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ANNEX

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

Exceptional Assistance Measure regarding Ukraine

1. IDENTIFICATION

Action:	Support to flexible and resilient education and healthcare provision for war-affected communities in Ukraine
Action Reference:	NDICI CR 2022/39
Cost:	EUR 10 000 000 (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-month measure seeks to support war-affected populations through the provision of conflict-sensitive and more resilient models of access to education and health to conflict-affected communities. A first component will focus on access to education in areas that are particularly impacted by the Russian war of aggression, including those recently liberated from Russian military control and those hosting a large number of internally displaced persons. Assistance will be given in a flexible manner through Ukrainian municipalities (hromadas) to tailor specific access-to-education models to local needs. This will include support to both offline and online schooling solutions, including for example the rehabilitation or construction of shelters, classrooms and other facilities (e.g. for sports or psychological support and counselling); or the provision of modular school-centres. The hromadas and school administrations will be supported e.g. in crisis management as well as psychological support to their employees and students.

A second component will focus on the needs of the Ukrainian health system related to a growing number of Ukrainian patients who received medical support in EU and European

Economic Area (EEA) countries. Support will be provided for the safe repatriation to Ukraine of patients willing to return, as well as to strengthen the trauma surgery and treatment capacity of the Ukrainian health system, to limit the number of patients requiring evacuation and to accompany the rehabilitation of repatriated patients.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

Over the past nine months, the illegal, unprovoked and unjustified Russian war of aggression against Ukraine has caused severe disruption to the national education and health systems. The Rapid Damage Needs Assessment (RDNA) conducted by the World Bank together with the Government of Ukraine and the European Commission estimates that the overall reconstruction and recovery needs incurred between the beginning of the war and 1 June 2022 amount to USD 349 billion, which includes damage to health and education buildings worth USD 4.8 billion. The devastating impact of damage to infrastructure is compounded by understaffing linked to population displacements and overstretched response capacities and the need to re-establish services in previously occupied territories as well as the lack of availability of equipment and medication. For the health sector, access to health facilities is shrinking while the number of emergency patients is sharply increasing, with a growing number of patients having to be evacuated as a consequence of being wounded in military action. For the education sector, some localities continue with remote learning for security reasons, while other localities would prefer to return to in-person schooling but cannot because of the lack of adequate bomb shelters.

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

The illegal, unprovoked and unjustified Russian war of aggression against Ukraine is putting a severe strain on the provision of health and education services for Ukrainian citizens, 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 (f), (l) and (p) of Regulation (EU) 2021/947 specifically provides for the use of the NDICI rapid response pillar to cover (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; (l) support for measures to ensure that the specific needs of women and children in crisis and conflict situations, including preventing their exposure to gender-based violence, are adequately met, and (p) support for measures to address the potential impact of sudden population movements with relevance to the political and security situation, including measures addressing the needs of host communities.

3.3 RISKS AND ASSUMPTIONS

Risk	Risk level H/M/ L	Mitigation measures
The ongoing fighting throughout Ukraine might impact the ability of implementing partners and Ukrainian authorities to implement the planned activities.	H	The implementing partners to be selected will be required to have a track record of being able to work in conflict-affected areas in Ukraine.
Lack of coordination among donors resulting in duplication of efforts or inefficient allocation of resources.	M	The action will specifically include provisions for improved donor coordination within the EU and with other partners.

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to improve access to resilient models of education and health service provision to war-affected communities in Ukraine.

4.2 SPECIFIC OBJECTIVES

- 4.2.1 The first component of this action aims to improve the access to flexible and resilient models of education for Ukrainian children in areas particularly affected by the Russian war of aggression against Ukraine;
- 4.2.2 The second component of this action aims to support the repatriation of Ukrainian patients from EU and EEA countries and to enhance the availability of adequate rehabilitation and medical trauma response capacities within the Ukrainian health system.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Result (1): The access of Ukrainian school children in war-affected communities to flexible and resilient models of education is improved.

Activities (indicative):

- 5.1.1 Support to Ukrainian municipalities (hromadas) in making available and / or repairing necessary infrastructure, including facilities such as module schools or shelters as required to enable offline education in insecure or volatile environments;

- 5.1.2 Enable hromadas to make available relevant equipment and infrastructure to optimise on-line education where necessary;
- 5.1.3 Enhancing the hromadas' crisis management capacities and ability to provide psycho-social support to students and teachers.

Expected Result (2): The repatriation of Ukrainian patients from EU and EEA countries is enabled and the capacities for rehabilitation and medical trauma response in Ukraine are strengthened.

Activities (indicative):

- 5.2.1 Enable the repatriation of Ukrainian patients following their treatment in EU and EEA countries;
- 5.2.2 Support the Ukrainian health care authorities in the provision of appropriate rehabilitation care for repatriated patients.

Expected Result (3): The capacities for trauma surgery and other emergency care within the Ukrainian health system are strengthened.

Activities (indicative):

- 5.2.3 Support the Ukrainian health care authorities in the provision of emergency care, including trauma surgery, to Ukrainian patients, with a particular focus on supporting the case management and treatment of war related trauma injuries.

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.

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 support local Ukrainian education authorities and administrations, ability to engage with the Ukrainian health system, 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 result areas 5.2.1, 5.2.2, and 5.2.3 as set out in detail in section 5.

Exception to the non-retroactivity of costs

The Commission authorises that the costs incurred may be recognised as eligible as of 1 September 2022 because the urgency of the crisis situation requires an immediate start of the activities.

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.

6.1.2 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 components 1 and 2 or parts of the expected result areas fail, the achievement of objective 4.2.1 and/or 4.2.2, as set out in detail in section 5 above, results 1, 2 and 3, may be wholly or partially implemented in direct management, with the direct award of grants.

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. 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.

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 10 000 000**. 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: Access to resilient models of education in crisis composed of		
6.1.2 – Indirect management with a pillar-assessed entity	5 000 000	N/A
Component 2: Repatriation and rehabilitation of Ukrainian patients composed of		
6.1.2 – Indirect management with a pillar-assessed entity	5 000 000	N/A
Total	10 000 000	N/A

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under direct and indirect management. It will be devolved and sub-delegated to the **European Union Delegation 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

Complementarity and coordination will be sought with previous and ongoing crisis response projects, as well as the EU's ongoing development cooperation and humanitarian efforts in Ukraine. Given the high level of international interest in supporting 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.