



EUROPEAN COMMISSION
Regulatory Scrutiny Board

Brussels,
Ares(2018)

Opinion

Title: Evaluation / Emergency Support Instrument

(version of 18 December 2018)*

Overall opinion: NEGATIVE

(A) Context

In 2015 and early 2016, close to 1.4 million persons in need of international protection and migrants made their way to the EU. Most passed through Greece. The volume of migrants strained the capacity of countries along the migratory routes to cope with humanitarian and protection needs. Existing EU instruments were reportedly also not equipped to meet urgent needs.

The EU has experience with providing emergency humanitarian assistance for natural or man-made disasters outside of the EU. Co-legislators acted swiftly to authorise EU emergency support also within the EU.

In early 2016, the EU mobilised in Greece what effectively amounted to a new instrument. Over a period of three years the instrument has funded 29 operational actions, spending its full budget of €650 million. Actions included providing shelter, site management, cash assistance, food aid, distribution of non-food items, protection, education, and health services.

This report assesses the extent to which the instrument is fit for purpose. It draws on the experience to date in Greece.

(B) Main considerations

The Board acknowledges that the evaluation exercise has gathered much useful information.

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

* Note that this opinion concerns a draft evaluation report which may differ from the one finalised.

- (1) The evaluation does not present a complete, substantiated and self-contained account of the performance of the ESI in Greece.**
- (2) The evaluation is too process-oriented. It focuses on how the instrument delivered without answering wider questions about the results in Greece and the suitability of the instrument.**
- (3) Some conclusions are more positive than the findings in the support study, and the report does not explain the divergence. The link between the evidence and lessons for the future is not always obvious.**

Against this background, the Board gives a negative opinion and considers that in its present form this report does not sufficiently respond to the mandate of the evaluation and does not provide appropriate input for the forthcoming Communication to the Council.

(C) Further considerations and recommendations

(1) The evaluation needs to integrate more evidence from the background study in order to help the reader to follow the logic and understand the findings. The evaluation should better substantiate statements and be more transparent regarding limitations of available evidence. The report should do more to report what different stakeholder groups have said.

(2) The evaluation should show how well the intervention reached its objectives qualitatively, beyond looking at targets in the form of number of people reached by specific actions. The document should also be more nuanced about the relevance and achievement of these targets, explaining relevant limitations such as fluctuating numbers of people and issues of double counting.

(3) Besides accounting for how well the instrument performed in Greece, the evaluation should assess whether the instrument is well designed to respond to future emergency situations in Member States. In particular, it should clarify to what extent the different relationships with authorities of a Member State (compared with a third country) are compatible with the traditional principles of emergency support.

(4) The findings of the evaluation need better justification. The report should indicate where the Commission's own analysis differs from that of the contractor, and why. It needs to give a neutral account of what worked and what did not. It should provide stronger motivation in evidence for lessons from the experience in Greece that could improve the EU's response to a possible future activation of the emergency support instrument within the European Union.

(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 points prior to its resubmission.

Full title	Evaluation of the operation of Council Regulation (EU) 2016/369 on the provision of emergency support within the Union
Reference number	PLAN/2017/1561
Date of RSB meeting	14/12/2018