Basic information

2023/0231(NLE) NLE - Non-legislative enactments	Procedure completed
EU/Iceland Agreement: supplementary rules in relation to the instrument for financial support for border management and visa policy **Subject** 6.40.01 Relations with EEA/EFTA countries 7.10.04 External borders crossing and controls, visas **Geographical area** Iceland	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	AZMANI Malik (Renew)	14/02/2024
	Shadow rapporteur RANGEL Paulo (EPP) NEMEC Matjaž (S&D) MARQUARDT Erik (Greens/EFA) WEIMERS Charlie (ECR) CHAGNON Patricia (ID) DALY Clare (The Left)	

Council of the European Union

European Commission

Commission DG	Commissioner
Migration and Home Affairs	JOHANSSON Ylva

Key events

Date	Event	Reference	Summary
10/07/2023	Preparatory document	COM(2023)0394	Summary
21/12/2023	Legislative proposal published	12125/2023	Summary
25/01/2024	Committee referral announced in Parliament		

19/03/2024	Vote in committee		
22/03/2024	Committee report tabled for plenary, 1st reading/single reading	A9-0146/2024	
10/04/2024	Decision by Parliament	T9-0213/2024	Summary
10/04/2024	Results of vote in Parliament		
29/04/2024	Act adopted by Council after consultation of Parliament		
05/06/2024	Final act published in Official Journal		

Technical information

Procedure reference	2023/0231(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p7 Treaty on the Functioning of the European Union TFEU 077-p2 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/12714

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE758.914	14/02/2024	
Committee report tabled for plenary, 1st reading/single reading		A9-0146/2024	22/03/2024	
Text adopted by Parliament, 1st reading/single reading		T9-0213/2024	10/04/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	12125/2023	21/12/2023	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(2023)0385	10/07/2023	
Preparatory document	COM(2023)0394	10/07/2023	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2024/1606 OJ OJ L 05.06.2024	Summary

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

2023/0231(NLE) - 05/06/2024 - Final act

PURPOSE: to conclude, on behalf of the European Union, the Agreement between the European Union and Iceland 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.

NON-LEGISLATIVE ACT: Council Decision (EU) 2024/1606 on the conclusion, on behalf of the Union, of the Agreement between the European Union and Iceland 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.

BACKGROUND: Regulation (EU) 2021/1148 of the European Parliament and of the Council establishing the Instrument for Financial Support for Border Management and Visa Policy for the period 2021-2027 (BMVI Regulation) was adopted on 7 July 2021.

The purpose of the BMVI Regulation is to express solidarity through financing assistance to those (Member) States that apply the Schengen acquis provisions on external borders. It constitutes a development of the Schengen acquis to which the countries associated to the implementation, application and further development of the Schengen acquis participate ('Schengen associated countries' or 'associated countries').

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 Iceland were successfully concluded by the initialling of the Agreement on 14 February 2023.

CONTENT: under this Decision, the Agreement between the European Union and Iceland 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 is hereby approved on behalf of the Union.

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 Iceland 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 Iceland in the same way as for Member States;

- ensures, as well, that the mid-term review of the BMVI takes into account the delayed participation of the Schengen associated countries;

- extends the horizontal obligations concerning budgetary and financial controls to Iceland;

- contains a provision on European Travel Information and Authorisation System (ETIAS);

- states that to facilitate the calculation and use of the annual contributions due by Iceland 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.

ENTRY INTO FORCE: 29.4.2024.

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

2023/0231(NLE) - 21/12/2023 - Legislative proposal

PURPOSE: to conclude, on behalf of the European Union, the Agreement between the European Union and Iceland 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 Iceland were successfully concluded by the initialling of the Agreement on 14 February 2023.

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 Iceland 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 Liechtenstein 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 Iceland in the same way as for Member States;

- stated that to facilitate the calculation and use of the annual contributions due by Iceland 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.

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

2023/0231(NLE) - 10/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 504 votes to 30, with 73 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and Iceland 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.

Parliament **gave its consent** to the conclusion of the Agreement.

The Instrument for Financial Support for Border Management and Visa Policy (BMVI Regulation), as part of the Integrated Border Management Fund, constitutes a specific instrument in the context of the Schengen acquis designed to ensure strong and effective European integrated border management at external borders, while safeguarding the free movement of persons, in full compliance with the Member States' and associated countries' commitments on fundamental rights, and to support a uniform implementation and modernisation of the common visa policy, thereby contributing to guaranteeing a high level of security in Member States and associated countries.

This 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 Iceland 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 Iceland in the same way as for Member States;

- ensures, as well, that the mid-term review of the BMVI takes into account the delayed participation of the Schengen associated countries;

- extends the horizontal obligations concerning budgetary and financial controls to Iceland;

- contains a provision on European Travel Information and Authorisation System (ETIAS);

- states that to facilitate the calculation and use of the annual contributions due by Iceland 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.

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

2023/0231(NLE) - 10/07/2023 - Preparatory document

PURPOSE: to conclude, on behalf of the European Union, the Agreement between the European Union and Iceland 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: Regulation (EU) 2021/1148 of the European Parliament and of the Council establishing the Instrument for Financial Support for Border Management and Visa Policy for the period 2021-2027 (BMVI Regulation) was adopted on 7 July 2021.

The purpose of the BMVI Regulation is to express solidarity through financing assistance to those (Member) States that apply the Schengen acquis provisions on external borders. It constitutes a development of the Schengen acquis to which the countries associated to the implementation, application and further development of the Schengen acquis participate.

Iceland notified on 1 September 2021 its decision to accept the content of the BMVI Regulation and to implement it in its internal legal order.

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 the associated countries and the supplementary rules necessary for their participation, 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 to the BMVI Regulation.

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

CONTENT: the Commission proposes that the Council approve, after having received consent of the European Parliament, the Agreement with Iceland 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 proposal is necessary in order to implement the obligation laid down in Article 7(6) of Regulation (EU) 2021/1148, according to which arrangements should be made with the countries associated with the implementation, application and development of the Schengen acquis in order to specify the nature and modalities of their participation in the Instrument for financial support for border management and visa policy under the Integrated Border Management Fund.

Like the EU Member States, **Iceland will comply with the rules set out in the BMVI Regulation**, as well as with the relevant articles of Regulation (EU) 2021/1060 laying down common provisions for seven Funds under shared management, including the BMVI, and of the Financial Regulation.

The BMVI 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 Iceland in accordance with the principles and rules of the EU on financial management and control.

In light of the sui generis nature of the Schengen acquis and the importance of its uniform application for the integrity of the Schengen area, all rules applicable for the management of national programmes should apply in Iceland in the same way as for Member States.

To facilitate the calculation and use of the **annual contributions** due by Iceland 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.

For **budgetary and financial controls**, the Member States are subject to horizontal obligations (e.g. the competence of the Court of Auditors, of the European Anti-Fraud Office (OLAF), of the EPPO and of the Commission), either derived from the Treaty directly or from secondary Union legislation, including the Common Provisions Regulation as mentioned above. These obligations apply to the Member States ipso facto and are therefore not laid down in the BMVI Regulation. Consequently, these obligations need to be extended to the associated countries via the Agreement concerned by the present proposal.

In line with the principle of equal treatment, Iceland should benefit from any surplus revenue as defined in Article 86 of Regulation (EU) 2018/1240 of the European Parliament and of the Council ('ETIAS Regulation').

Within the framework of the BMVI, the financial contributions due by Iceland to the BMVI are proportionally reduced.

Lastly, references contained in the BMVI and CPR Regulations and this Agreement to the EU Charter on Fundamental Rights should accordingly be understood as references to the European Convention on Human Rights and to the Protocols ratified by Iceland and Article 14 of the Universal Declaration of Human Rights.