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ANNEX

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

Exceptional Assistance Measure regarding Afghanistan

1. IDENTIFICATION

Action: Support the immediate needs of the Afghan population through the promotion of International Humanitarian Law, mental health and psychosocial support and humanitarian mine action.

Action Reference: NDICI CR 2021 / 39

Cost: EUR 7 700 000 (European Union (EU) 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

The seizure of power by the Taliban on 15 August 2021 following the departure of the foreign troops has left a volatile political context with potential repercussions on regional stability, human rights and the humanitarian situation. The potential for future conflicts is high and securing compliance with humanitarian norms remains a priority.

In line with the Council Conclusions on Afghanistan adopted on 21 September 2021¹, this exceptional assistance measure will support and address the immediate needs of the Afghan population through the promotion of International Humanitarian Law, mental health and psychosocial support and humanitarian mine action. It will promote the understanding of and respect for International Humanitarian Law among armed actors and of the de facto authorities with the aim to prevent an escalation of violence against civilians, in particular women and children, minorities and marginalised groups and raise awareness on applicable humanitarian norms in targeted local communities.

It will provide mental health and psychosocial support to members of urban communities in the capitals of five provinces in Afghanistan focusing on the need of Afghans to overcome trauma and to improve their psychosocial ability to promote peace and reconciliation. It will also provide mine action in support of humanitarian efforts and the deployment of quick

¹ 11713/2/21

response teams. Explosive ordnance risk education for internally displaced persons, returnees and host community members will be organised as well as hostile environment training for humanitarian workers related to improvised explosive devices to allow efficient provision of assistance to the population.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

The withdrawal of the international military forces from Afghanistan and the rapid seizure of power by the Taliban on 15 August 2021 has left a volatile environment with repercussions on regional stability, human rights and the deteriorating humanitarian situation. The potential for future conflicts is high due to newly shifting power relations among tribes and ethnic groups and recent security incidents and targeted attacks indicate that the de facto authorities are under increasing pressure to preserve Afghan stability. In the context of this turbulent environment, securing respect of international humanitarian law, human rights, including equal rights for women and protection of persons belonging to minorities is essential.

The violence that has been committed in Afghanistan over a period of more than 40 years has led to widespread trauma amongst a major part of the Afghan population, in particular young people, who have never experienced peace. Instead they have had to cope with public and often also domestic violence as part of everyday life and a constant feeling of insecurity leading to a high prevalence of mental health disorders.

Furthermore, as a result of the various conflicts, Afghanistan has one of the highest levels of explosive hazard contamination in the world, in particular improvised explosive devices, including abandoned improvised mines as well as explosive remnants of war constituting a major threat to human security and endangering access to health care and the humanitarian supply chain, not least for internally displaced persons, returnees and humanitarian workers providing emergency response assistance in a fast-changing security environment.

The EU's commitment to peace and stability in Afghanistan and to supporting its people was articulated in the Council Conclusions adopted on 21 September 2021. Respect for independence of humanitarian operations and safe and unhindered access to the entire territory, are one of the benchmarks the Council has agreed for future engagement with the Taliban appointed caretaker cabinet.

In line with the Council Conclusions of 21 September, this exceptional assistance measure will support and address the immediate needs of the Afghan population through the promotion of International Humanitarian Law, mental health and psychosocial support and humanitarian mine action.

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

The rapid power and political changes following the withdrawal of international forces in Afghanistan and the various repercussions on the Afghan population and humanitarian situation constitutes an exceptional and unforeseen situation in the sense of Article 4(4) 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, points (a), (j), (l) and (n) of Regulation (EU) 2021/947 specifically provides for the use of the NDICI rapid response pillar to support (a) through the provision of technical and logistical assistance, for the efforts undertaken by international, regional and local organisations and by State and civil society actors in promoting confidence-building, mediation, dialogue and reconciliation, transitional justice, women’s and youth empowerment, in particular with regard to community tensions and protracted conflicts; (j) measures to address, within the framework of Union cooperation policies and their objectives, the socio-economic impact on the civilian population of anti-personal landmines, unexploded ordnance or explosive remnants of war. Activities financed under the Instrument may cover, inter alia, risk education, mine detection and clearance and, in conjunction therewith, stockpile destruction; (l) measures to ensure that the specific needs of women and children in crisis and conflict situations, including their exposure to gender-based violence, are adequately met, and (n) 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

Risk	Likelihood	Impact	Mitigation measure
The security situation deteriorates due to potential conflict between Taliban and non-state armed groups and opposition forces.	H	H	The political and security situation is to be monitored closely in partnership with implementing partners on the ground. A contingency plan will be developed, including provisions to reduce, redeploy and/or suspend activities depending on the impact of the security developments.
The health situation deteriorates due to new waves of the COVID-19 pandemic and travel restrictions and other restrictive measures are imposed.	M	M	Partners will monitor the situation and will continue to guarantee protection of their own staff whilst delivering activities. Remote working arrangements, digital tools and use of virtual formats will be put in place.
Limited or difficult movement and access to communities in areas potentially controlled by armed groups.	M	M	Implementing partners will rely on local partners embedded in selected communities and will conduct advocacy initiatives when needed.
The economy collapses leading to cash shortages and increased insecurity.	H	H	The political and economic developments in Afghanistan will be closely monitored with implementing partners on the ground. Contingency plans will be developed as needed and activities may be suspended.

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to address the immediate needs of the Afghan population through the promotion of International Humanitarian Law, mental health and psychosocial support, and humanitarian mine action.

4.2 SPECIFIC OBJECTIVES

- 4.2.1 Protect civilians through the promotion of International Humanitarian Law and prevent an escalation of violence by and against minorities and marginalised groups;
- 4.2.2 Empower members of urban communities in the capitals of five provinces in Afghanistan to promote peace and reconciliation through the building of local psychosocial competence and by overcoming individual and collective trauma;
- 4.2.3 Improve access of humanitarian assistance unimpeded by explosive ordnance and mitigate risks for internally displaced persons, refugees, returnees and marginalised communities.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Result (1): Armed organisations and the de facto authorities understand the importance of protection of civilians, in particular minorities and other vulnerable populations, including women and children. Targeted local communities improve their capacity to promote positive behaviour to increase community-based protection and peaceful/inclusive conflict resolution.

Activities (indicative):

- 5.1.1 Awareness raising and humanitarian engagement sessions for armed organisations on their obligations to protect civilians;
- 5.1.2 Consultations and awareness raising sessions with local communities on conflict related risks, humanitarian norms and the rights to protecting civilians;
- 5.1.3 Mobilisation campaigns on preventing violations against minority civilians and vulnerable populations, in particular women and children;
- 5.1.4 Workshops with international and local actors in Afghanistan and symposiums/conferences.

Expected Result (2): Members of urban communities in the capitals of five provinces in Afghanistan are empowered to promote peace and reconciliation through the building of local psychosocial competence and by overcoming individual and collective trauma.

Activities (indicative):

- 5.2.1 Provide safe spaces for communication in five provincial centers;
- 5.2.2 Raising awareness of the psychosocial services provided by field teams among the local population;
- 5.2.3 Social cultural dialogues, peacebuilding activities based on cultural expression and community projects;
- 5.2.4 Individual online psychosocial counselling and support groups to members of vulnerable populations.

Expected Result (3): Humanitarian assistance is unimpeded by explosive hazards and civilians and humanitarian workers know how to mitigate the risk of explosive ordnance.

Activities (indicative):

- 5.3.1 Deployment of quick response teams to address urgent mine action requests, to support the delivery humanitarian assistance, to carry out survey and clearance of former battlefields and to conduct explosive ordnance disposal;
- 5.3.2 Support to land release in compliance with international conventions, including multiple survey and clearance techniques;
- 5.3.3 Deliver targeted explosive ordnance risk education for internally displaced persons, refugees, returnees and marginalised communities, with a particular emphasis on women and children;
- 5.3.4 Develop and disseminate mass media explosive ordnance risk education to target hard-to-reach populations;
- 5.3.5 Develop risk education on conflict prevention and preparedness, including medical modules and explosive ordnance risk education, specially targeting women;
- 5.3.6 Organise improvised explosive devices specific hostile environment training for humanitarian workers.

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 measures².

6.1.1 Grant: direct award (direct management)

(a) Purpose of the grant

The grant will contribute to achieving the Expected Result 1 related to Specific Objective 1.

(b) Type of applicants targeted

The type of applicant targeted for this direct award is a Non-Governmental Organisation.

(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.

6.1.2 Grant: direct award (direct management)

(a) Purpose of the grant

The grant will contribute to achieving the Expected Result 2 related to Specific Objective 2.

(b) Type of applicants targeted

The type of applicant targeted for this direct award is a Non-Governmental Organisation.

² 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.

(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

A part of this action may be implemented in indirect management with an entity which will be selected by the Commission's services using the following criteria: solid presence in the field, strong operation capacity in terms of technical competences and previous experience in the country on humanitarian mine action assistance. The implementation by the entity entails support to humanitarian mine action by tackling threats of an improvised nature as well as those caused by explosive remnants of war (Specific Objective 3 and Expected Result 3).

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 7 700 000**. 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: Supporting local calls to prevent violence and promote a peaceful and inclusive resolution of conflict in Afghanistan		
6.1.1 – Direct grant (direct management)	1 500 000	N.A.
Component 2: Sociocultural dialogues towards peace and reconciliation in Afghan communities		
6.1.2 – Direct grant (direct management)	1 200 000	N.A.
Component 3: Support to Humanitarian mine action in Afghanistan		
6.1.3 – Indirect management	5 000 000	N.A.
Total	7 700 000	N.A.

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under direct management for objective/components 1 and 2 and indirect management for objective/component 3. It will be devolved and sub-delegated to the **European Union Delegation in Afghanistan**, 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, 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

This action is consistent with the Union strategic policy framework for Afghanistan. It has been designed in coordination with the European Union Delegation to Afghanistan and aims to complement ongoing or planned interventions in the country. In particular, it will complement mine actions that will be supported by DG ECHO and will be implemented in coordination with mine activities under the steer of United Nations Assistance Mission in Afghanistan (UNAMA).

The action will also build upon and complement the ongoing project “Mitigating the impact of the COVID-19 crisis on the peace process in Afghanistan”³ implemented by Geneva Call by particularly focusing on strengthening minorities’ knowledge of their rights as civilians and capacity to identify avenues for peaceful conflict resolution. The action will also complement the EU Afghanistan Peace Support Mechanism II⁴ which responds to the needs of all Afghans, including minority groups, women and children most affected by the conflict.

³ Commission Implementing Decision of 22.6.2020 on an exceptional assistance measure in favour of Afghanistan (C(2020) 4160)

⁴ Commission Implementing Decision of 27.11.2020 on an exceptional assistance measure in favour of Afghanistan (C(2020) 8343)