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ANNEX

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

Exceptional Assistance Measure regarding Venezuela

1. IDENTIFICATION

Action:	Promoting access to information and a culture of peace in the border territories of Venezuela
Action Reference:	NDICI CR 2023 / 12
Cost:	EUR 1 500 000 (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 current situation in Venezuela continues to be highly volatile and rapidly changing, with far reaching consequences for the region. Improvements in the bilateral relations between Venezuela and Colombia, renewed regional and international efforts to rekindle talks between the Maduro government and the opposition, and the upcoming 2024 general elections offer windows of opportunity for a negotiated political settlement to the Venezuelan crisis. Within this context, there is also a need and an opportunity to address the dilution of the country's institutional set-up, the increasing closure of democratic spaces and persistent harassment and persecution of journalists, human rights defenders, indigenous people, and civil society organisations, especially across a very tense and high-risk border area between Venezuela and Colombia. The 18-month action therefore aims to contribute to stability and peace by strengthening the capacities of civil society actors (journalists, human rights defenders, community leaders and activists) with a focus on strengthening journalists' capacities to access information, document and raise awareness of abuses faced by the population, and in particular in the border regions of the country.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

Venezuela continues to witness a political, social, economic, and security crisis with an ongoing complex humanitarian crisis and resulting in, inter alia, mass migration, with more than 7 million Venezuelans displaced globally. This is a challenge for the receiving countries, with Colombia in the frontline, followed by close neighbours such as Peru and Ecuador. The humanitarian situation continues to deteriorate dramatically, with emergency levels of acute food insecurity. While there has been a fragile upturn in the economy, the living conditions of the vast majority of the population have not improved. The dilution of the country's institutional set-up continues, with an increasing closure of democratic spaces, and continued set-backs in efforts to forge a peaceful settlement. Freedom of expression and the flow of information are severely restricted by the authorities with civil society actors, including journalists and human rights activists, who are subject to physical attacks, arrest and blocking of their operations. The border areas of the country experience increased violence and organised crime, including the illegal extraction of minerals and human trafficking, linked to irregular armed groups which operate in a culture of impunity. Indigenous groups in mineral rich areas particularly face abuses and violations of their rights. Travel to these areas is expensive and dangerous for journalists making it hard to report on the situation. Local civil society actors also struggle with poor electricity and internet connections hampering their ability to report abuses.

Organised crime is on the increase in the country with a diversified portfolio of illicit activities with global reach and the presence of armed groups that are an immediate threat to regional security. Large swathes of the territory are said to be under the control of paramilitary and other irregular groups that fight for the control of lucrative smuggling and drug-trafficking routes as well as illegal mining in the south. A further collapse of state institutions in Venezuela would risk a further increase in illicit activities (drug trafficking; human trafficking; smuggling; illegal trafficking of product from illegal mining origin such as gold and diamonds; activities of paramilitary groups and criminal groups). This would affect not only the neighbouring countries, but regions well beyond the Caribbean and Latin America.

Bilateral relations between Colombia and Venezuela have been strained, with episodes of extremely high tension and episodic boosts in military presence in the vast border area between both countries. Efforts have been made by the new Colombian administration to restore commercial, diplomatic and consular ties, support safe formal crossings and enhance safety and security for the Venezuelan migrants in Colombia. However, challenges remain. The Colombian's government "total peace" agenda, which essentially means prioritising dialogue with illegal armed groups and the protection of civilians – as opposed to the hard-line security stance taken by the former administration – may change the dynamics of these illegal groups, in particular those operating along the border and in Venezuela, with possible consequences for civilians on both sides of the border.

Nevertheless, a combination of factors has opened windows of opportunity. Firstly, efforts to achieve a negotiated political settlement in Venezuela resumed in November 2022. A recent conference hosted by Colombia (25 April) aimed at prompting resumption of talks between the Maduro government and the opposition. Venezuela is also preparing for general elections set to take place in 2024 and the opposition is announcing its commitment to conducting party primaries in 2023. In this context, supporting actors of change and of freedom of expression as

well as human rights defenders, especially in the border area between Venezuela and Colombia, could contribute to providing an additional impetus to widening the opportunities for stability and peace in the country.

The 18-month action therefore aims to provide opportunities for peaceful dialogue on the protection of human rights and improvement of the security situation with a view to establishing a culture of peace. It will do so through the support to journalists, human rights activists and ordinary citizens, particularly, but not exclusively in border areas.

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

The political, social and economic crisis, the complex humanitarian crisis, and the continued erosion of democratic space in Venezuela constitute 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), (n), (o) and (q) 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; (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; (o) support for socio-economic measures to promote equitable access to, and transparent management of, natural resources in a situation of crisis or emerging crisis, including peace-building, 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

RISKS	LIKELIHOOD D (High/Medium /Low)	MITIGATION STRATEGY
Political risks		
Authorities do not allow and/or impose increased restrictions hindering the implementation of activities.	Medium	A full risk analysis will be undertaken at the onset of the action and close monitoring will be ensured to anticipate any changes or problems and adapt the action accordingly.

RISKS	LIKELIHOOD D (High/Medium /Low)	MITIGATION STRATEGY
Increase in arbitrary arrests and harassment of civil society actors and project staff.	Medium - High	Ensure adequate resources, networks and partners to support civil society actors and project staff (including legal support and advocacy).
Increased violence in the implementation regions with accrued presence of and conflict between armed groups.	Medium	A full risk analysis will be undertaken at the onset of the action and close monitoring will be ensured to anticipate any changes or problems and adapt the action accordingly.
Operational risks		
Continued high levels of inflation and economic instability.	High	Close cooperation will be ensured between the implementing partner(s) and the EU Delegation and FPI to ensure costs can be adapted.
Lack of coordination and cooperation amongst partner organisations.	Low	The action will ensure that effective coordination takes place on a regular basis.

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to contribute to peacebuilding and the protection of human rights in the border areas of Venezuela.

4.2 SPECIFIC OBJECTIVES

4.2.1 To strengthen the capacities of civil society actors in the border areas of Venezuela (journalists, human rights defenders and activists) to inform, document, raise awareness and address situations of violence.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Result (1): Journalists, activists and communities in the border regions have an improved knowledge and capacity to report on human rights violations.

Activities (indicative):

- 5.1.1 Train journalists and members of human rights networks in digital, physical and psychosocial security;
- 5.1.2 Train local leaders and members of human rights networks in peaceful dialogue processes, reconciliation, mediation and communication;
- 5.1.3 Strengthen the capacities of journalists on how to effectively cover and report on risks, conflict and conflict drivers, including on issues of organised crime, migration, extractives, violence, and armed groups, and
- 5.1.4 Support Venezuelan journalists and in neighbouring countries on collaborative investigative reporting focusing on migration, human rights violations and organised crime.

Expected Result (2): Communities in the border regions have access to quality, timely and verified information on violence, conflicts, organised crime, natural resource governance and extractives.

Activities (indicative):

- 5.2.1 Support the publication and dissemination of monitoring reports on natural resources and extractives and their impact on indigenous communities, migration and organised crime;
- 5.2.2 Map relevant communication and information networks at the regional level in the border areas between Colombia and Venezuela, and
- 5.2.3 Support communication, dissemination and awareness raising.

Expected Result (3): Spaces for peaceful dialogue, protection and reconciliation as well as for the protection of human rights and for improved security for communities in the border areas of Venezuela are created and strengthened.

Activities (indicative):

- 5.3.1 Support the creation of a human rights network to document, exchange and alert relevant stakeholders on human rights violations and issues;
- 5.3.2 Organise bi-national events on reconciliation, peace, transitional justice and dialogue with civil society actors and local, regional and international authorities;
- 5.3.3 Ensure submission of human rights violation reports to relevant authorities, and
- 5.3.4 Strengthen the capacities of lawyers specialised in human rights and freedom of expression to support the work of journalists and activists.

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

The grant will be used to achieve specific objective 4.2.1 through expected results 1 to 3.

(b) Type of applicants targeted

The type of applicants targeted for this direct award are non-profit organisations.

(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.

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 1 500 000**. 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
Component 1: Promoting access to information and a culture of peace in the border territories of Venezuela composed of 6.1.1 – Direct grant (direct management)	1 500 000	N.A.
Total	1 500 000	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 Venezuela**, 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 programmes funded by the Neighbourhood, Development and International Cooperation Instrument, and managed by the Service for Foreign Policy Instruments (FPI), the Directorates General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) and International Partnerships (DG INTPA). A good understanding of the humanitarian dimension will be factored in the analysis undertaken by the group including through regular exchanges with DG ECHO.

It is expected that the implementing partners will report to FPI and the EU Delegation in Venezuela regularly, and brief the EU Political Counsellors whenever appropriate so that complementarity with EU-funded actions can be ensured, and insights shared with EU Member States.