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ANNEX

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

Exceptional Assistance Measure regarding Ukraine

1. IDENTIFICATION

Action: Comprehensive Support to the National Mine Action Sector –
Operational Assistance to Humanitarian Demining by State Operators

Action Reference: NDICI CR 2023/02

Cost: EUR 20 790 000 (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-month measure will aim to enhance the effectiveness and safety of survey and clearance operations by Ukrainian State actors. It will provide strategic and technical advice, specialised equipment, as well as relevant training, to humanitarian demining teams from the State Emergency Services and State Special Transport Service. This may include personal protective equipment for deminers, metal detectors, demining dogs or mechanical demining machines. This measure will complement ongoing EU support in the mine action sector and contribute to reinforce the management of national mine action across operators and regions.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

As the Ukrainian Armed Forces are progressing into territories formerly occupied by Russia, large scale contamination with mines and other explosive ordnance is being discovered. Explosive ordnance contamination threatens first responders, returning civilian populations and hinders the use of critical civilian infrastructure and the return of economic activity, notably in the transport, trade, and agricultural sectors. In response to the massive needs, the Ukrainian authorities manage large scale survey and clearance activities involving many actors. The Ukrainian Armed Forces clear access roads while demining teams of the State Emergency Services and the State Special Transport Services are responsible for humanitarian

clearance. International demining NGOs are assigned to clear agricultural areas from mines and explosive remnants of war in accordance with international mine action standards. All operators provide survey and explosive ordnance risk education. In the midst of ongoing hostilities, the Ukrainian authorities need to mobilise rapid threat mitigation whilst ensuring the safety and effectiveness of State and private operators who lack adequate equipment. In addition, they need to oversee the coordination of activities across multiple regions and stakeholders. Ensuring compliance with international standards on humanitarian demining is a challenge in this context.

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

There is large scale contamination with mines and explosive remnants of war in Ukraine which threaten civilian lives and the return of economic activity, constituting 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 (g) and (j) of Regulation (EU) 2021/947 specifically provides for the use of the NDICI rapid response pillar to (g) support for measures necessary to start the rehabilitation and reconstruction of key infrastructure, housing, public buildings and economic assets, and essential productive capacity, as well as other measures for the re-starting of economic activity, the generation of employment and the establishment of the minimum conditions necessary for sustainable social development, and (j) support for measures to address, within the framework of Union cooperation policies and their objectives, the socio-economic impact on the civilian population of anti-personnel 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.

3.3 RISKS AND ASSUMPTIONS

Risk	Risk level H/M/L	Mitigation measures
Recontamination from landmines and / or explosive remnants of war.	L	The likelihood of recontamination from landmines is only expected if there is a significant change in the dynamics of the conflict and a structural reconfiguration of defensive positions or change in the control of territories. The likelihood of this in the target area is viewed as low and outweighed by the humanitarian imperative of mitigating the threat to civilians. It is possible that limited contamination may result from new shelling in the project area. Unexploded ordnance (UXO) from shelling can be easily detected and small targeted areas can be cleared again.
Lack of coordination among	M	The action will specifically include provisions for improved

donors resulting in duplication of efforts or inefficient allocation of resources.		donor coordination within the EU and with other partners. The supported Ukrainian State humanitarian Mine Action actors will coordinate the actions of mine action stakeholders in the country.
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4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to strengthen Ukrainian State humanitarian mine action in Ukraine.

4.2 SPECIFIC OBJECTIVES

4.2.1 Strengthening the capacities of Ukrainian State humanitarian mine action operators for secure and effective humanitarian demining and effective management and coordination of the mine action sector.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Result (1): The capacities of Ukrainian State humanitarian mine action operators are enhanced and humanitarian mine action is conducted in a more secure, effective and coordinated manner.

Activities (indicative):

- 5.1.1 Delivery of specialised demining equipment to humanitarian State mine action operators;
- 5.1.2 Provision of tailor-made training to State humanitarian mine action operators;
- 5.1.3 Provision of support to coordinate donor's support offers;
- 5.1.4 Providing additional expertise on the strategic and technical management and coordination of the mine action sector;
- 5.1.5 Assistance with specialised equipment support and existing relevant training provided by donors.

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 Indirect management with a pillar assessed entity

This action may be implemented in indirect management with an entity/entities which will be selected by the Commission's services using the following criteria: ability to rapidly procure specialised demining equipment, ability to cooperate closely with Ukrainian authorities, ability to begin activities immediately. The implementation by this entity/these entities entails the activities necessary to achieve objectives 4.1 and 4.2 as specified under the result areas in section 5.

Exception to the non-retroactivity of costs

The Commission authorises that the costs incurred may be recognised as eligible as of 16 January 2023 because the urgency of the crisis situation requires an immediate start of the activities.

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

If negotiations with an entrusted pillar assessed entity for the implementation as foreseen under 6.1.1 for component 1 or parts of the expected result areas fail, the achievement of objective 4.2.1, as set out in detail in section 5 above, may be wholly or partially implemented in direct management, with the direct award of grants.

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.

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 20 790 000**. 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 Ukrainian state humanitarian mien action operators composed of	20 790 000	
6.1.1. – Indirect management with a pillar-assessed entity	20 790 000	NA
Total	20 790 000	NA

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under indirect management. It will be devolved and sub-delegated to the **European Union Delegation in Ukraine**, 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 action will complement ongoing EU support in the mine action sector and contribute to reinforce the management of national mine action across operators and regions.

The EU's Emergency Response Coordination Centre will be able to support the measure by coordinating the delivery of specialised equipment and expertise under the Union Civil Protection Mechanism.

Given the high level of international support to mine action in Ukraine in the response to the ongoing crisis situation, particular emphasis will also be given to ensuring good coordination with other support initiatives by EU Member States and other donors, notably the G7.