

2. GENERAL PRINCIPLES

Specific actions are implemented by Member States participating in the Instrument via funding received in addition to the allocation under their BMVI programmes.

Funding for specific actions is added to the Member States' programme allocations at the time of the approval of the initial programme or by means of a programme amendment. That additional funding is earmarked for the specific action concerned and shall not be used for other actions in the Member States' programme, except in duly justified circumstances and as approved by the Commission through the amendment of the programme.

Whereas the regular EU co-financing rate under the Member States' programmes will not exceed 75% of total eligible expenditure, projects implemented under specific actions may benefit from an increased co-financing rate of up to 90% of total eligible expenditure.

Specific actions must be implemented by the Member States in accordance with the BMVI Regulation and the Common Provisions Regulation (EU) 2021/1060 (CPR)⁽³⁾. This includes compliance with fundamental rights.

Your attention is drawn, in particular, to the following provision of the CPR. As regards the value added tax ("VAT") eligibility regime, Article 64(1)(c) of the CPR provides that VAT is not eligible, except:

- (i) "for operations the total cost of which is below EUR 5 000 000 (including VAT);
- (ii) for operations the total cost of which is at least EUR 5 000 000 (including VAT) where it is non-recoverable under national VAT legislation".

3. SPECIFIC ACTION "SUPPORT TO MEMBER STATES FOR SMART BORDERS"

3.1. Indicative budget available

The indicative amount envisaged for this Specific Action (BMVI/2024/SA/1.5.1) is **EUR 64 million**.

The amount to be allocated to each Member State is indicated in Annex 1.

3.2. Legal and policy background

The EU has been developing an architecture of interoperable large-scale IT systems, which aims among other things to modernise and digitalise the EU external borders, enhance security and facilitate travel into the EU.

⁽³⁾ Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy.

The IT systems relevant for this specific action are the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS) and the Schengen Information System (SIS).

The financial costs associated with these systems are carried both by the EU and by the Member States. The EU provided dedicated funding under the so called “top-ups” added to the Member States’ national programmes of the 2014-2020 period financed from the Instrument for financial support for the management of external borders and the common visa policy. Projects financed from these top-ups were financed at 100 % by the EU budget, subject to strict eligibility conditions. A specific action launched under the Thematic Facility 2021-2022 work programme provides support to Member States to comply with the implementation of the relevant interoperability legal framework. Due to delays in the delivery of the EES and the ETIAS, the Justice and Home Affairs Council of 19-20 October 2023 endorsed a revised timeline for the roll-out of the interoperable IT systems. These delays created additional costs and disrupted the financial project planning at the level of the Member States.

To address this situation, the Commission is launching a specific action which aims to provide support for the remaining financial needs in the development of these IT systems at the national level and focus on the following:

- With the **EES** entering the final development and testing stage, Member States are called to deploy the efforts still required for the timely execution of the preparations at the national level. This may include adaptations to their national IT systems as well as preparation of the border crossing points, including purchase of material and equipment that will be used for the EES.
- As regards the **ETIAS**, Member States should finalise the preparations of the ETIAS national unit as well as adaptations to their national IT systems that will be used in relation to the processing of the ETIAS applications.
- As regards the **SIS**, once ETIAS enters into operation the data in applications for travel authorisations will be compared with data in the SIS so that authorisations are refused in case of applicants posing a security threat, illegal immigration or high epidemic risk. For that purpose, a new SIRENE form will have to be developed and implemented in the SIRENE Bureaux’ Case management systems prior to the entry into operation of ETIAS, and national procedures, handbooks and training for the SIRENE Bureaux and the national competent authorities will have to be updated accordingly.

Legal bases:

- Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (**EES**) ⁽⁴⁾.

⁽⁴⁾ Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20).

- Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (**ETIAS**) ⁽⁵⁾.
- Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for **interoperability** between EU information systems in the field of **borders and visa** ⁽⁶⁾.
- Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for **interoperability** between EU information systems in the field of **police and judicial cooperation, asylum and migration** ⁽⁷⁾.
- Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (**SIS**) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU ⁽⁸⁾.
- Regulation (EU) 2021/1150 of the European Parliament and of the Council of 7 July 2021 amending Regulations (EU) 2018/1862 and (EU) 2019/818 as regards the establishment of the **conditions for accessing other EU information systems for the purposes of the European Travel Information and Authorisation System** ⁽⁹⁾.
- Regulation (EU) 2021/1152 of the European Parliament and of the Council of 7 July 2021 amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1860, (EU) 2018/1861 and (EU) 2019/817 as regards the establishment of the **conditions for accessing other EU information systems for**

⁽⁵⁾ Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1).

⁽⁶⁾ Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA (OJ L 135, 22.5.2019, p. 27).

⁽⁷⁾ Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/816 (OJ L 135, 22.5.2019, p. 85).

⁽⁸⁾ Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU (OJ L 312, 7.12.2018, p. 56 - 106).

⁽⁹⁾ Regulation (EU) 2021/1150 of the European Parliament and of the Council of 7 July 2021 amending Regulations (EU) 2018/1862 and (EU) 2019/818 as regards the establishment of the conditions for accessing other EU information systems for the purposes of the European Travel Information and Authorisation System (OJ L 249, 14.7.2021, p. 1–6).

the purposes of the European Travel Information and Authorisation System ⁽¹⁰⁾.

3.3. Scope and purpose of the specific action

The objective of this specific action is to support Member States' preparations at the national level for the entry into operation of EES and ETIAS and for the necessary changes to the SIRENE Bureaux Case management systems related to the implementation and operation of ETIAS.

It targets in particular:

Lot 1: EES/ETIAS

- Adaptations to the Member States' national systems connected to, or used in relation with, the EES and the ETIAS.
- Procurement of material and equipment used for the operation of the EES and the ETIAS, including hardware used by the EES at the border crossing points.
- Adaptations to the Member States' infrastructure or premises related to the operation of the EES and the ETIAS. This includes, among others, EES related adaptations at border crossing points or establishment of the ETIAS National Unit office.
- Services related to the operation of the EES and the ETIAS (for example, information campaigns, project management, consulting services, trainings etc.).

Lot 2: SIS

- The development and implementation of national processes and IT solutions to update the SIRENE Case management systems in order to enable the receiving and processing of SIRENE 'hit notification' forms.
- The development and implementation of national procedures, handbooks and training for the SIRENE Bureaux and the national competent authorities on the follow-up to SIS hits related to the ETIAS travel applications.

Flexibility option

- For Lot 2, the allocation is EUR 500 000 per Member State.
- On the condition that Member States declare that they will allocate funding to meet the requirements of Lot 2 from other sources (i.e. their national budget or from other actions under their BMVI programme), they may use the entire amount (EUR 500 000) earmarked for Lot 2 to finance activities under Lot 1.
- If a Member State wishes to use the above flexibility option, it should provide written confirmation in the Application form that activities under Lot 2 will be fully

⁽¹⁰⁾ Regulation (EU) 2021/1152 of the European Parliament and of the Council of 7 July 2021 amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1860, (EU) 2018/1861 and (EU) 2019/817 as regards the establishment of the conditions for accessing other EU information systems for the purposes of the European Travel Information and Authorisation System (OJ L 249, 14.7.2021, p. 15–37).

carried out and that the costs will be covered by the Member State's national budget or other actions financed from its BMVI programme.

3.4. Expected results

This Specific Action should improve the overall preparedness of the Member States for the start of operations of the new EU IT systems, thereby contributing to improve the overall experience of travellers, especially at the start of operations of the EES, where queues at the border crossing points are one of the main risks associated with it.

The Specific Action could also enhance the spread of technologies enabling automated crossing of borders by travellers, which would overall modernise the EU borders.

- For Lot 1, the expected outcome is that Member States have covered all necessary preparations of their national systems and infrastructure to be able to “work with the EES and the ETIAS”. This may include, for example, adjusting their national border systems or developing virtual self-service systems.

Another expected outcome for Lot 1 is to contribute to having all equipment at the national level available, which is necessary for the operation of the EES and the ETIAS. This includes for example the border crossing point equipment, such as passport readers, cameras for capturing facial images and fingerprint readers. Where Member States already have all such required equipment, they may use the funds for additional projects and equipment which further facilitates the operation of the EES and the ETIAS. Such additional equipment may include for example e-gates, kiosks and other forms of self-service system for capturing EES data.

- For Lot 2 the expected outcome is the update of the SIRENE Case management systems to enable the receiving and processing of SIRENE ‘hit notification’ forms. Other outcomes might include handbooks and training materials for the SIRENE bureaux and the national competent authorities on the follow-up to SIS hits related to ETIAS travel applications.

4. PROCEDURE FOR APPLICATION

4.1. Admissibility and assessment aspects

All Member States participating in the BMVI may submit an application.

As regards the Schengen Associated Countries:

- Iceland, Norway and Switzerland may submit an application and will receive additional funding once the legal arrangements for their participation in the BMVI are in place.
- Liechtenstein may indicate its interest in participating in this specific action but is not required to submit an application because its participation will be ensured through a grant agreement ⁽¹⁾.

⁽¹⁾ Selected specific actions are to be implemented under direct management according to Article 3, scope of participation, of the Agreement between the European Union and the Principality of Liechtenstein on

In the simplified application form for this specific action, each Member State will

1. confirm that it intends to participate in the specific action and that it will use the allocated amount for the specific action's intended purpose, and
2. indicate the scope and the nature of the activities that it will implement under the specific action and how they will complement funding made available under the programme financed from the Instrument for financial support for the management of external borders and the common visa policy (ISF-BV) in the previous programming period (2014-2020), as well as funding made available under the BMVI programme – including the specific actions - in the 2021-2027 programming period.

DG HOME will assess the applications submitted by the Member States. To be considered admissible an application must

1. be submitted within the deadline (see below) to the BMVI specific actions functional mailbox HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu
2. consist of the official BMVI/2024/SA/1.5.1 Application Form attached to this note together with the Annex on the Budget form and be readable and complete (all fields necessary for the assessment are filled in)
3. be submitted by the Managing Authority on behalf of the entity in the Member State that will be responsible for the implementation of the specific action
4. identify a project beneficiary (an entity) that will be responsible for the implementation of the specific action in the Member State.

DG HOME will allocate an amount to each admissible application that is assessed as falling within the purpose and the scope of the specific action. The amount allocated per Member State is indicated in Annex 1.

4.2. Application procedure

Deadline for the application: Member States are invited to submit their applications **by 31 May 2024** at the latest, using the official BMVI/2024/SA/1.5.1 Application Form attached to this note. Applications can be submitted in any official EU language (the abstract/summary should however always be in English). For reasons of efficiency, it is strongly advised to use English for the entire application.

In order to ensure equal and fair treatment of the applications and allow the Commission to allocate at the same date all the available funding, DG HOME will assess all applications simultaneously. Therefore, applications submitted after the deadline will not be admissible.

The Members of the Committee for the Home Affairs Funds will be informed at the latest 10 working days before the deadline for the submission of the application in case the deadline for the submission is extended.

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 (http://data.europa.eu/eli/agree_internation/2024/200/oj).

E-mail address for the application: The applications should be submitted to the BMVI specific actions functional mailbox HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu. Member States may submit additional documentation if necessary.

No modification to the application is allowed once the deadline for submission has elapsed. However, if there is a need to clarify certain aspects or to correct clerical mistakes, the Commission may contact the applicant Member State during the evaluation process. A reply should be provided by the Member State within 3 working days from the request date.

Any requests for clarification of the Member States on this invitation to submit an application can be sent by 15 May 2024 at the latest, to the same BMVI specific actions functional mailbox HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu.

In order to respect the equal treatment and transparency, the replies to the written requests for clarification received will be sent to all Member States, via the functional mailbox HOME-AFFAIRS-FUNDS-COMMITTEE@ec.europa.eu.

DG HOME will inform Member States of the outcome of this invitation to submit an application by July 2024.

AMENDMENT OF THE BMVI PROGRAMMES AND ELIGIBILITY OF EXPENDITURE

After having been informed that their application has been selected under this specific action, Member States shall submit to the Commission a request to amend their BMVI programme via SFC ⁽¹²⁾. The amended programme should include a short description of the specific action, adjust the output and result indicators and include the costs and codes linked to this specific action (respectively in the description and under tables 1, 2 and 3 of the relevant specific objective, and table 6 of the programme).

When amending a programme, two situations may arise regarding the eligibility of expenditure ⁽¹³⁾:

1. For Member States that have included all the types of interventions listed in Annex VI, table 1, of the BMVI Regulation that are relevant for the Specific Action BMVI/2024/SA/1.5.1 in table 2.1.3 of the relevant specific objective in their *initially approved* BMVI programme: expenditure for the specific action will be eligible as of 01/01/2021.
2. For Member States that have *not* included all the types of interventions listed in Annex VI, table 1, of the BMVI Regulation that are relevant for the specific action BMVI/2024/SA/1.5.1 in the tables in table 2.1.3 of the relevant specific objective in their initially approved BMVI programme: expenditure for the specific action will be eligible from the date of submission by the Member State of its request for amendment

⁽¹²⁾ In the case of the Schengen Associated Countries, as regards Iceland, Norway and Switzerland the specific action may be included in the first approved version of the programme. As regards Liechtenstein, there is no programme: the selected specific action will be implemented under direct management through a grant agreement.

⁽¹³⁾ Art. 63(7) of Regulation (EU) 2021/1060.

of the BMVI programme that will add the respective types of interventions in the programme.

Yours sincerely,

Silvia MICHELINI

Enclosures: 1.) Amount allocated per Member State
 2.) Application form
 3.) Budget form

c.c.: Permanent Representations – JHA Counsellors

Annex 1: Amount allocated per Member State

The indicative budget under this specific action will be allocated at **equal shares** to the Member States, for the following reasons:

- As regards EES/ETIAS, Member States' projects are expected to focus on modifications of the national IT systems that are independent of the size of the country, the length of the external borders, the number of border crossing points, or the number of persons crossing the borders. At the same time, the scope of the specific action is wider than that of the top-ups from the 2014-2020 period, allowing for a simpler and more comprehensive project design.
- As regards the SIS, each Member State will have to carry out the ETIAS related changes of the SIS, which will require a comparable amount of work regardless of the size of the Member State.

The **amount allocated per Member State** (= total Union contribution to be earmarked to the Member State programme, including technical assistance) and Lot ⁽¹⁴⁾ is:

	Amount (EUR)
Lot 1: EES/ETIAS	1 633 333.00
Lot 2: SIS	500 000.00
Total	2 133 333.00

⁽¹⁴⁾ Member States may use part or all of the allocation under Lot 2 for the EES/ETIAS related projects under Lot 1. The conditions for this are described in Section 3.3, Scope and purpose of the specific action ("Flexibility option").