



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Brussels
HOME.E/SM

**NOTE FOR THE ATTENTION OF
THE MEMBERS OF THE COMMITTEE FOR THE HOME AFFAIRS FUNDS**

Ref.: HOME-Funds/2024/20

Subject: Launch of the call for expression of interest under the specific action “Electronic surveillance systems at the external sea border (sea border e-surveillance)” under the Instrument for Financial Support for Border Management and Visa Policy (BMVI) – Reference BMVI/2024/SA/1.1.7

1. INTRODUCTION

Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy provides that Member States may receive funding for specific actions in addition to their initial allocations in their respective programmes.

Specific actions aim to fund transnational or national projects that bring Union added value in accordance with the objectives of the Instrument and in line with agreed Union priorities.

They will be implemented as one of the components of the Thematic Facility in line with Article 8 of the BMVI Regulation and in accordance with the relevant financing decisions and work programmes for the Instrument for Financial Support for Border Management and Visa Policy (BMVI) Thematic Facility.

By the present note, the Commission launches a call for expression of interest for the specific action on “Electronic surveillance systems at the external sea border (sea border e-surveillance)”, in line with the actions listed in the above-mentioned Commission’s financing decision and work programme.

2. GENERAL PRINCIPLES

Specific actions will be implemented by Member States participating in the BMVI via funding received in addition to the allocation under their BMVI programmes.

Funding for specific actions is added to the Member States’ programme allocations at the time of the approval of the initial programme or by means of a programme amendment. That

additional funding is earmarked for the specific action concerned and shall not be used for other actions in the Member State's programme, except in duly justified circumstances and as approved by the Commission through the amendment of the programme.

Whereas the regular EU co-financing rate under the Member States' programmes will not exceed 75% of total eligible expenditure, projects implemented under specific actions may benefit from an increased co-financing rate of up to 90% of total eligible expenditure.

The specific action must be implemented by the Member States in accordance with the BMVI⁽¹⁾ Regulation and the Common Provisions Regulation (EU) 2021/1060 (CPR)⁽²⁾.

Your attention is drawn, in particular, to one provision of the CPR. As regard the value added tax ("VAT") eligibility regime, Article 64 (1)(c) of the CPR provides that VAT is not eligible, except:

- (i) "for operations the total cost of which is below EUR 5 000 000 (including VAT);
- (ii) for operations the total cost of which is at least EUR 5 000 000 (including VAT) where it is non-recoverable under national VAT legislation".

Moreover, for this call your attention is also drawn to Article 9(4) of the CPR, where reference is made to sustainable development and the respect of the Union environmental acquis.

3. CALL FOR EXPRESSION OF INTEREST

3.1. Background for the specific action

In 2023, a high number of irregular border crossings were detected (380 000) in the EU, the highest since 2016 and a 17% increase from 2022. In the context of a year-on-year increase across the migration routes in the Mediterranean and Atlantic, the Commission stands ready to support Member States facing capability gaps in terms of sea border electronic surveillance. In this context, several Member States face significant capability gaps in terms of sea border electronic surveillance. At the same time, there are geo-political risks to consider. The existing conflict in the Middle East including a worsening humanitarian situation in Gaza, already led to increased migratory pressure from the region (e.g., Lebanon), the situation may deteriorate, which may lead to further increases in sea arrivals in the Eastern Mediterranean route.

Complementary to the previous call for expression of interest launched in June 2023 "Electronic surveillance system at the external border" (BMVI/2023/SA/1.1.4) focusing on external land borders, **this call will support Member States most affected by sea arrivals of irregular migrants, to fill the capability gaps in terms of sea border electronic surveillance.**

⁽¹⁾ Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy.

⁽²⁾ Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy.

The JHA Council of 25 November 2022 examined the situation of increasing pressure along all migratory routes, including the particularly challenging situation in the Mediterranean and in the Western Balkans, and the largest refugee crisis since the Second World War in Europe, with around 4 million refugees from Ukraine who received temporary protection. The EU endorsed Action Plans on the Western Balkans and the Central Mediterranean route, bearing in mind the respective challenges of irregular border crossings and disembarkations after search and rescue. The JHA Council emphasized the need for joint efforts and solidarity, bearing in mind the need for a whole-of-route approach to find solutions.

The European Council of 9 February 2023 invited the Commission to present Action Plans for the Atlantic, Western and Eastern Mediterranean routes, with a view to quickly alleviate the pressure on the Member States most affected. It called in particular to *“immediately mobilise substantial EU funds and means to support Member States in reinforcing border protection capabilities and infrastructure, means of surveillance, including aerial surveillance, and equipment”*.

On 14 March 2023, the Commission’s Communication⁽³⁾ establishing the multiannual strategic policy for European integrated border management, underlined the need for *“effective operational measures of the Member States’ national authorities responsible with border management [...] as well as **reinforced border protection capabilities and infrastructure, means of surveillance.**”* It also called for *“a coherent and comprehensive national and European situational pictures, an efficient implementation of EUROSUR and sound risk analysis”*. It spotlights with priority the need to ensure the security of the affected border sections where migrants are being instrumentalised. Such key external borders need to be strengthened through targeted Union measures and funds to support Member States in reinforcing border control capabilities and infrastructure, means of surveillance and equipment.

As per the policy priorities and strategic guidelines for the EIBM, stated in the Annex 1 to this Communication, *“The sea border surveillance system must be able to detect, identify and, if necessary, trace and intercept all vessels coming into territorial waters and contribute to ensuring the protection and saving of lives at sea in all weather conditions and to reducing irregular arrivals to the EU.”*

Furthermore, *“The surveillance capacity of integrated, interoperable, and adaptable technical surveillance systems (stationary and mobile) used at sea and land borders should be further developed. This should include technical solutions and working processes used in different operational centres (NCC, Rescue Coordination Centres and Local Coordination Centres) and mobile units.”*

The call will also be an opportunity for Member States under pressure to prepare for the implementation of the Pact. The call will contribute to ensuring that the right tools are in place to manage migration, from the protection of the external borders, to structured, mandatory solidarity between Member States.

Having a well-functioning, state-of-the-art and integrated electronic surveillance system in place is paramount when it comes to situational awareness and the efficient management of EU external borders.

The Commission underlines the importance of electronic surveillance systems for integrated border management of the EU’s external border. Having a well-functioning, state-of-the-art and integrated electronic surveillance system in place is paramount when it comes to situational awareness and the efficient management of EU external borders.

⁽³⁾ COM(2023) 146 final, from 14.3.2023

In the period 2022-2024, the Commission has allocated additional financial support in the form of specific actions to Member States for extending such systems through three calls for expression of interest and invitation letters ⁽⁴⁾.

3.2. Indicative Budget available

The indicative amount of EUR **50 million** (including funds available under the 2023-2025 Thematic Facility work programme) is envisaged for this call BMVI/2024/SA/1.1.7.

The requested amount (i.e., the Union contribution to the Member State's BMVI programme under the specific action) should not be lower than EUR 5 million and not be higher than EUR 30 million per application/work package (if applicable) including technical assistance.

3.2.1. Reserve list

Under the Thematic Facility work programme 2023-2025, additional amounts could be allocated to Member States under pressure for sea border electronic surveillance systems. Following the submission of proposals by Member States, the Commission would establish a reserve list in case additional budget is available in the future. The reserve list would be composed of:

- Proposals not selected under the present call: the Commission will establish a reserve list for proposals which are not selected but obtained a minimum score of 35, out of 50, for relevance.
- Proposals partially financed under the present call: when applying, Member States could submit proposals composed of different work packages. The Commission can propose to fund either one or multiple work packages, each one within the above-mentioned ceilings, and include the remaining one(s) in the reserve list, provided that they meet the minimum score of 35, out of 50, for relevance. In order for this to become applicable, please provide the information requested in the application form, where you also find more information on work packages.

3.3. General framework for financial support for Member States under pressure

This call for specific action, together with a number of specific actions that seek to address the challenges identified at the February 2023 European Council on the control of EU external borders, aim to support Member States under migratory pressure, in accordance with the work programmes for AMIF and BMVI of the Thematic Facility. The current call is being opened within the BMVI Thematic Facility.

3.3.1 Distinction from programmes and emergency assistance

The scope of the support for Member States under pressure under these specific actions needs to be well defined. A clear delineation must be drawn between funding opportunities under:

- a. Member States' Programmes (National Programmes), and
- b. Emergency assistance (EMAS),

⁽⁴⁾ "Electronic surveillance system at the external border (e-surveillance)" ref. BMVI/2023/SA/1.1.4; "Support Member States to reinforce border control capabilities in light of the February Special European Council" ref. BMVI/2023/SA/1.1.2; "Enhanced national capabilities at the EU external borders" ref. BMVI/2024/SA/1.1.6

as well as direct awards provided to international organisations and non-profit organisations assimilated with international organisations in accordance with Article 156 of the Financial Regulations for this same purpose.

3.3.2. General principles for specific actions Member States under pressure

The following general principles should be taken into account for Specific Actions under the concept of Member States under Pressure:

- The request for funding should demonstrate that the proposal is not overlapping with actions financed by national funds and/or funds under Member States' programmes or other sources of funding, or that the proposed actions deliver additional EU added value to the actions funded under the Member State programme. If similar actions, measures are being implemented in the framework of the funds under Member States' programmes (Home Affairs Funds) or other EU funds, the applicant should indicate any synergies observed.
- The actions deliver particularly high EU-added value considering recent developments and demonstrate EU solidarity with Member States under pressure in line with the specific objectives of the Fund-specific Regulations.
- The actions are foreseeable and of medium or long-term nature. The needs are predictable and can be planned by the Member States authorities.
- The applicant should ensure that the proposed action will be implemented in full respect of the Charter of Fundamental Rights of the European Union and in line with EU acquis.

3.3.3. Requirements relating to Member States under pressure

For BMVI, the proposals should provide a justification that the Member States concerned is facing continuous pressure at its external borders and is bearing a high share of responsibility on behalf of the Union as a whole, based on data on migration and other operational elements relating to border control. Relevant elements and data can notably be the number of irregular border crossings of external maritime borders, the number of persons disembarked following search and rescue operations, and the pressure on the reception system as a result of these arrivals, affecting the capacity of the Member States to perform identification, fingerprinting, registration, security checks (in line with article 1 (i) of Annex III 'Scope of support' of the BMVI Regulation). Other data relevant for describing the pressure on border control authorities could be the number of operations to render assistance to persons in distress at sea and the implications for the functioning of the overall maritime border surveillance system.

Moreover, for this specific action, other elements for the justification that the Member State is under pressure could be:

- Completely or partially missing sea border electronic surveillance in given sea border area, which would be essential to underpin more efficient management of sea borders;
- Where sea border electronic surveillance is in place, in particular radar systems, the fact that it is outdated and requires either an extension, an upgrade or update to be effective or interoperable with other relevant systems.

3.4. Objectives and activities under this specific action

This call invites Member States under pressure due to increased arrivals at sea to launch initiatives to make improvements at the external sea borders either by developing sea border electronic surveillance systems or by extending, upgrading, or updating the existing ones,

taking into account shortcomings identified in the management of their external borders, including through the Schengen evaluation and vulnerability assessments to enhance their surveillance capacities by improving and/or developing maritime border surveillance systems.

The specific action proposed can include the following activities related to procurement of fixed and mobile elements catering for increased surveillance of EU external sea borders: electronic surveillance systems, including radar systems, thermal imaging/night vision devices, support for communication systems/equipment that ensure the information of the new or extended electronic system is integrated into overall information management/contributing and feeding into the situational awareness (but not direct support for the situational awareness/Eurosur activities), including necessary infrastructure (communication cables, observation towers etc.) as well as the positioning of vessels when need to perform Search and Rescue operations.

The specific action proposed should not include costs related to:

1. Procurement of vehicles and other means of transport;
2. Creation/development of surveillance systems at the land border;
3. Procurement of any type of equipment eligible under the call for expression of interest for BMVI SA Frontex equipment ref. BMVI/2023-2024/SA/1.2.2;
4. Resources needed to operate the proposed solutions/sea surveillance systems etc. This means excluding from the proposal maintenance costs and other operating support items;
5. Staff costs needed to operate the proposed solutions/sea surveillance systems;
6. Search and Rescue (SAR) operations; in line with the BMVI Regulation, search and rescue is not eligible as a stand-alone activity. SAR is not an EU competence, it is an obligation and responsibility of national authorities stemming from international maritime law and the EU does not provide financial support directly for SAR activities.

The proposals should be in line with the multiannual strategic policy cycle for European integrated border management and its implementation, and the national capability development plan of the Member State, thus contribute to capacity building at national level on European integrated border management. They should describe the baseline situation and the strategy concerned.

The proposals should also outline how the Member States will ensure the continuity and sustainability at national level of the surveillance systems funded under this specific action, as well as confirm that any new equipment/measure is technically compliant with the existing equipment/technology already used on the ground in the given Member State.

This call is in accordance with the work programme of the BMVI Thematic Facility for 2023-2025, which refers to actions to support Member States to deal with high migratory pressure at the EU external borders, aiming at reinforcing border control capabilities.

Expected results following the specific action

Proposals should present a coherent vision for the sea surveillance systems for the EU external land borders. This could for instance be done through quantified estimates of results presented in the application, such as:

1. Increased border surveillance of the external border area concerned with “x” %, by number of fixed and mobile surveillance and monitoring solutions (such as radar systems, day/night vision and thermal cameras, other imaging devices etc.)
2. Increased coverage with “x” % of the area covered by the new surveillance systems.

The successful applications will require changes to the programmes' relevant indicators that are listed in Annex VIII of the BMVI Regulation. The presentation of the expected results should indicate reliable sources of data used to measure the achievements.

4. PROCEDURE FOR APPLICATION

4.1. Application content

The applications should:

1. Provide information on the requirements in section 3.3 to justify the relevance of the application for an improvement of the electronic sea border surveillance (while considering the mid to long term trends and patterns knowing that evaluating the annual data is complex, as numbers of irregular crossings can fluctuate significantly, high number of recorded attempts may actually mean that the surveillance is functioning etc.),
2. Provide information on the baseline currently in place (covered by sea border electronic surveillance system(s), partial covered, features of the seacoast and geographical area, and other relevant circumstances that could be shared via non-restricted communication channels),
3. Provide an analysis explaining why the sea electronic surveillance system would be of added value at a particular sea border area and/or for the maritime situational awareness as a whole, and why it is needed, based on one or more of the following elements:
 - a. **completely or partially missing** sea electronic surveillance in a given sea border area, where this technical tool would be essential to underpin more efficient management of external borders and that there are no obstacles to harvest its benefits (e.g., the physical conditions in the coastal area allow for it),
 - b. sea electronic surveillance is in place, but **outdated** and would require an **update, upgrade, or extension**,
 - c. **Schengen recommendations and/or Frontex vulnerability assessments** demonstrating the need for improvement of the sea electronic surveillance systems.
 - i. in case of vulnerability assessment make at least a reference to the number of the recommendation and the year when it was issued and briefly describe the current situation (this would allow to take it into consideration without disclosing any content of classified documents).
 - ii. This need to address these findings is exceptionally being considered in this call, without prejudice to the general approach of the Commission that Member States should make the implementation of measures to address any identified deficiencies from the Schengen Evaluation or Vulnerability Assessment, especially measures to address serious deficiencies and assessments of non-compliance, a priority for its BMVI programme. 9. In case your application is justified in the context of Schengen recommendations and/or Frontex vulnerability assessments, , please also provide additional information explaining why it was not/would not be possible to address the recommendations concerned using the initial allocation from your BMVI programme in accordance with Article 13 (9) of Regulation (EU) 2021/1148 .

d. **any other relevant data or information** on the challenges faced at the sea border area concerned.

4. Explain how the planned sea electronic surveillance system would operate specifically and how it would improve the situation at the border, e.g., milestones and targets achievements & deadlines, in relation to the expected results (see 3.5)
5. Confirm that the equipment planned will be compliant with Frontex standards ⁽⁵⁾, where they exist;
6. Demonstrate the added value of the sea electronic surveillance systems as part of the European Integrated Border Management by the Member State concerned. This could relate to interoperability and integration with other systems and tools whereby sea electronic surveillance would be compatible with the existing systems and technology in place, and thus allow for the integration of the new systems/equipment as well as foster synergies;
7. If appropriate, present the extent to which improvements in sea electronic surveillance could lead to an increase in recording detected movements, which would contribute to the National Situational Picture and the European Situational Picture, hence improving situational awareness at both national and European level (EU added value could be observed);
8. Provide a solid justification and detailed information, in the case of highly specialised equipment and, in case of additional staff needs for operating the new equipment, justification that the required trainings and skills are in place;
9. Indicate the resources to use and maintain the new equipment, including sufficient financial resources under BMVI programme or national budget.

You have the possibility to present in your application the different priorities/topics/stages of proposal as work packages composed of several activities that you wish to carry out. For each work package, indicate the priority in relation to the other ones, the different budget items, and their relevance with regards to the capability gaps and expected timeline for delivery.

We recommend that you present the work packages according to a logic that is inherent, in your opinion, to an optimal development of a surveillance system. Please describe the reasoning behind this intervention logic with work packages in the application form and use the budget form to detail each work package with the relevant activities.

The work packages that are part of a proposal should be clearly inter-connected and contribute to the achievement of the objective(s) of the proposal. Nevertheless, should there be work packages not selected/added to the reserve list, it should not affect the implementation of the work package(s) selected and their effective commencement.

Given the limited budget available, it is possible that only some work packages of a proposal will be financed. Since there is no earmarking of the amount per Member State and the EU budget may not be sufficient to cover all additional needs identified, the application should

(5) [MB Decision 51/2021 of 21 September 2021 adopting Technical Standards for the equipment to be deployed in Frontex activities](#)

present your views on the priorities for funding among the needs identified and the sequencing for each activity.

4.2. Admissibility and assessment aspects

The call for expression of interest is targeting the Member States that are under pressure due to increased arrivals at sea in the Mediterranean and/or Atlantic (i.e., the routes which were most affected by this pressure recently) and that have in particular received recommendations from Schengen evaluation or vulnerability assessment to enhance their surveillance capacities by improving and/ or developing maritime border surveillance systems.

DG HOME will assess the proposals submitted by the Member States.

To be considered admissible a proposal

1. has to be submitted by the EU Member States in accordance with the BMVI Regulation.
2. has to be submitted within the deadline (see below) to the BMVI specific actions functional mailbox HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu, in the official Application Form attached to this note, together with its annexes, in a readable and complete manner (all fields necessary for assessment are filled in), has to be submitted by the BMVI Managing Authority of the Member State on behalf of the beneficiary(ies);
3. has to identify a project beneficiary (an entity) that will be responsible for the implementation of the specific action in the Member State (in the lead for the action),
4. cannot result in financing of equipment that has already been procured and delivered. However, Member States may apply if they are already in the process of procuring assets clearly eligible under this specific action, notably if a contract was not signed and the co-funding for such equipment is not already committed either under ISF – Borders and Visa, BMVI or other EU programmes.

Other relevant entities can be involved in the implementation of the specific action as co-beneficiaries.

DG HOME will assess admissible proposals based on the following criteria:

A. Relevance (max. 50 points – pass score of 35 points):

1. **EU added value and relevance of the use of electronic surveillance systems at the maritime areas concerned:** technical and operational suitability of the proposal to address the specific challenges and identified gaps; relevance that the sea electronic surveillance in the given area would substantially improve the effectiveness of border management; necessity/added value of the sea electronic surveillance system at that area in light of the pressure;
2. **Synergies in relations to the border management at the maritime areas concerned:** degree of useful integration and/or interoperability of the proposed solutions into the existing surveillance systems and/or other tools/interventions supporting border control; overall complementarity of the proposed solutions/purchases of equipment with other actions funded with EU instruments/state budget; explanations why the 2021-2027 BMVI programme resources are not sufficient;
3. **Compliance with the BMVI and coherence with the integrated border management strategies of the EU:** clarity, correspondence, and consistency of the proposal with the

BMVI scope and objectives, relevant EU strategies and the expected outcomes of this call for expression of interest.

4. **Coherence between the work packages (where applicable):** clarity of the interconnection and interdependencies between the work packages for the achievement of the objectives of the proposal and the reasoning about the priority; feasibility of the start of the work package indicated as the first priority.

B. Quality and content (max. 30 points):

1. **Maturity of the proposal:** intervention logic of the proposal as a whole (background information, needs assessment, proposed activities and expected results); project management, including operational and financial management; planned implementation (indicative timeline); monitoring/reporting strategy; experience and expertise of the project team/entities involved in the implementation; risk assessment and risk management procedures; mechanisms to ensure compliance with the EU acquis;
2. **Sustainability:** continued functioning of the systems after the completion of the planned activities, through provision of sufficient material, financial and human resources that are necessary to operate and maintain the equipment during its lifetime;
3. **Cost-effectiveness:** reasonability and feasibility of the estimated costs in relation to the scale of the challenge and types of equipment, quality of the methodology for the calculation of the costs; justification of costs not directly linked to the objectives of the proposal, if any.

C. Impact (max. 20 points):

1. Likelihood and scale of positive effects on the **national capabilities** for the management of the Member State's external border
2. Potential impact on the **integrated border management of the EU external borders in general.**

4.3. Application procedure

Deadline for the application: Member States are invited to submit their proposals by **7 June 2024** at the latest, using the official BMVI/2023/SA/1.1.7. Application Form attached to this Note, together with its annexes.

The proposals should be submitted to the BMVI specific actions functional mailbox HOME-BMVI-SPECIFIC-ACTIONS@ec.europa.eu. Member States may submit additional documentation if necessary.

Deadline for any clarification requests on this Note: Member States can send requests by **14 May 2024** at the latest to HOME-AFFAIRS-FUNDS-COMMITTEE@ec.europa.eu.

The Commission may also contact the lead Member State to request further specific information. A reply should be provided by the Member State within 3 working days.

In order to ensure equal and fair treatment of the proposals and allow the Commission to allocate at the same date all the available funding, DG HOME will assess all proposals simultaneously. Therefore, proposals submitted after the deadline will not be admissible.

The Members of the Committee for the Home Affairs Funds will be informed at the latest 10 working days before the deadline for the submission of the proposals in case the deadline for the submission of proposals is extended.

5. AMENDMENT OF THE BMVI PROGRAMMES AND ELIGIBILITY OF EXPENDITURE

After having been informed of the outcome of the call for expression of interest, each successful Member State shall submit to the Commission a request to amend its BMVI programme via SFC. The amended programme should include a short description of the specific action, adjust the output and result indicators, and include the costs and codes linked to this specific action (respectively in the description and under tables 1, 2 and 3 of the relevant specific objective, and table 6 of the programme).

The Monitoring committee should approve any proposal by the managing authority for the amendment of the programme (Article 40(2)(d) of Regulation (EU) 2021/1060).

When amending the BMVI programme of a Member State, two situations may arise regarding the eligibility of expenditure ⁽⁶⁾:

1. For Member States that have included all the types of interventions listed in Annex VI table 1 of the BMVI Regulation that are relevant for the specific action “Electronic surveillance systems at the external sea border (sea border e-surveillance)” in table(s) 2.1.3 of the relevant specific objective(s) in their *initially approved* BMVI programme: expenditure for the Specific Action will be eligible as of 01/01/2021, in particular code 005 “Automated border surveillance systems”.
2. For Member States that have *not* included all the types of interventions listed in Annex VI table 1 of the BMVI Regulation that are relevant for the specific action “Electronic surveillance systems at the external sea border (sea border e-surveillance)” in the tables in the table(s) 2.1.3 of the relevant specific objective(s) in their initially approved BMVI programme: expenditure for the specific action will be eligible from the date of submission by the Member State of its request for amendment of the BMVI programme that will add the respective types of interventions in the programme.

Yours faithfully,

Silvia MICHELINI

Enclosure: Annex 1: Application form
 Annex 2: Budget Form

c.c.: Permanent Representations – JHA Counsellors

⁽⁶⁾ Art. 63(7) of Regulation (EU) 2021/1060.