

## **FAQs about Specific Actions under Thematic Facility Work Programmes AMIF and ISF 2021-2022, BMVI 2021-2024**

**2 March 2022**

### **Horizontal questions raised on Specific Actions**

<b>Topic classification</b>	<b>Questions</b>	<b>Reply</b>
<b>Eligibility of costs</b>	<p>Je souhaiterais avoir une précision importante sur les règles d'éligibilité des dépenses qui s'appliquent aux actions spécifiques du Fonds pour la Sécurité Intérieure (2021 – 2027).</p> <p>Il me semble que ces règles d'éligibilité sont <u>nationales</u>, c'est-à-dire celles qui sont établies par l'Etat membre dont la proposition d'action spécifique a été approuvée par la Commission.</p> <p>Pouvez-vous confirmer si ma compréhension est correcte ?</p>	<p>The specific actions once successful, will be included in the AMIF/ISF/BMVI programme of each Member State and will be implemented following the same eligibility rules as for the other actions funded by the programme.</p>
<b>Application process</b>  <b>Role of the Managing Authority in the application and implementation of the SA</b>	<p>1)Unlike the procedure set for the 2014-2020 programming, the Managing Authority would now appear to be called upon to sign the project proposals formulated by its Beneficiaries and even be responsible for their implementation (where eligible for funding). In fact, in the Application form format there is a section dedicated to the Managing Authority, in which the following information is requested:</p> <ul style="list-style-type: none"><li>• Identity of the MA (lead partner) (full legal name of the MA (in English); title / name / surname and position of the legal representative of the MA)</li><li>• Contact point details for the specific action (title / first name / surname; position; direct telephone number + country code; e-mail; references and contacts of the person responsible for the implementation of the project in case of success)</li></ul>	<p>1) The Managing Authority (MA) is responsible for managing the programme with a view to delivering the objectives of the programme, therefore the Commission expects that in response to a call for expression of interest the MA submits only such proposals that respect the principles and criteria mentioned in Article 73 CPR. When signing the declaration the MA commits to include the project in the programme in case the Commission selects the proposals. After that the MA will treat the Specific Action project like any other project included in the programme. All obligations listed in CPR Chapter II of Title VI apply to the Specific Actions. The MA should designate a contact point for the Specific Action already at the application phase as during the evaluation process there might be a need for clarification or additional information. Also similar to the previous programming period the Commission will reach out to the MA to monitor the progress of the specific actions and not the final beneficiary directly.</p>

	<ul style="list-style-type: none"> <li>Written declaration from the MA (lead partner) (provide a declaration from the Authority that agrees with the project proposal and agrees to include it in its program and implement it, if the application is successful)</li> </ul> <p>In addition, it would seem that the Managing Authority should be the one to sign the Application form of project proposals formulated by other central administrations, thus taking on the responsibility of a need not formulated by it.</p> <p><i>Could you give us details about it? In this way, it is unlikely that the Managing Authority will be able to forward the requests for funding formulated by the competent central administrations in the matters covered by any call for specific actions.</i></p> <p>2) Finally, it is not clear how a transnational project can be managed within a National Program. The perplexities concern, in particular, the possibility of managing the funding received as part of a specific action of this magnitude, having to verify the correct implementation of the intervention which is also owned by another Member State. In this context, in fact, the Managing Authority should verify the acquisition procedures, the correct supply of goods or services and / or apply any penalties on activities not conducted correctly by the co-leader State. We also looked for answers in the F.A.Q. shared with note Ares (2022) 636750 of 27/01/2022 without success, unfortunately.</p>	<p>2) As regards the management of transnational projects please let us refer to the detailed guidance provided in “Note HOME-Funds/2022/07 (Ares(2022)1060102 of 14/02/2022 - 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 “</p>
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## FAQ – Specific Actions ISF

### ❖ ISF/2022/SA/2.2.1 - EMPACT

Topic classification	Questions	Reply
<b>Lead applicant</b>	<p>Is it the responsibility of the driver/Member State X to be the applicant (and draft the application form) on behalf of action leaders of other countries, even if no action leader from Member State X is planning any activity funded by that SA call (meaning Member State X would not be beneficiary of any SA funding).</p> <p>Another option suggested by action leader/Member State Y is that the driver/Member State X, even if not engaged in any activity, would sign the application form as co-applicant.</p>	<p>Although “the Member States ‘driving’ (and ‘co-driving’) the various EMPACT OAPs, or specifically involved in the implementation of a strategic goal, form the prime target audience for this call, together with their partners and following up a detailed partnership agreement”, there is no obligation for a ‘driving’ Member State to be associated to an application that could be submitted by another EU Member State (notably one of the action leaders).</p> <p>Nevertheless, the Commission strongly underlines the role played by the ‘Driver’ when it comes to being aware about the initiatives taken as well as ensuring sound financial management and the proper ‘combination’ of funding opportunities within the OAP. Additionally, it should be stressed that the “level of involvement and cooperation of all relevant competent authorities from the group of EU Member States working in EMPACT” is among the criteria for the assessment of admissible proposals.</p>

## FAQ – Specific Actions BMVI

### ❖ BMVI/2021-2022/SA/1.5.8 - Title: Support for border management for Latvia, Lithuania and Poland

Topic classification	Questions	Reply
<b>Excel sheet to be attached to the application form</b>	<p>Annex I "Requirements for applications for the “Specific Action Support for Border Management”" mentions "Application Form attached to this letter, together with its annexes" and "application form should be accompanied by an excel sheet"; however it seems only the "Application form - Mono beneficiary" on 6 pages without any other documents has been attached as Annex II and other forms seem to be missing, at least for us.</p>	<p>There is no other template. You are invited to present the items in an excel sheet of your design.</p>

	We kindly ask you to share other forms with us	
<b>Expected results - examples</b>	How should "Expected results" under Work Packages be formulated in "Application form - Mono beneficiary". An example would be highly appreciated	Expected results – possible presentation structure: - One may either take as a starting point the <i>Planned activity</i> (e.g. purchase of equipment, training) and then present the <i>Expected results</i> (e.g. increased efficacy of border surveillance) Example of presentation: - Purchase/ modernisation of the transport fleet (terrain cars, ATVs, motorcycles). -> strengthen the capacity of border control authorities (quicker BG reaction/arrival time and higher level of apprehension of the irregular migrants)
<b>VAT</b>	Is all VAT eligible? Are there any restrictions?	The specific action must be implemented by the Member States in accordance with the BMVI and the Common Provisions Regulation. The value added tax eligibility regime ("VAT") will follow as with any other costs the rules of the CPR. See Article 64(1)(c).
<b>Possible duration</b>	What is the possible duration of the project?	Member States can decide on the duration according to the needs and within the framework of the BMVI.
<b>Process of getting approval from Frontex</b>	What would be the process of getting approval from Frontex of the planned technical equipment to be purchased under the programme?	Approval of Frontex of the project is not required. Please see Article 13(14)(a) BMVI Regulation for the technical specification requirements.
<b>Is it necessary to register all vehicles in the pool of equipment available for Frontex</b>	Is it really necessary to register all vehicles in the pool of equipment available for Frontex operational activities after purchase? It is obvious that vehicle with thermo-vision equipment for border surveillance should be registered in the pool, but patrol vehicles, vehicles for transportation of migrants, they are used on the daily basis for border surveillance in the MS and they can't be annually deployed for 4 months period to the operational areas. If we sent them to	The requirement in BMVI Regulation, Article 13(14)(b) refers to "all large-scale operating equipment, such as aerial and maritime means of transport and surveillance". If such vehicles are not considered large scale operating equipment and they are not registered currently in the pool, there is no need to do so.

	another operational areas, we would not have possibility how to cover the gaps.	
<b>Are these measures appropriate?</b> <b>Infrastructure investment:</b> <ul style="list-style-type: none"><li>• <b>Purchase of a stationary search detector for persons hidden in vehicles</b></li></ul>	Are these measures appropriate? Infrastructure investment: Purchase of a stationary search detector for persons hidden in vehicles - in view of the growing threat of illegal migration at the external border of the European Union due to hybrid aggression from the Republic of Belarus, it is necessary to equip large international road BCPs (like Medininkai, Šalčininkai, Lavoriškės, Raigardas, Kybartai ir Rambynas (Panemunė) BCPs) with modern equipment designed for the search and detection hidden persons. The equipment will help to quickly detect people hiding in goods vehicles while saving human resources. (BMVI 2 units 870 677 Eur, Specific action 4 units 2 000 000 Eur).	There are no indications under the BMVI that the measures are not eligible. They are appropriate if the Member States deem them necessary for the border guards to carry out their duties in accordance with the Schengen Borders Code.
<b>Are these measures appropriate?</b> <b>Infrastructure investment:</b> <ul style="list-style-type: none"><li>• <b>The alarm system in the firearms depositories of the SBGS units</b></li></ul>	Are these measures appropriate? Infrastructure investment: The alarm system in the firearms depositories of the SBGS units, II stage - due to the fact that the alarm system of the weapons storage room used by the SBGS is morally and technically outdated (installed in 2007), it is difficult to organize and perform the maintenance of technical equipment. It is necessary to modernize this system and connect it to the centrally used system: I stage. The security alarm equipment of only one room (weapons storage) will be upgraded and connected to the centralized system. (BMVI 500 000 Eur). II stage. The security alarm of the second room (open type armament room) will be	YES – as it is necessary for the border guards to carry out their duties. The facility yes – not the firearms.

	<p>installed and connected to the centralized system. The two premises will be equipped with a modern access control system with service certificates and connected to a centralized system and staff database (1 000 000 Eur). Installation of open weapons storage facilities, weapon storage cabinets, construction works (installation of armored doors, repair of walls, floors and ceilings, electrical works, installation of metal grilles) (1 500 000 Eur).</p>	
<b>Are these measures appropriate?</b> <b>Infrastructure investment:</b> <ul style="list-style-type: none"> <li>• <b>Renovation and extension of the Frontier Districts - the premises</b></li> </ul>	<p>Are these measures appropriate?</p> <p>Infrastructure investment:</p> <p>Renovation and extension of the Frontier Districts - the premises of the coordination centers would be expanded and renovated.</p>	<p>YES – as it is necessary for the border guards to carry out their duties.</p>