EU/Norway Agreement: supplementary rules in relation to the instrument for financial support for border management and visa policy

2023/0224(NLE) - 22/12/2023 - Legislative proposal

PURPOSE: to conclude, on behalf of the European Union, the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for border management and visa policy, as part of the Integrated Border Management Fund.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: on 21 February 2022, the Council authorised the Commission to open negotiations with Iceland, Norway, Switzerland and Liechtenstein for the arrangements on the financial contributions of those countries and the supplementary rules necessary for their participation in the Instrument for Financial Support for Border Management and Visa Policy (BMVI Regulation) for the period 2021 to 2027, including provisions ensuring the protection of the Union's financial interests and the powers of audit of the Court of Auditors, to be concluded pursuant Regulation (EU) 2021/1148 of the European Parliament and of the Council.

The negotiations with Norway were successfully concluded by the initialling of the Agreement on 14 February 2023.

In accordance with a Council Decision, the Agreement between the European Union and Norway on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027 was signed, subject to its conclusion at a later date.

It is appropriate for the Council to authorise the Commission to approve modifications to the Agreement that are necessary with a view to adjusting references to the Financial Regulation whenever that Regulation is updated.

Denmark and Ireland are not taking part in the adoption of this Decision. Therefore, they are not bound by it or subject to its application.

It is now necessary to approve the Agreement.

CONTENT: the purpose of the draft Council Decision is to approve, on behalf of the Union, the Agreement between the European Union and Norway on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027.

The Agreement:

- offers the opportunity for implementation of actions in shared management, direct and indirect management modes, and this Agreement should make it possible that the implementation in any of these

methods can be realised in Norway in accordance with the principles and rules of the EU on financial management and control;

- ensures that all rules applicable for the management of national programmes should apply in Norway in the same way as for Member States;

- stated that to facilitate the calculation and use of the annual contributions due by Norway to the BMVI, its contributions for the period 2021-2027 should be paid in five annual instalments from 2023 to 2027. From 2023 to 2025 the annual contributions are set in fixed amounts while the contribution due for the years 2026 and 2027 should be determined in 2026 on the basis of the nominal gross domestic product of all States participating in the BMVI taking into account the payments effectively made.