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

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

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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[(1)], and in particular Article 55(4) thereof,

Whereas:

(1) In order to support the Commission in the monitoring and evaluation of Regulation (EU) No 514/2014 and the Specific Regulations referred to in its Article 2, and to enable an integrated analysis at Union level, Member States should follow a uniform approach, to the extent possible, when undertaking the monitoring and evaluation activities.

(2) Monitoring and evaluation experts from Member States have cooperated with the Commission in the development of the common result and impact indicators, which should be used to assess the implementation of Regulation (EU) No 514/2014 and the Specific Regulations. These indicators complement the list of common indicators referred to in Annex II to Regulation (EU) No 513/2014 of the European Parliament and of the Council[(2)], Annex IV to Regulation (EU) No 515/2014 of the European Parliament and of the Council[(3)], and Annex IV to Regulation (EU) No 516/2014 of the European Parliament and of the Council[(4)].

(3) Monitoring and evaluation experts from Member States have cooperated with the Commission in the development of common evaluation questions to evaluate the implementation of national programmes by Member States. The evaluation questions comply with the requirements set out in Article 55(3) and (6) of Regulation (EU) No 514/2014.

(4) The United Kingdom and Ireland are bound by Regulation (EU) No 514/2014 and are, as a consequence, bound by this Regulation.

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2017/207. (See end of Document for details)*

(5) Denmark is bound neither by Regulation (EU) No 514/2014 nor by this Regulation, and is not subject to their application,

HAS ADOPTED THIS REGULATION:

Article 1

Each Member State shall designate, within the Responsible Authority, a coordinator in charge of monitoring and evaluation and shall define their tasks.

The monitoring and evaluation coordinators shall, through networking facilitated by the Commission:

(a) exchange expertise on best practices for monitoring and evaluation;

(b) contribute to implementing the common monitoring and evaluation framework, as set out in Article 55 of Regulation (EU) No 514/2014 and complemented by this Regulation;

(c) facilitate the evaluation of implementing national programmes, as set out in Articles 56 and 57 of Regulation (EU) No 514/2014 and complemented by this Regulation; and

(d) collaborate with the Commission to develop a document providing guidance on how to carry out the evaluation referred to in Article 56(3) of Regulation (EU) No 514/2014.

Article 2

1 The evaluation reports referred to in Article 57(1) of Regulation (EU) No 514/2014 shall follow the template to be developed by the Commission, which will include the evaluation questions provided for in Annex I and Annex II to this Regulation.

2 The evaluation reports shall use the indicators set out in Annexes III and IV. The Commission shall set out the definition, source and baseline of the indicators listed in Annexes III and IV in the document providing guidance on how to carry out evaluations referred to in Article 56(3) of Regulation (EU) No 514/2014.

3 The Member States shall submit the evaluation reports using the electronic data exchange system ('SFC 2014') established by Article 2 of Commission Implementing Regulation (EU) No 802/2014[(5)].

4 In accordance with Article 12(3) and (4) of Regulation (EU) No 514/2014, the Responsible Authority shall consult the monitoring committee on the annual implementation reports, and on the follow up to the conclusions and recommendations made in the evaluation reports, before the documents are submitted to the Commission.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 3 October 2016.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2017/207. (See end of Document for details)*

ANNEX I

List of evaluation questions for the evaluation reports by Member States and the Commission, for the Asylum, Migration and Integration Fund, as referred to in Articles 56 and 57 of Regulation (EU) No 514/2014

Effectiveness

(1) To what extent has the Asylum, Migration and Integration Fund ('Fund') reached the objectives defined in Regulation (EU) No 516/2014?

(a) How did the Fund contribute to strengthening and developing all aspects of the Common European Asylum System, including its external dimension?

(i) What progress was made towards strengthening and developing the asylum procedures, and how did the Fund contribute to achieving this progress?

(ii) What progress was made towards strengthening and developing the reception conditions, and how did the Fund contribute to achieving this progress?

(iii) What progress was made towards the achievement of a successful implementation of the legal framework of the qualification directive (and its subsequent modifications), and how did the Fund contribute to achieving this progress?

(iv) What progress was made towards enhancing Member State capacity to develop, monitor and evaluate their asylum policies and procedures, and how did the Fund contribute to achieving this progress?

(v) What progress was made towards the establishment, development and implementation of national resettlement programmes and strategies, and other humanitarian admission programmes, and how did the Fund contribute to achieving this progress?

(b) How did the Fund contribute to supporting legal migration to the Member States in accordance with their economic and social needs, such as labour market needs, while safeguarding the integrity of the immigration systems of Member States, and to promoting the effective integration of third-country nationals?

(i) What progress was made towards supporting legal migration to the Member States in accordance with their economic and social needs, such as labour market needs, and how did the Fund contribute to achieving this progress?

(ii) What progress was made towards promoting the effective integration of third-country nationals, and how did the Fund contribute to achieving this progress?

(iii) What progress was made towards supporting cooperation among the Member States, with a view to safeguarding the integrity of the immigration systems of Member States, and how did the Fund contribute to achieving this progress?

(iv) What progress was made towards building capacity on integration and legal migration within the Member States, and how did the Fund contribute to achieving this progress?

***Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2017/207. (See end of Document for details)*

(c) How did the Fund contribute to enhancing fair and effective return strategies in the Member States which contribute to combating illegal immigration, with an emphasis on sustainability of return and effective readmission in the countries of origin and transit?

(i) What progress was made towards supporting the measures accompanying return procedures, and how did the Fund contribute to achieving this progress?

(ii) What progress was made towards effective implementation of return measures (voluntary and forced), and how did the Fund contribute to achieving this progress?

(iii) What progress was made towards enhancing practical cooperation between Member States and/or with authorities of third countries on return measures, and how did the Fund contribute to achieving this progress?

(iv) What progress was made towards building capacity on return, and how did the Fund contribute to achieving this progress?

(d) How did the Fund contribute to enhancing solidarity and responsibility-sharing between the Member States, in particular towards those most affected by migration and asylum flows, including through practical cooperation?

(i) How did the Fund contribute to the transfer of asylum applicants (relocation as per Council Decisions (EU) 2015/1523[(6)] and (EU) 2015/1601[(7)])?

(ii) How did the Fund contribute to the transfer between Member States of beneficiaries of international protection?

(e) How did the Fund contribute to supporting the Member States in duly substantiated emergency situations requiring urgent action?

(i) What type of emergency actions was implemented?

(ii) How did the emergency actions implemented under the Fund contribute to addressing the urgent needs of the Member State?

(iii) What were the main results of the emergency actions?

Efficiency ***(Were the general objectives of the Fund achieved at reasonable cost?)***

(2) To what extent were the results of the Fund achieved at reasonable cost in terms of deployed financial and human resources? What measures were put in place to prevent, detect, report and follow up on cases of fraud and other irregularities, and how did they perform?

Relevance ***(Did the objectives of the interventions funded by the Fund correspond to the actual needs?)***

(3) Did the objectives set by the Member State in the National Programme respond to the identified needs? Did the objectives set in the Annual Work Programme (Union actions) address the actual needs? Did the objectives set in the Annual Work Programme (Emergency Assistance) address the actual needs? Which measures did the Member State put in place to address changing needs?

Coherence (*Were the objectives set in the national programme Fund coherent with the ones set in other programmes funded by EU resources and applying to similar areas of work? Was the coherence ensured also during the implementation of the Fund?*)