

EN

ANNEX

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

Exceptional Assistance Measure regarding the Republic of Moldova

1. IDENTIFICATION

Action:	Support to resilience against diverse hybrid threats to the Republic of Moldova's cybersecurity and information space
Action Reference:	NDICI CR 2023/27
Cost:	EUR 7 000 000 (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

This 18-months exceptional assistance measure aims to strengthen Moldova's resilience in a heightened hybrid threat environment. A first component will focus on further strengthening the cyber resilience of the Republic of Moldova. This component will provide support to ensure that the ground is prepared for the new Cybersecurity Law to enter into force in 2025 as planned. This will include support to the establishment of the national competent authority on cyber security. A second component will provide support to building a more resilient information space in Moldova. This will include supporting a limited number of independent media outlets and civil society organisations to ensure the continued provision of high-quality, independently researched information, as well as assisting the Audio-Visual Council of Moldova as the monitoring body for audio-visual media. A third component will focus on support to the establishment of the new strategic communications centre of Moldova, including facilitating the inclusive development and implementation of a strategy and work plan.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

More than a year after the start of Russia's war of aggression against Ukraine, Moldova continues to be subject to diverse forms of hybrid threats that seek to undermine the stability of the country and derail its reform path. Reportedly, these have included instrumentalising the country's energy dependence, the staging of protests, fake official communications, and fake bomb threats amongst other forms of deliberate manipulation of the information space. The country has suffered the worst cyber-attacks in its history, affecting the functioning of government websites and online services as well as the Telegram communication channels of some Moldovan government officials. The grounds for the entry into force in 2025 of the new Cybersecurity Law of Moldova, adopted in May 2023, are being prepared. At the same time, Moldova is entering a period of three consecutive years of elections with local elections in November 2023, presidential elections in 2024 and parliamentary elections in 2025, with the pressure on its information space expected to rise further. The Audio-Visual Council of Moldova, the main body of supervision of television and radio, has detected an increasing number of incidents with outlets publishing inaccurate information. In December 2022, the government of Moldova suspended the licences of 6 pro-Russian TV channels using emergency procedures. Meanwhile the online space continues to be unmonitored and independent media in Moldova struggle to sustain their work with advertisement markets continuing to shrink. In response to the high level of disinformation in the country, Moldova is establishing a strategic communications centre¹ to coordinate and implement actions in the field of information security and strategic communication in order to identify, prevent and combat disinformation at the national level.

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

The heightened hybrid threat environment in the Republic of Moldova 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 (f) and (n) of Regulation (EU) 2021/947 specifically provides for the use of the NDICI rapid response pillar to (f) support for reinforcement of State capacity - in the face of significant pressures to rapidly build, maintain or restore its core functions, and basic social and political cohesion, 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.

¹ C.f. President Maia Sandu's message about the initiative to create the National Center for Information Defense and Combatting Propaganda – PATRIOT on 29 May 2023 (<https://www.presedinte.md/eng/presa/mesajul-presedintei-maia-sandu-despre-initiativa-de-creare-a-centrului-national-de-aparare-informationala-si-combatere-a-propagandei-patriot>)

3.3 RISKS AND ASSUMPTIONS

Risk	Risk level H/M/L	Mitigation measures
In the context of the dynamic developments in regional security, the hybrid threat environment might deteriorate drastically.	H	The implementing partners to be selected will be required to have experience with project implementation in volatile conditions and to quickly adjust activities according to changing needs.
Lack of coordination among donors resulting in duplication of efforts or inefficient allocation of resources.	M	Continued coordination among EU actors will be pursued and the action will specifically include provisions for improved donor coordination with the EU, EU Member States and other partners.

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to strengthen the resilience of the Republic of Moldova against a heightened level of hybrid threats.

4.2 SPECIFIC OBJECTIVES

- 4.2.1 The first component will aim to enhance the cyber security capacities of the Republic of Moldova;
- 4.2.2 The second component will aim to support continued provision of independent and high-quality information in the Republic of Moldova;
- 4.2.3 The third component will aim to strengthen the strategic communications capacities of the Republic of Moldova.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Result (1): The cyber security capacities of the Republic of Moldova are enhanced.

Activities (indicative):

- 5.1.1 Support to the preparation of legislative acts on cybersecurity;
- 5.1.2 Support to the conceptualisation and establishment of the national competent authority for cyber security;
- 5.1.3 Provision of training and awareness raising activities including on the inclusion of women in cyber security related professions.

Expected Result (2): The continued provision of independent and high quality information in the Republic of Moldova is supported.

Activities (indicative):

- 5.2.1 Provision of support to selected independent media outlets;
- 5.2.2 Support to enhancing the monitoring capacities of the Audio Visual Council of the Republic of Moldova;
- 5.2.3 Supporting initiatives for fact-checking and increasing media literacy.

Expected Result (3): The capacities in strategic communications in the Republic of Moldova are enhanced.

Activities (indicative):

- 5.3.1 Provision of support to the conceptualisation and establishment of the strategic communications centre of the Republic of Moldova;
- 5.3.2 Support to the drafting of relevant legislation;
- 5.3.3 Provision of training and capacity building activities for relevant personnel.

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

Grants may be awarded for the implementation of components 2 and 3 and the achievement of objectives 4.2.2 and 4.2.3, as set out in detail in section 5 above, results 2 and 3.

(b) Type of applicants targeted

The type of applicants targeted are non-profit organisations and private companies with relevant expertise in the intervention area and the ability to roll out activities with immediate effect.

(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.

(d) Exception to the non-retroactivity of costs

The Commission authorises that the costs incurred may be recognised as eligible as of 1 July 2023 for reasons of extreme urgency in crisis management aid or in situations of imminent or

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.

immediate danger to the stability of the Republic of Moldova, including by an armed conflict, where an early engagement of the Union may prevent an escalation.

6.1.2 Indirect management with a pillar assessed entity

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: experience of operating in the context of cyber security in the Republic of Moldova, ability to start implementation immediately. The implementation by this entity entails the implementation of component 1, expected result 1, objective 4.2.1.

Exception to the non-retroactivity of costs

The Commission authorises that the costs incurred may be recognised as eligible as of 1 July 2023 for reasons of extreme urgency in crisis management aid or in situations of imminent or immediate danger to the stability of the Republic of Moldova, including by an armed conflict, where an early engagement of the Union may prevent an escalation.

6.1.3 Changes from indirect to direct management mode due to exceptional circumstances

In the unlikely event that exceptional circumstances beyond the Commission’s control should make it necessary to change the implementation modality for the achievement of objective 4.2.1, expected result 1 in section 5, from indirect to direct management, it would be implemented with a grant (direct award). The type of applicants targeted would be non-profit organisations and private companies.

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 7 000 000**. 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: Strengthening Cyber Security Resilience composed of		
6.1.2 – Indirect management with a pillar-assessed entity	3 000 000	N/A
Component 2: Support to the independent information space composed of		
6.1.1 – Direct grant (direct management)	2 000 000	N/A
Component 3: Support to Strategic Communication Capacities composed of		
6.1.1 – Direct grant (direct management)	2 000 000	N/A
Total	7 000 000	

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

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

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

The activities under this measure will be built on the experiences and lessons-learned from previous exceptional assistance measures providing support to resilience against hybrid threats in the Republic of Moldova. It will be implemented in close coordination with, and complementarity to, the European Partnership Mission (EUPM) Moldova and support the implementation of the recommendations of the Hybrid Risk Survey conducted with Moldova.