguard at a cost of EUR 30 million, which the government of Türkiye could have afforded, without any meaningful monitoring of what impact the provision of these boats had in relation to people on the move. That EUR 30 million was therefore not available for timely IcSP projects in other regions at risk of escalating conflict, such as the Western Balkans.<sup>228</sup>

Sustainability of interventions is a key component of their effectiveness. Capacity building of national authorities is a transversal area that is central for sustainability and needs greater attention. With the end of the Trust Funds, it is not clear where capacity building funds may come from, although there may be space within the TEI migration projects, and there may be the possibility in appropriate contexts for sectoral support. Increased capacity and ownership within national authorities, particularly for return and integration projects will be key for the success of these projects.<sup>229</sup>

An additional complication is the creation of the Trust Funds as a way to enable flexible and timely disbursement by Member States that enabled the EU to act without the constraints inherent in disbursing development funds (e.g. host country agreement). This flexibility is often the focus of the evaluation of the Trust Funds, i.e. their characteristics as a funding tool, rather than the impact of the programming they supported. For example, the *Rapport de Capitalisation* for the Bêkou Trust Fund considered operational flexibility and donor coordination, but did not measure impact against any migration-related criteria.<sup>230</sup>

While all migration-related activities assessed by the European Court of Auditors delivered on their outputs, the outcomes and eventual results of the activities were more mixed. For instance, in the case of return and reintegration, the 2019 report found that 'results were uneven and the impact could not be assessed.' This was due to a range of factors: part of the activity funded had a capacity building component, which is difficult to evaluate; there is generally no clear framework for measuring the sustainability of reintegration and it is impossible to provide a country-wide evaluation of support to reintegration because assistance is provided at an individual level and its impact is heavily dependent on the specific situation of the individual; the differences between and within countries was stark; and there was no uniformity of data.<sup>231</sup> Even within a specific project, such as ERRIN, it was difficult to compare effectiveness as Member States' return packages varied considerably.<sup>232</sup>

With regards to the effectiveness of actions that relate to third countries, the AMIF interim evaluation concluded that, 'along with other sources, the Fund contributed to developing an external dimension [of the Common European Asylum System], most notably through two RDPPs (one in the north of Africa and one in the Horn of Africa). These were initiatives from the EU, Member States and other partners (international organisations) designed to help host communities in third countries protect refugees, and strengthen the capacities of local authorities in managing migration.'<sup>233</sup> The evaluation also highlighted some specific examples of the positive results achieved by the RDPPs, including the 'case de passage' (guesthouse) set up in Agadez in Niger that provided temporary accommodation to asylum seekers and evacuees from Libya.<sup>234</sup> Finally, the interim evaluation determined that AMIF increased cooperation between Member States and third countries on trafficking (through Union actions), and improved capacity building on return by supporting training (through the EMN) which can be considered as contributing to effectiveness.<sup>235</sup>

<sup>228</sup> Interview, Representative of the European Commission I, 19 September 2022.

<sup>229</sup> Interview, Representatives of DG INTPA, Directorate A, European Commission, 15 September 2022.

<sup>230</sup> Groupe URD, *Capitalisation d'expériences*, 2022, op. cit.

<sup>231</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>232</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>233</sup> European Commission, *Interim Evaluation of AMIF 2014-2017*, 2018, op. cit., p. 30.

<sup>234</sup> European Commission, *Interim Evaluation of AMIF 2014-2017*, 2018, op. cit., p. 31.

<sup>235</sup> European Commission, *Interim Evaluation of AMIF 2014-2017*, 2018, op. cit., p. 35.

For its part, the ISF-BV evaluation described some projects used to strengthen cooperation with third countries under the visa objective, such as the deployment of temporary liaison officers and visa experts in consulates in third countries, who were directly responsible for the fight against fraudulent documentation, as well as cooperation through consulates regularly consulting with each other in order to detect counterfeit documents.<sup>236</sup> No examples were given for the border management objective in relation to third countries.

Apart from the limited information included in the 2018 interim evaluations of the AMIF and ISF-BV, there has been no other reporting on effectiveness and efficiency of the two Funds. An assessment based on these criteria is planned for inclusion in the Funds' ex-post evaluations. However, these will not be finalised until June 2024.<sup>237</sup>

- Efficiency

In some countries, effectiveness and efficiency may be hampered by the limited number of organisations supported to work on forced displacement and migration, which results in the fact that a considerable amount of funding is channelled to only a few international organisations. In this respect, the Lives in Dignity Grant Facility (see Box 1) represents an interesting and innovative approach by the European Commission, which seeks to provide funding to a diverse group of implementing partners in a flexible structure.

It was also mentioned the potential overlap of activities funded in specific countries and carried out by different actors may not be ideal in terms of efficiency although it may have other benefits. If funding parameters are sufficiently flexible, this can allow the EU to react quickly when the context in a particular country changes, acting in coordination with the implementing organisation. In these circumstances, developing a new activity would take too long to be useful.<sup>238</sup>

#### BOX 1: Lives in Dignity Grant Facility

The EU-UNOPS Lives in Dignity (LiD) Grant Facility was created in 2020 to efficiently and effectively channel funding to promote development-oriented approaches to new, recurrent and protracted displacement crises, focusing on early operational engagement.

The Grant Facility will allocate EUR 24 million through a number of funding cycles over the period of four years (2021-2025) to a diverse group of implementing partners. The strategic priorities for the Facility:

- Early engagement of development-led approaches to forced displacement.
- A needs rather than status-based approach where - in addition to refugees - host communities, IDPs, undocumented refugees, and voluntary returnees are included wherever possible.
- A coherent and complementary approach with strong synergies between all partners.

Source: European Commission (DG INTPA), *Lives in Dignity Grant Facility*, available online at: [https://international-partnerships.ec.europa.eu/policies/programming/programmes/lives-dignity-grant-facility\\_en#about-lives-in-dignity](https://international-partnerships.ec.europa.eu/policies/programming/programmes/lives-dignity-grant-facility_en#about-lives-in-dignity)

### 4.3. Monitoring mechanisms, including compliance with fundamental rights

Monitoring mechanisms vary depending on which funding instrument and management modality is considered. For the EU external action budget, results oriented monitoring (ROM) takes place a couple

<sup>236</sup> European Commission, *Interim Evaluation of the ISF-BV 2014-2017*, 2018, op. cit., p. 32.

<sup>237</sup> Interview, Representatives of DG HOME, European Commission, 30 September 2022.

<sup>238</sup> Interview, Representative of the European Commission III, 10 October 2022.

of years into the lifespan of a project. In addition, both for the Home Affairs funds and the EU external action budget there are mid-term and final evaluations of programmes. These mechanisms operate at project or programme level and therefore do not allow for a more global assessment of the EU's activity in a certain area.<sup>239</sup> The annual report prepared by EU delegations in the form of the External Assistance Management Report provides a more holistic overview at the country level and serves two purposes, management support and accountability. Through the use of Key Performance Indicators, performance is measured against targets or benchmarks. As a result of the reporting and in the case of implementation problems, a ROM review or other performance assessments could be triggered.<sup>240</sup>

In relation to compliance with rules, the Financial Regulation was mentioned as providing robust procedures for approval of programmes, details on the development of projects and standard contracts for implementing partners, as well as audit requirements.<sup>241</sup> At EU delegation-level, operational and finance teams are responsible for ensuring compliance with the rules. For EU development assistance, an EU official remarked that in addition to the European Commission's internal control system, the people working on EU funding in delegations constitute an important safeguard to ensure that EU funding complies with EU values and that risk is managed.<sup>242</sup>

For funding under shared management, the national authorities of the respective MS are responsible for ensuring compliance with EU rules and values. A challenge arises in that MS can choose the output indicators that they report on, which in turn means that it is difficult to aggregate results for a specific fund.<sup>243</sup>

Previous evaluations and analysis highlighted shortcomings in relation to monitoring mechanisms, particularly in the case of Trust Funds, being newer funding modalities without established monitoring mechanisms. For instance, the European Court of Auditors' report on the Békou Trust Fund in 2017 found that it has 'no framework to measure its performance at fund level, since it has not drawn up a comprehensive results chain for its overall objective, spelling out expected results (outputs, outcomes, impact), with corresponding indicators.'<sup>244</sup> In 2018, the ECA's report on the EUTF for Africa included the criticism that, 'While the EUTF for Africa has adopted a common monitoring system, it is not yet operational and the three windows use different systems for monitoring performance. We found that project objectives were often not SMART and indicators used for measuring project performance lacked baselines.'<sup>245</sup> Even when it became operational, the fact that including information was not an obligation meant that not all implementing partners included information, which in turn created difficulties.<sup>246</sup>

An EU official remarked that overall improvements in monitoring and evaluation of EU development assistance over the past ten years have also resulted in stricter oversight mechanisms for migration and forced displacement funding. In addition, the 10% spending target on migration and forced displacement as part of the NDICI–Global Europe regulation also led to stricter control mechanisms such as the migration marker.<sup>247</sup>

In its Special Report, the European Court of Auditors found that there are no lessons learned mechanism for the EUTF for Africa as a whole. The report goes on to state:

'Another important element is having a proper risk management framework. However, the Constitutive Agreement makes no reference to this management tool. Furthermore, Member

<sup>239</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>240</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>241</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>242</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>243</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>244</sup> European Court of Auditors, *The Békou EU trust fund*, 2017, op. cit., p. 26.

<sup>245</sup> European Court of Auditors, *The Békou EU trust fund*, 2017, op. cit., p. 5.

<sup>246</sup> Interview, Representative of a European Institution, 16 September 2022.

<sup>247</sup> Interview, Representative of the European Commission II, 20 September 2022.

States participating in the TF are equally exposed to risks (financial, reputational, etc.) as the Commission. Two Member States explicitly requested a specific risk assessment framework during the first Trust Fund Board meeting. However, so far the Commission has preferred to rely on the internal control systems of DG DEVCO and DG NEAR, rather than establishing a specific risk assessment framework for the EUTF for Africa. In contrast, for trust funds managed by the UN and the World Bank, it is considered good practice to have a specific risk assessment framework.<sup>248</sup>

- Compliance with fundamental rights

A study commissioned by the European Parliament and published in 2021 found that ‘no pre-allocation appraisal, post-allocation independent monitoring, or other follow up evaluation has been undertaken to ensure compliance with human rights and avoid contributing to violations’ of activities supported by the Turkey Refugee Facility.<sup>249</sup> It also noted that the EU Trust Fund for Africa does not include a human rights conditionality clause nor any provisions related to the assessment and monitoring of human rights impact.<sup>250</sup>

The legal obligation to ensure that 93% of NDICI–Global Europe falls under the OECD DAC criteria was highlighted by an EC representative as important guidance and an effective control tool to ensure that EU funding related to forced displacement and migration complies with ODA eligibility. This, in addition to the reference to the EUTF and the objectives of development assistance, were mentioned as the relevant legal requirements guiding EU development spending.<sup>251</sup>

The overarching framework for compliance with fundamental rights of AMIF and BMVI comes from the combination of a ‘fundamental rights clause’ in the AMIF and the BMVI Regulations and an ‘enabling conditions clause’ in the CPR. The AMIF, BMVI Regulations and CPR also prescribe the inclusion of stakeholders with fundamental rights expertise in the governance of the Funds, and stipulate specific reporting obligations.

As far as the fundamental rights clauses are concerned, the AMIF Regulation states that ‘all actions funded under the Fund, including those carried out in third countries, should be implemented in full compliance with the rights and principles enshrined in the Union acquis and the Charter of Fundamental Rights of the European Union (the ‘Charter’), and should be in line with the international obligations of the Union and the MS arising from the international instruments to which they are party, in particular by ensuring compliance with the principles of gender equality, non-discrimination and the best interests of the child.’<sup>252</sup> The BMVI Regulation provides that ‘actions funded under the Instrument shall be implemented in full compliance with the rights and principles enshrined in the Union acquis and the Charter and with the Union’s international obligations as regards fundamental rights, in particular by ensuring compliance with the principles of non-discrimination and non-refoulement.’<sup>253</sup> Moreover, the AMIF and the BMVI Regulations require the EC to pay particular attention to the implementation of actions in or in relation to third countries.<sup>254</sup>

The 2014-2020 AMIF and ISF-BV Funds included very similar provisions in their Regulations.<sup>255</sup> However, in practice, there are no indications that these provisions were operationalised. The questions used for the interim evaluations of the AMIF and the ISF-BV overlook these articles. The most relevant questions included (‘How did the Fund contribute to strengthening and developing all aspects of the Common European Asylum System, including its external dimension?’ and ‘What progress was made towards

<sup>248</sup> European Court of Auditors, *European Union Emergency Trust Fund for Africa*, op. cit., paras 24-25.

<sup>249</sup> European Parliament, *The EU Approach on Migration in the Mediterranean*, 2021, op. cit., p. 147.

<sup>250</sup> European Parliament, *The EU Approach on Migration in the Mediterranean*, 2021, op. cit., p. 149.

<sup>251</sup> Interview, Representative of the European Commission II, 20 September 2022.

<sup>252</sup> AMIF Regulation, recital 5.

<sup>253</sup> BMVI Regulation, article 4.

<sup>254</sup> AMIF Regulation, article 34(4) and BMVI Regulation, article 28(5).

<sup>255</sup> Regulation No 516/2014, recital 33 and article 3(1); Regulation No 515/2014, article 3(1).

ensuring the application of the Union's *acquis* on border management, and how did the fund contribute to achieving this progress?) did not make any reference to human rights.<sup>256</sup> A few MS mentioned human rights in their responses to the ISF-BV mid-term evaluation, but this was limited and anecdotal. Moreover, the ISF-BV evaluation concluded that 'currently, the Fund is not supporting Member States in applying the non-refoulement principle.' This raises concerns, given that there is a risk that the Fund's support for border management may contribute to violations of the fundamental principle of non-refoulement.

In addition, there is no indication that, in the 2014-2020 AMIF and ISF-BV, the EC or MS allocated any funding to projects specifically supporting compliance with fundamental rights. The BMVI seems to be taking steps in this direction however. The work programme of the BMVI's thematic facility for 2021 and 2022 includes two relevant actions: a call for proposals 'to support innovative forms of cooperation for enhancing the national components of the European Border and Coast Guard (EBCG), in particular on the implementation of the EBCG Fundamental Rights Strategy'; and a call for proposals 'to support pilots for the development and launch of a fundamental rights monitoring mechanism in relation to activities at the external borders, with a view to developing models and examples that could serve for the future development.'<sup>257</sup> Nevertheless, there is no indication of the budget that has been allocated to these actions.

In addition to the fundamental rights clauses in the Regulations of the Funds themselves, the CPR establishes a set of prerequisite conditions (called "enabling conditions") that MS should fulfil for the implementation of the AMIF and the BMVI before payments from the EC can be authorised. One of these conditions requires MS 'to have in place effective mechanisms to ensure compliance with the Charter of Fundamental Rights.'<sup>258</sup> MS should assess the fulfilment of this condition when they prepare their national programmes, which will then be reviewed by the EC as part of the process of approval of the national programmes. In addition, as part of their annual performance reports, MS must include information on 'the fulfilment of the applicable enabling conditions and their application throughout the programming period, in particular compliance with fundamental rights.'<sup>259</sup> While these are interesting developments for the 2021-2027 period, it is too early to assess their operationalisation as the national programmes are still under negotiation and the first annual performance reports are due in December 2023.

Another positive development introduced for the 2021-2027 AMIF and BMVI is that 'whenever a Member State decides to implement a project with or in a third country with the support of the Fund, the Member State concerned shall consult the Commission prior to the approval of the project.'<sup>260</sup> The Regulations do not provide further details regarding the nature and outcomes of this consultations. At the time of writing the report, DG HOME was finalising the terms of the consultation, expected to be

<sup>256</sup> European Commission, *Interim Evaluation of AMIF 2014-2017*, 2018, op. cit., p. 63; European Commission, *Interim Evaluation of the ISF-BV 2014-2017*, 2018, op. cit., p. 75.

<sup>257</sup> European Commission, *Commission Implementing Decision of 19.5.2022 amending Commission Implementing Decision C(2021) 8459 on the financing of the components of the Thematic Facility under the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy, and adoption of the work programme covering the years 2021 and 2022 for actions implemented under direct and indirect management and the years 2021 to 2024 for actions implemented under shared management*, 2022, p. 5, available online at: [https://home-affairs.ec.europa.eu/system/files/2022-05/Revised%20BMVI%202021-22%20Work%20Programme-substantial\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2022-05/Revised%20BMVI%202021-22%20Work%20Programme-substantial_en.pdf) Accessed 16 September 2022.

<sup>258</sup> According to Annex III of the CPR, effective mechanisms in place to ensure compliance with the Charter of Fundamental Rights of the European Union ('the Charter') shall include:

- Arrangements to ensure compliance of the programmes supported by the Funds and their implementation with the relevant provisions of the Charter.
- Reporting arrangements to the monitoring committee regarding cases of non-compliance of operations supported by the Funds with the Charter and complaints regarding the Charter submitted in accordance with the arrangements made pursuant to Article 69(7).

<sup>259</sup> AMIF Regulation, article 35(2)f; BMVI Regulation, article 29(2)f..

<sup>260</sup> AMIF Regulation, article 16(8).



operational before the end of 2022, when it is also likely that MS national programmes will be approved.<sup>261</sup>

The inclusion of stakeholders with fundamental rights expertise in the governance of the Funds applies both at the national and EU level. At the national level, the CPR requires MS to organise and implement a partnership throughout the Funds' policy cycle, which should cover the preparation, implementation, and evaluation of programmes. The partnership shall include relevant partners representing civil society, non-governmental organisations, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination.<sup>262</sup> A similar obligation was included in 2014-2020, but the current MFF is more specific about involving civil society and bodies responsible for fundamental rights. Moreover, the CPR introduces a new obligation for the EC to 'at least once a year, consult organisations which represent partners at Union level on the implementation of programmes, and [...] report to the European Parliament and Council on the outcome.'<sup>263</sup> No reporting to the European Parliament has taken place yet.

At the EU level, the AMIF and the BMVI Regulations require the EC to ensure that the knowledge and experience of relevant decentralised agencies, including the Agency for Fundamental Rights, are 'taken into account as regards the areas of their competence, at an early stage and in a timely manner, in the development of the Member States' programmes.'<sup>264</sup> Moreover, relevant agencies may be involved, where appropriate, in the monitoring and evaluation tasks, 'in particular with a view to ensuring that the actions implemented with the support of the Instrument are compliant with the relevant Union acquis and agreed Union priorities.'<sup>265</sup> In addition, the AMIF and the BMVI Regulations require the EC to 'engage with civil society organisations and relevant networks, in particular with a view to preparing and evaluating the work programmes for Union actions financed under the Fund.'<sup>266</sup> Arrangements for this engagement have not yet taken place, despite the fact the EC has already approved the first work programmes of the AMIF and the BMVI thematic facilities.

#### 4.4. Transparency

As outlined in section 1.3 accessibility of data related to EU funding on displacement and migration is a significant challenge, and constitutes the most notable difficulty encountered by the study. This means in turn that assessing coherence, effectiveness and efficiency is rendered very difficult.

Illustrative of the difficulty of identifying and tracing migration-related spending is the investigation conducted by three journalists from Nigeria, Italy and the Netherlands who tried to grasp EU funding related to migration going into Nigeria. After months of research, they compiled a list of projects and activities that were funded, but were not able to verify whether this is the complete list.<sup>267</sup>

The Trust Funds have proven to be more transparent than other elements of the EU architecture where it comes to publishing accounts and monitoring reports. The EUTF for Africa latest Annual Report (2021) notes that the monitoring and learning system (MLS) for the Horn of Africa and Sahel/Lake Chad windows 'focus[es] on outputs, but are gradually providing more and more information on outcomes.'<sup>268</sup>

<sup>261</sup> Interview, Representatives of DG HOME, European Commission, 30 September 2022.

<sup>262</sup> CPR, article 8(1)c.

<sup>263</sup> CPR, article 8(1)c.

<sup>264</sup> AMIF Regulation, article 16(4). and BMVI Regulation, article 13(4).

<sup>265</sup> AMIF Regulation, article 16(5) and BMVI Regulation, article 13(6).

<sup>266</sup> AMIF Regulation, article 11(3) and BMVI Regulation, article 8(3).

<sup>267</sup> Vermeulen, M. et al, 'A breakdown of Europe's EUR 1.5bn migration spending in Nigeria', 2019, op. cit.

<sup>268</sup> EC, *Trust Fund for Africa Annual Report 2021*, 2022, op. cit., p. 18.

It can be expected that the introduction of a migration marker which is applicable for all expenditure under NDICI–Global Europe in the current funding period will lead to a more easily accessible overview of EU development assistance covering forced displacement and migration.

Transparency obligations for the implementation of DG HOME Funds are different depending on how the resources are managed. In the case of shared management, transparency obligations lie with the managing authorities in each MS. In the case of direct and indirect management, transparency obligations lie with the EC.

As far as shared management is concerned, MS are expected to ensure transparency of the implementation, monitoring and evaluation of the national programmes. The managing authority must ensure that, within 6 months of the programme's approval, there is a website 'where information on programmes is available, covering the programme's objectives, activities, available funding opportunities and achievements.'<sup>269</sup> The website must also contain a timetable of the planned calls for proposals and a list of operations selected for support by the Funds. Both the timetable and the list of operations must be updated at least every 4 months.<sup>270</sup> These obligations are the same as in 2014-2020, with the exception that the 2021-2027 Regulations specify the timelines.

In addition, MS are required to submit annual performance reports to the EC on the progress made in the implementation of their programmes. Regarding the implementation of AMIF in and with third countries, annual performance reports shall include the following information:

- 'Complementarity between the actions supported under the (AMIF and BMVI) and the support provided by other Union funds, in particular those actions taken in or in relation to third countries.'
- 'Fulfilment of the applicable enabling conditions and their application throughout the programming period, in particular compliance with fundamental rights.'
- 'The implementation of projects in or in relation to a third country.'<sup>271</sup>

Only the summaries of annual performance reports must be publicly available, so the extent of information that will be provided is not clear.

As far as direct and indirect management are concerned, the EC must publish the work programmes of the thematic facilities. In addition, it should publish information on the recipients of Funds. This type of information must be updated regularly and published in 'an open, machine-readable format which allows data to be sorted, searched, extracted and compared.'<sup>272</sup> In addition, the AMIF and the BMVI Regulations include a new interesting requirement for the EC to 'report on the use and the distribution of the thematic facility between the components, including on the support provided to actions in or in relation to third countries under the Union actions.'<sup>273</sup> However, the Regulations are not specific about the level of detail and the timeline of the obligation. This dual approach means that information is scattered across MS and EC websites. Moreover, as there are no templates setting out how the information should be presented, the information is created and published in different formats, including standalone lists of projects and web entries listing the projects supported. The content also differs. For example, it is common to only find the acronyms or the names of the projects without even a short description of the activities supported.

<sup>269</sup> CPR, article 49(1).

<sup>270</sup> CPR, articles 49(2) and 49(3).

<sup>271</sup> AMIF Regulation, articles 35(1) and 35(2); BMVI Regulation, articles 29(1) and 29(2).

<sup>272</sup> AMIF Regulation, article 30(3) and BMVI Regulation, article 24(3).

<sup>273</sup> AMIF Regulation, article 11(10) and BMVI Regulation, article 8(8).



Even more challenging is finding information on whether projects were implemented outside the EU. As highlighted in the report from ECRE and UNCHR,<sup>274</sup> data is often simply not published by the EC or MS. For example, a list of awarded projects in 2014 and 2015 and 2020 under Union Actions and Emergency Assistance were not publicly available at the time of writing the study.<sup>275</sup> Furthermore, some calls for proposals that were included in the annual work programmes and MS' programmes failed or were eventually cancelled. However, there is no public notice for these cancellations. This means that information can only be searched project by project through the beneficiaries, creating a considerable burden on the researcher. As described in the previous sections, the interim and mid-term evaluation reports mainly rely on partial and qualitative examples with respect to projects outside the EU. Even basic information such as the overall amount of funding or the main beneficiaries was not available in the evaluation reports of AMIF and ISF-BV. At the national level, while MS have an obligation to publish the mid-term evaluations of their programmes, these are often difficult to find, or just not available. Finally, the only specific transparency obligations on the implementation of the Fund towards the European Parliament is for the EC 'to prepare a report about the outcome of the mid-term review and submit it to the European Parliament and to the Council by the end of 2026.'<sup>276</sup> A similar obligation was included in the previous Funds. The report submitted to the European Parliament for the 2014-2020 AMIF and ISF-BV was a summarised version of the standalone AMIF and ISF-BV interim reports, so it did not provide any new information.<sup>277</sup>

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<sup>274</sup> Casajuana, E., Westerby, R., *Follow the Money IV*, 2022, op. cit., p. 20.

<sup>275</sup> For 2020, information on projects awarded under call for proposals is available in the Funding and Tenders Portal of the EC.

<sup>276</sup> AMIF Regulation, article 18(6).

<sup>277</sup> European Commission, *Interim Evaluation of AMIF 2014-2017*, 2018, op. cit.

## 5. CASE STUDIES

### KEY FINDINGS

#### General:

- **EU funding for migration activities in Niger lacks transparency and is therefore hard to trace and to analyse;**
- **Details of current and past expenditure of donor funds in Afghanistan is no longer published due to security concerns.**

#### Niger:

- The EU considers Niger an important transit country for people travelling from West Africa to North Africa (particularly to Libya and Algeria), and also for those returning or expelled. It is thus seen as a key country for cooperation on migration control;
- **The EU invested significantly in Niger early in the EUTF for Africa's lifecycle (EUR 253m since 2015), of which Oxfam identified EUR 122.2m (48%) as earmarked for migration control measures.** The approach based on disrupting migration has been criticised for destabilising the region's economy and stability;
- **The IcSP was used to disburse EU funds quickly during the period while the EUTF for Africa was being set up.** It included funding for projects that increased tensions within the country;
- There is concern that the **EU has gone beyond ODA criteria in certain arrangements in Niger;**
- **In July 2022, the EC announced strengthened cooperation in the fight against trafficking of migrants and the launch of an operational partnership between the EU and Niger to include** the joint investigation team (*Equipe conjointe d'investigation*, ECI), through which Nigerien and EU Member State security actors work together; information and awareness campaigns; an agreement (to be finalised) between Frontex and Niger; reinforcement of EUCAP Sahel Niger (EUR 72 million); and EUR 195 million in budget support for 'consolidation of the state and resilience' connected to migration. Two Team Europe Initiatives (TEI) will focus on migration-related programming.

#### Afghanistan:

- **From 2015 on, migration, and particularly the issues of return and deportation, became increasingly prominent in EU-Afghanistan relations, including funding;**
- **The EU has used funding in relation to Afghanistan to increase returns.** The Joint Way Forward was signed by the EU and Afghanistan in 2016 a day before an international donor conference co-hosted by both parties;
- Due to limitations in accessing data and the additional challenge that relevant databases do not include information about beneficiaries anymore due to security concerns, **it is impossible to ascertain how much EU funding has supported asylum, forced displacement and migration priorities in Afghanistan;**
- **Since August 2021, development support to Afghanistan has been halted and support to the country has been provided via Special Measures. As part of this funding, EUR 79 million have been allocated to the Afghan displacement crisis.**

## 5.1. Methodological factors

This report relies on desk research. Access to information is more difficult now than in 2020. The FTS database is functionally unsearchable at any level of country or thematic detail. The information that is available is presented as graphics, with no database including project names or reference numbers or any way of identifying the beneficiary organisations or countries implementing projects. Reverse search (i.e. entering a project number into google) does not yield results.

The website of the EU Delegation to Niger states on its page 'The EU and Niger' that 'In a sensitive general context in political, economic, social and security terms, relations between the EU and Niger are expressed primarily through development cooperation.' It lists areas of political relations, economic relations and trade, humanitarian aid, development cooperation and civil society. There is no reference to migration despite the extensive agreements, initiatives and funding known to have been provided. The Delegation website does not list EU-funded projects implemented in Niger. There is no press contact given and the 'newsroom and resources' page is empty. (The website is only available in English, which is not an official or widely used language in the country.)

For Afghanistan, the significant change in the security situation in the country following the take-over of the Taliban in August 2021 has meant that information related to projects supported by the EU and the beneficiaries of EU funding has been removed from the publicly available websites. This means that the analysis of migration and forced displacement spending in Afghanistan in the previous funding period cannot be considered reliable because cross-checking information with relevant databases was not possible. While the names of programmes and beneficiaries should rightly be removed from the public domain in the current circumstances, these concerns cannot justify removing all information regarding disbursement and commitment of EU funds in Afghanistan during the previous and current MFFs.

## 5.2. Case Study Niger

The Sahel and Lake Chad region is very fragile, with high levels of poverty, insecurity- and climate-related displacement, compounded by the Covid-19 pandemic.

The EU considers Niger an important transit country for people travelling from West Africa to North Africa (particularly Libya and Algeria) and back, and thus a key country for migration control cooperation. Recent articles use titles such as 'Niger: the New European Border Guard.'<sup>278</sup> EU funding for migration control in Niger and the region, has been controversial since the establishment of the EU Trust Fund for Africa, including the allegations that migration-related spending has undermined regional mobility and therefore resilience.<sup>279</sup>

### 5.2.1. Past EU funding (2014-2020)

A brief review of the (limited) data available on EDF funding 2014-2020 suggests that EDF funds have been allocated to migration-related programming, despite the absence of reference to migration or asylum on the EU Delegation website, or any prominent mention in the MIP. There is no search term for migration or asylum available on the EU Aid Explorer website, which in practice means searching that database for migration-related funding is not possible. (SDG 10 is undifferentiated, for example).

#### **EUTF for Africa**

The EU invested significantly in Niger early in the EUTF for Africa's lifecycle (EUR 253m since 2015), of which Oxfam identified EUR 122.2m (48%) as marked for migration control. This approach has been criticised for undermining the region's economy and stability, by introducing restrictions on movement

<sup>278</sup> See, for example: Lambert, L., 'Niger Neuer Grenzsoldat Europas', Migration control.info, 2019, available online at: <https://migration-control.info/wiki/niger/>

<sup>279</sup> Oxfam, *The EU Trust Fund for Africa*, 2020, op. cit., p. 20.

that have undermined resilience.<sup>280</sup> The Mid-Term Evaluation of IcSP noted that IcSP projects in Niger caused tension between the EU and the government of Niger, between the central government of Niger and the decentralised authorities in Agadez, and between local and national authorities and communities over different interests and priorities linked to tackling smuggling and trafficking of migrants.<sup>281</sup> Furthermore, the EU's migration partnership with Niger has prompted MEPs to raise concerns regarding the inclusion of ODA in political deals and *quid pro quo* purchases of cars, helicopters and planes.<sup>282</sup> The European Ombudsman is also investigating claims that EUTF for Africa funds have been used by national authorities – including EUR 11 million to the Government of Niger for equipment including drones and a wire-tapping centre – against political opponents and human rights defenders.<sup>283</sup>

Over 2018 and 2019, EUTF for Africa funding for Niger has decreased significantly to EUR 65.1 million, most of which (EUR 48 million) has been allocated for development, with EUR 17.5 million for migration management. Yet the action documents of the Niger projects still frame Niger in the context of its location on the Central Mediterranean migration route, with 'stronger and stronger migratory pressure posing serious consequences for the region and for the EU'. For example, a EUR 30 million project that aims to contribute to the creation of an inclusive and sustainable local economy in Agadez, Tahoua and Zinder is measured by a list of objectives and indicators that include 'an improvement to migration management' and 'a reduction to the (net) irregular migration flows from Niger towards Europe'. Another EUR 7.6m development project provides employment opportunities and basic services – but only for those previously engaged in trafficking or 'illegal activities related to migration', as an attempt to shift the economic focus elsewhere, rather than as a genuine development tool.<sup>284</sup>

As of December 2021 (the last year in which funds could be committed under EUTF for Africa, although implementation will continue until 2025), regional projects represent the largest proportion of EUTF funding, at EUR 603.3 million (30% of the total) supporting 56 regional projects. At the country level, Niger has the largest portfolio, with a budget of EUR 292.9 million, or 15% of the total and representing 26 projects.<sup>285</sup>

Strategic Objective 4 (security and governance activities) is the main priority in Niger, accounting for 41% of programming, and EUR 132.4 million.<sup>286</sup> Strategic Objective 1 (economic and employment opportunities) has led to EUR 88.9 million funding in Niger, and a further EUR 53.9 million on migration management (Strategic Objective 3).<sup>287</sup>

The 'EUTF Monitoring and Learning System SLC Yearly 2021' includes details of the output indicators of EUTF for Africa funding in Niger to date<sup>288</sup> but without outcome monitoring and analysis it is difficult to assess how these activities have affected (potential) migrants.

<sup>280</sup> Oxfam, *The EU Trust Fund for Africa*, 2020, op. cit., p. 20.

<sup>281</sup> European Commission, *External Evaluation of the IcSP (2014-mid 2017)*, 2017, op. cit., p. 12.

<sup>282</sup> Oxfam, *The EU Trust Fund for Africa*, 2020, op. cit.

<sup>283</sup> EU Observer *EU under scrutiny for bankrolling surveillance in Africa* 12 October 2022 Available at [https://euobserver.com/migration/156268?utm\\_source=euobs&utm\\_medium=email](https://euobserver.com/migration/156268?utm_source=euobs&utm_medium=email) (accessed 18 October 2022)

<sup>284</sup> Oxfam, *The EU Trust Fund for Africa*, 2020, op. cit.

<sup>285</sup> Altai Consulting, *EUTF Monitoring and Learning System SLC Yearly 2021 Report*, 2022, p. 15, available online at: [https://ec.europa.eu/trustfundforafrica/sites/default/files/2021\\_yearly\\_monitoring\\_report\\_for\\_the\\_sahel\\_and\\_lake\\_chad\\_region\\_-\\_full\\_report.pdf](https://ec.europa.eu/trustfundforafrica/sites/default/files/2021_yearly_monitoring_report_for_the_sahel_and_lake_chad_region_-_full_report.pdf)

EU aid explorer yields different figures: According to EU Aid Explorer, the EU TF disbursed EUR 289.51 million 2014-2022 in Niger, which represents 7% of the total EU TF Africa disbursement for the same period (EUR 4.08 billion). The difference between commitment and disbursement may explain this difference of EUR 2.5 million. See [https://euaidexplorer.ec.europa.eu/explore/recipients\\_en](https://euaidexplorer.ec.europa.eu/explore/recipients_en)

<sup>286</sup> Altai Consulting, *EUTF Monitoring*, 2022, op. cit., p. 15-16.

<sup>287</sup> Altai Consulting, *EUTF Monitoring*, 2022, op. cit., p. 15-16.

<sup>288</sup> Altai Consulting, *EUTF Monitoring*, 2022, op. cit., p. 106.

The complexity of funding streams dedicated to migration-related programming is highlighted throughout this report, which can only generally deal with direct funding to particular programmes and with no general overview even at the country level. This point was raised in the Mid Term Evaluation of the 11<sup>th</sup> EDF in relation to migration-related funding in Ethiopia – in addition to direct support for migration-related programming in that country, Ethiopia also received indirect support, such as through EU funding of the Pan-African Programme (PANAF), funded from EDF and later DCI resources.<sup>289</sup>

The Mid-Term Evaluation of the IcSP found that migration-related activities under Article 3 contributed to the EU's evolving policy in this area (e.g. EU Agenda on Migration) and provided a bridging function between other instruments and TFs that no other instrument could.<sup>290</sup> The EU Agenda on Migration included written commitments for immediate support to projects such as the Agadez Transit Centre in Niger, and IcSP was the only instrument that could mobilise the necessary funds in a short-time frame, one month in this case.<sup>291</sup> An important characteristic of IcSP is that like the Trust Funds and unlike EDF or NDICI, it does not require host government consent for programming nor do activities have to be DAC-able.

In the period 2014-2020, the EU (ECHO and Member States) provided EUR 523.6 million in humanitarian aid in Niger.<sup>292</sup>

### 5.2.2. Current EU funding (2021-2027)

In July 2022, the EC announced strengthened cooperation in the fight against trafficking of migrants and the launch of an operational partnership between the EU and Niger.<sup>293</sup> This appears to repackage various existing commitments, which are reviewed below. With the exception of budget support, the announcement does not contain funding commitments.

The partnership is part of the new EU Pact on Migration and Asylum and foresees strengthening EU-Niger cooperation in the following areas:

- The joint investigation team (*Equipe conjointe d'investigation*), through which Nigerien and EU Member State security actors work together to breakup trafficking networks;
- Information and awareness campaigns on the risks of irregular migration and trafficking;
- An agreement (to be finalised) between Frontex and Niger (see below); and
- Reinforcement of EUCAP Sahel Niger (see below).

The agreement includes a coordination mechanism to support the implementation of the operational partnership to ensure coherence between the actors and alignment with Niger's national policy on migration (2020-2035) and the EU's global approach to migration. It will also include TEIs (see below) and support from NDICI–Global Europe, including EUR 195 million in budget support, for key security and socio-economic reforms, and for migration management. These commitments will include support

<sup>289</sup> European Commission, *External Evaluation of the 11<sup>th</sup> European Development Fund (2014-mid 2017) Final Report Annexes*, 2017, p. 222, available online at: [https://international-partnerships.ec.europa.eu/system/files/2019-09/edf-evaluation-final-report-annexes\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2019-09/edf-evaluation-final-report-annexes_en.pdf)

<sup>290</sup> European Commission, *External Evaluation of the IcSP (2014-mid 2017)*, 2017, op. cit., p. 12.

<sup>291</sup> Interview, Representative of the European Commission I, 19 September 2022.

<sup>292</sup> Obtained from the ECHO- EDRIS database at <https://webgate.ec.europa.eu/hac/> There is no migration marker and a manual search reveals names of beneficiaries (e.g. International Organisation on Migration) which is too inaccurate to be useful in attempting to identify migration-related projects.

<sup>293</sup> European Commission, 'Renforcement de la coopération dans la lutte contre le trafic de migrants : l'Union européenne et le Niger lancent un partenariat opérationnel de lutte contre le trafic de migrants', 2022, available online at: [https://www.eeas.europa.eu/delegations/niger/renforcement-de-la-coopération-dans-la-lutte-contre-le-traffic-de-migrants-lunion\\_fr?s=113](https://www.eeas.europa.eu/delegations/niger/renforcement-de-la-coopération-dans-la-lutte-contre-le-traffic-de-migrants-lunion_fr?s=113)

to economic development and increased access to good quality public services, particularly in the region of Agadez.<sup>294</sup>

#### Multiannual Indicative Programme for Niger (2021-2027)

The focus of the MIP for Niger (2021-2027) is to 'promote an integrated approach for peace, justice, inclusive governance and efficient institutions; to support the emergence of a green, digital economy, with and for young people; and (iii) support the multidimensional management of migration.'<sup>295</sup>

The MIP aligns with the Nigerien '*Stratégie de Développement Durable et de Croissance Inclusive (SDDCI)*' du Niger, organised around six pillars. Managing migration is not one of these six pillars.<sup>296</sup> In addition to the SDDCI, the MIP is also aligned with national development plans, including the '*Plan de Développement Economique et Social*' (PDES) 2017-2021, sectoral strategies and plans. Managing migration does not feature as a major theme of any of these national strategies, although key areas such as solidarity and socio-economic inclusion, as well as broader sustainable development, may contribute to reducing migration. Managing migration does not then appear to be a major priority for the national authorities, and, given the importance of aligning international development aid to national priorities, it is not highlighted in the MIP per se. The government has, however, adopted a national policy on migration (2020-2035) that the EU Niger partnership will align with (see above).

The MIP identifies significant risks to programming, including: poor public finance management and widespread corruption, growing (young, rural) population with inadequate public services, an aid-dependent administration and fragmentation amongst the donors/implementing bodies; significant structural gender and geographical discrimination; and regional, national and local instability.

The description of governance, the MIP's first priority, can be summarised as follows: firstly, as consolidating democracy and inclusive governance, to reinforce social and political cohesion after divisive elections, through reinforcing national institutions and the efficiency of the public administration, 'but most of all through the accountability of the State notably regarding i) its responsibility to restore security as a public good across the national territory, in order to be able to restore basic service provision to the citizens, and ii) its accountability in relation to realising the objectives of the PDES [national development plan] and the plan that succeeds it, as well as in the good management of public finances that underpins this.'<sup>297</sup>

The MIP includes an indicative budget for the period 2021-2024 (the budget for the subsequent period is subject to EU decision), in which 38% (EUR 192 million) of the total indicative budget of EUR 503 million is allocated to priority 1, governance.<sup>298</sup>

The Annual Action Plan 2021 attributes EUR 50 million to the TEI 1 *governance-paix-droits* project, EUR 96.7 million for TEI 2 '*Niger-Générations-Futures*'; EUR 5 million for the cooperation facility to support the TEIs and to strengthen EU-Niger partnership by improving coherence with EU development policies, coordination with other development activities, and their visibility and by ensuring the visibility and understanding of EU policies in Niger, tackling disinformation through strategic communication and public diplomacy; EUR 195 million in budget support for 'consolidation of the state

<sup>294</sup> European Commission, 'Renforcement de la coopération', 2022, op cit.

<sup>295</sup> Republic of Niger, European Union, *Programme indicatif multiannuel 2021-2027 en faveur de la République du Niger Instrument de voisinage, de coopération au développement et de coopération internationale — Europe dans le monde*, available online at: [https://international-partnerships.ec.europa.eu/countries/niger\\_en](https://international-partnerships.ec.europa.eu/countries/niger_en) (translation by author).

<sup>296</sup> Republic of Niger, European Union, *Programme indicative multiannuel*, op. cit., p. 2.

<sup>297</sup> Republic of Niger, European Union, *Programme indicative multiannuel*, op. cit., p. 3.

<sup>298</sup> Republic of Niger, European Union, *Programme indicative multiannuel*, op. cit., p. 20.



and resilience' connected to migration.<sup>299</sup> In total, the maximum EU contribution for implementing the 2021 Action Plan is EUR 300 million.<sup>300</sup>

The EU (ECHO and Member States) also committed EUR 123 million in humanitarian aid to Niger in 2021.<sup>301</sup>

### 5.2.3. Team Europe Initiatives (TEIs)

Since the end of the Trust Funds, TEIs are a way of bringing together the EU institutions (including DG HOME) and Member States to work together on a variety of issues, including, in Niger, on migration. The Member States present in Niger (France, Germany, Luxembourg, Belgium, Italy, Spain, and the Netherlands) will implement two TEIs in Niger. Denmark (not present) may also participate in TEI 1.

- a. TEI 1 (*Gouvernance-Paix-Droits*) – in the 'Trois Frontières' region (focus area for the EU Delegation) to reduce instability (and, implicitly, migration)
- b. TEI 2 (*Niger Générations Futures*) – to develop and modernise the economy and (implicitly) to incentivise young Nigeriens to stay.

The Capacity4Dev website makes the connection between the TEI 1 proposal and migration explicit: 'At the territorial level: Support for the emergence of secure centers of stabilisation, recovery and development in 3-4 departments under strong demographic pressure and influx of refugees and displaced people.'<sup>302</sup> The same page lists 'migration partnerships' as the second priority in Niger, after the Green Deal and separately from and before Governance, Peace and Security (third on the list). This suggests that – at working level at least – migration is considered differently from both governance and the Green Deal, and that it is integrated, implicitly or otherwise, across the EDF budget lines that fund TEI 1&2.

Similarly, for TEI 2 (#Nigergenerationsfutures) the transformational potential of the proposal includes stopping 'the increase of societal insecurity and migration.' Migration is not, however, listed on this page as a thematic priority.<sup>303</sup>

There is no active joint programming document in Niger. The two TEIs 'will lead to the development of a monitoring system for the TEIs based on a joint results framework validated by all Member States. This work will strengthen the coordination of Team Europe and lead to a joint analysis, as a first step towards a joint response.'<sup>304</sup>

<sup>299</sup> European Commission, *Annexes 1-3 de la Décision d'exécution de la Commission relative au financement du plan d'action annuel 2021 en faveur de la République du Niger: Document d'action Facilité de coopération*, available online at: [https://international-partnerships.ec.europa.eu/countries/niger\\_en](https://international-partnerships.ec.europa.eu/countries/niger_en)

<sup>300</sup> European Commission, *Décision d'exécution de la Commission du 16.12.2021 relative au financement du plan d'action annuel 2021 en faveur de la République du Niger*, 2021, p. 3, available online at: [https://international-partnerships.ec.europa.eu/countries/niger\\_en](https://international-partnerships.ec.europa.eu/countries/niger_en)

<sup>301</sup> Obtained from the ECHO- EDRIS database at <https://webgate.ec.europa.eu/hac/>

<sup>302</sup> Capacity4Dev Niger- Governance, Peace and Rights available at <https://europa.eu/capacity4dev/tei-jp-tracker/tei/niger-governance-peace-and-rights> (accessed 17 October 2022) European Commission, *Annexes de la Décision d'exécution de la Commission relative au financement du plan d'action annuel 2021 en faveur de la République du Niger. Document d'action Facilité de coopération* Available at [https://international-partnerships.ec.europa.eu/countries/niger\\_en](https://international-partnerships.ec.europa.eu/countries/niger_en)

<sup>303</sup> Capacity4Dev Niger- Governance, Peace and Rights available at <https://europa.eu/capacity4dev/tei-jp-tracker/tei/niger-governance-peace-and-rights> (accessed 17 October 2022)

<sup>304</sup> Capacity4Dev, 'Team Europe Initiative and Joint Programming tracker: Niger, Africa – Western', undated, available online at: <https://europa.eu/capacity4dev/tei-jp-tracker/niger?tab=jpt>

#### 5.2.4. Operational Coordination Mechanism for the External Dimension of Migration (MOCADDEM)

The Operational Coordination Mechanism for the External Dimension of Migration (MOCADDEM) was created by Council Implementing Decision (EU) 2022/60<sup>305</sup> and has been used to facilitate discussions on the EU's actions in various countries including Niger. MOCADDEM roundtables are intended to contribute to a coordinated and timely response from the EU to the situation of relations between the EU and a third country as regards migration. Convened by the EU Presidency, MOCADDEM brings together the various Commission services (including INTPA, NEAR, HOME), the EEAS and interested Member States (other EU or Member State actors may be invited as appropriate) to share information on the internal and external dimensions of the new Pact. The Decision states that 'The MOCADDEM does not replace or duplicate existing Union mechanisms or arrangements'<sup>306</sup> but the volume of consultation processes, formal and informal, at the global, regional and national levels in Brussels and in-country suggests an over-abundance of coordination mechanisms, and yet little accompanying transparency on how funds are disbursed. It should also be underlined that the national (i.e. host) authorities are not present in MOCADDEM.

The TEI 1 in Niger foresees a '*facilité de coopération*' to support in-country coordination including with national authorities.

MOCADDEM may provide the opportunity to increase coordination between different "headquarters" based policy makers for specific countries. However, there is also a significant risk that in situations like Niger, where migration is a high EU priority, it could reduce the coherence between EU EDF programming and national development strategies; between the objectives of the EDF/MIP and the TEI activities; and between headquarters and in-country TEI actors.

#### Role of NGOs

According to migration control.info, there is little role for NGOs to engage on migration in Niger largely because of the dominance of the IOM in the sector. NGOs' participation is often as implementing partners (service providers) particularly for raising awareness of the risks (potential) migrants may face and so supporting deterrence.<sup>307</sup> Many Nigerien NGOs active in the sector are dependent on EU funding,<sup>308</sup> which must call into question their ability to either shape or monitor EU spending on migration in Niger.

#### 5.2.5. Frontex in West Africa

The West African route through the Sahel region, a historical transit zone, is another main priority for Frontex, whose presence in the region was strengthened in 2010 with the launching of the Africa-Frontex Intelligence Community (AFIC). AFIC – a framework for cooperation with 31 African States – aims to enhance the effectiveness of border management by establishing and improving information sharing and communication channels, and by improving the operational capabilities of the beneficiary African States and their capacity to share strategic and operational risk analyses on migration flows, border security and cross-border criminality.

<sup>305</sup> Council Implementing Decision (EU) 2022/60 of 12 January 2022 on the Operational Coordination Mechanism for the External Dimension of Migration [2022] OJ L 10/79-81, available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32022D0060>

<sup>306</sup> Council Implementing Decision (EU) 2022/60, op. cit., article 1(4).

<sup>307</sup> Lambert, L., 'Niger', 2019, op. cit.

<sup>308</sup> Lambert, L., 'Niger', 2019, op. cit.

In one such case within the framework of AFIC, Frontex cooperates with Niger by sharing information regarding border management, providing training and capacity building, and setting up integrated border management systems, including ensuring the interoperability of West-African databases and their accessibility by EU authorities.<sup>309</sup>

Migrants travelling through West Africa risk racketeering, arbitrary arrest and detention, deportation, and torture by State and non-State actors. Many of them die or are abandoned in Niger's desert region. The situation in Niger has worsened in the wake of structural changes in national legislation made in the name of EU cooperation. In particular, Niger, a traditional transit country, was the first sub-Saharan country to amend its national legislation to criminalise smuggling in 2015 and has adopted repressive measures that include forms of containment of migrants.<sup>310</sup> Criminalisation of migration and closing of borders have led to an increase in smugglers' fees, and enhanced risks to individuals' safety as many are forced to take more dangerous 'underground' routes.<sup>311</sup>

### 5.2.6. Common Security and Defence Policy mission EUCAP Sahel Niger

EUCAP Sahel Niger was established in 2012 to build the capacity of Nigerien security actors to fight terrorism and organised crime. Its mandate has been renewed four times, and containing irregular migration by combatting traffickers is now a 'major objective'.<sup>312</sup>

The mandate is expected to be renewed again for the period 2022-2024. This (sixth) mandate of the mission is expected to have a budget of EUR 72 million, and EU Member States will contribute in-kind by seconding 55 staff members.<sup>307</sup>

The results of the previous mandate (2020-2022) record outputs (e.g. 185 international personnel deployed, 19,000 members of the Nigerien security forces trained since 2012)<sup>314</sup> but do not provide outcomes in relation to migration.

## 5.3. Case Study Afghanistan

The EU and its Member States have been significantly engaged in Afghanistan since 2001, including via funding. While state-building, and institutional and rule of law reform were significant focus areas for the EU throughout, migration, and particularly the issue of return, became increasingly prominent in EU-Afghanistan relations from 2015 on. Afghanistan was one of the countries covered by the Partnership Framework in 2016,<sup>315</sup> a specific Action Plan to operationalise the Pact on Asylum and

<sup>309</sup> Zandonini, G., 'Biometrics: The new frontier of EU migration policy in Niger', *The New Humanitarian*, 2019, available online at: <https://www.thenewhumanitarian.org/news-feature/2019/06/06/biometrics-new-frontier-eu-migration-policy-niger>

<sup>310</sup> For details, see Claes, J., Schmauder, A., *When the dust settles – Economic and governance repercussions of migration policies in Niger's north*, 2020, available online at: <https://www.clingendael.org/pub/2020/when-the-dust-settles/>

<sup>311</sup> ARCI, *The dangerous link between migration, development and security for the externalisation of borders in Africa. Case studies on Sudan, Niger and Tunisia*, 2018, available online at: <https://www.statewatch.org/media/documents/news/2018/jul/report-frontiere-2018-english-.pdf> ; Cited in Statewatch, 'Frontex cooperation with third countries: examining the human rights implications', 2021, available online at: [https://www.statewatch.org/analyses/2021/frontex-cooperation-with-third-countries-examining-the-human-rights-implications/#\\_edn4](https://www.statewatch.org/analyses/2021/frontex-cooperation-with-third-countries-examining-the-human-rights-implications/#_edn4)

<sup>312</sup> EUCAP Sahel Niger, *5e mandat 2020-2022*, undated, available online at: <https://eucap-sahel.eu/wp-content/uploads/2020/10/New-mandate-2020.pdf>

<sup>313</sup> Statewatch, '€72 million for EU security and immigration mission in Niger', 2022, available online at: <https://www.statewatch.org/news/2022/september/72-million-for-eu-security-and-immigration-mission-in-niger/>

<sup>314</sup> EUCAP Sahel Niger, *5e mandat 2020-2022*, op. cit.

<sup>315</sup> European Commission, *Communication on establishing a new Partnership Framework with third countries under the European Agenda on Migration*, COM(2016) 385 final, 2016, available online at:

Migration has been developed for Afghanistan, and Afghanistan is being discussed in the MOCADDEM format. The take-over by the Taliban in August 2021 has significantly changed the way the EU engages with the country, including in the realm of funding.

### 5.3.1. Past EU funding (2014-2020)

According to the European Commission, development assistance under the DCI going to Afghanistan between 2014-2020 amounted to EUR 1.4 billion.<sup>316</sup> In addition, the EU provided humanitarian assistance to Afghanistan via DG ECHO amounting to almost EUR 365 million.<sup>317</sup>

According to a representative of the European Commission, the European Union was a significant player in Afghanistan, including on forced displacement and migration, due to the volume of its funding. Within the Afghan regional context, the issue of forced displacement, including IDPs and returnees from Pakistan and Iran were predominant.<sup>318</sup> Later in the funding cycle, this was expanded to cover capacity building and border management.

The increased prominence of migration, and particularly return, in the relation between the EU and Afghanistan can be illustrated by an analysis of the MIP 2014-2020 for Afghanistan<sup>319</sup> finalised in 2014, and the Cooperation Agreement on Partnership and Development (CAPD)<sup>320</sup> finalised in 2017. While the MIP does not mention migration and refers to displacement only in relation to Afghans who are internally displaced, the CAPD includes a separate article on migration which refers to the Global Approach to Migration and Mobility and dialogue and cooperation on the following issues: 'asylum, relations between migration and development, regular and irregular immigration, return, readmission, visas, border management, document security, and the fight against trafficking in human beings and migrant smuggling.'<sup>321</sup> It also includes an agreement to conclude readmission agreements, paving the way for bilateral agreements between EU Member States and Afghanistan.

During the previous funding period, the EU tried to use cooperation agreements to increase returns. The Joint Way Forward, signed by the EU and Afghanistan in 2016 a day before the EU and the Government of Afghanistan co-hosted the Brussels Conference on Afghanistan to discuss Afghanistan's future and agree levels of support from the international community, is the embodiment of this approach. Concerns about the agreement include that it bypassed parliamentary scrutiny, unlike more formal readmission agreements.<sup>322</sup> In 2021, the Joint Way Forward was replaced by the Joint Declaration on Migration Cooperation between Afghanistan and the EU.<sup>323</sup> According to a European Commission official, the EU aims at a holistic approach that brings together the different aspects of

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[https://www.europarl.europa.eu/RegData/docs\\_autres\\_institutions/commission\\_europeenne/com/2016/0385/COM\\_C\(2016\)0385\\_EN.pdf](https://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_europeenne/com/2016/0385/COM_C(2016)0385_EN.pdf)

<sup>316</sup> European Commission, 'International Partnerships: Afghanistan', undated, available online at: [https://international-partnerships.ec.europa.eu/countries/afghanistan\\_en](https://international-partnerships.ec.europa.eu/countries/afghanistan_en)

<sup>317</sup> Calculation based on EDRIS database available at: <https://webgate.ec.europa.eu/hac/>

<sup>318</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>319</sup> EEAS, *EU development Cooperation Instrument: Multi-annual Indicative programme 2014-2020*, 2014, available online at: [https://eeas.europa.eu/sites/eeas/files/multi-annual-indicative-programme-2014-2020\\_en\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/multi-annual-indicative-programme-2014-2020_en_0.pdf)

<sup>320</sup> Council of the EU, *Cooperation Agreement on Partnership and Development between the European Union and its Member States, of the one part, and the Islamic Republic of Afghanistan, of the other part*, 12966/16, 2016, available online at: <https://data.consilium.europa.eu/doc/document/ST-12966-2016-INIT/en/pdf>

<sup>321</sup> CAPD, Article 28.

<sup>322</sup> For a detailed analysis on the EU's relation with Afghanistan in the previous budget period, particularly in relation to return, please see ECRE, *EU Migration Policy and Returns: Case Study on Afghanistan*, 2019, available online at: <https://ecre.org/wp-content/uploads/2017/11/Returns-Case-Study-on-Afghanistan.pdf>

<sup>323</sup> Council of the EU, *Joint Declaration on Migration Cooperation between Afghanistan and the EU*, 5223/21, 2021, available online at: <https://www.statewatch.org/media/1801/eu-council-joint-declaration-afghanistan-5223-21-add1.pdf> (This agreement is on hold following the take-over of the country by the Taliban).

migration and ensures it is part of the broader approach to Afghanistan as further underlined by the Pact on Migration and Asylum.<sup>324</sup>

Following the Geneva Conference on Afghanistan in 2018, and particularly with the adoption of the Afghanistan Partnership Framework, migration-related objectives rose in importance as the release of funding was made subject to progress towards the agreed targets.<sup>325</sup> For the migration relevant action Action 1.2, the targets were the passing and implementation of a Comprehensive Migration Policy through a costed Action Plan and the improved access to effective basic services, housing, and decent employment for returnees.<sup>326</sup>

During the National Unity Government in Afghanistan (2014-2019), a Displacement and Returnees Executive Committee (DiREC) was established. It was chaired by Dr Abdullah Abdullah Chief Executive of Afghanistan. The UN Deputy Special Representative and Minister of Refugees and Repatriation were acting co- chairs in his absence. Meetings took place on a monthly basis to discuss issues related to migration management, returns and reintegration and displacement.<sup>327</sup> DiREC members were the Afghan government line ministries, UN agencies, ICMPD, GIZ, the EU delegation for Afghanistan, the US embassy, and from time to time and based on need EU member state embassies participated as well.

Despite this high-level coordination body, it was remarked that due to issues related to corruption, frequent staff rotation and overall lack of capacity within the relevant institutions, it was difficult to engage the Afghan authorities in a more strategic political dialogue on migration encompassing elements such as Diaspora engagement, the role of the private sector, and expansion of labour mobility.<sup>328</sup> While on the technical level, cooperation between donors and the Afghan government was functioning well, it took considerable effort to expand from a narrower focus on assistance for displaced people and returnees. The development of the Comprehensive Migration Policy aimed to address this issue. It had four priority areas: return and sustainable reintegration; promotion of regular migration; prevention of irregular migration; migration and development. The fact that funding was connected to progress on targets in the Afghanistan Partnership Framework did not mean that development funding released in response to achieving migration-related targets would then be invested in migration-related priorities by the Ministry of Finance of the Afghan Republic.<sup>329</sup>

According to a civil society expert working for a public finance watchdog, some civil society representatives were involved in monitoring the use of funds and, where relevant, commissioned and published research highlighting shortcomings. He was not aware of more systematic engagement of civil society in identifying priorities and informing programming decisions.<sup>330</sup> As part of the development of the Comprehensive Migration Policy, a process that started in 2017, extensive consultation took place with governmental, international and civil society stakeholders. It was remarked that the latter were very confident in voicing their views and positions in relation to the country's migration policy which was considered a testament to the level of freedom of speech in the country at the time.<sup>331</sup>

Attempting to identify what percentage of past funding to Afghanistan contributed to asylum, forced displacement and migration is challenging. A snapshot of Afghanistan in the 2020 Working Paper by

<sup>324</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>325</sup> Interview, Samim Ahmadi, ICMPD, 7 October 2022.

<sup>326</sup> *Afghanistan Partnership Framework*, 2022, available online at: <https://um.fi/documents/35732/0/Afghanistan+Partnership+Framework+2020.pdf/6875b99d-0223-b5e1-360d-614420af2a90?t=1606127229249>

<sup>327</sup> Interview, Samim Ahmadi, ICMPD, 7 October 2022.

<sup>328</sup> Interview, Samim Ahmadi, ICMPD, 7 October 2022.

<sup>329</sup> Interview, Samim Ahmadi, ICMPD, 7 October 2022.

<sup>330</sup> Interview, Ibrahim Khan, previously with Integrity Watch Afghanistan, 4 October 2022.

<sup>331</sup> Interview, Samim Ahmadi, ICMPD, 7 October 2022.



Dr. Laura Davis included findings of a search of the FTS database for the period 2014-2019. Using the research terms for the paper returned only three projects, two of them funded by Horizon 2020. However, at the same time the working paper was prepared, the Delegation website stated that 'the EU funds a number of projects that address the root causes of migration and forced displacement, support returnees and host communities and improve migration management in Afghanistan, thus contributing to the overall development of the country.'<sup>332</sup>

The short snapshot revealed a couple of trends:

1. The opacity of EU spending in migration-related fields makes meaningful research and/scrutiny by the public almost impossible, while the EU has also adopted 'informal' procedures that bypass parliamentary scrutiny;
2. Development, peace and the protection of human rights (including the human rights of women and children, and including the rights of refugees, migrants and asylum-seekers) are objectives in and of themselves of EU external action, yet in Afghanistan appear to be subordinated to facilitating return of irregular migrants in Europe, regardless of the conditions in Afghanistan, and preventing the departure of would-be migrants from Afghanistan.

Using the EU Aid Explorer website for tracking expenditure only allows for classification related to safe and orderly migration as Target 10.7 of the SDGs and is thus more limited than the definition used in this study. It assesses related funding in the period 2014-2020 to be EUR 101.8 million. Due to security concerns related to the current situation in Afghanistan, more detailed information on funding programmes, including modalities, recipients, names and description of activities is not publicly available.<sup>333</sup> This also hampers detailed analysis of specific projects.

The European Court of Auditors, which prepared a Special Report on EU readmission cooperation with third countries which included Afghanistan, recorded six projects on reintegration that started between 2017-2019. All of them were DCI funded and they collectively amounted to EUR 154.7 million.<sup>334</sup> While this is a significant amount of funding, including in comparison to other EU support to Afghanistan (it is equal to 1/3 of DG ECHO managed humanitarian assistance going to the country in a seven year period), it was mentioned that compared to reintegration needs, primarily for returnees from countries neighbouring Afghanistan, it may not have been adequate.<sup>335</sup> IOM and UNHCR reported that over 610,000 Afghans returned from the Islamic Republics of Iran and Pakistan to Afghanistan in 2017<sup>336</sup> and 820,000 in 2018.<sup>337</sup>

A document prepared by the European Commission Services for consideration by Member States, which has since been made publicly available, provides a more detailed overview of relevant EU funding to Afghanistan.<sup>338</sup> Given the document's original classification, the information included was not designed for public consumption and, thus, the level of detail is not representative of information publicly available. The way in which funding information is presented in the document is not always clear (for instance on whether certain amounts or projects are included in overall aggregated sums that are provided).

<sup>332</sup> Davis, L., *EU external expenditure*, 2021, op. cit.

<sup>333</sup> See European Commission, 'EU Aid Explorer: Recipients', undated, available online at: [https://euaidexplorer.ec.europa.eu/explore/recipients\\_en](https://euaidexplorer.ec.europa.eu/explore/recipients_en)

<sup>334</sup> European Court of Auditors, *EU readmission cooperation*, 2021, op. cit., Annex IV.

<sup>335</sup> Interview, Samim Ahmadi, ICMPD, 7 October 2022.

<sup>336</sup> IOM and UNHCR, *Returns to Afghanistan in 2017: Joint IOM UNHCR Summary Report*, 2018, available online at: [https://www.iom.int/sites/q/files/tmzbd1486/files/press\\_release/file/joint\\_returnee\\_report\\_iom\\_unhcr\\_final.pdf](https://www.iom.int/sites/q/files/tmzbd1486/files/press_release/file/joint_returnee_report_iom_unhcr_final.pdf)

<sup>337</sup> IOM and UNHCR, *Returns to Afghanistan in 2017*, 2018, op. cit.

<sup>338</sup> Council of the EU, *Draft Action Plan: Afghanistan*, 10472/21, 2021, <https://www.statewatch.org/media/2899/eu-council-migration-action-plan-afghanistan-10472-21-rev2.pdf> (accessed on 18 October 2022).



The document specifies that EUR 255 million was spent in development support for migration and forced displacement at national and regional levels (also covering Iran and Pakistan). It lists the following projects which included EU funding for Afghanistan.<sup>339</sup>

- Silk Routes' Countries Integrated Border Management project (EUR 12 million)<sup>340</sup>
- Border Management in Central Asia and Afghanistan project (EUR 4 million allocated to Afghanistan specifically)<sup>341</sup>
- Improving Migration Management in the Silk Routes Countries (EUR 12.5 million)<sup>342</sup>
- Global Action against Trafficking in Persons and the Smuggling of Migrants - Asia and the Middle East (GLO.ACT Asia and the Middle East) (EUR 12.5 million)<sup>343</sup>
- Reintegration and Development Assistance in Afghanistan (RADA) (EUR 50 million)<sup>344</sup>

Based on the analysis of AMIF and ISF-BV, no funding under European Commission's direct management went to Afghanistan. From the funds under shared management, the survey results indicated that Belgium deployed a European Return Liaison Officer in Afghanistan in 2019 and implemented a project on voluntary return. The exact amount of funding dedicated to these activities cannot be verified.

### 5.3.2. Current EU funding (2021-2027)

In response to the take-over by the Taliban in August 2021, the EU's engagement with Afghanistan, including funding, changed significantly. While NDICI-Global Europe included an indicative country allocation of around EUR 1 billion for Afghanistan, EU development support was halted, with support to the country provided via Special Measures which are adopted as annual financing decisions and provide direct support for the basic needs of the population. In response to the humanitarian crisis in the country, Commission President von der Leyen announced EUR 1 billion in aid to Afghanistan and neighbouring countries in October 2021.<sup>345</sup> As part of this funding, the European Commission has adopted a special measure on the Afghan displacement crisis covering EUR 79 million. These activities are implemented by UNICEF, UNHCR, UNDP, IOM, and the Norwegian Refugee Council (NRC).<sup>346</sup>

A short overview is provided below:

- Afghan Children on the Move affected by Irregular Migration: This is a EUR 15 million project targeted at supporting unaccompanied children in Afghanistan by contributing to protection measures, basic services and reintegration. In addition, the project 'will also work towards assuring equal access to education, protection, health and nutrition for Afghan displaced children and youth, their families and vulnerable host communities, as well as and support

<sup>339</sup> The related funding contributions are for regional projects and should not be understood to solely be spent in Afghanistan.

<sup>340</sup> ICMPD, 'Integrated Border Management in the Silk Routes Countries', 2022, available online at: <https://www.icmpd.org/our-work/projects/integrated-border-management-in-the-silk-routes-countries-ibm-silk-routes>

<sup>341</sup> ICMPD (2021); BOMCA, 'History', undated, available online at: <https://www.bomca-eu.org/en/history>

<sup>342</sup> ICMPD, 'Silk Routes III Improving Migration Management in the Silk Routes', 2022, available online at: <https://www.icmpd.org/our-work/projects/silk-routes-iii-improving-migration-management-in-the-silk-routes>

<sup>343</sup> UNODC, 'GLO.ACT Asia and the Middle East', 2022, available online at: <https://www.unodc.org/unodc/en/human-trafficking/glo-act/index.html>

<sup>344</sup> IOM, *Reintegration Assistance and Development in Afghanistan (RADA)*, 2020, available online at: <https://afghanistan.iom.int/sites/g/files/tmzbd11071/files/documents/radafactsheet.oct28.2020.pdf>

<sup>345</sup> European Commission, 'Afghanistan: Commission announces €1 billion Afghan support package', 2021, available online at: [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_21\\_5208](https://ec.europa.eu/commission/presscorner/detail/en/IP_21_5208)

<sup>346</sup> European Commission, 'Afghanistan: EU supports the education, health and livelihoods of the Afghan people with €268.3 million', 2022, available online: [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_22\\_382](https://ec.europa.eu/commission/presscorner/detail/en/IP_22_382)

indebted families, reducing the number of families taking their children out of school or opting for child marriage.'

- Support to Afghan refugees and displaced people in Pakistan, Iran, Central Asia and Afghanistan: implemented by UNHCR, the EUR 34 million project will aim to explore a durable situation for Afghans on the move, including access to basic services, increase economic self-reliance and protection.
- Support to Displaced Afghans in Pakistan, Iran, Central Asia, and Afghanistan: IOM will help improve access to health and education, create jobs for vulnerable Afghans and their host communities inside Pakistan, Iran and to a lesser extent in Central Asian countries namely, Uzbekistan and Tajikistan. The project is worth EUR 15 million.
- Support to vulnerable Afghans and host communities in Iran: the EUR 14 million project implemented by NRC is aimed at improving the situation for Afghans living in Iran and their host communities. This includes the construction of health facilities and educational centres. Also improving livelihood and access to a sustainable income.
- Enhancing the capacities of the Surkhandarya region in Uzbekistan to educate and train Afghan citizens: This EUR 1 million project, implemented by UNDP, will increase educational opportunities for Afghan citizens, with a particular focus on youth and women.

An Action Plan for strengthening comprehensive migration partnerships with Afghanistan had already been prepared and discussed by the EEAS, the European Commission and Member States prior to the take-over by the Taliban. In response to the events, the document was revised and the European Commission has clarified that these are "living documents" that are updated regularly.<sup>347</sup> In relation to funding, it notes that the NDICI Global Europe MIP for the Asia-Pacific region includes a chapter addressing migration, forced displacement, and mobility with particular attention to the regional dimension of the Afghan displacement situation. It mentions that instruments such as the AMIF, BMVI and the ISF may under strict conditions provide complementary funding opportunities for the external dimension of migration. As the Action Plan is regularly updated and is not publicly available, it may be that the focus regarding relevant EU funding has evolved since the last version of the document referred to in this study of 17 January 2022. It was mentioned that the Action Plan which includes an overview of activities including those funded by EU Member States improves coordination related to migration in Afghanistan.<sup>348</sup>

EU funding under AMIF has been made available to support Member States in their efforts to realise pledges to admit or resettle Afghans at risk and local staff. The European Commission has confirmed that EU funding<sup>349</sup> is available to contribute to the realisation of the EU Member States commitment to admitting 36,000 Afghans at risk through humanitarian admissions between 2021 and 2022. Under AMIF, EUR 10,000 is awarded for each person admitted through resettlement; EUR 6,000 for each person admitted through humanitarian admission and EUR 8,000 for each person admitted through humanitarian admission from a vulnerable group.

<sup>347</sup> Answer given by Commissioner Johansson on behalf of the European Commission to a written question submitted by Erik Marquardt MEP, 2022, available online at: [https://www.europarl.europa.eu/doceo/document/E-9-2022-001707-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2022-001707-ASW_EN.html)

<sup>348</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>349</sup> See Regulation No 516/2014, article 19.

### 5.3.3. Team Europe Initiative (TEI)

The Team Europe Initiative on Afghanistan addresses the situation of internal displacement and return in Afghanistan, as well as that of Afghans in Iran and Pakistan and covers the following five sectors:<sup>350</sup>

1. Strengthening Policy dialogue: Facilitation of labour migration and visa procedures
2. Protection, including social inclusion, and sustainable reintegration for Afghans on the move in host countries: increasing community dialogue, social inclusion, & support to civil documentation
3. Provision of basic services: increasing access to health and education
4. Jobs creation, skills development and access to the labour market: displaced entrepreneurs and returnees, support to Micro, Small and Medium Enterprises.
5. Well managed labour migration and mobility: support to border management, fight against smuggling of migrants and trafficking in human beings, engagement with Afghan diaspora

In October 2022, 11 Member States had expressed an interest in participating in the TEI which will be launched in November 2022.<sup>351</sup>

### 5.3.4. Operational Coordination Mechanism for the External Dimension of Migration (MOCADDEM)

The newly established MOCADDEM mechanism has also been convened to discuss Afghanistan and the Action Plan mentioned above. A review of the process has been announced in a state of play document issued by the French Presidency in June 2022.<sup>352</sup>

According to a representative of the European Commission, the MOCADDEM enables discussion and cooperation to have EU officials working on development speak to EU officials working on EU asylum and home affairs.<sup>353</sup>

### 5.3.5. Solution Strategy for Afghans Refugees to Support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries (SSAR)

The Solutions Strategy for Afghan Refugees to Support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries (SSAR) was drafted in 2012 by Afghanistan, Iran and Pakistan, with the support of UNHCR. In the follow up to the 2018 Global Compact on Refugees, a Support Platform for the SSAR as well as a Core Group which brings together states and donors supporting the SSAR were created. UNHCR acts as Secretariat to the Platform and the Core Group. The European Union, represented by DG INTA, DG ECHO and EEAS has been the first chair of the Core Group and continues to be until today.<sup>354</sup>

The role of the EU as chair of the Core Group has been important to get the process up and running and ensure that various development partners of the EU are kept on board. The EU uses this role to present its activities, including to three EU Member States who are part of the Core Group (Germany, Italy and Denmark).<sup>355</sup>

<sup>350</sup> Capacity4dev, 'Afghan Displacement Situation', 2022, available online at: <https://europa.eu/capacity4dev/tei-jp-tracker/tei/afghan-displacement-situation>

<sup>351</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>352</sup> Council of the EU, *Presidency Report Asylum/migration: review of progress made in the first stage – Progress report*, 2022, available online at: <https://www.statewatch.org/media/3392/eu-council-asylum-migration-gradual-approach-first-stage-9360-22-rev1.pdf> (was available 5 August 2022; not available 13 October 2022).

<sup>353</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>354</sup> SSAR Platform, 'Chair of Core Group', 2022, available online at: <https://ssar-platform.org/core-group/chair>

<sup>355</sup> Interview, Representative of the European Commission III, 10 October 2022.

## 6. CHALLENGES AND GOOD PRACTICES

### 6.1. Challenges

Availability and transparency of data:

- There is a lack of accessible information on migration-related expenditure by the EU outside of Europe. This is in part because of the disconnect between political objectives and the development and humanitarian objectives and indicators used by funding programmes, which shape how data is collected and made available. As key databases (FTS, Aid Explorer) are not searchable by migration-related markers covering all activities related to forced displacement, asylum and migration, a full picture of spending is impossible to attain.
- The migration marker is an imprecise tool and its impact will depend on how strictly it is applied. As the related guidance note is not a public document, it is impossible to judge how its use is explained and what examples for the different markers are given. One concern that has come up in interviews is that it may result in less money being provided to 100% migration-related programming because using the 40% rating means that the 10% required spending on migration-related programme will be more quickly reached.
- In the previous MFF, there were no specific obligations for the Member States or the European Commission to collect detailed information on the use of AMIF and ISF-BV outside the EU in shared or direct management. This means that, to date, there is no official record of the amount of AMIF and ISF-BV funding to projects outside the EU during the MFF 2014-2020. Research by ECRE and UNHCR provided a first approximation.
- AMIF contributed EUR 135 million to the EUTF for Africa. However, it is not known which individual projects were supported. This is because the EUTF for Africa merges funding from different sources before allocating it to projects.
- For the resources managed under the thematic facilities of the AMIF and BMVI, Regulations do not include specific obligations for the EC to report on the use of the Funds outside the EU.

Coherence:

- Political ambitions on migration, and particularly on reducing the numbers of arrivals in Europe, are not reflected in the objectives or indicators of the programmes at the disposal of the EU. Reducing migration to Europe is not a valid objective of ODA or of humanitarian assistance. NDICI–Global Europe and ECHO both contribute significantly to improving the lives of people on the move and people at risk of violent conflict and climate change (which in turn can lead to displacement), but these outcomes are not measurable against the political objectives. Other tools, such as EUTF, CSDP missions and IcSP, measure different outputs and therefore their contribution to political objectives is hard to assess.
- Coherence and complementarity between the elements of the DG Home Funds managed directly by the Commission (that is, EMAS and Union Actions) could be improved. In the interim evaluations, AMIF and ISF-BV beneficiaries were not always aware of other actions and projects supported by the EC. This aspect was also stressed in interviews conducted in preparation for this study.
- The provisions on external policy coherence included in the AMIF and BMVI Regulations<sup>356</sup> need to be defined before becoming operational.
- Funding support for return and reintegration was highlighted as an area where coherence is lacking. Challenges exist at the level of internal coherence (e.g. return-related activities funded

<sup>356</sup> AMIF Regulation, article 5(3).

in direct and shared management under AMIF) and external coherence (e.g. activities funded under different instruments). The arrival of Frontex as an actor involved in supporting return and reintegration was considered as additional challenge (See text box 2).

#### Box 2: EU funding for return and readmission

Return and reintegration support are financed by multiple EU funding sources, via different modes of management and various implementing organisations. As return is a political priority of the EU and most Member States, large amounts of funding are allocated to it.

For instance, AMIF funded return-related activities through Union Actions (EURCAP) received EUR 38.5 million since 2016. In addition, Member States used their national programmes for the return priority. All of the 11 respondents to the survey carried out as part of the Follow the Money Research mentioned that they supported return in their use of AMIF funding outside the EU. Several of them allocated resources to their participation in The European Return and Reintegration Network (ERRIN) which is supported by AMIF under specific actions that are implemented under the national programmes. Its budget is reported at EUR 58.5 million.<sup>357</sup> In a study on EU readmission cooperation with third countries, the European Court of Auditors focused on return cooperation with Afghanistan, Morocco, Pakistan, Iraq, Algeria, Nigeria, Tunisia, India, Bangladesh and Guinea. Their assessment of the reintegration support provided in the countries covered by the audit ran at almost EUR 610 million.<sup>358</sup>

Apart from these programmes, the AMIF also funds the European Migration Network (EMN) including its Return Expert Group<sup>359</sup> that supports Member State cooperation on return, particularly at the technical, more operational level. It is often difficult to distinguish between funding streams for particular areas of work as several stakeholders are working on them. For example, ERRIN has been working in cooperation with the European Commission and the Belgian Federal Agency for the Reception of Asylum Seekers (Fedasil), in the development of a new digital tool: the Reintegration Assistance Tool (RIAT) and Return & Reintegration Assistance Inventory. The tool is also supported during discussions with the EMN network.<sup>360</sup>

Improving coherence of return and reintegration support was highlighted in a couple of interviews for this study. This relates to ensuring coherence between return-related actions supported by Member States (shared management) and the European Commission (direct management) under AMIF but goes beyond that to ensure coordination and coherence between funding supporting return from EU Member States (supported by home affairs funds) and funding supporting reintegration in third countries (supported by development assistance). For the latter, the need to develop a uniform approach to reintegration assistance among Member States was also highlighted as a challenge in interviews with representatives of various EU institutions. The European Commission has set up a Return and Reintegration Assistance Inventory tool to monitor this more closely and developing coherence is a priority of the EU Strategy on Assisted Voluntary Returns and Reintegration.<sup>361</sup> This, obviously, only covers a specific number of returns.

<sup>357</sup> European Court of Auditors, *EU readmission cooperation with third countries: relevant actions yielded limited results*, Special Report, 2021, available online at: [https://www.eca.europa.eu/Lists/ECADocuments/SR21\\_17/SR\\_Readmission-cooperation\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR21_17/SR_Readmission-cooperation_EN.pdf)

<sup>358</sup> This includes some projects whose implementation goes beyond the nine focus countries, Ibid Annex IV

<sup>359</sup> See European Commission, Migration and Home Affairs, available here: [https://home-affairs.ec.europa.eu/pages/page/return-expert-group\\_en](https://home-affairs.ec.europa.eu/pages/page/return-expert-group_en).

<sup>360</sup> For example, see EMN Annual Conference on 21 June 2022, where discussions were conducted on Frontex's role in returns including taking over the RIAT tool. Available online at: [EMNSynthesisReport](https://emn.europa.eu/EMNSynthesisReport)

<sup>361</sup> See EU Strategy on Voluntary Return and Reintegration, available here: [https://home-affairs.ec.europa.eu/system/files/2021-04/27042021-eu-strategy-voluntary-return-reintegration-com-2021-120\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2021-04/27042021-eu-strategy-voluntary-return-reintegration-com-2021-120_en.pdf).

In addition, monitoring effectiveness of reintegration support should be improved. In the absence of a clear framework to measure the sustainability of reintegration, it is impossible to provide a cross-country evaluation of support to reintegration, especially given that uniform data is lacking as well.

#### Monitoring and evaluation:

- The late approval of the AMIF and ISF-BV / BMVI Regulations in the previous and current funding period means that only a few projects were/ will have been completed at the time of the interim evaluation of the Funds (in 2017 and 2024 respectively). As a result, the interim evaluation of the two Funds in 2017 included very scarce information about effectiveness and efficiency; the same is expected for the upcoming interim evaluation.
- The ex-post evaluations of the 2014-2020 AMIF and ISF-BV are expected to be completed by June 2024, when the new 2021-2027 Funds will have already been implemented for two and a half years. Thus, the ex-post evaluations of the previous Funds will likely have a limited impact on the implementation of the new Funds.
- EMAS and Union Actions under the 2014-2020 AMIF and ISF-BV were not covered by the AMIF and ISF-BV monitoring and performance framework. This means that there is limited performance information on a total of EUR 3.5 billion.
- The AMIF and the BMVI Regulations require the EC 'to pay particular attention to the evaluation of actions implemented with, in or in relation to third countries' in mid-term and final evaluations.<sup>362</sup> However, it is not clear how the EC implemented this obligation in the interim evaluation of the previous Funds and how it will implement it for the current Funds.
- The CPR introduced a new obligation for the EC to 'at least once a year, consult organisations which represent partners at Union level on the implementation of programmes, and [...] report to the European Parliament and Council on the outcome.' However, no reporting to the European Parliament has taken place yet.<sup>363</sup>
- Previous evaluations and analysis highlighted shortcomings in relation to monitoring mechanisms particularly in the case of Trust Funds which were newer funding modalities that did not have established monitoring mechanisms.

#### Compliance with fundamental rights:

- There is no publicly available information about if and/or how the AMIF and ISF-BV ensured compliance with fundamental rights. No meaningful information was included in the interim evaluation reports. The interim evaluation of the ISF-BV concluded that 'the Fund is not supporting Member States in applying the non-refoulement principle.'
- Previous studies published by the European Parliament found that 'no pre-allocation appraisal, post-allocation independent monitoring, or other follow up evaluation has been undertaken to ensure compliance with human rights and avoid contributing to violations' of activities supported by the Turkey Refugee Facility.<sup>364</sup> It also remarked that the EU Trust Fund for Africa does not include a human rights conditionality clause on any provisions related to the assessment and monitoring of human rights impact.<sup>365</sup>

<sup>362</sup> AMIF Regulation, article 34(4) and BMVI Regulation, article 28(5).

<sup>363</sup> CPR, article 8(1)c.

<sup>364</sup> European Parliament, *The EU Approach on Migration in the Mediterranean*, 2021, op. cit., p. 147.

<sup>365</sup> European Parliament, *The EU Approach on Migration in the Mediterranean*, 2021, op. cit., p. 149.



## 6.2. Good practices

### Availability and transparency of data:

- The EU Trust Funds demonstrated good practice in making their annual reports and monitoring and evaluation reports easily accessible online to enable public scrutiny of the work of the Funds.

### Coherence and coordination:

- Migration-related programming has been developed in a highly consultative manner between the EU actors and Member States.
- The functioning of coordination groups to ensure coherence between internal and external Funds is considered a good practice by representatives of various DGs. This includes coordination groups bringing together DG HOME, DG INTPA, DG NEAR and EEAS that were established at the programming stage, as well as informal communication channels between DGs.
- The AMIF and the BMVI Regulations include two new provisions aimed at collecting information on the use of the Funds outside the EU that could overcome some of the challenges of their predecessors. First, Member States must consult the Commission prior to the approval of a project with or in third countries.<sup>366</sup> Second, Member States must include information on the implementation of projects in or in relation to a third country in their annual performance reports and make a summary publicly available.<sup>367</sup>
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### Effectiveness and efficiency:

- The EU has been able to maximise its tools and instruments to respond to the political priority of addressing migration, including by using IcSP as a flexible bridging measure and creating EUTF to enable swift and flexible responses by the EU and Member States.
- While a certain amount of overlap of activities in a given context is not a sign of efficiency, it can make the EU more effective in reacting to a change of circumstance in a given country, particularly when funding provisions are sufficiently flexible. It allows the EU to redirect part of its activities to respond to the changed situation.<sup>368</sup>

### Monitoring and evaluation:

- In the previous funding period, evaluations of the AMIF and ISF-BV at the project level, instead of at the Fund level, provided relevant insights to the EC without having to wait for the Funds' interim and ex-post evaluations.
- The introduction of a dedicated IT system in 2016 to manage grants is perceived as a best practice by the DG HOME. The system allows for the following and retrieval of information from the publication to the closure of grants, facilitating the management and monitoring of the Funds.

### Compliance with fundamental rights:

- The AMIF and the BMVI Regulations repeat the fundamental rights clauses included in the 2014-2020 AMIF and ISF-BV.<sup>369</sup> In addition, the CPR establishes an enabling condition which

<sup>366</sup> AMIF Regulation, article 16(8).

<sup>367</sup> AMIF Regulation, article 35(1) and (2); BMVI Regulation, articles 29(1) and 29(2).

<sup>368</sup> Interview, Representative of the European Commission III, 10 October 2022.

<sup>369</sup> AMIF Regulation, recital 5; BMVI Regulation, article 4.

requires MS 'to have in place effective mechanisms to ensure compliance with the Charter of Fundamental Rights.'<sup>370</sup>

- The EC has allocated funding to projects specifically supporting compliance with fundamental rights. The work programme of the BMVI thematic facility for 2021 and 2022 includes two relevant actions. First, a call for proposals 'to support innovative forms of cooperation for enhancing the national components of the European Border and Coast Guard (EBCG), in particular on the implementation of the EBCG Fundamental Rights Strategy.' Second, a call for proposals 'to support pilots for the development and launch of a fundamental rights monitoring mechanism in relation to activities at the external borders, with a view to developing models and examples that could serve for the future development.'<sup>371</sup>

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<sup>370</sup> According to Annex III of the CPR, effective mechanisms are in place to ensure compliance with the Charter of Fundamental Rights of the European Union ('the Charter') shall include:

1. Arrangements to ensure compliance of the programmes supported by the Funds and their implementation with the relevant provisions of the Charter.
2. Reporting arrangements to the monitoring committee regarding cases of non-compliance of operations supported by the Funds with the Charter and complaints regarding the Charter submitted in accordance with the arrangements made pursuant to Article 69(7).

<sup>371</sup> European Commission, *Commission Implementing Decision of 19.5.2022 amending Commission Implementing Decision C(2021) 8459*, op. cit., p. 5.

## 7. RECOMMENDATIONS

### Availability and transparency of data:

- The focus of efforts to **improve transparency and accessibility of data** should be on strengthening overall accountability of EU funding **including through scrutiny by the European Parliament**, rather than increasing communication about it.
- The introduction of the **migration marker** should be used to improve overall transparency and accountability for migration-related EU funding, also going **beyond NDICI-Global Europe**, and result in a revision of EU databases of aid expenditure to enable scrutiny of migration-related expenditure across all funds.
- **Team Europe Initiatives (TEIs) should be required to be transparent and publish their annual reports and monitoring and evaluation reports online in a timely and accessible manner** to enable scrutiny of their work.
- The **European Parliament should request detailed information for migration-related spending**, broken down to show how much funding is committed to different aspects of asylum, forced displacement and migration (e.g. addressing root causes of forced displacement, supporting rights of people who are displaced or are migrating, border management, return and readmission, labour mobility etc).
- **The European Commission should provide the European Parliament with the same level of detail regarding migration-related spending as provided to the Council.** For instance, documents provided in relation to migration spending under NDICI-Global Europe for discussion in the coordination group should also be made available to the group of MEPs overseeing implementation of NDICI-Global Europe.
- **DG HOME should develop a template with the information that MS are expected to include on the implementation of projects in or in relation to a third country in their annual performance reports.** It should define the **frequency and timeframe to report on the use of the thematic facility which supports actions with, in or in relation to third countries, and the share of the thematic facility** used for supporting such actions, as well as the content of the reporting. This **information should be published in an open, machine-readable format** which allows data to be sorted, searched, extracted and compared, as required by the AMIF and BMVI Regulations. At a minimum, it should be possible to sort the data by specific objective, name of beneficiary, the amount legally committed and the nature and purpose of the measure.
- **DG HOME should provide information on the frequency and timeframe for publishing financing decisions and work programmes** 'identifying objectives and actions to be supported and specifying the amounts for each of the components (of the facility)', as well as information on projects supported by the thematic facilities.
- **DG HOME should engage regularly with civil society organisations and relevant networks to prepare and evaluate the work programmes for Union Actions financed under the thematic facilities.** At least once a year, the European Commission should also consult with organisations which represent partners at the Union level on the implementation of programmes, and report to the European Parliament and Council on the outcome.

### Coherence:

- The **European Parliament should require the EC/EEAS/TEIs and EUMS to account for disparities in the prioritisation of different types of migration-related programming.** The lack of resources dedicated to strengthening access to legal migration and increased protection of labour migrants within Africa and between Africa, the Gulf States and Europe is notable.

- The **coordination groups for the relevant DGs and services (e.g. HOME, EEAS, DEVCO, NEAR, ECHO, JUST, EMPL) should continue at the programming stage** to ensure that the actions and projects supported are coherent and complementary to other EU external activities.
- DG HOME, DG INTPA, DG NEAR and the EEAS should **define how external policy coherence will be assessed** for both national programmes and the thematic facilities of Home Affairs funds and **should publicly communicate the process. The European Parliament could encourage this process through questions to Commissioners.** In particular, the Commission should provide the EP with details on the information that Member States and other beneficiaries of DG HOME funding should provide, the potential outcomes of the assessment and the inputs from DGs in charge of external affairs.
- DG HOME **should strengthen coherence between the parts of the Funds it manages directly (that is, EMAS and Union Actions).** For example, it should implement a communications plan so that beneficiaries are aware of other actions and projects supported by the EC, and how these actions and projects complement each other.

#### Effectiveness and efficiency:

- **DG HOME, DG INTPA and DG NEAR should ensure that the interim evaluations of the AMIF, BMVI and NDICI-Global Europe** (expected in 2024) **will include specific efforts to assess the effectiveness and efficiency of the actions** and projects supported by them, even if these actions and projects are not fully implemented by that point due to the late approval of the AMIF, BMVI and NDICI-Global Europe Regulations.
- **More consistent evaluations of migration-related programming** would give a better overview of how the EU is supporting people on the move, by measuring outcomes rather than outputs and ensuring similar instruments (e.g. TEIs) are evaluated against the same migration-related objectives and indicators in different contexts. **These evaluations should be available to Parliament and to the public.**

#### Monitoring mechanisms:

- **DG HOME should operationalise the obligation that requires Member States wishing to implement national programme actions 'with or in a third country... (to) consult the Commission prior to the approval of the project.'** In particular, the EC should provide details as to the nature of this consultation, including criteria that it might consider concerning the participation of third countries in this context, the potential outcomes of such consultation and inputs from other EU Agencies and EU bodies such as the European External Action Service (EEAS). The basis of the consultations should be published on the website of the EC.
- **DG HOME should implement the obligation to 'pay particular attention to the evaluation of actions implemented with, in or in relation to third countries' in mid-term and final EC evaluations of the AMIF and BMVI for actions supported under shared and direct management.** So far, mid-terms evaluations made general and anecdotal reference to projects that included expenditure outside the EU without including any disaggregated information, for example on the amount of Funds spent outside the EU, where the projects have been implemented or who the beneficiaries were.
- **DG HOME should report on how it ensures that the knowledge and experience of relevant decentralised agencies, including the Agency for Fundamental Rights, are taken into account in the development of the national programmes, and how these agencies, where appropriate, are involved in monitoring and evaluation tasks.**

- **DG HOME should consider the adoption of a delegated act in accordance with Article 31 of the BMVI Regulation and Article 33 of the AMIF Regulation to amend, review and complement monitoring and evaluation frameworks**, including on information to be provided by the Member States in relation to third countries. By 2019, the European Commission's internal audit service had identified the need to strengthen monitoring of the implementation of national programmes, and to improve the reliability and consistency of the data reported by Member States, as recalled by the European Court of Auditors in its Report on the performance of the EU budget at the end of 2019.
- DG HOME should develop and adopt a **performance framework to monitor the implementation of the AMIF and BMVI Thematic Facilities**.
- The European Parliament should ensure that any budget support provided in relation to migration-related programming should be preceded by a **rigorous public finance management assessment and conflict analysis, and accompanied by robust Public Financial Management (PFM) and human rights monitoring**. In line with the EU Budget Support Guidelines<sup>372</sup>, the EU must ensure that appropriate dialogue platforms that include national stakeholders, including civil society, are meaningfully constituted. Given the purpose of budget support in the context of migration-related programming, civil society must include representative associations of female and male migrants.
- The European Parliament and the European Commission should **assess, and if possible review, the timeline of the mid-term and final evaluations of the AMIF, BMVI and NDICI-Global Europe** so they can have a greater impact on the implementation of the funds.

#### Compliance with fundamental rights:

- Given that migration-related programming has been shown to have exacerbated conflict dynamics in certain situations (e.g. Niger), the Parliament should require TEIs to conduct a **rigorous conflict analysis that integrates gender analysis, as a precondition for all interventions**. This would build on and be coherent with the excellent example of the conflict analysis requirement for all NDICI-Global Europe interventions.
- **Budget support may be a political necessity but carries high risks in states with weak accountability, including where there is limited control over state security actors**. Therefore, any such support (as in Niger) should be accompanied by rigorous public financial management and human rights monitoring. It is important to note that in some circumstances budget support may also be destabilising for host governments.
- DG INTPA and DG NEAR should consider developing a **specific risk assessment and management framework for expenditure on displacement and migration** as per Article 8(14) of the NDICI-Global Europe Regulation.
- DG HOME and Member States should ensure that national programmes include enough **information on how MS plan to fulfil the enabling condition 'to have in place effective mechanisms to ensure compliance with the Charter of Fundamental Rights.'**
- **DG HOME should commission a study on the most significant human rights impact of the Funds and how the AMIF and ISF-BV ensure compliance with fundamental rights**.
- DG HOME should **continue to allocate funding to projects specifically supporting compliance with fundamental rights**.

<sup>372</sup> European Commission (2017) *Budget Support Guidelines* Available at [https://international-partnerships.ec.europa.eu/funding/funding-instruments/budget-support\\_en](https://international-partnerships.ec.europa.eu/funding/funding-instruments/budget-support_en) Accessed 7 October 2022

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## ANNEX I INTERVIEWEES

INTERVIEWEE	FOOT NOTE FORMAT
Samim Ahmadi, Project Manager, Migrant Resource Centre Afghanistan, ICMPD	Interview, Samim Ahmadi, ICMPD, 7 October 2022
Representative of a European Institution	Interview, Representative of a European Institution, 16 September 2022
Ibrahim Khan, former Advocacy Officer Public Financial Management, Integrity Watch Afghanistan	Interview, Ibrahim Khan, previously with Integrity Watch Afghanistan, 4 October 2022
Representative of the European Commission I	Interview, Representative of the European Commission I, 19 September 2022
Representative of the European Commission II	Interview, Representative of the European Commission II, 20 September 2022
Representative of the European Commission III	Interview, Representative of the European Commission III, 10 October 2022
Representatives of DG INTPA, Directorate A, European Commission,	Interview, Representatives of DG INTPA, Directorate A, European Commission, 15 September 2022
Representatives of DG HOME, European Commission	Interview, Representatives of DG HOME, European Commission, 30 September 2022
Magdalena Irzycka, Federal Public Service Home Affairs, Belgium	Interview, Magdalena Irzycka, Federal Public Service Home Affairs, Belgium, 23 September 2022
Jennifer Tangney, Senior Project Manager, Migration Partnership Facility, ICMPD	Interview, Jennifer Tangney, ICMPD, 17 October 2022

## ANNEX II INTERVIEW QUESTIONNAIRE

1. Could you briefly describe your involvement in or interaction with EU funds on asylum and migration?
2. (Optional): How do you assess the EU's role and influence in country X if relevant / in external action more generally particularly when it comes to asylum and migration?
3. How would you assess the coherence of EU funding (with reference to specific funding instrument/ modality if relevant) in relation to asylum and migration outside the EU (in country X if relevant), where 'coherence' is "the extent to which the objectives of specific projects are coherent with the EU's overall objectives in relation to the third country (as referenced in respective country strategy paper) and the needs identified by the third country (as identified in national development programme or equivalent document)."
  - a. Are some parts of EU funding from instrument x and/or in country y more/less coherent than others? Which?
4. How would you assess the effectiveness of EU funding (with reference to specific funding instrument/ modality if relevant) in relation to asylum and migration outside the EU (in country X if relevant), where effectiveness is 'how successful EU action has been in achieving or progressing towards its objectives? What benefits have been the result of the EU action for different stakeholders including final beneficiaries, entities funded, relevant authorities and the EU itself?
  - a. Are some parts of EU funding from instrument x and/or in country y more/less effective than others? Which?
5. How would you assess the efficiency of EU funding (with reference to specific funding instrument/ modality if relevant) in relation to asylum and migration outside the EU (in country X if relevant), where efficiency considers the resources used by an intervention for the given changes generated by the intervention (which may be positive or negative), particularly the costs of the EU intervention as they accrue to different stakeholders.
  - a. Are some parts of EU funding from instrument x and/or in country y more/less efficient than others? Which?
6. How is expenditure under the respective funding instrument monitored and assessed? What are the strengths and weaknesses of the current system of monitoring funds?
7. What safeguards are in place to ensure funds benefit the intended beneficiaries and that funding complies with EU values?
8. What safeguards are in place to ensure funds complies with EU rules?
9. In your opinion, what is the interplay between EU home affairs and external affairs funds in a particular country context? More specifically, please describe the procedure in which decisions related to programming, implementation and evaluation of activities supported by different funds are coordinated. Do you see room for improvement?
10. What would you consider as best practice related to EU funding on asylum and migration outside the EU?
11. TBC - Potential funding instrument / funding modality specific question
12. Do you think funding for asylum and migration outside the EU strengthens or weakens EU values? Why?

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This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the LIBE Committee, provides an overview of EU funding for asylum and migration in third countries. It considers funding both from the Justice and Home Affairs funds and the external action funds, covering the previous Multiannual Financial Framework (MFF) (2014-2020) and the current MFF (2021-2027) funding periods. The study seeks to identify good practice in EU funding, including but not limited to the two country case studies on Afghanistan and Niger. It proposes a set of recommendations to improve the effectiveness, efficiency, coherence and transparency of EU funding.

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