



Brussels, 19.1.2023  
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**COMMISSION IMPLEMENTING DECISION**

**of 19.1.2023**

**approving the programme of Cyprus for support from the Asylum, Migration and  
Integration Fund for the period from 2021 to 2027**

ONLY THE GREEK TEXT IS AUTHENTIC

# COMMISSION IMPLEMENTING DECISION

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**approving the programme of Cyprus for support from the Asylum, Migration and Integration Fund for the period from 2021 to 2027**

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THE EUROPEAN COMMISSION,

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

Having regard to 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<sup>1</sup>, and in particular Article 23(4) thereof,

Whereas:

- (1) On 15 October 2021, Cyprus submitted, through the electronic data exchange system of the Commission, the programme for support from the Asylum, Migration and Integration Fund (AMIF) for the period from 2021 to 2027.
- (2) The programme was prepared by Cyprus in cooperation with the partners referred to in Article 8(1) of Regulation (EU) 2021/1060.
- (3) The programme contains all the elements referred to in Article 22(3), (4) and (5) of Regulation (EU) 2021/1060 and was prepared in accordance with the model set out in Annex VI to Regulation (EU) 2021/1060.
- (4) In accordance with Article 15(2) of Regulation (EU) 2021/1060, the programme sets out the Cyprus' assessment of the fulfilment of the horizontal enabling conditions as defined in Article 15(1), first and third sub-paragraph of that Regulation.
- (5) The Commission takes note of Cyprus' assessment, in which Cyprus concludes on the lack of fulfilment of one horizontal enabling condition. In this respect, the condition in question should be declared as non-fulfilled. In accordance with Article 15(5) of Regulation (EU) 2021/1060, expenditure related to operations linked to the specific objectives concerned by an unfulfilled enabling condition may be included in payment applications but cannot be reimbursed by the Commission until Cyprus has informed the Commission of its assessment that it considers the enabling condition fulfilled with a justification of the fulfilment in accordance with Article 15(3) of Regulation (EU) 2021/1060 and, subsequently, the Commission has informed the Member State that it agrees with the fulfilment of the enabling condition pursuant to the first subparagraph of Article 15(4) of that Regulation.

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<sup>1</sup> OJ L 231, 30.6.2021, p. 159.

- (6) In accordance with Article 23 of Regulation (EU) 2021/1060, the Commission assessed the programme and made observations pursuant to paragraph 2 of that Article on 10 June 2022. Cyprus provided supplementary information and provided a revised programme on 24 November 2022.
- (7) The Commission concluded that the programme complies with Regulation (EU) 2021/1060 and with Regulation (EU) 2021/1147 of the European Parliament and of the Council<sup>2</sup>], is consistent with the Partnership Agreement of Cyprus, as regards aspects of complementarity and synergies with the Funds covered by the Partnership Agreement, and takes into account relevant country-specific recommendations, relevant challenges identified in the integrated national energy and climate plan, and the principles of the European Pillar of Social Rights, or other relevant Union recommendations addressed to the Member State.
- (8) Pursuant to the first subparagraph of Article 86(1) of Regulation (EU) 2021/1060, this Decision constitutes a financing decision within the meaning of Article 110(1) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council<sup>3</sup>. It is nevertheless necessary to specify the elements needed to make the budgetary commitments with respect to the programme in this Decision.
- (9) Pursuant to Article 15(7) and (8) of Regulation (EU) 2021/1147, it is necessary to set the co-financing rate and the maximum amount of support from the AMIF. It is also necessary to set out for each type of action whether the co-financing rate applies in respect of the total contribution, including the public and private contributions, or of the public contribution only.
- (10) This Decision is without prejudice to the Commission's position regarding compliance of any operation supported under the programme with the State aid rules applicable at the time when the support is granted.
- (11) The proposed programme should therefore be adopted,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The programme of Cyprus for support from the Asylum, Migration and Integration Fund for the period from 1 January 2021 to 31 December 2027, submitted in its final version on 24 November 2022, is hereby approved.

#### *Article 2*

1. The maximum amount of support from the Asylum, Migration and Integration Fund and its composition is set out in Annex I.

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<sup>2</sup> Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund (OJ L 251, 15.7.2021, p. 1).

<sup>3</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

The maximum amount of support for the programme is set at EUR 59 127 196.00, to be financed from budget line 10 02 01 in accordance with the nomenclature of the General Budget of the European Union for 2021-2027.

2. The co-financing rate for each type of action is set out in Annex II. The co-financing rate for each type of action shall apply to total contribution, including public and private contributions.

### *Article 3*

The horizontal enabling conditions are fulfilled with the exception of:

- Horizontal enabling condition 3 “Effective application and implementation of the Charter of Fundamental Rights”.

### *Article 4*

This Decision is addressed to the Republic of Cyprus.

Done at Brussels, 19.1.2023

*For the Commission*  
*Ylva JOHANSSON*  
*Member of the Commission*