General programme "Solidarity and Management of Migration Flows": External Borders Fund 2007-2013

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In accordance with Council Decision 574/2007/EC, the Commission presents a report on the results achieved and on qualitative and quantitative aspects of implementation of the External Borders 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 External Borders Fund, established for the period 2007 – 2013 with a total envelope of **EUR 1 820 million**. This amount is supplemented by the contributions from the Schengen Associated States, Norway, Iceland, Switzerland and Lichtenstein, participating in the Fund as of 2010.

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 made available to Member States and matched national funding: in the reporting period nearly 30% of the overall envelope for the Fund was made available for actions implemented under both shared and direct management, amounting to EUR 525 million. For the first three years, 69 annual programmes were approved, committing EU resources of over EUR 434 million. The main beneficiaries were Spain (EUR 94.4million), Italy (EUR 59.8million) and Greece (EUR 50.7 million). Their aggregate allocation amounted to nearly 50% of the total for all participating Member States.

EU resources reserved for Community actions and specific actions: EUR 13 591 710 has been committed for the implementation of the Community Actions during the reporting period. This amount covers 14 projects on cooperation between Member States on immigration liaison officers and 4 on setting up common application centres in third countries.

Assessment by Member States: most Member States gave a positive overall assessment of the results of the actions co-financed by the Fund. Many Member States highlighted the challenges encountered during the implementation and suggested simplification of the regulatory framework: (i) the first two years were characterised by some degree of uncertainty and delays in the adoption of the regulatory framework and the annual programmes; (ii) the rules governing the eligibility of expenditure were deemed complex and cumbersome; (iii) procurement procedures usually consist of several stages and national legal framework may require additional steps. The final outcome may be unsatisfactory or there may be a need to suspend, postpone, cancel or change the scope of the project.

To mitigate the challenges, the Commission initiated three revisions of the Implementing Rules resulting in extension of the eligibility period and major simplifications of the eligibility rules.

Assessment by the Commission: the Commission finds that, despite starting difficulties and some specific issues with the rules and implementation, the Fund lived up to its objectives. For 2007-2009 it **clearly fulfilled its purpose as a specific vehicle to channel EU aid to boost investments at borders** and in consulates in the interest of the Schengen area as a whole. The report illustrates that the Fund actively leveraged important EU policy initiatives and projects. As such, it contributed significantly to

furthering integrated border management and the use of new technologies to facilitate legitimate travel. Besides the development of the Schengen Information Systems and the Visa Information System, the Fund supported pilot projects on the introduction of automated border controls and preparation for the registered travellers' programme. Thanks to the financial contribution of the Fund to these measures, even if relatively small, valuable experiences were gained through the development of such innovative systems which will be an important input for the Commission in the further preparations of the 'smart borders concept' for the future, notably with regard to making it possible to use them also for third- country nationals. In that respect, Member States are encouraged to include fingerprint readers in their ABC projects, in order to make them future-proof in relation to the EES and RTP (Smart Borders initiative). The Fund proved also very useful for boosting investments in vulnerable areas, such as the Mediterranean.

It has helped improving the management of the EU external borders, fighting against irregular migration as well as enhanced Member States cooperation, as testified by the following results:

- thanks to the investments in national communication systems, border crossing infrastructure, state-of-the-art operating equipment for border checks and surveillance, means of transport and training for border guards, Member States benefited from significant technical improvements at the external border and at border crossing points, resulting in increased safety at EU external borders, more effective border traffic control and improved coordination between the various law enforcement authorities at national level;

- under the 2007-2009 annual programmes Member States purchased and upgraded the necessary equipment for the VIS and SIS II, enabling a smooth connection of the national platforms to the central systems. Given that all participating Member States must be ready with development of their national systems, in order for these European projects to function properly as a whole, the Fund, as a long term framework for complementing national funding, has proven to be of vital importance for the implementation these common IT projects;

- Member States made use of the additional resources provided by the Fund for measures to improve the visa handling process by investing in modern technology equipment (including biometric capture devices) and strengthening the security of consular offices. These measures had contributed to swifter processing of visa applications, enhancement in the quality of services and an equal and fair treatment of visa applicants.

Recommendations for the remainder of the multiannual period: as of 2011, Member States were invited to develop a programming of actions specifically targeted to the achievement of a number of key strategic objectives. The overall aim is to underscore the coherence with the most important common priorities of the EU as established in the Stockholm Programme, essential for the successful management of migratory flows in the Schengen area as a whole.

Consequently, Member States have been invited to concentrate resources under the Fund on the investments needed into the following five strategic objectives:

- realising the SIS II;

- the VIS roll-out at consulates and border crossing points;

- consular cooperation between Member States;

- building up the European Surveillance System;

- introducing new technologies supporting smoother border crossings, notably the automated border control systems.

The Fund's appropriations for 2011 were directed primarily towards meeting the EU requirements in these areas and this approach will be reinforced for the 2012-2013 period.

The report adds that Member States could explore more extensively the **possibilities of setting up multiannual projects,** thus reducing also the incidence of selection processes and establishing a stable financial multiannual planning.

Furthermore, the Commission recognises that once the above five strategic objectives and remaining national capacity building objectives are adequately met, **resources under the Fund could also be directed to support an effective continued use of past investments made with EU resources.** Thus, future actions could also finance maintenance, repairs and upgrades in relation to investments made under previous annual programmes of the Fund or, for some countries, the Schengen Facility. This is also possible in case of emergencies.

The next milestone for the Fund is the ex-post evaluation report for 2007-2010, which is due by 31 December 2012.