

EN

ANNEX

Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe

Second Exceptional Assistance Measure regarding Tunisia

1. IDENTIFICATION

Action: Support to address the handling of prisoners incarcerated for crimes related to violent extremism and terrorism.

Action Reference: NDICI CR 2023 / 38

Cost: EUR 3 000 000 (European Union (EU) contribution).

Budget Line: 14 02 03 10

Duration: Maximum 18 months

Lead service: FPI

2. ACTION SUMMARY

This action aims to provide support to policy planning and implementation of the Tunisian Counter-Terrorism Strategy. The assistance includes support to the Tunisian institutions in strengthening disengagement and socio-economic reinsertion programmes for released detainees in line with international standards. Building on the results of a previous measure, this action will continue building the capacity of state actors to contribute to an evidence-based policy for the prevention of radicalisation and disengagement for already radicalised people. Strengthening terrorism-related investigation, prosecution, adjudication, penitentiary management and reinsertion programmes in line with international standards will be included. Capacity building of the police and justice services will also be addressed relating to cooperation between Tunisia and its neighbours including the EU, EUROPOL and intelligence services across EU member states.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

Tunisia is facing a multitude of challenges: a complex political transition since July 2021 following President Saïed's decision to dismiss the Prime Minister and freeze parliamentary activity alongside various economic challenges linked for example to post-COVID turbulence as well as the spill-over effects of the Russian aggression against Ukraine. Youth

unemployment has further deteriorated with young people facing economic insecurity, social exclusion, and political marginalisation. In this context, detainees released upon the end of their sentences, including for crimes linked to terrorism, find limited measures in place to facilitate socio-economic reinsertion. These are all potential drivers of radicalisation towards violent extremism and hence represent an imminent challenge both for Tunisia and its neighbourhood.

Tunisian authorities are also under increasing national and international pressure to bring home the Tunisian nationals (approx. 600), currently in camps in Syria and Iraq, in an organized manner, not least the groups of children and mothers (approx. 300).

The action builds on the results of an ongoing measure in supporting the Ministries of Interior and Justice, including the establishment of a risk assessment and official follow-up structures to accompany detainees, both while in prison as well as after their release to facilitate reintegration. This new action will continue and strengthen and operationalise these structures. Furthermore, it will work on expanding the structures to also cover the increasing number of women and youth, incarcerated for terrorism-related crimes.

3.2 RATIONALE FOR CRISIS RESPONSE ACTIONS UNDER THE RAPID RESPONSE PILLAR OF THE NEIGHBOURHOOD, DEVELOPMENT AND INTERNATIONAL COOPERATION INSTRUMENT

To support Tunisia in the fight against terrorism and the prevention of radicalisation, it is necessary to continue efforts to strengthen the reintegration and accompaniment structures for those charged with acts of terrorism and to continue to strengthen terrorism-related investigation, prosecution and adjudication in line with international standards. This constitutes an exceptional and unforeseen situation in the sense of Article 4(4) (a) of the NDICI Regulation. An adequate response cannot be provided under any other European Union Instrument due to the urgency with which the funds are required and due to available resources already being firmly committed.

Annex IV, paragraph 1, second paragraph, points (d), (l) and (n) of Regulation (EU) 2021/947 specifically provides for the use of the NDICI rapid response pillar to (d) support for the development of democratic, pluralistic state institutions, including measures to enhance the role of women in such institutions, effective civilian administration and civilian oversight over the security system, as well as measures to strengthen the capacity of law-enforcement and judicial authorities involved in the fight against terrorism, organised crime and all forms of illicit trafficking; (l) support for measures to ensure that the specific needs of women and children in crisis and conflict situations, including preventing their exposure to gender-based violence, are adequately met, and (n) support for measures to promote and defend respect for human rights and fundamental freedoms, democracy and the rule of law, and the related international instruments.

3.3 RISKS AND ASSUMPTIONS

Risks	Likelihood	Mitigation measures
Unwillingness of national and local authorities hampers the implementation.	Low	The previous action has been implemented with extensive involvement of the authorities. Furthermore, the

		new activities will be further designed in close consultation with relevant authorities.
Negative attitude toward the EU or international partners due to political tensions in Tunisia.	Medium	Continuous conflict analysis and enquiries will be carried out pro-actively and made available by the implementing partners, who will communicate regularly with the EU Delegation.
Ability to implement reforms is hampered due to political deadlock.	Medium	Close coordination with the government and EU actors will be ensured to facilitate implementation.
Implementation of activities is hampered due to deteriorating political context.	Medium	Planned actions are designed in a flexible manner to enable rapid adaptation if needed.

ASSUMPTIONS

- The security situation in the neighbouring countries does not deteriorate further and does not further spill over into Tunisia.
- The political context does not further deteriorate.
- The intelligence services manage to keep the terrorist threat in the country under control.
- The economic situation does not further deteriorate triggering social unrest, especially in marginalised regions.
- The experts to be deployed under this measure will be allowed to work with Tunisian structures.

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the programme is to support the strengthening of Tunisia's capacity to prevent and counter terrorism and violent extremism.

4.2 SPECIFIC OBJECTIVES

- 4.2.1 Continue strengthening the system for screening, rehabilitation and follow-up of those detained for crimes linked to terrorism;
- 4.2.2 Install a similar system for screening, rehabilitation and follow-up also for women and minors;
- 4.2.3 Prepare the Tunisian authorities for an influx of returnees from Syria and Iraq.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Result (1): The systems for screening, rehabilitation and follow-up of those detained for terrorism charges implemented by Tunisian authorities are fully operational and performant.

Activities (indicative):

- 5.1.1 Based on the evaluation of the first pilot phase continue and develop the systems;
- 5.1.2 Support the strengthening of counter terrorism investigative methods and caseload management in compliance with the rule of law and human rights;
- 5.1.3 Provide technical assistance to the Tunisian prison authorities to further develop detection and rehabilitation programmes inside prisons and upon release;
- 5.1.4 Develop further systems for prisoners showing signs of relapse;
- 5.1.5 Expand the systems for screening, rehabilitation and follow-up to more prisons.

Expected Result (2): The systems for screening, rehabilitation and follow-up for women and minors detained for terrorism charges are set up.

Activities (indicative):

- 5.2.1 Develop the legal framework needed for including minors;
- 5.2.2 Adapt the systems initially developed for male detainees to also cover women and minors;
- 5.2.3 Introduce new methods to cover the needs of women and minors;
- 5.2.4 Establish a system for accompanying the families of minors.

Expected Result (3): The robustness of the system for reception of returning foreign terrorist fighters is strengthened.

Activities (indicative):

- 5.3.1 Adapt the systems developed for screening, rehabilitation and follow-up to returnees;
- 5.3.2 Strengthen international judicial cooperation to collect information on the returnees.

6. IMPLEMENTATION

6.1 IMPLEMENTATION MODALITIES

The Commission will ensure that the appropriate EU rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures¹.

¹ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website, it is the OJ version that prevails.

6.1.1 Grant: direct award (direct management)

(a) Purpose of the grant

This grant will cover all activities under this decision, i.e. meeting all specific objectives and all activities under the expected results.

(b) Type of applicants targeted

The type of applicants targeted are non-profit organisations and economic operators.

(c) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because **the action entails crisis management aid as referred to in Article 195(a) and as defined in Article 2(21) of the Financial Regulation** at the date of the Financing Decision. The grant may be awarded without a call for proposals to CIVIPOL.

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 3 000 000**. A breakdown among components is provided hereunder, and is indicative.

Indicative budget breakdown

Components	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
Component 1: composed of	3 000 000	
6.1.1 – Direct grant (direct management)	3 000 000	N.A.
Total	3 000 000	N.A.

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under direct management. It will be devolved and sub-delegated to the **European Union Delegation in Tunis**, with the support of the Commission for the conclusion of the contracts implementing the action.

6.4 PERFORMANCE AND RESULTS MONITORING AND REPORTING

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final report. Each report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and outcomes) as measured by corresponding indicators, using as reference the Logframe matrix. The report shall be laid out in such a way as to allow monitoring of the means

envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

6.5 EVALUATION

Having regard to the nature of the action, a final evaluation will not be carried out for this action or its components.

The Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

6.6 AUDIT

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

The financing of the audit shall be covered by another measure constituting a financing decision.

6.7 COMMUNICATION AND VISIBILITY

The 2021-2027 programming cycle has adopted a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

It will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

The 2022 "Communicating and Raising EU Visibility: Guidance for external actions" reference document shall be used to establish the appropriate contractual obligations.

7. COMPLEMENTARITY, COORDINATION AND FOLLOW-UP

This measure is fully complementary to other ongoing and planned EU-financed actions in the areas of i) security and justice sector reform and ii) countering violent extremism both those financed under the Instrument contributing to Stability and Peace (IcSP)/the NDICI crisis response portfolio and the Neighbourhood Instrument/Geographical NDICI portfolio.

Coordination and exchange of experiences and good practices between this and other ongoing or planned actions will be actively sought.

Coordination with other stakeholders and notably EU Member States and other international partners in Tunisia will be ensured by the EU Delegation to Tunisia.