



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate E – HOME Affairs Funds
The Director

Brussels
HOME.E.1/FF

**NOTE FOR THE ATTENTION OF THE MEMBERS OF THE COMMITTEE FOR THE HOME
AFFAIRS FUNDS**

Ref.: HOME-Funds/2023/09

**Subject: Clarification on the eligible costs under operating support under the
Home Affairs Funds**

Dear Members of the Committee for the Home Affairs Funds,

On 15 December 2021, following the adoption of the Home Affairs Funds Regulations and in light of questions received during the programming exercise, we transmitted to you the note HOME-Funds/2021/27 ⁽¹⁾, including information on operating support in general and, more specifically, on what costs may be included under operating support under the Member States' programmes for the three Home Affairs Funds: AMIF, BMVI and ISF.

The guidance provided with note HOME-Funds/2021/27 remains fully valid.

As specified in the mentioned note ‘tasks and services constituting a “public service for the Union” depend on the objectives of the specific Fund/Instrument. However, not all costs related to these tasks and services constituting a “public service for the Union” can qualify for up to 100% EU financing in accordance with the Regulations. The costs falling within the scope of operating support are listed in each Annex VII of the specific Home Affairs Fund Regulations’.

As expressly mentioned by the legislator, operating support shall be concentrated on actions covered by expenditure as laid down in Annex VII, and a specific procedure is provided for amending that list in article 21(5) AMIF ⁽²⁾, 16(5) BMVI ⁽³⁾ and 16(5)

⁽¹⁾ Ares (2021)7753967

⁽²⁾ Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund, OJ L 251, 15.7.2021, p. 15

ISF ⁽⁴⁾ Regulation. According to these articles, a modification of the eligible actions in Annex VII can only be made through a Commission's delegated act, and only "to address unforeseen or new circumstances or to ensure the effective implementation of funding".

Therefore, the list of actions included in Annex VII of each Fund constitute an exhaustive list of the costs that can be financed under operating support, also if projects are implemented with the use of flat rates.

Any answer provided on the operating support topic shall be read taking into account the above considerations.

Please do not hesitate to contact us should you have any doubts or questions.

Yours faithfully,

Electronically signed

Silvia MICHELINI

Enclosure: HOME-Funds/2021/27, Clarification on the eligible costs under operating support under the Home Affairs Funds.

c.c.: Permanent Representations – JHA Counsellors

⁽³⁾ 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. 23

⁽⁴⁾ Regulation (EU) 2021/1149 of the European Parliament and of the Council of 7 July 2021 establishing, as part of the Internal Security Fund, OJ L 251, 15.7.2021, p. 38