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### ANNEX

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

##### **Exceptional Assistance Measure regarding Bosnia and Herzegovina**

### **1. IDENTIFICATION**

Action: Community stability in Bosnia and Herzegovina

Action Reference: NDICI CR 2021 / 02

Cost: EUR 2 000 000 (European Union 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) No 2021/947.

Lead service: FPI

### **2. ACTION SUMMARY**

In mid-2018, Bosnia and Herzegovina became one of the main transit points for refugees and migrants aiming to reach the European Union, which has led notably in the winter to a humanitarian crisis. The lack of proper accommodation remains one of the key obstacles and many refugees and migrants, including vulnerable categories, have been forced to sleep in inadequate conditions. Following the fire in one of the recently closed temporary reception facilities, in January 2021, the High Representative and Vice-President Josep Borrell expressed strong concern about the situation and called on the authorities of Bosnia and Herzegovina at all levels to address it with maximum urgency while highlighting that the migration situation is a shared challenge.

This action aims to reduce tensions in communities hosting refugees and migrants and enable a response to the crisis situation that benefits both people on the move and citizens of Bosnia and Herzegovina. It will primarily focus on communities where facilities for refugees and migrants are either located or planned to be established, but the Action may also be extended to areas which are reluctant to accept creation of reception facilities in line with the principle of fair burden sharing, namely Republika Srpska.

The action has the following specific objectives: 1) Reduce risks to public health and security in local communities hosting a large refugee and migrant population, particularly due to the COVID-19 pandemic, thus addressing possible causes of further escalation of tensions that

could lead to violence; 2) Reduce host communities' perceptions of negative externalities resulting from the presence of refugee and migrant populations, by supporting interventions benefitting the local population and creating opportunities for dialogue and intercultural exchange; and 3) Foster a change of narrative over refugee and migrant issues in the public and political discourse by engaging with the media and advocating with relevant political decision makers at all levels, to improve public perceptions of migration, fight xenophobia and enable constructive solutions to the challenges of local communities.

### **3. BACKGROUND AND RATIONALE**

#### **3.1 BACKGROUND**

Thousands of migrants and refugees have entered Bosnia and Herzegovina in recent years in the hope of gaining asylum in the European Union. Between 6 000-7 000 of them have been forced to remain in the country, most of them in the canton of Una-Sana on the border with Croatia. While a majority of migrants and refugees are accommodated in reception centres, nearly 47 % live outside centres. As of 13 June 2021, Bosnia and Herzegovina hosts 3 652 migrants and refugees in reception centres while 3 220 persons live outside of shelters according to the International Organization for Migration (IOM). The numbers continue to fluctuate.

The EU Council adopted conclusions on enhancing cooperation with Western Balkan partners in the field of migration and security on 5 June 2020. They put a focus on reinforcing operational cooperation between the Western Balkans and the EU, notably by developing information exchange and cooperation with the EU Agencies.

The migration crisis has created new tensions between the migrants/refugees and the local population, in particular in the Una-Sana and Sarajevo cantons, areas where refugees and migrants are mostly present. Reception centres need to be located across the whole country, to ensure a fair burden-sharing among all cantons and entities. The COVID-19 crisis has accentuated the vulnerabilities of both migrants and refugees and host communities. In addition to being a health hazard, the pandemic also risks being a factor for additional tensions.

There has been persistent local opposition to the set up of refugees/migrants reception centres, especially in the Una Sana Canton. Some decisions in the area of migration by local authorities have also challenged the authority of State institutions. There has been widespread local opposition to temporary reception centres (TRC). For instance, in October 2020, local authorities closed the Bira TRC against the Council of Ministers' instructions, putting at risk the lives of the migrants and refugees living in the centre. These actions, which were contrary to domestic legislation, were strongly condemned by the EU. Despite concerted high-level EU advocacy, the humanitarian situation has deteriorated again in the winter.

Following the subsequent closure of the reception centre in Lipa in December 2020, without adequate alternative facilities where to transfer the migrants/refuges living there, the High Representative and Vice-President Josep Borrell, Commissioners Johansson, Várhelyi and Lenarčič engaged personally to prevent a humanitarian crisis to develop. In various statements they raised awareness of the unacceptable situation and called on the authorities of Bosnia and Herzegovina at all levels to address it by securing adequate accommodation capacities to all

refugees and migrants in need while highlighting that the migration situation is a shared challenge.

The situation calls for immediate action as tensions between local population and refugees and migrants could rise, and, in combination with the effect of the COVID-19 crisis, lead to another highly critical humanitarian situation over next winter. Sensational and anti-immigrant reports and statements in media and on social networks can have a significant political impact in the context of an already delicate balance of power between political parties at the different levels of government.

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

This action seeks to complement current humanitarian initiatives in support of migrants, refugees and asylum seekers in the country, by providing additional support to address rising tensions between host populations and migrants, constituting 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), (l) and (p) of Regulation (EU) 2021/497 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 regards to community tensions and protracted conflicts; (l) 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) 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. A previous IcSP project addressing COVID-19 challenges with the Migrant and Refugee response in the Western Balkans was decided in 2020 and will terminate during 2021.<sup>1</sup> Lessons learned from this project will be taken into account during the implementation of the present action.

### **3.3 RISKS AND ASSUMPTIONS**

The following risks and mitigation measures are anticipated:

<b>Risk</b>	<b>Risk level H/M/L</b>	<b>Mitigation measures</b>
Renewed tension related to mixed migration flows are instrumentalised to mobilise social unrest	<b>M</b>	Efforts will be made to diffuse tensions through the action.

<sup>1</sup> Commission Decision C(2020)3152 final ‘Emergency support to migrants and refugees stranded in the Western Balkans’

and violence.		
A deterioration of the security and political situation could lead to a decrease in commitment for the action from local authorities.	<b>M</b>	Local authorities have been involved in project design and their engagement will continue to be sought through participatory processes.
Migrants and refugees could remain stranded in Bosnia and Herzegovina for a longer period, which is likely to affect the mental wellbeing of some and increase risk of negative coping mechanisms.	<b>M</b>	Psychosocial assistance will be provided to the refugees/migrants in need.
Rapid spread of COVID-19 infection levels among the migrant and refugee community as well as host communities in Bosnia and Herzegovina.	<b>H</b>	The action will engage with public health authorities to isolate and treat potential clusters.

#### **4. OBJECTIVES**

##### **4.1 OVERALL OBJECTIVE**

The overall objective of the action is to reduce tensions in communities hosting refugees and migrants and to enable a response to the migration emergency that benefits people on the move as well as citizens of Bosnia and Herzegovina.

##### **4.2 SPECIFIC OBJECTIVES**

- 4.2.1 Risks to public health and security in local communities hosting a large refugee and migrant population, particularly due to COVID-19 pandemic, are reduced, thus addressing possible causes of further escalation of tensions that could lead to violence;
- 4.2.2 Citizens' perceptions of negative externalities resulting from the presence of a refugee and migrant population are reduced; and
- 4.2.3 A change of narrative over refugee and migrant issues in the public and political discourse is fostered by engaging with the media and advocating with relevant government decision makers at all levels, to improve public perceptions of migration, fight xenophobia and enable constructive solutions to local communities' challenges.

#### **5. ACTION COMPONENTS AND EXPECTED RESULTS**

**The main expected results/outcomes** include, but are not restricted to:

**Expected Result (1):** Critical gaps in the COVID-19 and migrant/refugee response that have the potential to escalate community tensions are addressed.

Activities (indicative):

- 5.1.1 Provide personal protective equipment and disinfection supplies to the migrants and refugees benefiting from the action;
- 5.1.2 Undertake COVID-19 diagnostics, epidemiological advisory services, and water, hygiene and sanitation interventions;
- 5.1.3 Provide safe accommodation and material support to the most vulnerable asylum-seeking families or individuals.

**Expected Result (2):** Social and recreational activities and psychosocial assistance is provided to the migrants and refugees in need thereof.

Activities (indicative):

- 5.2.1 Organise individual and group counselling, recreational activities, occupational therapy, prevention and response to sexual and gender-based violence (SGBV).

**Expected Result (3):** Mechanisms for hearing the concerns of local communities are established and key interventions addressing these concerns and benefitting citizens in host communities are supported.

Activities (indicative):

- 5.3.1 Identify selected interventions to alleviate perceived negative externalities arising from hosting a migrant population;
- 5.3.2 Promote mechanisms for more regular consultations between camp management and local community representatives.

**Expected Result (4):** Support to civil society initiatives promoting mutual understanding between people on the move and local communities.

Activities (indicative):

- 5.4.1 Provide small grants to civil society organisations and in kind support to smaller grass-root activities;
- 5.4.2 Support local authorities working directly with the asylum seekers;
- 5.4.3 Organise round tables on different topics related to the refugee and migrant situation.

**Expected Result (5):** Public information about refugee and migrant issues and media reporting standards are enhanced.

- 5.5.1 Design and conduct awareness raising campaigns;
- 5.5.2 Conduct capacity building activities targeting local governments' spokespersons and officials.

## 6. IMPLEMENTATION

### 6.1 IMPLEMENTATION MODALITIES

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>2</sup>.

#### 6.1.1 Indirect management with an international organisation

This action may be implemented in indirect management with the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR). This implementation entails – in line with the objectives and results in sections 4 and 5: (1) the procurement and provision of COVID-19 related equipment and supplies; (2) psychosocial support and recreational activities; (3) regular consultation between camp management and local community representatives; (4) small grants to civil society organisations; (5) roundtables with relevant stakeholders on different topics related to the refugee and migrant situation; and (6) awareness raising campaigns and capacity building on refugee and migrant related issues. The envisaged entity has been selected using the following criteria: long standing presence in the region, well established relationships with relevant authorities and key stakeholders, and the capacity to rapidly implement activities. The entrusted international organisations identified above are currently undergoing the ex-ante assessment of their systems and procedures. Based on their compliance with conditions in force at the time previously other indirect management actions were awarded to the organisations and based on a long-lasting problem-free cooperation, the international organisations can also now implement action under indirect management, pending the finalisation of the ex-ante assessment, and, where necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation.

Exception to the non-retroactivity of costs

The Commission authorises that the costs incurred may be recognised as eligible as of 1 April 2021 because of the present emergency situation, especially the ongoing COVID-19 crisis, which may lead to severe consequences both for migrants/refugees and the local population if the spread is not contained in the camps and other areas where migrants and refugees are located. Further escalation of violence between migrants/refugees and local population may also quickly deteriorate the volatile situation and lead to serious consequences for both sides.

### 6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 2 000 000**. A breakdown among components is provided hereunder, and is indicative.

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<sup>2</sup> [www.sanctionsmap.eu](http://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.

### Indicative budget breakdown

Components	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
Component 1: Community stability in Bosnia and Herzegovina	2 000 000	N.A.
6.1.1. – Indirect management with the International Organization for Migration and the United Nations High Commissioner for Refugees (UNHCR)	2 000 000	N.A.
Total	2 000 000	N.A.

### **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**, 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 reports. Every 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.

## **7. COMPLEMENTARITY, COORDINATION AND FOLLOW-UP**

The measure builds on a regional initiative funded under the Instrument contributing to Stability and Peace addressing COVID-19 challenges within the migrant and refugee response in the Western Balkans, and draws on lessons learnt from previous smaller scale interventions funded by other donors. The measure will further complement ongoing efforts primarily supported by the European Union under the humanitarian funding and under the Instrument for Pre-accession Assistance (IPA II and IPA III) assisting Bosnia and Herzegovina in responding to the increase in mixed migration flows since 2015, and strengthening migration management systems with regards to EU accession. Good coordination with other Commission services and exchange of information will be ensured in order to prevent overlaps in the response, namely in the health and protection sectors. Coordination with the EU Delegation and government counterparts will be ensured. The action will integrate into existing national coordination structures involving international partners and national stakeholders. Regular dedicated exchanges in these fora will ensure complementarity, coordination, risk mitigation and sustainability.