

Commission proposal on co-financing rates in the three Home Affairs funds

The text of Art. 11(1) and (2) in the ISF proposal¹ / Art. 12(1) and (2) of AMF proposal / Art. 11(1) and (2) of BMVI proposal requires **a co-financing rate at the level of each individual project ranging from 0% to 75% or from 0% to 90%.**

The current provisions creates unintentionally a rather rigid co-financing scheme under the HOME funds. In particular, Member States have to establish the co-funding rate of up to 75% or 90% at project level.

In contrast, in the cohesion policy funds under CPR, the co-financing rate is established at priority level, thus allowing Member States flexibility at project level **as long as the average co-financing rate of all projects at priority level is respected.**

The proposed drafting suggestion below aims at aligning the framework conditions for co-financing rates to the ones foreseen in the CPR, increasing thereby the flexibility. The intention is not to deviate from the principle of 75% or 90% co-financing of this type of projects. It only allows Member States to adjust the co-financing at project level (range from 0% to 100% co-financing rate for each individual project), while keeping the overall average as set out in the programme (up to 75% or 90%) for all projects within each type (Art.11(1) or Art. 11(2) under ISF and similar articles under AMF and BMVI).

In particular, Member States may choose for the overall average to be lower than 75% (Art.11.1) or 90% (Art.11.2) respectively but they will not be allowed to exceed the overall average set out in the programme with a maximum of 75% or 90% respectively.

The proposed revised wording reads as follows:

Article 11/12 Co-financing rates

- 1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of all projects.*
- 2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for ~~projects implemented under~~ specific actions.*

Regarding the EP amendment 102 to the AMF proposal (line 157): According to the COM proposal, for Annex IV, MS could adjust the co-financing rate at project level (range from 0% to 100%) while keeping the overall average of projects eligible under Annex IV at the level set in the programme, with a maximum of 90%. If the EP amendment is accepted, each project eligible under Annex IV would have to have a co-financing rate ranging between 80% and 90%. This would limit the flexibility allowed in the COM proposal below.

The contribution from the Union budget ***shall be increased to a minimum of 80 % and*** may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV. **[Am. 102]**

¹ Art 11.1 reads: 'The contribution from the Union budget shall not exceed 75% of the total eligible expenditure of a project'. Art. 11.2 reads 'The contribution from the Union budget may be increased to 90% of the total eligible expenditure for projects implemented under specific actions'.



Council of the European Union
General Secretariat

Brussels, 10 March 2020

Interinstitutional files:

2018/0250(COD)

2018/0248(COD)

2018/0249(COD)

WK 2728/2020 INIT

LIMITE

JAI
FRONT
VISA
SIRIS
ENFOPOL

CT
ASIM
MIGR
CODEC
COMIX

WORKING PAPER

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	Commission
To:	JHA Counsellors on Financial Instruments
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing the Asylum and Migration Fund (AMF) Proposal for a Regulation of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the instrument for financial support for border management and visa (BMVI) Proposal for a Regulation of the European Parliament and of the Council establishing the Internal Security Fund (ISF)

Further to the JHA Counsellors (Financial instruments) meeting of 28 February, delegations will find, in the Annex to the note, a paper from the Commission regarding their proposal for the relevant articles on the co-financing rates in the three Home Affairs Funds (AMF, BMVI and ISF proposals).

WK 2728/2020 INIT

LIMITE

EN