Commission Delegated Regulation (EU) 2020/446 of 15 October 2019 amending Annex II to Regulation (EU) No 515/2014 of the European Parliament and of the Council establishing as part of the Internal Security Fund, the instrument for financial support for external borders and visa

COMMISSION DELEGATED REGULATION (EU) 2020/446

of 15 October 2019

amending Annex II to Regulation (EU) No 515/2014 of the European Parliament and of the Council establishing as part of the Internal Security Fund, the instrument for financial support for external borders and visa

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC[(1)], and in particular Article 7(2) thereof,

Whereas:

(1) In the context of the mid-term review referred to in Article 15 of Regulation (EU) No 514/2014 of the European Parliament and of the Council[(2)], additional funding needs of the Member States were identified in the area of border management.

(2) The mid-term review identified the need to provide adequate financial support to border control activities, in particular in the hotspots areas as defined in Article 2(10) of Regulation (EU) 2016/1624 of the European Parliament and of the Council[(3)], as well as in other border areas facing similar existing or potential high and disproportionate migratory pressure.

(3) Annex II to Regulation (EU) No 515/2014 lists two specific actions for Member States to receive additional funding.

(4) The funding of actions aiming at reinforcing border control capacities and implementing the hotspot approach, or similar, cannot be adequately channelled through the current list of specific actions. Therefore, amending that list is the best way to meet the needs identified within the objectives of Internal Security Fund – Borders and Visa.

(5) The new specific action being added to Annex II to Regulation (EU) No 515/2014 will contribute to an effective level of control of the external borders of the Union. It is in line with the specific objective of that Regulation, as referred to in its Article 3(2)(b), which is to support integrated border management, facilitating access to international protection for those needing it.

(6) The addition of a new specific action that reflects the recent policy developments and funding needs of the Member States will generate significant added value as it will

contribute to the mitigation of the pressure on those most affected by migration and asylum flows and, thus, on the Union as a whole.

(7) In order to allow for the prompt application of this specific action, in view of the urgent funding needs identified, the Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.

(8) Regulation (EU) No 515/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex II to Regulation (EU) No 515/2014, the following point 3 is added:

3. Border control activities such as border checks and border surveillance measures in areas facing currently or potentially high or disproportionate migratory pressure, or both, including activities related to the establishment, development and operation of hotspot areas, as defined in Article 2(10) of Regulation (EU) 2016/1624 of the European Parliament and of the Council[4], as well as, where necessary, support to border management activities in third countries.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 15 October 2019.

For the Commission

The President

Jean-Claude JUNCKER