

## 2016 Discharge to the Commission

### **WRITTEN QUESTIONS TO COMMISSIONER AVRAMOPOULOS**

Hearing on 23 January 2018

#### EU Emergency Trust Fund for Africa

1. 73% of the EUTF finances come from the European Development Fund (EDF). Those funds are supposed to be used to combat poverty. However, not a single EUTF-project can directly be linked to a source in terms of finance. How can the Commission guarantee that the EDF-funds are being spent correctly?
2. To improve the speed of spending, the involvement of African governments and of local or international NGO's has been limited when it comes to the selection of projects. Is the Commission planning to work more closely together with local organisations in the near future in order to improve the implementation of the projects?
3. According to Oxfam, out of all contracted projects between November 2015 and October 2017, 63% has been spent on development aid and 35% has been spent on migration management, security and peacebuilding. Does the Commission agree with their assessment? If so, is the Commission satisfied with that balance?
4. Why has so little been spent on creating legal migration routes, which is one of the goals of the EUTF and the second pillar of the Valetta Action Plan on Legal Migration and Mobility?

#### DG HOME Annual activity report

##### *Overall estimated amount at risk*

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

5. In which Member States was the residual error rate higher than 2 %?
6. Which errors and deficiencies were identified in France and Spain regarding the management of the AMIF? How this situation had been redressed, which lessons had been taken for the future?
7. In his annual activity report the Director General of DG HOME refers to a cost efficiency indicator relating to the efficiency of the controls.

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

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

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

#### *Performance approach*

9. What is the assessment of the Commissioner on the adequacy between the means and tools and the challenges that his DG has to address? Are there enough resources: money, staff?
10. The EU-Turkey Statement was concluded on 18 March 2016. It had a profound impact on the number of arrivals in Greece. In the ten months before the Statement came into effect 960 681 migrants arrived to the Greek islands. In the ten months after, only 25 720. However arrivals in the EU kept exceeding returns to Turkey. DG HOME therefore contributed, with Greece, to a Joint Action Plan on the implementation of the EU-Turkey Statement, which was endorsed by the European Council on 15 December 2016. How much money had been invest in this plan? What has been the result?
11. Key performance indicator 1 in DG Home AAR 2016 indicates that the rate of return of irregular migrants to the third countries (measured as % of effected returns compared to return decisions) was 46,38% in 2016 which is only 3.88% higher than in 2015. What are the reasons behind the low return rate?

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

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

13. Does the Commission consider the possibility to define a key performance indicator related to the elimination of the root causes of irregular migration?
14. What is the evaluation of the Commission as to the number of Mobility partnerships and the creation of Mobility partnership Agreement with Belarus?

#### Facility for Refugees in Turkey

15. As of the end of September 2017 the Commission implemented 43,4% (= 813,8 Mio. EUR contracted amount) of the Facility of Refugees for Turkey itself. How many of those contracts and how much money are implemented with the help of the Turkish government? Which projects does the Commission implement under those contracts?
16. 5% of the contracted amounts of the Facility of Refugees in Turkey is implemented by Public law bodies. How many of those contracts and how much money is implemented via the Turkish government?
17. 12% of the contracted amounts of the contracted amounts of the Facility of Refugees for Turkey is implemented by EU Trust Funds. How many of those contracts and how much money is implemented via the Turkish government?

#### IPA II / Turkey

18. How much money of IPA II was used in 2016 for managing the refugee crisis? Who were the beneficiaries? Who was responsible for the implementation of such projects under IPA II? Which terms and conditions applied to use money of IPA II for the management of the refugee crisis? Could you please list all projects under IPA II that were implemented to manage the refugee crisis in 2016?
19. What are the provisions for cancellation of commitment appropriations and for the transfer to different items under IPA II?
20. Could you please list the paid amount to Turkey under IPA II grouped by policy area?

#### Hotspots

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

bottlenecks, which can have repercussions on the functioning of the hotspots. How did the Commission respond to this findings and what are the measures taken so far and what measures still need to be taken? •

22. The Court also found that reception facilities were not adequate to properly receive (Italy) or accommodate (Greece) the number of migrants arriving. Follow-up procedures, i.e. a national asylum application, relocation to another Member State (where appropriate) or return to the country of origin (or transit) are often slow and subject to bottlenecks – according to the Court.
  - The Court seems to give a more favourable assessment of the situation in Italy as compared to Greece. How do you explain this difference? Why is Greece lagging behind when it comes to coping with the challenges?
  - Did the situation improve regarding the shortage of adequate facilities to accommodate and process unaccompanied minors since the publication of the special report in April 2017?
  - Are the hotspots still overcrowded? If yes, to what extent?
23. According to Human Rights Watch, women have reported frequent sexual harassment in hotspots in Greece. What kind of strategy and procedures the Commission has in place to ensure the safety of women and accompanied minors held at hotspots? What is the impact of the EU's support teams (consisting of input from the Commission and the EU Agencies) when it comes to ensuring the safety of women and minors at hotspots?
24. Originally, hotspots were meant for a few days' transits yet it seems that people are held in hotspots relatively long periods. What is the average time a person seeking asylum or access to the Schengen area is held at hotspots in Greece and in Italy? Please provide a breakdown by each hotspot.

#### Transparency

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

#### AMIF and ISF

26. Could the Commission provide detailed data of subcontracting in the use of AMIF fund?
27. Could the Commission provide an estimated cost paid for migrant/asylum seeker country by country?
28. Could the Commission provide the country-by-country data of consumption of the AMIF funds for 2016?

29. Could the Commission provide for 2016 data on the number of irregularities and frauds detected in the context of AMIF program and their nature?
30. The ECA states in its 2016 AR that “*two years into the seven-year programming period, progress in making shared-management AMIF and ISF payments was slow*”. The Commission replied that it is expected that the increasing trend in payments will continue in the future. What actions is the Commission doing or planning to do to increase the payments?
31. The ECA states in its 2016 AR that “*there was a high number of draft AMIF/ISF Programmes (e.g. the German ISF programme had 10 versions and the UK’s AMIF programme had nine) prepared by Member States and reviewed by the Commission prior to their approval*”, that could lead to “*delays in implementation*”. What is the Commission’s plan for the new MFF to avoid such situation?
32. The Court of Auditors pointed out several weaknesses at Commission and Member State level related to AMIF and ISF. What measures is the Commission undertaken in order to clear out the system weaknesses?
33. Could the Commission provide country-by-country data of absorption rate of the Internal Security Fund (ISF) and the Asylum, Migration and Integration Fund (AMIF) for 2016?

#### Bulgaria

34. In 2016 DG HOME awarded 130 million EUR emergency assistance to Bulgaria as one of the Member States facing the most significant pressure on its external borders. In this regard:
  - What was the exact amount of the funding to Bulgaria since there are different figures in the AAR – 130 or 131 million Euro? Also what was the funding awarded to Greece – 35 or 40 million Euro?
  - For what purposes was the funding for Bulgaria intended and what part of it is spent according to the latest available data?
  - According to the Commission estimates would the emergency assistance to Bulgaria be fully utilized or do you expect part of it to be recovered?
35. A system audit for AMIF and ISF has been launched in Bulgaria in 2016. What are the main findings of the audit?

#### Greece

36. Some emergency funding from AMIF, ISF and from the Emergency support instrument (ESI) was provided for Greece in late 2015 and in 2016. How was this money used? Does Commissioner Avramopoulos believe that this emergency support was used effectively and efficiently?
37. The Budgetary Control Committee is planning a fact-finding delegation to Greece in February. Members of the mission will visit the island of Lesbos to gain on-site

experience of the functioning of the hotspot set up on the island. Could you please provide us with a short update on the situation there.

#### NGO's

38. There are numerous national and international NGO's and aid organizations which are supporting refugees and receive EU money. Could the Commission provide a list with NGO's you cooperate with and/or support with the corresponding amounts for 2016?
39. Regarding the agreement on the relocation mechanism, the Czech Republic, Poland and Hungary are still not respecting their legal obligations. What is the state of play of the infringement procedures launched by the Commission? Could the Commission provide the figures of how many persons could be relocated and where? What are the commitments of the Member States in this respect?

#### Emergency assistance

40. Could the Commission provide the figures of Emergency Assistance allocated to International Organisations/Union Agencies by country and the purpose of the allocation for 2016?
41. Could the Commission provide the figures of the Emergency Support Instrument (ESI) for Greece and Italy?

#### Other issues

42. In Box 8.4 the annual report of the Court describes a case when the Greek authorities paid 8 million euro to charter vessels to be used to transport, accommodate and provide snacks to migrants. The Commission contributed a grant of 6 million euro to this action. The selected shipping companies transported over 150 000 migrants, and charged adult migrants 60 euro per ticket (children were charged up to 30 euro) for their passage, earning up to 9 million euro. The Commission considers that the tendering, evaluation of offers, award of contract, performance of services and payment by the Greek authorities were legal, regular and fully transparent and they do not share the Court's assessment regarding a lack of transparency of the split of funding between public sources and the revenue from migrants. The EU legislation does not allow beneficiaries of EU grants to obtain profits from the implementation of a project, and indeed the Greek authorities, as grant beneficiary, did not make a profit. However, this example raises some reputational issues for the Commission. From an ethical point of view one can question the handling of the matters. Does the Commissioner share the view of those who think this practice should not be repeated again?
43. Does the Commission have any figures related to the cost difference in supplying refugees in different Member States of the Union and countries outside the EU, near the conflict-zones? For example, how many more people can be supported from the same amount of money in Jordan, Lebanon or Turkey (to provide refugees with the necessary accommodation, sustenance and medical attendance and education) as compared to do the same within the EU?