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*Plenary sitting*

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## REPORT

Implementation report on the EU Trust Funds and the Facility for Refugees in Turkey  
(2020/2045(INI))

Committee on Foreign Affairs  
Committee on Development  
Committee on Budgets

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(Joint committee procedure – Rule 58 of the Rules of Procedure)

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## EXPLANATORY STATEMENT - SUMMARY OF FACTS AND FINDINGS

The report seeks to make a political evaluation of the EU Trust Funds (EUTFs) established since 2014 and extended until December 2021, as well as the Facility for Refugees in Turkey (FRT).

While being of a different political and legal nature - FRT being a coordination mechanism and not an extra-budgetary instrument; Member States' contributions to the FRT being not voluntary but based on their GNI contributions and entered in the Union budget as external assigned revenue - both EUTFs and FRT have been posing challenges with respect to the democratic accountability, the role of the European Parliament and also the integrity of the EU budget.

Parliament has repeatedly acknowledged the value-added of these extra-budgetary (EUTFs) and extraordinary (FRT) tools but has also repeatedly voiced its criticism about the way they were established, and prolonged, failing to secure its proper involvement. Parliament's control role over these tools has also been limited.

The rapporteurs believe that external assistance should be financed in full from the Union budget and be implemented in a coherent way following a streamlined set of rules, based on co-legislated instruments and in full respect of Parliament's legislative, budgetary and control prerogatives. They also believe that all the possibilities afforded by the NDICI-Global Europe and IPA III instruments must be used to the full.

Especially in the case of NDICI-Global Europe, they believe that the new main external instrument will result in increasing flexibility and responsiveness, allowing it to continue the activities of the existing trust funds and thereby safeguarding the unity of the Union budget.

To cope with possible greater needs, a clear preference is for the use of the current instruments, especially NDICI-Global Europe, when needed with an increased envelope through a revision of the current MFF and NDICI-Global Europe, or boosted by Member States' and third countries' contributions in the form of external assigned revenue.

In case a new Trust Fund would be still needed, the rapporteurs believe that it should be duly justified by either an outbreak of a major crisis, a sudden change in international relations requiring a major EU financial response, or the need to pool resources with third countries, which would not be feasible under the co-legislated instruments. In such case, unlike in the previous MFF 2014-2020, Parliament would need to be fully involved from the very start.

### **BÊKOU**

The Bêkou Trust Fund for the Central African Republic was established by the EU and 3 Member States (France, Germany, the Netherlands) in July 2014 as the first ever Union Trust Fund in order to pool and manage support for the Central African Republic (CAR) in the aftermath of the crisis that engulfed the country in 2012-13 and subsequently. Its objective is to strengthen the resilience of the population and of the State in a very fragile context, notably by supporting programmes in health, water and sanitation, rural development and economic recovery, as well as reconciliation and social cohesion.

In addition to allocations from the European Development Fund (EDF) and EU budget (EUR 218.9 million), France, Germany, the Netherlands, Italy and Switzerland contributed to the Fund, bringing it to a total of EUR 296.8 million in 2019. Bêkou ('hope' in local Sango language) aims to link relief, rehabilitation, reconstruction and longer-term development interventions in a flexible and dynamic way.

Since 2014, the EU, by far the first partner of CAR, and its Member States and other contributors, devoted more than EUR 910 million in total for the basic services to the population (particularly education and health, including, since the outbreak of the epidemic, the fight against the COVID-19), the stability and the peace process.

## **MADAD**

The European Union Regional Trust Fund in response to the Syrian crisis (Madad) was set up in December 2014 to address longer-term resilience needs of Syrian refugees and internally displaced persons in neighbouring countries, as well as to support host communities and their administrations. It was established for the initial period of 5 years, with the initial funding of 1 billion. It was later extended in 2019 and 2020 by two more years until 14 December 2021, to ensure a seamless transition to EU response to the crisis under the current MFF 2021 – 2027.

The Fund has mobilised over EUR 2,2 billion from the EU budget, 21 Member States, Turkey, and the United Kingdom, with EUR 2 billion contracted (as of December 2020) in over 94 projects. The Trust Fund is meanwhile supporting more than 7,29 million beneficiaries. In 2015, the Fund was amended to cover also the Iraqi crisis. In geographical terms, the large majority of the funding has been allocated to multi-country actions targeting those countries that host the highest number of Syrian refugees: Lebanon, Turkey and Jordan. The budget is allocated as follows: 43% to Lebanon, 23% to Turkey and 24% to Jordan. Iraq-based actions receive 7%, while 2.1 % has been allocated to the Western Balkans (Serbia, North Macedonia). The Trust Fund could have also been asked to address needs and provide support in a post-conflict Syria, subject to a credible political transition firmly underway, in line with UNSC Resolution 2254/2015. However, these conditions have clearly not been met due to the continued conflict.

## **AFRICA**

The European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa (Trust Fund for Africa) was set-up on 12 November 2015 to help address multi-dimensional challenges fostering instability in the Sahel and Lake Chad, the Horn of Africa and North of Africa regions. The Trust Fund for Africa covers 26 eligible countries across three regions: the Sahel and Lake Chad (Burkina Faso, Cameroon, Chad, the Gambia, Mali, Mauritania, Niger, Nigeria, Senegal, Ghana, Guinea and Cote d'Ivoire); the Horn of Africa (Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Tanzania and Uganda); and the North of Africa (Algeria, Egypt, Libya, Morocco and Tunisia).

The Trust Fund for Africa operates along four strategic axes: 1) Greater economic and employment opportunities through economic programmes aimed at creating employment opportunities; 2) Strengthening resilience of communities including providing basic services

to local populations, refugees and displaced people in the area of food and nutrition, security, health, education and social protection; 3) Improved migration management including the development of national and regional migration strategies, preventing irregular migration, fighting against trafficking in human beings and smuggling of migrants, promoting effective voluntary return, and sustainable reintegration, international protection and asylum, legal migration and mobility; and 4) Improved governance and conflict prevention, addressing human rights abuses and enforcing the rule of law, including through capacity building in support of security and development. The Fund has mobilised approximately EUR 5 billion, of which approximately EUR 0.6 billion from EU Member States and other donors.

## **COLOMBIA**

Colombia has been plagued for more than 50 years by internal armed conflict, which has claimed over 220,000 lives, most of them civilians, and forced the internal displacement of more than 5 million Colombians, one of the highest numbers of internally displaced persons in the world. A long history of political violence, high social and economic inequality, drug trafficking and other illegal activities and the lack of a strong state capable of providing services for its citizens, amongst others, have nurtured this conflict, which has affected in particular rural and remote areas, but has had a very negative effect on the economic and social development of Colombia as a whole.

On 24 August 2016, a peace agreement was reached between the government of Colombia and the main rebel group of the country, the ‘Fuerzas Armadas Revolucionarias de Colombia’ (FARC). While a lot of progress has been achieved since, the situation in Colombia has become again more fragile recently, as the country is dealing with multiple crises at the same time: the fallout of the Venezuelan refugee crisis (more than 1.8 million Venezuela’s refugees now live in Colombia); the peace process is suffering setbacks and the impact of the COVID-19 pandemic.

The European Trust Fund (TF) for Peace in Colombia was set up in December 2016 to support the implementation of the peace agreement between the Colombian government and FARC. The Fund has mobilised over EUR 128 million from the EU budget, 20 Member States, Chile and the United Kingdom.

## **FRT**

In October and November 2015 the EU committed to provide an initial EUR 3 billion of additional resources to support Syrians under temporary protection and host communities in Turkey. Subsequently, the Commission adopted, at the end of November 2015, a decision setting up the Facility for Refugees in Turkey as the EU response to the call to support refugees in Turkey fleeing conflicts in Syria, Iraq, Afghanistan or originating from other countries. Established on 1 January 2016, the Facility had initially a budget of EUR 3 billion. Of this amount, EUR 1 billion was financed from the EU budget and EUR 2 billion from the EU Member States to avoid further strain on EU’s budget. Member States’ contributions are calculated through a distribution formula based on their gross national income. The Facility coordinates financing from different EU existing external financial instruments (IPA, ENI, DCI). The funding covers humanitarian and non-humanitarian activities, with a financial allocation of EUR 1.4 billion and EUR 1.6 billion respectively.

In the EU-Turkey Statement of 18 March 2016, the European Council and Turkey confirmed their commitment to implementing the EU-Turkey Joint Action Plan (JAP) to assist Turkey in the management of the migration crisis. On this occasion, it was also agreed that an additional EUR 3 billion will be added to the Facility's budget before the end of 2018. This time with EUR 2 billion from the EU budget and EUR 1 billion from the Member States. The projects funded under the two tranches run until mid-2021 and mid-2025 latest, respectively and the EU and its Member States are by far the largest donors addressing the consequences of the Syrian crisis. It should be noted that the Madad TF and FRT overlap to a certain extent.

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### Implementation report on the EU Trust Funds and the Facility for Refugees in Turkey (2020/2045(INI))

*The European Parliament,*

- having regard to Articles 208, 210, 214 and 314 of the Treaty on the Functioning of the European Union,
- having regard to Article 21 of the Treaty on European Union,
- having regard to the EU Charter of Fundamental Rights,
- having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020<sup>1</sup>,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012<sup>2</sup>,
- having regard to Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid<sup>3</sup>,
- having regard to the general budgets of the European Union for the financial years 2015, 2016, 2017, 2018, 2019, 2020 and 2021,
- having regard to the Commission communication of 18 November 2011 on the Global Approach to Migration and Mobility (GAMM) (COM(2020)0743),
- having regard to the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees, both adopted by the UN General Assembly in 2018,
- having regard to the Commission communication of 7 June 2016 on establishing a new Partnership Framework with third countries under the European Agenda on Migration (COM(2016)0385),
- having regard to the Action Plan of the Valletta Summit of November 2015,
- having regard to the EU-Turkey statement of 18 March 2016,
- having regard to the new European Consensus on Development ‘Our World, Our Dignity, Our Future’ published on 30 June 2017,

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<sup>1</sup> OJ L 347, 20.12.2013, p. 884.

<sup>2</sup> OJ L 193, 30.7.2018, p. 1.

<sup>3</sup> OJ L 163, 2.7.1996, p. 1.

- having regard to the Commission staff working document of 30 April 2014 entitled ‘Tool-box - A rights-based approach, encompassing all human rights for EU development cooperation’ (SWD(2014)0152),
- having regard to the European Consensus on Humanitarian Aid of 30 January 2008,
- having regard to the original constitutive agreements of the Bêkou EU Trust Fund (EUTF), the Madad EUTF, the Africa EUTF and the Colombia EUTF, and their revised constitutive agreements of December 2020,
- having regard to Commission Decision C(2015)9500 of 24 November 2015 on the coordination of the actions of the Union and of the Member States through a coordination mechanism – the Refugee Facility for Turkey<sup>4</sup>, as amended by Commission Decisions C(2016)855 of 10 February 2016<sup>5</sup>, C(2017)2293 of 18 April 2017<sup>6</sup>, C(2018)1500 of 14 March 2018<sup>7</sup>, and C(2018)4959 of 24 July 2018<sup>8</sup>,
- having regard to the Commission’s Fourth Annual Report on the Facility for Refugees in Turkey of 30 April 2020 (COM(2020)0162), as well as to its previous reports,
- having regard to the 7th Results Report on the Madad EUTF<sup>9</sup>,
- having regard to the European Court of Auditors special reports entitled ‘The Bêkou EU trust fund for the Central African Republic: a hopeful beginning despite some shortcomings’ (No 11/2017); ‘The Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money’ (No 27/2018); and the ‘European Union Emergency Trust Fund for Africa: Flexible but lacking focus’ (No 32/2018),
- having regard to the Commission’s decisions to extend the EUTFs until December 2021 in line with Article 234 of the Financial Regulation, and to Parliament’s positions on the draft extension decisions,
- having regard to its resolution of 18 April 2018 on the implementation of the EU external financing instruments: mid-term review 2017 and the future post-2020 architecture<sup>10</sup>,
- having regard to its resolution of 17 April 2018 on the implementation of the Development Cooperation Instrument, the Humanitarian Aid Instrument and the European Development Fund<sup>11</sup>,
- having regard to its resolution of 13 September 2016 on the EU Trust Fund for Africa: the implications for development and humanitarian aid<sup>12</sup>,

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<sup>4</sup> OJ C 407, 8.12.2015, p. 8.

<sup>5</sup> OJ C 60, 16.2.2016, p. 3.

<sup>6</sup> OJ C 122, 19.4.2017, p. 4.

<sup>7</sup> OJ C 106, 21.3.2018, p. 4.

<sup>8</sup> OJ C 278, 8.8.2018, p. 3.

<sup>9</sup> [https://ec.europa.eu/trustfund-syria-region/sites/default/files/7th\\_results\\_reporting\\_eutf\\_syria\\_sept2020.pdf](https://ec.europa.eu/trustfund-syria-region/sites/default/files/7th_results_reporting_eutf_syria_sept2020.pdf)

<sup>10</sup> OJ C 390, 18.11.2019, p. 76.

<sup>11</sup> OJ C 390, 18.11.2019, p. 33.

<sup>12</sup> OJ C 204, 13.6.2018, p. 68.



- having regard to its resolution of 25 March 2021 on a new EU-Africa Strategy – a partnership for sustainable and inclusive development,
- having regard to its resolutions of 20 January 2021 on the implementation of the Common Foreign and Security Policy – annual report 2020<sup>13</sup>, of 18 May 2017 on the EU strategy on Syria<sup>14</sup>, of 6 October 2016 on Syria<sup>15</sup>, of 24 November 2016 on the situation in Syria<sup>16</sup>, and of 6 July 2016 on the Council position on Draft amending budget No. 2/2016 of the European Union for the financial year 2016: Entering the surplus of the financial year 2015<sup>17</sup>,
- having regard to its resolutions of 13 March 2019 on the 2018 Commission Report on Turkey<sup>18</sup>, of 12 December 2018 on the Council position on the second draft general budget of the European Union for the financial year 2019<sup>19</sup>, and of 4 July 2018 on the Council position on Draft amending budget No. 3/2018 of the European Union for the financial year 2018, Section III – Commission: Extension of the Facility for refugees in Turkey<sup>20</sup>,
- having regard to Draft amending budget No. 5/2020<sup>21</sup> and the accompanying decision on Mobilisation of the Contingency Margin in 2020: continuation of humanitarian support to refugees in Turkey<sup>22</sup>,
- having regard to its resolution of 19 May 2021 on the 2019-2020 Commission Reports on Turkey<sup>23</sup>,
- having regard to the Commission’s decisions in 2019 and 2020 to extend the Madad EUTF until 14 December 2021 in line with Article 234 of the Financial Regulation,
- having regard to the commitments to addressing the Syrian crisis and supporting its people, made by the EU and its Member States at the London and Brussels conferences held between 2016 and 2021,
- having regard to Commission’s mid-term evaluation 2018 and regular results reporting on the Madad EUTF,
- having regard to Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid<sup>24</sup>, the proposal of 14 June 2018 for a regulation of the European Parliament and of the Council establishing the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe) 2021-2027 (COM(2018)0460), and the proposal of 14 June 2018 for a regulation of the European Parliament and of the Council establishing the Instrument for pre-accession assistance

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<sup>13</sup> Texts adopted, P9\_TA(2021)0012.

<sup>14</sup> OJ C 307, 30.8.2018, p. 117.

<sup>15</sup> OJ C 215, 19.6.2018, p. 44.

<sup>16</sup> OJ C 224, 27.6.2018, p. 88.

<sup>17</sup> OJ C 101, 16.3.2018, p. 179.

<sup>18</sup> OJ C 23, 21.1.2021, p. 58.

<sup>19</sup> OJ C 388, 13.11.2020, p. 326.

<sup>20</sup> OJ C 118, 8.4.2020, p. 264.

<sup>21</sup> Budget 2020/1157, OJ L 299 11.09.2020, p. 1.

<sup>22</sup> Decision 2021/1268, OJ L 298 11.09.2020, p. 21.

<sup>23</sup> Texts adopted, P9\_TA(2021)0243.

<sup>24</sup> OJ L 163, 2.7.1996, p. 1.

(IPA III) 2021–2027 (COM(2018)0465),

- having regard to Rule 54 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,
  - having regard to the joint deliberations of the Committee on Foreign Affairs, the Committee on Development and the Committee on Budgets under Rule 58 of the Rules of Procedure,
  - having regard to the opinions of the Committee on Civil Liberties, Justice and Home Affairs and of the Committee on Budgetary Control,
  - having regard to the report of the Committee on Foreign Affairs, the Committee on Development and the Committee on Budgets (A9-0255/2021),
- A. whereas four EUTFs have been established since 2014 to respond to the need for flexible and quick instruments to provide a coherent and reinforced aid response to crises: the Bêkou EUTF, established on 15 July 2014, with the objective of supporting all aspects of the Central African Republic’s exit from crisis and its reconstruction efforts; the Madad EUTF, a European Union Regional Trust Fund in response to the Syrian crisis to allow for the pooling and tailoring of resources and response at a regional level, established on 15 December 2014; the Africa EUTF, a European Union Emergency Trust Fund for stability and addressing the root causes of irregular migration and displaced persons in Africa, established on 12 November 2015; and the Colombia EUTF, established on 12 December 2016 to support the implementation of the peace agreement in the early recovery and stabilisation post-conflict;
- B. whereas the revision of the Financial Regulation in 2018 introduced provisions strengthening, to a certain extent, Parliament’s scrutiny powers when new EUTFs are established or the current ones are extended; whereas the provisions remain too limited to ensure full democratic scrutiny by Parliament as well as complete Parliamentary scrutiny as the budgetary authority, as enshrined in the treaties;
- C. whereas Parliament issued mainly positive opinions in 2020 on the requests to extend the EUTFs until the end of 2021, while expressing concerns about the lack of transparency over the implementation of projects, with specific regard to the ones related to border and migration management, and under the condition, in the case of the Africa EUTF, of providing mandatory guarantees on respect for fundamental human rights in all funded projects;
- D. whereas the establishment of both the EUTFs and the Facility for refugees in Turkey (FRT) have been justified by the need for a flexible, ad hoc and swift reaction not possible under the classical institutional framework and the limited resources and flexibility available in the EU budget; whereas the EU’s new external financial framework (Neighbourhood, Development and International Cooperation Instrument (NDICI) - Global Europe) should overcome the constraints that have led to the need to launch trust funds to respond in a more flexible and rapid manner to specific crises; whereas the extra-budgetary instruments such as the EUTFs, as well as extraordinary tools such as the FRT, jeopardise the principles of democratic accountability, transparency and sound financial management, undermining the role of the European

Parliament and also the integrity and unity of the EU budget; whereas Parliament was not consulted on the establishment of the extra-budgetary instruments; whereas the European Development Fund (EDF) contributed to the Africa and Bêkou EUTFs, and therefore Parliament was not involved at all in setting-up of these two EUTFs; whereas Parliament's possible involvement was limited to an objection to the draft implementing decisions on the constitutive agreements on the Madad and Colombia EUTFs;

- E. whereas when setting up an EUTF, the Commission has to justify its added value, visibility, complementarity with other EU financing instrument and alignment with policy objectives, and whereas it is essential to guarantee continuous monitoring and evaluation of the use of funds to ensure that their effects are always in line with EU law, fundamental values and objectives;
- F. whereas, according to the Financial Regulation, the EUTFs should be subject to an annual external and independent audit and the Commission has the power to suspend the financing agreement if the partner country breaches an obligation relating to respect for human rights, democratic principles or the rule of law and in serious cases of corruption; whereas European Court of Auditors recommended in its special reports on the EUTFs that the Commission improve donor coordination (Bêkou), remove weaknesses in implementation, increase efficiency and focused actions (Africa) and deliver better value for money (FRT);
- G. whereas according to the Commission's estimations, there are substantial refugee-related humanitarian needs beyond those covered by the Facility for Refugees in Turkey;
- H. whereas Parliament, while acknowledging their value-added, has repeatedly voiced the need for enhanced parliamentary scrutiny of the EUTFs and the FRT and for stronger involvement in the preparation and negotiation of future EUTFs and of the extension of existing EUTFs and other financial instruments in the domain of EU external action; whereas Parliament has called on the Commission to improve its communication on the EUTFs and noted that regular, figure-based information on the implementation of the EUTFs is essential to allow Parliament to exercise its democratic oversight and scrutiny role;
- I. whereas the biggest share of contributions to the EUTFs now comes from the EU budget itself, while contributions from Member States represent a very limited share of their total budgets; whereas, the Member States' contributions to the FRT are not voluntary, but based on the GNI contribution key and are directly included in the Union budget as external assigned revenue pursuant to Article 21(2)(b) of the Financial Regulation; whereas in the case of the EUTFs, Member States' contributions are not integrated into the Union budget pursuant to Article 187(6) of the Financial Regulation;
- J. whereas the EU-Turkey statement of March 2016 and the EU-Turkey Readmission Agreement give special regard to the prevention of new sea or land routes for illegal migration, dismantling of smuggling networks, control of Turkey's borders and acceptance of returns, in a non-discriminatory manner;
- K. whereas the primary objective of the Union's development cooperation policy is the reduction and, in the long term, the eradication of poverty as enshrined in Article 208 TFEU; whereas the new European Consensus on Development remains the doctrinal

framework for EU development policy, and the European Consensus on Humanitarian Aid reaffirms the fundamental principles of humanitarian aid; whereas the EU and its partners in the humanitarian field must be able to ensure assistance and protection based on needs and on respect for the principles of neutrality, impartiality, humanity and independence of humanitarian action; whereas funds from official development assistance (ODA) sources must be devoted to economic, human and social development, particularly to securing access to quality education, local resilience building, including related to climate change, and peacekeeping operations for delivering development and/or humanitarian assistance, with a particular focus on the development challenges identified in the Trust Fund decision;

- L. whereas the constitutive agreement on the EU Trust Fund for Africa clearly put border management projects in Libya within the scope of the mandate of the EUTF, as well as the regulation of the European Neighbourhood Instrument (ENI); whereas since July 2017, almost EUR 90 million have been allocated through the Africa EUTF to train, equip and support the capacity of the Libyan coastguard and EUR 49 million have been allocated to address the conditions in which returnees are detained; whereas the constitutive agreement on the EUTF clearly states that the Trust Fund will finance activities that contribute to improving migration management in all its aspects in line with the Global Approach to Migration and Mobility, including containing and preventing irregular migration and fighting against trafficking of human beings; whereas, nevertheless, there have been allegations of cases of human rights violations in the context of the activities of the Libyan coastguard;
- M. whereas in 2020, Parliament considered that in order to proceed with the extension of the EUTF for Africa, mandatory guarantees on respect for human rights should be provided in all projects that received funding, with particular attention to migration management and also ensuring that these guarantees be established in case of a need for a duly justified new trust fund in the future;
- N. whereas the EU Regional Trust Fund in Response to the Syrian Crisis (Madad Trust Fund) has mobilised EUR 2.3 billion, including voluntary contributions from 21 EU Member States, Turkey and the United Kingdom; whereas its programmes focus on education, livelihoods, health, protection and water, benefiting refugees, internally displaced persons and local communities and supporting more than 7 million beneficiaries; whereas as the Syrian civil war became protracted, the Madad Trust Fund response evolved further along a humanitarian development nexus, with a greater focus on strengthening systems to support the host countries' efforts and capacities to respond to this protracted crisis, notably through the provision of public services in Iraq, Jordan and Lebanon;
- O. whereas according to its evaluation, the Madad Trust Fund is comparatively faster for launching projects than the standard procedures under the European Neighbourhood Instrument and Instrument for Pre-Accession Assistance; whereas the Madad Trust Fund has also managed to achieve an economy of scale, with large-scale projects of an average volume of EUR 20 million and an average implementation period of around 30 months;
- P. whereas the Facility for Refugees in Turkey (FRT) differs from the EUTFs, mainly because it remains embedded within the Union budget;

- Q. whereas according to the Commission, the FRT is designed to coordinate existing EU financing instruments so they are mobilised in a consistent and joined-up manner to address the needs of refugees;

## ***I. General considerations***

### ***Budgetary aspects***

1. Notes that, by 31 December 2020, the total pledges to all of the EUTFs amounted to EUR 7 691 million, with the EU budget contribution amounting to EUR 3 170 million, of which EUR 3 534 million originated from the European Development Fund (EDF), and with EUR 988 million originating from Member States and other donors' pledges; notes further that, by the same date, EUR 7 141 million had been contracted and EUR 4 869 million had been paid by the EUTFs; also notes that, by 31 December 2020, the implementation rate of commitment appropriations for all the EUTFs was 98 % (the EUTF Madad had committed over 95 %, the EUTF Bêkou 99 %, the EUTF Africa 99 % and the EUTF Colombia 94 % of the commitment appropriations available), while the overall implementation rate of payment appropriations was 63 % (with the EUTF Africa at 62 %, the EUTF Bêkou at 66 %, the EUTF Colombia at 52 % and the EUTF Madad at 64 %);
2. Recalls that the Turkey Facility is made up of two tranches of EUR 3 billion each; regrets the fact that, unlike in the first tranche 2016-2017, where the EU budget contributed EUR 1 billion and Member States EUR 2 billion, in the second tranche 2018-2019 the ratio of contributions was reversed, to the detriment of existing Union projects;
3. Recalls that while for the first tranche of the FRT, IPA II contributions represented 52.4 %, humanitarian aid 46.6 %, the Instrument contributing to Security and Peace 0.7 % and the Development Cooperation Instrument 0.3 %, for the second tranche, IPA II contributions represented 64.5 % and humanitarian aid 35.5 %;
4. Notes that by the end of 2020, 36.6 % of the FRT first tranche allocation had been implemented through direct management and 63.4 % through indirect management (of which over four fifths by international organisations); further notes that for the second tranche, direct management represented 32.1 % (100 % by the European Commission) and indirect management 67.9 % (with three quarters by international organisations);
5. Further notes that international organisations have been the biggest implementing actors of the EUTFs (36.8 %), ahead of the European Commission (35.7 %), Member States agencies (24.2 %) and public service bodies (3.4 %);

### ***Parliament's involvement in the decision-making and results-monitoring frameworks and in reporting and/or evaluation***

6. Notes that Committee Chairs and relevant Members have been granted observer status in meetings of the Strategic Boards of the Trust Funds and in the FRT Steering Committee; regrets that this status has not been formally reflected in the Constitutive Agreements of the Trust Funds; strongly urges that invitations to board meetings take into account Parliament's official calendar and that all relevant information and documents to be discussed at the board meetings be provided well ahead of the

meetings in order to enable the active participation of Members and staff of the Secretariat;

7. Regrets the limited role of Parliament in the decision-making, supervision and scrutiny of the Union contributions to the EUTFs and reiterates that existing legal, regulatory and budgetary solutions should have been used to their full extent before creating and/or extending the EUTFs, which should remain a last resort instrument; recalls its earlier unanswered requests and reiterates that Parliament should be represented at the meetings of, and able to monitor the activities of, the Operational Committees, and calls on the Commission to provide in good time detailed information on the decisions taken in those Committees; believes that Parliament must make full use of its powers of scrutiny of implementation and budgetary control and ensure that EU funding decisions and related allocations comply with the Union's principles of legality and sound financial management, thus providing the EU action with democratic legitimacy and accountability;
8. Notes the Commission's efforts to closely monitor and evaluate interventions, and to generate knowledge about the activities of the EUTFs and of the FRT, through a dedicated set of reports; asks for these efforts to achieve greater transparency to be strengthened by publishing relevant data, including specific details of projects funded and results achieved vis-a-vis the stated objectives, on the web pages of the EUTFs and the FRT; stresses that the availability, level of details, completeness and factual consistency of such reports are essential for the support of Parliament as budgetary authority in order to adequately assess the implementation;
9. Notes that information on the involvement of civil society organisations (CSOs) was made available in the Annual Reports of 2019 and 2020 of the EUTF for Africa; regrets that this information is not openly available due to the low transparency of subcontracting; notes that, where possible, such information should be broken down at project level having regard to the duly justified requirements of confidentiality and security;
10. Regrets the late notice from the Commission on its intention to extend the duration of the EUTFs and the late evaluations of some of the Trust Funds, which did not allow Parliament to arrive at full and precise conclusions in a timely manner in the case of the Trust Fund for Africa, thus limiting democratic oversight and accountability;
11. Reiterates its insistence that the extensions of the EUTFs until December 2021 to which it has agreed must be mainly technical to allow for a smooth transition into the new MFF and efficient contracting and use of the funds already committed; highlights the Commission's assurances that the extensions sought to ensure a continued legal basis for payments of commitments made under the previous MFF 2014-2020, and that no new commitments to the EUTFs will be made under NDICI or IPA III;
12. Underlines that in its reports the Commission should illustrate the complementarity of different financial instruments dedicated to the areas covered by the EUTFs and the FRT, including the EU External Investment Plan, as well as generated added value;

## ***II. Assessment per EU Trust Fund / FRT***

### ***Bêkou***



13. Considers that the Bêkou Trust Fund has partially contributed as one of the tools to address the situation in the Central African Republic (CAR), as well as to the nexus approach of development and humanitarian needs in the CAR;
14. Further refers to the conclusions of its Committee on Development's delegation to the Central African Republic in February 2018, which note that the Bêkou Trust Fund is visible and seems well perceived in the country, with projects adequately addressing needs transiting between rehabilitation, livelihood provision and longer-term development, at least at local level and on smaller scales;
15. Highlights the conclusions by the European Court of Auditors, published in its 2017 special report, that the Bêkou Trust Fund has had positive achievements overall and has attracted aid, but few additional donors, and that most of its projects have delivered their expected outputs and provided enhanced visibility to the EU; indicates, however, that the report recommended a better definition of the intervention scope, improved donor coordination, project selection procedures, monitoring and performance measurement, as well as optimisation of costs and increased transparency in the selection of implementing organisations; notes that in the Operational Committee Member States are represented by their own national development agencies, which are also selected as projects implementers, and is concerned that this could lead to a potential conflict of interests in the projects selection procedure of the Operational Committee;
16. Notes that due to the humanitarian crisis, poverty and the new security challenges ongoing in the CAR, further EU support will require well-targeted programmes and, where relevant, flexible EU funding under the NDICI-Global Europe to enhance humanitarian response, peace and security, democratisation and strengthening of democratic institutions and the respect for human rights in the CAR;
17. Considers that despite the intervention of the EU and other donors, the situation in the country remains unstable due to the emergence of new conflicts and severe food insecurity;

### *Madad*

18. Considers that the Madad EUTF has proven its added value in response to the crisis and for the EU in terms of higher external visibility and clout, increased control, coordination and leverage of funds from various sources, as compared to national level or other international channels; notes that its spending was aligned with the legal bases or the Union instruments used and with their objectives; recalls, therefore, that projects funded under the Madad Trust Fund must promote and protect dignity, human rights and fundamental freedoms, and promote social and economic inclusion, in particular of minorities and vulnerable groups; regrets that the conflict in Syria is still continuing, and stresses that the needs of the Syrian refugees, unable to return to their home country in the foreseeable future, and the needs of their host communities in terms of longer-term integration and employment, still require EU and international long-term assistance to secure capacity for longer-term integration and employment in a cohesive way with the host communities; points out that the conflict-prone areas in Syria do not permit long-term reconstruction to take place at present;
19. Notes that the Mid-Term Strategic Evaluation report from October 2018 concluded that

the Madad Trust Fund has been ‘large and cost-effective, reaching a large number of beneficiaries at a comparatively low cost’, and that it has ‘allowed the EU to operate flexibly’;

20. Welcomes the rapid and flexible reaction of the Trust Fund in support of partner countries and communities during the coronavirus outbreak, showing active engagement in the realignment and refocusing of activities, not only in the domain of health, but also in other areas, such as livelihoods, protection, education or social cohesion in Lebanon, Iraq, Turkey and Jordan;
21. Emphasises the importance of continuous support for refugees, internally displaced persons and vulnerable host communities, including in the wider region, affected by the continued conflict, by means of a mix of longer-term, predictable, fully transparent and rapidly deployable funding under instruments established for the 2021-2027 multiannual financial framework (MFF) and potential contributions from the Member States as external assigned revenue, taking into account all financial instruments provided under the Financial Regulation;
22. Recalls the vulnerability of the Palestine refugee communities in Syria and the region, and calls for continuous support and for their inclusion in the EU’s humanitarian plans and responses regarding the Syria crisis;

### *Africa*

23. Notes that the Trust Fund for Africa was created as an emergency trust fund to help address the crises in three regions in Africa, with the aim of achieving long-term stability and development goals; considers that the EUTF for Africa represents a swift and flexible tool to help address common, global challenges, such as migration and forced displacement, the impact of climate change and economic crises; highlights that the unprecedented situation caused in the context of the ongoing COVID-19 pandemic required all necessary flexibility and rapidity; stresses, however, that flexibility must always be combined with full transparency and accountability; believes that there could be room for improvement, with more focused steered action across the three windows and support for the measuring and reporting of results;
24. Takes note that 78 projects contributed to greater economic and employment opportunities, 97 projects were undertaken to strengthen resilience, 75 projects were dedicated to migration management, and 75 projects contributed to improving governance and conflict prevention; notes with concern that, due to specific circumstances, migration management has become the focus of EU response in some projects; reiterates, however, that the original objectives of improving resilience and tackling the root causes of migration should be maintained;
25. Welcomes the fact that the EUTF for Africa has in some cases contributed to the triple humanitarian-development-peace nexus approach, which was not possible with the EU financial instruments under the previous MFF; recalls that funding of the EUTF must be implemented and evaluated on the basis of ODA criteria and that all expenses falling outside this requirement have to be funded from different sources that are pooled in the Trust Fund, and condemns any use of ODA funds that contradicts development objectives; recalls that as a fundamental principle, humanitarian assistance must be independent;



26. Regrets the fact that as much as 37 % of the EUTF for Africa is allocated to measures intended to restrict and reduce migration, while less than 9 % is allocated to addressing the drivers of migration and forced displacement; notes that less than 1.5 % of the EUTF for Africa was allocated to regular migration channels; acknowledges that security is essential for the stability of African partner countries and that the EU must support partner countries in tackling the root causes of irregular migration flows, smuggling and human trafficking;
27. Notes the reports on continuing human rights violations taking place in Libya in the context of actions by the Libyan coast guard; stresses that many of the people rescued or intercepted by the coast guard are returned to arbitrary detention in horrendous conditions in Libya; underlines that the return of refugees to countries in which they are not safe is in violation of the 1951 Convention Relating to the Status of Refugees; notes that in the context of the Emergency Transit Mechanism there are concerns about the respect for human rights in the implementation of projects; notes the failure to respect the principle of non-refoulement in Libya; recalls, however, that any intervention should ensure full protection of human lives, dignity and human rights; calls in this regard on the Commission and the Member States to review and conduct a specific risk assessment, in consultation with CSOs, of the cooperation activities with the competent authorities in maritime and border surveillance and management, funded under the EUTF for Africa, to ensure an objective assessment of the respect for human rights;
28. Underlines the importance of cooperation and dialogue with local partners; hails the consultations and studies carried out to identify priority needs; strongly calls on the Commission to properly involve local authorities and CSOs in projects supported by the EUTF for Africa;
29. Notes that one of the key objectives of the EUTF for Africa, as determined in its Constitutive Agreement, is addressing the root causes of migration, in particular by promoting resilience, economic and equal opportunities, security and development and addressing human rights abuses; calls for greater emphasis on long-term development goals such as employment, education, food security and improving the living conditions of the local population;
30. Notes that Special report No 32/2018 of the European Court of Auditors pointed out various shortcomings, including the failure to apply EU public procurement law and opaque management, recommended an improved project selection procedure, higher implementation speed and a more systematic performance monitoring process, covering the full range of projects, and noted that due to the fund's broad scope, it often lacked efficiency due to an absence of adequate quantification of the needs and means through which measured impact could have been achieved; calls for simplification and better communication regarding applications for procurement procedures in order to facilitate access to EU funding for smaller and local NGOs;
31. Notes that the EUTF for Africa made a contribution to strengthening resilience and implementing the humanitarian-development nexus in fragile contexts; notes further that it also fostered cooperation between different stakeholders, and allowed contributions from non-EU donors, which in the post-Brexit context have acquired particular importance, and increased the visibility of the issue of migration and forced displacement and the EU's response to it; regrets at the same time that the monitoring of

the implementation of this fund has not been adequate and requests that SMART (specific, measurable, achievable, realistic and timely) objectives be included in the project logframes, and that quantifiable targets be established for evaluating projects;

32. Welcomes the proposal by the Commission to decommit funds originating from the EUTF for Africa that were initially allocated to Eritrea, in particular for the procurement for road renovation that used forced labour;

### ***Colombia***

33. Considers that the Trust Fund for Colombia has proven its value and represents, under the current circumstances, an important tool to support the implementation of the peace agreement between the Colombian Government and the Revolutionary Armed Forces of Colombia (FARC); points out that the extension of the Colombia EUTF has further reaffirmed the EU's commitment and provided much-needed support to the Colombian peace process; recalls that the EUTF for Colombia is established under the Development Cooperation Instrument, and must be aligned to the primary objective of the development policy of the European Union: the 'Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty' and 'the Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries';
34. Underlines its important role in supporting Colombia in the area of comprehensive rural development and economic growth; calls for the implementation of the Colombian peace process to continue to prioritise long- and medium-term, fully transparent funding programmes and monitoring, and for these programmes to benefit from the appropriate democratic scrutiny and involvement of the European Parliament and appropriate, transparent and inclusive stakeholder consultations, notably of the local civil society;
35. Congratulates Colombia on its efforts, despite its own challenges with the implementation of the peace agreement, to provide support for over 1.7 million Venezuelan migrants who have fled to Colombia, in particular by granting them a 10-year temporary protection status;
36. Welcomes the involvement of the Republic of Chile as a donor in the Trust Fund; notes that the participation of regional partners is of high value added, and has increased both local recognition and the legitimisation of the EU's engagement and cooperation;

### ***Facility for Refugees in Turkey***

37. Points out that Turkey hosts the largest refugee population in the world, with almost 4 million registered refugees from Syria, Iraq and Afghanistan; recalls the important role played by the FRT in welcoming refugees from Syria; calls for a thorough human rights impact assessment of the EU-Turkey Statement and underlines the importance of both parties' compliance with fundamental rights as part of its implementation; takes the view that the EU should continue to give the necessary support to Syrian and other refugees and host communities in Turkey, ensuring that the Turkish Government is not directly involved in the management and allocation of funds, which should primarily be given directly to the refugees and host communities and should be managed by organisations that guarantee accountability and transparency;

38. Considers that the EU FRT has proven its value as an innovative pooling tool and important coordinating mechanism for assisting Turkey in swiftly responding to the immediate humanitarian and development needs of refugees and their host communities, and stresses the need to ensure sustainability of these activities; notes therefore that the majority of projects needed to be extended to achieve the expected outcome; expresses its support to Turkish civil society and recalls the laudable efforts played by international organisations in implementing these projects; underlines the added value generated by involving local organisations, experts and NGOs, as well as those from across Member States, in the implementation of the FRT;
39. Welcomes the success of the first tranche of the FRT, in particular the Emergency Social Safety Net (ESSN) – the biggest humanitarian project managed by the Commission; welcomes the progress of the second tranche, which is facilitating a gradual shift from humanitarian to development assistance;
40. Acknowledges the role played by FRT in providing some 1.8 million refugees with basic needs support, 668 900 refugee children with educational support, and millions of refugees with healthcare and protection services; stresses, however, that Special report No 27/2018 of the European Court of Auditors indicated inconsistency in the financing of health and education activities, with a parallel use of different management structures to fund similar projects; furthermore, the report highlighted that greater value could have been achieved in cash-assistance projects and called on the Commission to improve the programming for municipal infrastructure and socio-economic support, enable the operating environment for NGOs and improve the reporting on the Facility; notes in particular the impact of COVID-19 on the refugees and points out that the FRT was established despite the existence of serious concerns about the human rights situation of refugees in Turkey from the perspective of international asylum law; recalls that in 2020 the Commission requested the mobilisation of an additional EUR 481.6 million under the EU Budget Contingency Margin, which goes beyond the initially planned allocation for the FRT, in order to finance the activities under the Emergency Social Safety Net programme and the Conditional Cash Transfer for Education programme;
41. Reiterates its deep regret that Parliament was not formally consulted or asked to give its approval to the creation or extension of this Facility and was only involved as one arm of the budgetary authority, thereby undermining the democratic accountability of the FRT; insists that it should not be confronted with this situation again;
42. Underlines that the European Court of Auditors Special report No 27/2018<sup>25</sup> raises questions on the efficiency of the humanitarian projects financed by the Facility, since they did not consistently and comprehensively assess the reasonableness of the budgeted costs; notes that the report also raises concerns about the fact that it is not possible to monitor all the humanitarian projects during the audit; in this respect, stresses that the refusal by the Turkish authorities to grant access to beneficiary data for the two cash-assistance projects could raise questions as regards the soundness of financial management under the Facility, particularly taking into account Turkey's rapid backsliding on the rule of law and fundamental rights; recalls the need for scrutiny of the funds implemented by the Turkish Government and the local authorities; reiterates

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<sup>25</sup> Special report No 27/2018 of the European Court of Auditors, 'The Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money', p. 6 and p. 40.

that the funds have to be exclusively used for accommodating all physical and psychological needs of refugees, including housing, food, education and guaranteeing a decent standard of living; calls on the Commission to improve monitoring and obtain the data on beneficiaries of all FRT programmes and projects; stresses that in order to achieve full accountability and to avoid double funding, the Commission should make the resources available on the basis of targets achieved by implementing partners on the ground and after the implementation assessment has been carried out in accordance with the Financial Regulation rules; calls, therefore, on the Commission to ensure that the objectives and the implementation of the FRT are consistent with the EU's general principles, policies and objectives, including democracy, the rule of law and human rights, and expresses its concern over the degradation of these principles in Turkey;

43. Stresses the importance of transition from humanitarian relief to development cooperation, and calls on the Commission to develop and implement a transition strategy, focused on helping to create livelihood opportunities for refugees so as to improve their self-reliance and social inclusion in their host communities; recalls the EU's long-term objective of a gradual takeover of EU-funded activities by the Turkish authorities in full respect of democracy, the rule of law and fundamental rights; calls on all parties involved in the upcoming Multilateral Conference on the Eastern Mediterranean to address this in a comprehensive way, along with humanitarian and development issues;
44. Reiterates its request that Turkey respect the principle of non-refoulement, in particular on the Syrian border, ensuring that the human rights of refugees and their status as guaranteed by the 1951 Refugee Convention are fully respected, and that it does not instrumentalise the migratory flows and use them as a source of blackmail against the EU for political purposes; expects Turkey to implement in full and in a non-discriminatory manner the EU-Turkey Statement of March 2016 and the EU-Turkey Readmission Agreement; urges the Commission to ensure close monitoring of the implementation of the EU-Turkey Statement, including in relation to the human rights situation of asylum seekers and migrants returned to Turkey as part of the EU-Turkey Statement, and to report back to Parliament thereon; calls on the Turkish authorities to grant the UNHCR full access to the removal centres at the Turkish-Syrian border to be able to monitor the respect for the principle of non-refoulement; stresses that the financial support to Turkey in the management of refugee flows must respect full budgetary transparency, as well as unrestricted involvement of civil society organisations; calls on the Commission to call upon the Turkish authorities to improve the working environment for international NGOs; calls on the Commission to build upon its experience in special third-party verification systems to strengthen the oversight of spending;
45. Calls on Turkey to refrain from keeping refugees in detention centres with the purpose of making them sign voluntary return forms, and to guarantee their access to health care services regardless of their place of registration within the country;
46. Notes that the FRT supports only registered refugees; expresses its concerns that many refugees have been left without assistance since registration was made difficult in some provinces and cities;
47. Welcomes the Council's invitation to the Commission to present a proposal to the

Council for the continuation of financing for Syrian refugees in Turkey, as well as in Jordan, Lebanon and other parts of the region;

### **III. Future outlook and recommendations**

48. Underlines the necessity of better addressing the funding needs in situations of protracted crisis and with a view to the coordination and transition between humanitarian relief, reconstruction and development in a flexible and interconnected manner, in a way that is in line with international development policy targets, including the UN Sustainable Development Goals and the Union's development policy principles, such as supporting poverty eradication and the reduction of inequalities, and in the event of humanitarian intervention, fully respecting the humanitarian assistance principles of humanity, neutrality, impartiality and independence, with full protection of human lives, dignity and human rights; insists on the need for efficiency and effectiveness of the EU assistance, so that it has genuine effects on the ground;
49. Stresses the need to take on board the lessons learned in the establishment, management and implementation of the Trust Funds and the FRT in order to apply them to the new generation of external financial instruments, as well as to enhance synergies and coherence of the EU external assistance and parliamentary scrutiny; urges the Commission to present the final comprehensive review on the implementation of the EUTFs, evaluating its alignment with the EU's development, human rights and humanitarian objectives; insists further that, should the need for any new EUTF or ad hoc instrument arise in the future, the contribution mechanism from the Union budget must be clearly defined and negotiated from the outset with the full involvement of Parliament; believes also that the impact and visibility of EU external assistance should be further increased, highlighting the EU's and its Member States' role as the biggest donors of global development financing;
50. Calls on the Commission to ensure a transparent impact assessment, carried out by independent EU bodies and experts, on the impact of EU-funded projects on the human rights of migrants and refugees, as well as on the wider population in the country concerned; calls for the establishment of an effective and independent monitoring mechanism to fully monitor and evaluate the final destination of these funds and protocols for action in the event of violations of fundamental rights; deems it necessary to fully involve regional and local authorities and civil society actors in their design and implementation; calls on the Commission and Member States to establish a complete and clear overview of the funds used to finance cooperation with third countries in the field of migration management across all financial instruments, and their implementation; underlines the importance of sharing the audit data with the EU financial scrutiny framework, including the ECA, OLAF and EPPO;
51. Points out the need to better address challenges related to intra-African migration, which makes up almost 90% of migration flows in Africa, in close cooperation with the African Union and in line with its Migration Policy Framework for Africa and Plan of Action 2018-2030; in the long run, insists, nevertheless, on the need for an approach that avoids creating dependencies on external intervention; in this respect, insists on empowerment through education and the importance of quality education in creating stronger support for development cooperation;



52. Notes that gender equality and social inclusion are two of the main spending targets of the NDICI-Global Europe programming; reiterates the EU's commitment to empowering women and girls, and calls on the Commission to integrate gender equality, along with resilience building and climate change adaptation, into planning and implementation of the Trust Funds and the FRT; recommends that a gender-sensitive analysis and consideration of the involvement of women in designing supported projects should be regularly carried out in the implementation of projects under both the EU Trust Funds and the Facility for Refugees in Turkey;
53. Calls on the Commission to withhold or review the cooperation with third countries that do not fully respect fundamental rights, including suspending specific funding and projects which endanger or undermine human rights;
54. While noting that the Financial Regulation allows for the creation of Trust Funds for external action, reiterates further Parliament's long-standing insistence that external assistance be financed in full from the Union budget and be implemented in a coherent way, following a streamlined set of rules, based on co-legislated instruments and in full respect of Parliament's legislative, budgetary and monitoring prerogatives, and of the principles of the EU's budgetary unity, accountability, transparency, effectiveness and sound budgetary management; highlights that the adoption of extraordinary tools increases the complexity of financing governance and puts financial pressure on existing foreign policy instruments, thereby possibly affecting their efficiency; believes that EU Trust Funds should only be used to react to a sudden major crisis and to situations where multiple donor responses need to be coordinated and where the external policy objective cannot be fully achieved by the existing external financing instruments, and on the condition that they abide by the principle of sound financial management, and that the Union trust fund does not duplicate other existing funding channels or similar instruments without providing any additionality, and that the objectives of the trust fund are aligned with the objectives of the Union instrument or budgetary item from which it is funded; calls on the Commission to guarantee more efficient communication on the ground, highlighting the EU's role as the biggest donor of global development financing;
55. Points out that pooling resources from the EDF, the Union budget and other donors in trust funds should not alter the ability of existing EU policies and programmes to pursue their original objectives, such as the eradication of poverty and the promotion of fundamental rights;
56. Recalls that EUTFs and the FRT should be seen as exceptional or truly emergency-led instruments whose added value and effects on the ground should be very well justified and carefully monitored; expects the Commission to fully make use of the possibilities afforded by the programme-based approach under the geographic pillar of the NDICI-Global Europe and IPA III – which may no longer be used to finance pre-accession assistance to Turkey except for support to Turkish civil society organisations through the financing instrument for the promotion of democracy and human rights –, complemented by global thematic programming, rapid response funding and the large unprogrammed reserve under the NDICI-Global Europe;
57. Recalls that the funds from the Emerging challenges and priorities cushion under the NDICI-Global Europe are expected to top up funding from the geographic and thematic

programmes and rapid response actions; underlines that the Commission has committed to discussing the use of these funds as part of the geopolitical dialogue with Parliament, and to providing detailed information before their mobilisation, while fully taking into consideration Parliament's remarks on the nature, objectives and financial amounts envisaged;

58. Welcomes the new EU external financing instrument, NDICI-Global Europe, as it envisages increasing possibilities within the EU budget to respond to new emergencies; is confident that the NDICI-Global Europe will allow for more efficient allocation of resources, as well as sufficient flexibility and responsiveness, while learning from past experiences and assessments of the existing Trust Funds by the NDICI-Global Europe Instrument;
59. Underlines that NDICI-Global Europe should be used to its full potential, and where necessary improved, while the recourse to extraordinary financing tools should be limited to unforeseen emergencies, thereby safeguarding the unity and democratic accountability of the Union budget; underlines in this respect that an ordinary decision-making governance framework confers more legitimacy to the EU's external action, both within the EU and in the destination countries;
60. Requests that the funding of any successor to the current FRT not be done at the expense of the newly adopted financing instruments, especially IPA III and NDICI-Global Europe, including its emerging challenges and priorities cushion, as the FRT successor does not respond to a genuinely new challenge or crisis; strongly advocates the funding of any such initiative through fresh appropriations, reinforced, if necessary, by contributions from the Member States; reiterates that Parliament must be fully and from the outset involved in the discussions on the FRT successor, including its funding and governance structures, which must reflect the origins of the funding and the role of the budgetary authority;
61. In the event of greater needs in the MFF 2021-2027, advocates that the first and main solution to be explored should be through the co-legislated instruments, namely by increasing the NDICI-Global Europe envelope through a revision of the MFF and the NDICI-Global Europe regulations, or, as a secondary option, and under the condition that Parliament is fully involved in the decision-making process and endowed with the proper scrutiny power, a strengthening of the relevant NDICI-Global Europe budget lines with contributions in the form of external assigned revenue; expects, in this respect, that the upcoming revision of the Financial Regulation will ensure appropriate involvement of the budgetary authority in the governance of external assigned revenue; stresses that, should a need for a duly justified new Trust Fund nevertheless arise, following the outbreak of a major crisis, a sudden change in international relations requiring a major EU financial response, or the need to pool resources with third countries, which would not be feasible under the co-legislated instruments, Parliament must be fully involved from the very outset; considers, in this respect, that the Financial Regulation should be revised to guarantee the appropriate role of Parliament in the setting up and scrutiny of any new trust fund, including in the drawing up of the constitutive agreement and the mobilisation of the Union's contribution, the implementation, continuation and possible liquidation;
62. Calls on the Commission to prioritise the nexus approach in the implementation of the

NDICI-Global Europe, and calls for the cooperation between EU humanitarian and development actors, notably in post-crisis settings and in protracted crises, to be increased in order to better adapt to local needs and deliver more efficient results;

63. Notes that the possibilities of mainstreaming migration policy in EU external policy are significantly broadened by the inclusion of migration in the thematic, geographical and rapid response component of NDICI; notes with concern, however, that through the ‘rapid response’ component, cooperation with third countries on migration management can be funded without the need for the Commission to publish any programming documents or consult civil society actors, and without the involvement of Parliament, including in the framework of the ‘Migration Preparedness and Crisis Blueprint’, which lacks mechanisms to assess the possible adverse impact of such interventions; insists in this regard on the need to ensure that the 2021-2027 MFF is accompanied by a robust human rights framework for the identification, implementation and monitoring of future migration cooperation programmes;
64. Notes that NDICI-Global Europe envisages mid-term and final evaluations and detailed annual reporting by the Commission to Parliament and the Council on the ongoing activities, results delivered, effectiveness, and progress towards the thematic targets and objectives of the Regulation; calls on the Commission to develop and implement a precise methodology for tracking the 10 % expenditure earmarked for migration and forced displacement to effectively ensure proper transparency and accountability regarding this expenditure, as required by the Regulation;
65. Welcomes the close-to-ground decision-making procedure and adaptation to the local realities and the possibility to implement cross-border and multi-year funded projects in the EUTFs and the FRT, as these are of high added value; calls for such aspects to be mainstreamed in the future programming exercises linked to budgetary instruments for EU external policy;
66. Acknowledges that cooperation with representatives of local communities and stakeholders, including local government bodies, civil society organisations, social partners and religious leaders, in settings affected by conflict is crucial to foster reconciliation, dialogue and peace; emphasises that local churches and faith-based organisations play an active role in development cooperation and in delivering humanitarian assistance to the people most in need, and calls on the Commission to engage with them, notably regarding the delivery of direct support to hard-to-reach communities in developing countries;
67. Stresses the importance of allocating a substantial share of future EU funding in the field of migration to civil society groups in third countries for providing assistance and for the protection and monitoring of the rights of migrants, and of ensuring that a significant part of EU funding is earmarked for the improvement of human rights, international protection and the future perspective of refugees;
68. Calls on the Commission to adapt the programming methods to the local realities and emerging local challenges and to support local ownership in the implementation of the new EU development instruments; calls further on the Commission to carry out a needs assessment and adapt the EU’s response to local needs;
69. Calls on the Commission to examine the possibilities of involving third country partners



in joint initiatives and financing to address common challenges such as migration, forced displacement, climate change, empowerment of women and protection of vulnerable groups;

70. Calls on the Commission to prioritise investments in education and job creation to provide possibilities for people in partner countries to engage in local income-generating activities;
71. Expects the Commission to address ongoing or future crises and potential reconstruction needs in a more efficient and targeted manner by using the existing ways and other means possible under the current Financial Regulation in close and coordinated cooperation with Member States and other EU institutions as part of the ‘Team Europe’ approach, and with like-minded international partners and donors;

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72. Instructs its President to forward this resolution to the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, and to the Council.

## MINORITY POSITION

by Bernhard Zimniok

I concur with that the European Parliament (EP) must be allowed to exercise full control of funds levied from the taxpayers in the Member States (MS), administered by the administrators of the Commission (EC); it is not acceptable that the EC did not facilitate this.

However, the text is a blatant approval of the dysfunctional development industrial complex and pledges to feed it further, despite its ineffectiveness. A majority of these funds are used for political influence operations that a majority of the citizens in the MS are not in agreement with: a reprehensible manifestation of neo-colonialism that does not respect the sovereign rights and cultures of the affected nations. Furthermore, it calls for additional funding of development-aid when MS must reduce spending in order to secure Covid19 recovery and does not respect the call for a moratorium for all EC administered development-aid. There are inaccuracies providing the illusion that the EC is funding development-interventions, when in fact all funds stems from taxpayers in the MS. No adequate response is articulated against Turkey and their ongoing hybrid-warfare against the MS using weapons of mass-migration and the immediate need to end all EC administered aid to Turkey.

15.4.2021

## OPINION OF THE COMMITTEE ON BUDGETARY CONTROL

for the Committee on Foreign Affairs, the Committee on Development and the Committee on Budgets

on the implementation report on the EU Trust Funds and the Facility for Refugees in Turkey (2020/2045(INI))

Rapporteur for opinion: Tomáš Zdechovský

### SUGGESTIONS

The Committee on Budgetary Control calls on the Committee on Foreign Affairs, the Committee on Development and the Committee on Budgets, as the committees responsible, to incorporate the following suggestions into their motion for a resolution:

- A. whereas the Lisbon Treaty reinforced the role of the European Parliament to ensure coherence and democratic accountability;
  - B. whereas setting up trust funds and going beyond the EU's budgetary rules undermines the principle of a single budget and creates a number of issues in terms of sound financial management, transparency and accountability; whereas the four existing EU Trust Funds (EUTFs)<sup>1</sup> are used as a financing mechanism to implement international cooperation and development measures; whereas this increases the complexity of existing financial structures, which may lead to operational inefficiencies;
  - C. whereas the Facility for Refugees in Turkey (FRT) differs from the EUTFs, mainly because it remains embedded within the budget of the EU;
  - D. whereas according to the Commission, the FRT is designed to coordinate existing EU financing instruments so they are mobilised in a consistent and joined-up manner to address the needs of refugees;
  - E. whereas the European Parliament agreed that half of the expenditure of the FRT should be borne from the EU budget, amounting to EUR 3 billion for 2016-2019;
1. Notes that the EUTFs are designed to swiftly respond to challenging circumstances and to increase the flexibility of funding, which makes it difficult to ascertain<sup>2</sup> what the

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<sup>1</sup> The Emergency Trust Fund for Africa, the Békou Trust Fund, the Trust Fund for Colombia, and the Regional Trust Fund in Response to the Syrian Crisis.

<sup>2</sup> [Study of the Policy Department for Budgetary Affairs of May 2018 entitled 'Oversight and Management of the EU Trust Funds: Democratic Accountability Challenges and Promising Practices'](#).

concrete emergencies are, how additional funding is addressing these, and to ensure qualitative scrutiny of their results on the ground; reiterates, therefore, that these instruments should be classified as exceptional or emergency-led and that their added value and effects on the ground should be properly justified and monitored;

2. Stresses that the EU must always ensure that EUTF projects and programmes promote and protect human rights; considers that robust systems must be put in place to monitor the human rights impacts, together with an accountability system with specific indicators to prevent and address breaches of international law;
3. Stresses that the need to create the EUTFs arose partly as a consequence of the EU budget not being flexible enough and lacking possibilities to finance unexpected needs in several areas;
4. Recalls the European Court of Auditors' (ECA) Special Report No 27/2018 entitled 'the Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money'; notes the report's findings that while the audited projects provided helpful support to refugees and most of them achieved their outputs, half of them had not achieved their expected outcomes; notes, in addition, that the monitoring of the cash assistance projects under the FRT was limited because the Commission and its UN implementing partners did not have access to primary beneficiary data; welcomes the fact that some of the recommendations of the ECA's report have been taken into consideration for the programming of the second tranche of the FRT; invites the Commission to report further on the implementation of the ECA's recommendations in the context of the discharge procedure;
5. Strongly insists on the need to ensure as a matter of priority that the implementation of the FRT and the EUTFs is consistent with the EU's general principles and legal commitments as laid down in the Treaties, as well as EU policies and objectives, including democracy, the rule of law and human rights; underlines the need to ensure that these objectives are met;
6. Takes note of the ECA's Special Report No 27/2018 on the FRT, in which it ultimately concluded that the facility could have been more effective and could achieve more value for money; considers that there is still room for improvement in terms of the efficiency of humanitarian projects;
7. Calls on the Commission to continuously monitor whether the FRT is being implemented in line with the principles of good financial management, transparency, proportionality, and non-discriminatory and equal treatment, while fully respecting Parliament's right to exercise scrutiny and control over EU funding;
8. Is extremely worried about the fact that in its attempts to monitor humanitarian projects, the Commission was hindered by the Turkish authorities' refusal to grant access to data on the beneficiaries of the two cash assistance projects; regrets the fact that these beneficiaries could not be tracked as a result;
9. Regrets the fact that the refugees' needs related to municipal infrastructure and socio-economic support have been insufficiently covered under the FRT<sup>3</sup>; calls on the

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<sup>3</sup> ECA Special Report No 27/2018.

Commission, therefore, to better address these needs with a view to improving the streamlining and complementarity of the assistance provided; recalls the need, furthermore, to ensure equal access to education and training, health, protection and other basic needs, paying particular attention to girls and young women;

10. Welcomes the success of the first tranche of the FRT, in particular the Emergency Social Safety Net (ESSN) – the biggest humanitarian project managed by the Commission; welcomes the progress of the second tranche, which is facilitating a gradual shift from humanitarian to development assistance;
11. Underlines the positive impact of the FRT for the vulnerable target groups, delivering access to healthcare, education and the integration programme and humanitarian assistance for 1.8 million people;
12. Stresses the challenging working environment faced by non-governmental organisations (NGOs) in the implementation of the FRT; invites the Commission to address the need to improve the operating environment for civil society organisations, including by continuing its dialogue with the Turkish authorities on issues around registration and permits;
13. Welcomes the monitoring reports provided through the FRT Results Framework; underlines the need to carry out strict monitoring exercises and ex ante and ex post audits, including in Turkey, in order to ensure compliance with the Financial Regulation and guarantee control and access for the ECA, the European Anti-Fraud Office and the European Public Prosecutor's Office; invites the Commission to scale up reporting on the FRT and to provide all the information necessary for the European Parliament to exercise its right of scrutiny and control; calls on the Commission to ensure that FRT funding reaches the right beneficiaries, specifically targets refugee projects and is not used for any other purposes; recalls, in this context, the importance of accessibility of primary beneficiary data and of the traceability of EU funding and invites the Commission to present the planned strategic mid-term evaluation of the FRT; insists, moreover, that the Turkish authorities grant implementing partners full access to the data on the eligible beneficiaries in order to improve the accountability and efficiency of the monitoring framework of these flagship projects<sup>4</sup>;
14. Notes with concern that the COVID-19 crisis led to a significant slowdown in progress on individual actions and the FRT as a whole, resulting in an estimated delay to implementation of between 3 and 12 months as of June 2020; underlines the fact that according to the monitoring report from November 2020, the most vulnerable refugees working in the informal sector have been the worst affected; regrets the fact that the suspension of in-person activities, such as in the areas of social cohesion, language teaching and psycho-social support, has disproportionately affected women refugees;
15. Recalls that the EUTFs are flexible instruments allowing swift, effective and efficient implementation of projects in the framework of humanitarian aid and emergencies, while ensuring sound financial management;
16. Recognises the difficulties encountered in these kinds of undertakings, due to different

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<sup>4</sup> *Ibid.*

factors such as diversity of the target groups and location;

17. Stresses that the actions under each strand of the FRT will be better and more sustainable and achieve more value for money if they are part of an integrated approach;
18. Calls on the Commission to assess the current orientation of the humanitarian assistance, whose goal is to reduce and ultimately eradicate poverty, and to improve the efficiency and monitoring of the cash assistance projects;
19. Stresses the need for good-quality monitoring and acknowledges the difficulties faced in overseeing the two cash assistance projects, as the Commission and its UN implementing partners did not have access to the original beneficiary data;
20. Notes the efforts and measures taken by the EU and its Member States to support refugees and host communities in Turkey; calls on the Commission to improve its communication strategy and to intensify its contact with the general public to raise awareness of the EU's efforts in order to improve knowledge of these actions and their objectives;
21. Stresses that efforts must be made to monitor and enforce EU values and standards in the area of support for refugees, which would foster trust in the EU by demonstrating its ability to deliver on its aims;
22. Calls on the Commission to impress upon the Turkish authorities the need to improve the working environment for international NGOs;
23. Calls on the Commission to take action against all attempts by Turkey to use the FRT as leverage against the EU.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	14.4.2021
<b>Result of final vote</b>	+: 24 -: 2 0: 2
<b>Members present for the final vote</b>	Matteo Adinolfi, Olivier Chastel, Caterina Chinnici, Lefteris Christoforou, Corina Crețu, Martina Dlabajová, José Manuel Fernandes, Luke Ming Flanagan, Isabel García Muñoz, Monika Hohlmeier, Jean-François Jalkh, Pierre Karleskind, Alin Mituța, Younous Omarjee, Tsvetelina Penkova, Markus Pieper, Sabrina Pignedoli, Michèle Rivasi, Petri Sarvamaa, Vincenzo Sofo, Michal Wiezik, Angelika Winzig, Tomáš Zdechovský
<b>Substitutes present for the final vote</b>	Joachim Stanisław Brudziński, Maria Grapini, Hannes Heide, Mikuláš Peksa, Viola Von Cramon-Taubadel

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

24	+
ECR	Joachim Stanisław Brudziński, Vincenzo Sofò
NI	Sabrina Pignedoli
PPE	Lefteris Christoforou, José Manuel Fernandes, Monika Hohlmeier, Markus Pieper, Petri Sarvamaa, Michal Wiezik, Angelika Winzig, Tomáš Zdechovský
Renew	Olivier Chastel, Martina Dlabajová, Pierre Karleskind, Alin Mituța
S&D	Caterina Chinnici, Corina Crețu, Isabel García Muñoz, Maria Grapini, Hannes Heide, Tsvetelina Penkova
Verts	Mikuláš Peksa, Michèle Rivasi, Viola Von Cramon-Taubadel

2	-
ID	Matteo Adinolfi, Jean-François Jalkh

2	0
The Left	Luke Ming Flanagan, Younous Omarjee

**Key to symbols:**

+ : in favour

- : against

0 : abstention



11.5.2021

## **OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS**

for the Committee on Foreign Affairs, the Committee on Development and the Committee on Budgets

on the implementation report on the EU Trust Funds and the Facility for Refugees in Turkey (2020/2045(INI))

Rapporteur for opinion: Sira Rego

(\* ) Associated committee – Rule 57 of the Rules of Procedure

### **SUGGESTIONS**

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Foreign Affairs, the Committee on Development and the Committee on Budgets, as the committees responsible, to incorporate the following suggestions into their motion for a resolution:

- A. whereas the EU Facility for Refugees in Turkey (FRT) was created in 2016 in the framework of the EU-Turkey Statement and manages EUR 6 billion, mobilised in two tranches: one funding projects that run until mid-2021 at the latest and the other funding projects that run until mid-2025 at the latest; whereas the FRT is a joint coordination mechanism and not a funding instrument in itself;
- B. whereas the FRT has helped to support the lives of more than 1.8 million refugees and host communities in Turkey and therefore constitutes a key pillar of humanitarian aid and support; whereas the FRT has been threatened by political pressure exerted by the Turkish Government on the European Union in disputes over the EU-Turkey Statement, which ultimately harms the refugees and host communities who depend on this support; whereas cases of human rights violations have taken place under this statement which are incompatible with the EU Charter of Fundamental Rights;
- C. whereas the EU Regional Trust Fund in Response to the Syrian Crisis (Madad Trust Fund) has mobilised EUR 2.3 billion, including voluntary contributions from 21 EU Member States, Turkey and the United Kingdom; whereas its programmes focus on education, livelihoods, health, protection and water, benefiting refugees, internally displaced persons and local communities and supporting more than 7 million beneficiaries; whereas as the Syrian civil war became protracted, the Madad Trust Fund response evolved further along a humanitarian development nexus, with a greater focus

on strengthening systems to support the host countries' efforts and capacities to respond to this protracted crisis, notably through the provision of public services in Iraq, Jordan and Lebanon;

- D. whereas according to its evaluation, the Madad Trust Fund is comparatively faster for launching projects than the standard procedures under the European Neighbourhood Instrument and Instrument for Pre-Accession Assistance; whereas the Madad Trust Fund has also managed to achieve an economy of scale, with large-scale projects of an average volume of EUR 20 million and an average implementation period of around 30 months;
- E. whereas the EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa (EUTF for Africa) was established in 2015 and was presented as a key instrument for implementing the Valletta action plan; whereas it became the main financial instrument for the EU's political engagement with African partners in the field of migration; whereas the EUTF for Africa has funded over 500 projects in 26 countries in Africa across three geographical regions – the Sahel and Lake Chad, the Horn of Africa, and North Africa – for total commitments of more than EUR 5 billion since 2016, 4.4 billion of which came from the EU budget; whereas these countries face increasing challenges ranging from demographic pressures to extreme poverty and weak social and economic infrastructure, to internal tensions and institutional weaknesses, to insufficient resilience to food crises and environmental stress;
- F. whereas the mid-term review of the EUTF for Africa highlighted the fund's added value as a flexible instrument that addresses rapidly evolving situations and targets specific local issues; whereas, however, a 2018 report by the European Court of Auditors<sup>1</sup> pointed out various shortcomings, including legal challenges such as the failure to apply EU public procurement law, as well as opaque management; whereas the Commission has stated that it has taken these concerns into account and provided for improvements; whereas civil society has raised concerns<sup>2</sup> about the quality of projects approved and – more worryingly – about alleged contributions to inhumane and degrading treatment and/or financing of actors that have committed human rights violations, such as in Libya, Eritrea and Sudan;
- G. whereas Article 208 of the Treaty on the Functioning of the European Union clearly states that development cooperation shall be conducted within the framework of the principles and objectives of the Union's external action and that the primary objective of the Union's development cooperation policy shall be the reduction and, in the long term, the eradication of poverty; whereas the EUTF for Africa makes predominant use of Official Development Assistance (ODA), mostly from the European Development Fund (EDF) and, as such, its implementation should be guided by the key principles of development effectiveness;
- H. whereas intra-regional mobility has played an important role in Africa throughout its history; whereas in responding to droughts, local populations have traditionally been

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<sup>1</sup> Special report No 32/2018, *European Union Emergency Trust Fund for Africa: Flexible but lacking focus*, pp. 17-25.

<sup>2</sup> Davis, L., *EU external expenditure on asylum, forced displacement and migration 2014-2019*, European Council on Refugees and Exiles, 2021.

able to make changes to their livelihood strategies and have shown a capacity for adaptation, often through migration as a means of diversifying their livelihoods; whereas since the early 2000s and since 2016 in particular, this system of livelihood diversification has come under pressure owing mainly to the limitations of intra-regional freedom of movement as a result of the support provided by EU Member States to some African countries to fight irregular migration to Europe;

- I. whereas since 2017, the EU has provided EUR 57.2 million in support for the integrated border and migration management project under the North Africa window of the EUTF for Africa in order to increase the operational capacity of the Libyan Coast Guard and Port Security (LCGPS), Navy and General Administration for Coastal Security (GACS) to help them to intercept people at sea, while also providing support for the International Organization for Migration (IOM) to enable it to assist the most vulnerable migrants stranded in Libya and host countries; whereas according to IOM data, more than 20 000 people were intercepted in 2019 and 2020 by the Libyan Coast Guard; whereas numerous reports have confirmed that Libya is still not a place of safety for disembarkation owing to the serious human rights violations committed against refugees and migrants and the ongoing conflict in the country; whereas on 8 May 2020, the UN High Commissioner for Human Rights called for a moratorium on all interceptions and returns to Libya; whereas in a report published in March 2021, the Council of Europe Commissioner for Human Rights reiterated her call from 2019 to suspend support for the Libyan Coast Guard with an impact on interceptions and returns;
- J. whereas several lawsuits, legal proceedings and complaints have been filed by civil society organisations (CSOs) against the EU and its Member States for human rights violations, violations of EU financing and international human rights regulations<sup>3</sup>, refoulement, and other inhumane acts against migrants<sup>4</sup> linked directly or indirectly to some EUTF for Africa projects; whereas it has been reported that the EUTF for Africa Regional Operational Centre in Support of the Khartoum Process and the AU-Horn of Africa Initiative (ROCK) and Better Migration Management (BMM) programmes were suspended by the EU in Sudan in 2019;
- K. whereas the EUTF for Africa and other EUTFs will terminate at the end of 2021; whereas the next multiannual funding instrument for external action, the Neighbourhood, Development and International Cooperation Instrument (NDICI), is currently expected to dedicate 10 % to migration-related activities in addition to the establishment of mutually agreed national indicative priorities and a flexible, incentive-based approach;
- L. whereas it would be useful for the Commission and the Member States to establish a clear and complete overview of the funds used to finance cooperation with third countries in the field of migration management across all financial instruments and their implementation, including information on the amounts, objectives, purpose, eligible actions and source of funding;

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<sup>3</sup> Global Legal Action Network (GLAN), 'EU financial complicity in Libyan migrant abuses'.

<sup>4</sup> Students of the Capstone on Counter-Terrorism and International Crimes, communication to the Office of the Prosecutor of the International Criminal Court entitled 'EU Migration Policies in the Central Mediterranean and Libya (2014-2019)'.

1. Regrets the fact that EUTFs are ad hoc instruments that deviate from the ordinary decision-making procedure and bypass parliamentary scrutiny and democratic oversight, and therefore lack transparency and democratic accountability; stresses that detailed data on funding allocations is not available or is hardly accessible; urges the Commission to take immediate steps to improve transparency and regular information-sharing with the European Parliament and to ensure better scrutiny and parliamentary oversight of the definition, implementation and follow-up of the EUTF for Africa and the FRT, including any future measures to be adopted under Article 8(10) of the NDICI regulation; insists on scaling up the accountability of the authorities directly entrusted with managing the funds; calls on the Commission to immediately formalise Parliament's observer status at board meetings of the EUTFs and to submit to it a yearly financial and human rights report on the implementation of current and future projects;
2. Notes that EU funds have been used to put pressure on partner governments to comply with the EU's internal migration objectives and highlights the increasing recourse to enhanced conditionality between development cooperation and migration management since 2016; deplores the use of development assistance for the implementation of informal agreements that lack parliamentary scrutiny and democratic oversight, including the EU-Turkey Statement of 18 March 2016, the EU-African Union Memorandum of Understanding on Peace, Security and Governance of 23 May 2018 and the EU-Nigeria Memorandum of Understanding of 29 August 2019;
3. Notes with concern the shortcomings in the application of EU public procurement law with regard to the EU's external migration policy<sup>5</sup>; considers that the provisions of Article 3 of the Commission decision of October 2015 (C(2015)7293) establishing the EUTF for Africa and of humanitarian aid projects funded via the Madad Fund and the FRT are incompatible with or exempt from EU public procurement law; stresses the lack of transparency regarding the application and scope of public procurement law procedures in the selection of implementing partners<sup>6</sup>; regrets the fact that the procedures and criteria for selecting projects are not sufficiently clear or documented<sup>7</sup>;
4. Points out that projects currently covered by EUTFs could be funded under any of the components of the NDICI – geographic, thematic or rapid response – within the 10 % spending target defined by the regulation; expresses concerns regarding the Council's ongoing discussions aimed at building Team Europe funding initiatives on migration with the purpose of proposing actions relating to migration management in Africa, which risk bypassing the scrutiny of Parliament;
5. Points out that the FRT differs from the EUTFs mainly because it remains embedded within the budget of the EU; acknowledges the support provided by the FRT in supporting refugees and host communities in Turkey in relation to health, humanitarian assistance, education and socioeconomic support; notes, however, that this support only reaches registered refugees, leaving many without assistance; highlights, in this regard, that access to registration has been rendered difficult in some Turkish provinces and

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<sup>5</sup> Spijkerboer, T. and Steyger, E., 'European External Migration Funds and Public Procurement Law', *European Papers*, Vol 4, No 2, 2019, pp. 493-521 and p. 520.

<sup>6</sup> *Ibid.*

<sup>7</sup> European Court of Auditors special report No 11/2017, *The Békou EU trust fund for the Central African Republic: a hopeful beginning despite some shortcomings*, 2017, pp. 36-39.

cities since 2016, as reported by NGOs such as Amnesty International;

6. Regrets the fact that this vital support was allocated under the EU-Turkey Statement; expresses concern about the two migration management support projects worth a total of EUR 80 million in the light of the lack of access and monitoring by national and international observers, including to detention sites<sup>8</sup>; underlines the need to make sure strict monitoring exercises and audits are carried out to ensure compliance with the Financial Regulation; invites the Commission to scale up reporting on the FRT and asks it to ensure that these funds specifically target refugee projects and are not used for any other purposes; calls on the Commission to ensure that the objectives of the FRT are consistent with the EU's general principles, policies and objectives including democracy, the rule of law and human rights;
7. Highlights the important contribution of the Madad Trust Fund in supporting access to basic services such as health and education for Syrian refugees, internally displaced persons and host communities in neighbouring countries; welcomes the recent adoption of a EUR 130 million assistance package to support Syrian refugees and local communities in Jordan and Lebanon in the light of the continuing humanitarian crisis due to the ongoing conflict in Syria; calls for the Madad Trust Fund to be integrated smoothly into the new multiannual financial framework (MFF), ensuring efficient contracting and use of the funds already committed;
8. Acknowledges that some EUTF for Africa projects have provided vital support, notably by investing in health and education, economic development, job creation and integration into labour markets for both local communities and refugees, in particular vulnerable groups such as women and young people; regrets the fact that the EUTF for Africa has had little impact in increasing economic opportunities and employment, as pointed out in the mid-term review, despite this being one of the four main objectives of the fund;
9. Notes the mid-term review's findings that the EUTF for Africa governance and management structure was flexible and efficient and delivered fast decisions based on a strategic overview of the issues and knowledgeable and committed staff; notes that there is a lack of accountability and scrutiny of the EUTF for Africa and remains concerned about the governance of the fund, the pooling of EU resources with different objectives, the composition of the fund's board and regional operational committees which enabled some Member States to make direct decisions about the spending of EU money based on a EUR 3 million contribution, the opacity of the process for defining and approving projects, and the lack of dialogue with local and human rights CSOs; highlights the lack of *ex ante* and ongoing impact assessments regarding targeted populations and countries, notably with regard to fundamental rights, and the absence of any fundamental rights conditionality on the use of funding;
10. Highlights that the EUTFs have focused mostly on supporting countries in developing national and regional strategies on migration management, improving capacities to prevent irregular migration and fight trafficking in human beings and migrant smuggling, and facilitating sustainable and dignified returns and reintegration; highlights that the major focus on objectives 3 and 4 of the EUTF for Africa represents

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<sup>8</sup> Global Detention Project country report, *Immigration detention in Turkey: a serial human rights abuser and Europe's refugee gatekeeper*, October 2019.

a shift away from a holistic approach to migration; regrets the fact that 37 % of the EUTF for Africa is allocated to measures intended to restrict and reduce migration, while less than 9 % is allocated to addressing the drivers of migration and forced displacement; notes that less than 1.5 % of the EUTF for Africa was allocated to regular migration channels; stresses that reducing mobility to deter migration mostly runs counter to development objectives by increasing poverty and threatening to put fundamental rights at risk;

11. Reiterates its call on the Commission and EU agencies to withhold or review their cooperation with third countries, including suspending specific funding and projects, which endanger the human rights of those affected, including where they do not fully respect fundamental rights; reiterates its call on the Commission and the Member States in this regard, in the light of the serious human rights violations against refugees, asylum seekers and migrants in Libya, including those intercepted at sea, to urgently review all cooperation activities with the competent Libyan authorities in maritime and border surveillance and management funded under the EUTF for Africa, and to suspend the second phase of the EUTF project Support to integrated border and migration management until clear guarantees of human rights compliance are in place, including the abolition of the law criminalising irregular migrants; asks the Commission to ensure that a transparent risk assessment is carried out by independent EU bodies and experts on the impact of EU-funded projects on the human rights of migrants and refugees, as well as on the wider population in the country affected by them; calls for the creation of an independent human rights monitoring mechanism and clear protocols for action in the event of fundamental rights violations;
12. Stresses the need to clearly define the framework of the EUTF for Africa and the FRT, as well as their potential successors, including project definition, reporting, monitoring and evaluation, in order to ensure that actions funded under the EUTF for Africa and FRT contribute to the achievement of the specific objectives of those funds and are not used for any other purposes; calls on the Commission to conduct an *ex post* evaluation at least one year after all activities of the EUTF for Africa have been completed and to inform Parliament accordingly; calls on the Commission to involve CSOs in this evaluation and to pay particular attention to the impact of the fund on development and fundamental rights, with a particular focus on the projects under objectives 3 and 4;
13. Notes with concern that through the rapid response component of the NDICI, cooperation with third countries on migration management can be funded without the need for the Commission to publish any programming documents or consult civil society actors, and without the involvement of Parliament; insists, in this regard, on the need to ensure that the 2021-2027 MFF is accompanied by a robust human rights framework for the identification, implementation and monitoring of future migration cooperation programmes; calls on the Commission and the Member States to use the NDICI and its international partnerships to promote programmes for the protection of refugees and migrants, in line with EU and international law, and to ensure that ODA is used to support and maintain sustainable human development, democracy and human rights for the protection of all people;
14. Calls for the EU to review the EU-Turkey Statement in order to guarantee compliance with human rights standards, and to ensure that the humanitarian aid and support provided by the FRT is not threatened by political volatility.





## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	11.5.2021
<b>Result of final vote</b>	+:               52 -:               15 0:                0
<b>Members present for the final vote</b>	Magdalena Adamowicz, Katarina Barley, Fernando Barrena Arza, Pietro Bartolo, Nicolas Bay, Vladimír Bilčík, Vasile Blaga, Ioan-Rareş Bogdan, Patrick Breyer, Saskia Bricmont, Joachim Stanisław Brudziński, Jorge Buxadé Villalba, Damien Carême, Clare Daly, Marcel de Graaff, Anna Júlia Donáth, Lena Düpont, Cornelia Ernst, Laura Ferrara, Nicolaus Fest, Jean-Paul Garraud, Maria Grapini, Sylvie Guillaume, Andrzej Halicki, Evin Incir, Sophia in 't Veld, Patryk Jaki, Marina Kaljurand, Assita Kanko, Fabienne Keller, Peter Kofod, Łukasz Kohut, Moritz Körner, Alice Kuhnke, Jeroen Lenaers, Juan Fernando López Aguilar, Lukas Mandl, Nuno Melo, Roberta Metsola, Nadine Morano, Javier Moreno Sánchez, Maite Pagazaurtundúa, Nicola Procaccini, Emil Radev, Paulo Rangel, Diana Riba i Giner, Michal Šimečka, Birgit Sippel, Sara Skytvedal, Martin Sonneborn, Tineke Strik, Ramona Strugariu, Annalisa Tardino, Tomas Tobé, Dragoş Tudorache, Milan Uhrík, Tom Vandendriessche, Bettina Vollath, Elissavet Vozemberg-Vrionidi, Elena Yoncheva, Javier Zarzalejos
<b>Substitutes present for the final vote</b>	Abir Al-Sahlani, Damian Boeselager, Sira Rego, Rob Rooken, Domènec Ruiz Devesa, Isabel Santos



## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

52	+
NI	Laura Ferrara, Martin Sonneborn
PPE	Magdalena Adamowicz, Vladimír Bilčík, Vasile Blaga, Ioan-Rareş Bogdan, Lena Düpont, Andrzej Halicki, Jeroen Lenaers, Lukas Mandl, Nuno Melo, Roberta Metsola, Emil Radev, Paulo Rangel, Sara Skyttedal, Tomas Tobé, Elissavet Vozemberg-Vrionidi, Javier Zarzalejos
Renew	Abir Al-Sahlani, Anna Júlia Donáth, Sophia in 't Veld, Fabienne Keller, Moritz Körner, Maite Pagazaurtundúa, Michal Šimečka, Ramona Strugariu, Dragoş Tudorache
S&D	Katarina Barley, Pietro Bartolo, Maria Grapini, Sylvie Guillaume, Evin Incir, Marina Kaljurand, Łukasz Kohut, Juan Fernando López Aguilar, Javier Moreno Sánchez, Domènec Ruiz Devesa, Isabel Santos, Birgit Sippel, Bettina Vollath, Elena Yoncheva
The Left	Pernando Barrena Arza, Clare Daly, Cornelia Ernst, Sira Rego
Verts/ALE	Damian Boeselager, Patrick Breyer, Saskia Bricmont, Damien Carême, Alice Kuhnke, Diana Riba i Giner, Tineke Strik

15	-
ECR	Joachim Stanisław Brudziński, Jorge Buxadé Villalba, Patryk Jaki, Assita Kanko, Nicola Procaccini, Rob Rooken
ID	Nicolas Bay, Nicolaus Fest, Jean-Paul Garraud, Marcel de Graaff, Peter Kofod, Annalisa Tardino, Tom Vandendriessche
NI	Milan Uhrík
PPE	Nadine Morano

### Key to symbols:

+ : in favour

- : against

0 : abstention

## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	13.7.2021
<b>Result of final vote</b>	+: 100 -: 14 0: 16
<b>Members present for the final vote</b>	<p>Alviina Alametsä, Alexander Alexandrov Yordanov, Rasmus Andresen, Anna-Michelle Asimakopoulou, Petras Auštrevičius, Traian Băsescu, Hildegard Bentele, Robert Biedroń, Dominique Bilde, Anna Bonfrisco, Udo Bullmann, Fabio Massimo Castaldo, Susanna Ceccardi, Olivier Chastel, Lefteris Christoforou, Włodzimierz Cimoszewicz, Antoni Comín i Oliveres, David Cormand, Katalin Cseh, Ryszard Czarnecki, Paolo De Castro, Tanja Fajon, José Manuel Fernandes, Anna Fotyga, Michael Gahler, Gianna Gancia, Eider Gardiazabal Rubial, Alexandra Geese, Vlad Gheorghe, Sunčana Glavak, Raphaël Glucksmann, Charles Goerens, Mónica Silvana González, Valentino Grant, Klemen Grošelj, Elisabetta Gualmini, Francisco Guerreiro, Bernard Guetta, Márton Gyöngyösi, Andrzej Halicki, Valérie Hayer, Ero Heinäluoma, Niclas Herbst, Pierrette Herzberger-Fofana, Monika Hohlmeier, György Hölvényi, Rasa Juknevičienė, Sandra Kalniete, Beata Kempa, Moritz Körner, Dietmar Köster, Andrius Kubilius, Joachim Kuhs, Zbigniew Kuźmiuk, Ilhan Kyuchyuk, Ioannis Lagos, Héléne Laporte, Pierre Larrouturou, David Lega, Janusz Lewandowski, Miriam Lexmann, Nathalie Loiseau, Antonio López-Istúriz White, Jaak Madison, Pierfrancesco Majorino, Claudiu Manda, Thierry Mariani, Erik Marquardt, Margarida Marques, David McAllister, Vangelis Meimarakis, Sven Mikser, Francisco José Millán Mon, Silvia Modig, Siegfried Mureșan, Javier Nart, Victor Negrescu, Andrey Novakov, Janina Ochojska, Jan-Christoph Oetjen, Jan Olbrycht, Urmas Paet, Demetris Papadakis, Kostas Papadakis, Manu Pineda, Giuliano Pisapia, Karlo Ressler, Thijs Reuten, Michèle Rivasi, Jérôme Rivièrre, María Soraya Rodríguez Ramos, Bogdan Rzońca, Nacho Sánchez Amor, Isabel Santos, Jacek Saryusz-Wolski, Andreas Schieder, Radosław Sikorski, Jordi Solé, Sergei Stanishev, Nicolae Ștefănuță, Tineke Strik, Marc Tarabella, Hermann Tertsch, Nils Torvalds, Miguel Urbán Crespo, Nils Ušakovs, Johan Van Overtveldt, Hilde Vautmans, Idoia Villanueva Ruiz, Viola Von Cramon-Taubadel, Witold Jan Waszczykowski, Charlie Weimers, Angelika Winzig, Isabel Wiseler-Lima, Chrysoula Zacharopoulou, Bernhard Zimniok, Željana Zovko</p>
<b>Substitutes present for the final vote</b>	<p>Ioan-Rareș Bogdan, Andrea Cozzolino, Özlem Demirel, Herbert Dorfmann, Markéta Gregorová, Ewa Kopacz, Katrin Langensiepen, Gabriel Mato, Iskra Mihaylova, Marlene Mortler, Patrizia Toia, Mick Wallace, Milan Zver</p>

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

100	+
NI	Fabio Massimo Castaldo, Márton Gyöngyösi
PPE	Alexander Alexandrov Yordanov, Anna-Michelle Asimakopoulou, Traian Băsescu, Hildegard Bentele, Ioan-Rareș Bogdan, Lefteris Christoforou, Herbert Dorfmann, José Manuel Fernandes, Michael Gahler, Sunčana Glavak, Andrzej Halicki, Niclas Herbst, Monika Hohlmeier, György Hölvényi, Rasa Juknevičienė, Sandra Kalniete, Ewa Kopacz, Andrius Kubilius, David Lega, Janusz Lewandowski, Miriam Lexmann, Antonio López-Istúriz White, David McAllister, Gabriel Mato, Vangelis Meimarakis, Francisco José Millán Mon, Marlene Mortler, Siegfried Mureșan, Andrey Novakov, Janina Ochojska, Jan Olbrycht, Karlo Ressler, Radosław Sikorski, Angelika Winzig, Isabel Wiseler-Lima, Željana Zovko, Milan Zver
Renew	Petras Auštrevičius, Olivier Chastel, Katalin Cseh, Vlad Gheorghe, Charles Goerens, Klemen Grošelj, Bernard Guetta, Valérie Hayer, Moritz Körner, Ilhan Kyuchyuk, Nathalie Loiseau, Iskra Mihaylova, Javier Nart, Jan-Christoph Oetjen, Urmas Paet, María Soraya Rodríguez Ramos, Nicolae Ștefănuță, Nils Torvalds, Hilde Vautmans, Chrysoula Zacharopoulou
S&D	Robert Biedroń, Udo Bullmann, Włodzimierz Cimoszewicz, Andrea Cozzolino, Paolo De Castro, Tanja Fajon, Eider Gardiazabal Rubial, Raphaël Glucksmann, Mónica Silvana González, Elisabetta Gualmini, Eero Heinäluoma, Dietmar Köster, Pierre Larroutiour, Pierfrancesco Majorino, Claudiu Manda, Margarida Marques, Sven Mikser, Victor Negrescu, Demetris Papadakis, Giuliano Pisapia, Thijs Reuten, Nacho Sánchez Amor, Isabel Santos, Andreas Schieder, Sergei Stanishev, Marc Tarabella, Patrizia Toia, Nils Ušakovs
Verts/ALE	Alviina Alametsä, Rasmus Andresen, David Cormand, Alexandra Geese, Markéta Gregorová, Francisco Guerreiro, Pierrette Herzberger-Fofana, Katrin Langensiepen, Erik Marquardt, Michèle Rivasi, Jordi Solé, Tineke Strik, Viola Von Cramon-Taubadel

14	-
ECR	Charlie Weimers
ID	Dominique Bilde, Joachim Kuhs, Hélène Laporte, Jaak Madison, Thierry Mariani, Jérôme Rivière, Bernhard Zimniok
NI	Ioannis Lagos
The Left	Özlem Demirel, Manu Pineda, Miguel Urbán Crespo, Idoia Villanueva Ruiz, Mick Wallace

16	0
ECR	Ryszard Czarnecki, Anna Fotyga, Beata Kempa, Zbigniew Kuźmiuk, Bogdan Rzońca, Jacek Saryusz-Wolski, Hermann Tertsch, Johan Van Overtveldt, Witold Jan Waszczykowski
ID	Anna Bonfrisco, Susanna Ceccardi, Gianna Gancia, Valentino Grant
NI	Antoni Comín i Oliveres, Kostas Papadakis
The Left	Silvia Modig

### Key to symbols:

+ : in favour

- : against

0 : abstention