



Brussels, 25 November 2021  
C (2021) 8459

**COMMISSION IMPLEMENTING DECISION**

**of 25 November 2021**

**on the financing of the components of the Thematic Facility under the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy, and adoption of the work programme covering the years 2021 and 2022 for actions implemented under direct and indirect management and the years 2021 to 2024 for actions implemented under shared management**

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THE EUROPEAN COMMISSION,

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

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>1</sup>, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/1148 of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy<sup>2</sup>, and in particular Article 8(7) thereof,

Whereas:

- (1) In order to ensure the implementation of the components of the thematic facility under the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy, it is necessary to adopt a multiannual financing decision, which constitutes the multiannual work programme, for 2021 and 2022 for actions implemented under direct and indirect management and 2021 to 2024 for actions implemented under shared management. Article 110 Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) In accordance with Article 33(3) Regulation (EU) 2021/1148 and Article 193(2), second subparagraph, point (a) Financial Regulation, taking into account the delayed entry into force of Regulation (EU) 2021/1148, and in order to ensure continuity, for a limited period, costs incurred in respect of actions supported under that Regulation under direct management and which have already begun may be considered eligible for financing as of 1 January 2021, even if those costs were incurred before the grant application or the request for assistance was submitted. The same rules apply, *mutatis mutandis*, to the eligibility of activities and costs under indirect management.
- (3) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU.

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

<sup>2</sup> OJ L 251, 15.7.2021, p. 48.

- (4) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (5) Pursuant to Article 62(1)(c) Financial Regulation, indirect management is to be used for the implementation of the programme. Pursuant to Article 62(1)(b) Financial Regulation, shared management is to be used for the implementation of the programme, and in particular for the implementation of the specific actions.
- (6) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) Financial Regulation. To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) Financial Regulation<sup>3</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) Financial Regulation before a contribution agreement can be signed.
- (7) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) Financial Regulation.
- (8) In order to allow for flexibility in the implementation of the work programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) Financial Regulation.
- (9) Given that Regulation (EU) No 2021/1148 builds upon the Schengen *acquis*, in accordance with Article 4 of Protocol No 22 on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark notified by letter of 24 September 2021 the implementation of Regulation (EC) 2021/1148 in its national law. It is therefore bound by this Decision.
- (10) Regulation (EU) No 2021/1148 constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part. Ireland is therefore not bound by this Decision or subject to its application.
- (11) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis*<sup>4</sup> within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis* which fall within the area referred to in Article 1, Points A and B of Council Decision 1999/437/EC.<sup>5</sup>
- (12) However, pursuant to Article 7(6) Regulation (EU) 2021/1148, participation of Iceland and Norway in the Border Management and Visa Instrument requires arrangements to specify the nature and modes of such participation in accordance with the relevant provisions of their respective association agreements. This Decision does not apply to Iceland and Norway, because such arrangements have not yet been concluded.
- (13) As regards Switzerland, this Regulation constitutes a development of provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's

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<sup>3</sup> Except for the cases of Article 154(6) Financial Regulation, where the Commission may decide, not to require an ex ante assessment.

<sup>4</sup> OJ L 176, 10.7.1999, p. 36.

<sup>5</sup> Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* ([OJ L 176, 10.7.1999, p. 31](#)).

- association with the implementation, application and development of the Schengen *acquis*<sup>6</sup> which fall within the area referred to in Article 1, Points A and B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC<sup>7</sup>.
- (14) However, pursuant to Article 7(6) Regulation (EU) 2021/1148, participation of Switzerland in the Border Management and Visa Instrument requires arrangements to specify the nature and modes of such participation in accordance with the relevant provisions of their respective association agreements. This Decision does not apply to Switzerland, because such arrangements have not yet been concluded.
- (15) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*<sup>8</sup> which fall within the area referred to in Article 1, Points A and B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU<sup>9</sup>.
- (16) The attribution of EUR 496 770 572.75 for the implementation of the work programme aims to facilitate the programming and reduce the risk of de-commitment in shared managed programmes. This should not preclude the possibility to allocate additional resources of the 2023 and 2024 budgetary allocations to specific actions in the next multiannual work programme of the thematic facility under the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Committee for the Home Affairs Funds established by Article 32 Regulation (EU) No 2021/1148,

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The work programme*

The multiannual financing decision, constituting the multiannual work programme for the implementation of the components of the thematic facility under the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy covering the years 2021 and 2022 for actions implemented under direct and indirect management and the years 2021 to 2024 for actions implemented under shared management, as set out in the Annex, is adopted.

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<sup>6</sup> OJ L 53, 27.2.2008, p. 52.

<sup>7</sup> Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ([OJ L 53, 27.2.2008, p. 1](#)).

<sup>8</sup> OJ L 160, 18.6.2011, p. 21.

<sup>9</sup> Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons ([OJ L 160, 18.6.2011, p. 19](#)).

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the work programme for the years 2021 and 2022 for actions implemented under direct and indirect management and the years 2021 to 2024 for actions implemented under shared management referred to in Article 1 is set at EUR 562 268 829.19 and shall be financed from the appropriations entered in the line 11 02 01 of the general budget of the Union, as follows:

- (a) EUR 154 105 394.15 for 2021;
- (b) EUR 275 549 054.77 for 2022;
- (c) EUR 66 307 190.14 for 2023;
- (d) EUR 66 307 190.13 for 2024.

The amounts related to 2023 and 2024 shall cover exclusively the actions under shared management (specific actions) set out in the work programme.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the general budget of the Union for 2022 following the adoption of that budget by the budget authority, and subject to the availability of the appropriations provided for in the general budgets of the Union for 2023 and 2024 for the appropriations linked to the actions under shared management (specific actions).

*Article 3*  
*Methods of implementation and entrusted entities or persons*

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4 of that Annex.

*Article 4*  
*Flexibility clause*

Cumulated changes to the allocations to actions not exceeding 10% of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not be considered to be substantial for the purposes of Article 110(5) Financial Regulation, where those changes do not significantly affect the nature of the actions and the objective of the work programme.

The increase of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not exceed 20%.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

*Article 5*  
*Grants*

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies referred to in the Annex.

Done at Brussels,

*For the Commission*  
*Ylva JOHANNSON*

*Member of the Commission*



Brussels, 25 November 2021  
C (2021) 8459

ANNEX

ANNEX

*to the*

**Commission Implementing Decision**

**on the financing of the components of the Thematic Facility under the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy, and adoption of the work programme covering the years 2021 and 2022 for actions implemented under direct and indirect management and the years 2021 to 2024 for actions implemented under shared management**

## ANNEX

### **1. Introduction**

On the basis of the objectives given in the Regulation (EU) No 2021/1148 of the European Parliament and of the Council<sup>1</sup>, this work programme contains the actions to be financed and the budget breakdown for 2021 and 2022<sup>2</sup> as follows:

- for grants (implemented under direct management) (point 2),
- for procurement (implemented under direct management) (point 3),
- for actions implemented under indirect management (point 4),
- for actions implemented under shared management (point 5),
- for other actions or expenditure (point 6).

Financial assistance to be provided in the event of an emergency situation<sup>3</sup> is described in points 2 and 4.

- Legal basis

Regulation (EU) 2021/1148
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All Member States, with the exception of Ireland, and Schengen associated countries<sup>4</sup> are participating in the Instrument for Financial Support for Border Management and Visa Policy: hence entities established in these participating countries can take part as beneficiaries in the actions that are supported under this work programme. Entities established in Ireland can only participate on a no-cost basis.

All actions funded under this work programme, including those carried out in third countries, should be implemented in full compliance with the rights and principles enshrined in the Union acquis, and the Charter of Fundamental Rights of the European Union, and should be in line with the international obligations of the Union and the Member States arising from the international instruments to which they are part, in particular by ensuring compliance with the principles of non-discrimination and *non-refoulement*.

As regards actions in and in relation to third countries, the Commission and the Member States, together with the European External Action Service, shall, in accordance with their respective responsibilities, ensure coordination with relevant Union policies, strategies and instruments. They shall, in particular, ensure that actions in and in relation to third countries:

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<sup>1</sup> Having regard Regulation (EU) 2021/1148 of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy (OJ L 251, 15.7.2021, p. 48).

<sup>2</sup> The budget breakdown for the actions under shared management (specific actions) also include appropriations from the years 2023 and 2024.

<sup>3</sup> Article 25 of Regulation (EU) No 2021/1148

<sup>4</sup> Iceland, Norway, Switzerland, Liechtenstein.



- are carried out in synergy and in coherence with other actions outside the Union supported through other Union instruments;
- are coherent with external Union policy, respect the principle of policy coherence for development and are consistent with the strategic programming documents for the region or country in question;
- focus on measures that are not development-oriented; and
- serve the interests of internal Union policies and are consistent with activities undertaken within the Union.

#### Budget line(s)

11 02 01
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<b>Implementation arrangements</b>	<b>Budget line 11 02 01</b>
Grants (including EUR 56.4 million for emergency assistance)	EUR 72 524 093.94
Procurement	EUR 17 904 000
Indirect management <sup>5</sup>	EUR 7 100 000
Shared management (including 2023 and 2024 attributions)	EUR 464 540 735.25
Other actions and expenditure	EUR 200 000
<b>TOTAL</b>	<b>EUR 562 268 829.19</b>

#### Objectives pursued

The general objective is to ensure strong and effective European integrated border management at the external borders, with a view to managing those borders efficiently in full compliance with fundamental rights, thereby contributing to ensuring a high level of internal security within the Union, while safeguarding the free movement of persons within it and fully respecting the relevant Union acquis and the international obligations of the Union and the Member States arising from the international instruments to which they are party.

#### Expected results

The work programme, via the support provided from the thematic facility, will contribute to addressing the challenges and needs involved in meeting the objectives of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy and more specifically will contribute to

1. support effective European integrated border management at the external borders, implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect

<sup>5</sup> Part of the emergency assistance budget accounted for under the heading “Grants” may be transferred to the heading “Indirect Management” in accordance with Article 4 of the Financing Decision

- irregular immigration and cross-border crime and to effectively manage migratory flows;
2. support the common visa policy to ensure a harmonised approach with regard to the issuance of visas and to facilitate legitimate travel, while helping to prevent migratory and security risks.

#### Climate and biodiversity mainstreaming

The Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy, should support activities that respect the climate and environmental standards and priorities of the Union and would do no significant harm to environmental objectives within the meaning of Article 17 Regulation (EU) 2020/852 of the European Parliament and of the Council<sup>6</sup>.

## 2. Grants

The global budgetary envelope reserved for grants under this work programme is EUR 72 524 093.94.

### 2.1. Direct Award - Pilot Projects on Digitalisation of travel documents and Travel facilitation

#### Type of applicants targeted by the direct award

Member States, by using their existing infrastructure, and carrying out pilot projects on issuing and verifying digital documents to facilitate border controls at airports and land and sea borders. An expert group, setting out the required specifications based on the ICAO Digital Travel Credentials (DTC), will select the best-qualified Member States.

The Member States awarded with a grant will share the results of the pilot projects with all other Member States. The pilot project will inform efforts of other Member States to update their own infrastructure and could inform the development of a possible legislative proposal mentioned in the Schengen Strategy of 2 June 2021 by feeding into a preliminary impact assessment.

Description of the activities to be funded by the grant awarded without a call for proposals on the basis of Article 195 Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council<sup>7</sup> ('the Financial Regulation')

These real-life situation pilot projects will deliver proof of concept on digitalisation of travel

<sup>6</sup> Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

<sup>7</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 (OJ L 193, 30.7.2018, p. 1).

documents and travel facilitations that could be replicated on an EU wide scale.

#### Implementation

The action will be implemented directly by DG HOME

### **2.2. Call for proposals to support innovative forms of cooperation for enhancing the national components of the European Border and Coast Guard (EBCG), in particular on the implementation of the EBCG Fundamental Rights Strategy**

Type of applicants targeted by the call for proposals

Priority 1: National components of the European Border and Coast Guard (competent national authorities for border management).

Priority 2: National components of the European Border and Coast Guard, competent NGOs and International Organisations relevant for the fundamental rights aspect of the project.

Description of the activities to be funded under the call for proposals

#### **Priority 1: Supporting the cooperation between national component of the European Border and Coast Guard (EBCG):**

The information exchange and cooperation between Member States in the areas covered by the EBCG Regulation<sup>8</sup> is one of the components of European Integrated Border Management.

This priority targets new ideas from Member States on cooperation between national components of EBCG (i.e. Member States' national border guard authorities), going beyond activities financed directly by Frontex. Such cooperation projects could also feed into a possible future revision of the EBCG Regulation.

#### **Priority 2: Implementation of the EBCG Fundamental Rights Strategy:**

This second priority focuses on promoting the implementation of the fundamental rights strategy, which represents an overarching component of European Integrated Border Management. It intends to fund supporting activities, such as the development of information material, training, etc. with a specific focus on ensuring compliance of the national components of the EBCG with fundamental rights, in particular in the context of the implementation of the EBCG Fundamental Rights Strategy (Article 80 EBCG Regulation on the protection of fundamental rights).

#### Implementation

The action will be implemented directly by DG HOME

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<sup>8</sup> Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624

### 2.3. Direct Award - Border control support for Member States under pressure

Type of applicants targeted by the direct award

The following entities can be invited to submit applications: Member States' border management authorities, as well as authorities supporting border management as notified in the Schengen Practical Handbook for Border Guards, and International Organisations if justified for the implementation of the action, in accordance with Article 195(c) and/or (f) Financial Regulation. Other entities can be involved in the implementation of the action as co-applicants.

If the applicant is an International Organisation, the application should be coordinated with the competent national authorities.

N.B. For International Organisations and organisations assimilated with International Organisations, in accordance with Article 156 Financial Regulation, the budget will be implemented in indirect management.

Description of the activities to be funded by the grant awarded without a call for proposals on the basis of Article 195 Financial Regulation

The objective of this action is to provide additional support to Member States particularly exposed to high migratory pressure at the EU external borders, e.g. due to their geographical position, as regards border control in line with Regulation (EU) 2016/399 of the European Parliament and of the Council<sup>9</sup> (Article 2, points 10, 11 and 12). This action will contribute to enhancing solidarity with the Member States bearing a high share of responsibility to carry out border control on behalf of the Union as a whole. Under this action, support will be provided for maintaining a sufficient level of border control<sup>10</sup> in line with the Schengen *acquis* (e.g. to cover staff costs and equipment necessary) and with fundamental rights.

The action grants will be awarded following the evaluation of proposals submitted by applicants invited directly by the European Commission, in line with the applicable procedures for direct award.

#### Implementation

<sup>9</sup> Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 077 23.3.2016, p. 1).

<sup>10</sup> Border control consists of border checks and border surveillance in line with the Schengen Borders Code (Article 2(10) Regulation (EU) 2016/399). Possible actions eligible for funding:

1. border checks for arriving third country nationals: staff and equipment necessary for identification, security check, screening at the EU external borders/border crossing point (before contact is made with the asylum authority), transfer of third country nationals in the context of the appropriate procedure at the EU external borders.
2. border surveillance: staff and specific equipment necessary for maintaining sufficient level of border control at the EU external borders at land, sea and air.

The action will be implemented directly or indirectly by DG HOME

#### **2.4. Call for proposals to support pilots for the development and launch of national quality assurance mechanisms and the development and launch of a fundamental rights monitoring mechanism**

Type of applicants targeted by the call for proposals

Legal entities such as:

1. Public bodies
2. Non-profit making private entities
3. Profit making private entities (including non-public implementing agencies, industrial or service/consultant companies)
4. International organisations

The list may be further restricted in the calls for proposals. In particular, some categories may be only eligible as co-applicant.

Geographical conditions:

1. Legal entities established in a Member State participating in the Border Management and Visa Instrument (BMVI) established by Regulation (EU) 2021/1148 (all Member States except Ireland) or an overseas country or territory linked to it<sup>11</sup> can participate in this call for proposals.
2. Legal entities established in third countries associated to the BMVI can participate in this call for proposals.
3. International organisations may be established outside the Member States participating in the BMVI.
4. Legal entities (other than international organisations) established in third countries can participate in this call for proposals under the conditions established in Article 20 of the BMVI.
  1. only as part of a consortium composed of at least two independent entities, at least one of which is established in a Member State
  2. only for the third countries which are relevant for the call for proposals. These countries will be further specified in the calls for proposals.

Description of the activities to be funded by the grant awarded without a call for proposals on the basis of Article 195 Financial Regulation

<sup>11</sup> An “overseas country or territory linked to a participating Member State” shall be understood pursuant to Article 355 Treaty on the Functioning of the European Union (TFEU).

This actions includes two pilot projects:

1. Pilot for the development and launch of national quality assurance mechanisms with the aim to ensure the implementation of Union law in the area of external border management, and
2. Pilot for development and launch of a fundamental rights monitoring mechanism in relation to activities at the external borders, with a view to developing models and examples that could serve for the future development of national monitoring mechanisms at the external border of the Union.

#### Implementation

The action will be implemented directly by DG HOME

### **2.5 Direct awards to support the European Network of Immigration Liaison Officer according to the Regulation (EU) 2019/1240<sup>12</sup>**

#### Type of applicants targeted by the direct award

The direct awards will be awarded to legal persons formally designated by the Steering Board of the Immigration Liaison Officers.

They will be public bodies or agencies of the Member States participating in the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy. In duly justified cases, where their participation is necessary to achieve the objectives of the programme and if explicitly mentioned in the invitation letter to the direct award, legal persons established in third countries may participate, but only as co-applicants.

The international organisations may only participate as co-applicants.

Direct awards may be made in accordance with Article 195(f) Financial Regulation

#### Description of the activities to be funded by the grant awarded without a call for proposals on the basis of Article 195 Financial Regulation

The European Network of Immigration Liaison Officers consists of liaison officer deployments to third countries by the competent authorities of a Member State, or by the Commission or by a Union agency to deal with immigration-related issues. Immigration Liaison Officers collect migration-related information, coordinate the provision of capacity-building activities to third countries, and render assistance to return and readmission related tasks (Regulation (EU) 2019/1240).

Support should aim at facilitating the work clusters below, which have been established by the Steering Board of the European Network of Immigration Liaison Officers according to

<sup>12</sup> Regulation (EU) 2019/1240 of the European Parliament and of the Council of 20 June 2019 on the creation of a European network of immigration liaison officers (OJ L 198, 25.7.2019, p. 88).

Article 8(2)(a) Regulation (EU) 2019/1240:

3. Gathering, sharing and analysing information for use either at strategic or operational level;
4. Targeted provision of capacity-building activities to authorities and other stakeholders in third countries;
5. Rendering assistance to authorities of Member States in implementing EU migration and visa policy.

#### Implementation

The action will be implemented directly by DG HOME

### 2.5. Emergency assistance

#### Type of applicants targeted by the direct award for emergency assistance

The following entities can submit applications for emergency assistance: Member States, International Organisations or Union agencies. Other entities can be involved in the implementation of the action as co-applicants. The action grant will be awarded directly (without a call for proposals), in accordance with Article 195(a) or (b) Financial Regulation. The direct award of this grant is justified by the emergency support operations as described below or other exceptional and duly justified emergencies.

Where a Member State submits a request to use emergency assistance as an allocation to its national programme, and the Commission so decides, the budget will be implemented in shared management.

N.B. For international organisations and organisations assimilated with international organisations in accordance with Article 156 Financial Regulation, the budget will be implemented in indirect management (see point 4).

#### Description of the activities to be funded by the emergency assistance direct awards

Emergency assistance will address urgent and specific needs in the event of duly justified emergency situations.

'Emergency situation' means a situation resulting from urgent and exceptional pressure, in which a large or disproportionate number of third-country nationals have crossed, are crossing or are expected to cross the external borders of one or more Member States or in which incidents related to irregular immigration or cross-border crime occur at the external borders of one or more Member States, and those incidents have a decisive impact on border security to such an extent that they risk jeopardising the functioning of the Schengen area, or any other situation in respect of which it has been duly substantiated that immediate action at the external borders within the objectives of the Instrument is required;

The emergency assistance will be provided for as long as the emergency situation lasts.

The emergency assistance will be provided in the form of action grants awarded directly without a call for proposals, following a proposal for action, including a request for funding, submitted to the Commission by one of the eligible entities.

Emergency assistance shall be provided in a manner that is entirely consistent with both the Union *acquis* and international obligations of the Union and Member States arising from the international instruments to which they are party, in particular as regards fundamental rights.

#### Implementation

The action will be implemented directly by DG HOME

#### Selection and award criteria

##### Selection criteria

In accordance with Article 198 Financial Regulation, proposals for action shall be evaluated on the basis of the following selection criteria:

- Financial capacity - Applicants and co-applicants must have stable and sufficient sources of funding to maintain their activity throughout the period for which the grant is awarded and to participate in its funding.
- Operational capacity - Applicants and co-applicants must have the professional competencies and qualifications required to complete the proposed action.

In accordance with Article 198(5) Financial Regulation, the verification of the financial and operational capacity shall not apply to public bodies and international organisations.

##### Award criteria

In accordance with Article 199 Financial Regulation, proposals for an action will be evaluated on the basis of the relevance of the proposal with regards to the objectives and the expected impact of the proposed activities on the situation in the countries concerned.

#### Co-financing rate and other information

##### Maximum possible rate of co-financing of the eligible costs

Up to 100% of the total eligible expenditure.

##### Other information

Where necessary for the implementation of an action, emergency assistance may cover expenditure which was incurred prior to the date of submission of the grant application or the request for assistance for that action, provided that that expenditure was not incurred prior to 1 January 2021.



### 3. Procurement

The global budgetary envelope reserved for procurement contracts in 2021 and 2022 is EUR 17 904 000.

IT development and procurement strategy choices will be subject to pre-approval by the European Commission Information Technology and Cybersecurity Board, following the IT governance process established in the European Commission.

#### 3.1. Actions implemented by procurement contracts

General description of the contracts envisaged

- Support to the European Network of Immigration Liaison Officer (ILO), including support to the ILO secretariat and organisation of meetings;
- Actions supporting the Schengen Evaluation mechanism, including administrative expenditures, missions, development and maintenance of IT tools and trainings;
- Communication actions including on the roll-out of the Schengen strategy and on Border Management/Integrated Border Management Fund (IBMF)/Border management and visa (internal and external communication)<sup>13</sup>;
- Evaluation of Regulation (EU) 2019/1896 of the European Parliament and of the Council<sup>14</sup> in accordance with Article 121 of that Regulation and the review of standing corps in accordance with Article 59 of that Regulation ;
- Studies and other actions (meetings, conferences, etc.);
- Communication campaigns on the Entry/Exit System (EES), the European Travel and Information Authorisation System (ETIAS) and the Schengen Information System (SIS);
- Studies and conferences related to travel facilitation and digitalisation of travel documents.

Implementation

Procurement will be implemented directly either by DG HOME or via sub-delegation or co-delegation to the Directorate-General for Justice and Consumers, to the Directorate-General for Informatics, to DG ESTAT, to the Publications Office, to DG Communication, DG FISMA, PMO, and DG HR.

<sup>13</sup> See also Communication to the Commission from President von der Leyen and Commissioner Hahn - Corporate communication action in 2021-2023 under the Multiannual Financial Framework 2021-2027 - 'Communicating a Union that strives for more' - C(2020)9390, adopted on the 18/12/2020.

<sup>14</sup> Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1).

#### 4. *Actions implemented in indirect management*

The overall budgetary allocation reserved for indirect management actions in the years 2021 and 2022 is EUR 7 100 000.

##### 4.1. **Migration Partnership Facility (MPF)**

###### Implementing entity

The International Centre for Migration Policy Development (ICMPD) is a specialised international organisation with sound experience in implementing regional migration dialogues with third countries and in managing funding and programmes linked to migration management. ICMPD successfully passed the Commission's ex-ante "pillar assessment" on its level of capacity of financial management and protection of financial interests and has been selected as the entity entrusted to implement this action in indirect management based on its competence and successful implementation of the predecessors to the is action (Migration Partnership Facility I, II and III). Furthermore, ICMPD has established a strong network with Member States and partner countries relevant for migration engagement and has project-based offices in several partner countries.

###### Description

The Migration Partnership Facility (MPF) supports, in line with the proposed New Pact on Migration and Asylum, the external dimension of the EU's migration policy with flexible support to Member States and partner countries with a particular focus on priority regions including the Neighbourhood, Eastern Partnership, EU candidate countries and potential candidates, Africa and Asia.

The MPF will continue offering tailor-made support for policy dialogue and operational cooperation with third countries. Examples of activities include: activities seeking to improve partner countries' policy and legal frameworks for migration and mobility; strengthened information, outreach and protection of migrants; review and development of legislation, policy documents/strategies, action plans, policy tools and instruments, standard operating procedures linked to migration management; capacity-building of partner country authorities in legal migration management (including migration monitoring); capacity-building of partner country authorities to reintegrate migrants with no right to stay in the EU; practices and policies on migrants' contributions to national development; partner countries' policy and legal frameworks as well as capacity-building on asylum policy and protection in line with international standards; support to migration dialogues and relevant needs identified in the dialogues with relevant partner countries.

The MPF will also support the implementation of Talent Partnerships with partner countries in order to attract talented students, researchers and workers to the EU and promote the circulation of talent between the EU and targeted third countries. The Partnerships could combine direct support for mobility schemes and training with capacity building in areas such as labour market or skills intelligence, vocational education and training, integration of returning migrants, and diaspora mobilisation.

Projects supported through the Migration Partnership Facility will be implemented preferably

via call(s) for proposals, open to public authorities or agencies of Member States as lead applicants. Public authorities of priority partner countries, international organisations or non-governmental organisations working on a non-profit basis established in the EU or in the priority partner countries will be able to apply as co-applicants (future co-beneficiaries).

The overall strategic guidance, leadership and oversight for the implementation of the MPF is carried out by the MPF Steering Committee (SC). The SC consists of representatives of the European Commission (including DG HOME, the Directorate-General for Neighbourhood and Enlargement Negotiations - DG NEAR - and the Directorate-General for International Partnerships - DG INTPA, and the European External Action Service - EEAS). The SC is chaired by DG HOME, while ICMPD acts as secretariat and provides technical support/assistance for its functioning.

Actions eligible for funding by the Facility shall be in line with the objectives of the AMIF, the ISF and the BMVI, and each Fund will support actions falling within its remit.

#### **4.2. Support for capacity building and cooperation in the area of border management, including with third countries**

##### **Implementing entity**

International organisations and entities assimilated with international organisations in accordance with Article 156 Financial Regulation. This concerns entities which have been subject to an ex ante assessment pursuant to Article 154 of the Financial Regulation, including those that are signatories of a framework partnership agreement in force concluded with the Commission pursuant to Council Regulation (EU) 2016/369<sup>15</sup>, or those that are covered by the Financial and Administrative Framework Agreement concluded with the United Nations.

Such organisations will have to demonstrate specific technical competence and experience appropriate for the action.

##### **Description of the activities to be funded**

The action would support capacity building and cooperation in the area of border management, including in third countries. The action will be implemented taking into account the political priorities set out in the conclusions adopted by the European Council at its meeting on 24-25 June 2021.

#### **4.3. Emergency assistance**

##### **Implementing entity**

International organisations and non-profit organisations assimilated with international organisations in accordance with Article 156 Financial Regulation, which submit an applica-

<sup>15</sup> Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union (OJ L 70, 16.3.2016, p. 1).

tion for which the action is awarded. This concerns entities which have been subject to an ex ante assessment pursuant to Article 154 Financial Regulation, including those that are signatories of a framework partnership agreement in force concluded with the Commission pursuant to Regulation (EU) 2016/369, or those that are covered by the Financial and Administrative Framework Agreement concluded with the United Nations.

Such organisations will have to demonstrate specific technical competence and experience appropriate for the action.

#### Description of the activities to be funded

The description of the activities to be funded, and the selection and award criteria, are as for emergency assistance grants.

#### Co-financing rate and other information

The maximum possible rate of co-financing of the eligible costs is as for emergency assistance grants, i.e. 100%.

Actions implemented under this section will be provided in the form of contribution agreements following a proposal for action, including a request for funding, submitted to the Commission by one of the eligible entities. If the Commission were not in a position to sign a contribution agreement, a grant may be awarded in accordance with Title VIII of the Financial Regulation (notably Article 195).

### **5. *Actions implemented under shared management***

Pursuant to Article 15 of Regulation (EU) 2021/1148, Member States may receive funding for specific actions in addition to their allocation through the national programmes.

The overall budgetary allocation reserved for specific actions in the years 2021 and 2022 (plus reserved attributions related to 2023 and 2024) is EUR 464 540 735.25.

#### Type of applicants targeted by the specific actions

All Member States participating in the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy.

#### Description of the activities to be funded by the specific actions

The specific actions will fund transnational or national projects that bring Union added value in accordance with the objectives of the Fund.

They will contribute to the implementation of the objectives of the Integrated Border Management Fund and focus on specific topics including:

- Innovation for border surveillance, facilitation/automation of border crossings and border control processes, and for support to Member States Integrated Border Management strategies. This can include testing, validation, further piloting and/or

deployment of new technologies or methods;

- Technical equipment for EBCG national components, i.e. Member States authorities responsible for border management, to be put at Frontex's disposal, in accordance with Article 64(14) EBCG Regulation no. (EU) 2019/1896;
- Support for establishment of shared technical copies of the Schengen Information System (SIS) by Member States and biometrics;
- Support to comply with the implementation of interoperability relevant legal framework;
- Visa policy – consular cooperation and trainings.

Funding allocated for specific actions shall not be used for other actions in the Member State's programme, except in duly justified circumstances and as approved by the Commission through the amendment of the Member State's programme.

Complementarities with similar actions funded under the national programmes shall also be specified so to avoid duplications.

#### Implementation

The actions will be implemented by one or more Member States participating in the Integrated Border Management Fund via funding received in addition to the allocation under the Member States' programmes, in line with Article 15 of Regulation (EU) 2021/1148.

### **6. Other Actions and Expenditures**

#### **6.1. Joint Research Centre's administrative arrangement for a study on quality standards for Visa Information System facial images**

Indicative amount

EUR 200 000

Description

Through an Administrative Arrangement, the Joint Research Centre (JRC) is expected to draft a report on quality standards for Visa Information System facial images.