

EN

ANNEX

Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe Exceptional Assistance Measure regarding Libya

1. IDENTIFICATION

Action: **Support to the implementation of the ceasefire agreement, inclusive peaceful elections and support to security sector reform**

Action Reference: NDICI CR 2021 / 28

Cost: EUR 14 500 000 (European Union contribution).

Budget Line: 14 02 03 10

Duration: Maximum 18 months. The authorising officer responsible may decide to extend this period twice by a further period of up to six months, up to a total maximum duration of 30 months, under the conditions laid down in Article 23(6) of Regulation (EU) 2021/947.

Lead service: FPI

2. ACTION SUMMARY

This action aims to support the process towards peaceful, fair and transparent elections, foreseen in December 2021, to minimise risks of disinformation and hate speech, and to reduce risks of further destabilisation in the country through unification of the security sector. Support will include facilitation of the preparation for elections by further developing the capacity of the High National Elections Commission (HNEC) to prepare and administer inclusive and credible elections and by raising electoral awareness. The action will seek to establish a robust monitoring system to identify misinformation and extremist content on social media in relation to the elections. In addition, it will aim to reinforce the implementation of the ceasefire. In close coordination with CSDP/CFSP activities, it will accompany the newly established Joint Police Force as it develops its organisational structure and strategic planning. This action provides a tangible opportunity for supporting the unification of the security sector, improving the security of the Libyan population and consolidating the peace agreement in accordance with the conclusions of the January 2020 and June 2021 Berlin Conferences.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

After ten years of armed conflict and division, a ceasefire agreement was signed on 23 October 2020, followed by the formation of a Government of National Unity (GNU) on 10 March 2021. To seize this window of opportunity for the political process to move forward, it is necessary to address some of the main challenges the country is facing.

Based on agreements reached by the Libyan Political Dialogue Forum (LPDF), the GNU is working towards the organisation of national elections on 24 December 2021. To meet this challenging timeline, Libyan authorities will require support from the international community, both at political and technical level. In this context, the fragmented media landscape in Libya is likely to be the scene of increased polarisation. As a result, it is essential to develop tools to prevent and respond to hate speech, misinformation and disinformation campaigns online and offline in order to reduce the risk of polarisation and electoral violence.

Established at the end of 2020, the ceasefire holds but remains fragile. As an attempt to build confidence between the two sides, the Joint Military Committee called in 2020 for the creation and deployment of a Joint Police Force, constituted of police officers and commanding officers from both sides of the country. The new force is to be a major Libyan tool to monitor the coastal road in complementarity with United Nations (UN)led international monitors to be deployed. The Joint Police Force, whose concept of operation is currently under development by the Joint Military Committee and the Ministry of Interior in coordination with the United Nations Support Mission in Libya (UNSMIL), requires political and operational support. A successful deployment of the Joint Police Force is expected to have a positive effect on the reunification process of the broader security sector in Libya.

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

The October 2020 ceasefire agreement, the March 2021 formation of the GNU and the announcement of elections in December 2021 provide a political momentum and an opportunity to foster peace and restore national sovereignty and territorial integrity in Libya. To seize this window of opportunity and for the political process to continue it is necessary to address some of the main challenges the country is facing. Foremost among the challenges are the need to support the preparation for peaceful and credible elections, support the establishment of a robust social media monitoring system with the view of identifying misinformation and extremist content on social media in connection with the electoral process, reinforcing the implementation of the ceasefire and the unification of the security sector, constituting an exceptional and unforeseen situation in the sense of Article 4(4) of Regulation (EU) 2021/947. 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, points (d), (n) and (q) of Regulation (EU) 2021/947 specifically provides for the use of the NDICI Rapid Response pillar to provide (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; (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, and (q) support for measures to promote the development and organisation of civil society and its participation in the political process, including measures to enhance the role of women in such processes and measures to promote independent, pluralist and professional media.

3.3 RISKS AND ASSUMPTIONS

Risk	Impact	Mitigating measures
The security situation deteriorates further and in conjunction with the spread of COVID-19, international access, freedom of movement and assembly are severely restricted in Libya.	High	The selected implementing partner will have direct presence in Libya as well as the capacity to manage remotely the action if necessary and through well-established local partners. The implementation of the action may require prioritising virtual meeting spaces and other online based communications.
Project activities overlap with actions by other members of the international community.	Low	Support to the envisaged action has been specifically sought for by the UN Special Representative to Libya and activities directly support the implementation of the UN facilitated national political process and the conclusions of the international Berlin conferences. This follows previous assistance provided in support of an end to the conflict in Libya. The action will further coordinate with the UNSMIL as well as other EU funded actions in related sectors.
Unwillingness of national and local authorities hamper implementation.	Medium	The action is tailor-made to respond to the needs and requirements as per the request of national and local partners. Political and policy dialogue will help support implementation.
Negative attitudes towards the EU could undermine the credibility of the action.	Medium	Partners will be required to set out -specific communication plans on how they intend to ensure transparency with regard to the source of funding while also safeguarding the action as one that remains led and owned by Libyans.

Alternative ‘authorities’ continue to challenge the legitimacy of the Government of National Accord and the Presidency Council and further undermine its ability to work effectively in all parts of the country with regard to its role in the consolidation of security and internal governance institutions.	High	Implementing partners are impartial towards the different powerbrokers in East, West and South, and aim to establish, in the most inclusive possible way, a common ground for reform, as well as to strengthen security and internal governance mechanisms that can provide the basis for a progressive transition towards a more broadly accepted unity government.
---	------	--

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to support the implementation of the ceasefire agreement as a basis for facilitating the organisation of inclusive and peaceful elections, while contributing to the unification of the security sector.

4.2 SPECIFIC OBJECTIVES

- 4.2.1 Supporting the preparation for the electoral process as a mean to political stabilisation;
- 4.2.2 Supporting a peaceful and credible electoral process by establishing a robust social media monitoring and reporting system with the view of identifying misinformation and extremist contents;
- 4.2.3 Reinforcing the implementation of the ceasefire and support the unification of the security sector.

5. ACTION COMPONENTS AND EXPECTED RESULTS

This exceptional assistance measure will have three components.

The main expected results/outcomes include:

Expected Result (1): The fragile political system and institutions are strengthened in view of facilitating the preparation for elections.

Activities (indicative):

- 5.1.1 Develop the capacity of the HNEC to prepare and administer inclusive and credible elections;
- 5.1.2 Support the process towards peaceful, fair and transparent elections, foreseen in December 2021;
- 5.1.3 Raise electoral awareness at local level to contribute to a peaceful electoral environment through outreach activities to promote participation in the electoral process, specifically targeting women, youth and vulnerable groups with activities that enable them to exercise their right to vote.

Expected Result (2): A robust social media monitoring system is established in view of identifying dis-information and hate speech on social media, to support a peaceful and credible electoral process.

Activities (indicative):

- 5.2.1 Perform sentiment analysis and other monitoring techniques for identifying disinformation and hate speech on social media in Libya;
- 5.2.2 Provide regular reporting to build an early warning mechanism in support of the electoral process;
- 5.2.3 Carry out a number of advocacy and training activities to develop the capacities of fact checking platforms, digital journalism and other relevant stakeholders in Libya.

Expected Result (3): The establishment of the Joint Police Force is facilitated in order to reinforce implementation of the ceasefire and supporting the unification of the security sector.

Activities (indicative):

- 5.3.1 Assist the Libyan Ministry of Interior with the strategic planning and the development of the organisational structure of the Joint Police Force in close coordination with the EU Border Assistance Mission in Libya (EUBAM) and the European Union Liaison and Planning Cell (EULPC);
- 5.3.2 Providing training and mentoring to the units selected by the authorities to compose the Joint Police Force;
- 5.3.3 Providing equipment, mainly for transportation and communication, for the Joint Police Force so that it is able to play an effective role in the implementation of the ceasefire monitoring mechanism.

6. IMPLEMENTATION

6.1 IMPLEMENTATION MODALITIES

The Commission will ensure that the EU appropriate 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.

6.1.1 Grant: direct award (direct management)

(a) Purpose of the grant

As per the specific objective 4.2.2 the implementing partners will conduct social media monitoring for identifying misinformation and extremist content on social media.

(b) Type of applicants targeted

The type of applicants targeted are non-profit organisations and private companies.

(c) Justification of a direct grant

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.

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.

6.1.2 Grant: direct award (direct management)

(a) Purpose of the grant

As per the specific objective 4.2.3 the implementing partners will reinforce the implementation of the ceasefire through supporting the unification of the security sector.

(b) Type of applicants targeted

The type of applicants targeted are non-profit organisations and private companies.

(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.

6.1.3 Indirect management with an international organisation

The first component of the action may be implemented in indirect management with an entity which will be selected by the Commission’s services using the following criteria: international mandate to carry out activities to obtain the objectives and results as set out in sections 4 and 5 of this annex, operational capacity and value added. The implementation by this entity entails strengthening the fragile political system and institutions in view of facilitating the preparation for elections foreseen in December 2021 as per specific objective 4.2.1.

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 14 500 000**. 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
Expected result (1): Facilitating the preparation for the elections, composed of		
6.1.3 – Indirect management	5 000 000	N/A

Expected Result (2): Supporting a peaceful and credible electoral process by establishing a robust social media monitoring system with the view of identifying disinformation and hate speech on social media, composed of		
6.1.1 – Direct grant (direct management)	1 500 000	N/A
Expected Result (3): Supporting the establishment of the joint police force in order to reinforce implementation of the ceasefire and supporting the unification of the security sector, composed of		
6.1.2. – Direct grant (direct management)	8 000 000	N/A
Total	14 500 000	N/A

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under indirect management for Expected Result 4.2.1 and direct management for Expected Results 4.2.2 and 4.2.3. It will be devolved and sub-delegated to the **European Union Delegation**, 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 a final report. Every 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, an 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

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Requirements for European Union External Action (or any succeeding document) shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

Acknowledging that activities financed under this action will be politically sensitive and/or may constitute a security risk for the implementing partner/beneficiaries, the communication and visibility plan for this measure should develop a differentiated approach to satisfy the requirements from the legal obligations to which EU external funding is bound to without putting at risk the actions supported by this measure.

7. COMPLEMENTARITY, COORDINATION AND FOLLOW-UP

Given the high level of international interest in supporting Libyan peace process, particular emphasis will be given to ensure good coordination with other support initiatives by the EU, EU Member States and other donors.

The action will be in direct support to the ceasefire agreement of 23 October 2020 and seeks to reinforce the fragile political and institutional context in view of facilitating the elections and to further consolidate the ceasefire through unification of the security sector. It further builds on the ongoing support to the National Election Commission and the electoral process, facilitating the organisation of peaceful elections foreseen for December 2021.

The present action is developed in close coordination with ongoing Common Security and Defence Policy (CSDP) / Common Foreign and Security Policy (CFSP) activities. Planned activities will be closely linked to EUBAM's efforts to support the Ministry of Interior's strategic planning and the development of the organisational structure of the Joint Police Force. To ensure the full complementarity of these efforts, all partners will work closely with EUBAM to coordinate a range of activities such as the planning of the Joint Police Force and its concept of operations as well as the curricula for the training of Joint Police Force Staff.

The action is also fully aligned with EU support to the UN-led efforts for peace and stability in Libya in terms of implementation of the ceasefire, supporting the Libyan political process, conflict monitoring, mediation, developing of state security structures, law enforcement, security sector support and reform, service delivery, good governance, protection of human rights and the reinforcement of the rule of law, within the framework of the conclusions of January 2020 and June 2021 Berlin Conferences. Close coordination with those actions will be ensured.

The coordination of this action with other efforts, including those to address and counter disinformation and hate speech, will be ensured through regular consultations with the UN Stabilisation Mission in Libya, EU Member States and other relevant stakeholders.