



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate E – HOME Affairs Funds
The Director

Brussels
HOME.E.2/IC

HOME-Funds/2022/16/REV

COMMITTEE FOR THE HOME AFFAIRS FUNDS

Subject: Revised version of the Note HOME-Funds/2022/16 sent to the Home Affairs Funds Committee on 16 March 2022 - Launch of the call for expression of interest under the Specific Action “Visa policy - digitalization, consular cooperation and other” under the Instrument for Financial Support for Border Management and Visa Policy (BMVI) – Reference BMVI/2022/SA/2.3.1

This Note replaces the Note HOME-Funds/2022/16 sent to the Home Affairs Funds Committee on 16 March 2022 (ref. Ares(2022)1921694). The change concerns section 4.2 application procedure: following the requests from several Member States the deadline for submitting applications and the deadline for sending questions are extended.

1. INTRODUCTION

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 (BMVI) 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 component of the Thematic Facility in line with Article 8 of the above-mentioned Regulation.

On 25 November 2021, the Commission adopted the financing decision and the work programme for 2021-2024 of the Instrument for Financial Support for BMVI Thematic Facility¹, as part of the Integrated Border Management Fund.

By the present note, the Commission launches a call for expression of interest for specific action “**Visa policy - digitalization, consular cooperation and other**”, in line with the

¹ Commission Implementing Decision C(2021) 8459 final of 25/11/2021.

actions listed in the above-mentioned Commission's financing decision and work programme.

2. GENERAL PRINCIPLES

The specific actions will be implemented by one or more Member States participating in the Instrument via the funding received in addition to the allocation under the Member States' 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 action in the Member State's programme, except in duly justified circumstances and as approved by the Commission through the amendment of the Member State's programme. This means that, as a rule, in case of under-spending or non-implementation of the specific action, Member States will not be able to use the corresponding amount to support any other action of their programme. In such cases, any unused amount would be reimbursed to the Union budget and/or decommitted, except under the circumstances referred to above.

Whereas the regular EU co-financing rate under the Member States' programmes is up to 75% of the total eligible costs, specific actions may benefit from a co-financing rate increased to 90%.

The specific action must be implemented by the Member States in accordance with the BMVI Regulation² and the Common Provisions Regulation (EU) 2021/1060 (CPR).

As regard the value added tax ("VAT") eligibility regime, Article 64(1)(c) 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. CALL FOR EXPRESSION OF INTEREST

3.1. Indicative Budget available

The BMVI Thematic Facility work programme indicates the overall budgetary allocation reserved for specific actions in the years 2021 and 2022 (plus reserved attributions related to 2023 and 2024).

The indicative amount envisaged for this call is **EUR 3 million**.

The requested amounts (i.e. EU contribution to a Member State BMVI programme) for the "Specific Action Visa policy - digitalization, consular cooperation and other" must not be:

- lower than EUR 500 000 per application.
- higher than EUR 1 500 000 per application.

² 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.

3.2. Background for the Specific Action

The “**Specific Action Visa policy - digitalization, consular cooperation and other**” will focus on the following two priorities of Visa Policy.

1. **Improving the implementation of the Visa Code**³ (last revision became applicable on 2 February 2020). This will be done through the development of a curriculum and implementation of trainings based on such curriculum. This is important as the Schengen evaluations have shown that all provisions of the Visa Code are not always properly implemented by Member States, as well as that Member States staff dealing with visa applications do not always know these provisions. For the time being, Member States are providing training to their staff on a national basis whereas the Visa Code is applied by all Member States and Schengen associated states implementing the Visa Acquis. In this context, a cooperation at EU level between several Member States to define the content of a training on the Visa Code and the implementation of these trainings would represent a very welcomed and positive development. It would allow providing a harmonised and similar training to Member States’ staff in an area that is fully harmonised at EU level. By pooling resources, the implementation of such a project would create economies of scales and would spare time, energy and efforts of Member States acting individually. It would also increase the cooperation and coordination of Member States Visa central authorities on Schengen visas. Subsequently, this curriculum could be used by Member States for trainings financed under their BMVI programmes for their staff dealing with short-stay visas.
2. **Test and use of new technologies for detecting potential fraud in supporting documents in the context of visa application.** Digitalisation is gradually becoming widespread for introducing a visa application. Several Member States are already giving visa applicants the possibility to make certain steps of the visa application process through digital means. Early 2022, the Commission will adopt a proposal to digitalise visa procedures. Among the different steps that can be digitalised there is the possibility to upload supporting documents, in particular breeder documents such as birth certificates. Digitalisation represents great advantages for visa applicants and Member States but also entails challenges. Consular staff responsible for the examination of applications will assess applications based on scans. They do not have access to the supporting documents in their original physical format unless they explicitly request it. In this context, the use of new technologies to automate the detection of possible fraud or counterfeited documents in the examination of supporting documents could be of great help. The development of such technologies could not only benefit those Member States taking part into the project but could also be shared with other Member States who will be faced with the challenge of detecting fraud in digitalised supporting documents in the context of digitalisation.

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02009R0810-20200202>

3.3. Scope and purpose of the specific action

The objectives of this specific action are:

1. to develop curricula on the Visa Code provisions and implementation of trainings based on this curriculum;
2. to support projects to test and use new technologies for checking the authenticity of supporting documents in the context of visa application.

This call targets in particular Member States that are willing to develop and lead a group of Member State to address jointly the following issue(s):

- insufficient knowledge of the Visa Code by staff dealing with visa applications;
- challenges to detect possible fraud relating to supporting documents in the context of digitalisation of visa applications.

By way of indication, the specific action proposed can include one or more of the following activities:

Priority 1 – Visa Code training:

- Meetings between Member State authorities in charge of the project to ensure coordination/delivery;
- Elaboration and preparation of training curricula;
- Elaboration and preparation of training materials;
- Translation of training materials;
- Provision of trainings to Member States staff in charge of short-stay visa management.

Priority 2 – New technologies to check supporting documents

- Meetings between Member State authorities in charge of the project to ensure coordination/delivery;
- Development of new methods/pilot projects to test the use of new technologies for automated checks of supporting documents;
- Setting up IT tools for automated fraud detection in supporting documents check authenticity to be used in the context of the examination process of visa application;
- Test of the tools developed, feed-back sessions, evaluations with Member States staff and relevant authorities
- Reporting on the outcome and presentations to other Member States on the tools developed.

The outputs and results of the specific action should contribute to the indicators listed in Annex 3 - Output and result indicators for the Specific Action “Visa policy - digitalization, consular cooperation and other” attached to this note.

3.4. Expected results following the call

Given the budget allocated to the call, a maximum of three or four projects could be financed under the call.

For Priority 1, the project(s) financed should allow developing a curriculum on the Visa Code and training materials. It should also support the organisation of trainings on the Visa Code for at least 15 Member States.

For Priority 2, the project(s) financed should allow testing and using new technologies for detecting potential fraud in supporting documents in the context of visa applications.

4. PROCEDURE FOR APPLICATION

4.1. Admissibility and assessment aspects

All EU Member States participating in the BMVI are eligible.

The Schengen Associated Countries will be eligible once the legal arrangements for their participation in the BMVI are in place⁴. Until the arrangements are in place, Member States may choose to involve Schengen Associated Countries on a no-cost basis in the implementation of the projects.

The Specific Action proposed should **not start before 1 March 2022 and ideally should be completed by 31 December 2023**.

The proposals submitted by the Member States will be assessed by DG HOME.

To be considered admissible a proposal

1. has to be submitted within the deadline (see below) to the BMVI specific actions functional mailbox HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu,
2. has to be submitted in the official BMVI/2022/SA/2.3.1 Application Form attached to this note, together with its annexes, and readable and complete (all fields necessary for assessment are filled in),
3. has to 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. has to 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),
5. has to include partnership declaration forms of all participating Member States, involved in the project proposal.

Other entities can be involved in the implementation of the specific action as co-beneficiaries.

DG HOME will assess admissible proposals on the basis of the following award criteria:

A. Relevance (40 points):

- (1) Clarity, correspondence and consistency of the objectives and scope of the proposed specific action seen against the objectives and expected

⁴ The participation of the Schengen Associated Countries in this call for expression of interest is conditional upon the conclusion of the arrangements referred to in Article 7(6) BMVI Regulation (EU) 2021/1148, and without prejudice to the relevant association agreements with these countries. Agreements can therefore only be signed once such arrangements are concluded.

impact/outcomes (if applicable) as identified in this call for expression of interest.

- (2) Cost-effectiveness and complementarity of the project with other EU funding sources.
- (3) Degree of participation of other Member States and/or potential of benefits for all MS.

B. Quality and content (30 points):

- (1) Maturity of the proposal, the appropriateness of the design and planned implementation, taking into account the envisaged activities, methodology, organisation of work and strategy for project management, evaluation and dissemination as well as the measures undertaken to mitigate the identified risks.

C. Impact (30 points):

- (1) The impact or effect of the proposed specific action in relation to the objective of the call for expression of interest for the EU (Union added value).
- (2) The changes to output and results indicators under the BMVI Programme, as listed in Annex VIII of the BMVI Regulation (see Annex 3).
- (3) The efforts to disseminate and communicate on the results of the project.
- (4) The expectations for the sustainability of the project.

Member State(s) should also ensure respect for the horizontal principles described in Article 9 of the Regulation (EU) 2021/1060⁵.

⁵ 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.

4.2. Application procedure

Deadline for the application: Member States are invited to submit their proposals by **24 May 2022** at the latest, using the official BMVI/2022/SA/2.3.1 Application Form attached to this note, together with its annexes

The proposals 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, in annex.

Deadline for any clarification requests on this note: Member States can send requests by **10 May 2022** at the latest to:

HOME-AFFAIRS-FUNDS-COMMITTEE@ec.europa.eu.

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

In order to ensure equal and fair treatment of the proposals and to allow the Commission to allocate at the same date all the available funding, DG HOME will assess all proposals simultaneously. Therefore, proposals 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 proposals in case the deadline for the submission of proposals is extended.

Member States will receive information on the successful proposals towards July 2022, while the respective revisions of the BMVI programmes will be carried out immediately after.

Amendment of the BMVI programmes and eligibility of expenditure

After information on the outcome of the call for expression of interest is provided by the Commission to the Member States, DG HOME will invite successful Member States to submit the request to amend their BMVI programme, together with the amended programme, setting out the expected impact of that amendment on the achievement of the programme's objectives pursuant to Article 24 CPR. They should amend the output and result indicators as well as include the costs linked to this Specific Action "Visa policy - digitalization, consular cooperation and other" breaking down the costs by type of intervention (respectively under tables 2.1 and 2.1.3 of each relevant specific objective of their programme in SFC). The Monitoring committee shall approve any proposal by the Managing Authority for the amendment of the programme (Article 40(2)(d) CPR).

When amending a BMVI programme of a Member State, two situations may arise regarding the eligibility of expenditure:

1. For Member States that have included types of interventions (listed in Annex VI table 1 of the BMVI Regulation) relevant to this Specific Action "Visa policy - digitalization, consular cooperation and other" in the tables 2.1.3 of each relevant specific objective in their initially adopted BMVI programme, expenditure for the "Specific Action Visa policy - digitalization, consular cooperation and other" **would be eligible as of 1 March 2022**.
2. For Member States that have not included types of interventions (listed in Annex VI table 1 of the BMVI Regulation) relevant to the "Specific Action Visa policy -

digitalization, consular cooperation and other” in the tables 2.1.3 of each relevant specific objective in their initially adopted BMVI programme, expenditure for the Specific Action “Visa policy - digitalization, consular cooperation and other” will be eligible **from the date of the submission by the Member State of its request for the amendment of the BMVI programme** to which new types of interventions will be added accordingly.

Yours faithfully,

Electronically signed

Chiara GARIAZZO
Chair of the Committee for the
Home Affairs Funds

e-signed p.o. Beate GMINDER

Enclosures: Application form;
Annex I Budget form;
Annex II Partnership Declaration form;
Annex III Output and result indicators.

c.c.: JHA Counsellors