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### ANNEX

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

#### **Exceptional Assistance Measure regarding Bangladesh**

### **1. IDENTIFICATION**

- Action: Improving the protection environment of Rohingya refugees relocated to Bhasan Char.
- Action Reference: NDICI CR 2022 / 33
- Cost: EUR 3 000 000 (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**

Over 926 000 Rohingya refugees fleeing violence in Myanmar's Rakhine state reside in Bangladesh living in the world's most densely populated refugee camp, in Cox's Bazar district. Levels of insecurity, inter and intra-communal tensions and conflict remain significant with Rohingya women and children at risk of sexual and gender-based violence. The Government of Bangladesh has developed a new facility for refugees on the island of Bhasan Char. The action will strive to improve the overall protection environment by ensuring that the Rohingya refugees relocated to the island are protected and can live in safety and dignity until a durable solution is achieved. The action will focus on preventing and responding to sexual and gender-based violence. It will strengthen the protective environment of children and monitor the willingness of refugees to relocate. It will also improve the provision of essential health services.

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

#### **3.1 BACKGROUND**

Following the outbreak of violence against Rohingya civilians in Northern Rakhine state in August 2017, more than 926 000 Rohingya have fled across the border to Bangladesh in

search of protection and assistance. The sudden influx of this record number of refugees, concentrated in Bangladesh's Cox's Bazar district, represents an unprecedented humanitarian and protection crisis in an area that is already considered one of the poorest in the world and which is prone to disasters. Rohingya women and children, often disproportionately affected by injustice, are particularly at risk of sexual and gender-based violence. Moreover, levels of insecurity, inter and intra-communal tensions and conflict within the world's most densely populated refugee camp in Cox's Bazar remain significant.

Since 2020, in order to alleviate pressure in the main camps, the Government of Bangladesh has established refugee facilities on the island of Bhasan Char. So far, over 30 000 refugees have been relocated to the island from Cox's Bazar, with the number expected to double by the end of 2022. In this context, voluntariness of the decision to relocate to and remain on Bhasan Char continues to be an area of concern, which requires monitoring, accountability mechanisms and access to protection services. Significant funds have been invested by the Government of Bangladesh, providing accommodation and improving the flood and cyclone protection measures to reinforce the physical safety of the location. However, there are significant gaps in the provision of key protection interventions, with special attention required for persons at risk, including children, women and older persons, as well as persons with special needs.

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

In order to foster the strategic engagement between the EU and other international partners on the Rohingya refugee crisis in Bangladesh, it is deemed vital for the EU to support the Joint Response Plan for the Rohingya Humanitarian Crisis launched in March 2022. The protection crises in the Rohingya refugee camp on the island of Bhasan Char in Bangladesh 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 (a), (b), (g), (l), (m) and (n) of Regulation (EU) 2021/947 specifically provides for the use of the NDICI rapid response pillar to cover (a) support 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 regard to community tensions and protracted conflicts; (b) support for the implementation of UNSCRs on women, youth, peace and security; (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; (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; (m) support for the rehabilitation and reintegration of the victims of armed conflict, including measures to address the specific needs of women and children, 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.

### 3.3 RISKS AND ASSUMPTIONS

Risks	High, medium, low	Mitigation
Deterioration of the security situation in Rohingya refugee camps.	High	The implementing partner will systematically monitor the situation and initiate mitigation plans with a focus on the safe engagement of staff and beneficiaries.
The health of staff and beneficiaries is impacted by further COVID-19 outbreaks and the delivery of activities is delayed or discontinued.	Medium	The implementing partner will ensure staff are informed of latest COVID-19 situation and measures, and their health condition is regularly checked.
Safety risks for individuals receiving protection assistance.	Medium	The implementing partner will treat sensitive information discretely and confidentially.
Political conditions in the host country no longer support the implementation of the action.	Medium	The implementing partner will engage with the Government of the host country to develop a mitigation strategy early on, when/if necessary.

## 4. OBJECTIVES

### 4.1 OVERALL OBJECTIVE

The overall objective of the action is to improve the overall protection environment on the island of Bhasan Char by ensuring that the Rohingya refugees relocated to the island are protected and can live in safety and dignity.

### 4.2 SPECIFIC OBJECTIVES

1. Refugees are protected from sexual and gender based violence (GBV) and have access to adequate response mechanisms.
2. Children and vulnerable people at risk are protected, including from sexual exploitation and abuse.
3. Refugees have increased access to information, protection services and accountability mechanisms that ensure relocation to Bhasan Char is voluntary and their freedom of movement on the island and between the mainland is respected.

4. Refugees have increased access to essential health services.

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

**The main expected results/outcomes include:**

**Expected Result (1):** Adequate response mechanisms to prevent and mitigate the risk of gender-based violence are available and accessible to the refugee community.

Activities (indicative):

- 1.1 Level of awareness on prevention of and response to gender-based violence, including sexual and reproductive health is raised;
- 1.2 Refugees' engagement in the prevention of gender-based violence is supported;
- 1.3 Psychosocial support to victims of gender-based violence is provided.

**Expected Result (2):** Children at risk of sexual exploitation and abuse have access to protection and prevention services, and a community-based child protection system/structure is established.

Activities (indicative):

- 2.1 Children, adolescents and caregivers are provided with mental health and psychosocial support and child protection services;
- 2.2 Community leadership, including children, of child protection activities is ensured;
- 2.3 Children's participation in community-based child protection programmes is supported, including on life, resilience and peacebuilding skills;
- 2.4 Caregivers/parents' participation in family strengthening initiatives for refugees is ensured.

**Expected Result (3):** Refugees are free to relocate to Bhasan Char.

Activities (indicative):

- 3.1 Voluntariness and freedom of movement is monitored and access to protection services and accountability is ensured. Advocacy is conducted to prevent incidents of forceful relocation or family separation;
- 3.2 Access to protection services and accountability is ensured;
- 3.3 Cases of involuntary relocation or split-family relocation are addressed;
- 3.4 Regular focus groups are conducted to map and mitigate protection risks for refugees;
- 3.5 Regular interviews with 10% of relocated households are conducted;
- 3.6 Communication with all stakeholders is maintained, including continuous advocacy towards the Government of Bangladesh.

**Expected Result (4):** Refugees are provided with health and nutrition services.

- 4.1 Provide psychosocial support and healthcare consultations to refugees;
- 4.2 Facilitate referrals for secondary/tertiary care for refugees;
- 4.3 Provide infant and young child feeding counselling;
- 4.4 Facilitate new admissions to community management of acute malnutrition programmes.

## 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 measures<sup>1</sup>.

#### 6.1.1 Indirect management with a pillar assessed entity

This action may be implemented in indirect management with an entity which will be selected by the Commission's services using the following criteria: strong operational capacity in terms of human resources, technical competences and an established institutional network with local and national authorities, as well as previous experience in managing large scale refugee influxes. The implementation by this entity entails support to refugees relocated from Cox's Bazar refugee camp to Bhasan Char, in line with the specific objective and expected results 1 to 4.

### 6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 3 000 000**. 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
Improving the protection environment of Rohingya refugees relocated to the Bhasan Char		
6.1.1 – Indirect management	3 000 000	N.A
Total	3 000 000	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 in Bangladesh**, 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 end, 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

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<sup>1</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.

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**

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**

This action will contribute to the Joint Response Plan for protection and assistance for Rohingya refugees relocated from Cox's Bazar refugee camp to Bhasan Char. This measure is complementary to other EU-funded multi-annual projects and programmes addressing the

developmental needs in Bangladesh arising from the Rohingya refugee crisis. The action complements: (i) ongoing EU development cooperation with Bangladesh in the 2014-2020 Multiannual Indicative Programme - priority areas of education and human development, and food and nutrition security and sustainable development; and (ii) the programme "Building Rohingya refugee and host community resilience in Cox's Bazar" implemented by UNICEF and (iii) "Responding to the needs of the Rohingya population in Cox's Bazar, Rakhine State and host communities in Bangladesh".

It is also complementary to EU humanitarian aid providing protection, emergency health assistance, nutrition, water and sanitation, education and food security as well as supporting communities' preparedness against hazards and strengthening local authorities' capacities to prepare for and manage natural disasters.

Furthermore, complementarity will be ensured with EU Member States' funded initiatives, such as "Supporting host and Rohingya communities in Bangladesh", which is implemented by Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH.

The Action will ensure coordination and complementarity with all relevant programmes.