1. **SUMMARY**

This request for services is for a contract to provide assistance to the Commission (DG Migration and Home Affairs) in view of the ex-post evaluation reports for the European Refugee Fund (ERF) which it has to submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

**PART I**

The evaluation will examine the implementation of actions co-financed by the European Refugee Fund under the 2011-2013 annual programmes (shared management mode) and the Community Actions under the Annual Work Programmes 2011-2013 (direct or joint management mode).

**PART II**

The evaluation will also examine the implementation of the European Refugee Fund Community Actions under the Annual Work Programmes 2008-2010 (direct or joint management mode).

Both parts will assess these actions’ relevance, effectiveness, efficiency, sustainability, coherence and complementarity, and EU added value.

2. **PURPOSE, OBJECTIVE AND JUSTIFICATION FOR EVALUATION**

2.1. Legal basis for the evaluation

According to Article 49(2) of Decision No 2007/573/EC, the ERF "shall 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 objective referred to in Article 2 in the context of the preparation for the reports set out in Article 50(3)".

Article 49(3) of the Decision stipulates that "The Commission shall also consider the complementarity between the actions implemented under the Fund and those pursued under other relevant Community policies, instruments and initiatives."

According to Article 50(3) of the same Decision, "The Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions by 31 December 2012 for the period 2008 to 2010 and by 31 December 2015 for the period 2011 to 2013 respectively, an ex-post evaluation report".


### 2.2. Objectives of the evaluation

This evaluation has the following objectives:

(i) to examine the implementation of actions co-financed by the ERF during 2011-2013 (annual programmes as well as Community Actions) and,

(ii) to examine the implementation of actions co-financed by the ERF under the 2008-2010 Community Actions, and, for all,

assess their relevance\(^3\), effectiveness\(^4\), efficiency\(^5\), sustainability\(^6\), coherence and complementarity\(^7\), and EU added value\(^8\).

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\(^1\) OJ L 144, 6.6.2007, p. 1.
\(^2\) OJ L 150/168, 20.05.2014

\(^3\) Relevance: The extent to which intervention's objectives are pertinent to needs, problems and issues to be addressed.

\(^4\) Effectiveness: The extent to which objectives set are achieved.

\(^5\) Efficiency: The extent to which the desired effects are achieved at reasonable cost.

\(^6\) Sustainability: The extent to which positive effects are likely to last after an intervention has terminated.

\(^7\) Coherence and complementarity: The extent to which the intervention does not contradict other interventions with similar objectives, but on the contrary, they complement each other.
2.3. Ownership and use of the evaluation

The European Commission's Directorate-General for Migration and Home Affairs is the commissioning body of this evaluation, which will be used by the Directorate-General itself and by other Commission's departments.

Rights concerning the evaluation report and its reproduction and publication will remain the property of the European Commission. No documents based, in whole or in part, upon the work undertaken in the context of this contract may be published without the prior written approval of the European Commission.

The Commission will ensure that the evaluation results are disseminated. As part of the dissemination and on the basis of the evaluation report, the Commission will draft a report on the implementation of the ERF in 2011-2013 and submit it to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. The evaluation results will be also communicated to the relevant authorities of the Member States and to the general public.

The publication of the deliverables will be accompanied by a judgment on the quality, carried out by the DG Migration and Home Affairs on the basis of criteria specified in section 12.

3. DESCRIPTION OF THE FUND

3.1. Legal basis of the ERF

The ERF was established for the period 2008 to 2013 by Decision No 2007/573/EC. Strategic guidelines for the implementation of the ERF were adopted by Commission Decision No 2007/815/EC.

Rules for the implementation of the ERF were adopted by Commission Decision 2008/22/EC.

3.2. Objectives and priorities of the ERF

Article 2 of Decision No 2007/573/EC defines the general objectives of the ERF as follows:

- To support and encourage the efforts made by the Member States in receiving, and in bearing the consequences of receiving, refugees and displaced persons, taking account

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8 EU added value: The extent to which EU funded interventions bring additional value compared to what could have been achieved with Member State resources.


of Community legislation on those matters, by co-financing the actions provided for in this Decision.

In addition, Decision No 2007/815/EC defined the following three priorities for the ERF:

- Implementation of the principles and measures set out in the Community acquis in the field of asylum, including those related to integration objectives;
- Development of reference tools and evaluation methodologies to assess and improve the quality of procedures for the examination of claims for international protection and to underpin administrative structures in an effort to respond to the challenges brought forward by enhanced practical cooperation with other Member States;
- Actions helping to enhance responsibility sharing between Member States and third countries (optional).

3.3. Implementation modalities

The ERF has been implemented via actions under annual programmes of the Member States (shared management mode) and Community actions (direct and joint management mode).

ERF annual programmes of the Member States

The ERF annual programmes (referred to in Article 20 of Decision No 2007/573/EC) were drafted on the basis of the ERF 2008-2013 multi-annual programmes\(^\text{11}\) of 27 participating Member States\(^\text{12}\) and implemented by the authorities of these under the shared management mode.

In accordance with Article 3 of Decision No 2007/573/EC, the actions under the ERF annual programmes should have supported, among others, reception conditions and asylum procedures; integration of target group persons; enhancement of Member States' capacity to develop, monitor and evaluate their asylum policies; resettlement and transfer activities.

The ERF allocations for the annual programmes of the Member States were determined on the basis of a methodology defined in Article 13 of Decision No 573/2007/EC.

Article 5 of Decision No 2007/573/EC, lays down the actions eligible under the ERF Emergency measures:

- Assistance to Member States for the implementation of emergency measures aimed at addressing situations of particular pressure. Such situations are characterised by the sudden arrival at particular points on the borders of a large number of third country nationals who may be in need of international protection, which place exceptionally heavy and urgent demands on the reception facilities, the asylum system or infrastructure of the Member State(s) concerned and may give rise to risks to human life, well-being or access to protection provided under Community legislation.

\(^{11}\) Only one programme (2013) in the case of Croatia.

\(^{12}\) Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom.
ERF Community actions

The ERF Community actions were implemented under the direct or joint management mode, either via projects supported by grants awarded by the Commission or via contracts for services concluded following the calls for tenders published by the Commission.

Article 4 of Decision No 2007/573/EC lays down the Community actions eligible under the European Refugee Fund, which, among others, include:

- Further Community cooperation in implementing Community law and good practices, including interpretation and translation services supporting such cooperation;
- Support the setting-up of transnational cooperation networks and pilot projects based on transnational partnerships between bodies located in two or more Member States;
- Support transnational awareness-raising campaigns;
- Support studies, dissemination and exchange of information on best practices and all other aspects of asylum policies; support pilot projects;
- Support development and application by Member States of common statistical tools, methods and indicators for measuring policy developments in the field of asylum;
- Offer to networks linking non-governmental organisations which assist refugees and asylum seekers and which are present in at least 10 Member States;
- Provide Member States with support services in the event of duly substantiated emergency situations requiring urgent action.

4. Scope

4.1. Actions and period of time to be covered

The evaluation will have two distinct parts: PART I and PART II.

PART I

The following actions will be covered:

- Actions supported under the 2011, 2012 and 2013 annual programmes of 27 participating Member States.
- The ERF Community Actions supported under the 2011, 2012 and 2013 annual work programmes (8 under the 2011 AWP, 5 under the 2012 AWP and 1 under the 2013 AWP).

PART II

A separate analysis will be carried out for the ERF Community Actions supported under the 2008, 2009 and 2010 annual work programmes. This work, the analysis and the conclusions shall be reported under a separate section of the final evaluation report and shall not be taken into account for conclusions for the PART I.

The following actions will be covered:

- The ERF Community Actions supported under the 2008, 2009 and 2010 annual work programmes, i.e. projects selected through calls of proposal (10 under the 2008 AWP, 19 under the 2009 AWP and 11 under the 2010 AWP).
The period covered by the evaluation will be:
- 1 January 2011 – 30 June 2015 for the national programmes of the Member States;

For analytical reasons, data from the year 2010 will be used as the baseline for analysis under PART I.

4.2. Other instruments to be considered

The evaluation will also have to consider (in particular in the context of the evaluation of the complementarity and coherence):
- National policies of the Member States in the field of asylum and refugees;
- Actions supported under the national 2008-2010 ERF programmes of the Member States;
- Actions supported by any other EU financial instrument with a possible impact on the asylum seekers and refugees (with particular attention to actions supported by the European Social Fund).

4.3. Geographical coverage

The evaluation will cover all EU Member States except Denmark (27 Member States).

5. CONTEXT OF THE EVALUATION

In accordance with Article 49(2), the Member States shall submit to the Commission evaluation reports on actions supported under their ERF 2011-2013 annual programmes. As the eligibility period for the ERF 2013 annual programmes expired on 30 June 2015, it was agreed that the Commission will accept evaluation reports submitted by Member States until 30 November 2015.

PART I covering the period 2011-2013 (Annual Programmes and Community Actions) will be used as basis for the preparation of the ex-post evaluation report for the period 2011 to 2013.

PART II covering implementation of the 2008-2010 Community Actions will contribute to the preparation of the ex-post evaluation report for the period 2008 to 2010. The Community Actions under the Annual Work Programmes 2008-2010 are included due to the fact that those were not covered during the ex-post evaluation for 2008-2010\textsuperscript{13}.

6. EVALUATION QUESTIONS

Replying to the evaluation questions is the core of the evaluation work and the replies will constitute the main part of the final report.

\textsuperscript{13} http://ec.europa.eu/smart-regulation/evaluation/search/download.do?documentId=10697239
The answer to each evaluation question must be exclusively based on evidence and rigorous analysis. Different types of evaluation methods (quantitative and qualitative) and data sources must be combined to formulate the answers. The answers shall define key terms of the question, identify indicators and judgment criteria used for answering the question and fully disclose the reasoning followed in the analysis.

The evaluation questions are grouped under the six following evaluation themes – effectiveness, efficiency, sustainability, relevance, coherence (including complementarity), and EU added value:

**Theme 1 Effectiveness**

1. To what extent did the ERF 2011-2013 (or 2008-2010) actions contributed to the achievement of the objectives defined in Articles 2 and 3 of Decision No 2007/573/EC and to the priorities defined by the Strategic guidelines (Decision No 2007/815/EC)?

   a) To what extent did the ERF 2011-2013 (or 2008-2010) actions contribute to the reception conditions and asylum procedures?

   b) To what extent did the ERF 2011-2013 (or 2008-2010) actions contribute to the integration of persons referred to in Art 6 (target group)?

   c) To what extent did the ERF 2011-2013 (or 2008-2010) actions contribute to the enhancement of Member States’ capacity to develop, monitor and evaluate their asylum policies in the light of their obligations under existing and future Community legislation relating to the Common European Asylum System (in particular practical cooperation activities between Member States)?

   d) To what extent did the ERF 2011-2013 (or 2008-2010) actions contribute to the resettlement of persons referred to in Article 6(e)?

   e) To what extent did the ERF 2011-2013 (or 2008-2010) actions contribute to the transfer of persons falling within the categories referred to in Article 6(a) and 6(b) and 6(c)?

2. To what extent did the ERF 2011-2013 (or 2008-2010) emergency actions contributed to the achievement of these same objectives and to the priorities?

**Theme 2 Efficiency**

3. To what extent were the effects of the ERF 2011-2013 (or 2008-2010) actions achieved at a reasonable cost in terms of financial and human resources deployed?

**Theme 3 Sustainability**

4. To what extent have the positive effects of the ERF 2011-2013 (or 2008-2010) actions lasted after the interventions were terminated?
Theme 4 Relevance

5. To what extent did the ERF objectives correspond to the needs related to receiving, and in bearing the consequences of receiving, refugees and displaced persons by the Member States?

6. To what extent did the ERF actions correspond to the needs related to receiving, and in bearing the consequences of receiving, refugees and displaced persons by the Member States?

Theme 5 Coherence and complementarity

7. To what extent were the ERF 2011-2013 (or 2008-2010) actions coherent with and complementary to other actions related to asylum, financed by other EU financial instruments and from national resources of the Member States, including the activities of the European Asylum Support Office (EASO), supporting EU Member States on asylum?

Theme 6 EU added value

8. What is the additional value resulting from the ERF 2011-2013 (or 2008-2010) actions compared to what the Member States would be able to carry out through investments necessary for the implementation of the EU policies in the field of asylum without the support of the ERF 2011-2013 (or 2008-2010) actions?
7. **Risks**

The programming of the ERF annual programmes was not based on a set of mandatory common output, result and impact indicators. The annual programmes included targets for indicators which were defined on a national basis. In some cases, the indicators were primarily defined for the output level which makes it more difficult to evaluate the results and impacts as some data was not collected and/or is difficult to be obtained *post factum*. In order to facilitate the evaluation, the Commission requested the Member States to report against a set of common indicators established ex-post and included in a template for the national ERF 2011-2013 ex-post evaluation reports. However, there is a considerable risk that some Member States will not provide all requested data in case it is not available.

The contractor is expected to propose evaluation methods which would satisfactorily address these gaps and risks. In particular, the contractor is expected to propose a methodology which would allow, despite the mentioned gaps, to analyse and to conclude on the results and impacts, as well as to satisfactorily respond to the evaluation questions.

Moreover, there are considerable time constraints and very tight deadlines that will need to be respected in the most absolute terms.