

## Annex III

### Annual Programme 2009

Initial version (28 November 2009)

Revised version 1 (2 April 2009) following comments by the European Commission on 25 February 2009.

Revised version 2 (24 April 2009) following comments by the European Commission on 7 and 8 April 2009

Revised version 3 (7 May 2009) following comments by the European Commission on 4 May 2009

<b>MEMBER STATE:</b>	<b>BELGIUM</b>
<b>FUND:</b>	<b>EXTERNAL BORDERS FUND</b>
<b>RESPONSIBLE AUTHORITY:</b>	<b>BELGIAN IMMIGRATION OFFICE</b>
<b>YEAR COVERED:</b>	<b>2009</b>

## 1. GENERAL RULES FOR THE SELECTION OF PROJECTS TO BE FINANCED UNDER THE PROGRAMME

A general invitation for the submission of project proposals is addressed to the Federal Police, Ministry of Foreign Affairs and the ICT Department of the Ministry of Interior.

Given the legal monopoly of partners in the area of external borders management and control, and the fact that the budget of the ICT Department of the Ministry of Interior is within the budget of the Immigration Office, selected projects are directly assigned to partners in line with the method described as "responsible authority acting as an executing body" outlined in the Commission decision 2008/456/EC of 5 March 2008 and in SOLID/2008/2.

A Memorandum of Understanding<sup>1</sup> signed with each partner lays out how the MAP and AP are elaborated and how projects are selected.

Negotiations about which projects are financed under each AP and when they are implemented started when the MAP was drafted and led to an agreement on the type of actions foreseen and their timing as well as on the general budgetary envelope available for each partner under each AP. Since then, the responsible authority (RA) has been following programming developments on a bilateral as well as on a multilateral basis with partners.

A formal invitation to submit project proposals under AP 2009 was launched during the steering group meeting of 2.10.2008 attended by all EBF partners, the responsible authority (RA) and the certifying authority (CA). The RA asked partners to send a project proposal including a detailed description of each project they planned to implement under AP 2009 in line with the MAP and a detailed provisional budget for each project. Project proposals are discussed on an individual basis with each partner. The Responsible Authority screens the projects proposals in accordance with the selection criteria defined by the basic act (Decision 574/2007/EC of the European Parliament and the Council,

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<sup>1</sup> A Memorandum of understanding covering the multiannual programming period 2007-2013 outlines how responsibilities are shared between the Responsible Authority and each partner. Such an agreement has been signed with the 3 partners..

Article 16/5) and assigns the selected projects directly to the beneficiaries based on the project proposal. The RA establishes a grant agreement for each project to which the project proposal is annexed.

As projects in this programme can not be funded by other European financial instruments, the partners are also required to declare, in the project proposal, the mechanism they use to ensure that there is no overlapping of European financial instruments..

The last steering group meeting attended by all partners and by the three management and control authorities (RA, CA and AA), took place on 9.04.2009. Its agenda included the revision of AP 2009. After that, several meetings were held with the different partners, to finalise the revised programme.

The need to concentrate more resources into the rapid development of biometric passports control resulted in a supplementary investment of ~EUR 90.000 in priority 4 project 'biometric passports reading equipment at borders posts' .

Resources allocated to priority 4 project 'Extending of the network for the collection of biometric data' were increased by (~€50.000) to catch up on the late start of this multiannual project under AP 2007 and 2008.

The need to modify the annual programme to the actual allocations, which were €~280.000 lower than the MAP estimate, resulted in postponing less urgent priority 1 project 'Purchasing livescans' (€~100.000) and priority 5 project 'Training visa officers in the consulates' (€ ~90.000) which were previously scheduled under AP 2009.. Priority 3 project 'Consular collaboration' was downgraded by € ~230.000 under AP 2009, the intention being to postpone part of this multiannual action to a subsequent AP, not to downscale the action as a whole.

Some projects implemented under AP 2009 are a continuation of projects started under the Annual Programme 2007 and 2008. When this is the case, the project proposal below indicates precisely what part of the action is achieved under AP 2009. The important delay in starting AP 2007 and AP 2008, is expected to delay actions started under the previous APs that are to be continued under AP 2009.

In the scope of the present AP, all projects are considered as executed by the Responsible Authority ("responsible authority acting as an executing body"), but they are implemented by the partners (Federal Police, Foreign Affairs and the ICT Department of Interior).

The general rules for the selection of projects financed under the 2009 programme are in conformity with the rules set out in the multi-annual programme (MAP) and in the description of the management and control system.

The Responsible Authority controls the application of the Law on Public Procurement and the conditions laid down in article 11 of the implementing rules..

Partners are all public institutions and are therefore bound to the rules of public procurement. The RA asks partners to follow national and European rules and regulations, including their timeframes. A close monitoring is carried out by the Responsible Authority: it controls whether the Accountancy Units, the Inspection of Finances, the Court of Auditors (charged to control whether the rules on public procurement have been followed) are informed of the procedures.

The Responsible Authority also looks at the compliance with the internal regulations of each partner on competencies for issuing a tender and signing of contracts.

As mentioned in the MAP and here-over, all partners were extensively involved in the elaboration of the MAP and AP 2009.

The actions and objectives for 2009 are a reflection of the needs and priorities of the four stakeholders: Federal Police, FPS Foreign Affairs, ICT Interior and the Immigration Office. The AP 2009 has been validated by the four partners.

Taking into consideration the legal monopolies and security reasons, the partnership could not be extended further.

## **2. CHANGES IN THE MANAGEMENT AND CONTROL SYSTEMS**

Not applicable.

## **3. ACTIONS TO BE SUPPORTED BY THE PROGRAMME UNDER THE PRIORITIES CHOSEN**

From the MAP it is apparent that over the past decade, the Belgian government has already in considerable measure invested in border security.

In this programme it is also clear that priority 4 -support in the setting up of IT systems which are required for the enforcement of community legal instruments within the area of external borders and visas- is currently one of the greatest priority areas.

### **3.1. Priority 1: Support for the further gradual establishment of the common integrated border management system as regards the checks on persons at and the surveillance of the external borders**

This could involve investment in infrastructure, systems and equipment within the framework of the eligibility.

Actions under this priority serve the following national objectives:

- Improve the coordination of the information flow between actors/stakeholders at national level and from and between Belgium and other Member States
- A better control of border crossing points (especially traffic and passenger flows at secondary border checkpoints)
- Improved equipment, suitable to be deployed during common actions, coordinated by Frontex, especially in the field of maritime air control during the night.

The national objectives above aim at the gradual realization of an integrated border management system as regards the checks on persons at border points and the effective surveillance of the external borders via the integration of international communication and information systems in the national systems. This will entail the purchase of material which will improve the control on and along weak borders and which will make it possible for Belgium to participate in EU Frontex operations. These objectives will be reached through the implementation of the following actions:

### **3.1.1. Improved border management through increased surveillance capacity at secondary border points**

#### Purpose and scope of the action

This project aims to form a better picture of the border-crossing movements, in particular the incoming and outgoing traffic at secondary border checkpoints at the sea border (pleasure boat ports and smaller airports), where vessels originating outside the Schengen area may enter the Belgian territory without border control. The project enables to have a continuous surveillance of the Nieuwpoort harbor by using a camera. This will help to analyse the flow of traffic and it will assist the border guards to improve the border management as they can use the recorded images of all the vessels entering or leaving the port for checking them in a later stage.

This is the third part of a multi annual project. This project follows on the project started under the AP 2007 and continued under AP 2008.

Under AP 2007 and 2008 the needed equipment (camera) and software (to analyse the maritime traffic) have been purchased and installed.

Under AP 2009 the following activities related to the purchased equipment and used software will be implemented to ensure that the project can continue to be operational:

- Preventive maintenance
- Helpdesk fee
- Administrative fees

The project is aimed at realising better cooperation between the European continent and the United Kingdom over illegal migration. It will also be helpful for the cross-border cooperation between Belgium, France and the United Kingdom in the field of illegal migration.

#### Expected grant recipient

The Federal Police will be the beneficiary of the action since it has a legal monopoly on the protection of borders and it started executing this project under the previous AP's. It will implement it as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

#### Expected results

- Better image of fluxes in seaport, better image of smuggling or trafficking activities, increase of controlled vessels/persons, increase of port security (3.1.1).

#### Indicators

- Analysis report, number of realised controls, number of reports drafted ("procès verbaux") (3.1.1).

#### Visibility of EC funding and complementarities with other financial instruments

Recipients are required to assure an adequate transparency of this financing as part of their contractual obligations with the responsible authority (see Chapter 1, paragraph 6). On every publication or notification, recipients have to indicate that the action is being realised with the support of the European Commission. The logo of the European Union will be visible on every publication as will be the mention 'with the support of the European Commission'. The

equipment bought for the project will also bear a European logo and/or a mention ‘with the support of the European Commission’.

Guidelines concerning the visibility of funding for material purchased with European funds (such as stickers with a European flag to be put on equipment) and additional publicity of European funding for activities are being discussed with stakeholders.

Publicity of European funding for these projects will also be implemented by the “EU Funds Unit” through its website. On its “projects” page, the “EU Funds Unit” website will specifically indicate that the projects are supported by the European Commission. Paper correspondence originating from the “EU Funds Unit” to recipients will bear a European flag logo.

In order to encourage complementarities and avoid overlaps between programmes and projects financed by other Community instruments, the project description is communicated to the international affairs coordination units at the Immigration Office, the Federal Police, Interior Affairs and Foreign Affairs, the 4 public bodies competent in the area of external borders’ management. The project description is also submitted to the competent officer at the Belgian Representation to the EU. In the occurrence of an overlap with actions financed with European instruments, actions would be reoriented in order to generate positive synergies.

#### Financial information

- For action 3.1.1: Improved border management, a total budget of EUR 4.835,59 is foreseen. The share of Community contribution will be 75% for this action, as it falls within the specific priorities 1.3 of the Fund's Strategic Guidelines
- The recipient declares in the grant agreement that no other Community funding will be used.

### **3.2. Priority 3: Support for the issuing of visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries**

Actions under this priority serve the following national objectives:

- Improvement of the coordination of the information flow between actors/stakeholders at national level and from and between Belgium and other Member States
- Increasing the fight against misuse in connection with visa applications (“visa-shopping”) and pseudo-legal migration
- Acceleration in the issuing of visas to *bona fide* travellers
- Establishment of economies of scale in the processing and issuing of visas (consular cooperation)

These objectives are to be achieved through the following actions:

#### **3.2.1. The Field Worker**

### Purpose and scope of the action

This project follows on projects started under the AP 2007 and 2008.

Deployment of 3 specialised immigration officials called 'field workers', in support of consular activities in third countries. Their activity will be specifically dedicated to focus on sensitive or unclear/incomplete dossiers (in order to obtain more information in respect of a specific visa dossier). Locally trained field workers can more effectively check whether documents filed for a visum are authentic and correct. For example: Bank statements, marriage certificate, birth certificate, school records,....

In the past, immigration officers on visits to third countries regularly committed part of their time collecting specific information on individual files: collecting field information has proved to be a very efficient means to unblock problematic dossiers. At the moment, consular staff are in charge of such enquiries.

To perform their tasks in an accurate and reliable way, field workers will be trained by immigration officers at the consular posts who are experienced in controlling visa related information and enquiring on visa files.

In posts where the fight against pseudo-legal and illegal migration needs to be strengthened (such as Kinshasa, Lubumbashi, Islamabad, Conakry, Yaounde, Accra, Abidjan or Ankara for example) demand for field information justifies a full-time dedicated 'field worker' to support consular activity. Field-workers would be employed on a renewable one year contract and could do investigations for different Schengen embassies.

The choice of location is decided in collaboration with member states who participate in the project, on the basis of shared priorities with respect to fighting visa fraud. The purpose is to improve Member States co-operation in specific visa dossiers and involves the sharing of tasks and responsibilities for the benefit of Belgium, France and Luxemburg. France and Luxemburg have signed a co-operation agreement with Belgium to participate in the project, hence the immigration officials' salaries are eligible for funding by the project.

Under AP 2007, Fieldworkers are recruited in Yaounde and Accra. Under AP 2008 the third one is recruited in Abidjan. Under the AP 2009 these three fieldworkers continue their work in the same locations. Except for precise actions that are clearly identified in the AP 2009 project proposal and provisional budget, activities scheduled under AP 2007 and 2008 will need to be finished before activities scheduled under AP 2009 can start.

Given the delay in starting AP 2007 and AP 2008, the consulate in Yaounde, Accra and Abidjan are presently looking into recruiting field workers. No formal decision on location has been finalised and no activity has started. Should a major obstacle appear, the destination could be changed to another country where fighting visa fraud is a priority.

### Expected grant recipient

Given its legal monopoly, Foreign Affairs is the final beneficiary. Foreign Affairs will implement the action as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

### Expected results

- Training of 3 field workers; activities of field workers in 3 posts where the fight against pseudo-legal and illegal migration needs to be improved (most probably Accra, Abidjan and Yaounde).

#### Indicators

- A decrease in visa-shopping and a quicker decision in the visa dossier as a result of strengthened local investigation and consular collaboration
- Number of detected forged or false documents, number of detected fraudulent visa applications
- The work of field workers in non-EU countries is expected to lead to an increase in the number of detected false/ forged documents and an increase in the number of detected fraudulent applications

#### Visibility of EU funding and complementary with other financial instruments

Recipients are required to assure an adequate transparency of this financing as part of their contractual obligations with the responsible authority (see Chapter 1, paragraph 6). On every publication or notification, recipients have to indicate that the action is being realised with the support of the European Commission. The logo of the European Union will be visible on every publication as will be the mention 'with the support of the European Commission'.

Publicity of European funding for these projects will also be implemented by the "EU Funds Unit" through its website. On its "projects" page, the "EU Funds Unit" website will specifically indicate that the above projects are supported by the European Commission. Paper correspondence originating from the "EU Funds Unit" to recipients will bear a European flag logo.

In order to encourage complementarities and avoid overlaps between programmes and projects financed by other Community instruments, the project description is communicated to the international affairs coordination units at the Immigration Office, the Federal Police, Interior Affairs and Foreign Affairs, the 4 public bodies competent in the area of external borders' management. The project description is also submitted to the competent officer at the Belgian Representation to the EU. In the occurrence of an overlap with actions financed with European instruments, actions would be reoriented in order to generate positive synergies.

#### Financial information

- For action 3.2.1: Field worker, a total budget of EUR 123.897,91 is foreseen. The share of Community contribution will be 75% for this action, as it falls within the specific priorities 3.1 of the Fund's Strategic Guidelines
- The recipient declares in the grant agreement that no other Community funding will be used.

### **3.2.2. Border-guard assistance**

This project was previously named "document advisor" . Because of the misconception that that this name led to, the project manager decided to change the name to "Border guard assistance" which reflects the action's scope appropriately.

### Purpose and scope of the action

“Border guard assistance”, is a project that will draw its resources from the Belgian Federal Police’s team of border guards. “Border guard assistance” will provide important support in the fight against pseudo legal and illegal migration from specific non-EU airports into the Schengen-territory. In the scope of this project, border guards are responsible for training and informing embassies’ staff, local immigration services and airline companies in detecting false/forged documents. They also participate in the control of travel documents in non-EU airports. “Border guard assistance” missions will target countries with a high risk profile for illegal immigration to Belgium (notably Western- and Central Africa).

Cooperation with other EU countries that have representatives in the same country to deploy border guard assistance is a key element in this action.

Border guards will not be hired specifically for this project because it is crucial that the border guard who is sent on mission has extensive experience to share. Border guards will execute the project on an over-time basis.

### Expected grant recipient

Given its legal monopoly, the Federal Police is the final beneficiary. The Federal Police will implement the action as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

### Expected results

- Training of at least 2 border guard assistants, risk analysis reports , and at least six missions each year.

### Indicators

- Border guards assistance will lead to a decrease in the number of persons refused (INAD) because they lack valid travel documents, not only at the Brussels airport but also at airports in the entire Schengen territory

### Visibility of EU funding and complementary with other financial instruments

Recipients are required to assure an adequate transparency of this financing as part of their contractual obligations with the responsible authority (see Chapter 1, paragraph 6). On every publication or notification, recipients have to indicate that the action is being realised with the support of the European Commission. The logo of the European Union will be visible on every publication as will be the mention ‘with the support of the European Commission’

Publicity of European funding for these projects will also be implemented by the “EU Funds Unit” through its website. On its “projects” page, the “EU Funds Unit” website will specifically indicate that the above projects are supported by the European Commission. Paper correspondence originating from the “EU Funds Unit” to recipients will bear a European flag logo.

In order to encourage complementarities and avoid overlaps between programmes and projects financed by other Community instruments, the project description is communicated to the international affairs coordination units at the Immigration Office, the Federal Police, Interior Affairs and Foreign Affairs, the 4 public bodies competent in the area of external borders’ management. The project description is also submitted to the competent officer at

the Belgian Representation to the EU. In the occurrence of an overlap with actions financed with European instruments, actions would be reoriented in order to generate positive synergies.

#### Financial information

- For action 3.2.2: border guard assistance, a total budget of EUR 49.394,66 is foreseen.  
The share of Community contribution will be 50% for this action
- The recipient declares in the grant agreement that no other Community funding will be used.

### **3.2.3. Co-location in Conakry**

#### Purpose and scope of the action

Belgium wants to place a visa officer in the French consulate in Conakry (Guinea) in order to receive the visa files and obtain the biometric information using the French infrastructure. A cooperation agreement has been signed with the French authorities.

For the moment there is one visa- officer working in the Belgian consulate in Conakry. In his absence the visa applicants are redirected to Dakar, Senegal. The integration of the Belgian consular section in the French consulate will substantially increase the level of quality of the service delivered.

#### Expected grant recipient

Given its legal monopoly, Foreign Affairs is the final beneficiary. Foreign Affairs will implement the action as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

#### Expected results

- Better consular cooperation and better use of resources because one infrastructure can be used for the two countries (Belgium and France)
- Improved availability of Belgian consular services in Guinea

#### Indicators

- A decrease in visa-shopping and a quicker decision in the visa dossier as a result of strengthened consular collaboration
- Lower percentage of refused visa applications (because of increased quality of the filed applications)

#### Visibility of EU funding and complementary with other financial instruments

Recipients are required to assure an adequate transparency of this financing as part of their contractual obligations with the responsible authority (see Chapter 1, paragraph 6). On every publication or notification, recipients have to indicate that the action is being realised with the support of the European Commission. The logo of the European Union will be visible on every publication as will be the mention 'with the support of the European Commission'. The European flag or an information board will be installed in the consulate to make the European funding more visible. Any equipment bought for the project will bear a sticker with the European logo and/or the mention "with the support of the European commission".

An official information session will also be held where the European funding will be explicitly mentioned.

Publicity of European funding for these projects will also be implemented by the “EU Funds Unit” through its website [www.eu-fonds-dofi.be](http://www.eu-fonds-dofi.be). On its “projects” page, the “EU Funds Unit” website will specifically indicate that the above projects are supported by the European Commission. Paper correspondence originating from the “EU Funds Unit” to recipients will bear a European flag logo.

In order to encourage complementarities and avoid overlaps between programmes and projects financed by other Community instruments, the project description is communicated to the international affairs coordination units at the Immigration Office, the Federal Police, Interior Affairs and Foreign Affairs, the 4 public bodies competent in the area of external borders’ management. The project description is also submitted to the competent officer at the Belgian Representation to the EU. In the occurrence of an overlap with actions financed with European instruments, actions would be reoriented in order to generate positive synergies.

#### Financial information

- For action 3.2.3: Co-location in Conakry, a total budget of EUR 68.682,21 is foreseen. The share of Community contribution will be 75% for this action, as it falls within the specific priorities 3.2 of the Fund's Strategic Guidelines
- The recipient declares in the grant agreement that no other Community funding will be used.

### **3.3 Priority 4 : Support for the establishment of IT systems required for implementation of the Community legal instruments in the field of external borders and visas**

Actions under this priority serve the following national objectives:

- Installation of the Visa Information System
- Increasing the fight against misuse in connection with visa applications (“visa-shopping”) and pseudo-legal migration
- Acceleration in the issuing of visas to *bona fide* travellers
- Improvement of the coordination of the information flow between actors/stakeholders at national level and from and between Belgium and other Member States

These objectives will be reached through the implementation of the following actions:

**Unless specifically mentioned under the project description, measures to ensure visibility of EU-funding and to check complementary with other financial instruments are identical for all the projects under priority 4 and are described at the end of this chapter.**

#### **3.3.1. Extending of the central system - BELVIS**

Purpose and scope of the action

BELVIS is the Belgian window in respect of the European Visa Information System (VIS). The intention is to set up a central data exchange system (Message Broker) through:

- the implementation of a central data exchange system between the services involved with visa issuance and control;
- the implementation of a visa application and issue system for the Consular posts of Foreign Affairs ;
- the implementation of a visa application processing and decision system for the Department of Alien Affairs and
- the implementation of a visa control system for the border police of the Federal Police.

Each of these implementations consists of a software-window (user-application programme) and a hardware window (purchase of specific equipment for the user applications (servers, PCs but also scanners and cameras).

This action comprises the further financing of the project started under Annual Programme 2007 and which will last till 2013. A detailed advancement report will be asked to ensure transparency of financing between the different APs. As a general rule, activities scheduled under AP 2007 and 2008 will need to be finished before activities scheduled under AP 2009 can start.

Under AP 2007 and 2008 the infrastructure has been bought (servers etc.). The development of the Message Broker started under AP 2008 and will be continued under AP 2009 and probably beyond.

Under AP 2009 the Message Broker will be adapted to new technical specifications. Other actions that are scheduled under the AP 2009 are:

- maintenance and modernization of the purchased equipment and
- adapting the software used by the Immigration Office to connect to the Message Broker.

Expected grant recipient

Because ICT of FPS Interior Affairs is responsible for the detailing of the national window of the VIS for Belgium this component will be directly assigned to ICT FPS Interior Affairs.

ICT of FPS Interior Affairs will implement this action as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

Expected results

- Implementation of the first phase BELVIS in the VIS, operation of the Message Broker system, meaning that the system is ready to receive and send messages
- Implementation of the link between BELVIS and the internal operational network of the Federal Police (3.3.1)

Indicators

- End of development, testing of the message broker

Financial information

- For action 3.3.1: Belvis, a total budget of EUR 286.347,97 is foreseen. The share of Community contribution will be 75%, as the action falls within the specific priority 4.2 as identified by the Fund's Strategic Guidelines.
- The recipient declares in the grant agreement that no other Community funding will be used.

### **3.3.2. Extending the network for the collection of biometric data**

#### Purpose and scope of the action

The network of Belgian diplomatic and consular posts where the collection of biometric data from visa applicants can take place is required to be extended to all visa issuing consular posts (~100).

This action comprises the further financing of the project started under Annual Programme 2007 and which will last till 2013. The important delay in launching AP 2007 and AP 2008, has delayed the start of the project. A first public tender to purchase biometric data equipment and install it in consular posts, has been launched under AP 2007 and 2008. This procedure has to follow the applicable rules and timeframes. We will know whether costs for purchasing and installing biometric data equipment can be incurred within the eligibility period of AP 2007 and 2008 after the end of the public tender when the offers have been analysed. For that reason no specific information can be provided at this point on delivery, reception and installation procedures or on where the equipment will be installed.

For that reason also, it is not possible to provide detailed information about the number of posts that will be equipped under AP 2007 and AP 2008.

Under AP 2009 the Foreign Office wishes to equip 25 extra embassies in Africa and the Middle East with specialized equipment for collecting biometric data, scanners for capturing digital fingerprints and photo booths to capture digital photos applicants, and to prolong the software licenses for the collection of biometric data in the existing embassies.

At the moment, for the reasons mentioned above, no precise information can be provided concerning the destinations, delivery, reception, installation and so on. This information can only be available after the public tender is concluded.

#### Expected grant recipient

FPS Foreign Affairs is the final beneficiary of this action. This partner will implement actions as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

#### Expected results

- Analysis and preparatory activities for equipping 25 extra consular posts with biometric devices, public tender;
- start of operation in these posts;
- training of personnel; better identification and verification of visa applicants;
- detection of identity fraud;
- detection of fraudulent asylum applications through which a larger number of asylum applications can be processed more quickly

#### Indicators

- Number Belgian diplomatic and consular posts where the collection of biometric data from visa applicants can take place, number of personnel trained, number of visa applications processed through the system.

#### Financial information

- For action 3.3.2: Biometric data, a total budget of EUR 664.276,88 is foreseen. The share of Community contribution will be 75%, as the action falls within the specific priority 4.2 as identified by the Fund's Strategic Guidelines.
- The recipient declares in the grant agreement that no other Community funding will be used.

### **3.3.3. Installation of biometry at a visa post in Belgium.**

#### Purpose and scope of the action

The purpose of this action is to install one central post in Brussels where the biometric data of visa-applicants (mostly for third country nationals who need to extend their visa on the Belgian territory) can be captured. This installation complies with VIS regulations as all visa posts have to be equipped with systems to obtain biometric data.

The advantage of having only 1 post with biometric installation is that the delivered service and the quality of the information will be much better. For that, the staff of the post will be trained adequately to be able to deliver quality service. The post will be located in Brussels which can easily be reached from anywhere in Belgium within a few hours by public transport.

#### Expected grant recipient

FPS Foreign Affairs is the final beneficiary of this action. This partner will implement actions as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

#### Expected results

- Issue of biometric visa in Brussels
- Capturing biometric data in Brussels.
- More transparency towards the applicants, the post in Brussels will be the sole authorized post instead of the 10 that are active for the moment.

#### Indicators

- number of personnel trained,
- number of visa applications processed through the system.

#### Financial information

- For action 3.3.3: consular post, a total budget of EUR 11.685,00 is foreseen. The share of Community contribution will be 75%, as the action falls within the specific priority 4.2 as identified by the Fund's Strategic Guidelines.
- The recipient declares in the grant agreement that no other Community funding will be used.

### **3.3.4. Connecting border posts to the VIS**

### Purpose and scope of the action

The purpose of this action is to develop a software programme that can be used at the external borders in Belgium to capture biometric data of the visa applicants and to send those data to the VIS database. As a consequence, all the Belgian external border posts (13) will have to be equipped with the necessary material to obtain those biometric data as foreseen in the VIS regulation.

The biometric data will be collected as defined in the VIS regulation: enrolment of 10 flat finger prints and the capture of the photograph. A flat scanner for capturing digital finger prints will have to be purchased, a bar code reader (to scan the receipt of the application that the applicant has printed out after having introduced the application through internet), a scanner to scan the picture (in case of failure of capturing a live picture), a photo camera or photobooth to capture a live photo of the applicant.

Capturing a live photo is necessary as most of the visa applicants at the external border are seamen (90% of applicants) who will not be travelling with a picture.

Issuance of visa at the border is limited, however due to the large port of Antwerp (5<sup>th</sup> largest in the world), some 20.000 visa are issued at the Belgian border. This can be compared to a large 'consular' visa section abroad.

It will also be possible to introduce individual visa applications in advance on the internet. This is necessary because the VIS regulation makes it impossible to deliver group visa and a further 'informatization' at the border is necessary. Every visa application has to be treated individually and included in the VIS databank. To make that process easier and efficient the applicants can introduce their visa application in advance. During online application all the necessary data that have to be introduced in the VIS databank (except biometric data which can not be filled in without the relevant equipment) will have to be filled in by the applicant. This will speed up the delivery of visa and will lead to an increase in the delivered service to the migrants as those data will be stored in the visa database when the applicant arrives at the border. By introducing the file number, these data can be retrieved, checked and biometric data can be captured and sent to the VIS. Today, applicants sometimes arrive in large groups and have to wait for hours until a visa is issued. After the start of the VIS, each application will need to be introduced individually. To avoid longer waiting time for the applicant (who often travel in group in phase with their ships), preregistration through internet, is a necessary step. This system will be used for all applications that will be introduced at the 13 Belgian external borders.

A "Visa border application" will be developed together with an extra database to capture all the visa applications and to exchange information with the VIS database of the Federal Police, the FPS Interior affairs and FPS Foreign Affairs. This exchange of information will be feasible via the Message Broker (see action 3.3.1).

### Expected grant recipient

FPS Foreign Affairs is the final beneficiary of this action. This partner will implement actions as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

### Expected results

- Faster deliverance of visa at the border
- Faster examination of migrants holding a biometric visa
- Exchange of information through the Message Broker

### Financial information

- For action 3.3.4: Connecting border posts to the VIS, a total budget of EUR 346.571,51 is foreseen. The share of Community contribution will be 75%, as the action falls within the specific priority 4.2 as identified by the Fund's Strategic Guidelines.
- The recipient declares in the grant agreement that no other Community funding will be used.

### **3.3.5. Biometric passports reading equipment at external border posts**

#### Purpose and scope of the action

This action is aimed at buying, adapting and maintaining IT systems at the external border posts. This specific equipment will be able to read the Extended Access Control Chip in EU passports as well as chips integrated in non-EU passports.

Belgium's 13 external borders posts will be equipped with biometric passports equipment, namely at its international airports, seaports and at the Eurostar train terminal.

Having regard to Recital 5 and 12 of Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) ; having regard to articles 22, 38(2) and 40 of Council decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II); having regard to articles 2, 4(3) and 6 of the Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States, investing in this IT-equipment matches the security objectives of SIS II and the security norms integrated in EU passports.

Moreover, introducing biometric passport-chip reading equipment at external borders posts to control EU and non-EU passports is strictly in line with Article 7(2) of the Schengen Borders Code which foresees that "all persons shall undergo a minimum check in order to establish their identities on the basis of the production or presentation of their travel documents. Such a minimum check shall consist of a rapid and straightforward verification, where appropriate by using technical devices and by consulting, in the relevant databases, information exclusively on stolen, misappropriated, lost and invalidated documents, of the validity of the document authorising the legitimate holder to cross the border and of the presence of signs of falsification or counterfeiting.. [...] On a non-systematic basis, when carrying out minimum checks on persons enjoying the Community right of free movement, border guards may consult national and European databases [...]".

In practice, the present passport-chip reading equipment allows a direct check of data contained in the chip against SIS II:

- passport information is directly integrated from the chip into the SIS-system which reduces the risk of inputting incorrect data into the SIS system during a control
- due to automation, the result of the SIS consultation is reliable, fast and easy.

As a consequence, time consuming manual handling by border guards decreases significantly, border guards provide a faster and better control and thus are able to focus on specific documents or persons. Investing in this equipment contributes to maintain a high level of security, while significantly improving passenger flow at external borders.

#### Expected grant recipient

The Federal Police is the final beneficiary of this action. This partner will implement actions as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

#### Expected results

- Faster flow of passengers at the border posts
- Detection of forged documents

Financial information

- For action 3.3.5: Biometric passports equipment, a total budget of EUR 388.015,89 is foreseen. The share of Community contribution will be 75%, as the action falls within the specific priority 4.1 as identified by the Fund's Strategic Guidelines. As it is also aimed at developing a more coherent way of checking the borders by all the member states, the action also falls within specific priority 1.2.
- The recipient declares in the grant agreement that no other Community funding will be used.

**3.3.6. VIS (Federal Police)**Purpose and scope of the action

This IT action (from the Federal Police) is completely orientated at integrating the national applications with the VIS system.

To reach this goal, the following steps will be taken successively, in line with Article 5(1) of Regulation (EC) No 767/2008 of the European Parliament and of the Council concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) :

- Integrating alphanumerical data and the digital photo
- Introducing biometrical identification elements
- Scanning and processing of evidence material

At the end of the project, VIS consultation will be integrated in the existing software of the Federal Police, which will be able to consult the VIS system with regard to Article 15 of Regulation (EC) No 767/2008 of the European Parliament and of the Council concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation), using its present applications.

Expected grant recipient

The Federal Police is the final beneficiary of this action. This partner will implement actions as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

Expected results

- Perfect interaction between the national database (ANG) and the CVIS through the present Federal Police applications.
- Immediate access to the VIS database

Indicators

- Number of checked persons at the border posts
- Number of transactions between the ANG and CVIS

Financial information

- For action 3.3.6: VIS (FedPol), a total budget of EUR 258.685,15 is foreseen. The share of Community contribution will be 75%, as the action falls within the specific priority 4.2 as identified by the Fund's Strategic Guidelines.
- The recipient declares in the grant agreement that no other Community funding will be used.

#### **Visibility of EU funding and complementarities with other financial instruments (for all actions under priority 4)**

Recipients are required to assure an adequate transparency of this financing as part of their contractual obligations with the responsible authority (see Chapter 1, paragraph 6). On every publication or notification, as well as notifications and publications during conferences or seminars, recipients have to indicate that the action is being realised with the support of the European Commission..

Recipients will put stickers or an information board on or near the purchased or installed equipment. If this is not possible, other ways of publicity will be discussed with the partners.

Publicity of European funding for these projects will also be implemented by the "EU Funds Unit" through its website. On its "projects" page, the "EU Funds Unit" website will specifically indicate that the above projects are supported by the European Commission. Paper correspondence originating from the "EU Funds Unit" to recipients will bear a European flag logo.

In order to encourage complementarities and avoid overlaps between programmes and projects financed by other Community instruments, the project description is submitted to the competent officer at the Belgian Representation to the EU.

The project descriptions are also communicated to the international affairs coordination units at the Immigration Office, the Federal Police, Interior Affairs and Foreign Affairs, which are the 4 public bodies competent in the area of external borders' management. A VIS working group attended by coordinators belonging to the above-mentioned public bodies meets on a regular basis.

A VIS experts working group with representatives from the above-mentioned public bodies, meets on a regular basis to discuss their activities. This working group includes experts who participate on the abovementioned projects, and who are well aware of the obligations in terms of avoiding overlapping financing.

Should a risk of overlap occur, it would be detected and the actions would be reoriented in order avoid overlap, generate complementarities and positive synergies.

<p><b>3.4 Priority 5: Support for effective and efficient application of relevant Community legal instruments in the field of external borders and visas, in particular the Schengen Borders Code and the European Code on Visas.</b></p>
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Actions under this priority serve the following national objectives:

- Training, education and exchange of best practices in the area of visa policy and border management.

### **3.4.1. Second line control**

#### Purpose and scope of the action

This action aims at improving the exchange of information between the different second line control posts of the different Schengen partners. Until now the second line control posts of every country works separately and has for that reason a rather flat learning curve. An exchange of information between the different second line control posts will boost the level of knowledge of all the different second line posts. This exchange will be made through training sessions and exchange of experts between the different posts.

By doing so, they can learn from each other's experience, best practices, etc. and as a consequence they are able to improve the quality of control, discover 'black holes' in their procedures, get a European perspective of the problem and will so be more able to define an appropriate analysis of risk.

Four separate missions per year are foreseen. Currently the Federal Police is negotiating with several other member states about where the first missions will take place. (possibly France, the Netherlands, Germany,...)

#### Expected grant recipients

The Federal Police is the final beneficiary of this action, they will implement the action as executing body in association with the responsible authority (Article 8/3 of the Implementing Rules).

#### Expected results

- A more efficient and uniform second line control at the airports with a Schengen external border. This will lead to better decisions and minimized shifting of the illegal migration flow from 'harder' airports to 'softer' ones.

#### Indicators

- Decrease in wrong final decisions concerning the acceptance of the travel motive of passengers wanting to enter the Schengen area.
- Number of missions (exchanges)

#### Visibility of EU funding and complementarities with other financial instruments

Recipients are required to assure an adequate transparency of this financing as part of their contractual obligations with the responsible authority (see Chapter 1, paragraph 6). The recipients will mention on every publication or notification that the action is being realised with the support of the European Commission. The logo of the European Union will be visible on every publication as will be the mention 'with the support of the European Commission'

Publicity of European funding for these projects will also be implemented by the "EU Funds Unit" through its website. On its "projects" page, the "EU Funds Unit" website will specifically indicate that the above projects are supported by the European Commission. Paper correspondence originating from the "EU Funds Unit" to recipients will bear a European flag logo.

In order to encourage complementarities and avoid overlaps between programmes and projects financed by other Community instruments, the project description is communicated to the international affairs coordination units at the Immigration Office, the Federal Police, Interior Affairs and Foreign Affairs, the 4 public bodies competent in the area of external borders' management. The project description is also submitted to the competent officer at the Belgian Representation to the EU. In the occurrence of an overlap with actions financed with European instruments, actions would be reoriented in order to generate positive synergies.

#### Financial information

- For action 3.4.1: second line control, a total budget of EUR 20.475,80 is foreseen. The share of Community contribution will be 75%, as this action falls within the specific priorities 5.2 as identified by the Fund's Strategic Guidelines.
- The recipient declares in the grant agreement that no other Community funding will be used.

## 4. TECHNICAL ASSISTANCE

### Scope and objective

Technical assistance will serve for the purchase of necessary equipment and materials for the responsible authority (RA) such as: yearly costs for an internet site domain name, one additional desk and PC, as well as working costs and personnel.

Staff at the RA will perform the following tasks: launch and conclude grant procedures, preparing invitations and contracts, selection, supervision and evaluation of projects, on the spot checks, adapting and further developing the internal rules of procedure in collaboration with partners, publicity of the programme, translations, updating the internet site, inform and guide partners and beneficiaries etc.

Technical assistance will also be invested to train personnel recruited by the principal beneficiaries. These costs will be distributed between EBF and RF, which are both managed by the Immigration Office.

TA will cover staff costs at the CA and AA, and will serve to purchase the necessary equipment for additional staff recruited at the CA and AA in 2009 (eg. office furniture, PC, telephone and printer). These costs will be distributed between EBF and RF, which share the same CA and AA.

When preparing this annual programme, we were not sure that we could claim the 30.000 euro mentioned in article 18 of the Decision 574/2007/EC of the European Parliament and the Council. We received the needed information after we negotiated with the partners and distributed the budget. So for this annual programme we are unable to claim the 30.000 euro but we intend to do so in the next annual programmes.

An information activity is foreseen in October 2009. The scope is to present the activities implemented during the year and the achievements of the programme. This information session will be open to a wide audience, including from other Member States. On the same day, the main partners will meet for a working session to comment on the results and achievements of the annual programmes 2007, 2008 and 2009. The idea of this working session is to tap on this experience and build it into the proposed Annual Programme for 2010.

Additionally, steering group meetings and information activities will be organised in the course of the year, on a regular basis and when requested by partners.

### Expected results under AP 2009

- Personnel recruited for the RA and trained in 2008 is operational in 2009 (3 full time employees have joined the Immigration Office's "Unit European Funds")
- Personnel recruited for the CA (1 full time) and for the AA (2 full time staff auditing EBF, RF, ERF and IF) are trained;
- Equipment purchased for the new offices of the CA and AA;

- Further development of the RA's internal rules of procedure;
- Internet site up-dated with information on activities and useful tools for partners and beneficiaries;
- On the spot checks on projects implemented under EBF AP 2009 and monitoring reports on these projects;
- Information, advisory and steering meetings with partners and project beneficiaries;
- Submission of the progress reports, payment requests and final report to the Commission, on the basis of the Intermediate reports, declarations of expenditure and final reports established by the final beneficiaries
- Submission of the certified declaration of expenditure to the European Commission;
- Submission of the audit plan, and audit report and audit summary;
- Meeting(s) to evaluate the present annual programme;
- Meetings with main partners to prepare EBF AP 2010; submission of AP EBF 2010 to the European Commission
- Information activity October 2009;
- Stationary, stickers, flyers, folders with the European flag for publicity.

### **Indicators**

- Number of recruited personnel ;
- Number of allocated projects ;
- Number of signed grant agreements with partners

### **Visibility of EU funding and complementarities with other financial instruments**

The following publicity measures are planned/will be organised by the 'Unit European funds' using technical assistance:

- publication of an article in the Immigration Office's annual report;
- an annex to every grant agreement indicates that the beneficiary's obligation towards transparency of EU subsidization;
- information on the projects on the website of the Immigration Office's EU funds Unit and link to this information on the Immigration Office's website;
- an information activity is foreseen in October 2009 to present the activities implemented during the year to a wide audience including from other Member States.

To check compatibility and/or overlap with other EU instruments, the AP is circulated to the Belgian Representation to the EU. It is also circulated to the Interior Affairs' International Unit (*Cellule Internationale*), to the Federal Police and Foreign which share a legal competence on external borders' management. In the occurrence of an overlap with actions financed with European instruments, actions would be reoriented in order to generate positive synergies.

**Annual Programme - Draft Financial Plan Table 1 - Overview table**

Member State: BELGIUM Annual programme concerned: 2009 Fund: EBF

<i>(all figures in EUR)</i>	Co-Financing %	Ref. priority	Ref. specific priority (a)	Community Contribution (1)	Public Allocation (2)	Private Allocation (3)	TOTAL (4) =(1+2+3)	%EC (5) =(1)/(4)	Share of total (4)/ Total(4)
<b>Priority 1: Integration international systems in national systems with intention toward a joint integrated border management system</b>									
Action 1: Improved border management in Nieuwpoort	75%	1	1	3.626,69	1.208,90	0,00	4.835,59	75,00%	1,25%
<b>Sub-total:</b>				<b>3.626,69</b>	<b>1.208,90</b>	<b>0,00</b>	<b>4.835,59</b>	<b>75,00%</b>	<b>1,25%</b>
<b>Priority 3: 3.1. Fight against misuse of visa</b>									
Action 1: The field worker	75%	3	1	92.923,43	30.974,48	0,00	123.897,91	75,00%	5,59%
Action 2: Border guard assistance	50%	3		24.697,33	24.697,33	0,00	49.394,66	50,00%	2,23%
Action 3 : Co-location in Conakry	75%	3	2	51.511,66	17.170,55	0,00	68.682,21	75,00%	3,10%
<b>Sub-total:</b>				<b>169.132,42</b>	<b>72.842,36</b>	<b>0,00</b>	<b>241.974,78</b>	<b>69,90%</b>	<b>10,91%</b>
<b>Priority 4: ICT – VIS</b>									
Action 1: Extending of the central system - BELVIS	75%	4	2	214.760,98	71.586,99	0,00	286.347,97	75,00%	12,91%
Action 2: Extending of the network for the collection of biometric data (Visabio@bel)	75%	4	2	498.207,66	166.069,22	0,00	664.276,88	75,00%	29,95%
Action 3: Installation of biometry at a visa post in Belgium (VIS CU)	75%	4	2	8.763,75	2.921,25	0,00	11.685,00	75,00%	0,53%
Action 4: Connecting border posts to the VIS (VIS BCP)	75%	4	2	259.928,63	86.642,88	0,00	346.571,51	75,00%	15,63%
Action 5: Biometric passports equipment at border posts	75%	4	1	291.011,92	97.003,97	0,00	388.015,89	75,00%	17,49%
Action 6: VIS (Federal Police)	75%	4	2	194.013,86	64.671,29	0,00	258.685,15	75,00%	11,66%
<b>Sub-total</b>				<b>1.466.686,80</b>	<b>488.895,60</b>	<b>0,00</b>	<b>1.955.582,40</b>	<b>75,00%</b>	<b>88,17%</b>
<b>Priority 5: application of relevant Community legal instruments</b>									
Action 1: second line control	75%	5	2	15.356,85	5.118,95	0,00	20.475,80	75,00%	0,92%
<b>Sub-total</b>				<b>15.356,85</b>	<b>5.118,95</b>	<b>0,00</b>	<b>20.475,80</b>	<b>75,00%</b>	<b>0,92%</b>
<b>Sub-total (All Priorities)</b>				<b>1.654.802,76</b>	<b>566.856,91</b>	<b>0,00</b>	<b>2.218.032,98</b>	<b>74,61%</b>	<b>100,00%</b>
<b>Technical Assistance (T.A.)</b>				<b>124.560,24</b>			<b>124.560,24</b>		<b>7%</b>
<b>TOTAL</b>				<b>1.779.363,00</b>			<b>2.342.593,22</b>		<b>100%</b>

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