



EUROPEAN COMMISSION
Regulatory Scrutiny Board

Brussels,
Ares(2017)

Opinion

Title: Evaluation / External Borders Fund 2011-2013

Overall opinion: NEGATIVE

(A) Context

EU border security is in the interest of the entire Schengen Area. For some countries on the external frontiers of the Union, the investments required to achieve this are larger than for others. The External Borders Fund (EBF) provides financial support to assist EU States with these burdens.

The EBF is one of four instruments established in 2007 under the Framework Programme on Solidarity and Migration Flows. It is part of a wider policy package which also includes the Frontex Agency, the Schengen Borders Code and the Schengen Evaluation Mechanism.

This evaluation examines the EBF for the period 2011-2013. During this time period the Fund had a budget envelope of 1096 million euro.

This evaluation will feed into an interim evaluation of the Internal Security Fund (ISF) in 2018. It will also inform the mid-term review of national programmes of ISF Borders and Visa in 2017-2018.

(B) Main considerations

The Board appreciates the difficulties of evaluating a programme against rapidly changing and politically sensitive circumstances. Objectives were also complex and there was limited experience in co-financing Member states' policies in the area. Against this background the Board acknowledges that the service has collected and analysed a large body of evidence.

The Board still considers that the report contains important shortcomings that need to be addressed particularly with respect to the following issues:

- The evaluation does not make clear the relevant context of the programme at the start and end of the review period, and the contribution of the programme to the changed circumstances.**
- The evaluation does not draw clear conclusions on the strong and weak points of the programme, and the extent to which these conclusions remain relevant for policy makers today.**

- The relationship between the Fund's objectives and priorities is unclear. Given the programme's disparate and broad objectives, the report fails to establish how funding decisions related to goal achievement. As a result, the report presents little basis to conclude that the fund met its objectives.

- The evaluation does not explain how effectively and efficiently funds were distributed. It is also unclear whether the EBF addressed Member States' priorities and the EU's most pressing needs, especially in countries with less pressure at their borders. There is a discrepancy between case study evidence and the conclusions of the evaluation.

- The evaluation does not provide clear lessons for the future implementation of EU financial instruments in the field of border controls and visas.

Against this background, the Board gives a negative opinion.

(C) Further considerations and adjustment requirements

(1) Drawing lessons

The Staff Working Document (SWD) should clarify the purpose and general context of this evaluation. It should explain which other related evaluations are being or will be carried out (e.g. on the Internal Security Fund or ISF), what is the timing of these evaluations, whether they will analyse the longer-term effects of the EBF actions, and how their findings will feed into future programmes.

The SWD should better describe the political context in which the EBF was conceived, and outline how the context has evolved over time. On this basis, the SWD should draw clear lessons from the evaluation of the 2011-13 period, explain which aspects have already been addressed in the current programming period (and how), and which lessons are still relevant in today's changed context. The SWD should clarify its interpretation of programme flexibility, including how this relates to multiannual programming. The relevance and value added sections should reflect these considerations.

The SWD should more clearly link the case study evidence to the conclusions. Conclusions should inform policy maker for their deliberations for the post-2020 programming period, with appropriate caveats regarding data limitations.

The SWD could integrate these different aspects in a shorter report that does not repeat the findings of the detailed evaluation questions from the main report.

(2) Intervention logic

The SWD should explain how the Fund's objectives and priorities were defined and clarify how these relate to each other. It should also comment on the continued relevance of the Fund's objectives today. In case the objectives were defined in too broad terms, it should explain how they were used or modified in practice to guide programme implementation. If the defined objectives were not useful for evaluating the Fund's effectiveness, the SWD should clearly acknowledge this, and explain whether (and how) this has been addressed in the ISF. The SWD should then indicate relevant conclusions for setting objectives beyond 2020.

(3) Effectiveness and efficiency

The SWD should better describe the criteria and mechanism for the geographical allocation of the funds. It should explain how the programme made operational the solidarity objective. It should provide data that illustrates the actual needs of Member States (e.g.

migratory movements, border crossings, length of external borders, risk factors etc.) and show how the funds were allocated with respect to these needs and added value to Member States' actions. This is important because the case studies describe several projects where EU value added was not obvious. The SWD should explain how projects were selected in a shared management context.

The SWD should also explain practical limitations to measuring the Fund's efficiency, whether these limitations are addressed in the ISF, and how they might be further addressed in the next programming period. In particular, it should explore the underlying reasons for high administrative burdens observed in some countries. The SWD should take a more nuanced position on the extent to which public tendering delivers efficiency.

Some more technical comments have been transmitted directly to the author DG.

(D) RSB scrutiny process

The lead DG is advised not to proceed with launching the interservice consultation before substantially amending and complementing the report, so as to mitigate the above-mentioned shortcomings.

The lead DG may decide to resubmit this report to the Board, in which case the report should be adjusted in accordance with the above-mentioned requirements prior to its resubmission.

Full title	Ex post evaluation of the External Borders Fund 2011 - 2013
Reference number	2016/HOME/055
Date of RSB meeting	01/03/2017