



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

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**Subject: BMVI Specific Action - Invitation to submit an application for the Specific Action ‘ Enhanced national capabilities at the EU external borders’ – BMVI/2024/SA/1.1.6**

Dear Ms Petkova,

Dear Ms Mihai,

Dear Ms Gras,

Dear Ms Tóth,

## 1. INTRODUCTION

Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 establishing the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy (BMVI Regulation) provides that Member States

may receive funding for specific actions in addition to their initial allocations in their respective programmes.

Specific actions aim to fund transnational and national projects that bring high Union added value in accordance with the objectives of the Instrument and in line with agreed Union priorities. They will be implemented as one of the components of the Thematic Facility in line with Article 8 of the BMVI Regulation and the relevant financing decisions for the work programme 2023-2025 for the BMVI Thematic Facility.

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

Funding for specific actions is added to the Member States' programme allocations 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 State's 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 90% of total eligible expenditure.

The specific action must be implemented by the Member States in accordance with the BMVI Regulation <sup>(1)</sup> and the Common Provisions Regulation (EU) 2021/1060 (CPR) <sup>(2)</sup>.

Your attention is drawn in particular to one provision of the CPR. As regard 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".

## **2. INVITATION TO SUBMIT AN APPLICATION**

### **2.1. Background for the specific action**

This specific action aims to complement in 2024 the measures taken by the EU over the last year to strengthen border capabilities of several EU Member States.

The European Council of 9 February 2023 called on the Commission "to fund measures by Member States that directly contribute to the control of the EU external borders".

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<sup>(1)</sup> 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

<sup>(2)</sup> [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 President of the Commission identified areas for immediate action in her letter of 20 March 2023, following up on her letter on migration ahead of the 9 February European Council meeting, emphasising the need to focus on European solutions to the migration challenge faced by the Member States of the European Union.

Among them, as a first objective for strengthening the external borders, the Commission identified as a priority to support the key border of Bulgaria and Türkiye. In complementarity, the letter also identified an additional area of support in the implementation of the two pilot projects in Bulgaria and Romania. As a result, the Commission launched an invitation to Bulgaria and Romania, to apply for a specific action (BMVI/2023/SA/1.1.2). The specific action aimed to give priority to support to the EU's border surveillance capabilities for the Bulgarian/ Turkish border, but considering secondary movements, to additionally target the Bulgarian/ North Macedonian border, the Bulgarian/ Serbian and the Romanian/ Serbian border <sup>(3)</sup>.

Early 2023, the Commission launched a call for expression for interest to all Member States to introduce, improve or extend electronic border surveillance systems along their external land borders (BMVI/2023/SA/1.1.4). This call addressed the operational needs underlined in the Commission's Communication COM(2023)146 final considering the challenging situation in the Mediterranean and Western Balkans, in particular relating to reinforcing border capabilities and infrastructure, and means of surveillance at the external land borders. Amongst the selected applications, those submitted by Bulgaria, Romania, Hungary and Croatia demonstrated EU added value by proposing the development of electronic surveillance systems at external border sections that are under significant migration pressure.

In December 2023, the Council agreed on the accession of **Bulgaria** and **Romania** to the Schengen area <sup>(4)</sup> with a phased approach for the lifting of controls: 1) controls at the internal air and sea borders will be lifted on 31 March 2024, and 2) the Council will need to take another decision for the lifting of controls at the land borders. To contribute to the mutual trust between Member States, a set of complementary measures were agreed. In this context, Austria, Bulgaria and Romania issued a joint statement <sup>(5)</sup>, which was complemented by the statement made by the Commission stressing the importance to conclude the process in 2024 in the framework of the Schengen Cycle. In the joint statement, these Member States agreed on a set of measures to fight irregular migration, which will be important factors supporting the Council to take the follow-up decision.

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<sup>(3)</sup> The Romanian project aimed to strengthen the surveillance capacity of the external border with Serbia and with the installation of a motion detection systems, a feasibility study for a new observation system on the Danube at the Romanian-Serbian border and the purchase of portable cameras with thermal imaging technology.

The Bulgarian project focused on increasing the capacity and abilities of the Bulgarian border authorities for more effective countermeasures against irregular migration through the expansion of the integrated surveillance systems at the Bulgarian-Turkish border, the purchase of patrol cars and the temporary appointment of additional personnel and secondment of police officers.

Moreover, in 2023 the Bosnia Herzegovina-Croatia-Slovenia sub-route gained importance (also becoming the busiest sub-route in November and December), with around 15 000 Illegal border crossings registered from Bosnia Herzegovina to **Croatia**, representing a +70% increase compared to the same period of last year. Criminal networks have already been observed relocating their operations from North Serbia to Bosnia and Herzegovina. Also, the number of Eurodac hits referring to movements from Croatia to Slovenia in 2023 increased by almost six times compared to the same period of 2022.

The situation remains volatile and active routes remain through Serbia to cross into the EU through the **Hungarian border** (although registering very low absolute numbers, following the same trend as the last months of 2023) or alternatively, via the northern part of Bosnia-Herzegovina (busiest sub-route in 2024 so far) or the north-eastern part of Serbia, into Croatia.

In light of the above, this call targets **Bulgaria, Romania, Hungary and Croatia**.

## **2.2. Budget availability and reserve list**

### *2.2.1. Indicative budget available*

The indicative amount envisaged for the call is **EUR 85 million** <sup>(6)</sup>.

The requested amount (i.e. the Union contribution to the Member State's BMVI programme under the Specific Action, including technical assistance):

- should not be lower than EUR 5 million per application and
- should not be higher than EUR 30 million per application.

Please present in your application the different priorities as work packages composed of several items that you wish to purchase and, where relevant, the related operating cost and staff costs, identifying/presenting for each priority the different budget items and their relevance with regards to the capability gaps and expected timeline for delivery.

### *2.2.2. Reserve list*

Following the submission of proposals by Member States, the Commission would establish a reserve list in case additional funding is made available in the future. The reserve list established by the Commission would be composed of (parts of) proposals/ work packages not selected for financing under the present call.

## **2.3. Scope and purpose of the specific action**

Considering the continued need to reinforce border management, this specific action consists of two lots:

1. Support to the development of border surveillance capabilities for the effective application of the Schengen acquis in **Bulgaria and Romania**, at the external land borders with Türkiye and Serbia.

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<sup>(6)</sup> This amount is subject to an amendment to the BMVI Thematic Facility financing decision mentioned in section 1 above. The amendment is needed to establish sufficient funding for the purpose of this call. The indicative budget would be revised downwards if this amendment were not adopted as currently planned.

2. Support to the development of border surveillance capabilities of **Hungary and Croatia** in accordance with the EU *acquis*, considering the continued high number of irregular border crossings at the external land borders with Bosnia-Herzegovina and Serbia;

It aims to further enhance the national capabilities for surveillance along the above-mentioned sections of the EU external land border. Activities must cover one or more of the following and be in line with the aforementioned objective: a) the extension or upgrading of existing border surveillance systems; b) the purchase of means of transport including with thermo-vision capabilities; c) the purchase of operating equipment such as movement detection cameras and thermo-vision cameras and d) the development or upgrades of systems and ICT that support enhanced surveillance capabilities, situational awareness, the integration of data from different surveillance systems etc.

Support for operating costs and staff relating to the systems / equipment concerned can be funded through this specific action subject to a ceiling of 10% of the final allocated amount and for a maximum duration of 18 months.

Applications will need to demonstrate that the proposed activities are complementary to the respective Member State's programme – as amended to include applications under specific actions - and are part of capacity building strategies for a strong and effective integrated border management at national level. In the case of electronic border surveillance systems and systems and ICT that support enhanced surveillance capacity (as per a) and d) above), the application should include information on the complementarity with any ongoing projects funded under EU funding and national budget and on the overall planning for the completion of the system(s) and ICT concerned. In the case of equipment (as per b) and c) above) the application should include information on the existing equipment and an assessment of why and to what extent the additional equipment is necessary (referring to factors such as the percentual increase in patrolling; replacement rate of existing equipment etc.).

For lot 1, you are also invited to provide more information on:

- Outcome/ objective: expected concrete and quantifiable results of the additional national capabilities at the external land borders concerned and how these capabilities could improve the overall functioning of the Schengen area, in particular to support the future Council Decision on the lifting controls at the land borders between Romania and Bulgaria and with the other Member States.
- Needs assessment: the needs assessment underlying your application including information on how the additional capabilities are in line with the Council Decision of 30 December 2023. It would underpin an even further strengthened capacity and capability from Romania and Bulgaria and would foster the lifting of controls at the internal land borders.
- Overall approach on the balance between short-term and long-term acquisition and implementation: a timeline for the purchase of equipment / capabilities and identification of measures to prevent and/or act in case of major delays. It is considered favourable if part of the application can be delivered within a year, to allow a more positive stocking-taking already in a year's time.

For lot 2, you are also invited to provide more information on:

- Outcome/objective: expected concrete and quantifiable results of the additional national capabilities for the overall border management capacity in the framework of the European integrated border management in your country and, in particular, for the surveillance capacity at the border sections concerned.
- Shortcomings identified / needs assessment: the needs assessment underlying your application, including information on the requested equipment/capability that was also identified as a shortcoming by the Schengen Evaluation and/or Vulnerability Assessment recommendations, if applicable. This may also involve how the suggested improvements would contribute to the functioning of the Schengen area in accordance with the EU acquis, if applicable.

Finally, for both lot 1 and 2, you are also invited to provide more information on:

- Measures to ensure compliance with the Union *acquis*: information on how you will ensure that the provisions in Articles 3 and 4 of the BMVI Regulation are complied with when implementing the activities under the Specific Action.
- Measures on the respect for fundamental rights: measures that contribute to the respect of 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 (Article 3 of the BMVI Regulation) when implementing the activities under this Specific Action. This could for instance include training for border guards who would use the equipment at the border sections concerned on the rights and principles enshrined in the Union acquis and the Charter and with the Union's international obligations as regards fundamental rights, in particular by ensuring compliance with the principles of non-discrimination and non-refoulement (as per Article 4 of the BMVI Regulation). Measures for this purpose should be complementary to any national Independent Monitoring Mechanism.
- Measures to ensure that the activities to be implemented under the Specific Action are not affected by a reasoned opinion delivered by the Commission in respect of infringement proceedings under Article 258 of the Treaty on the Functioning of the European Union (TFEU) that put in doubt the legality and regularity of expenditure or the performance of the actions (Article 8(5) of the BMVI Regulation).

If your application includes several work packages, composed of several items that you wish to purchase and, where relevant, the related operating cost and staff, please indicate the priority of each work package in relation to its relevance with regards to the capability gaps, as well as the expected timeline for delivery.

We recommend that you present your priorities ranked in order of importance / preference. Please describe the reasoning behind the ranked work packages in the application form and use the budget form to detail each priority with the relevant activities. It is possible that only some work packages will be financed. Please also provide a map to show where the additional capabilities would be deployed (before and after). Since there is no earmarking of the amount per Member State and the EU budget may not be sufficient to cover all additional needs identified by the four Member States, the application should present your views on the priorities for funding among the needs identified and the degree of urgency for each priority.

### 3. PROCEDURE FOR APPLICATION

#### 3.1. Admissibility and assessment aspects

You will find in the attached documents the application form and the budget form.

DG HOME will assess the proposals submitted by the Member States.

To be considered **admissible** a proposal must:

1. be submitted within the deadline (see below) to the BMVI specific actions functional mailbox [HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu](mailto:HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu) in the official Application Form attached to this note, together with the budget form, and is readable and complete (all fields necessary for assessment are filled in)
2. 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
3. identify a project beneficiary (an entity) that will be responsible for the implementation of the specific action in the Member State (in the lead for the action).

Once the application would be submitted, DG HOME will assess your proposal based on the following **criteria**:

#### A. Relevance (40 points: minimum score 30 points):

1. **Clarity** of the proposed solution, its correspondence with the objectives and scope of this invitation, with a particular emphasis on the additional information requested under point 2.3 of this invitation letter.
2. **Complementarity**: the proposals will need to demonstrate that the proposed actions are complementary to the respective Member State's programme (including where appropriate any specific actions included in that programme), and any other EU funding, and are part of capacity building strategies such as the national capability plan and, where appropriate the Frontex operational plans (for a strong and effective integrated border management at national level).

#### B. Quality and content (20 points):

1. **Maturity of the proposal**: appropriateness of the design and planned implementation, considering the envisaged activities; methodology (including operational and financial management); organisation of work and strategy for project management and monitoring, evaluation; measures undertaken or envisaged to mitigate the identified risks.
2. **Cost-effectiveness**: the proposal should present the distribution of the financial support requested, and its appropriateness in relation to the scale and type of the planned activities.

#### C. Impact (40 points):

1. **EU Added value**: concrete benefits and quantified results of the budget items in the proposal for the border management capability of the Member State concerned.

2. **Impact of the proposal:**

- a. On the *strengthening of border surveillance* (for both lots);
- b. On the improved *national capabilities for the surveillance of the particular external border section targeted* (for both lots).
- c. On the improved *capacity of the border guards to ensure compliance with the Union acquis* (for both lots): the extent to which the project would improve the application of the Union acquis on and the respect of international obligations of the Union by Member States, in particular the respect for fundamental rights and principle of non-refoulement by the border guards when using the equipment and infrastructure for enhanced border surveillance;
- d. On the *prospect for full application of the Schengen acquis*: for lot 1, the extent to which the project is likely to have positive effects for the decision to lift the controls at internal land borders between Bulgaria and Romania and the other Schengen Member States.

The Commission may contact Member States to request further specific information. A reply should be provided by the Member State within 3 working days.

**Deadline for the application:** You are invited to submit your application at the latest by **28/03/2024** (17.00 Brussels Local Time).

The application should be submitted to the BMVI specific actions functional mailbox [HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu](mailto:HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu) using the official Application Form and budget form to this Note, together with any annexes, where applicable.

**Deadline for clarification requests:** In order to provide you with the response before the deadline for submission of application, you can send requests to the BMVI specific actions functional mailbox [HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu](mailto:HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu) by 12/03/2024 at the latest.

DG HOME will inform the Member States of the outcome of the assessment of the proposals by 15 May through a notification letter. This will also specify the exact requirements to be met by each Member State, considering the objectives of enhancing border capabilities and ensuring full compliance with the Union *acquis* as per Articles 3 and 4 of the BMVI Regulation. The programme amendment introducing the allocation in the Member State's BMVI programme will be subject to the assessment of progress in the implementation of these objectives.

Yours sincerely,

Silvia MICHELINI