



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Brussels
HOME.E/SM

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

Ref.: HOME-Funds/2023/24

Subject: Launch of the call for expression of interest under the specific action “Electronic surveillance system at the external border (e-surveillance)” under the Instrument for Financial Support for Border Management and Visa Policy (BMVI) – Reference BMVI/2023/SA/1.1.4

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 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 or national projects that bring 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 Art. 8 BMVI Regulation and in accordance with the relevant financing decisions and work programmes for the Instrument for Financial Support for Border Management and Visa Policy (BMVI) Thematic Facility.

By the present note, the Commission launches a call for expression of interest for the specific action on “Member States under pressure - electronic surveillance system at the external border (e-surveillance)”, in line with the actions listed in the above-mentioned Commission’s financing decision and work programme.

2. GENERAL PRINCIPLES

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 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 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 up to 90% of total eligible expenditure.

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

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".

Moreover, for this call your attention is also drawn to Article 9(4) of the CPR, where reference is made to sustainable development and the respect of the Union environmental acquis.

3. CALL FOR EXPRESSION OF INTEREST

3.1. Background for the specific action

In 2022, a high number of irregular border crossings were detected (330 000) in the EU, the highest since 2016 and a 66% increase from 2021.

⁽¹⁾ 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.

⁽²⁾ 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 JHA Council of 25 November 2022 examined the situation of increasing pressure along all migratory routes, including the particularly challenging situation in the Mediterranean and in the Western Balkans, and the largest refugee crisis since the Second World War in Europe, with around 4 million refugees from Ukraine who received temporary protection. The EU endorsed Action Plans on the Western Balkans and the Central Mediterranean route, bearing in mind the respective challenges of irregular border crossings and disembarkations after search and rescue. The JHA Council emphasized the need for joint efforts and solidarity, bearing in mind the need for a whole-of-route approach to find solutions.

On 14 March 2023, the Commission's Communication ⁽³⁾ establishing the multiannual strategic policy for European integrated border management, underlined the need for *“effective operational measures of the Member States’ national authorities responsible with border management [...] as well as **reinforced border protection capabilities and infrastructure, means of surveillance.**”* It also called for *“a coherent and comprehensive national and European situational pictures, an efficient implementation of EUROSUR and sound risk analysis”* It spotlights with priority the need to ensure the security of the affected border sections where migrants are being instrumentalised. Such key external borders need to be strengthened through targeted Union measures and funds to support Member States in reinforcing border control capabilities and infrastructure, means of surveillance and equipment.

As per the page 4 of the Annex to this Communication *“National integrated surveillance systems should be supported by common and interoperable European surveillance capabilities [...]. The land border surveillance system must be able to reveal all unauthorised border crossings and intercept persons crossing the border illegally in high-risk areas under any circumstances. Land border surveillance systems could include mobile or stationary capabilities and infrastructure, and specialised trained staff. State-of-the-art technologies and various technical equipment and solutions should be favoured (i.e. use of drones)”*.

‘Controlling the external borders by way of surveillance of the green and sea borders and checks at border crossing points is the fundamental component of EIBM’. ⁽⁴⁾ Having a well-functioning, state-of-the-art and integrated electronic surveillance system in place is paramount when it comes to situational awareness and the efficient management of EU external borders.

The Commission underlines the importance of electronic surveillance systems for integrated border management of the EU's external border. In 2022, DG HOME allocated additional financial support in the form of specific actions to Member States for extending such systems, considering the challenges resulting from the instrumentalisation of migrants at the external border with Belarus.

In addition, the Commission launched on 2 May 2023 a specific action to support the EU's protection capabilities at the Bulgaria/Turkish border and the Romanian/Serbian border.

⁽³⁾ COM(2023) 146 final, from 14.3.2023

⁽⁴⁾ COM(2023) 146 final, from 14.3.2023

The European Council of 9 February 2023 discussed the migration situation and invited the Commission to present Action Plans for the Atlantic, Western and Eastern Mediterranean routes, with a view to quickly alleviate the pressure on the Member States most affected. It called in particular to “*immediately mobilise substantial EU funds and means to support Member States in reinforcing border protection capabilities and infrastructure, means of surveillance, including aerial surveillance, and equipment*”.

3.2. Indicative Budget available

The indicative amount of EUR 140 million (including funds available under the 2021-2022 Thematic Facility work programme) is envisaged for this call BMVI/2023/SA/1.1.4.

The requested amount (i.e., the Union contribution to the Member State’s BMVI programme under the specific action) should not be lower than EUR 8 million and not be higher than EUR 30 million per application/work package (if applicable) including technical assistance. Please note that for this call, the co-financing rate is up to 80%.

3.2.1. Reserve list

Under the Thematic Facility work programme 2023-2025, additional amounts could be allocated in 2024 to Member States under pressure for electronic border surveillance systems. Following the submission of proposals by Member States, the Commission would establish a reserve list in case additional budget is available in the future. The reserve list would be composed of:

- Proposals not selected under the present call: the Commission will establish a reserve list for proposals which are not selected but obtained a minimum score of 35/50 for relevance.
- Proposals partially financed under the present call: when applying, Member States could submit proposals composed of different work packages. The Commission can propose to fund either one or multiple work packages, each one within the above-mentioned ceilings, and include the remaining one(s) in the reserve list, provided that they meet the minimum score of 35/50 for relevance. In order for this to become applicable, please provide the information requested in the application form, where you also find more information on work packages.

3.3. General framework for financial support for Member States under pressure

This call for specific action is part of a number of specific actions that seek to address the challenges identified at the February European Council on the control of EU external borders. All these specific actions aim to support Member States under migratory pressure, in accordance with the work programmes for AMIF and BMVI of the Thematic Facility.

3.3.1 Distinction from programmes and emergency assistance

The scope of the support for Member States under pressure under these specific actions needs to be well defined and a clear delineation must be drawn with funding opportunities under Member States’ Programmes (National Programmes) and Emergency assistance (EMAS).

3.3.2. General principles for specific actions Member States under pressure

The following general principles should be taken into account for specific actions Member States under Pressure:

- The actions should serve to cover additional structural or exceptional needs and running costs, including contingency, stemming from the additional burden resulting from the continuous migratory pressure in the Member State concerned or at its external borders.
- The request for funding should demonstrate that national funds and/or funds under Member States' programmes or other sources of funding are not sufficient over the 7 years period to carry out the proposed actions, or that the proposed actions deliver additional EU added value to the actions funded under the Member State programme.
- The complementarities between the different funding tools should be explained in the proposal to avoid potential overlaps.
- The actions deliver particularly high EU-added value considering recent developments and demonstrate solidarity with Member States under pressure in line with the specific objectives of the Fund-specific Regulations.
- The actions are foreseeable and of medium or long-term nature. The needs are predictable and can be planned or already planned by the Member States authorities.
- The applicant should ensure that the proposed action will be implemented in full respect of the Charter of Fundamental Rights of the European Union and in line with EU acquis, including the Schengen acquis.

For BMVI, the proposals should provide a justification that the Member States concerned is facing continuous pressure at its external borders and is bearing a high share of responsibility on behalf of the Union as a whole, based on data on migration and other operational elements relating to border control. Relevant elements and data can notably be the number of irregular border crossings of external borders, and the number of persons intercepted at the external border while crossing irregularly, as well number of prevented attempts for irregular border crossings.

Moreover, for this specific action, other elements for the justification that the Member State is under pressure could be:

- Completely or partially missing electronic surveillance in a given border section, where this technical tool would be essential to underpin more efficient management of external borders (the terrain conditions allow for it);
- Where electronic surveillance is in place, the fact that it is outdated and would benefit from either an extension, an upgrade or update to be effective.

3.4. Objectives and activities under this specific action

This call invites Member States facing a significant increase of the pressure at the external borders in 2022 to launch initiatives to make improvements at the external land borders either by introducing electronic surveillance systems or by extending, upgrading or updating the existing ones, taking into account shortcomings identified in the management of their external borders.

The specific action proposed can include the following activities related to:

- Procurement of fixed and mobile elements catering for increased surveillance of EU external land borders: electronic surveillance systems, including video surveillance systems, thermal imaging devices, night vision capacity, electronic cables, radars, ground sensors and observation towers, support for technology / communication systems that ensure the information of the new or extended electronic system is integrated into overall information management / situational awareness – e.g. communication devices, etc. (but not direct support for the situational awareness / Eurosur activities)

The specific action proposed should not include costs related to:

1. Procurement of any means of transport.
2. Creation/development of electronic surveillance systems at the sea border
3. Procurement of any type of equipment eligible under the call for expression of interest for BMVI SA Frontex equipment ref. BMVI/2023-2024/SA/1.2.2.
4. Resources needed to operate the proposed solutions/electronic surveillance systems, etc. This means excluding from the proposal maintenance costs and other operating support items.

The proposals should be in line with the multiannual strategic policy cycle for European integrated border management and its implementation, and the national capability development plan of the Member State of the applicant, thus contribute to capacity building at national level on European integrated border management. The applications should describe the baseline situation and the strategy concerned.

The proposals should also outline how the Member States will ensure the continuity and sustainability at national level of the electronic surveillance systems funded under this specific action, as well as confirm that any new equipment/measure is technically compliant with the existing equipment/technology already used on the ground in the given Member State.

This call is in accordance with the work programme of the BMVI Thematic Facility for 2021-2022, which refers to support to Member States Integrated Border Management strategies, and in accordance with the work programme of the BMVI Thematic Facility for 2023-2025, which refers to actions to support Member States to deal with high migratory pressure at the EU external borders, aiming at reinforcing border control capabilities.

3.5. Expected results following the call

Proposals should present a coherent vision for the electronic surveillance systems for the EU external land borders. This could for instance be done through quantified estimates of results presented in the application, such as:

1. Increased border surveillance of the external border sections concerned with “x”%, by number of fixed and mobile surveillance and monitoring solutions (such as systems of radars, day and thermal cameras, remote sensing & imaging services etc.)
2. Increased coverage with “x”% of the area covered by the new surveillance systems

The successful applications will require changes to the programmes' relevant indicators that are listed in Annex VIII of the BMVI Regulation. The presentation of the expected results should indicate reliable sources of data used to measure the achievements.

4. PROCEDURE FOR APPLICATION

4.1. Application content

The applications should:

1. Provide information on the baseline currently in place (covered by border surveillance system, partial covered, terrain and other circumstances),
2. Provide an analysis explaining why the electronic surveillance system would be of added value at a particular border section, and why it is needed, based on one or more of the following elements:
 - a. completely or partially missing electronic surveillance in a given border section, where this technical tool would be essential to underpin more efficient management of external borders and that there are no obstacles to harvest its benefits (e.g., the terrain conditions allow for it)
 - b. electronic surveillance is in place, but outdated and would benefit from update, upgrade or extension
 - c. use of criteria on migration pressure as referred above under section 3.3, while considering that evaluating the data is complex, as numbers of irregular crossings can fluctuate significantly, high number of recorded attempts may actually mean that the surveillance is functioning etc.
 - d. any other relevant data or information on the challenges faced at the border sections concerned, including where applicable, Schengen recommendations;
3. Explain how the planned electronic surveillance system would operate specifically and how it would improve the situation at the border, e.g., milestones and targets achievements & deadlines, in relation to the expected results (see 3.5)
4. Confirm that the equipment planned will be compliant with Frontex standards⁵, where they exist;
5. Demonstrate added value of the electronic surveillance systems as part of the integrated border management by the Member State concerned. This could relate to interoperability and integration with other systems and tools whereby electronic surveillance would be compatible with the existing systems and technology in place, and thus allow for the integration of the new systems/equipment as well as foster synergies;
6. Electronic surveillance could contribute to an increase in recording detected movements, which would contribute to the National Situational Picture and the European Situational Picture;
7. Provide a solid justification and detailed information, in the case of highly specialised equipment, as well in case of additional staff needs for operating the additional equipment justification that the required trainings, skills are in place;

⁵ [MB Decision 51/2021 of 21 September 2021 adopting Technical Standards for the equipment to be deployed in Frontex activities](#)

8. Indicate the resources to use and maintain the equipment, including sufficient resources under BMVI programme or national budget as well as knowledge to operate it (trained staff).

You have the possibility to present in your application the different priorities/topics/stages of proposal as work packages composed of several activities that you wish to carry out. For each work package, indicate the priority in relation to the other ones, the different budget items and their relevance with regards to the capability gaps and expected timeline for delivery.

We recommend that you present the work packages according to a logic that is inherent, in your opinion, to an optimal development of an electronic surveillance system. Please describe the reasoning behind this intervention logic with work packages in the application form and use the budget form to detail each work package with the relevant activities.

The work packages that are part of a proposal should be clearly inter-connected and contribute to the achievement of the objective(s) of the proposal. Nevertheless, should there be work packages not selected/added to the reserve list, it should not affect the implementation of the work package(s) selected and their effective commencement.

Given the limited budget available, it is likely that only some work packages of a proposal will be financed. 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, the application should present your views on the priorities for funding among the needs identified and the sequencing for each activity.

Member States may present several applications, but each application should be developed considering a particular border section of the EU i.e. (part of external border with a third country). Consequently, each Member State can submit multiple, applications, which will be assessed on their own merits and independently. If several applications are submitted, the Member State should indicate the priority for each of them.

4.2. Admissibility and assessment aspects

All EU Member States participating in the BMVI are eligible. The Schengen associated countries (Switzerland, Iceland, Liechtenstein and Norway) may participate in the call and they will receive additional funding once the legal arrangements for their participation in the BMVI are in place ⁽⁶⁾.

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

To be considered admissible a proposal

1. has to be submitted by the EU Member States, individually, and in accordance with the BMVI Regulation.

⁽⁶⁾ References to Member States in the present note should, therefore, be understood as including Schengen associated countries once the legal arrangements for their participation in the BMVI are in place.

2. has to be submitted within the deadline (see below) to the BMVI specific actions functional mailbox HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu, in the official Application Form attached to this note, together with its annexes, in a readable and complete manner (all fields necessary for assessment are filled in), has to be submitted by the BMVI Managing Authority of the Member State on behalf of the beneficiary(ies) ;
3. 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),
4. cannot result in financing of equipment that has already been procured and delivered. However, Member States may apply if they are already in the process of procuring assets clearly eligible under this specific action, notably if a contract was not signed and the co-funding for such equipment is not already committed either under ISF – Borders and Visa, BMVI or other EU programmes

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

DG HOME will assess admissible proposals based on the following criteria:

A. Relevance (max. 50 points/100 – pass score of 35/50):

1. **EU added value and relevance of the use of electronic surveillance systems at the border section concerned:** technical and operational suitability of the proposal to address the specific challenges and identified gaps; relevance that the electronic surveillance in the given border section would substantially improve the effectiveness of border management (e.g. terrain conditions do not undermine to make use of it); necessity/added value of the electronic surveillance system at that border section in light of the pressure;
2. **Synergies in relations to the border management at the border section concerned:** degree of useful integration and/or interoperability of the proposed solutions into the existing surveillance systems and/or other tools/interventions supporting border control; overall complementarity of the proposed solutions/purchases of equipment with other actions funded with EU instruments/state budget;
3. **Compliance with the BMVI and coherence with the integrated border management strategies of the EU:** clarity, correspondence, and consistency of the proposal with the BMVI scope and objectives, relevant EU strategies and the expected outcomes of this call for expression of interest.
4. **Coherence between the work packages (where applicable):** clarity of the interconnection and interdependencies between the work packages for the achievement of the objectives of the proposal and the reasoning about the priority; feasibility of the start of the work package indicated as the first priority.

B. Quality and content (max. 30 points/100):

1. **Maturity of the proposal:** intervention logic of the proposal as a whole (background information, needs assessment, proposed activities and expected results); project management, including operational and financial management; planned implementation (indicative timeline); monitoring/reporting strategy; experience and expertise of the project team/entities involved in the implementation; risk assessment

and risk management procedures; mechanisms to ensure compliance with the EU acquis;

2. **Sustainability:** continued functioning of the systems after the completion of the planned activities, through provision of sufficient material, financial and human resources that are necessary to operate and maintain the equipment during its lifetime;
3. **Cost-effectiveness:** reasonability and feasibility of the estimated costs in relation to the scale of the challenge and types of equipment, quality of the methodology for the calculation of the costs; justification of costs not directly linked to the objectives of the proposal, if any.

C. **Impact (max. 20 points/100):**

1. Likelihood and scale of positive effects on the **national capabilities** for the management of the Member State's external border
2. Potential impact on the **integrated border management of the EU external borders in general.**

4.3. **Application procedure**

Deadline for the application: Member States are invited to submit their proposals by **25 August 2023** at the latest, using the official BMVI/2023/SA/1.1.4. 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.

Deadline for any clarification requests on this Note: Member States can send requests by **7 July 2023** 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 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.

DG HOME will inform Member States of the outcome of the assessment of the proposals towards **October 2023**.

5. **AMENDMENT OF THE BMVI PROGRAMMES AND ELIGIBILITY OF EXPENDITURE**

After having been informed of the outcome of the call for expression of interest, each successful Member State shall submit to the Commission a request to amend its BMVI programme via SFC. The amended programme should include a short description of the specific action, adjust the output and result indicators and include the costs and codes

linked to this specific action (respectively in the description and under tables 1, 2 and 3 of the relevant specific objective, and table 6 of the programme).

The Monitoring committee should approve any proposal by the managing authority for the amendment of the programme (Article 40(2)(d) of Regulation (EU) 2021/1060.

When amending the BMVI] programme of a Member State, two situations may arise regarding the eligibility of expenditure (⁽⁷⁾):

1. For Member States that have included all the types of interventions listed in Annex VI table 1 of the BMVI Regulation that are relevant for the specific action “Electronic surveillance system at the external border” in table(s) 2.1.3 of the relevant specific objective(s) in their *initially approved* BMVI programme: expenditure for the Specific Action will be eligible as of 01/01/2021, in particular code 005 “Automated border surveillance systems”.
2. For Member States that have *not* included all the types of interventions listed in Annex VI table 1 of the BMVI Regulation that are relevant for the specific action “ Electronic surveillance system at the external border” in the tables in the table(s) 2.1.3 of the relevant specific objective(s) in their initially approved BMVI programme: expenditure for the specific action will be eligible from the date of submission by the Member State of its request for amendment of the BMVI programme that will add the respective types of interventions in the programme.

Yours faithfully,

Silvia MICHELINI

Enclosure: Annex 1: Application form
 Annex 2: Budget Form

c.c.: Permanent Representations – JHA Counsellors

⁽⁷⁾ Art. 63(7) of Regulation (EU) 2021/1060.