

**FAQs about Specific Actions under Thematic Facility Work Programmes AMIF, BMVI, ISF 2023-2025**

❖ **ISF/2023/SA/2.1.1 - Council Recommendation on operational law enforcement cooperation – Turning recommendations into joint action (ROLEC)**

Topic classification	Questions	Reply
<p><b>Equipment purchase</b></p>	<p>Is it possible to purchase equipment within this call, if so, does a depreciation and/or full cost principle apply within this call?</p>	<p>In line with Article 63 “Eligibility” of the CPR Regulation (EU) 2021/1060 the eligibility of expenditure must be determined on the basis of national rules, except where specific rules are laid down in, or on the basis of, CPR Regulation or the Fund-specific Regulation. When implementing a specific action, the Member State is bound to fund costs which remain within the scope of that specific action, contributing to the expected results, as per the call document. As a general principle, in that logic, costs should be necessary for the implementation of the action and reasonable.</p> <p>The Managing Authority has an important role in explaining to the interested beneficiaries the applicable rules and specificities of ISF programme in general and for a specific action in particular, to guide and help them in view of a possible application for a specific action. The Managing Authority should be the contact point and take the responsibility to review questions from any potential beneficiaries and where appropriate, raise the questions to the Commission through the Specific Actions functional mailbox.</p> <p>As projects under Specific Actions are managed at national level, according to national rules, specific questions on eligibility of costs (e.g. depreciation, etc) should be addressed first to the Managing Authority of the relevant Member State.</p> <p>Regarding the eligibility of equipment purchase, it must be taken into account that the ROLEC call of expression of interest (Ref. ARES(2023) 1173264 of 17/02/2023) clearly sets out on pages 5 and 6 that the specific action cannot support expenditure relating to:</p> <ul style="list-style-type: none"> <li>• Equipment of which the primary purpose is customs control,</li> <li>• Coercive equipment, including weapons, ammunition, explosives, and riot batons, except for training purposes,</li> <li>• Purchase of equipment beyond the 35% threshold of the total allocation to the ISF programme as stipulated in Article 13(7) of the ISF Regulation (this ceiling may be exceeded only in duly justified cases).</li> </ul>

<p><b>Scope of the SA</b></p>	<p><i>We represent the German Federal Criminal Police Office and we would like to ask you if the following project idea for the ROLEC seems suitable or if we should take another opportunity with the idea (for example calls for proposals - in line with the Strategy to Tackle Organised Crime 2021-2025).</i></p> <p><b><i>Nexus Organized Crime and Terrorism – a threat assessment (NOTTA)”</i></b></p> <p>For our project idea we have attached an attachment for a better understanding.</p> <p><b>Why is the topic of the OC – TE-Nexus important for EU member states?</b></p> <ul style="list-style-type: none"> <li>• Together with the OC investigative department we ran an analysis focusing on the nexus between family-based structures and extremism/terrorism and we would like to build up upon our results, now including the international police perspective.</li> <li>• In June 2017, UN Deputy-Secretary General Amina Mohammed stated, “Transnational organized crime, violent extremism and terrorism are growing threats to stability [...] On the ground, criminal and terrorist networks are competing to buy ungoverned spaces that are growing in size as governments retreat. Vigilante justice has replaced State authority.”</li> <li>• Relatively few research has been done on this phenomenon – most of the resources remain on a rather superficial level or are being written from a strictly siloed point of few. Thus, leading to an underestimation of the flexibility and adaptability of these organizations and maybe even leading them into vulnerable territories that allow them to gain further influence. Hypothetically, one could argue that not only do criminal and terrorist networks become more powerful and adapt better, they could also use</li> </ul>	<p>The Managing Authority is the contact point and has the responsibility to ask the questions from any potential beneficiaries through the Specific Actions functional mailbox.</p> <p>The ROLEC call does not seem suitable for the project idea in question. Such a NOTTA threat assessment should – if relevant – be performed by Europol (cooperation within the Agency between the centers OAC, ESOC and ECTC), on the basis of contributions from Member States and partners.</p> <p>Moreover, within the EMPACT 2023 operational action plan (OAP) targeting ‘high-risk criminal networks’ (HRCN), there is already an operational action (OA) n°1.4 – under the strategic goal ‘intelligence picture’ – ‘to identify and highlight the links existing between OCGs and terrorist organizations and crimes delivered as service by mapping the threat and determining possible HVTs’. Germany is involved in this OA, which is led by Spain. If not done already, Germany should check the state-of-play of this action against its project idea NOTTA (and at least, link it with this OA if Germany wants to pursue).</p>
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	<p>appropriate tactics of the respectively other phenomenon. E.g. seen with the militarization and sociopolitical infiltration of drug trafficking organizations such as Zetas, CJNG or Sinaloa puts an emphasis on versatility, resilience and influence on politics.</p> <ul style="list-style-type: none"> <li>• However, it is obvious that both terrorist/extremist organizations as well as OC groups do recruit from the same pool of people and likewise profit from a destabilized state structures. The exact reasons and aims as well as the nature of this cooperation may vary from terrorist/extremist organization to another. Therefore, it is important to look at the cooperation modes and to compare not only organizations like ISIS, Al Qaida, Hezbollah or the PKK, but instead to focus on IRA, ETA smaller militia groups in Africa and thoroughly analyze the question, what sets the cooperations between those terrorist/extremist groups apart.</li> </ul> <p>Please let us know what you think about the project is suitable for the ROLEC.</p>	
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❖ **BMVI/2023/SA/1.1.4 - Electronic surveillance system at the external border**

Topic classification	Questions	Reply
<b>Eligibility of expenses</b>	<p>At the request of one of our beneficiaries, we hereby request if the following expenses are eligible:</p> <ol style="list-style-type: none"> <li>1. Acquisition of electronic surveillance systems at the external maritime border;</li> <li>2. Acquisition of risk analysis software for borders;</li> <li>3. Acquisition of computer equipment (laptops, tablets, smartphones, etc.);</li> </ol>	<p>In line with Article 63 “Eligibility” of the CPR Regulation (EU) 2021/1060 the eligibility of expenditure must be determined on the basis of national rules, except where specific rules are laid down in, or on the basis of, CPR Regulation or the Fund-specific Regulation. When implementing a specific action, the Member State is bound to fund costs which remain within the scope of that specific action, contributing to the expected results, as per the call document. As a general principle, in that logic, costs should be necessary for the implementation of the action and reasonable.</p>

	<p>4. Acquisition of document control equipment (authentication of documents – eg ETIAS), resulting from the new duties of the GNR within the scope of border control;</p> <p>5. Recovery of SIVICC maritime surveillance towers;</p> <p>6. Acquisition of training services within the scope of border control.</p>	<p>The Managing Authority has an important role in explaining to the interested beneficiaries the applicable rules and specificities of BMVI programme in general and for a specific action in particular, to guide and help them in view of a possible application for a specific action. The Managing Authority should be the contact point and take the responsibility to review questions from any potential beneficiaries and where appropriate, raise the questions to the Commission through the Specific Actions functional mailbox.</p> <p>As projects under Specific Actions are managed at national level, according to national rules, specific questions on eligibility of costs (e.g. depreciation, etc) should be addressed first to the Managing Authority of the relevant Member State.</p> <p>Nevertheless, and as per point 3.4, page 5 of the call document, the objectives and activities under the concerned specific action (BMVI/2023/SA/1.1.4) are targeting “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.” It is explicitly mentioned that “The specific action proposed should not include costs related to: (...) 2. Creation/development of electronic surveillance systems at the sea border (...)”</p> <p>Taking into account the above, the following replies can be provided to the questions:</p> <p>1. Acquisition of electronic surveillance systems at the external maritime border: <b>given the nature of the border, it is not in the scope of this specific action;</b></p> <p>2. Acquisition of risk analysis software for borders: <b>can be eligible to the extent that it serves or is part of (the extension of) an external land border surveillance system to be procured;</b></p> <p>3. Acquisition of computer equipment (laptops, tablets, smartphones, etc.): <b>idem point 2 above;</b></p> <p>4. Acquisition of document control equipment (authentication of documents – eg ETIAS), resulting from the new duties of the GNR within the scope of border control: <b>not in the scope of this specific action as they serve border checks and not border surveillance;</b></p> <p>5. Recovery of SIVICC maritime surveillance towers: <b>idem point 1 above;</b></p>
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		6. Acquisition of training services within the scope of border control: <b>cannot be the main activity under this specific action and is not eligible if it is just about support to the operation of the system concerned. Training services can be considered as costs under this specific action only to the extent that they are considered necessary for putting into effective operation (the extension/updating or upgrading of) the electronic surveillance or communication systems to be procured.</b>
<b>Management costs</b>	Could you please clarify, are the project management costs eligible under “Electronic surveillance system at the external border (e-surveillance)” call and are there provides indirect costs?	<p>In line with Article 63 “Eligibility” of the CPR Regulation (EU) 2021/1060 the eligibility of expenditure must be determined on the basis of national rules, except where specific rules are laid down in, or on the basis of, CPR Regulation or the Fund-specific Regulation. According to the Fund specific Regulation, notably BMVI, there are no provisions limiting the eligibility of project management costs, that would follow under the indirect costs. Article 54 of the CPR Regulation provides possibilities for the Member States to use flat-rate financing for indirect costs concerning grants. Therefore, for cases where a flat rate is used to cover indirect costs of an operation, the options of the mentioned article of CPR Regulation are applicable.</p> <p>Please note that the call indicates that DG HOME will assess admissible proposals based also on criteria related to quality, referring also to “maturity of the proposal”, where aspects such as project management, including operational and financial management, risk assessment, monitoring/reporting strategy etc. are mentioned as relevant factors. This implies that costs covering these aspects can be covered where necessary.</p> <p>On the eligibility of costs, please liaise with the BMVI Managing Authority. (see the above reply to the question on eligibility of expenses and the point on the role of the Managing Authority. It may further explain the applicable rules and specificities of BMVI programme in general and of a specific action in particular, guiding and helping in view of a possible application for a specific action.)</p>
<b>Eligibility of expenses</b>	<p>1. Are the technical expert salary, business trip (needed for market research of surveillance systems, gathering information about equipment at trade fairs, etc.) and designing costs eligible under the specific action.</p> <p>2. With the support of the BMVI specific action, we would like to acquire radar-type drone detection systems (radar + camera + installation and software), which will be stationary at the external border line. The effective working radius of such</p>	<p>See earlier reply on eligibility of expenses.</p> <p>In short, therefore:</p> <p>1. Yes, if necessary for the project and eligible under national rules. 2. The procurement of the described equipment is eligible under this specific action if it is considered a part of the electronic border surveillance system. This should be explained in the application.</p>

	<p>devices should be about 5 km. PBGB has planned to develop drone detection, which allows only RF-based C-UAS to detect flying objects, but only RF-based C-UAS solutions cannot provide a full overview of cross-border crime, and additional sensors such as radar, cameras, etc. are needed. We would like to clarify is it eligible under the call?</p>	<p>As regards the activity mentioned in point 1 (preparatory work for the design of an extension/ upgrade or new electronic border surveillance system), Member States are encouraged to contact Frontex in the framework of their market research, as the agency may have at its disposal knowledge on the latest state of the art on systems and other operational information relevant for the design.</p>
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