

“Follow th€ Money”

Assessing the use of EU Asylum, Migration and Integration Fund (AMIF) funding at the national level



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INTRODUCTION

The Asylum, Migration & Integration Fund (AMIF) 2014-20 aims to contribute, via financial assistance, to the effective management of migration flows and to the implementation and development of a common EU approach to asylum and migration. The AMIF reflects efforts to simplify and streamline the implementation of the European Union (EU) budget in the area of home affairs.¹

For the 2014-2020 period, approximately 88% of the total AMIF resources of €3.1 billion were allocated to Member States (MS) that adopted multiannual National Programmes.

In 2018, the European Commission (EC) is to carry out a mid-term review of the AMIF, taking into account interim evaluation reports prepared by MS on the implementation of their National Programmes. The EC's interim evaluation report is to be submitted to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions by 30 June 2018.

This report presents a critical analysis of the design, the programming and to the extent possible, the implementation of the AMIF via AMIF national programmes.

The report's specific objectives are to:

- support the assessment of AMIF national programming due to be undertaken in the 2018 mid-term review;
- make recommendations for the better management and use of AMIF funds during the remainder of the AMIF multiannual funding period; and
- provide input to assist the EC, MS and partners to develop European asylum, migration and integration funding instruments post-2020.

The report is produced in the framework of the strategic partnership between the European Council for Refugees and Exiles (ECRE) and the UN Refugee Agency (UNHCR), established in 2016 to develop and promote discussions on the future of the Common European Asylum System (CEAS).

¹ Recitals 2-3 & 7, 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 (hereafter 'Regulation 516/2014').

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Glossary of acronyms

AMIF	Asylum, Migration & Integration Fund (2014-20)
CEAS	Common European Asylum System
CfP	Call for Proposal
DA	Delegated Authority
EAM	European Agenda on Migration
EC	European Commission
EESC	European Economic & Social Committee
EP	European Parliament
EU	European Union
ISF	Internal Security Fund (2014-20)
MFF	Multiannual financial framework (of the European Union)
MS	Member State (of the European Union)
PP	Partnership Principle
RA	Responsible Authority
SOLID	Solidarity and Management of Migration Flows (funds in operation in 2007-13)

Glossary of Member State abbreviations

AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
EE	Estonia
ES	Spain
FI	Finland
FR	France
EL	Greece
HU	Hungary
HR	Croatia
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	Netherlands
PO	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom

EXECUTIVE SUMMARY

“Follow the Money”: assessing the use of AMIF funding at the national level presents a critical analysis of the design, the programming and to the extent possible, the implementation of the Asylum, Migration & Integration Fund (AMIF 2014-20) via the National AMIF Programmes of 27 participating European Union Member States (MS).

This study aims to support the 2018 mid-term review of AMIF national programming, and to make recommendations to assist the European Commission (EC) and MS during the remainder of the AMIF funding period and in developing migration and integration funding instruments post-2020.

Chapter 1 introduces the **methodology** for the study's supporting research, undertaken during June-November 2017 and encompassing a desktop review of relevant documentation, consultation with civil society, UNHCR and EC representatives and the presentation of preliminary findings at the UNHCR-NGO consultations of October 2017.

Chapter 2 describes the rationale and process behind the establishment of the **AMIF (2014-20)** and the fund's priority areas of asylum, legal migration and integration, return, and solidarity and responsibility-sharing between MS. It introduces several key requirements for the fund via the legal base, including added value and sustainability, compliance with European and international human rights standards, and the Partnership Principle. The latter was introduced for the first time in the AMIF, and requires MS to involve partners from various sectors in the *'preparation, implementation, monitoring and evaluation of national programmes'*.

Chapters 3-11 include recommendations, addressed to both the EC and MS, for both the remainder of the AMIF funding period and the post-2020 multiannual financial framework.

Chapter 3 covers the framework for the distribution of **AMIF funding** at the European level. 88% (€2.75 billion) is allocated to MS activities, of which 87% (€2.39 billion) is the 'basic allocation' for MS AMIF National Programmes. The use of a pre-determined formula to distribute funding to National Programmes, based on average allocations to MS under former funds in this area, is noted as producing allocations that do not reflect current MS needs and situations. The inclusion of this distribution formula in the AMIF legal base additionally means that 2017 'top-up' payments for integration and return priorities replicated this inappropriate distribution of AMIF funds. AMIF emergency funding has been an effective tool in remedying this imbalance.

Recommendations in this area include a revised distribution formula for AMIF funds, using more recent data, which should be reapplied and funding readjusted as necessary during a mid-term review.

Chapter 4 explores the process for compiling and agreeing on **AMIF National Programmes**, and critically analyses MS assessments of needs and gaps that the programmes are designed to address. It notes the exclusive reliance of MS on government data and statistics in order to analyse needs and gaps, and recommends an amended National Programme template that specifies the inclusion of statistical and qualitative data from independent sources, supported by clearly documented data obtained via consultation with relevant national partner organisations.

Chapter 5 focuses on the **allocation of funds within AMIF National Programmes**, noting consistently high allocations to the integration priority across the majority of MS, higher average allocations to asylum in Southern Europe, and higher average return allocations by Western European MS. Although MS are required to allocate a minimum of 40% of AMIF National Programme basic allocation funds to the asylum (20%) and integration (20%) priorities, this requirement does not produce spending to the same proportions in these areas.

Not all MS have achieved a national consensus on appropriate allocations of AMIF funds across priority areas, with inappropriate allocations attributed to factors such as the use of outdated statistics and significant changes in MS migration situations since implementation began. The chapter concludes with a

recommendation that MS be required to allocate and spend a minimum of 30% of National Programme funding on integration actions and 20% on asylum actions during the next multiannual funding period.

Chapter 6 presents requirements for participating MS related to **communication and information sharing**, and analyses MS compliance with these requirements to date. It concludes that although MS are fulfilling some basic requirements on sharing information, there is an overall lack of transparency within National Programmes in areas such as priority-setting, project award decision-making and – in particular – the rate and nature of programme implementation. Key recommendations include improved MS compliance and more systematic EC monitoring of MS actions in this area.

Chapter 7 examines the **implementation of AMIF National Programmes** to date, noting above all the lack of information published on the part of the EC as well as on the part of the MS in this area, and how the little available information indicates both vastly different rates of implementation across MS and overall slow implementation of AMIF activities across the EU. Despite this, the AMIF's multiannual programming approach has provided MS with additional flexibility to plan and adjust programmes, and National Programme activities have led to tangible, positive outcomes for asylum and integration in several MS.

Calls for Proposals – the key mechanism determining actions implemented via AMIF National Programmes – are noted as having limited the extent and nature of AMIF National Programme implementation in some MS, in particular by insufficiently addressing core National Programme priorities. Project award decision-making in some MS is noted as lacking in transparency or being of questionable quality. The chapter additionally concludes that the extent to which AMIF National Programme actions provide complementarity and added value is not always clear, with concerns that AMIF funding is in some instances being used to substitute state investment.

Recommendations in the area of implementation include increased transparency in MS decision-making, MS publication of annual AMIF implementation reports, increased flexibility to amend AMIF projects during implementation in response to changing needs, and that the legal base for post-2020 funding includes a reflection on what constitutes 'core' and 'complementary' actions.

Chapter 8 covers the **monitoring of AMIF National Programme activities** at both the European and national levels. It describes an increased emphasis on direct contact with MS within EC monitoring, which has provided flexibility to deal with acute migration situations in 'frontline' MS. It recommends that the EC make public both the internal tools and guidance used during monitoring visits to AMIF-funded projects and the outcomes of these visits, and build a broader confidence in EC oversight of AMIF National Programmes by sharing information on its monitoring activities and approaches. Other recommendations for the EC include formalising the action-planning process currently in use for MS in which the implementation of National Programmes is deemed to be significantly behind schedule.

MS monitoring is noted as emphasising the quantitative and financial elements of AMIF projects and actions. In some instances, MS monitoring requirements are overly complex and resource-intensive, creating significant administrative burdens for implementing organisations. Recommendations to MS include ensuring that monitoring includes an assessment of the qualitative impact of AMIF actions.

Chapter 9 presents the **common evaluation framework** for AMIF National Programmes specified in the fund's legal base, which forms the basis for MS interim and final evaluation reports (submitted to the EC in 2018 and 2023, respectively). The framework comprises a set of evaluation questions and common result and impact indicators to be used by MS in evaluating their programmes.

The chapter describes how the framework does not specify an evaluation methodology that requires MS to seek input from partners or a reporting format that enables this information to be presented, nor does it include questions/indicators covering the extent to which the Partnership Principle has been realised within individual National Programmes. Recommendations include amending the framework to include a requirement for partner input, an assessment of the Partnership Principle, and a formal process for the EC and MS to agree upon evaluation outcomes.

Chapter 10 critically appraises the way in which the **Partnership Principle** has been understood and implemented across MS AMIF National Programmes, and highlights how differing interpretations of the principle mean it has not worked consistently or optimally across MS.

Despite some positive examples of partner involvement in the preparation phase of National Programmes, the impact of this input on setting programme priorities is in many instances unclear. In some instances, MS commitments to fulfilling it made in National Programme documents have yet to be implemented.

The study's recommendation is for a strengthened Partnership Principle within migration and integration funding instruments post-2020: to be compulsory, with a specified range of partners involved in meaningful, documented and regular consultation.

Chapter 11 examines **the role of civil society organisations within AMIF National Programmes**. It notes that the extent to which they are beneficiaries of AMIF National programme funding varies significantly across MS, and tends to be stronger in MS in which civil society sectors have more consistent and defined roles within national asylum/integration policy frameworks. It identifies several barriers to the participation of civil society organisations in National Programmes, particularly in relation to programme financing and payments, and highlights the positive impact of dedicated support for civil society organisations at the pre-application and implementation phases.

The chapter concludes with a recommendation for National Programmes to empower civil society organisations to carry out their complementary role, by allocating to them minimum shares of programme funding for activities within the asylum and integration priority areas.

1. METHODOLOGY

This study focuses on AMIF National Programmes in all 27 implementing MS.²

Supporting research was completed during June-November 2017 and undertaken via:

- A **desktop review** of relevant documentation and publications, including MS National Programme and related documents, MS AMIF websites, AMIF legislation, and other AMIF documentation published by the EC.
- A **questionnaire** circulated to **UNHCR** national and regional representations and **civil society organisations** in all 27 implementing MS, and subsequent follow-up discussions with questionnaire respondents.
- **Consultation with EC staff** responsible for coordinating the work of national AMIF country desks within DG Home Affairs.
- **The presentation and discussion of draft findings and recommendations** at the October 2017 UNHCR-NGO Consultations in Tallinn, Estonia.

The scope and timing of the study did not allow for formal consultation with implementing MS, and access to MS annual AMIF National Programme implementation reports were not possible during the research period.

The study's content reflects the informal approach to stakeholder consultation: MS with higher questionnaire response rates are more frequently represented, and the subjective views of respondents are highlighted and included throughout. Save for input provided directly by the EC, the organisations and sectors of respondents are not referred to directly in the text.

² Denmark does not participate in the AMIF: together with Ireland and the UK, it holds 'opt-outs' concerning EU policies in several domains, including some areas of Justice and Home Affairs. The UK and Ireland have opted to participate in the AMIF, whereas Denmark has not.

2. ASYLUM, MIGRATION & INTEGRATION FUND (2014-20)

a. Establishment of the fund

The AMIF (2014-20) was established in April 2014 to contribute, through financial assistance, to the efficient management of migration flows and to the implementation and development of a common EU approach to asylum and migration. By replacing three distinct funding programmes operating during 2007-13 and earlier budget cycles under the umbrella of the general programme Solidarity and Management of Migration Flows (SOLID),³ the Internal Security Fund (ISF) and the AMIF aimed to simplify and streamline the implementation of the EU budget in the area of home affairs.

b. AMIF objectives

The AMIF has four common specific objectives:⁴

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

c. European Union added value, complementarity and sustainability

'Added value for the Union'⁵ should be a primary objective of the use of Home funding. Further, 'Added value and sustainability of the actions' is included amongst the criteria to be assessed by the AMIF's common monitoring and evaluation framework.⁶ The general principles for AMIF assistance, including that provided for National Programmes, describe how the AMIF shall provide support 'which complements national, regional and local intervention' and results in 'added value for the Union'.⁷

d. Partnership Principle

The AMIF introduced for the first time a national level Partnership Principle⁸, requiring MS to organise a partnership 'drawn from relevant public authorities at national, regional and local level, where applicable' and 'where deemed appropriate (including) relevant international organisations, non-governmental organisations and social partners'.⁹ MS are required to involve this partnership in the 'preparation, implementation, monitoring and evaluation of national programmes'.¹⁰

The Partnership Principle as described enables MS to independently determine both the nature and composition of the partnership, and the modalities of its involvement in the specified stages of an AMIF National Programme. Additionally, the legal basis also specifies that 'the composition of the partnership may vary at different stages of the programme',¹¹ enabling MS to modify the partnership at any point during the National Programme.

³ European Refugee Fund (ERF); European Fund for the Integration of third-country nationals (EIF); European Return Fund (RF).

⁴ Article 3(2), Regulation 516/2014

⁵ Preamble (3), Regulation 514/2014.

⁶ Article 55(3), Regulation 514/2014.

⁷ Article 3(1), Regulation 514/2014.

⁸ Preamble 57, Regulation 516/2014.

⁹ Article 12(1), 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 (hereafter 'Regulation 514/2014').

¹⁰ Article 12(3), Regulation 514/2014.

¹¹ Article 12(3), Regulation 514/2014.

The legal basis for the Partnership Principle also requires MS to establish a monitoring committee to ‘*support the implementation of national programmes*’.¹² Although the role of the partnership in the monitoring committee is not explicitly set out, the committee’s function as the key vehicle for national programme implementation, monitoring and evaluation, and its inclusion under the ‘*Partnership*’ heading of the legal basis, strongly implies that MS should facilitate participation in the work of the committee by means of the specified partnership.

e. Human rights compliance

The AMIF is required to be implemented in a manner that fully complies with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and which respects human dignity¹³ and ‘*relevant international instruments*’. The legal basis also requires that AMIF-funded actions ‘*take account of a human rights-based approach to the protection of migrants, refugees and asylum seekers*’, in particular ensuring that the specific needs of vulnerable persons (‘*in particular women, unaccompanied minors and other minors at risk*’) are addressed through a ‘*dedicated response*’.¹⁴ Expenditures incurred by the MS in the context of AMIF must also be compliant with EU law¹⁵.

¹² Article 12(4), Regulation 514/2014.

¹³ Articles 3 and 19 (2), Regulation 516/2014.

¹⁴ Recital 33, Regulation 516/2014.

¹⁵ Preamble (34), Regulation 514/2014.

3. AMIF FUNDING

a. Overall allocation of AMIF funds (2014-20)

The AMIF represents a substantially increased total funding allocation for asylum and migration compared to the total of the three prior funds (€3.1 billion against €2.1 billion).

For the 2014-2020 period, approximately 88% (€2.75 billion) of total AMIF funds are allocated to MS. The remaining 12% of the total AMIF (€0.38 billion) is directly managed by the EC and allocated to:

- **Union Actions:** transnational cooperation networks and pilot projects, research on new forms of EU cooperation, and cooperation with third countries.¹⁶
- **Emergency assistance:** for MS to address needs arising from emergency migration situations.¹⁷
- Financial support for the **European Migration Network**.
- **Technical assistance.**

The distribution of AMIF resources must be '*fair and transparent*'¹⁸ and enable MS to receive financial support to pursue AMIF priorities '*according to their specific situations and needs*'.¹⁹

b. AMIF allocations to Member States

i. 'Basic allocation' (2014-20)

AMIF funds are allocated to MS that adopt multiannual national programmes and implement the fund under shared management.²⁰ The multiannual approach to planning is new: the previous SOLID funds required MS to submit annual national plans.

Of the €2.75 billion of AMIF funding allocated to MS, 87% (€2.39 billion) is the 'basic allocation' for MS AMIF National Programmes. The remaining 13% (€0.36 billion) is a variable amount allocated to MS resettlement and relocation activities.²¹

The 'basic allocation' amounts for MS AMIF National Programmes were allocated to individual MS for the entire budgetary period of 2014-2020, using a pre-determined formula based on average allocations to each MS under the three SOLID funds during 2011, 2012 and 2013.²²

¹⁶ Actions to be undertaken in the framework of the Global Approach to Migration & Mobility, and may also include measures to raise awareness of legal and illegal migration in third countries (Article 20, Regulation 516/2014). During 2015, AMIF National Programmes also include top-up funding totalling €45million allocated to lead MS to implement Specific Actions as listed in Annex II, Regulation 516/2014.

¹⁷ 'Emergency situation' defined in Article 2(k), Regulation 516/2014.

¹⁸ Recital 3, Regulation 516/2014.

¹⁹ Recital 6, Regulation 516/2014.

²⁰ 'Shared management' refers to funds that are managed jointly by the European Commission and Member States.

²¹ Funding for resettlement and relocation is provided to MS via 'lump sum' payments per person resettled/relocated and financial support for developing resettlement programme activities and infrastructure (Article 7 and 17-18, Regulation 516/2014).

²² Annex I, Regulation 516/2014.

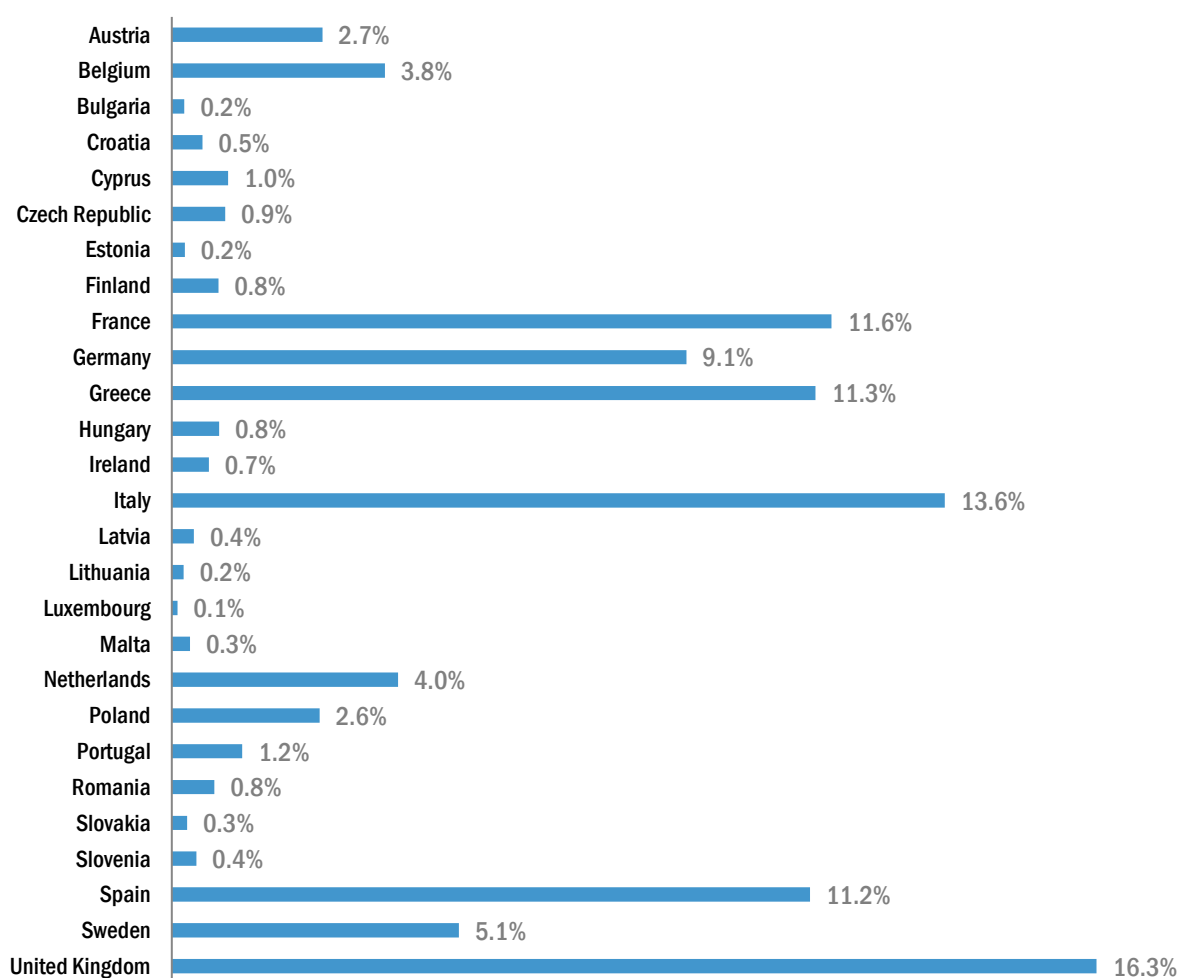


Figure 3.1: Distribution formula: basic allocation National AMIF Programmes 2014-20.²³

The allocations under the SOLID funds were made using a distribution formula based on MS statistics, including the number of asylum claims, residing third-country nationals and effected returns during the three preceding years. AMIF allocations to National Programmes are thus effectively based on statistical information of migration situations in MS during 2011-12.

ii. AMIF 'top up' payments: integration and return priorities (2017)

In early 2015, hugely increased numbers of migrant and refugee arrivals into Europe had severe practical and political impacts for 'frontline' MS at Europe's borders and key 'destination' MS further into the territory.

In response, the EU adopted a new approach to migration management, initially set out in the May 2015 European Agenda on Migration (EAM). These comprised a set of short and long-term measures focused on reducing smuggling and trafficking, managing borders, effectively implementing the CEAS, and developing a new European policy on legal migration.²⁴ The AMIF and ISF are key mechanisms with which to provide MS with additional funds to respond to the crisis and to implement the EAM.

During 2015-16, emergency assistance for the most affected MS was significantly increased under both funds, in line with the EAM's initial focus on dealing with the immediate effects of the crisis.²⁵ In the longer term, the EAM also strongly emphasised effective integration and return as core components of a broader EU response to migration,²⁶ with priorities and actions later set out in the *Action Plan on Integration for Third-*

²³ Annex I, Regulation 516/2014.

²⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration (13 May 2015), pp. 6-7.

²⁵ Draft Amending Budget No 7 to the General Budget 2015: Managing the refugee crisis: immediate budgetary measures under the European Agenda on Migration (30 September 2015).

²⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration (13 May 2015), pp. 9-10, 16.

The 2017 EU budget allocated an additional €1,130 million to the AMIF fund, from which the EC allocated ‘top-up’ payments to MS AMIF National Programmes for the return (€120 million total additional AMIF allocation) and integration (€140 million total additional AMIF allocation) priorities.²⁸ These monies were allocated to MS National Programmes using the same formula applied to determine basic AMIF allocations for 2014-20, as fixed in the AMIF legal base.

iii. AMIF emergency funding

Since the AMIF was established, the European migration and asylum context in which MS National Programmes are being implemented has undergone significant change. During 2013-16, the number of asylum claims received annually by EU MS increased from 431,090 to 1,260,910,²⁹ and vastly increased migrant and refugee arrivals have strongly affected many MS that received a relatively low share of funding via the AMIF National Programme distribution key.

This imbalance of initial allocations in relation to later changed circumstances is evidenced by the EC’s allocation to date of just under €427.5 million in emergency assistance for actions in MS under direct management.³⁰

iv. Allocation of AMIF funds vs. needs and situations in Member States

Using Member States’ share of asylum claims received during 2014-16, the graph below demonstrates both the disproportionate nature of AMIF basic and top-up allocations for National Programmes in MS, including Belgium, France, Spain and the UK, and the fundamental importance of AMIF emergency assistance for national actions in MS, including Bulgaria, Greece, Hungary and Italy, in which financial allocations for AMIF emergency assistance are considerably higher than those for National Programmes.

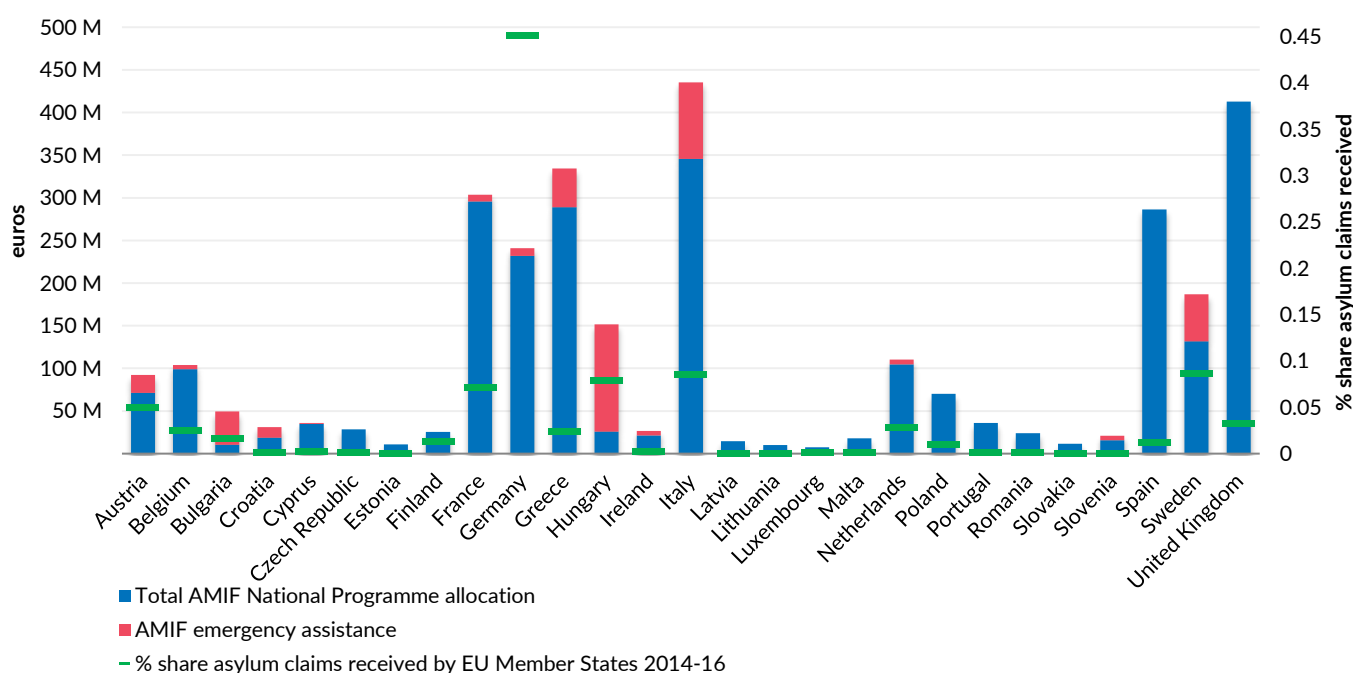


Figure 3.2: AMIF allocations per MS (National Programme basic and top-up allocations, emergency assistance) against % share asylum claims per MS 2014-16³¹.

²⁷ These and other legislative documents relating to the European Agenda on Migration can be accessed at https://ec.europa.eu/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package_en (last accessed 20 November 2017).

²⁸ Annex 2, AMIF-ISF/2017/02 note from EC to the AMIF-ISF Committee on 8 February 2017 (Ares(2017)702148).

²⁹ Eurostat http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_asyappctza&lang=en (last accessed 6 October 2017).

³⁰ Updated ANNEX 8 (20/9/2017) of Communication from the Commission to the European Parliament and the European Council and the Council – Managing the refugee crisis: State of Play of the Implementation of the Priority Actions under the European Agenda on Migration (hereafter ‘Updated Annex 8’).

³¹ Updated Annex 8 (AMIF allocations); Eurostat asylum statistics, 2014, 2015 and 2016.

c. Payment of AMIF funds to Member States for AMIF National Programmes

Whilst specific AMIF funding amounts are allocated to MS National Programmes, payments to MS for programme activities are made on the basis of eligible expenditure. MS receive an initial pre-financing payment of 4% of the total Union contribution, and annual pre-financing payments of 3-6% (depending on the implementation year) upon agreement of annual implementation reports.³² MS thus receive AMIF funds dependent on the extent to which they implement National Programmes, in a manner consistent both with the version agreed upon with the EC and with EC spending and record-keeping requirements.

KEY FINDINGS

- The current distribution formula for AMIF funding for MS National Programmes is effectively based on statistical snapshots of migration situations in MS during 2011-12, and thus does not produce allocations that reflect current MS needs and situations.
- AMIF emergency assistance has provided MS with flexibility and the capacity to respond to changing migration and asylum needs.

RECOMMENDATIONS ADDRESSED TO THE EC

Next MFF:

- Emergency assistance should be included and allocated via shared management to MS National Programmes, with specific EC monitoring arrangements to ensure their appropriate use.
- To improve the distribution of funding to MS National Programmes, allocations should be based on a formula that incorporates:
 - the most recent available Eurostat data for resident TCNs and asylum claims;
 - weightings for national GDP, unemployment and the risk of social exclusion with the general population; and
 - the use of AMIF emergency assistance during 2014-20.

Whilst retaining the multiannual approach introduced by the AMIF, mid-term reviews should revisit and readjust the distribution of funding based on a repeat application of the above formula using updated data.

³² Article 35(1-2), Regulation 514/2014.

4. AMIF NATIONAL PROGRAMMES

a. Objectives

AMIF National Programmes are required to set out a general strategy and funding priorities for the period 2014-20, to address three mandatory objectives:

- Strengthening the **CEAS**.
- Setting up and developing **integration strategies**, that:
 - are implemented at the national, regional and local levels, as appropriate;
 - address the needs of different categories of migrants; and
 - develop partnerships between relevant stakeholders.
- Developing a **return programme**, to include a voluntary return component.³³

b. Producing National Programmes

MS National Programmes were drafted via a standardised process of dialogue between the MS Responsible Authority (RA) for AMIF and the EC.

During 2013-2014, each participating MS prepared a Key Issues Paper, which formed the basis for discussions during a half-day Policy Dialogue meeting generally attended by MS and EC (Directorate General for Home Affairs) representatives only. MS then submitted draft National Programmes based on priorities identified during Policy Dialogues, and worked with the EC to redraft programmes until an approved version was agreed.

The EC assessment of National Programmes considered:

- The **coherence** between the National Programme and Policy Dialogue discussions.
- The **quality and relevance** of the strategy proposed in the National Programme in relation to the needs and gaps identified in the programme documents.
- **Legal compliance**.
- The **correctness** of financial information.³⁴

17 National Programmes were approved by March 2015.³⁵ The remaining programmes were approved by end 2015, meaning that the implementation of National Programmes was delayed for periods ranging from 15 months to two years.

c. Content of National Programmes

i. Requirements for MS

MS AMIF National Programmes follow a standardised format³⁶ and include, amongst other things, the following information:

- **Baseline situation/needs analysis in the MS at 31st December 2013.**
- The anticipated **qualitative and quantitative results** of the programme.
- **Examples of actions** intended for the programme.
- **Complementarity with other EU funding programmes.**
- **Management and control systems.**
- **Modalities to involve partners and stakeholders** in the programming process, as required by the Partnership Principle.

³³ Article 19(1), Regulation 516/2014.

³⁴ Manual to Assist Member States, p. 9.

³⁵ Austria, Belgium, Bulgaria, Czech Republic, Germany, Estonia, Finland, France, Hungary, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Romania, Slovenia and the UK.

³⁶ Annex to Commission Implementing Regulation (EU) No 802/2014 of 24 July 2014 establishing models for national programmes and establishing the terms and conditions of the electronic data exchange system between the Commission and Member States pursuant to Regulation (EU) No 514/2014 of the European Parliament and of the Council laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, prevention and combating crime and crisis management.

The template for National Programmes specifies character limits for each of the above headings. There is no possibility to include tables, charts or links to online information, and whilst additional documents can be attached and referred to, they are not considered as forming part of the National Programme.³⁷

ii. MS assessments of needs and gaps

The baseline situation/needs analysis section of National Programme documents should:

- outline national priorities for asylum and migration;
- describe how Union funding can add value and achieve AMIF objectives; and
- be supported by statistical evidence '*wherever possible*'.³⁸

All subsequent sections of National Programmes should build on and refer to the information presented in this section.³⁹ As such, the quality and relevance of National Programmes depends to a large extent on the breadth and accuracy of the information presented in the baseline situation/needs analysis.

All 27 National Programme documents submitted by participating MS draw on the following sources to compile baseline situation/needs analysis sections:

- **Government-produced statistical data** (national data and/or that held by Eurostat), including, for example, the numbers of asylum claims and decisions, persons resident in reception facilities, the numbers of resident third-country nationals, and so on.
- **National budgets** allocated to specific AMIF priority areas (where available).
- **National policies/plans** for specific AMIF priority areas (where these are in place).
- **Previous projects and actions** implemented under the former SOLID funds.

None of the 27 National Programme documents make reference to the needs analysis by non-governmental partners, or make use of qualitative or quantitative data from non-governmental actors or sources.

d. Management of National Programmes: competent authorities

i. Requirements for Member States

Each MS is required to nominate a public-sector body of the MS as the RA for the AMIF National Programme, tasked with the '*proper management and control*' of the National Programme and all communication with the EC.⁴⁰ MS may nominate the same RA as was in place for the previous SOLID funds if they judge this to be the most effective approach.⁴¹

MS must additionally nominate another public authority, '*functionally independent*' of the RA, as an Audit Authority for the National Programme. MS may also nominate one or more Delegated Authorities (DAs) to carry out specific tasks of the RA, as they judge appropriate. DAs can be private or public-sector bodies, and the RAs remain responsible and accountable for the tasks they carry out in relation to National Programmes.⁴²

ii. Situations in Member States

The majority of MS based management arrangements for AMIF National Programmes partly or wholly on those for the prior SOLID funds: 16 MS⁴³ used the same management structure, and a further 3⁴⁴ included best practices from SOLID fund management in amended arrangements for AMIF. 8 MS⁴⁵ did not reference prior SOLID fund management arrangements when setting out those for AMIF National Programmes.

³⁷ Directorate General for Home Affairs (March 2014), *Manual to assist Member States in Programming for the Asylum, Migration and Integration and Internal Security Funds of the Multiannual Financial Framework period 2014-2020* (hereafter 'Manual to assist Member States'), p. 15.

³⁸ Annex to Commission Implementing Regulation (EU) No 802/2014 of 24 July 2014 establishing models for national programmes and establishing the terms and conditions of the electronic data exchange system between the Commission and Member States pursuant to Regulation (EU) No 514/2014 of the European Parliament and of the Council laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, prevention and combating crime and crisis management.

³⁹ As specified throughout the Manual to Assist Member States.

⁴⁰ Article 25(1), Regulation 514/2014.

⁴¹ Article 26(3), Regulation 514/2014.

⁴² Article 25(1), Regulation 514/2014.

⁴³ BE, CZ, DE, EL, FI, HR, HU, IE, LV, LU, MT, EE, PL, SI, SK, UK.

⁴⁴ AT, NL, SE.

⁴⁵ BG, CY, ES, FR, IT, LT, PT, RO.

19 MS⁴⁶ nominated the Ministry of Interior (or the national political equivalent) as the AMIF RA, including all 8 Central European MS, 2 of the 3 Baltic states and 5 of 8 MS in Western Europe. 2 MS (SE, LU) nominated government departments with a specific mandate for integration and migration, whilst others nominated governmental departments responsible for social security (ES, LT), justice (IE, NL), economy and tourism (EL) and European affairs (MT).

Just over half of MS⁴⁷ did not delegate any RA functions to other authorities.

7 MS delegated specific AMIF priorities to other authorities, with integration being the most commonly delegated priority area (4 MS):

MS	AMIF delegated authority delegated (Delegated Authority)
Austria	Integration (Ministry for Europe & Integration)
Greece	Asylum (Asylum Service) Return (Ministry for Citizen Protection)
Italy	Integration (Ministry for Work & Social Policy)
Ireland	Return (Irish Naturalisation & Immigration Service)
Latvia	Integration (Ministry of Culture)
Portugal	Integration (High Commissariat for Migration)
Spain	Asylum (Ministry of Interior) Return (Ministry of Interior)

4 MS (BE, LT, LU, NL) delegated management functions for all AMIF National Programme priorities – including developing and issuing Calls for Proposals, selecting projects, and carrying out project checks, audits and evaluation – to other authorities. Romania delegated these functions to another agency within the RA Ministry of the Interior, whilst both Belgium and Lithuania delegated these tasks to agencies previously established to manage European Social Fund activities.⁴⁸

Austria specifically delegated financial and evaluation support for the RA to the national foundation, the Austrian Integration Funds.

KEY FINDINGS

- MS make exclusive use of government data and statistics to determine the needs and gaps that AMIF National Programmes are designed to address: National Programme documents do not reference non-governmental input or data in this context.
- Ministries of the Interior or their national equivalents lead AMIF National Programmes in the majority (19) of participating MS.
- MS employ a variety of management approaches for AMIF National Programmes, including:
 - a single public authority being responsible for all aspects of managing National Programmes (15 MS);
 - delegating all National Programme functions for one or more AMIF priority areas to other public authorities (7 MS), most commonly the integration priority (4 MS); and
 - delegating management functions for all AMIF National Programme priorities (developing and issuing Calls for Proposals, selecting projects, and carrying out project checks, audits and evaluation) to other public authorities.

⁴⁶ AT, BE, BG, CY, CZ, DE, EE, FI, FR, HR, HU, IT, LT, PO, PT, RO, SI, SK, UK.

⁴⁷ BG, CY, CZ, DE, EE, FI, FR, HU, IE, MT, PO, SE, SI, SK, UK.

⁴⁸ In Belgium, to reflect national governance arrangements, these functions were delegated to two regional agencies: ESF Vlaanderen (Flanders) and Agence FSE (Brussels and Wallonia).

RECOMMENDATIONS

Recommendations addressed to the EC

Next MFF:

- MS National Programme needs assessments should follow a standardised format that specifies the inclusion of statistical and qualitative data from independent sources, and is supported by clearly documented data obtained via consultation with relevant national partner organisations.
- The current high-level Policy Dialogue structure should be retained, with an additional requirement for MS to conduct meaningful and documented-supporting consultation with relevant national partner organisations

Recommendations addressed to MS

- RAs should delegate management of specific priority areas to the relevant government services/departments (asylum to the asylum service, integration to the relevant ministry when applicable).
- RA should delegate the administrative management of project applications, award decision, audit etc to another independent body, to provide some level of autonomy or independence for this function.

5. ALLOCATION OF FUNDS WITHIN AMIF NATIONAL PROGRAMMES

a. Requirements for Member State National Programmes

MS were required to allocate a minimum of 40% of their AMIF National Programme basic allocation to the asylum (20%) and the integration (20%) priorities. A departure from these minimum allocations was only possible where MS provided full justifications that are approved by the EC. Although MS with '*structural deficiencies in the area of accommodation, infrastructure and services*' are not permitted to deviate from the minimum percentages, the legal base offers no criteria for determining which MS fall into this category.⁴⁹

It is important to note that the minimum percentages were only required to be allocated by MS within National Programmes: there is no requirement that MS spend the financial equivalent of the minimum percentages on actions under the asylum and integration priorities.

A derogation from the minimum allocation percentages was finally approved by the EC only for Greece, which allocated 39.3% of the basic National Programme allocation to the asylum priority and 12.5% to integration.

b. Allocation of funding to AMIF priorities at the national level

Some regional and sub-regional trends in the allocation of funding to AMIF priorities at the national level can be observed:

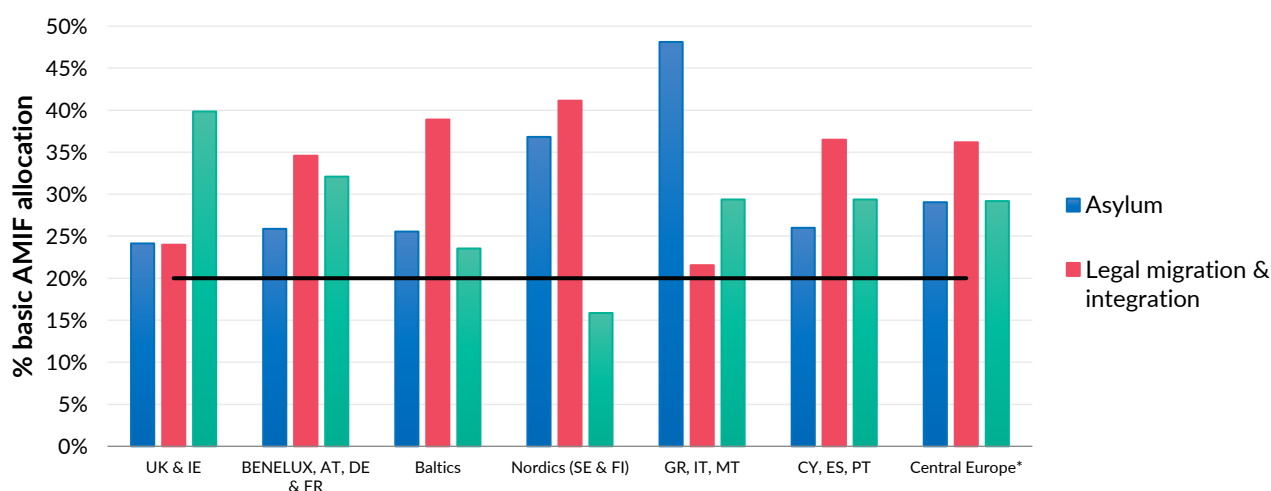


Figure 4.1: National allocations to AMIF priority areas by European region/sub-region⁵⁰

* Central Europe - BG, CZ, HR, HU, MT, PO, RO, SI, SK

Whilst Southern European states made the highest average allocation to the **asylum priority** (37%), those experiencing higher numbers of migrant arrivals (GR, IT, MT) allocated far more (48.1%) than other MS in the region (26%). Central European states made an average allocation of 29% to the asylum priority, although this ranged from 20% in the Czech Republic and Poland to as high as 45% (HR). In Western and Northern Europe, an average of 29.3% of basic AMIF allocations were for the asylum priority.

Nordic states made the highest average allocation to the **integration priority** (41.1%), with Baltic States similarly allocating an average of just under 39% to this priority. Austria, the Benelux MS, Germany and France made a regional average allocation of 35.3% to this priority, with particularly high allocations in Germany (44%), Austria (41%), and France (39%). Central European MS also made a high average regional allocation of 36.1% to the integration priority, with high allocations in Poland (62%), the Czech Republic (46%) and Hungary (40%).

⁴⁹ Article 15(1a), Regulation 516/2014.

⁵⁰ AMIF National Programmes

The highest regional allocation to the **return priority** was in Western Europe (37%), although the UK and Ireland allocated far more on average (39.8%) than other states in the region (32%).

c. National allocations to AMIF priorities vs. needs in Member States

Study respondents in four MS (BE, FI, IE, IT) reported the **distribution of AMIF basic allocations across National Programme priorities as being appropriate for the predominant needs** in their contexts. In Finland, the strong focus on allocating funding to asylum, reception and integration was particularly welcomed.

An undue focus on returns in AMIF allocations to National Programme priorities was noted by respondents in the UK (57.4% allocation) and the Czech Republic (27.4% allocation).

In Cyprus, whilst the need to allocate substantial AMIF funding to reception capacity within the asylum priority was acknowledged, respondents felt that the allocation to the integration priority was insufficient to meet prevailing needs.

Respondents in Greece and Portugal noted **the use of outdated statistics when weighting funding across National Programme priorities**, which in Greece led to overestimated needs for the return priority. Actors in Spain also reported the negative impact of the reliance on data from 2011-12 to set priorities and allocations, noting the substantial increase in asylum arrivals since the National Programme was finalised and a subsequent insufficient allocation to the asylum priority.

Regardless of respondent views on the extent to which the distribution of AMIF funds across programme priorities accurately reflected national needs, **a lack of programme-level information on AMIF implementation in MS means it is not possible to judge how far AMIF spending is achieving the priorities envisaged in National Programmes.**

KEY FINDINGS

- Required minimum allocations of AMIF funds to the asylum and integration priorities do not require or produce spending to the same proportions in these areas.
- National allocations to the integration priority area are consistently high, being above 30% in all European sub-regions save the UK and Ireland, and Greece, Italy and Malta.
- Allocations to the return priority are significantly higher in Western European MS.
- Not all MS have achieved a national consensus on the appropriate allocation of AMIF funds across priority areas, with over allocation to the return priority presenting a significant area of disagreement.
- Inappropriate allocations across priority areas are attributed both to the use of outdated statistics when drafting National Programmes and to significant changes in migration situations and needs in MS since implementation began.

RECOMMENDATIONS ADDRESSED TO THE EC

Next MFF:

MS should be required to allocate and spend a minimum of 30% of national programme funding on integration actions and 20% on asylum actions.

6. COMMUNICATION AND INFORMATION SHARING

a. Requirements for Member States

MS are required to fulfil three information-sharing roles in relation to AMIF National Programmes:⁵¹

- Establishing a **dedicated website or web portal** providing access to the National Programme and to all the information required to fulfil MS information sharing responsibilities in relation to National Programmes. The information provided on the website should be guided by presented by means of detailed for information and communication activities in relation to National Programmes developed by MS, including information measures for potential beneficiaries.⁵²
- **Informing potential beneficiaries about funding opportunities** available via the National Programme, in the form of up-to-date information on Calls for Proposals (CfPs), eligibility conditions, procedures and timescales for examining funding applications, criteria for project selection, and contact points for further information on the National Programme.⁵³ In addition to information published on the website/portal, MS should undertake '*more direct*' communication methods, such as public events, information days and training events.⁵⁴
- Communicating the achievements of the AMIF by **publicising the impact and results of the AMIF National Programme to the general public**.⁵⁵ MS should implement information measures to launch the National Programme or publicise its achievements,⁵⁶ and ensure the transparency of implementation by publishing a list of actions supported by the National Programme (to include the names of beneficiaries and projects, and the amounts of Union funding allocated to them)⁵⁷ that is updated at least annually.⁵⁸

As a general principle, MS shall make information public except where its confidential nature means it is restricted,⁵⁹ and ensure that information is '*disseminated widely using various forms and methods of communication*'.⁶⁰

b. Communication and information sharing: situations in Member States

Whilst all MS have some kind of dedicated web space for AMIF with copies of National Programme documents available, there is a lack of consistent public information on AMIF CfPs, beneficiaries, projects and financing, and an almost complete absence of information on the impact of AMIF actions.

19 MS list current or past CfPs on their AMIF webpages. Both Croatia and Cyprus list just one current CfP, whilst six MS (BG, CZ, IE, LT, RO, UK) make no mention of current or former CfPs on their AMIF webpages. The lack of CfPs for the UK could be accounted for by the exclusive use of direct awards, rather than competitive public calls, to distribute AMIF funds.⁶¹

21 MS publish some kind of guidance for project implementation, including, for example, the eligibility of applicant organisations and rules for eligible expenditure, albeit of differing levels of quality and accessibility: one MS uses a restricted access webpage for this type of information, for example.

8 MS (BG, CZ, DE, HR, IE, IT, LT, RO) do not publish any information at all on how AMIF funding is being

⁵¹ Article 53, Regulation 514/2014.

⁵² Article 53, Regulation 514/2014.

⁵³ Article 3(1), Commission Delegated Regulation (EU) No 1048/2014 of 30 July 2014 laying down information and publicity measures for the public and information measures for beneficiaries pursuant to Regulation (EU) No 514/2014 of the European Parliament and of the Council 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 (hereafter 'Delegated Regulation: Information and Publicity').

⁵⁴ Recital 40, Regulation 514/2014.

⁵⁵ Article 53, Regulation 514/2014.

⁵⁶ Article 1(2), Delegated Regulation: Information and Publicity.

⁵⁷ Article 53(1), Regulation 514/2014.

⁵⁸ Article 1(2), Delegated Regulation: Information and Publicity.

⁵⁹ Article 53(3), Regulation 514/2014.

⁶⁰ Article 1(1), Delegated Regulation: Information and Publicity.

⁶¹ Project award information published by the UK government covers AMIF National Programme actions until July 2016, listing 27 actions for which funding was distributed via direct award only.

used. In Belgium, the DA for Brussels and the Wallonia region publishes project award information for 2015-16, but the corresponding DA for the Flemish region has not made this information public. Poland has published the outcome of a single 2015 CfP, and whilst Greece is the only MS to have made an annual AMIF National Programme implementation report submitted to the EC public, this document does not specify the beneficiaries of AMIF funding. The absence of project award information in some MS makes assessments of the distribution of AMIF monies in relation to commitments made within National Programmes, and whether MS are succeeding in distributing monies at all, very difficult.

Of the 16 remaining MS, the UK and the Netherlands are not fulfilling the obligation to update project award information on an annual basis, instead publishing award information up to July 2016 and for the year 2015, respectively. Six of these MS (ES, FR, HU, LU, SE, SI) have to date fulfilled the annual publication obligation by making available award information up to and including 2016. Eight MS (AT, CY, EE, FI, LV, MT, PT, SK) have published information on all project awards to date.

Of the 19 MS that do publish some kind of project award information, only 9 specify the EU's financial contribution to individual project budgets.

Aside from Greece's publication of the annual EC implementation report for 2016, MS do not publish any specific or consistent information on the impact of projects funded via AMIF National Programmes. Assessing how far both MS and AMIF beneficiaries within MS are succeeding in achieving their aims, in relation to National Programmes and individual project objectives, is thus very difficult.

GOOD PRACTICE

Portugal publishes an annual CfP calendar, enabling potential beneficiaries to anticipate and prepare for the application process.

Eight MS hold AMIF information and training events open to participation by civil society actors, and publish information about them on their AMIF National Programme webpages. These initiatives range from one-off events designed to answer technical and information questions on pre-determined priorities and CfPs (AT, SL), to regularly programmed events taking place on an annual or biannual basis with scope for participants to present ideas of projects based on identified needs (FI, SE, SL).

GOOD PRACTICES

Finland publishes an annual list of projects funded via the AMIF National Programme that includes project names and descriptions, implementing and partner organisations, EU and co-financing financial contributions and contact details for project managers.

With each new CfP, Slovakia holds a corresponding Information Day and makes available a ZIP file of all relevant documentation for download by potential beneficiaries.

Cyprus maintains a contact database of potential beneficiaries, whom it contacts prior to the issue of CfPs to request the informal submission of project ideas. Some evidence exists that submissions do have an impact on the content of CfPs, albeit within the framework of existing National Programme priorities.

KEY FINDINGS

- To date, AMIF National Programmes lack transparency in relation to:
 - priority and objective setting;
 - project award decision-making; and
 - the rate and nature of implementation.
- Several MS are not fulfilling their obligations in relation to information, publicity and communication, in particular:
 - information for potential beneficiaries;
 - publicising National Programme impact and achievements;
 - providing annual updates on AMIF National Programme actions and beneficiaries;
 - specifying Union funding contributions; and
 - following the general principle of publishing all information that is not confidential in nature.
- The absence of project award information in some MS makes assessments of the distribution of AMIF monies in relation to commitments made within National Programmes – and whether MS are succeeding in distributing monies at all – very difficult.
- MS do not publish information on the impact of actions funded via AMIF National Programmes, making assessments of how far both MS and AMIF beneficiaries within MS are succeeding in achieving their aims very difficult.

RECOMMENDATIONS

Recommendations addressed to the EC

Second AMIF cycle

- The EC should systematically monitor the actions required of MS in relation to communication and information sharing as described in the AMIF legal base.

Recommendations addressed to MS

Second AMIF cycle

- MS should comply, at an early stage, with all required actions in relation to communication and information sharing as described in the AMIF legal base.

7. IMPLEMENTATION

a. Rate of implementation

The EC does not publish information on the spending rate of MS in the context of AMIF National Programmes, whether individually or collectively. It publishes only cumulative combined totals for AMIF payments made to MS for National Programme, resettlement/relocation and emergency assistance activities (last updated 20 September 2017),⁶² from which it is not possible to determine the specific rate of implementation for National Programmes. This information nonetheless provides a useful comparative overview of the rate at which the AMIF is in general being implemented across MS, as below:

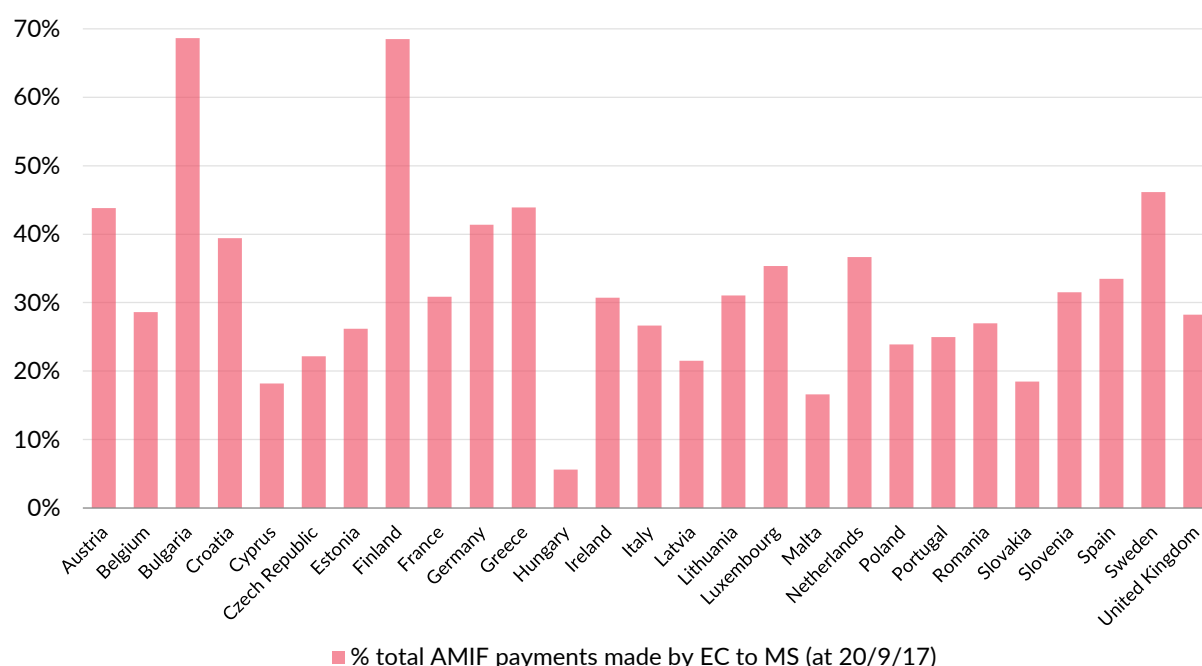


Figure 7.1: % total AMIF payments made to MS by EC per MS (at 20/9/2017)⁶³

The only other information on the rate of implementation of AMIF National Programmes made public by the EC relates to actions under the integration priority. At end March 2017, just 7% of the €745 million AMIF funding allocated to MS for this priority area has been paid to MS, with just under 30% committed for payment.⁶⁴

b. Impact of AMIF National Programmes to date

Public information on the impact of AMIF-funded actions National Programmes is very limited. The information contained in this section is thus anecdotal in nature, and is provided so as to highlight common trends and practices. It concentrates particularly on the asylum and integration aspects of the implementation of AMIF National Programmes.

i. Multiannual programming

Respondents in two MS noted **the benefits of the multiannual structure enabled by the AMIF for national activities**. In Italy, the availability of funds on a medium to long-term basis has enabled better planning and

⁶² This reporting is undertaken in the framework of the EC reporting the AMIF's role in the implementation of the European Agenda on Migration, rather than as an independent and/or standardised AMIF reporting function.

⁶³ Updated Annex 8.

⁶⁴ Presented on March 29, 2017 at DG HOME Information Day: EU funding for the integration of third-country nationals.

the smoother implementation of activities, and in Slovakia AMIF project periods of three years have facilitated a more flexible approach to implementation.

ii. Asylum priority

Within the **asylum priority**, AMIF National Programmes have resulted in significant increases in reception capacity (CY, ES), improved material conditions in existing reception facilities (EE), and an increase in MS staffing resources for asylum and reception (CY, ES, GR). Respondents in Greece, however, noted a lack of accompanying actions to improve reception conditions, and in Spain accompanying measures to improve the asylum process, such as staff training, have not been implemented under the AMIF.

In Austria, the AMIF National Programme is the sole funder of national psychological support services for asylum seekers, noted as being of key importance in ensuring access to procedures for vulnerable individuals. In Sweden, several AMIF-funded projects have markedly improved the quality of the asylum processing system, including by significantly reducing processing times, and the Swedish Responsible Authority is currently developing an extensive new training programme to improve the quality of first-instance decision-making.

iii. Integration priority

AMIF National Programmes have extended and improved integration service provision in several MS. Respondents in Austria noted the role of the National Programme in ensuring the availability of integration support for refugees in rural areas. In Finland, cross-sectoral networking and new partnerships enabled by AMIF-funded actions have facilitated the development of new activities and improvements to those which already exist.

Engaging local authorities as AMIF beneficiaries has increased the availability of housing for recognised refugees in municipalities throughout Finland, with hugely positive outcomes for other integration initiatives addressed to this group, and ensured more even access to integration measures for refugees throughout Cyprus.

Respondents in Estonia noted the positive impact of **awareness-raising measures financed under the AMIF national integration priority**, including national information activities targeted at the general public, as well as more localised initiatives with local authorities as key implementing partners.

Integration policy frameworks have an important impact for MS National Programme activities in this area. In Austria, AMIF integration activities follow the priorities outlined in the existing national integration strategy in areas such as language learning, cultural orientation, and integration advice and casework.

Study respondents noted a **limited impact of AMIF National Programmes on integration in MS with no national strategy or defined policy approach in this area**. In Cyprus, this includes a lack of sufficient attention within the National Programme towards measures addressing labour market insertion, rehabilitation, and specific services for women and children. In Bulgaria, the suspension of the national integration policy has resulted in the slow overall implementation of National Programme capacity in this priority area. In Hungary and Slovakia, political decisions not to provide any integration services mean AMIF is the sole available source of funding in this area.

c. AMIF National Programme Calls for Proposals

Calls for Proposals (CfPs) are the key mechanism by which Responsible Authorities invite potential AMIF beneficiary organisations to propose projects and initiatives to be implemented via AMIF funding. The content and specifications of CfPs thus play a central role in determining the final activities and impact of AMIF National Programmes.

In Cyprus and Hungary, **CfPs have not yet been issued in relation to several core objectives set out in National Programmes**, meaning these elements are yet to be implemented. In Cyprus, these include legal advice for asylum seekers and actions to facilitate access to the labour market. In Hungary, the national AMIF Work Programme for 2017-18 limits legal advice, does not address alternatives to detention, and no longer supports activities relating to monitoring forced returns, employment, and migrant integration, all of which are included in the National Programme.

Political priorities can influence the content and scope of AMIF CfPs. In Austria, CfPs have been issued for actions that respondents considered as ‘government-friendly’, such as the development of common processes for age determination in asylum cases, and CfPs in the Czech Republic have tended to address governmental priorities related to security concerns.

In Austria and Hungary, respondents pointed to **CfPs not addressing the needs of specific vulnerable groups within migrant populations**. In Hungary, this concern related in particular to victims of torture.

In some MS, **CfPs have not yet fully addressed integration needs**. In the UK, the bulk of AMIF integration measures have been specifically directed at resettled refugees rather than other migrant or refugee groups. In the Czech Republic, where UNHCR and civil society organisations agree that awareness-raising measures are a core integration need, no funds have yet been made available for activities in this area via AMIF CfPs.

Respondents in Estonia and Slovenia noted how **highly detailed and proscriptive CfPs** that leave little room for creative project development by applicant organisations would be better understood as tender documents.

d. Award of AMIF funds

Whilst MS are required to establish transparent rules and procedures for the selection of projects to be funded under AMIF National Programmes,⁶⁵ respondents in several MS note **a lack of transparency in the awarding of AMIF projects**.

In both Austria and Hungary, whilst AMIF funding decision-makers use a scoring system to evaluate applications for AMIF funding and provide applicant organisations with scores for their proposals, they do not provide opportunities for unsuccessful applicants to compare their scores with successful ones. In Austria, respondents additionally noted the provision to unsuccessful applicants of incomplete or poorly reasoned grounds for the refusal of their proposals.

In both Austria and Hungary, respondents noted the decline in transparency of project award decisions under the AMIF National Programme relative to arrangements under the previous European Refugee Fund (ERF). Austrian respondents noted in particular the involvement of the UNHCR and representatives of local government areas in which ERF actions were proposed to take place as particularly beneficial for transparency in project award decision-making.

GOOD PRACTICE

For each CfP, Sweden establishes an Expert Group comprised of organisational representatives and/or individuals with expertise in the CfP area. Expert Group statements on individual proposals are considered alongside outcomes of scoring mechanisms during project award decision-making

Study respondents also highlighted examples of poor quality decision-making in project awards under AMIF National Programmes, including:

- funding measures to facilitate the employment of refugees in labour market sectors experiencing severe issues related to labour exploitation (GR);
- awarding funding under the National Programme integration priority to a TV cooking programme without defined objectives or outcomes for integration (CY); and
- directing the majority of National Programme integration funding to municipality-run Integration Centres, reported to be of variable quality and effectiveness depending on their location, rather than allocating funding to a wider range of actors (CZ).

⁶⁵ Article 24(4), Regulation 514/2014.

Changing political contexts may also influence project award decisions, in particular in MS in which ongoing amendments to national judicial and regularity frameworks affect the ability of civil society organisations to access funding outside of national sources and/or to engage in advocacy critical of government policy.

e. Flexibility during National Programme implementation

Study respondents in both Finland and Romania noted limited flexibility to change project criteria and indicators during the implementation phase, so as to respond to changing circumstances and needs. This inflexibility was particularly apparent in Romania, where projects with indicators based on anticipated numbers of arrivals under the European relocation programme were not able to be amended despite lower eventual arrivals.

GOOD PRACTICE

The Swedish Responsible Authority uses a standard process via which organisations implementing AMIF national actions can make changes to project budgets, objectives, activity schedules and indicators during the project implementation phase. The process specifies the data required to evidence changing needs and justify project amendments to be provided by implementing organisations.

f. Complementarity and added value of AMIF funding at the national level

Respondents in multiple MS (CY, DE, EE, ES, GR, HU, RO) noted concerns that AMIF National Programme funds are being used to substitute state financing for responsibilities under the CEAS rather than to complement it. In Spain, the split between national and AMIF funding is unclear, in particular in terms of staffing for national asylum functions, and respondents in Hungary were equally unaware of the respective use of AMIF National Programme and emergency assistance funds within the provision of core asylum services.

Whilst the focus of the Austrian AMIF National Programme on providing basic services for asylum seekers and extending former ERF asylum activities is not considered problematic in and of itself, it has led to **limited room for new and innovative AMIF projects** in this area.

GOOD PRACTICE

The UK AMIF National Programme has funded a number of potentially innovative initiatives under the asylum priority, including, for example, improved country of origin information, additional training for staff involved in asylum determination, and pilot projects for digital interviewing (final outcomes of this programming are yet to be determined).

g. Sustainability of AMIF funding at the national level

It is not yet possible to provide any definitive assessment of the overall sustainability of actions facilitated by AMIF National Programmes, many of which are still ongoing and/or are yet to be implemented.

Nonetheless, respondents in Cyprus pointed to a probable lack of future sustainability of AMIF actions both due to a tendency to implement actions as 'one-off' projects and due to significant delays in repeating previously successful actions. Those in other MS (BU, HU, RO) noted that the reliance on the AMIF to provide basic services, in particular in the area of asylum, is not likely to create support mechanisms and services that are functional in the longer term.

GOOD PRACTICE

In Germany, AMIF-funded projects to provide language and communication mediators for asylum seekers accessing basic services were judged to be successful, and are now incorporated into Bundesländer budgets.

Slow implementation of AMIF National Programmes - what remedy?

EC's ad-hoc approach in evident cases of (too) slow implementation is to ask MS to prepare an Action Plan setting out measures to speed up implementation of the National Programme, to be implemented over a period of three months. For example, Poland was asked to prepare such an Action Plan in March 2017, the progress and outcomes of which are still in process at the time of issuing this report. The Action Planning process has also been implemented by the EC for Bulgaria, Croatia, Greece and Italy. Although the AMIF legal base specifies a procedure by which the EC can 'decommit' AMIF funds allocated to individual MS,⁶⁶ it does not generally specify either a required rate of financial implementation for AMIF National Programmes nor actions to be taken by the EC when implementation by individual MS is judged to be behind schedule.

⁶⁶ The decommitment procedure can be used by the EC in relation to funding amounts for which individual MS do not submit payment requests by the end of the second year following the year of the relevant budget commitment. The 2014 budget allocation is excluded from this provision, and the procedure has to date not yet been available for use by the EC. Decolmitment conditions and procedure are set out in Article 50-52, Regulation 514/2014.

KEY FINDINGS

- The EC has to date not published information as to the rate at which AMIF National Programmes are being implemented across or within MS. Other public information indicates the slow overall implementation of AMIF activities (National Programmes and other AMIF activities) by participating MS.
- Multiannual programming provides MS with the flexibility to plan and adjust National Programme implementation according to changing needs and capacities.
- AMIF National Programme activities have led to tangible, positive outcomes for asylum and integration in several MS.
- The implementation of integration actions within AMIF National Programmes is less effective in MS with no national integration strategy or defined policy approach in this area.
- Calls for Proposals are the key mechanism for determining the actions that are implemented via AMIF National Programmes, as well as the level of financial support that is allocated to them.
- Calls for Proposals have limited the extent and nature of AMIF National Programme implementation in some MS, including by:
 - not yet being issued for key National Programme objectives and/or priority areas (notably integration);
 - insufficiently addressing the needs of vulnerable groups; and
 - limiting opportunities for applicant organisations to creatively develop project content and approaches.
- In some MS, decision-making to award AMIF projects lacks transparency, is of questionable quality, and can be influenced by prevailing political priorities.
- The extent to which AMIF National Programme actions provide complementarity and added value is unclear, with concerns that AMIF is in some instances being used to substitute state funding.
- The sustainability of AMIF National Programme actions is limited by a lack of state investment in co-financing and poor continuity in national programming.

RECOMMENDATIONS

Recommendations addressed to the EC

Second AMIF cycle:

- The EC should systematically monitor the actions required of MS in relation to the transparency of AMIF project selection as described in the AMIF legal base.
- The EC should publish MS annual implementation reports when they are approved.

Next MFF:

- The legal base for the next MFF should specify the purpose of the fund as providing complementarity for core MS activities, and include a reflection on what constitutes 'core' and 'complementary' actions in this context.

Recommendations addressed to MS

Second AMIF cycle:

- MS should comply with all required actions in relation to the transparency of AMIF project selection as described in the AMIF legal base.
- MS should ensure that AMIF project criteria and indicators can be flexibly amended within implementation timeframes so as to meet changing needs, ideally by establishing and publicising relevant procedures.
- MS should publish annual AMIF implementation reports when they are approved, and notify interested parties (including beneficiary organisations) of their publication.

8. MONITORING

a. Requirements for Member States

MS are required to submit **annual implementation reports** for AMIF National Programmes, beginning 31 March 2016 (this first report is to cover the 2014 and 2015 financial years) until 21 March 2022 (with seven annual reports in total – two submitted to date: for the period until 16 October 2015 and the financial year 16 October 2015 to 15 October 2016). A final implementation report must be submitted no later than 31 December 2023.⁶⁷

The EC does not publish MS annual implementation reports, and whilst MS share some elements of reports at Monitoring Committee meetings, no MS routinely publishes these reports on their AMIF website/portal. At the time of finalising this study (end November 2017), MS implementation reports were not available to be shared.

Annual and final implementation reports follow a standard format,⁶⁸ and include the following information:

- **A summary of progress made towards achieving National Programme objectives**, any planned changes to these objectives (and reason(s) for them), and factors affecting progress.
- **A list of main actions supported and implemented throughout the year**, with key successes and identified problems.
- **A report on the indicative timetable for the National Programme**, including any changes.
- **Updated programme indicators** (indicators and baseline values set in National Programmes).
- An update on **Monitoring Committee decision-making, information and communication activities** and **implementation of the Partnership Principle**.
- **A financial report**.

The EC informs MS of its observations on annual implementation reports no later than two months after submission. Should the EC identify specific issues that are negatively affecting the implementation of National Programmes, MS must provide any relevant information and a summary of any corrective measures no later than three months after the EC's notification.⁶⁹

The EC releases funds annually to MS based on approved financial information included in annual implementation reports. The EC may release funds to MS less the disputed amount whilst the resolution of queries is ongoing. Such an '*interruption of the payment deadline*' may be implemented for a period of six months, extended for a further three months if agreed by the MS in question. Such interruptions may also occur if '*a national or Union body*' provides '*clear evidence to suggest a significant deficiency in the functioning of the management and control system*'.⁷⁰ It is not clear if any such interruptions have occurred to date.

b. European Commission monitoring of AMIF National Programmes

In addition to receiving MS annual implementation reports, the EC undertakes a number of other monitoring activities for AMIF National Programmes. Two EC units at DG Home provide country desks to monitor the implementation of both AMIF and Internal Security Fund (ISF) programmes per MS:

⁶⁷ Article 54(1), Regulation 514/2014.

⁶⁸ Annex, Commission Implementing Regulation (EU) No 799/2014 of 24 July 2014 establishing models for annual and final implementation reports pursuant to Regulation (EU) No 514/2014 of the European Parliament and of the Council laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, prevention and combating crime and crisis management.

⁶⁹ Article 54(6-7), Regulation 514/2014.

⁷⁰ Article 41 (1-a), Regulation 514/2014.

DG Home Unit (MS)	Country desk arrangements
Unit E2: Central & Southern Europe (BG, CY, CZ, EL, ES, HR, HU, IT, MT, PO, PT, RO, SI, SK)	BG, EL, ES and IT: 2-3 desks each (1 dedicated AMIF desk/staff member per MS) CY, CZ, HR, HU, MT, PO, PT, RO, SI, SK: 1 country desk per MS for both AMIF and ISF (1 staff member per desk)
Unit E3: Northern & Western Europe (AT, BE, DE, EE, FI, FR, IE, LT, LV, LU, NL, SE, UK)	1 country desk per MS for both AMIF and ISF (1 staff member per desk)

Country desks are in regular contact with MS Responsible Authorities for both funds. Contact with 'frontline' MS experiencing more acute migration challenges is more frequent and intensive.

Relevant staff from EC country desks aim to attend a minimum of one AMIF Monitoring Committee meeting per year, sometimes attending via video-conference where in-person attendance is not possible. Country desks receive copies of Monitoring Committee minutes (sometimes in a specially prepared English version summary for MS using less frequently spoken national languages) and other documentation presented at committee meetings.

Additionally, each participating MS undergoes a minimum of one monitoring visit per year, during which relevant EC staff visit AMIF National Programme funded projects and their implementing organisations. Several MS have undergone more than one monitoring visit in a single year, and monitoring visits are often combined with attendance at Monitoring Committees and/or visits to actions funded via AMIF emergency assistance.

The duration of monitoring visits ranges from one to several days, dependent on the number of projects visited and the distance between their implementing locations. Visits are conducted using a common approach based on EC internal guidance, using standardised tools such as questionnaires for beneficiaries. The outcomes of monitoring visits are shared with the Responsible Authorities in the relevant MS.

The EC monitoring approach for AMIF National Programmes is markedly different from that of the previous SOLID funds. Whilst MS have less formal reporting requirements, monitoring via contact and discussions with country desks is supposed to be much more frequent. EC monitoring actions and the content and outcomes of discussions with MS in the course of monitoring are not published or otherwise communicated.

c. National Programme monitoring: situations in Member States

Respondents in both Romania and Portugal noted a tendency for the monitoring of AMIF National Programme actions to focus strongly on expenditure and quantitative indicators. In both MS, respondents suggested that an additional monitoring focus on the more qualitative aspects of AMIF actions would provide Responsible Authorities with a fuller picture of their impact.

In Germany, Portugal and Slovenia, respondents who had implemented/were implementing AMIF-funded projects felt that national monitoring and reporting requirements were overly complex and resource intensive. The German programme, for example, requires implementing organisations to record hourly records of staff work completed for individual AMIF projects, with no compensation for the time spent completing these tasks available within the corresponding AMIF project.

In Estonia, the monitoring of AMIF actions was in some instances felt to be too intensive; for example, when exercising editorial control over information materials produced by individual projects. In some frontline MS, respondents noted the negative impact of both limited resources and rapid staff turnover on the capacity of Responsible Authorities to monitor AMIF actions effectively.

KEY FINDINGS

EC monitoring of MS AMIF National Programmes:

- EC monitoring of AMIF National Programmes is undertaken via dedicated country desks, with more emphasis on direct contact and discussion with MS Responsible Authorities and less on formal reporting.
- EC monitoring resources are flexible according to the needs of MS, with more staffing for and more frequent contact by country desks for 'frontline' MS.
- In-person EC monitoring is relatively limited and depends on the situation in a particular country: country desk staff aim to attend one AMIF National Programme Monitoring Committee meeting and to conduct at least a minimum of one monitoring visit to AMIF National Programme funded projects per MS per year.
- Outcomes of EC monitoring visits to AMIF National Programme funded projects are shared with Responsible Authorities only, and not made public.
- Standardised tools and guidance for EC monitoring visits are not made public.
- A lack of transparency in EC monitoring limits national actors' confidence in the overseeing of AMIF National Programme implementation.

MS monitoring of AMIF National Programme activities:

AMIF beneficiaries in some MS note:

- Insufficient qualitative monitoring of the impact of AMIF National Programme actions, with monitoring instead emphasising quantitative and financial criteria.
- Overly complex and resource-intensive reporting requirements for implementing organisations.
- Negative impact of high staff turnover and limited resources on Responsible Authorities' capacity to monitor AMIF-funded actions effectively.

RECOMMENDATIONS

Recommendations addressed to the EC

Second AMIF cycle and next MFF

- To ensure a broader awareness of and confidence in EC overseeing of AMIF National Programmes, the EC should publicise information about its monitoring role and the general activities of EC country desks.
- The EC should make public tools and guidance for monitoring visits to AMIF National Programme funded projects.
- The EC should make public outcomes of monitoring visits to AMIF National Programme funded projects. In addition to the financial and to the procedural aspects, the EC should monitor the quality, the sustainability and the impact of the actions funded under the NP.
- In order to further assist the EC in its monitoring role, communication with the stakeholders should be enhanced. In particular, the EC should develop a web facility with access restricted to AMIF beneficiaries, to receive, when relevant, feedback on AMIF National Programmes from these actors. The EC should take this information into consideration in its qualitative monitoring and take concrete follow up measures where appropriate.

Next MFF:

- The EC should formalise the Action Plan process for use in MS in which the implementation of National Programmes is deemed to be significantly behind schedule.
- MS should be required to publish a schedule for and outcomes of EC monitoring visits to AMIF National Programme funded projects.

Recommendations addressed to MS

Second AMIF cycle and next MFF

- MS should ensure AMIF project reporting requirements do not place unreasonable resource burdens on implementing organisations.
- MS should ensure monitoring of AMIF actions focuses on both qualitative and quantitative elements.

9. EVALUATION

a. Common evaluation framework

In order to enable ‘*integrated analysis at Union level*’⁷¹ of the AMIF’s impact, the fund’s legal base created a common monitoring and evaluation framework. The EC and MS cooperated to produce the framework,⁷² which consists of:

- A **set of evaluation questions** covering the effectiveness, efficiency, relevance, coherence, complementarity, added value and sustainability of the fund at national level, and the extent to which it has achieved simplification and a reduction in administrative burdens for its beneficiaries;⁷³ and
- A **list of common result and impact indicators** covering the core priorities of AMIF National Programmes (asylum, integration and return), and the efficiency, added value and sustainability of National Programmes.⁷⁴

b. Framework content

Despite the Partnership Principle requirement to involve partners in the evaluation of National Programmes,⁷⁵ the framework does not specify an evaluation methodology for MS in which the input of partners is sought, nor a reporting format that enables the presentation of partner views and/or data relating to National Programmes. The framework also does not include any questions or indicators on the extent to which the Partnership Principle has been realised within National Programmes.

Additionally, the framework does not include any information on the process for the EC and MS to reach an agreement on evaluation conclusions and/or the final content of evaluation reports.

c. Requirements for Member States

MS are required to submit two evaluation reports based on the common monitoring and evaluation framework. An interim evaluation report must be provided to the EC by 31 December 2017, as well as a final evaluation report by 31 December 2023.⁷⁶ As noted earlier, MS evaluation reports will form the basis for EC interim and final evaluation reports submitted to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

To facilitate programme evaluation, MS are required to ensure that procedures are in place to collect required data,⁷⁷ and to designate a coordinator in charge of monitoring and evaluation within the RA.⁷⁸

MS interim and final evaluation reports must be ‘*made public in their entirety*’.⁷⁹ MS evaluations of National Programmes should thus be available during 2018.

⁷¹ Recital 2, Commission Delegated Regulation (EU) 2017/207 of 3 October 2016 on the common monitoring and evaluation framework provided for in Regulation (EU) No 514/2014 of the European Parliament and of the Council 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 (hereafter ‘Delegated Regulation: common monitoring and evaluation framework’).

⁷² Recitals 2 & 3, Delegated Regulation: common monitoring and evaluation framework.

⁷³ Annex I, Delegated Regulation: common monitoring and evaluation framework.

⁷⁴ Annex III, Delegated Regulation: common monitoring and evaluation framework.

⁷⁵ Article 12(3), Regulation 514/2014.

⁷⁶ Article 57(1), Regulation 514/2014.

⁷⁷ Article 56(2), Regulation 514/2014.

⁷⁸ Article 1, Delegated Regulation: common monitoring and evaluation framework.

⁷⁹ Article 56(4), Regulation 514/2014.

KEY FINDINGS

- The evaluation framework does not include any questions or indicators on the extent to which the Partnership Principle has been realised within individual National Programmes.
- The evaluation framework does not specify an evaluation methodology that requires MS to seek input from partners, nor a reporting format that enables the presentation of partner views and/or data relating to National Programmes.
- The evaluation framework does not specify a process for the EC and MS to agree upon the evaluation conclusions presented by MS.
- MS mid-term and final evaluation reports (due to be submitted at end 2017 and end 2023, respectively) are required to be made public in their entirety: MS mid-term evaluation reports should thus be available during 2018.

RECOMMENDATIONS ADDRESSED TO THE EC

Next MFF:

- Repeat Policy Dialogues (with consultation requirements as outlined in Chapter 4, above) should be a standard component of the mid-term review process.
- A common European framework for evaluating AMIF National Programmes should:
 - require MS to collect and present partner inputs and data for evaluating National Programmes; and
 - specify the process by which evaluation outcomes and final evaluation report content is agreed by the EC and MS.

10. PARTNERSHIP PRINCIPLE

As outlined in Chapter 2 (Asylum, Migration & Integration Fund 2014-20) above, the AMIF requires MS to organise a partnership *'drawn from relevant public authorities at national, regional and local level, where applicable' and 'where deemed appropriate (including) relevant international organisations, non-governmental organisations and social partners'*.⁸⁰ MS are required to involve this partnership in the *'preparation, implementation, monitoring and evaluation of national programmes'*.⁸¹

The AMIF legal base strongly implies that national Monitoring Committees are the vehicle for involving partners in the implementation, monitoring and evaluation of AMIF National Programmes.⁸²

The AMIF legal base does not specify the implementation of the Partnership Principle at European level. It thus does not foresee the input of civil society and international organisations working on asylum and migration issues at the European level into shaping the fund and its implementation, including for AMIF National Programmes.⁸³

a. Interpreting the Partnership Principle

Interpretations of the Partnership Principle (PP) and what it means in practice for different stages of AMIF programming vary considerably across MS, and between MS and the EC.

In the interviews conducted during the research phase, the EC interpreted the PP as MS Responsible Authorities:

- engaging non-state actors of various sectors in consultation activities for the preparation of AMIF National Programmes;
- providing information to potential beneficiary organisations; and
- ensuring the participation of non-state actors of various sectors in national AMIF Monitoring Committees.

MS interpretations of the PP at different stages of a National Programme vary considerably, as demonstrated in the examples of its implementation in the following sections. Similarly, understandings of what constitutes activities such as 'consultation' also differ widely between MS and amongst non-state actors and organisations working in the same national contexts.

For both the EC and MS, the PP does not extend to ensuring equitable or minimum levels of access to funding available via AMIF National Programmes to different types of actors and/or organisations. This is in sharp contrast to both civil society and UNHCR study respondents, who clearly interpret the PP as meaning the involvement of a wide range of actors in designing, implementing and monitoring AMIF actions.

b. Partnership Principle: National Programme preparation phase

All AMIF National Programme documents refer to a partnership having been consulted in the course of preparing the programme.

In several MS, consultation during the preparation phase invited participation from a range of stakeholders and partners (AT, BE, CZ, IE, LT, SI, SK). Consultations used a variety of methods, including:

- focus/working group meetings (IE, LT, SI);
- online/paper questionnaires (BE, CZ, PT);

⁸⁰ Article 12(1), Regulation 514/2014.

⁸¹ Article 12(3), Regulation 514/2014.

⁸² Article 12(4), Regulation 514/2014.

⁸³ As highlighted by UNHCR and signatory NGOs in 'The AMIF Partnership Principle: Recommendations on Implementation', a joint policy statement published in August 2014 and accessible via http://www.caritas.eu/sites/default/files/1_august_2014_unhcr_scos_statement_on_the_partnership_principle.pdf (last accessed 7 December 2017).

- invitations to draft papers and/or written contributions on suggested priorities and actions (AT, MT); and
- the use of prior research completed by NGOs (LT).

How MS made use of consultation outcomes and if they impacted on National Programme priority-setting is in many cases unclear. In France, activities noted as 'consultative' in National Programmes took place after priorities had been determined, and served an information sharing rather than a consultative function.

In some instances, there is a clear gap between MS accounts of how the PP was fulfilled during the preparation phase, and those of other actors. In Germany, for example, a request from civil society actors for formal consultation to take place was expressly refused by state authorities, but consultations with civil society were noted as having taken place in the national programme submitted to the EC.

GOOD PRACTICE

In May 2014, Slovenia held an open 'Preparation of the multiannual national program funds in internal affairs' event, at which AMIF funds were presented and participants were asked to suggest activities. Subsequently, all draft NPS were made available online with agreed proposals for amendments noted in tracked-changes mode. UNHCR notes that consultations had a 'substantial impact on the development of the national programme'.

c. Partnership Principle: National Programme implementation and monitoring

In terms of participation in national Monitoring Committees, MS have chosen to interpret the Partnership Principle in a number of different ways.

In Hungary, implementing NGOs are included as observer members only, whilst Slovenia includes an elected NGO representative appointed one year after the committee was established: both MS National Programmes describe these arrangements as 'in line' with the PP. Croatia's AMIF Monitoring Committee is composed entirely of central government departments, with the PP considered as being fulfilled via the participation of the Government Office for Cooperation with NGOs.

Spain's annual Monitoring Committee includes participation from implementing NGOs and international organisations. In Germany, a monitoring framework comprising various committees for different types of organisations and authorities, including, for example, a specific committee for representatives of the Bundesländer, is reported as being effective but often leading to discussions on national allocations of funding being restricted to federal and regional governmental authorities.

In Greece, civil society organisations have proactively contacted the RA to request their involvement in the National Programme, and a July 2017 'kick-off meeting' on plans for a specific CfP represents the first meaningful consultation with NGOs in this context.

In some cases, **commitments in relation to the PP in implementation and monitoring made by MS in National Programmes have not yet been implemented.** In Romania, for example, the stated National Programme commitment to include other public authorities, institutions and NGOs as Monitoring Committee observer members has never been implemented. The UK's National Programme plans the participation of NGOs and local authorities in the AMIF Monitoring Committee, but no stakeholders of this type are currently included.

KEY FINDINGS

- Differing interpretations of the Partnership Principle – and of key, related practices such as ‘consultation’ – mean it does not work consistently or optimally across and within MS.
- Neither the EC nor MS understand the Partnership Principle as ensuring equitable or minimum levels of access to funding available via AMIF National Programmes to different types of actors and/or organisations.
- The AMIF does not include the implementation of the Partnership Principle at the European level, excluding civil society and international organisations working on asylum and migration issues in this context from having a formal role in shaping its operation and implementation.
- In several instances, MS commitments to fulfilling the Partnership Principle set out in AMIF National Programme documents have not been implemented.
- Despite some positive examples of the involvement of partners in the preparation of AMIF National Programmes, the impact of this input on setting programme priorities is in many instances unclear.
- Whilst National AMIF Monitoring Committees have facilitated partner involvement in programme monitoring and evaluation, this involvement is not consistent or systematic and its outcomes are often unclear.

RECOMMENDATIONS ADDRESSED TO THE EC

Next MFF:

The **Partnership Principle** introduced by the AMIF should be strengthened to:

- be a compulsory part of MS National Programmes;
- systematically include representation from a specified range of partners (international organisations, civil society organisations, local authorities, migrant organisations and academic institutions);
- specify that national partners are engaged in meaningful consultation during the preparation of National Programmes, annual priority-setting, the development of CfPs, amendments to National Programmes, and annual priorities and programme evaluation; and
- be implemented at the European level; for example, via biannual consultations between the EC and relevant civil society European partners working on asylum, migration and integration issues.

11. CIVIL SOCIETY ORGANISATIONS & AMIF

a. Civil society organisations as AMIF beneficiaries

Whilst some project award information is published by MS (see Chapter 5, Communication and Information Sharing), the majority of this information lists beneficiaries by name rather than by organisation type, meaning that an assessment of the extent to which civil society organisations are benefiting from AMIF funding – and in which priority areas – is relatively challenging to make.

Respondents in Finland, Portugal, Slovakia and Spain noted that NGOs are the main implementing agencies for AMIF funds under the asylum and integration priorities, albeit that in both Spain and Portugal the bulk of this implementation is taken up with NGO provision of core asylum reception services. A shift from state-led implementation to an increased involvement of NGOs and local authorities is taking place in Cyprus, with some positive results for the geographical spread and subsequent accessibility of services. In Italy, a relatively high number of NGOs (10) received AMIF funding during 2016.

In some MS, respondents made clear their assessment that NGOs receive a very small proportion of AMIF National Programme funding. In Estonia and Poland, for example, AMIF National Programme implementation remains largely state-led.

b. Accessibility of AMIF National Programme funds for civil society organisations

Respondents in several MS identified **specific funding rules developed by MS for National Programmes as barriers to AMIF participation for civil society organisations.**

The Bulgaria RA recently announced a rule that requires NGOs applying for AMIF funding to have previously implemented projects with a financial value of 50% of the project they are applying for. As current Bulgarian AMIF CfPs are for minimum periods of 60 months, this requirement excludes all but established, larger NGOs, with an additional negative impact on the growth and diversity of the NGO sector.

In Hungary, AMIF applicant organisations must sign a blanket authorisation allowing the Responsible Authority (the Ministry of the Interior) to directly withdraw money from the organisation's bank account at any point during and after the project implementation period. Both this requirement and rules preventing NGOs from charging management and core operational costs to AMIF projects means many organisations are reluctant to submit AMIF proposals.

In Germany, AMIF rules for the eligibility of staff costs do not include relevant salary increases set out in national labour agreements, effectively enforcing financial losses on implementing organisations. Similarly, in Slovenia, eligible AMIF staff costs are set at levels that are insufficient to engage the legal expertise required for some AMIF-funded projects, effectively creating an additional co-financing requirement for the implementing organisation.

Whilst respondents in Estonia noted complex administrative procedures for AMIF implementation, they also highlighted some minor recent improvements in this area, including, for example, the replacement of a requirement to obtain three quotes for nearly all types of expenditure with maximum ceilings for different types of expenditure.

State decisions not to provide the 25% co-financing required to implement AMIF-funded actions via National Programmes can also present challenges for AMIF participation by civil society organisations. National authorities in both Hungary and Romania do not provide AMIF co-financing, meaning that civil society organisations must independently source financing for any proposed AMIF initiative.

GOOD PRACTICE

In Slovakia, no co-financing requirements and the possibility of pre-financing payments for implementing civil society organisations have enabled a wider participation amongst this sector.

Pre-financing for AMIF projects can assist smaller civil society organisations with more limited financial resources to implement AMIF projects. In Slovenia, three-year AMIF project periods and the 30% pre-financing of project costs has assisted such organisations to participate in the AMIF. Nonetheless, the two to three-month period required by RAs to review financial reports and compensate implementing organisations for costs incurred has in some instances caused financial problems for smaller civil society organisations who have exhausted pre-financing payments.

c. Support for implementing civil society organisations

Respondents noted several examples of useful support provided by Responsible Authorities for civil society organisations in the context of AMIF National Programmes.

In Austria, Germany and Sweden, Responsible Authorities hold pre-application workshops and information events on accounting and other elements of AMIF project administration, open to attendance by civil society organisations. Finland facilitates regular networking events for civil society organisations implementing AMIF projects to share good practices.

GOOD PRACTICE

In Sweden, the Responsible Authority provides AMIF project managers with a named individual contact to support implementation and be answer available to queries at any point during the project cycle.

KEY FINDINGS

- The extent to which civil society organisations are beneficiaries of AMIF National Programme funding varies significantly across MS.
- The participation of civil society organisations in implementing AMIF National Programmes tends to be more extensive in MS:
 - with stronger, more well-established civil society sectors and structures for state-civil society collaboration; and
 - in which NGOs have clear pre-existing roles in national asylum and/or integration frameworks or services.
- Positive examples of increasing civil society participation in implementing AMIF National Programmes are found in several MS with less well-established sectors. In others, implementation remains largely state-led.
- MS approaches to managing AMIF National Programmes can create barriers for the participation of civil society actors, in particular for smaller organisations. Of particular concern are:
 - Rules on eligible project expenditure that prevent the reimbursement of full costs incurred by implementing organisations.
 - Long waiting periods for MS to approve project reports, causing delays in payments to implementing organisations, thus jeopardising ongoing AMIF actions and creating financial problems for implementing organisations.
 - Several MS not providing co-financing for AMIF National Programme actions, thus requiring implementing organisations to source or provide additional financing of up to 25% of total project costs.
- MS provision of pre-financing payments for implementing organisations can broaden the participation of civil society actors, especially smaller organisations with more limited resources.
- Dedicated support for civil society organisations during the pre-application and implementation phases broadens their participation in AMIF National Programmes, and makes implementation more efficient.

RECOMMENDATIONS ADDRESSED TO THE EC

Next MFF:

- National Programmes should empower civil society organisations to carry out their complementary role, including by allocating and distributing reasonable minimum percentages of programme funding to civil society organisations in the asylum and integration priority areas.

COLLECTED KEY FINDINGS

Chapter 3. AMIF FUNDING

- The current distribution formula for AMIF funding for MS National Programmes is effectively based on statistical snapshots of migration situations in MS during 2011-12, and thus does not produce allocations that reflect current MS needs and situations.
- AMIF emergency assistance has provided MS with flexibility and the capacity to respond to changing migration and asylum needs.

Chapter 4. AMIF NATIONAL PROGRAMMES

- MS make exclusive use of government data and statistics to determine the needs and gaps that AMIF National Programmes are designed to address: National Programme documents do not reference non-governmental input or data in this context.
- Ministries of the Interior or their national equivalents lead AMIF National Programmes in the majority (19) of participating MS.
- MS employ a variety of management approaches for AMIF National Programmes, including:
 - a single public authority being responsible for all aspects of managing National Programmes (15 MS);
 - delegating all National Programme functions for one or more AMIF priority areas to other public authorities (7 MS), most commonly the integration priority (4 MS); and
 - delegating management functions for all AMIF National Programme priorities (developing and issuing Calls for Proposals, selecting projects, and carrying out project checks, audits and evaluation) to other public authorities.

Chapter 5. ALLOCATION OF FUNDS WITHIN AMIF NATIONAL PROGRAMMES

- Required minimum allocations of AMIF funds to the asylum and integration priorities do not require or produce spending to the same proportions in these areas.
- National allocations to the integration priority area are consistently high, being above 30% in all European sub-regions save the UK and Ireland, and Greece, Italy and Malta.
- Allocations to the return priority are significantly higher in Western European MS.
- Not all MS have achieved a national consensus on the appropriate allocation of AMIF funds across priority areas, with overallocation to the return priority presenting a significant area of disagreement.
- Inappropriate allocations across priority areas are attributed both to the use of outdated statistics when drafting National Programmes and to significant changes in migration situations and needs in MS since implementation began.

Chapter 6. COMMUNICATION & INFORMATION SHARING

- To date, AMIF National Programmes lack transparency in relation to:
 - priority and objective setting;
 - project award decision-making; and
 - the rate and nature of implementation.
- Several MS are not fulfilling their obligations in relation to information, publicity and communication, in particular:
 - information for potential beneficiaries;
 - publicising National Programme impact and achievements;
 - providing annual updates on AMIF National Programme actions and beneficiaries;
 - specifying Union funding contributions; and
 - following the general principle of publishing all information that is not confidential in nature.
- The absence of project award information in some MS makes assessments of the distribution of AMIF monies in relation to commitments made within National Programmes – and whether MS are succeeding in distributing monies at all – very difficult.
- MS do not publish information on the impact of actions funded via AMIF National Programmes, making assessments of how far both MS and AMIF beneficiaries within MS are succeeding in achieving their aims very difficult.

Chapter 7. IMPLEMENTATION

- The EC has to date not published information as to the rate at which AMIF National Programmes are being implemented across or within MS. Other public information indicates the slow overall implementation of AMIF activities (National Programmes and other AMIF activities) by participating MS.
- Multiannual programming provides MS with the flexibility to plan and adjust National Programme implementation according to changing needs and capacities.
- AMIF National Programme activities have led to tangible, positive outcomes for asylum and integration in several MS.
- The implementation of integration actions within AMIF National Programmes is less effective in MS with no national integration strategy or defined policy approach in this area.
- Calls for Proposals are the key mechanism for determining the actions that are implemented via AMIF National Programmes, as well as the level of financial support that is allocated to them.
- Calls for Proposals have limited the extent and nature of AMIF National Programme implementation in some MS, including by:
 - not yet being issued for key National Programme objectives and/or priority areas (notably integration);
 - insufficiently addressing the needs of vulnerable groups; and
 - limiting opportunities for applicant organisations to creatively develop project content and approaches.
- In some MS, decision-making to award AMIF projects lacks transparency, is of questionable quality, and can be influenced by prevailing political priorities.
- The extent to which AMIF National Programme actions provide complementarity and added value is unclear, with concerns that AMIF is in some instances being used to substitute state funding.
- The sustainability of AMIF National Programme actions is limited by a lack of state investment in co-financing and poor continuity in national programming.

Chapter 8. MONITORING

EC monitoring of MS AMIF National Programmes:

- EC monitoring of AMIF National Programmes is undertaken via dedicated country desks, with more emphasis on direct contact and discussion with MS Responsible Authorities and less on formal reporting.
- EC monitoring resources are flexible according to the needs of MS, with more staffing for and more frequent contact by country desks for 'frontline' MS.
- In-person EC monitoring is relatively limited: country desk staff aim to attend one AMIF National Programme Monitoring Committee meeting per MS per year, and monitoring visits to National Programme projects or beneficiaries do not take place.
- Outcomes of EC monitoring visits to AMIF National Programme funded projects are shared with Responsible Authorities only, and not made public.
- Standardised tools and guidance for EC monitoring visits are not made public.
- A lack of transparency in EC monitoring limits national actors' confidence in the overseeing of AMIF National Programmes implementation.

MS monitoring of AMIF National Programme activities:

AMIF beneficiaries in some MS note:

- Insufficient qualitative monitoring of the impact of AMIF National Programme actions, with monitoring instead emphasising quantitative and financial criteria.
- Overly complex and resource-intensive reporting requirements for implementing organisations.
- Negative impact of high staff turnover and limited resources on Responsible Authorities' capacity to monitor AMIF-funded actions effectively.

Chapter 9. EVALUATION

- The evaluation framework does not include any questions or indicators on the extent to which the Partnership Principle has been realised within individual National Programmes.
- The evaluation framework does not specify an evaluation methodology that requires MS to seek the input of partners, nor a reporting format that enables the presentation of partner views and/or data relating to National Programmes.
- The evaluation framework does not specify a process for the EC and MS to agree upon the evaluation conclusions presented by MS.

- MS mid-term and final evaluation reports (due to be submitted at end 2017 and end 2023, respectively) are required to be made public in their entirety: MS mid-term evaluation reports should thus be available during 2018.

Chapter 10. PARTNERSHIP PRINCIPLE

- Differing interpretations of the Partnership Principle – and of key, related practices such as ‘consultation’ – mean it does not work consistently or optimally across and within MS.
- Neither the EC nor MS understand the Partnership Principle as ensuring equitable or minimum levels of access to funding available via AMIF National Programmes to different types of actors and/or organisations.
- The AMIF does not include the implementation of the Partnership Principle at the European level, excluding civil society and international organisations working on asylum and migration issues in this context from having a formal role in shaping its operation and implementation.
- In several instances, MS commitments to fulfilling the Partnership Principle set out in AMIF National Programme documents have not been implemented.
- Despite some positive examples of the involvement of partners in the preparation of AMIF National Programmes, the impact of this input on setting programme priorities is in many instances unclear.
- Whilst National AMIF Monitoring Committees have facilitated partner involvement in programme monitoring and evaluation, this involvement is not consistent or systematic and its outcomes are often unclear.

Chapter 11. CIVIL SOCIETY ORGANISATIONS & AMIF

- The extent to which civil society organisations are beneficiaries of AMIF National Programme funding varies significantly across MS.
- The participation of civil society organisations in implementing AMIF National Programmes tends to be more extensive in MS:
 - with stronger, more well-established civil society sectors and structures for state-civil society collaboration; and
 - in which NGOs have clear pre-existing roles in national asylum and/or integration frameworks or services.
- Positive examples of increasing civil society participation in implementing AMIF National Programmes are found in several MS with less well-established sectors. In others, implementation remains largely state-led.
- MS approaches to managing AMIF National Programmes can create barriers for the participation of civil society actors, in particular for smaller organisations. Of particular concern are:
 - Rules on eligible project expenditure that prevent the reimbursement of full costs incurred by implementing organisations.
 - Long waiting periods for MS to approve project reports, causing delays in payments to implementing organisations, thus jeopardising ongoing AMIF actions and creating financial problems for implementing organisations.
 - Several MS not providing co-financing for AMIF National Programme actions, thus requiring implementing organisations to source or provide additional financing of up to 25% of total project costs.
- MS provision of pre-financing payments for implementing organisations can broaden the participation of civil society actors, especially smaller organisations with more limited resources.
- Dedicated support for civil society organisations during the pre-application and implementation phases broadens their participation in AMIF National Programmes, and makes implementation more efficient.

COLLECTED GOOD PRACTICES

Chapter 6. COMMUNICATION AND INFORMATION SHARING

- Portugal publishes an annual CfP calendar, enabling potential beneficiaries to anticipate and prepare for the application process.
- Finland publishes an annual list of projects funded via the AMIF National Programme that includes project names and descriptions, implementing and partner organisations, EU and co-financing financial contributions and contact details for project managers.
- With each new CfP, Slovakia holds a corresponding Information Day and makes available a ZIP file of all relevant documentation for download by potential beneficiaries.
- Cyprus maintains a contact database of potential beneficiaries, whom it contacts prior to the issue of CfPs to request the informal submission of project ideas. Some evidence exists that submissions do have an impact on the content of CfPs, albeit within the framework of existing National Programme priorities.

Chapter 7. IMPLEMENTATION

- For each CfP, Sweden establishes an Expert Group comprised of organisational representatives and/or individuals with expertise in the CfP area. Expert Group statements on individual proposals are considered alongside outcomes of scoring mechanisms during project award decision-making.
- The Swedish Responsible Authority uses a standard process via which organisations implementing AMIF national actions can make changes to project budgets, objectives, activity schedules and indicators during the project implementation phase. The process specifies the data required to evidence changing needs and justify project amendments to be provided by implementing organisations.
- The UK AMIF National Programme has funded a number of potentially innovative initiatives under the asylum priority, including, for example, improved country of origin information, additional training for staff involved in asylum determination, and pilot projects for digital interviewing (final outcomes of this programming are yet to be determined).
- In Germany, AMIF-funded projects to provide language and communication mediators for asylum seekers accessing basic services were judged to be successful, and are now incorporated into Bundesländer budgets.

Chapter 10. PARTNERSHIP PRINCIPLE

- In May 2014, Slovenia held an open 'Preparation of the multiannual national program funds in internal affairs' event, at which AMIF funds were presented and participants were asked to suggest activities. Subsequently, all draft NPS were made available online with agreed proposals for amendments noted in tracked-changes mode. UNHCR notes that consultations had a 'substantial impact on the development of the national programme'.

Chapter 11. CIVIL SOCIETY ORGANISATIONS & AMIF

- In Slovakia, no co-financing requirements and the possibility of pre-financing payments for implementing civil society organisations have enabled a wider participation amongst this sector.
- In Sweden, the Responsible Authority provides AMIF project managers with a named individual contact to support implementation and be available to answer queries at any point during the project cycle.

COLLECTED RECOMMENDATIONS

Chapter 3. AMIF FUNDING

Recommendations addressed to the EC

Next MFF:

- Emergency assistance should be included and allocated via shared management to MS National Programmes, with specific EC monitoring arrangements to ensure their appropriate use.
- The distribution of funding to MS National Programmes should be based on a formula that incorporates:
 - the most recent available Eurostat data for resident TCNs and asylum claims;
 - weightings for national GDP, unemployment and the risk of social exclusion with the general population; and
 - the use of AMIF emergency assistance during 2014-20.

Whilst retaining the multiannual approach introduced by the AMIF, mid-term reviews should revisit and readjust the distribution of funding based on a repeat application of the above formula using updated data.

Chapter 4. AMIF NATIONAL PROGRAMMES

Recommendations addressed to the EC

Next MFF:

- MS National Programme needs assessments should follow a standardised format that specifies the inclusion of statistical and qualitative data from independent sources, and is supported by clearly documented data obtained via consultation with relevant national partner organisations.
- The current high-level Policy Dialogue structure should be retained, with an additional requirement for MS to conduct meaningful and documented-supporting consultation with relevant national partner organisations.

Recommendations addressed to MS

- RAs should delegate management of specific priority areas to the relevant government services/departments (asylum to the asylum service, integration to the relevant ministry when applicable).
- RA should delegate the administrative management of project applications, award decision, audit etc to another independent body, to provide some level of autonomy or independence for this function.

Chapter 5. ALLOCATION OF FUNDS WITHIN AMIF NATIONAL PROGRAMMES

Recommendations addressed to the EC

Next MFF:

MS should be required to allocate and spend a minimum of 30% of National Programme funding on integration actions and 20% on asylum actions.

Chapter 6. COMMUNICATION & INFORMATION SHARING

Recommendations addressed to the EC

Second AMIF cycle:

- The EC should systematically monitor the actions required of MS in relation to communication and information sharing as described in the AMIF legal base.

Recommendations addressed to MS

Second AMIF cycle:

- MS should comply with all required actions in relation to communication and information sharing as described in the AMIF legal base.

Chapter 7. IMPLEMENTATION

Recommendations addressed to the EC

Second AMIF cycle:

- The EC should systematically monitor the actions required of MS in relation to the transparency of AMIF project selection as described in the AMIF legal base.
- The EC should publish MS annual AMIF implementation reports when they are approved.

Next MFF:

- The legal base for the next MFF should specify the purpose of the fund as providing complementarity for core MS activities, and include a reflection on what constitutes 'core' and 'complementary' actions in this context.

Recommendations addressed to MS

Second AMIF cycle:

- MS should comply with all required actions in relation to the transparency of AMIF project selection as described in the AMIF legal base.
- MS should ensure that AMIF project criteria and indicators can be flexibly amended within implementation timeframes so as to meet changing needs, ideally by establishing and publicising relevant procedures.
- MS should publish annual AMIF implementation reports when they are approved, and notify interested parties (including beneficiary organisations) of their publication.

Chapter 8. MONITORING

Recommendations addressed to the EC

Second AMIF cycle and next MFF:

- To ensure a broader awareness of and confidence in EC overseeing of AMIF National Programmes, the EC should publicise information about its monitoring role and the general activities of EC country desks.
- The EC should conduct regular and timely, in-person monitoring visits to MS to monitor the implementation of National Programmes, where possible to include direct discussions with beneficiary organisations and target beneficiaries and inspections of facilities created/renovated by AMIF funds.
- The EC should make public outcomes of monitoring visits to AMIF National Programme funded projects. In addition to the financial and to the procedural aspects, the EC should monitor the quality, the sustainability and the impact of the actions funded under the NP.
- In order to further assist the EC in its monitoring role, communication with the stakeholders should be enhanced. In particular, the EC should develop a web facility with access restricted to AMIF beneficiaries, to receive, when relevant, feedback on AMIF National Programmes from these actors. The EC should take this information into consideration in its qualitative monitoring and take concrete follow up measures where appropriate.

Next MFF:

- The EC should formalise the Action Plan process for use in MS in which the implementation of National Programmes is deemed to be significantly behind schedule.
- MS should be required to publish a schedule for and outcomes of EC monitoring visits to AMIF National Programme funded projects.

Recommendations addressed to MS

Second AMIF cycle and next MFF:

- MS should ensure AMIF project reporting requirements do not place unreasonable resource burdens on implementing organisations.
- MS should ensure monitoring of AMIF actions focuses on both qualitative and quantitative elements.

Chapter 9. EVALUATION

Recommendations addressed to the EC

Next MFF:

- Repeat Policy Dialogues (with consultation requirements as outlined in Chapter 4, above) should be a standard component of the mid-term review process.
- A common European framework for evaluating AMIF National Programmes should:

- require MS to collect and present partner inputs and data for evaluating National Programmes; and
- specify the process by which evaluation outcomes and final evaluation report content is agreed by the EC and MS.

Chapter 10. PARTNERSHIP PRINCIPLE

Recommendations addressed to the EC

Next MFF:

The Partnership Principle introduced by the AMIF should be strengthened to:

- be a compulsory part of MS National Programmes;
- systematically include representation from a specified range of partners (international organisations, civil society organisations, local authorities, migrant organisations and academic institutions); and
- be engaged in meaningful consultation during the preparation of National Programmes, annual priority-setting, the development of CfPs, amendments to National Programmes, and annual priorities and programme evaluation.
- be implemented at the European level; for example, via biannual consultations between the EC and relevant civil society European partners working on asylum, migration and integration issues.

Chapter 11. CIVIL SOCIETY ORGANISATIONS & AMIF

Recommendations addressed to the EC

Next MFF:

- National Programmes should empower civil society organisations to carry out their complementary role, including by allocating and distributing reasonable minimum percentages of programme funding to civil society organisations in the asylum and integration priority areas.



Avenue Louise 283
1050 Brussels
Belguim
hqdrmeu@unhcr.org
www.unhcr.org



ecre

European Council
on Refugees and Exiles

Rue Royale 146
Brussels 1000
Belgium
ecre@ecre.org
www.ecre.org