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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE
COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE
COMMITTEE OF THE REGIONS**

on the ex-post evaluation of the European Return Fund for the period 2008-2010

**(report submitted in accordance with Article 50(3)(c) of Decision No 575/2007/EC of the
European Parliament and of the Council of 23 May 2007)**

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1. SCOPE AND PURPOSE OF THE REPORT¹

The European Return Fund (RF) was established in 2007 for the period 2008 to 2013 as part of the General Programme on ‘Solidarity and Management of Migration Flows’². It is one of four Funds set up under the General Programme³.

The objective of the Fund is to support the efforts made by Member States to improve the management of return in all its dimensions (‘integrated return management’), including through cooperation between Member States for the purpose of economies of scale. The Fund has a **total budget of €76 million**. The resources are distributed among 26 Member States⁴.

The Decision establishing the Fund requires the Commission to submit an ex-post evaluation for the period 2008 to 2010⁵ based on national evaluation reports on the results and impact of actions co-financed by the Fund⁶. The Fund is to be evaluated by the Commission in partnership with the Member States ‘to assess the relevance, effectiveness and impact of actions in the light of the general objectives [of the Fund]’⁷. The Commission will also ‘consider the complementarity between the actions implemented under the Fund and those pursued under other relevant Community policies, instruments and initiatives’⁸.

This report presents the findings of the ex-post evaluation of the implementation of the annual programmes 2008 to 2010 covering over **€199 million of allocations** to the Member States. Member States had to submit their national reports by the end of June 2012. However, since the eligibility period for the actions of the 2010 annual programme ran until 30 June 2012 and in order to allow comprehensive results of this annual programme to be included in the report, the deadline was postponed until 31 October 2012.

The following chapters outline the main findings in terms of relevance, efficiency, effectiveness, complementarity and value added of the 2008-2010 RF funding.

RELEVANCE OF THE FUND TO THE EUROPEAN AND NATIONAL CONTEXTS

Relevance of the Fund to the EU context supporting its set-up

The return of third-country nationals who do not, or no longer, fulfil the conditions for entry to, presence in, or residence on the territories of the Member States of the European Union is vital to ensure that admission policy is not undermined and to enforce the rule of law, an

¹ This Report has been drafted by the Commission mainly based on data provided by the participating Member States. Notwithstanding the quality review carried out by the Commission, the presence of inconsistencies or inaccuracies cannot be ruled out. However, the Commission believes these should not be such as to affect the meaningfulness and reliability of the conclusions reached in the Report.

² Communication from the Commission to the Council and the European Parliament establishing a framework programme on solidarity and management of migration flows for the period 2007-2013, COM(2005) 123 final.

³ The other Funds of the General Programme are: the External Borders Fund, the European Refugee Fund and the European Fund for the integration of third-country nationals.

⁴ In accordance with its Protocol, Denmark is not participating in the Fund.

⁵ Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General Programme ‘Solidarity and Management of Migration Flows’, Article 50(3).

⁶ Decision No 575/2007/EC, Article 50(2).

⁷ Decision No 575/2007/EC, Article 49(2).

⁸ Decision No 575/2007/EC, Article 49(3).

essential feature of an area of freedom, security and justice. In practice, however, putting return policy into effect is a considerable challenge, in particular for Member States with relatively low GDP or little experience, or for some Member States that face disproportionate migration flows, due to their geographic situation or attractive economic profile. Return management is a complex process. It requires good working relationships to be developed with the countries of return, while balancing individual rights and humanitarian considerations with the state interest in law enforcement.

Reducing irregular immigration through an effective return policy is the business of all Member States. In an area without internal borders, people can in principle move without hindrance. Tolerance of irregular stays in one Member State may adversely affect the fight against illegal employment throughout the EU, which, in turn, acts as a pull factor for more irregular immigration to the EU. Conversely, effective return policies throughout the EU could have beneficial effects on the credibility of the common immigration policy and help to increase the acceptance of legally staying third-country nationals in Member States.

The European Return Fund builds on preparatory actions that were carried out for the budget years 2005-2007 and helped Member States to prepare for the launch of the Return Fund in 2008. In order to make the fight against irregular migration at national level more effective, the European Return Fund was created to support the voluntary and, where necessary, forced return of illegally staying third-country nationals within a common framework of ‘integrated return management’ and in accordance with common standards. In the migratory context described above, where migration flows affect Member States differently, the **Fund was aimed at ensuring that the principles of solidarity and fair sharing of responsibilities are observed between Member States** by providing financial assistance to support their efforts to improve the management of return in all its dimensions. The distribution of the available EU resources among Member States is based on two criteria that reflect the situation of the Member State with regard to the obligations undertaken on behalf of — or for the overall benefit of — the Union in this area: the number of removal decisions affecting third-country nationals, and the number of returns to third countries. The Fund is implemented on the basis of strategic multiannual programmes covering the whole 2008-2013 programming period and annual programmes negotiated each year with Member States to implement the yearly financial allocations.

The Fund targets four priorities:

- Priority 1: Support for the development of a strategic approach to return management by Member States;

Priority 2: Support for cooperation between Member States in return management;

Priority 3: Support for specific innovative (inter)national tools for return management;

Priority 4: Support for Community standards and best practices on return management.

Besides the national programmes, annually up to 7% of the available EU resources were implemented directly by the Commission for transnational projects, studies or other types of actions of EU interest through the ‘**Community actions**’ concerning return policy and measures applicable to the target groups.

For the period **2005-2007** preparatory actions, namely the ‘Return Preparatory Actions’ 2005-2006 and the ‘Preparatory Action — Migration Management, Solidarity in Action 2007 —

return and reintegration of returnees' were launched. The instruments created first-hand practical experience with transnational projects and thus helped the Member States, NGOs and other stakeholders to prepare for the launch of the European Return Fund in 2008⁹. As of 2008 until the end of the programming period, the European Return Fund Community Actions were co-financing (up to 90 % of the total eligible costs of the action) transnational projects predominantly in the Assisted Voluntary Return (AVR) field through the dedicated calls for proposals published annually. The projects complemented the national programmes and encouraged EU-wide cooperation and experience sharing in different aspects of the AVR process.

It is important to note that this ex-post evaluation report covers the bulk of the European Return Fund's resources, which is implemented under shared management through national programmes.

Relevance of the Fund in EU and national contexts during the first years of its implementation

The period covered by the 2008-2010 annual programmes (APs), from their inception to completion, runs from 2008 to mid-2012. During this period, most Member States made significant changes to their respective policies, laws and institutional set-ups with a view to strengthening and improving the management of (forced and voluntary) return.

The transposition of the **Return Directive**¹⁰ streamlined the process of return management, introducing the possibility for third-country nationals to opt for voluntary return measures and including standards for detention of those subject to a return decision. Some Member States introduced alternative measures for the detention of vulnerable third-country nationals. In the period considered, actions were sometimes complemented by additional legislation aimed at tackling irregular migration and at returning irregular migrants. **The uprisings in North Africa of 2011** contributed significantly to the **rise in migratory pressure** towards the Mediterranean countries and therefore to the overall national efforts in the area of return. From January 2008 to 30 June 2012, a total of **630 475** third-country nationals were returned through either **forced or voluntary return operations** by Member States to third countries¹¹. **60 % of those people were returned forcibly and 40 % through voluntary return operations**. Nine Member States¹² managed to return more people through voluntary programmes as opposed to forced removals, whereas sixteen Member States¹³ returned comparatively more people through forced removals than by voluntary operations¹⁴. Over half of these voluntary return operations were carried out by only two Member States (SE, UK).

Irregular migrants (including over-stayers and rejected asylum applicants) largely outnumbered the share of asylum applicants and refugees who returned voluntarily to their country of origin.

⁹ The evaluation of the preparatory actions is available at http://ec.europa.eu/home-affairs/funding/2004_2007/solidarity/funding_solidarity_en.htm.

¹⁰ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals. The Directive applies to all Member States except Denmark, Ireland and the United Kingdom. The transposition deadline was 24 December 2010.

¹¹ Overall national programmes, including the Return Fund.

¹² AT, BE, CZ, IE, LU, PL, PT, SE, UK.

¹³ BG, EE, FI, FR, DE, EL, HU, IT, LV, LT, MT, NL, RO, SK, SI, ES.

¹⁴ Voluntary return data for Cyprus were not provided.

The total number of **detention centres** (for third-country nationals pending removal) in the Union, as reported at the end of June 2012, amounted to 179, with an overall capacity of 17 519 potential detainees.

In the period covered by the evaluation, twenty-one Member States returned 15 563 third-country nationals through **joint return flights**¹⁵ (out of a total of 379 381 third-country nationals returned through forced removals). Almost 75 % of the total number of people returned through such flights were returned by only two Member States (ES, NL).

In relation to the above described general context, overall Member States had positive views on the relevance of the Fund to their national needs. Whilst most considered the programmes' objectives to be relevant, France reported that some pertinent needs (such as taking into account the irregular migrant population in the overseas department of Mayotte) could not be addressed due to eligibility rules. France also found Priority 2 to be less relevant in the field of joint return flights because FRONTEX also provides funding for joint return flights.

On the other hand, some Member States considered that needs and the corresponding programmes' objectives did not change over the reporting period, i.e. from the moment of defining the objectives in the multiannual programme (MAP) to implementation of the APs. Others added that the identified objectives also remained relevant for future interventions, financed through either national budgets or the Fund.

COMPLEMENTARITY OF THE FUND WITH NATIONAL BUDGETS IN THE FIELD OF RETURN AND WITH OTHER FINANCIAL INSTRUMENTS

Member States reported that **RF co-financing was complementary to that of other EU financial instruments.** For several Member States the RF's role in migration management was complementary to the other three Funds¹⁶ pertaining to the General EU Programme 'Solidarity and Management of Migration Flows' (2007–2013). Other EU funding mentioned as complementary to the RF included the European Social Fund and the preparatory actions of the RF prior to the current programming period.

With regard to the complementarity of the Fund with national investments in the field of return, the contribution of the Fund to national budgets ranges from 100 % (BG, CY, LV, PT) to less than 1 % (CZ). The Fund allocation contributes to 25 % and 21 % of overall expenditure in this area in Spain and the United Kingdom respectively. These are substantial shares when considering the amount of national investments in return management in these Member States. By contrast, France reports that RF funding has a relatively weak financial impact on national expenditure in this area, accounting for only 4.9 % of expenditure on forced return, but for 15.3 % of expenditure on voluntary returns (2009-2011).

The Fund's contribution is set at a maximum of 50 % of the total costs of an action and at a maximum of 75 % for Member States covered by the Cohesion Fund and for actions corresponding to specific priorities. In this respect, the evaluation shows that the Fund's greatest contribution lies in areas where Member States are less likely to invest national funding, i.e. assistance to vulnerable persons and implementation of EU rules and standards.

¹⁵ Overall national programmes, including the Return Fund.

¹⁶ The External Borders Fund, the European Refugee Fund and the European Fund for the integration of third-country nationals.

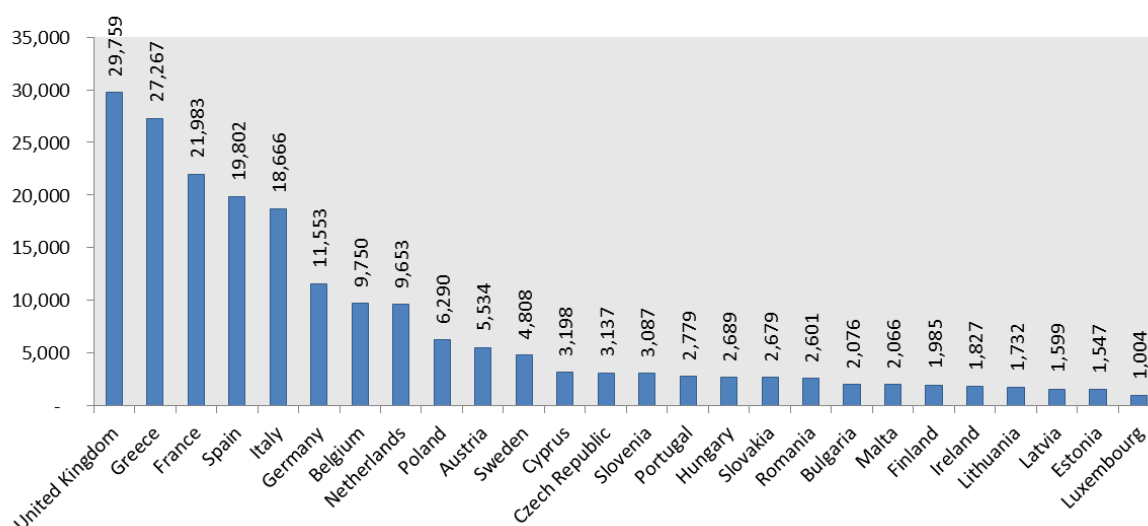
This is likely because such activities are not considered as national priorities or because they are part of EU priorities supported at 75 %.

EFFICIENCY OF THE FUND

Allocation and spending

In total, the contribution of the Fund to the Member States under the 2008 to 2010 annual programmes amounted to **over €199 million**. Funding ranges from just over €1 million for Luxembourg to over €29 million for the United Kingdom and more than €27 million for Greece. The largest allocations were granted to those Member States which have the highest influxes of irregular migrants and the highest number of returnees. They are the **United Kingdom, Greece, France, Spain and Italy, which altogether benefited from 59 % of the total EU contribution** that was allocated to the Member States in that period.

Graph 1: Distribution of RF funding by Member State in thousands of euros



The average implementation rate¹⁷ of EU co-financing of AP 2008 was 66 % (€36.6 million were spent out of €55.5 million allocated). The implementation rate of EU co-financing under that programme ranged from 16 % (NL) to 100 % (ES). The average implementation rates of EU co-financing of APs 2009 and 2010 ranged from 27 % in Czech Republic to 99 % in Spain. In total, sixteen Member States had an implementation rate higher than 75 %¹⁸ while in six of those it was above 90 %¹⁹. Six Member States had an average implementation rate of EU co-financing of APs 2009-2010 of 50 % or below²⁰. **Member States with a high implementation rate are often those that benefit from high allocations while Member States with a low implementation rate are often Member States with smaller allocations.** This could be explained by the fact that in Member States with high allocations, the Fund's contribution represents a small proportion of their national budget earmarked for return, and these countries are used to implementing actions in this field on the basis of pre-financing. On

¹⁷ The rate of implementation measures the extent to which Member States actually spent the funding that was initially allocated to them.

¹⁸ AT, BE, DE, ES, FI, FR, HU, IE, IT, LV, MT, PL, PT, SE, SK, UK.

¹⁹ AT, DE, ES, FR, IT, PT.

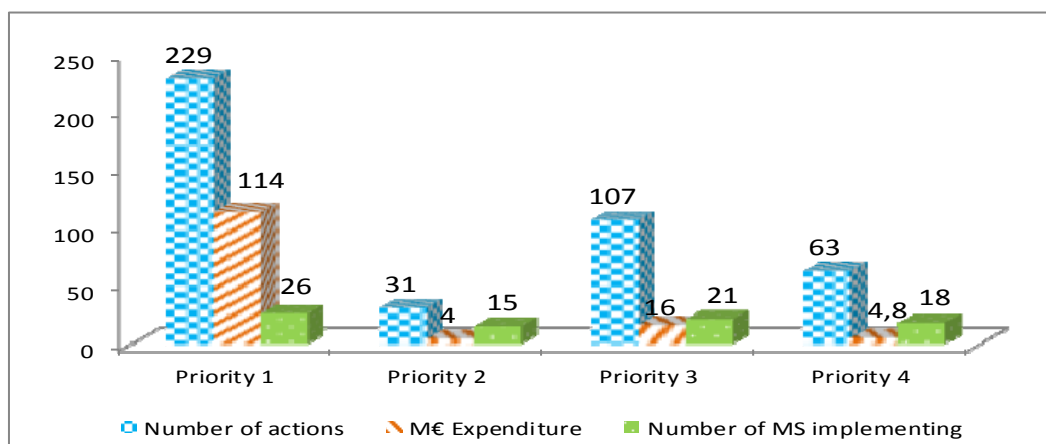
²⁰ BG, CZ, EE, LT, LU, SI.

the other hand, Member States with smaller allocations are often less experienced, with fewer actors active in the return field.

In total Member States managed to spend **76 %** of the allocations granted to them under the 2008 to 2010 annual programmes (around €151 million spent out of around €199 million allocated).

The majority of actions were implemented under Priority 1, followed by Priorities 3, 4 and 2. In terms of expenditure, the focus was put on Priority 1, followed by Priorities 3, 4 and 2.

Graph 2: RF 2008-2010 by priority: number of actions, expenditure in millions of euros and number of Member States implementing the priority



Most expenditure during APs 2008-2010 went to actions implementing Priority 1 (support for the development of a strategic approach to return management - €14 million, i.e. 82 % of the total funding spent). The Member States with the highest expenditure under this category were France, Italy, Spain and the United Kingdom. Additionally 12 % of EU resources were spent on actions implementing Priority 3 (support for innovative tools for return management). Austria, Belgium, Greece, Germany and Sweden spent the highest amounts under this priority. Only €4.8 million was spent under Priority 4 (support for Community standards and best practices) with France, Latvia and Slovak Republic spending the highest amounts. Amongst the latter, France accounted for 46 % of total EU expenditure on activities under Priority 4. Only €4 million was spent under Priority 2 (support for cooperation between Member States) with Italy, the United Kingdom and Ireland spending the highest amounts under this priority.

With regard to expenditure by category of action, most funding was allocated to the category of forced return (38 % of total expenditure), followed by voluntary returns (36 % of total expenditure). The United Kingdom spent by far the largest amount on voluntary return (61 % of total expenditure spent on the category of voluntary return).

Revisions

A total of 20 Member States²¹ reported that at least one of their APs required a formal revision. Most Member States²² needed to make revisions exceeding 10 % of the budget to one or more of their APs. Revisions were introduced to ensure full absorption of remaining financial resources and to readjust spending forecasts to improve effectiveness and efficiency.

²¹ The following Member States did not revise any of their 2008 to 2010 APs: AT, BG, CZ, LU, MT, SI.
²² DE, EE, EL, ES, FI, FR, HU, IT, LV, PL, PT, RO, SE, SK, UK.

Eighteen²³ Member States reported that **they found the revisions useful**. Several Member States reported that, thanks to the revisions, they redistributed budget from areas where there would have been an underspend to areas faced with a potential overspend. Other Member States reported that the revisions helped to ensure the efficient implementation of projects and thus increased their overall efficiency, or allowed them to adapt actions initially planned to new or changing needs or unforeseen events. However, some Member States reported that the annual programmes were not flexible enough to adapt the objectives to changing needs.

Programme management costs

The main source of financial support for management costs was the technical assistance granted by the Fund. More than €12 million was spent by the Member States on technical assistance out of the €139 million spent on projects during the period under evaluation (approximately 9%). Most Member States used technical assistance primarily for staff costs within the office of the Responsible Authority or Delegated Authority, followed by IT equipment, whereas the least costs were incurred for travelling and/or events. **Most Member States reported that TA was very useful, particularly in supporting the administration of the Fund**, and hence contributing to more efficient and effective management of the Fund, although some Member States (LU, RO) experienced difficulties in using the allocations due to the restrictions imposed on their eligibility and use.

Overall assessment of efficiency

Most Member States rated the **implementation of the programmes as efficient**²⁴. **A few considered the implementation as inefficient**, mainly due to difficulties in securing co-financing, the complex and administratively burdensome implementation mechanisms, and the high ratio between administrative costs and the total allocation (AT, CZ, CY, NL).

The main challenges to implementation reported²⁵ are:

- delays in approval of documents from both Member State and Commission sides;
- difficulties in securing co-financing;
- lengthy implementation mechanisms and procedures, which led to delays in project implementation;
- lack of efficient communication and cooperation with representatives of third countries;
- insufficient information on scope of target beneficiary group or difficulties in returning them.

Most Member States²⁶ reported that they were both **legally and financially dependent** on the approval of the Commission decision for launching the implementation of their annual programmes. Some Member States (FR, LU, SI, SE, UK) reported that they were not financially dependent on the approval of the Commission decisions to launch their annual programmes because financing was released through their national budget.

²³ BE, DE, EE, EL, ES, FI, FR, HU, IT, LT, LV, NL, PL, PT, RO, SE, SK, UK. Cyprus did not provide any assessment of the revision of its 2009 programme.

²⁴ AT, BE, BG, EE, EL, ES, FI, FR, HU, IE, LT, LV, MT, NL, PL, PT, SE, SI, SK, UK.

²⁵ AT, BG, CZ, DE, EL, ES, FI, FR, HU, IT, LV, LT, LU, MT, NL, PL, PT, SE, SI, SK, UK.

²⁶ AT, BE, BG, CY, CZ, EE, EL, ES, FI, IT, LT, LV, MT, PL, PT, RO, SK.

EFFECTIVENESS OF ACTIONS IMPLEMENTED THROUGH THE FUND

This section provides an overview of outputs and results achieved through the 2008 to 2010 annual programmes under each of the four priorities of the Fund²⁷.

Overall results and key achievements

Twenty-three Member States²⁸ assessed the overall results and achievements of the Fund as either positive or very positive, while only three made a neutral assessment²⁹. The latter did so because the expected results were not achieved, only a few actions were implemented (CZ), results were not achieved or were not quantifiable (LU) or only a small number of actions were implemented, which made it difficult to make a general assessment (SE).

The table below outlines the aggregate outputs and results of the Fund.

Table 1 Overview of aggregate outputs and results of the actions implemented

Category of action	EU level OUTPUTS achieved through APs 2008-2010		EU level RESULTS achieved through APs 2008-2010		Priority
1. More voluntary returns	51 341 voluntary return applications/declarations of intent	9 788 voluntary return operations carried out	39 115 people returned	20 568 people benefited from reintegration support (where applicable)	Priorities 1, 3 & 4
2. More forced returns	2 404 national forced return flights performed		97 962 people returned in unilateral forced return operations		Priorities 1 & 2
3. More/better information/counselling	397 information activities/campaigns organised	83 235 people counselled	17 699 people returned voluntarily as a result of the counselling		Priorities 1 & 3
4. More/better assistance to vulnerable people	10 255 vulnerable people assisted		7 804 people assisted returned voluntarily	232 assisted people were returned forcefully	Priorities 1 & 3
5. More/better reintegration assistance	691 reintegration activities undertaken	7 636 people assisted with reintegration	4 541 people returned after or in anticipation of reintegration activities		Priorities 1 & 3

²⁷ The presentation of outputs and results per priority reflects the Member States' understanding of these priorities and subsequent classification of their projects. Similar projects may have been programmed under different priorities in different Member States. There is some overlap in the results and outputs of each of the priorities — e.g. voluntary returns occurred as a result of actions implemented under both Priorities 1 and 3 or vulnerable people were assisted through actions implemented under Priorities 1, 3 and 4.

²⁸ Very positive: AT, BE, CY, ES, FI, FR, IT, LV, LT, PL, PT, SK, UK (13). Positive: BG, DE, EE, EL, HU, IE, MT, NL, RO, SI (10).

²⁹ CZ, LU, SE.

6. New tools/initiatives tested or introduced	3081 new tools/initiatives introduced		6230 return cases addressed/affected by the use of new initiatives	2041 people actually returned thanks to the new tools/initiatives introduced	Priorities 1 & 3
7. Improved knowledge base in the MS	14112 staff from public authorities acquired new knowledge	3091 staff from NGOs/other actors involved acquired new knowledge	310 cooperation partnerships developed	46 legal provisions or administrative practices relating to return changed or introduced	Priorities 1 & 3
8. More/better cooperation with other MS	5 new cooperation partnerships ³⁰ developed	41 joint return operations carried out with other Member States	820 people returned through joint operations	7 practices transferred and applied	Priorities 2 & 4
9. Improved application of EU rules and standards	11 preparatory measures taken for the transposition of the Directive	17 organisations applying the measures	2184 returns carried out following the introduction of the measures		Priority 4
10. More/better cooperation at national level	77 new partnerships developed (NGOs, NGOs and state institutions, etc.)	15 common activities developed and undertaken		27 people returned voluntarily, further to the cooperation/common activities	Priorities 1 & 4
11. More/better cooperation with third countries	269 new partnerships developed	3415 documented cases thanks to better cooperation with third countries	25007 people returned forcefully, further to the cooperation	39687 people returned voluntarily, further to the cooperation/common activities	Priority 3

Outputs and results achieved in Priority 1 (Support for a strategic approach to return management)

In the field of forced return, the majority (97%) of forced returns co-financed by the Fund were carried out in support of Priority 1 (others were carried out under Priority 2). **Spain** returned the largest amount of third-country nationals (48 550), followed by **Greece** (17 338), **Italy** (8 321) and **Cyprus** (6 947).

³⁰ In the context of categories of action 10 and 11, partnership means a new form of cooperation at national level or with third countries, initiated through the Return Fund, i.e. the development of new cooperation initiatives with relevant stakeholders.

In the field of voluntary return, a total of 88 % of all voluntary returns were the result of actions implemented under Priority 1. The **United Kingdom** returned the largest number of third-country nationals (14 110). Other Member States that returned large numbers of third-country nationals under Priority 1 were **Germany** (4 903), **France** (3 900), **Poland** (2 616) and **the Netherlands** (2 613). The United Kingdom provided reintegration assistance to the largest number of third-country nationals (14 288), this number representing 70 % of all people provided with reintegration support. Other Member States providing **reintegration assistance to a considerable number of third-country nationals were Poland** (3 510), the **Netherlands** (835) and **Italy** (782).

Under Priority 1, **twelve Member States³¹ implemented information campaigns and twelve³² implemented actions directly aimed at providing counselling to potential returnees**. Spain, Finland and Ireland considered that the production and wider dissemination of information on return was one of the key achievements of actions implemented under this priority. Austria (26 687), the Netherlands (24 634) and Germany (10 476) reached the largest number of people through counselling actions while Austria (10 144), Germany (2 705) and Portugal (1 871) saw the largest number of people return as a result of these actions.

Fifteen Member States³³ assisted vulnerable people to enable their return. **Spain assisted the largest number of people (6 178), all of whom returned voluntarily**. Four Member States (BE, HU, LT, EE) reported returning vulnerable people forcibly, following the provision of assistance.

Ten Member States³⁴ developed new tools or initiatives under Priority 1, ranging from tools for awareness raising and capacity building for assisted voluntary return, the publication of guides on return and the development of management tools for administration and financial monitoring of return assistance, to the collection of biometric information on applicants for return assistance. **Some Member States³⁵ provided information/training to public authorities and/or NGOs working in the field of return**.

As regards results of actions under Priority 1, in particular those relating to information/training for public authorities and/or NGOs working in the field of return, **new cooperation partnerships** were reported to **have been created** in Germany, Ireland, Malta, Portugal and Romania. Additionally six Member States (BE, EL, LV, MT, NL, PT) describe **improvements in cooperation with third countries** as a result of actions implemented under Priority 1. These reportedly helped to carry out additional forced returns (428 from BE, 301 from EL) and voluntary returns (120 from BE, 9 from MT, 168 from NL and 55 from SE).

On the longer-term effects of the activities financed under this priority, Member States reported the following:

Three Member States³⁶ reported that RF funding initiated voluntary return and reintegration activities in their countries where such measures did not exist before;

Seven Member States³⁷ reported that **supported actions led to systemic improvements in return management**, contributing to the development of standardised approaches;

³¹ BG, CZ, DE, ES, FI, FR, IE, LT, PL, PT, RO, SK.

³² AT, BG, CZ, DE, FI, IE, LV, LT, NL, PL, PT, RO.

³³ AT, BE, BG, DE, EE, ES, FI, FR, HU, IT, LT, NL, PL, PT, SE.

³⁴ BE, CY, FI, FR, LV, LT, NL, PT, RO, SE.

³⁵ DE, FI, IE, LT, MT, PT, RO.

³⁶ CY, SI, LV.

Eighteen Member States³⁸ considered that actions implemented under Priority 1 made a major contribution to improving overall return management at national level;

Improvements in the quality of the voluntary and forced return processes were also reported, e.g. the development of new tools³⁹, provision of assistance in forced returns for vulnerable persons⁴⁰, the development of partnerships with NGOs and other stakeholders⁴¹ or improved cooperation with third countries⁴².

Outputs and results achieved in Priority 2 (Support for cooperation between Member States)

Seven Member States⁴³ carried out joint return operations in cooperation with other Member States. In total, 820 people were returned through joint return operations implemented under Priority 2.

Seven Member States⁴⁴ reported that actions implemented under Priority 2 served to develop partnerships with other Member States. In total sixteen new partnerships were created. They allowed experience to be exchanged on the difficult process of obtaining documentation of returnees from certain countries of origin, working group meetings to be organised with other Member States on topics such as the conclusion of readmission agreements, and partnerships to be developed for return at the shared border (UK with FR).

For twelve⁴⁵ of the fifteen implementing Member States the results of the actions implemented under Priority 2 **made a positive contribution to improving overall return management at national level.** On the longer-term effect, the Member States reported:

The creation of long-lasting synergies and networking effects through joint return flights and other exchanges;

Positive effects of the promotion and application of European standards and common training criteria for joint return operations;

Improved communication and cooperation with third countries in building officials' experience in return management.

Only three Member States⁴⁶ reported that the results of the actions implemented under Priority 2 made a limited contribution to improving overall return management at national level.

Outputs and results achieved in Priority 3 (Support for innovative tools)

The achievements of the actions implementing Priority 3 ranged from the development and/or introduction of **new tools and initiatives** (country of origin databases, hotline providing information on (assisted) voluntary return, website in various languages, etc.) **to training or information provision to public authorities and NGOs on tools and initiatives.** Member States also implemented **voluntary returns**, provided **assistance to vulnerable persons**,

³⁷ EE, ES, FI, FR, IT, MT, SE.

³⁸ BE, BG, CY, EE, EL, ES, FI, FR, HU, IE, IT, LT, LV, MT, PL, PT, SE, SI.

³⁹ BE, CY, FI, FR, LV, LT, NL, PT, RO, SE.

⁴⁰ BE, HU, LT, EE.

⁴¹ DE, IE, PT, SE.

⁴² BE, EL, LV, MT, NL, PT.

⁴³ BE, CY, EL, IE, PL, RO, UK.

⁴⁴ BG, CZ, DE, EE, EL, PL, UK.

⁴⁵ BE, CY, CZ, EE, EL, FR, IE, IT, LV, PL, RO, UK.

⁴⁶ BG, EE, LU.

counselled/informed third-country nationals, and assisted others with **reintegration support**. Finally, a number of cooperation partnerships with third countries were established, e.g. partnerships for reintegration projects (AT, MT, ES). For example, Spain carried out training seminars on cooperation and return sustainability for third-country officials. Other Member States (BG, HU, PL, RO, SI) developed cooperation in consular and diplomatic services on documenting returnees' identities.

Member States' **assessment** of these achievements was **mixed**. Thirteen (BE, BG, ES, FI, HU, IE, IT, LT, NL, PL, RO, SI, UK) considered the results of the actions implemented under this priority to be consistent with the objectives initially set. Where some Member States (AT, DE, EL, FR, LU, MT, SE, SK) considered that results were not consistent or only consistent to some extent, this was because the targets of some actions were not fully met or some projects were not implemented.

On the longer-term effects of the activities, in 17 Member States⁴⁷ the results were considered positive and as contributing to the sustainable management of return, while others (MT, SE) considered that too few actions had been implemented to make a notable impact on return management or that the period under evaluation was too short to assess the impact of the projects (DE).

Outputs and results achieved in Priority 4 (Support for Community standards and best practices)

The most common achievement of actions implemented under Priority 4 was the acquisition of knowledge of Community standards and best practices in return management by public authority staff and/or staff at NGOs or other involved actors. Fourteen Member States⁴⁸ reported training people in Community standards and best practices in return management. Italy trained the largest number of people (3 390), followed by Poland (2 666) and Greece (2 234).

Five Member States (BE, BG, HU, LT, SK) implemented actions linked to the implementation of the Return Directive, e.g. in Slovak Republic this led to 273 returnees being granted legal aid and to 647 vulnerable people receiving assistance.

The results were assessed very positively overall — as being both consistent with the objectives initially set and as improving the overall management of return. Where the results were judged less positively this was usually because few actions were implemented (FI).

ADDED VALUE OF THE FUND

Added value of the Fund

Volume effects (practice effects): extent to which the Fund's intervention contributed to the overall range of activities on return

Generally, Member States reported that the Fund's support contributed to an increase in the scale, duration and sustainability of national return activities.

According to the Member States' reports, the added value of the Fund seems to be the largest in the field of voluntary return. **Support for voluntary return was indeed cited as a key added value in a number of Member States**, namely:

⁴⁷ AT, BE, BG, EL, ES, FI, HU, IE, IT, LT, LU, NL, PL, RO, SI, SK, UK.

⁴⁸ BE, BG, CY, EE, EL, HU, IT, LT, LV, PL, RO, SE, SI, SK.

The Fund's support allowed voluntary return programmes to be introduced in three Member States where they did not exist before (CY, LV, SI);

RF funding promoted or extended access to voluntary return programmes (CZ, EE, ES, FI, MT, PL, PT);

RF funding led to a clear increase in the willingness to return voluntarily thanks to the introduction of return counselling and reintegration assistance, the provision of financial incentives for return (CZ, ES, FR, MT, PT, SK), the availability of comprehensive information (e.g. on start-up assistance in the country of return) and publicising and raising awareness of voluntary return possibilities (BE, DE, FR, HU, IE, MT, PT). In that respect, Belgium wrote 'The Fund contributed significantly to the increase in the number of voluntary returns, not only by providing higher assistance but also ... by providing all actors involved with up-to-date information about voluntary return and tools to speak about a possible return, creating increased awareness of the option of voluntary return';

RF funding promoted NGO involvement in assisted voluntary return (AVR) activities (CZ, NL).

Several Member States reported that the Fund contributed **significant added value also in the field of forced return**, namely:

Participation in joint flights (BE, EL);

Improved cooperation between Member States and third countries (EE, EL, IT, MT, SI, SE, PL), more specifically in relation to:

- fostering legal documentation identification, which reduces detention time and speeds up the return process;
- establishing contacts in third countries, not least those with no consular presence in Member States, with an impact in terms of improvements in the facilitation and implementation of readmission agreements;

Upgrading of police equipment and training of police officers on EU standards, which resulted in improved police services for returnees and in an increased understanding of their rights, the reasons why they were in detention and the procedures for their return (BE, DE, EL, LT, PL, SI, SK).

As for perceptions on the programmes' added value in comparison with existing national programmes and policies and in relation to the national budget, most of the Member States⁴⁹ associated the added value of the Fund with an **increase in financial means** — especially in a period of public finance restrictions — for both forced and voluntary return. However, some Member States noted the **limited added value of the Fund due to the relatively small size of the Fund's contribution to national budgets allocated to return management** (LU, FR).

⁴⁹ BE, CZ, ES, EE, IE, MT, NL, PL, PT, SE, UK.

Role effects: extent to which the Fund contributed to preparing the Member State to implement the Return Directive appropriately

As far as the implementation of the **Return Directive** is concerned, seventeen⁵⁰ out of twenty-four⁵¹ Member States considered that **the Fund made a positive contribution towards the establishment of both forced return and voluntary return systems, as per the Return Directive**. In Hungary the Fund has significantly contributed to the implementation of assisted voluntary return programmes and to improving detention conditions and the quality of forced removal operations by air. For Slovenia, the Fund's most important contribution was the support for launching voluntary return and reintegration programmes for the first time in the country. The signature of a cooperation agreement between the Estonian Ministry of the Interior and the Estonian Red Cross fulfilling the Return Directive requirement to monitor forced return operations was one of the Fund's most important interventions for this country. Other Member States indicated that their national return standards were already in line with the Return Directive, or that the implementation of the Return Directive was supported through the national budget during the reporting period and not through the Return Fund or that the Return Directive was implemented after the period under evaluation.

It is worth stressing that the European Parliament made a political link between the Return Fund and adoption of the Return Directive. The philosophy behind this political link was that EU money to co-finance Member State return activities should only be released if Member States agreed first to adopt common standards which guaranteed that returnees received humane and dignified treatment. This approach contributed to unblocking stalled negotiations in the Council and eventually led to the adoption of the Return Directive in late 2008. However, the fact that the UK has so far still not decided to opt into the Return Directive while it is at the same time the largest beneficiary of the Return Fund is an issue of continuing concern for the Commission.

Scope effects: extent to which the activities co-financed by the Fund would not have taken place without the financial support of the EU

Most Member States (AT, BE, CY, CZ, DE, EL, ES, HU, IT, LV, LT, MT, PL, PT, RO, SE, SK, UK) considered that **some activities co-financed by the Fund could have been carried out to a limited extent without the financial support of the EU**. They reported that the scope of activities, in particular of voluntary return activities (information, financial return incentives, reintegration support, counselling), would have been reduced. **This finding emphasises again the added value of the Fund in the field of voluntary return**. In this respect, Germany wrote: 'Without the ... Fund, many return measures could not have taken place or if so only to a limited degree. With European funding, more intensive and time-consuming return counselling sessions with individual solution approaches were held, which clearly had a positive impact on willingness to return. Thus, counselling sessions for specific groups such as traumatised women were able to be offered ... Based on the extensive counselling and support approach, a shift is now under way with return measures in the field of sustainable reintegration.'

Some Member States also reported that **vulnerable returnees (with special needs or families) would also have been less supported** (EE, BE, LT).

⁵⁰ BE, BG, CY, DE, EE, EL, ES, FI, HU, IT, LT, LV, MT, PL, PT, RO, SI.

⁵¹ The United Kingdom and Ireland 'opted out' of the Return Directive.

Some Member States (BE, BG, CZ, EE, FI, HU, IE, LV, NL, PT, RO, SI, SK) reported that **some activities co-financed by the Fund could not have been carried out at all without the financial support of the EU, affecting voluntary return and NGO activities in particular**. For example, Estonia indicated that reintegration activities would most likely not have been launched. The Czech Republic reported that activities relating to financial return incentives, along with activities relating to reintegration of returnees, could not have been implemented without the benefit of the Fund. Greece also reported that cooperation with other Member States or bilateral meetings with third-country authorities would have been very difficult without the assistance of the Fund.

On the other hand, some Member States (EE, PT, RO, ES, BE) mentioned that **in the absence of the Fund, activities relating to forced return could have been carried out under the national budget**. For example, Spain noted that significant yearly national investments had been made exclusively from the national budget, supporting assistance for returnees, identification commissions, and return flights. Some Member States (CZ, FI, FR, LU) reported that some **activities co-financed by the Fund could have been carried out to a significant extent**. This largely also concerns removals, as a legal basis for this exists in most Member States.

Best practices and lessons learnt

Some Member States reported that the following **administrative practices** had significantly contributed to effective return management:

- establishing good relations with beneficiaries;
- establishing programming measures to prevent underspending of allocated funds;
- implementing longer and multiannual projects;
- securing mutual understanding between different stakeholders.

With regard to successful **return-management practices**, the following were reported:

- **voluntary return schemes** (UK);
- close **contacts with countries of return** (LT, NL, PL, PT);
- provision of **counselling** activities on return schemes to potential returnees (DE, HU, IE, IT, MT);
- creation of an **integrated return approach** — from pre-departure preparations to reintegration assistance (BE, EE, PT);
- **NGOs' cooperation** in delivering voluntary return schemes and mapping migrant communities (IT, PT);
- the **participation of detention and reception centres in delivering information to potential beneficiaries on voluntary return schemes** (FI, RO).

Additionally a few Member States reported the development of the following best practices in the area of **cooperation with return countries**:

- a conference to develop relations between Member States and third countries followed by signature of readmission agreements;

- contacts with consular authorities from third countries responsible for confirming returnees' identity;
- cooperation between national NGOs and sister organisations in recipient countries in the field of voluntary return operations.

Finally, some Member States stressed the **lessons learnt** in the area of management and administration of the Fund, including:

- improved planning;
- procedural simplification;
- more efficient funding processes;
- improved public procurement;
- the development of needs assessments and practices to obtain more sustainable results.

The latter refers to carefully tailoring reintegration assistance to individual third-country nationals' needs, ensuring knowledge transfer amongst project managers, linking reintegration activities to local development policies in return countries, deploying native counsellors to inform potential returnees about voluntary return schemes and carrying out regular monitoring visits to countries of origin where such schemes are implemented.

CONCLUSIONS

Having reviewed the evaluation reports from Member States, and taking into account other information, the Commission finds that the overall picture of the implementation of the 2008 to 2010 programmes of the European Return Fund is **quite satisfactory**. The project implementing organisations and national authorities were able to achieve good results, even if the first year of implementation of the Fund was challenging for some Member States.

Additionally, it can be concluded that the Fund **is living up to its promise to boost implementation of integrated return management** in Member States. The Fund supported the implementation of information campaigns and wide dissemination of information on return in various languages and through targeted channels of communication, the introduction or development of counselling activities for potential returnees (e.g. extension to new categories of migrants such as persons in detention, families, victims of human trafficking), the introduction or development of reintegration assistance in the country of origin and the development of country-specific information databases. In terms of results, Member States reported that actions co-financed by the Fund contributed — significantly, for some Member States — to the overall development of an integrated approach to return management, to an increase in the number of returnees and to an improvement in the quality of the return process.

Moreover, the Fund helped to increase the use of voluntary return in comparison to forced return — and even allowed voluntary return and reintegration activities to be introduced in some Member States. Overall, however, Member States still return more migrants forcibly than voluntarily. In the future there should be an even greater focus on voluntary return in compliance with the principle of primacy of voluntary return under EU standards.

Even though some achievements were reported in the field of cooperation between Member States (e.g. joint return flights, exchange of best practices), the small size of the allocations devoted to this objective (less than 3 % of the total amount spent by Member States during the

period under evaluation) reveals either difficulties in establishing cooperation networks or a preference for the joint flights organised by FRONTEX. **In the future there should be a greater focus on the promotion of practical cooperation, with a view to reducing duplication of effort, for example, in cooperation with third countries, training activities, and the gathering of information on the situation in countries of return.**

As far as the **principle of solidarity underlying the Fund** is concerned, the United Kingdom, Greece, France, Spain and Italy — whose allocations represented altogether 59 % of the total EU contribution that was allocated during the period 2008-2010 — performed quite well in managing the Fund and implementing the programmes, with an average implementation rate of 83 %. All but one of them assessed the overall results and achievements of the Fund as very positive. Greece rated them as positive, due to legislative and administrative difficulties faced in implementing the Fund.

The procedures and systems of the new Funds set up for the period 2014-2020 address the criticism expressed by the Member States, which stressed the need for simplification and reduction of the administrative burden. The first generation of Solidarity funding (SOLID Funds — including the European Return Fund) combine a multiannual framework with annual programmes, which makes this system complex, time-consuming and rather difficult to manage. **Future Funds will shift towards a multiannual programming approach, aiming to offer more flexibility, reduce significantly the workload for the Commission, the Member States and the beneficiaries, and allow more results-driven management of the Funds.** Additionally, while there are currently four different Funds with four different basic acts in the framework of the General Programme ‘Solidarity and Management of Migration Flows’, the structure of the next Funds will be simplified by reducing the number of programmes to a two-Fund structure: an Internal Security Fund and an Asylum and Migration Fund (merging the current European Return Fund, the European Refugee Fund and the European Fund for the integration of third-country nationals).