



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

The Director-General

Brussels
HOME.E.1/MGM

Decision of the Director-General for Migration and Home affairs on a non-substantial amendment to Commission Implementing Decision C(2022) 8993 final 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 for the years 2023, 2024 and 2025

Whereas:

- 1) On 12 December 2022, 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 for the years 2023, 2024 and 2025 was adopted (hereafter ‘Decision C(2022) 8993 final’).
- 2) On 3 May 2023, Decision C(2022) 8993 final was amended by a Decision of the Director-General for Migration and Home Affairs ⁽¹⁾. Pursuant to the flexibility clause laid down in Article 5 in Decision C(2022) 8993 final, the maximum Union contribution for the implementation of the work programme was increased to EUR 1 042 030 327, of which EUR 80 500 000 for grants, EUR 24 720 000 for procurement, EUR 4 000 000 for indirect management, EUR 932 310 237 for shared management and EUR 500 000 for other actions and expenditure.
- 3) Article 7(6) of Regulation (EU) 2021/1148 of the European Parliament and of the Council (hereafter, the ‘BMVI Regulation’)⁽²⁾ provides that arrangements should be made to specify the nature and mode of participation of countries associated with the implementation, application and development of the Schengen *acquis*, in accordance with the relevant provisions of their respective association agreements (hereafter, the ‘Schengen associated countries’). Such arrangements take the form of supplementary agreements that are currently undergoing the respective procedures necessary for their entry into force.
- 4) The Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the instrument for financial support for border management and visa policy, as part of the Integrated Border

⁽¹⁾ Ares(2023)3099296.

⁽²⁾ Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 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.

Management Fund (hereafter, the ‘supplementary agreement with Liechtenstein’) ⁽³⁾ was signed on 28 November 2023 and is being applied on a provisional basis as from the day following its signature.

- 5) Article 3 of the supplementary agreement with Liechtenstein sets out that the allocation to which Liechtenstein is entitled, pursuant to Article 7(3) of the BMVI Regulation, shall be made available as Union actions under the Thematic Facility to be implemented in direct management. The Thematic Facility work programme for the years 2023, 2024 and 2025 therefore includes the Union action “Direct award - Support to Liechtenstein under Regulation (EU) 2021/1148”.
- 6) Given that the supplementary agreement with Liechtenstein is already being applied on a provisional basis, it is now considered appropriate to carry out the preparatory activities so that that Union action can be implemented as soon as possible. For that purpose, its allocation should be set out by transferring the corresponding amount from the envelope for the Member States’ programmes under budget line 11 02 01. This corresponds to EUR 7 464 410 for the years 2023, 2024 and 2025: an amount of EUR 535 590 will be earmarked for the Union action - Support to Liechtenstein under Regulation (EU) 2021/1148 in the Thematic Facility work programme for the years 2026 and 2027.
- 7) With regard to the other Schengen associated countries, the Council has already authorised the signing on behalf of the Union of the supplementary agreements with Iceland ⁽⁴⁾, the Kingdom of Norway ⁽⁵⁾ and the Swiss Confederation ⁽⁶⁾ and they will be applied after their entry into force. Therefore, it is also considered appropriate to transfer the amount of EUR 25 000 000 that is currently reserved for the other Schengen associated countries, pursuant to Article 7(3) of the BMVI Regulation, in the envelope for the Member States’ programmes under budget line 11 02 01 as part of the 2023 annual appropriations. The transfer of this amount to the envelope for the Thematic Facility, and specifically to the specific actions implemented under shared management, will be compensated with an equal and corresponding transfer to the envelope for the Member States’ programmes in subsequent years, both

(3) Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027 (not yet published in the Official Journal).

(4) Council Decision (EU) 2023/2191 of 28 September 2023 on the signing, on behalf of the Union, of the Agreement between the European Union and Iceland on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027, OJ L, 2023/2191, 13.10.2023, ELI: <http://data.europa.eu/eli/dec/2023/2191/oj>

(5) Council Decision (EU) 2023/2221 of 28 September 2023 on the signing, on behalf of the Union, of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027, OJ L, 2023/2221, 19.10.2023, ELI: <http://data.europa.eu/eli/dec/2023/2221/oj>

(6) Council Decision (EU) 2023/2111 of 28 September 2023 on the signing, on behalf of the Union, of the Agreement between the European Union and the Swiss Confederation on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027, OJ L, 2023/2111, 6.10.2023, <http://data.europa.eu/eli/dec/2023/2111/oj>

under the work programme for the years 2023, 2024 and 2025 and under the work programme for the years 2026 and 2027 so that the allocation that is currently reserved for the Schengen associated countries is not changed.

- 8) These transfers increase the maximum Union contribution for the implementation of the work programme in the years 2023, 2024 and 2025, bringing it to EUR 1 064 958 901, of which EUR 87 964 410 for grants, EUR 24 720 000 for procurement, EUR 4 000 000 for indirect management, EUR 947 774 491 for shared management, and EUR 500 000 for other actions and expenditure.
- 9) Decision C(2022) 8993 final should be amended accordingly.
- 10) Article 5 of Decision C(2022) 8993 final provides that “Cumulated changes to the allocations to actions not exceeding 10% of the maximum Union contribution set in the first paragraph of Article 3 of this Decision shall not be considered to be substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ⁽⁷⁾, 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.”
- 11) The proposed cumulated changes to the allocations to actions do not exceed 10% of the initial maximum Union contribution and the increase of the initial maximum Union contribution does not exceed 20% either. These changes, not significantly affecting the nature of those actions and the objective of the work programme, are considered non-substantial.

I HEREBY DECIDE THE FOLLOWING:

Article 1

Decision C(2022) 8993 final is amended as follows:

- (1) Article 3 is replaced by the following:

Article 3
Union contribution

The maximum Union contribution for the implementation of the work programme for the years 2023, 2024 and 2025 referred to in Article 2 is set at EUR 1 064 958 901 and shall

⁽⁷⁾ 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), as amended by Regulation (EU, Euratom) 2022/2434 of the European Parliament and of the Council of 6 December 2022 (OJ L 319, 13.12.2022, p. 1).

be financed from the appropriations entered in the line 11 02 01 of the general budget of the Union, as follows:

- (a) EUR 384 296 902 for 2023;
- (b) EUR 313 342 190 for 2024;
- (c) EUR 367 319 809 for 2025.

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 the years 2024 and 2025 following the adoption of that budget by the budget authority.

- (2) The annex to Decision C(2022) 8993 final is replaced by the text in annex to this Decision.

Monique PARIAT
(e-signed)



Brussels, XXX
[...] (2023) XXX draft

ANNEX

ANNEX

to the

Decision

amending Commission Implementing Decision C(2022)8993 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 for the years 2023, 2024 and 2025

ANNEX

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 for 2023, 2024 and 2025

(referred to in Article 2)

1. INTRODUCTION

On the basis of the objectives given in the Regulation (EU) No 2021/1148 of the European Parliament and of the Council¹, this work programme contains the actions to be financed and the budget breakdown for 2023, 2024 and 2025 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 situation² is described in points 2.6 and 4.2.

Legal basis

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 (hereafter the ‘BMVI Regulation’)

All Member States, with the exception of Ireland and Schengen associated countries³, are participating in the Instrument for Financial Support for Border Management and Visa Policy (BMVI): 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*.

Consistency, complementarity and synergies will also be maintained with other relevant EU funds and programmes, including for instance with relevant actions of the Justice programme,

¹ Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 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).

² Article 25 of Regulation (EU) No 2021/1148

³ Iceland, Kingdom of Norway, Confederation of Switzerland, Principality of Liechtenstein.

Horizon 2020, Horizon Europe, the Asylum, Migration and Integration Fund (AMIF) or the Internal Security Fund (ISF). Moreover, in accordance with Articles 5(3) and 20 of the BMVI Regulation, actions in and in relation with third countries will be carried out in synergy and full coherence with the principles and general objectives of the Union's external action, its foreign policy and its international cooperation policy and their actions outside the Union supported from Union funds.

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

- 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

Implementation arrangements	Budget line 11 02 01 (EUR)
Grants*	87 964 410
Procurement	24 720 000
Indirect management*	4 000 000
Shared management*	947 774 491
Other actions and expenditure	500 000
TOTAL	1 064 958 901
<i>* Potential emergency assistance is included under grants, indirect, and shared management.</i>	

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 BMVI 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 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 BMVI, 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 of Regulation (EU) 2020/852 of the European Parliament and of the Council⁴.

⁴ 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).

2. GRANTS

The global budgetary envelope reserved for grants under this work programme is EUR 87 964 410.

2.1. Direct award - Pilot projects for Digitalisation of travel documents travel facilitation, and residence permits

Type of applicants targeted by the direct award

Applicants will be public authorities.

Description of the activities to be funded by the grant awarded without a call for proposals on the basis of Article 195 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council⁵ (hereafter the ‘Financial Regulation’)

This action includes two components:

1. a pilot project for digitalisation of travel documents and travel facilitation, and
2. a pilot project digitalisation of residence permits, as by 2024 they may be included in the Visa Information System.

These real-life situation pilot projects will deliver proof of concept on digitalisation of travel documents and travel facilitations that could be replicated on an EU wide scale.

Member States will be invited to carry out pilot projects on issuing and verifying digital travel 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, technological capabilities and processes and should inform the legislative process on digitalising travel documents.

Implementation

The action will be implemented directly by Directorate-General for Migration and Home Affairs (DG HOME).

2.2. Direct award – support to Liechtenstein under the BMVI Regulation

Type of applicants targeted

Applicants will be public authorities that are responsible for the implementation of the Schengen *acquis* on borders and visa such as the National Police and the Migration and Passport Office as well as departments responsible for EU IT systems relevant for Schengen

⁵ 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), as amended by Regulation (EU, Euratom) 2022/2434 of the European Parliament and of the Council of 6 December 2022 (OJ L 319, 13.12.2022, p. 1).

such as the Office for Information Technology.

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

Article 7(6) of the BMVI Regulation provides that arrangements should be made to specify the nature and modes of the participation in the Instrument of countries associated with the implementation, application and development of the Schengen *acquis*, in accordance with the relevant provisions of the respective association agreements.

On 21 February 2022, the Council authorised the Commission to open negotiations⁶ with Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein for the agreements on the financial contributions of the associated countries and the supplementary rules necessary for their participation. The negotiations with all the associated countries were successfully concluded by the initialling of the respective supplementary agreements⁷. On 28 November 2023, the supplementary agreements with the Principality of Liechtenstein⁸ and the Confederation of Switzerland⁹ were signed. In order to enter into force, all four supplementary agreements still need to obtain the consent of the European Parliament, following which the Council needs to adopt a decision concluding the agreements. However, in contrast to the supplementary agreements with Iceland, the Kingdom of Norway and the Swiss Confederation, which will be applied only after their entry into force, the supplementary agreement with the Principality of Liechtenstein is applied on a provisional basis as from the day following its signature, pending the completion of the procedures necessary for its entry into force.

In light of the specific situation of the external border of the Principality of Liechtenstein, the size of its allocation and the administrative burden of implementing a programme under the Common Provisions Regulation, it is more appropriate to envisage support for actions to ensure compliance with the Schengen *acquis* through grants for the period 2021-2027.

⁶ Council decision (EU) 2022/442 of 21 February 2022 authorising the opening of negotiations with Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein with a view to concluding agreements between the European Union and those countries on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund (OJ L 90, 18.3.2022, p.116).

⁷ On 14 February 2023, the initialling of the agreements with Iceland, Kingdom of Norway and the Swiss Confederation took place. On 16 June 2023, the initialling of the agreement with the Principality of Liechtenstein was done.

⁸ The text of the Agreement between the European Union and the Swiss Confederation on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027 is annexed to the Council Decision (EU) on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027 (not yet published in the Official Journal).

⁹ The text of the Agreement between the European Union and the Swiss Confederation on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027 will be published together with the decision on its conclusion.

Since the agreement between the European Union and the Principality of Liechtenstein is provisionally applied since 29 November 2023, the Principality of Liechtenstein will be soon invited to present applications for grants.

Description of the activities to be funded under the direct award

The list of activities may include:

- Participation in the European Border and Coast Guard standing Corps
- Purchase of border control infrastructure and equipment, e.g. mobile fingerprint scanners/devices
- Support for development, upgrade, maintenance and operating costs of EU large-scale IT systems for border management
- Interoperability of EU information systems
- Implementation of recommendations from the “Schengen Evaluation”

Implementation

The action will be implemented directly by DG HOME.

2.3. Calls for proposals to support the further development of national quality assurance mechanisms

Type of applicants targeted by the call for proposals

Legal entities such as:

- public bodies
- non-profit making private entities
- profit making private entities (including non-public implementing agencies, industrial or service/consultant companies)
- international organisations

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

Geographical conditions:

- Legal entities established in a Member State participating in the BMVI established by the BMVI Regulation (all Member States except Ireland) or an overseas country or territory linked to it¹⁰ can participate in this call for proposals.
- Legal entities established in third countries associated to the BMVI can participate in this call for proposals.
- International organisations may be established outside the Member States participating in the BMVI.
- Legal entities (other than international organisations) set out in third countries can

¹⁰ An “overseas country or territory linked to a participating Member State” is understood pursuant to Article 355 of the Treaty on the Functioning of the European Union (TFEU).

participate in this call for proposals under the conditions established in Article 20(3) of the BMVI Regulation.

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 under the calls for proposals

This action offers the possibility for the development of new quality assurance mechanisms, and/or for the further development of national quality assurance mechanisms, with the aim to ensure the implementation of Schengen *acquis*, in particular in the area of external border management.

Implementation

The action will be implemented directly by DG HOME.

2.4. Calls for proposal -Projects on innovative solutions ensuring the well-functioning of the Schengen area

Type of applicants targeted

Legal entities:

- national authorities carrying out technical and operational measures within the Schengen area which are related to border control

Description of the activities to be funded

Actions supporting the use of measures alternative to standard controls at the internal borders.

These actions can cover costs related to: mobile and stationary equipment, trainings, procurement, IT solutions and modern technologies.

Implementation

The action will be implemented directly by DG HOME.

2.5. Direct awards to support the European Network of Immigration Liaison Officers according to Regulation (EU) 2019/1240 of the European Parliament and of the Council¹¹

Type of applicants targeted by the direct award

¹¹ 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).

The direct awards will be awarded to legal persons formally designated by the Steering Board of the Immigration Liaison Officers, and in line with Article 195(f) of the Financial Regulation.

These legal persons will be public bodies or agencies of the Member States participating in the BMVI. 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.

Description of the activities to be funded by the grant awarded without a call for proposals on the basis of Article 195 of the 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 (Article 3 of Regulation (EU) 2019/1240).

Support should aim at facilitating the following main clusters of actions identified in the Biennial Work Programme 2021-2022, which have been established by the Steering Board of the European Network of Immigration Liaison Officers according to Article 8(2), point (a), of Regulation (EU) 2019/1240:

1. gathering, sharing and analysing information for use either at strategic or operational level;
2. targeted provision of capacity-building activities to authorities and other stakeholders in third countries;
3. rendering assistance to authorities of Member States in implementing EU migration and visa policy.

Implementation

The action will be implemented directly by DG HOME.

2.6. Emergency assistance¹²

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), of the 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

¹² Article 25 of the BMVI Regulation.

national programme, and the Commission so decides, the budget will be implemented in shared management.

N.B. For international organisations and organisations assimilated to international organisations in accordance with Article 156 of the 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, as required by and under conditions of Article 25 of the BMVI Regulation.

'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.¹³

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.

Implementation

The action will be implemented directly by DG HOME.

Selection and award criteria

Selection criteria

In accordance with Article 198 of the 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) of the 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 of the Financial Regulation, proposals for an action will be evaluated on the basis of a duly justified emergency situation and the relevance of the proposal with regard to the objectives and the expected impact of the proposed activities on

¹³ Article 2(7) of the BMVI Regulation.

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 2023, 2024 and 2025 is EUR 24 720 000.

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:

In 2023, 2024 and 2025, the Commission intends to undertake actions through contracts following public procurement (calls for tender, as well as specific contracts under existing framework contracts, with the possibility to launch calls for the award of new framework contracts)

These procurement activities will cover the following activities:

- Support to the European Network of Immigration Liaison Officers (ILO), including support to the ILO secretariat and organisation of meetings;
- Actions supporting the Schengen Evaluation and monitoring mechanism, including administrative expenditures and related activities (training, monitoring, synergies, etc.);
- Communication campaigns and actions, including on the European Travel and Information Authorisation System (ETIAS), on the Entry/Exit system, on the Schengen Information System (SIS), on the Visa Information System (VIS) and 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);
- Studies, evaluations (including on SIS Recast, EES, ETIAS) and other actions (including impact assessment, meetings, pilot projects, conferences, fora, etc.);
- Eurobarometer on Schengen Governance, including surveys and follow-up communication actions, Schengen Forum.

These activities will aim at monitoring the proper implementation of existing legislation or preparing, or accompanying new legislation, or responding to policy changes in the area covered by the BMVI, in particular in the area of ‘Studies, communication campaigns, procurement and Schengen *acquis*’.

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 Directorate-General Statistical Authority of the European Union, to the Publications Office, to Directorate-General for Communication, Directorate-General for Financial Stability, Financial Services and Capital Markets Union, Office for the Administration and Payment of Individual Entitlements and Directorate-General for Human Resources and Security.

4. ACTIONS IMPLEMENTED IN INDIRECT MANAGEMENT

The overall budgetary allocation reserved for indirect management actions in the years 2023, 2024 and 2025 is EUR 4 000 000.

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" (assessment in accordance with Article 154 of the Financial Regulation) 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 this 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 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 continue to support the implementation of Talent Partnerships with priority 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 bodies of Member States, Member State-based organisations, and in some cases international organisations as lead applicants. Public authorities of priority partner countries, public bodies of the same or other Member States, 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. Emergency assistance¹⁴

Implementing entity

International organisations and non-profit organisations assimilated with international organisations in accordance with Article 156 of the Financial Regulation, which submit an application for which the action is awarded. 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) 2016/369¹⁵, 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 and relevant 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 (see point 2.6 above).

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).

¹⁴ Article 25 of the BMVI Regulation.

¹⁵ Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union (OJ L 070 16.3.2016, p. 1).

5. ACTIONS IMPLEMENTED UNDER SHARED MANAGEMENT

Pursuant to Article 15 of the BMVI Regulation, Member States may receive funding for specific actions¹⁶ in addition to their allocation through the national programmes and provided the conditions set out in this Article are fulfilled.

In line with Article 17(5) of the BMVI Regulation, upon the reasoned request of Lithuania, the resources allocated for the Special Transit Scheme can be reviewed, and, where necessary adjusted, within the limits of the thematic facility budgetary resources.

The overall budgetary allocation reserved for specific actions in the years 2023, 2024 and 2025 is EUR 947 774 491.

Type of applicants targeted by the specific actions

All Member States participating in the BMVI.

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 BMVI and may in particular focus on specific topics including:

- technical equipment for European Border and Coast Guard national components, i.e. Member States authorities responsible for border management, to be put at Frontex's disposal, in accordance with Article 64(14) of Regulation (EU) 2019/1896¹⁷;
- actions to support Member States implementing IT systems and interoperability, such as common data sets for biometrics, Sirene automation process, integrated solutions for transit facilitation/automation of border crossing, interoperability architecture, use of artificial intelligence, etc.;
- actions to support Member States to deal with high migratory pressure at the EU external borders, aiming at reinforcing border control capabilities;
- actions to support Lithuania in the implementation of the Special Transit Scheme, in application of Article 17(5) of the BMVI Regulation;
- actions to support Member States in consular cooperation, visa policy and training;
- actions to contribute to the well-functioning of the Schengen area, e.g. to promote new technologies on border checks and surveillance, taking up the results of research;
- Support Member States to fulfil their obligations related to the Screening procedure, etc.

Funding allocated to specific actions should not be used for other actions in the Member State's programme, except in duly justified circumstances and as approved by the

¹⁶ As per Article 2(8) of the BMVI Regulation: 'Specific actions' means transnational or national projects that bring Union added value in accordance with the objectives of the Instrument for which one, several or all Member States may receive an additional allocation to their programmes.

¹⁷ 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).

Commission through the amendment of the Member State's programme.

To ensure complementarity and synergies, the calls for expression of interest will outline the Union added value of specific actions and their expected results, bearing in mind actions in the policy areas concerned that are funded under the Member States programmes.

Implementation

The actions will be implemented by one or more Member States participating in the BMVI via funding received in addition to the allocation under the Member States' programmes, in line with Article 15 of the BMVI Regulation.

6. OTHER ACTIONS AND EXPENDITURES

6.1. Administrative Agreement with JRC on “Development of a verification App for Visible Digital Seal (VDS) and the Digital Travel Credential (DTC)”

Indicative amount

EUR 500 000

Description

The European Commission Joint Research Centre (JRC) has already developed an application for the verification of the Visible Digital Seal on the visa sticker.

Under this new Administrative Agreement, the JRC will be asked to develop an additional iOS App and an App for live implementation of the Visible Digital Seal and for the Digital Travel Credential. Member States would benefit from this harmonized App.