

General programme "Solidarity and Management of Migration Flows": European Return Fund 2008-2013

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Council Decision 575/2007/EC, the Commission presents a report on the results achieved and on qualitative and quantitative aspects of implementation of the European Return Fund for the period 2007-2009. It recalls that for the period 2007-2013 the EU established the General Programme "Solidarity and Management of Migration Flows" with a total allocation of EUR 4 032 23 million. The General Programme consists of **four Funds**, one of which is the European Return Fund, established for the period 2008 – 2013 with a total envelope of **EUR 676 million**.

The report presents results achieved by the annual programmes 2007-2009 and provides input in the reflection process on the future instruments. Its submission is timed to assist the European Parliament and the Council with the preparation for the next multiannual financial framework and not to provide a comprehensive and final evaluation.

EU resources for Member States and matched national funding: the reporting period covers 18% of the overall reference amount of the Fund. In the period 2008-2009 EUR 122 million in EU appropriations was committed for both shared and direct management actions.

The six main beneficiaries were the United Kingdom (EUR 16.9 million), Greece (EUR 12.8million), France (EUR 12.3 million), Italy (EUR 11.8 million), Spain (EUR 10.7 million) and Germany (EUR 7.8 million). They received 68% of the total amount in the reporting period. For the period 2008- 2011, they remain the main beneficiary Member States, although Greece is replacing the United Kingdom as the main beneficiary as of the 2010 allocations.

EU resources reserved for Community actions: for 2008 no resources were allocated. During the budgetary procedure for 2008 the European Parliament put the credits for the Fund for 2008 in the reserve with the condition that the amount would be released when the Return Directive was adopted. Following its approval by the European Parliament the reserve on the Fund was lifted in November 2008. For 2009 EUR 4.6 million was allocated for three transnational pilot projects and three comparative studies on best practices. The 2010 call focuses on the creation of an EU network on voluntary return and co-operation in the field of pre-departure and post-arrival reintegration activities. For 2011, resources are being mobilised primarily to support emergency measures in the Southern Mediterranean.

Preliminary assessment by Member States: Member States gave a (partly) positive overall assessment on the implementation of the Fund. Several Member States highlight particular achievements regarding voluntary return, and quite a few Member States referred to the usefulness of the Fund in assisting civil society to contribute to voluntary return.

At the same time, many Member States emphasized the challenges encountered during the implementation of the first two programmes (i) certainly for the 2008 programme, the delays in the approval of the annual programmes affected the implementation period and in some Member States, the size of the allocation actually committed and spent; (ii) the implementing rules and, in particular, the rules for the eligibility of expenditure, were perceived as too complicated; (iii) open and wide selection procedures did not always lead to pertinent project applications. Accordingly, Member States felt constrained to revise the annual programmes to secure the optimal use of the EU contribution.

To **mitigate these challenges**, the Commission considerably simplified the overall framework for eligibility rules for expenditure, extended the duration for financing of post-return reintegration assistance to one year and extended the eligibility period from 2 to 212 years and allowing for more time for submitting revisions of the programmes, thus allowing for a better absorption of the EU contribution.

Assessment by the Commission: the Commission finds that, despite starting difficulties and some specific issues with the rules and implementation, the Fund is living up to its promise to boost the implementation of integrated return management in Member States:

- in a number of Member States, thanks to specific information campaigns, further information on return possibilities was made available and disseminated widely to migrant communities;
- the Fund supported the introduction of return management practices which had been almost non-existent in many Member States beforehand. Projects successfully enhanced the capabilities of government services to encourage the voluntary return of migrants and asylum seekers;
- thanks to the Fund, Member States were able to offer higher financial incentives and support to returnees for setting up income- generating activities, thus resulting in sustainable returns;
- in the area of forced return, the Fund was consistent with the activities of the Frontex Agency on the coordination of joint return operations. Member States have successfully used the resources under the Fund for national and joint return flights which complemented the efforts made by the Agency;
- the cooperation projects between Member States and countries of return have resulted in an increase in the number of removals by improving working arrangements with third countries on the identification and issuing of travel documents;
- the Fund has also generated opportunities for further exchange of experience between Member States.

Recommendations: the Commission notes that the first two annual programmes were implemented under considerable time pressure and with limited experience in shared management, and the 2010 exercise was much faster. In future, **programmes could promote a more strategic focus on EU standards and more systematically seek to enhance co-operation between Member States**. Implementation of actions would benefit from a more stable financial and long term planning and efforts to communicate results more effectively. Furthermore:

- thanks to the **increase in allocations in the coming period**, the Fund will endow Member States with the means to make compliance with the key requirements under the Directive and the twin principles of the primacy of voluntary return and the humane and dignified treatment of potential returnees as cornerstones of return management a concrete reality throughout the EU. Thus, Member States can step up efforts on voluntary return, refurbish and modernise detention facilities for minors and families, develop training programmes on EU standards, new monitoring and evaluation tools and provide services on counselling and assisted voluntary return;
- using the Fund, Member States could do far more to promote practical co- operation and reduce duplication of efforts in co-operation with third countries, training activities, and the gathering of information on the situation in countries in return;

- Member States could explore more extensively the possibilities to set up multiannual projects, e.g. assisted voluntary return programmes with a reintegration component, in accordance with the regulatory framework, thus reducing also the incidence of selection processes and establishing a stable financial multiannual planning;
- the **learning effects of the Fund can be further boosted**, particularly in the field of reintegration, through the exchange of information. To facilitate this process, the Commission **shall establish a network on voluntary return using the 2010 Community actions, set up a database for Member States on projects funded and develop communication material and events** on the Fund by 2012;
- the Commission will continue its efforts to strengthen its working relations with IOM.

The next milestone for the Fund is the ex-post evaluation report for 2008, which is due by 31 December 2012.