



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate E – HOME Affairs Funds

The Director

Brussels

HOME.E

HOME-Funds/2022/07

COMMITTEE FOR THE HOME AFFAIRS FUNDS

Subject: Transnational specific actions under the Asylum, Migration and Integration Fund (AMIF), the Instrument for Financial Support for Border Management and Visa Policy (BMVI), and the Internal Security Fund (ISF) – Arrangements between partners

Dear Members of the Committee for the Home Affairs Funds,

In the context of the implementation of transnational specific actions (which are actions involving beneficiaries from multiple Member States) in the 2014-2020 programming period, the participating Member States reported several difficulties. The Responsible Authorities often experienced an increased workload when associated to the management of transnational specific actions. More specifically, the challenges concerned mostly: different national (eligibility) rules of participating Member States, differing reporting requirements, audit and control requirements of the lead Member State applicable to all beneficiaries of the action including in partner Member States.

Given all the benefits of cooperation between Member States in key policy areas, transnational specific actions will remain an important feature in the 2021-2027 period. Therefore, the Commission encourages Member States to ensure that strong partnership between beneficiaries from multiple Member States is established from the onset. Each transnational specific action should have a lead Member State to ensure that the action delivers on its objectives. Each partner has a role and responsibility in the

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implementation of the agreed project. For that purpose, the Commission will request all participating partners to complete a partnership form when submitting a proposal for a transnational specific action under the AMIF, the BMVI or the ISF.

Before submitting a proposal to the Commission, an understanding should be reached *inter alia* on:

- the division of tasks among participating entities,
- the indicative timetable for the implementation of the action,
- the distribution of the funding among the participating entities,
- the organisation of financial management among the participating entities,
- the linguistic regime and
- the reporting, monitoring, control and audit arrangements.

As regards the financial management, funding for a specific action will be allocated to the programme of the lead Member State only (*option 1*). This is the default option which allows for the optimisation of the use of the EU funding. However, if the nature of the specific action and the specific call for the expression interest require it, the partnership may opt for the allocation of funding to the programme of each participating Member States (*option 2*). This should be indicated in the project proposal.

Allocation of funding

Option 1: allocation of funding to a lead Member State only

In addition to the arrangements to be put in place between partners outlined above, under this option it is important to clarify:

- the co-financing arrangements and sharing of liabilities among the participating entities in the event of financial corrections (if required),
- the applicable rules on eligibility of expenditure for different categories of costs¹ (it is advised that the eligibility rules follow the national rules of the lead Member State. General eligibility rules could also be created specifically for the specific action, while being in line with the general rules stemming from the Common Provisions Regulation and the Fund-specific Regulations).

¹ In particular: staff, office and administrative costs, travel and accommodation, selected external expertise and services, equipment, infrastructure and works.

As under this option the lead Member State is responsible for the monitoring, audit and control arrangements, the partnership has several options at its disposal:

- The lead Member State may use audit bodies established in other Member States to control and audit expenditure incurred by partners (while the ultimate responsibility for control and audit will remain with the lead Member State).
- The use of simplified cost options may reduce the control burden as it limits the need to verify the supporting financial documents of a partner Member State².
- The lead Member State could prepare a document setting out the applicable rules for transnational specific actions. Regarding the audit trail to evidence eligibility of expenditure, it could provide alternative ways to cater for different legal and administrative framework of the partners. The document setting out the rules should be agreed among partners in advance.

Option 2: allocation of funding to the programmes of each partner

In case funding is allocated to the programmes of each participating Member State, the lead Member State should submit, as part of the application, an indicative breakdown of costs showing the total costs (and EU contribution) that will be incurred by the lead partner and by each of the participating Member States. The allocations would then be managed according to the national rules of a respective programme and reported separately, in the payment claims, accounts and annual performance reports, with the lead Member State ensuring the overall coherence.

Reporting

As regards reporting to the Commission, the lead Member State will be responsible for coordinating the reporting effort and will serve as the single entry point for the Commission. That will entail gathering information from partners on the implementation of the project and presenting any issues affecting the performance.

If the Commission were to develop communication activities for specific actions and/or organise events to bring together project beneficiaries for specific actions (for learning or

² Without prejudice to obligations related to the audit trail.

sharing of good practices), we will ask the Managing Authority of the lead Member State for further information.

Option 1

The lead Member State will report on indicators and the progress on spending for the entire project and the EU contribution, as included under its Programme, via the template for the transmission of data (Annex VII CPR). The lead Member State will also report in qualitative terms on the overall progress of the project under its annual performance report referred to in Article 29 BMVI, Article 30 ISF, Article 35 AMIF, while other participating Member States would refer to this overview, and inform the lead Member State, where relevant, about any activities they are responsible for under their respective annual performance report. (As is practice for the specific actions under the 2014-2020 Funds). The lead Member State will submit payment applications to the Commission in accordance with the CPR. For each accounting year for which payment applications have been submitted, the lead Member State will submit to the Commission, by 15 February, the ‘assurance package’ documents, which shall cover the preceding accounting year.

Option 2

The lead Member State will report in qualitative terms on the overall progress of the project under its annual performance report referred to in Article 29 BMVI, Article 30 ISF, Article 35 AMIF. Each Member State will report on indicators and the progress on the spending of their part of the project and the EU contribution, as included under their respective Programmes, via the template for the transmission of data (Annex VII CPR). Each of the Member States will support their data reporting with qualitative reporting for the activities they are responsible for under their respective annual performance report. Each Member State will submit payment applications to the Commission in accordance with the CPR. For each accounting year for which payment applications have been submitted, each Member State will submit to the Commission, by 15 February, the ‘assurance package’ documents, which shall cover the preceding accounting year.

For any question regarding these arrangements in the framework of a particular call for interest for a transnational specific action, you can contact the Commission via the functional mailbox indicated in the call.

DG HOME may come back with further observations on any issues relating to control and audit of these transnational projects, building on any questions Member States may raise.

Yours faithfully,

Electronically signed
Chiara GARIAZZO