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DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

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COMMITTEE FOR THE HOME AFFAIRS FUNDS

Subject: **Launch of the call for expression of interest under the Specific Action “*Support for the establishment of shared technical copies of the Schengen Information System (SIS) by Member States and biometrics*” under the Instrument for Financial Support for Border Management and Visa Policy (BMVI) – Reference No BMVI/2022/SA/1.5.7**

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 or national projects that bring Union added value in accordance with the objectives of the Fund/Instrument for which one, several or all Member States may receive an additional allocation to their programmes. 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 the Instrument for Financial Support for Border Management and Visa Policy (BMVI) Thematic Facility, covering the years 2021-2024 for actions implemented under shared management¹.

By the present note, the Commission launches a call for expression of interest for Specific Action “*Support for the establishment of shared technical copies of the Schengen Informa-*

¹ Commission Implementing Decision C(2021) 8459 final of 25.11.2021.

tion System (SIS) by Member States and biometrics”, in line with the actions listed in the above work programme.

2. GENERAL PRINCIPLES

The specific actions will be implemented by one or more Member States participating in the Instrument for Financial Support for Border Management and Visa Policy (BMVI), via funding received in addition to the allocation under the Member States’ programmes, in line with Article 15 of Regulation (EU) 2021/1148.

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. This means that, as a rule, in case of under-spending or non-implementation of a 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 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 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) 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”.*

In addition, any specific action must be implemented by the Member States in compliance with EU fundamental values, rights and principles enshrined in the Union acquis, in particular with the Charter of Fundamental Rights of the European Union, and with the Union’s international obligations as regards fundamental rights.

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.

3. CALL FOR EXPRESSION OF INTEREST

3.1. Indicative Budget Available

The 2021-2024 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 BMVI/2022/SA/1.5.7 call is **EUR 5.5 million**.

3.2. Background for the Specific Action

This Specific Action relates to the implementation by Member States³ of the following EU *acquis*:

- (i) Regulation (EU) 2018/1860 of the European Parliament and of the Council of 28 November 2018 on the use of the Schengen Information System for the return of illegally staying third-country nationals;
- (ii) 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; and
- (iii) Regulation (EU) 2018/1862 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 police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU.

In addition, it relates to the implementation of:

- (iv) Commission Implementing Decision (EU) 2020/2165 of 9 December 2020 on laying down the rules for the application of Regulation (EU) 2018/1861 of the European Parliament and of the Council as regards the minimum data quality standards and technical specifications for entering photographs and dactyloscopic data in the Schengen Information System (SIS) in the field of border checks and return (notified under the document C(2020) 8599);
- (v) Commission Implementing Decision (EU) 2021/31 of 13 January 2021 on laying down the rules for the application of Regulation (EU) 2018/1862 of the European Parliament and of the Council as regard the minimum data quality standards and technical specification for entering photographs, DNA profiles and dactyloscopic data in the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters and repealing Decision (EU) 2016/1345 (notified under the document C(2020) 9228);
- (vi) Commission Implementing Decision of 15 February 2021 laying down the rules necessary for entering, updating, deleting and searching in the Schengen Information System (SIS) and other implementing measures in the field of border checks and return (notified under the document C(2021) 660 final);
- (vii) Commission Implementing Decision of 15 January 2021 laying down the technical rules necessary for entering, updating, deleting, and searching data in the Schengen Information System (SIS) and other implementing measures in the field of police cooperation and judicial cooperation in criminal matters (notified under the document C(2021) 92 final);

³ excluding Ireland.

- (viii) Commission Implementing Decision of 18 November 2021 laying down detailed rules for the tasks of the SIRENE Bureaux and the exchange of supplementary information regarding alerts in the Schengen Information System in the field of border checks and returns (“SIRENE Manual – Borders and returns”) (notified under the document C(2021) 7900 final and its annexes); and
- (ix) Commission Implementing Decision of 18 November 2021 laying down detailed rules for the tasks of the SIRENE Bureaux and the exchange of supplementary information regarding alerts in the Schengen Information System in the field of police cooperation and judicial cooperation in criminal matters (“SIRENE Manual – Police”) (notified under the document No C(2021) 7901 final and its annexes).

3.3. Objective of the Specific Action

The objective of the specific action is to secure, in as many Member States as possible, an effective implementation of the provisions of the above-mentioned Regulations and implementing acts by:

1. enhancing business continuity and uninterrupted availability of the Schengen Information System (SIS) in Member States,
2. increasing the efficiency of SIRENE processes, and
3. enhancing the quality of the biometric data included in SIS.

The specific action comprises three lots:

- a. ***Lot 1.5.7.1 “SIS shared technical copies”*** to enable two or more Member States to study ways to implement a “shared backup N.SIS” or “shared technical copies” of SIS, as provided for in Article 4(1) of Regulation (EU) 2018/1861 and Article 4(1) of Regulation (EU) 2018/1862, to be used jointly by those Member States to enhance uninterrupted availability of SIS to their end-users;
- b. ***Lot 1.5.7.2 “Implementation of automation in SIRENE procedures”*** to enable SIRENE offices in the Member States to develop and implement further automation in their case handling and management through the development, installation and use of digital assistants, robotic process automation or other forms of automation; and
- c. ***Lot 1.5.7.3 “SIS modernisation of equipment for the capturing of biometrics”*** to support Member States to modernise their biometric data capturing equipment used primarily to capture biometric data for inclusion in the SIS.

The objective of this Specific Action is to support Member States in the implementation of the operation of the SIS and tasks of the SIRENE offices in the areas covered by the three lots.

Member States are invited to exploit innovation and technology from previous/current Union-funded security research and innovation, in particular if there are pilot projects and/or studies that could serve the scope and objectives of this Specific Action. That would allow benefiting from existing technologies, innovative means and knowledge that are available and relevant to this Specific Action.

The outputs and results of the Specific Action should contribute to the following indicators from Annex VIII of the BMVI Regulation:

- **the number of IT functionalities developed/maintained/upgraded:** the developed IT functionalities are technologies in automation in the SIRENE Bureau and biometric capturing systems installed or upgraded;
- **the number of large-scale IT systems developed/maintained/upgraded:** the large IT system maintained is the SIS, though the study of the implementation of shared backup N.SIS or shared technical copies.

3.4. Rules concerning the submission and selection of proposals

Projects under lot 1.5.7.1 “SIS shared technical copies” may only be proposed by a consortium of at least two Member States, submitted by one Member State acting as project leader.

Projects under lots 1.5.7.2 “Implementation of automation in SIRENE procedures” and 1.5.7.3 “SIS modernisation of equipment for the capturing of biometrics” may be proposed either by a single Member State or by a consortium of at least two Member States, of which one Member State will act as project leader. Under lots 1.7.5.2 and 1.7.5.3, preference will be given to projects submitted by consortia of several Member States over those presented by a single Member State.

3.5. Further information about the scope and purpose of each lot of the action

3.5.1. Lot 1.5.7.1 “SIS shared technical copies”

Article 4(1) of Regulation (EU) 2018/1861 and Article 4(1) of Regulation (EU) 2018/1862 give Member States the possibility to establish in their N.SIS a “shared backup N.SIS” or “shared technical copies” of the SIS database to be used jointly with one or more other Member States to enhance uninterrupted availability of SIS to the end-users. However, the Regulations do not establish the detailed modalities for the implementation of such shared back-up N.SIS or shared technical copies and they require Member States intending to establish such shared infrastructures, to agree their respective responsibilities in writing.

In this context, the purpose of this lot is for *the Members of the consortium to develop a concept on the establishment, operation and joint use of a shared back-up N.SIS or shared technical copies*. A project may concern the establishment of a shared back-up N.SIS, the establishment of shared technical copies or both.

The concept should be based on the assessment of, at least, the following aspects:

- when the project concerns shared copies: the technical, operational and legal modalities for making a shared technical copy established in the N.SIS of one Member State available to other Member States for searching SIS data;
- when the project concerns a shared back-up N.SIS: the technical, operational and legal modalities for making a shared back-up N.SIS established in one Member State available to other Member States, as fall-back solution for connecting to and transmitting data CS.SIS;
- standard agreements for the sharing of responsibilities between partner Member States;
- modalities to ensure technical and functional compliance of the shared infrastructure with the SIS Interface Control Document and Detailed Technical Specifications;
- modalities to ensure compliance with security requirements in line with Article 10 of Regulation (EU) 2018/1861 and Article 10 of Regulation (EU) 2018/1862.

When implementing the project, the consortium must involve eu-LISA and the European Commission (DG HOME, Unit B.3) in the assessment of the above-mentioned aspects and the development of the concept.

Proposals must describe:

- a. the methodology and timeline that will be applied to assess the above-mentioned aspects and develop the concept, and
- b. how the involvement of eu-LISA and DG HOME will be ensured.

3.5.2. Lot 1.5.7.2 “Implementation of automation in SIRENE procedures”

Article 8(1) of Regulation (EU) 2018/1861 and Article 8(1) of Regulation (EU) 2018/1862 state that Member States shall provide the necessary technical and human resources to ensure the continuous availability and the timely and effective exchange of supplementary information. The extension in the categories of alerts on persons and objects will bring additional tasks to the SIRENE Bureaux and significantly increase the workload.

In this context, the purpose of this lot is for *Member States to develop and implement robotic process automation, the use of digital assistants or other means of automation in SIRENE procedures*. A project should include the following aspects:

- the identification of suitable processes in SIRENE procedures to be handled by robotic process automation, digital assistants or other automation processes;
- the identification of suitable processes in SIRENE procedures to be supported by robotic process automation, digital assistants or other automation processes;
- the processing of different types of forms in several scenarios;
- the development of the automation processes;
- implementation of the automation processes;
- evaluation of the efficiency, effectiveness and added value of the implementation in order to deal with increased workload.

Proposals must describe the methodology and timeline that will be applied to assess the above-mentioned aspects.

3.5.3. Lot 1.5.7.3 “SIS modernisation of equipment for the capturing of biometrics”

Article 4(2) of Regulation (EU) 2018/1860, Article 22(2) of Regulation (EU) 2018/1861 and Article 22(2) of Regulation (EU) 2018/1862 provide that, when available, all the relevant data of the individual concerned should be entered when creating an alert. Moreover, SIS should permit the processing of biometric data in order to assist in the reliable identification of the individuals concerned. Biometric data entered in SIS should meet minimum data quality standards and technical specifications as set out in Commission Implementing Decision (EU) 2020/2165 and in the Commission Implementing Decision (EU) 2021/31.

In this context, the purpose of this lot is for *Member States with an urgent need to modernise the equipment used for biometric data gathering, in order to increase the number of biometric data introduced in SIS and to enhance their quality in line with the provisions of the SIS Regulations and the specific implementing acts*. Member States must demonstrate an urgent need for modernisation in order to meet the quality requirements of SIS.

The offer must describe the applicable methodology and timeline to modernise the equipment.

Expected results:

For lot 1.5.7.1 “SIS shared technical copies”:

1. A final report on the concept for the implementation of ‘shared back-up N.SIS’ or ‘shared technical copies’, covering at least the aspects set out in point 3.5.1 above and including recommendations for implementation of these aspects;
2. at least two intermediate and one final presentation on the concept and recommendations for the implementation of ‘shared back-up N.SIS’ or ‘shared technical copies’ to be delivered to the Commission, eu-LISA and Member States in the relevant fora (at least SIS-SIRENE Committee and SIS Advisory Group);
3. support the Commission, eu-LISA and Member States, by means of workshops or other forms of cooperation, in developing the modalities to implement the provisions on ‘shared back-up N.SIS’ or ‘shared technical copies’ in line with Article 4(1) of Regulation (EU) 2018/1861 and Article 4(1) of Regulation (EU) 2018/1862 on the basis of the recommendations in the report.

For lot 1.5.7.2 “Implementation of automation in SIRENE procedures”:

1. A final report on the development and implementation of robotic process automation, digital assistants or other means of automation in SIRENE procedures, covering at least the aspects set out in point 3.5.2 above and including recommendations and an evaluation of the impact of the automation on the daily workload, to be measured by, among others:
 - a. the savings in time and resources in the processing of SIRENE forms;
 - b. the number of SIRENE forms that can be simultaneously handled;
 - c. the improvement in the quality of the service (avoidance of mistakes, observance of deadlines, etc.);
2. at least two intermediate and one final presentation on the development and implementation of robot process automation, digital assistants or other means of automation in SIRENE procedures, to be delivered to the Commission, eu-LISA and Member in the relevant fora (at least SIS-SIRENE Committee);
3. the progress by Member States in the effective automation of the SIRENE procedures through the development and installation of robotic process automation, digital assistants or other means of automation to support the SIRENE offices in handling their daily workload – evaluation of the impact to be included in the final report under point 1;
4. support to other Member States and Europol intending to develop and implement automation processes in their SIRENE office, by means of trainings, seminars or other forms of cooperation.

For lot 1.5.7.3 “SIS modernisation of equipment for the capturing of biometrics”:

1. A final report on the modernisation of equipment for the capturing of biometrics, including an evaluation of the impact on the number of biometric data introduced in SIS and data quality;
2. a final presentation on the modernisation of equipment for the capturing of biometrics, to be delivered to the Commission, eu-LISA and Member States in the relevant fora (at least SIS-SIRENE Committee);
3. the modernisation of biometric data gathering equipment to increase the number of biometric data introduced in SIS and to enhance data quality, for example by replacing ink ten-fingerprint cards by state-of-the-art digital devices.

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 projects proposals submitted by the Member States will be assessed by the Commission - 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 in the official BMVI/2022/SA/1.5.7 Application Form attached to this note, together with its annexes, and readable and complete (all fields necessary for assessment are filled in);

In case of a transnational project proposal, the lead Member State will have to make sure that all participating Member States duly sign the “Partnership Declaration Form” and that they are listed in the Application Form, indicating the share each will receive from the specific action’s amount allocated if the submitted project proposal is successful. Based on this common agreement, each partner will have a role and resulting responsibilities in the implementation of the project and delivering on its objectives;

2. 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;
3. has to identify a project beneficiary (an entity) that will be responsible for the implementation of the action in the Member State (in the lead for the action);

⁴ The participation of the Schengen Associated Countries in this call for proposals is conditional upon the conclusion of the arrangements referred to in Article 7(6) of the 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.

4. must comply with the rules detailed in section 3.4 above;
5. has to include partnership declaration forms signed by all participating Member States involved in the project proposal, in the event of a consortium of Member States.

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

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

Relevance (40 points):

1. Clarity and consistency of the objectives and scope of the proposed specific action seen against the objectives and expected impact/outcomes as identified in this call for expression of interest.
2. Degree of participation of other Member States.
3. Cost-effectiveness and complementarity of the project with the Member State's programme and other EU funding instruments.

Quality (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, as well as the measures undertaken to mitigate the identified risks.

Impact (30 points):

1. The impact or effect of the proposed specific action in proportion to the objective of the call for expression of interest for the EU/ other Member States (Union added value).
2. Dissemination and communication.
3. Sustainability.

4.2. Application procedure

Deadline for the application: Member States are invited to submit their proposals by **1 November 2022** at the latest, using the Application Form attached.

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.

Deadline for any clarification requests on this Note: Member States can send requests by **1 October 2022**, at the latest, to HOME-AFFAIRS-FUNDS-COMMITTEE@ec.europa.eu.

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.

Member States will receive information on the successful proposals once the assessment is completed, while the amendment of the Member States' BMVI programmes will be carried out immediately after.

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, setting out the expected impact of that amendment on the achievement of the programme's objectives pursuant to Article 24 CPR. The amended programme should include a short description of the Specific Action, adjust the output and result indicators accordingly 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).

If the Specific Action is included in the programme after its initial approval by the Commission: The Monitoring committee should approve any proposal by the managing authority for the amendment of the programme (Article 40(2)(d) CPR).

When amending a BMVI programme, two situations may arise regarding the eligibility of expenditure⁵:

1. For Member States that have included all types of interventions listed in Annex VI, table 1 of the BMVI that are relevant for this Specific Action "*Support for the establishment of shared technical copies of the Schengen Information System (SIS) by Member States and biometrics*" 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 1 May 2022.
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 this Specific Action "*Support for the establishment of shared technical copies of the Schengen Information System (SIS) by Member States and biometrics*" 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.

Electronically signed

Chiara GARIAZZO

⁵ Article 63(7) CPR.