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COMMISSION IMPLEMENTING DECISION

of 26.11.2019

**amending Commission Decision C(2015)5426 approving the national programme of
Lithuania for support from the Internal Security Fund for the period from 2014 to 2020**

(ONLY THE LITHUANIAN TEXT IS AUTHENTIC)

COMMISSION IMPLEMENTING DECISION

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amending Commission Decision C(2015)5426 approving the national programme of Lithuania for support from the Internal Security Fund for the period from 2014 to 2020

(ONLY THE LITHUANIAN TEXT IS AUTHENTIC)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC¹,

Having regard to Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management², and in particular Article 14(9) thereof,

Whereas:

- (1) Commission Decision C(2015)5426 approved the national programme of Lithuania for support from the Internal Security Fund for the period from 2014 to 2020 submitted on 27 July 2015 and set the maximum contribution from the Internal Security Fund to the national programme of Lithuania. It was last amended by Commission Implementing Decision C(2018)8255 of 11 December 2018.
- (2) In accordance with Article 85(1) of Regulation (EU) 2018/1240 of the European Parliament and of the Council establishing a European Travel Information and Authorisation System (ETIAS)³, the costs incurred by Member States with the development of the national components of the ETIAS, including the costs related to the integration of the existing national border infrastructure and the connection to the National Uniform Interface (NUI), the hosting of the NUI and the establishment of the ETIAS National Units, shall be borne by the general budget of the Union.
- (3) In accordance with Article 2(1)(c) of Commission Delegated Regulation (EU) 2019/946⁴, an overall amount of EUR 96 500 000 shall be allocated to the Member States and the Schengen Associated Countries to cover the costs referred to in Article

¹ OJ L 150, 20.5.2014, p. 143. Pursuant to Article 19 of this Regulation, the provisions of Regulation (EU) No 514/2014 shall apply to this instrument.

² OJ L 150, 20.5.2014, p. 112.

³ Regulation (EU) 2018/1240 of the European Parliament and of the Council, of 12 September 2018, establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1).

⁴ Commission Delegated Regulation (EU) 2019/946 of 12 March 2019 supplementing Regulation (EU) No 515/2014 with regard to the allocation of funding from the general budget of the Union to cover the costs for the development of the European Travel Information and Authorisation System.

85(1) of Regulation (EU) 2018/1240. Such amount shall be allocated in equal shares, with each Member State and each Schengen Associated Country receiving EUR 3 216 666,66. Of this amount, EUR 1 216 666,66 should be borne by budget line 18 02 01 01, and the remainder EUR 2 000 000 should be borne by budget line 18 02 01 03.

- (4) In accordance with Article 5(4) of Regulation (EU) 2018/1861 of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System in the field of border checks⁵, an overall amount of EUR 36 810 000 shall be allocated to the Member States and Schengen Associated Countries to cover the costs related to the quick and effective upgrading of the national systems concerned, in line with the requirements of the Regulation. Such amount shall be allocated in equal shares, with each Member State and each Schengen Associated Country receiving EUR 1 227 000.
- (5) In accordance with Article 5(7) of Regulation (EU) No 515/2014, the Schengen Associated Countries (Iceland, Liechtenstein, Norway and Switzerland) shall participate in the instrument, and arrangements between the Union and these countries on their respective financial contribution to the instrument shall be concluded.
- (6) In accordance with Article 11(2)(b) of the agreements signed between the European Union and Iceland⁶, Liechtenstein⁷, Norway⁸, and Switzerland⁹ respectively, an overall amount of EUR 79 088 035 shall be allocated to the Member States and the Schengen Associated Countries to cover the costs incurred for the development of IT systems referred to in Article 15 of Regulation (EU) No 515/2014, which aim in particular at improving the management and control of travel flows at the external borders by reinforcing checks while speeding up border crossing for regular travelers.¹⁰
- (7) This extra funding for IT systems is not aimed at covering a narrowly defined type of costs, but can cover a wide range of costs related to those IT systems, including purchase, upgrading, maintenance and operation. Such costs differ considerably between Member States, depending on factors such as the length of the external border, the number of border crossing points or the number of persons crossing the borders, and thus it would not be appropriate to allocate this extra funding to Member States in equal shares.

⁵ Regulation (EU) 2018/1861 of the European Parliament and of the Council, of 28 November 2018, on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006.

⁶ Agreement between the European Union and Iceland on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020 (OJ L 72, 15.3.2018, p. 3).

⁷ Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020 (OJ L 7, 12.1.2017, p. 4).

⁸ Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020 (OJ L 75, 21.3.2017, p. 3).

⁹ Agreement between the European Union and the Swiss Confederation on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020 (OJ L 165, 2.7.2018, p. 3).

¹⁰ This amount is subject to the confirmation of the availability of the 2019 and 2020 contributions by the Schengen Associated Countries.

- (8) It is appropriate to allocate this extra funding to Member States according to the approach followed for the allocation of the ISF - Borders & Visa basic amounts, by combining a minimum amount of EUR 1 500 000 for each participating Member State with the ISF - Borders & Visa distribution key as set out in recital (38) of Regulation (EU) No 515/2014. Through this approach it is ensured that, taking in consideration the funding available, each Member State receives a reasonable amount that enables it to cover some substantial costs incurred with the development of those IT systems, while taking also into account the significantly higher costs incurred by the Member States with larger external borders and higher cross border traffic.
- (9) According to such calculations, Lithuania should be allocated an amount of EUR 2 106 767,02 for the development of IT systems.
- (10) On 7 October 2019, Lithuania submitted, through the Commission's electronic data exchange system (SFC2014), a revised national programme to take into account the additional Union contribution.
- (11) This Decision constitutes a financing decision within the meaning of Article 110 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council¹¹ and a legal commitment within the meaning of point (37) of Article 2 of that Regulation.
- (12) Decision (2015)5426 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision (2015)5426 is amended as follows:

- (1) Article 1 is replaced by the following:

"Article 1

The revised national programme of Lithuania for support from the Internal Security Fund for the period from 1 January 2014 to 31 December 2020, as submitted in its final version on 7 October 2019, is hereby approved."

- (2) Article 2 is replaced by the following:

"Article 2

1. The maximum contribution from the Internal Security Fund to the national programme of Lithuania is set at EUR 220 358 783,68, to be financed from the general budget of the Union as follows:
 - (a) budget line 18 02 01 01: EUR 195 997 795,68;
 - (b) budget line 18 02 01 02: EUR 18 360 988;
 - (c) budget line 18 02 01 03: EUR 6 000 000.
2. The maximum contribution from the budget line 18 02 01 01 shall be composed of:

¹¹ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (OJ L 193, 30.7. 2018, p. 1).

- (a) a basic amount of EUR 24 704 873 allocated in accordance with Annex I to Regulation (EU) No 515/2014;
- (b) an additional amount of EUR 6 570 000 for the specific actions, allocated in accordance with Article 7 of Regulation (EU) No 515/2014;
- (c) an additional amount of EUR 154 000 000 for additional specific operating support to Lithuania allocated in accordance with Article 11 of Regulation (EU) No 515/2014;
- (d) an additional amount of EUR 3 759 889 allocated in accordance with Article 6(1)(c) and Article 8 of Regulation (EU) No 515/2014;
- (e) an additional amount of EUR 2 412 600 for the implementation of Regulation (EU) 2017/2226 of the European Parliament and of the Council establishing the Entry-Exit System (EES) and in accordance with Article 5(5)(b) of Regulation (EU) No 515/2014 and Article 2(b) of Commission Delegated Regulation (EU) 2018/1728;
- (f) an additional amount of EUR 1 216 666,66 for the implementation of Regulation (EU) 2018/1240 of the European Parliament and of the Council establishing a European Travel Information and Authorisation System (ETIAS) and in accordance with Article 5(5)(b) of Regulation (EU) No 515/2014 and Article 2(1)(c) of Commission Delegated Regulation (EU) 2019/946;
- (g) an additional amount of EUR 1 227 000 for the implementation of Regulation (EU) 2018/1861 of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System in the field of border checks and in accordance with Article 5(5)(b) of Regulation (EU) No 515/2014;
- (h) an additional amount of EUR 2 106 767,02, for the development of the IT systems referred to in Article 15 of Regulation (EU) No 515/2014.

3. The maximum contribution from the budget line 18 02 01 03 shall be composed of:

- (a) an amount of EUR 4 000 000 for the implementation of Regulation (EU) 2017/2226 of the European Parliament and of the Council establishing the Entry-Exit System (EES) and in accordance with Article 5(5)(b) of Regulation (EU) No 515/2014 and Article 2(b) of Commission Delegated Regulation (EU) 2018/1728;
- (b) an additional amount of EUR 2 000 000 for the implementation of Regulation (EU) 2018/1240 of the European Parliament and of the Council establishing a European Travel Information and Authorisation System (ETIAS) and in accordance with Article 5(5)(b) of Regulation (EU) No 515/2014 and Article 2(1)(c) of Commission Delegated Regulation (EU) 2019/946."

Article 2

This Decision is addressed to the Republic of Lithuania.

Done at Brussels, 26.11.2019

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission