

## ANNEX 10

**to the Commission Implementing Decision on the financing of the multi-country multiannual action plan in favour of the Western Balkans and Turkey for 2021-2022**

**Action Document for “EU support to confidence-building in the Western Balkans”**

## 1. SYNOPSIS

## 1.1. Action Summary Table

<b>Title</b>	<b>EU support to confidence-building in the Western Balkans</b> Multi-country multiannual action plan in favour of the Western Balkans and Turkey for 2021-2022			
<b>CRIS/OPSYS number</b>	IPA III/2021/043-643/10			
<b>Basic Act</b>	Financed under the Instrument for Pre-Accession Assistance (IPA III)			
<b>Team Europe Initiative</b>	No			
<b>Zone benefiting from the action</b>	Western Balkans (Bosnia and Herzegovina, Kosovo*, Montenegro, Republic of North Macedonia and Republic of Serbia)			
<b>Programming document</b>	IPA III Programming Framework			
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>				
<b>Window and thematic priority</b>	Window 2 - Good governance, <i>acquis</i> alignment, good neighbourly relations and strategic communication  Thematic priority 3: Good neighbourly relations and reconciliation			
<b>Sustainable Development Goals (SDGs)</b>	Main SDG(s) on the basis of section 3: SDG 16 Access to justice Other significant SDG(s) on the basis of section 3: SDG 5 Gender equality			
<b>DAC code(s)</b>	15110 - Public Sector Policy and Administrative Management - 100%			
<b>Main Delivery Channel @</b>	United Nations Development Programme - 41114			
<b>Markers (from DAC form)</b>	<b>General policy objective @</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and Women's and Girl's Empowerment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers @</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Internal markers</b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Digitalisation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>BUDGET INFORMATION</b>				
<b>Amounts concerned</b>	Budget line: 15 02 01 01.01 Total estimated cost: EUR 7 000 000 Total amount of EU budget contribution: <b>EUR 7 000 000 – year 2021</b>			
<b>MANAGEMENT AND IMPLEMENTATION</b>				
<b>Type of financing and method(s) of implementation</b>	Project Modality <b>Indirect management</b> with the United Nations Development Programme (UNDP)			
<b>Relevant priorities and flagships from Economic and Investment Plan for the Western Balkans</b>	Not relevant			
<b>If Financing Agreement(s) is/are not foreseen: final date for concluding contribution / delegation agreements, procurement and grant contracts</b>	At the latest by 31 December 2022			
<b>Indicative operational implementation period</b>	72 months following the adoption of the Financing Decision			

## 1.2. Summary of the Action

Regional cooperation and good neighbourly relations are essential to the Stabilisation and Association Process and for progress by the Western Balkans IPA III beneficiaries' on their respective European paths. Good neighbourly relations support stability, an important element of economic growth and prosperity. Structural impediments to progress, however, remain in the region. More efforts are required in the handling of war crimes, acknowledging victims as right holders and empowering dialogue among citizens and within societies in view of ultimately enabling an environment conducive to trust, stability and prosperity.

In line with the 2021 Communication on EU Enlargement Policy<sup>1</sup> and the IPA III Programming Framework, this action aims at fostering mutual understanding and social cohesion through the promotion of accountability and fact-based dialogues about crimes committed during the 1990s conflicts on the territory of the former Yugoslavia. Through a multi-disciplinary approach, the action will (1) enhance the effective and efficient prosecution of war crimes at domestic level and (2) increase the shared understanding of the crimes committed during the 1990s conflicts on the territory of the former Yugoslavia.

## 2. RATIONALE

### 2.1. Context Analysis

In the context of the Western Balkans region, an important emphasis needs to be placed on restoring trust among citizens and societies in view of firmly anchoring peace, ensuring lasting stability and socio-economic development. Increasing dialogue among citizens and within societies, establishing a shared understanding of past atrocities, fighting impunity and acknowledging victims as right holders are key components of this process. This should enable an environment conducive to trust, stability and prosperity.

Window 2 of the IPA III Programming Framework outlines that regional cooperation, good neighbourly relations and reconciliation are essential parts of the Stabilisation and Association Process and for progress by the IPA III beneficiaries' on their respective European paths. Actions in the area of combating impunity for serious international crimes, including through strong regional cooperation, and effective domestic prosecutions, promoting victims' rights, and promoting dialogues are to be prioritised.

Overcoming the legacy of the past in the region will also contribute to anchoring sustainable socio-economic development, as stressed in the 2020 Economic and Investment Plan for the Western Balkans.<sup>2</sup>

### 2.2. Problem analysis by areas of support

The Western Balkans is still seeing the impact of unresolved issues and legacies from the conflicts in the 1990s. A large number of war crimes cases still need to be processed, most of them requiring regional cooperation. The cases are closely linked to the more than 10,000 missing persons across the region. Victims, including children, need to be able to access justice without re-traumatisation and to have access to adequate social services. The public, especially young people, is largely unfamiliar with the past history while it impacts the fabric of society. Over the years, these outstanding inter-connected legacies have increasingly contributed to create an environment susceptible to polarisation and division which is detrimental to the stability and the future of the region.

Cooperation between the targeted IPA III beneficiaries is key for tackling these issues. This action is therefore to be implemented at regional level.

#### **AREA OF SUPPORT #1: War crimes handling**

There is a need to strengthen in a sustainable manner the capacities and skills of the targeted IPA III beneficiaries in investigating, prosecuting and adjudicating war crimes cases. This requires strong cross-sectoral and multidisciplinary approaches and joint or mutually reinforcing capacity-building. Cross-border (regional) cooperation is key to effective war crimes handling. Often the locations of alleged perpetrators, victims, witnesses and other evidence are dispersed in two or more jurisdictions in the region. To enhance cross-border cooperation, there is need to enhance trust between justice professionals across the borders and to address remaining legal impediments to judicial cooperation. More efforts are also needed to acknowledge and empower victims as right holders, including children. This requires sound victim and witness support services and the strengthening of the capacities of such bodies, among other things. This also requires enhanced gender-inclusiveness in handling of war crimes cases: women and men have been affected differently by the conflicts, requiring nuanced approaches to their situations. This is particularly relevant when it comes to conflict-related sexual violence.

<sup>1</sup> COM(2021) 644 final, 9.10.2021

<sup>2</sup> COM (2020) 641 final, 6.10.2020, p. 2.

The main stakeholders of the action include: prosecutors, police officers, judges and court staff, witnesses and victims support services (including Civil Society Organisations (CSOs)), ministries of justice and other relevant line ministries and institutions for search for missing persons.

#### **AREA OF SUPPORT #2: Good neighbourly relations**

The incomplete knowledge and understanding of the region's past has had a detrimental effect on good neighbourly relations by fuelling voices of denial and revisionism. There is thus need to promote a better knowledge and shared understanding of past crimes. Dialogue and mutual understanding across the region should be strengthened through grassroots initiatives and the inclusion of local communities in the support to and empowerment of victims. There is also need to increase gender-inclusiveness to better meet the expectations and needs of the women and men affected by the past conflicts and, ultimately, enable more resilient societies.

The main stakeholders of the action include: CSOs, academia, media/journalists, judicial institutions, artists and associations or groups of victims.

The ultimate beneficiaries of the action are the general public of the Western Balkans region.

The value added of the EU's engagement in this area is its ability to complement the financial assistance with strong policy dialogue in the context of the EU accession and the Stabilisation and Association process.

### **2.3. Relevance and complementarity with strategies supported by key national stakeholders**

The targeted IPA III beneficiaries have policies and/or legislation in place relevant for the handling of war crimes cases and the issue of missing persons. For some of them, domestic prosecution of war crimes is an interim benchmark under Chapter 23 and a part of the Action Plans operationalising the EU accession process. This action will contribute to support domestic strategies developed by the targeted IPA III beneficiaries to promote their European perspective.

### **2.4. Relevance and complementarity with EU policy and EU and other donors' assistance**

This action is in line with, and in support of, thematic priority 3 (Good neighbourly relations and reconciliation) under Window 2 of the IPA III Programming Framework. The specific objective in this area is to contribute to societal cohesion and resilience by addressing the legacy of the conflicts of the past and bringing justice to all victims of the conflicts. It also aims at enabling an environment conducive of political, economic and social exchanges and cooperation.

Reconciliation and good neighbourly relations are intrinsically linked to rule of law, economic governance and regional cooperation. They are key elements of enlargement and the Stabilisation and Association process, as recalled in the Sofia Declaration.<sup>3</sup> Overcoming the legacy of the past will also contribute to anchoring sustainable socio-economic development in the region, as stressed in the 2020 Economic and Investment Plan for the Western Balkans.<sup>4</sup>

As highlighted in the 2021 Communication on EU Enlargement Policy, the Western Balkans need to make further progress on reconciliation, good neighbourly relations and regional cooperation.<sup>5</sup> The political leaders also need to take concrete steps to promote an environment conducive to reconciliation. Revisionism, denial of genocide and glorification of war criminals contradict EU values.

In line with these policy instruments, combating impunity for serious international crimes (including through strong regional cooperation and effective domestic prosecutions), promoting victims' right, promoting truth-seeking processes and political and inter-cultural dialogue, inclusive of young people, as well as people-to-people exchanges are the key areas for this EU action and support.

This action also contributes to support the implementation of the political commitment made by the targeted IPA III beneficiaries to promote war crimes justice at the London Summit, and reiterated in Poznan in 2019, in the "Joint Declaration on War Crimes in the Framework of the Berlin Process."<sup>6</sup>

<sup>3</sup> COM (2018) 65, 6.2.2018, pp. 7 and 18; Sofia Declaration, 17.05.2018.

<sup>4</sup> COM (2020) 641 final, 6.10.2020, p. 2.

<sup>5</sup> COM(2021) 644 final, 19.10.2021, pp. 21.

<sup>6</sup> Declaration adopted on 10 July 2018:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/724294/180710\\_WBS\\_Joint\\_Declarations.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/724294/180710_WBS_Joint_Declarations.pdf)

This action will contribute to the United Nations Sustainable Development Goals 5 (gender equality) and 16 (access to justice).

## 2.5. Lessons learned and links with previous financial assistance

The action builds upon and takes into account the following key lessons learned and best practices from prior similar actions implemented in the Western Balkan:

- The continuous involvement of and visibility of the action among domestic and local partners needs to be ensured. In this perspective, the action will take a long-term approach, combining grass-root action with a sector-wide approach and involve relevant stakeholders in the design of activities from the early start;
- A holistic, multi-disciplinary approach which seeks coordination and cooperation with a broad set of actors at various levels should be applied as much as possible, also in view of many cross-cutting issues which are relevant to reconciliation;
- Integrating gender-sensitivity and women's empowerment, as well as the engagement of young women and men in programme interventions has been proved to enhance inclusive, sustainable solutions on the ground and will be pursued; and
- The action will focus on and empower specific target groups that have a potential to further expand and influence others (journalists, youth activists, students and young professionals) as a mechanism to lay the ground for impact on broader segments of society.

In order to promote synergy and avoid duplication, this action will be implemented in close cooperation with other stakeholders, including the UN International Residual Mechanism for Criminal Tribunals (IRMCT), the International Commission on Missing Persons (ICMP), the International Committee of the Red Cross (ICRC), the Organisation for Security and Cooperation in Europe (OSCE) as well as relevant international and domestic Non-governmental Organisations (NGOs). Cooperation and coordination with relevant EU Delegations/EU Office will be prioritised.

## 3. DESCRIPTION OF THE ACTION

### 3.1. Planned results and intervention logic (describing causal links between impact, outcome(s) and output(s) and including assumptions)

To firmly anchor peace, lasting stability and socio-economic development in the Western Balkans, more efforts are needed to handle war crimes in the region, acknowledge victims as right holders and empower dialogue among citizens and within societies in view of ultimately enabling an environment conducive to trust.

To that effect, the action will indicatively provide **expertise and support** to better equip judicial authorities in **handling war crimes cases** at domestic level, including through a multi-disciplinary and cross-sectorial approach (**output 1**). The action will improve the conditions for **regional (cross-border) cooperation** in handling war crimes, including with an assessment of the state of play and key issues to be addressed (**output 2**). It will further provide **expertise and support** to enhance a stronger victim-centred approach in the handling of domestic war crimes prosecution, with indicatively a focus on **increasing the delivery of services to victims and witnesses** and to other relevant actors at domestic level and across the region, including through the rolling out of a sub-granting scheme (**output 3**). These outputs will contribute to enhancing the **efficient and effective domestic handling of war crimes (outcome 1)**. It should be noted that all expected main outputs are indicative (not exhaustive).

In parallel, the action will provide **expertise and support to better equip grassroots actors to raise public awareness** on past crimes, including dialogue and exchanges amongst and between a wide range of stakeholders (from judicial sector, journalists, historians, to teachers and students) (**output 4**). This will be primarily achieved through the setting up of a sub-granting scheme supporting grassroots initiatives, with indicatively a strong consideration for promoting intra-regional partnerships and local projects outside capitals. This output will contribute to **increase a shared understanding of the crimes** committed during the 1990s conflicts on the territory of the former Yugoslavia (**outcome 2**).

Overall, it is expected that both outcomes will in turn contribute to **fostering mutual understanding and social cohesion** through accountability and fact-based dialogues about crimes committed during the 1990s conflicts on the territory of the former Yugoslavia (**impact**).

All the activities will adopt a **victim-centred approach**. The action will mainstream gender including through addressing conflict-related sexual violence, promoting gender equality and empowering girls and women.

In order to promote synergy and avoid duplication, this action will be implemented **in close cooperation with other stakeholders**, including other United Nations bodies (such the IRMCT), IMCP, ICRC, OSCE as well as relevant international and domestic NGOs.

### 3.2. Indicative type of activities

The action will indicatively include the following main activities:

#### All outputs:

- Conducting specific needs assessment(s) at the start of the action to tailor activities;
- Conducting surveys throughout the action to measure progress;
- Organising events/workshops for dialogue, capacity strengthening and/or networking.

#### Under Output 1: Western Balkans judicial authorities are-better equipped to handle war crimes

- Providing technical assistance, advice and expertise, including legal advice on developing domestic legislation;
- Providing training and capacity-building activities, including specialised and cross-sectorial training;
- Organising regular dialogue and peer-to-peer exchanges.

#### Under Output 2: Improved conditions for regional cooperation on war crimes

- Conducting assessments and analysis;
- Providing technical assistance, advice and expertise, including legal advice on developing domestic legislation;
- Providing training and capacity-building, including specialised and cross-sectorial training;
- Transfer of knowledge and sharing of good practices;
- Organising regular dialogue and peer-to-peer exchanges.

#### Under Output 3: Increased delivery of support services to victims and witness of war crimes and stronger capacity of relevant actors

- Designing and implementing sub-grant scheme(s) indicatively focusing on the promotion and protection of victims' rights. As relevant, the sub-grant schemes will promote intra-regional partnerships and local projects outside capitals;
- Providing technical assistance, advice and expertise;
- Providing training and capacity-building;
- Transfer of knowledge and sharing of good practices.

#### Under Output 4: Grassroots actors better equipped to raise public awareness on past crimes

- Designing and implementing sub-grant scheme(s) with the following indicative thematic priorities: cross-societal and inter-generational dialogues and campaigns among various stakeholders; empowering youth to drive forward communication, advocacy and engagement on the legacy of the past. As relevant, the sub-grant schemes will promote intra-regional partnerships and local projects outside capitals.

### 3.3. Risks and assumptions

<b>Risks</b>	<b>Risk level (H/M/L)</b>	<b>Mitigating measures</b>
<b>Risk 1</b> Political context not conducive to the implementation of the action	<b>M</b>	The action will maintain constant dialogue with key institutional stakeholders to ensure buy-in and ownership, including support for regional cooperation. This aspect of the action will receive high attention throughout the implementation.
<b>Risk 2</b> Lack of sufficient interest, willingness or capacity of local partners to cooperate and support the implementation of the action	<b>M</b>	The action will rely on previous partnerships and experiences working with stakeholders in the area of transitional justice and confidence building, including for community and public outreach and work with victims' associations. In addition, the action will demonstrate its value added through the implementation of concrete activities

		addressing gaps in the current response to accountability and fact-based dialogues.
<b>Assumptions</b>		
<b><u>Outcome 1</u></b>		
Political and justice institutions' support to address legacy of the past		
<b><u>Outcome 2</u></b>		
Political support to address legacy of the past		
Engagement of CSOs and right holders		
<b><u>Output 1</u></b>		
Judicial stakeholders adopt strengthened practices		
<b><u>Output 2</u></b>		
Authorities cooperate regionally		
<b><u>Output 3</u></b>		
Authorities and CSOs willing to act on the support provided		
<b><u>Output 4</u></b>		
Authorities and CSOs willing to act on the support provided		

### 3.4. Mainstreaming

<p><b>How does this Action contribute to Gender Equality and Women's and Girls' Empowerment (in line with the EU gender equality strategy 2020-2025)?</b></p> <p>The action will be implemented in a way to effectively mainstream gender, promoting and supporting gender equality and girls' and women's empowerment. The action will further give special consideration to dealing with conflict-related sexual violence. In addition, the action will ensure a balanced representation of women and men among action beneficiaries to the greatest extent possible (e.g. the action will not propose or accept single-gender workshops, panels, etc.). At the specific project level, gender aggregated indicators will be developed.</p> <p><b>How does this Action address Environment and Climate change?</b></p> <p>There is no direct link to environment and climate change as such. However, caution will be taken to reduce any associated environmental impact where possible. The impact of methods of transportation used by action staff will be taken into consideration when travelling.</p> <p><b>How does this Action address the Rights Based Approach?</b></p> <p>The human rights-based approach is among the underpinning principles of the action. Supporting the prosecution of war crimes from the 1990s conflicts in the region, empowering victims and their families as rights holders and increasing the acknowledgment and shared understanding of the facts established about the crimes from the 1990s are clearly at the core of implementation of human rights. As such, the action contributes in the long-term to enable further implementation of rights-based systems across the beneficiaries.</p> <p><b>How does this Action promote the systematic engagement with Civil Society?</b></p> <p>The action will engage actively with civil society across the region – victims associations, human rights or transitional justice CSOs, academic institutions, NGOs etc. Through various activities, the role and capacity of CSOs will be strengthened.</p> <p><b>Others (such as Resilience and Conflict Sensitivity, Roma, people with disabilities and other vulnerable groups)</b></p> <p>The action is directed at addressing the legacy of the 1990s conflicts, enhancing reconciliation and good neighbourly relations across the region. The action will thus adopt a conflict sensitive approach, by taking into account different personal and collective perspectives, experiences and pain and by dealing with them in an inclusive and collaborative way. It will pay specific attention to the impact of the 1990s conflicts on vulnerable groups.</p>
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### 3.5. Conditions for implementation

There are no particular conditions required for the start of the implementation of this action as both the legal and institutional frameworks to prosecute war crimes at domestic level are largely already in place. Where applicable, any legislative gaps will not negatively affect the action's implementation as activities will serve to advocate for and support drafting of complementary relevant legislation.



### 3.6. Logical Framework for PROJECT MODALITY (3 levels of results / indicators / Baselines / Targets / Source of Data / Assumptions - no activities)

Results	Results chain: Main expected results (maximum 10)	Indicators (at least one indicator per expected result)	Baselines (year)	Targets (year)	Sources of data (1 per indicator)	Assumptions
<b>Impact</b>	To contribute to foster mutual understanding and social cohesion through accountability and fact-based dialogues about crimes committed during the 1990s conflicts on the territory of the former Yugoslavia.	Attitudes on regional cooperation and EU integration:  % of Western Balkans citizens who find regional cooperation important	77% (2020)	Increased % (2026)	Regional Cooperation Council Barometer  Commission reports	<i>Not applicable</i>
<b>Outcome 1</b>	Efficient and effective domestic handling of war crimes enhanced	Number of war crimes cases handled	0 (2021)	Increased (2026)	Action reports	Political and justice institutions are committed to address legacy of the past
<b>Outcome 2</b>	Shared understanding of the crimes committed during the 1990s conflicts on the territory of the former Yugoslavia increased	Level of acceptance of facts established by the ICTY	Low level (2021)	Medium Level (2026)	Surveys conducted under action  Action reports	Political support to address legacy of the past  Engagement of CSOs and right holders
<b>Output 1 related to outcome 1</b>	Western Balkans judicial authorities—are better equipped to handle war crimes	Level of technical support provided to judicial stakeholders on war crime handling	0 (2021)	Increased level (2026)	Action reports	Judicial stakeholders adopt strengthened practices
<b>Output 2 related to outcome 1</b>	Improved conditions for regional cooperation on war crimes	Number of regional cooperation in handling war crimes	0 (2021)	Increased (2026)	Action reports	Authorities cooperate regionally
<b>Output 3 related to outcome 1</b>	Increased delivery of support services to victims and witness of war crimes and stronger capacity of relevant actors	Level of technical support provided to victims and witnesses support actors by the action	0 (2021)	Increased level (2026)	Action reports	Victims and witnesses are willing

		Existence of sub-granting scheme supporting victims and witnesses assistance	0 (2021)	Yes (2026)		to take part in proceedings
<b>Output 4 related to outcome 2</b>	Grassroots actors better equipped to raise public awareness on past crimes	Existence of sub-granting scheme supporting grassroots initiatives relevant to raise public awareness (including gender disaggregated data and disaggregated data per thematic priorities)	0 (2021)	Yes (2026)	Action Reports	General public and authorities are perceptive to awareness raising on past crimes

## 4. IMPLEMENTATION ARRANGEMENTS

### 4.1. Financing agreement

In order to implement this action, it is not foreseen to conclude financing agreements with the targeted IPA III beneficiaries.

### 4.2. 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>7</sup>.

#### 4.2.1. Indirect management with an international organisation

This action may be implemented in indirect management with the UNDP. This implementation entails the full implementation including through direct implementation of activities and conducting budget implementation tasks (procurement and grants award procedures as relevant) of this action entitled “EU support to confidence-building in the Western Balkans”. The envisaged entity has been selected using the following criteria: core mandate; sound expertise and strong practical experience in rule of law and peace-building sectors; presence in the Western Balkans; financial and operational capacity. In addition, UNDP has been implementing closely related actions in the region. This experience in the region will constitute a strong asset in fostering cooperation with other key stakeholders in the region in implementing this action.

In case the envisaged entity would need to be replaced, the Commission’s services may select another replacement entity using the same selection criteria given above. If the entity is replaced the decision to replace it needs to be justified.

### 4.3. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions:

The Commission’s authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

### 4.4. Indicative budget

	<b>EU contribution (amount in EUR) 2021</b>	<b>Indicative third party contribution, in currency identified 2021</b>
<b>All outcomes and outputs</b>		
Indirect management with UNDP - <i>cf. section 4.2.1</i>	7 000 000	N/A
<b>Totals</b>	<b>7 000 000</b>	<b>N/A</b>

### 4.5. Organisational set-up and responsibilities

The main stakeholders targeted by this action are stakeholders of the judicial system (such as judges, prosecutors and relevant Ministries), victims and families as well as the concerned communities.

The UNDP will implement the action. Throughout the action, the implementing partner shall ensure due coordination with relevant regional and international organisations, bilateral partners and non-governmental organisations. Particular attention shall be made to coordination with EU Delegations/Office.

<sup>7</sup> 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.

The implementing partner will set up a Steering Committee to provide strategic guidance, advice and oversight during the project implementation. The Steering Committee will include at a minimum representatives of the implementing partner and the EU and meet at a minimum once a year. As relevant, the Steering Committee can agree to extend participation to other stakeholders to its meetings when relevant.

The implementing partner will provide the EU with regular reports on the project's implementation. These reports will include information such as the state of play of project implementation, challenges encountered and mitigating measures as well as updated work plans.

## 5. PERFORMANCE/RESULTS MONITORING AND REPORTING

### 5.1. Internal monitoring

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the responsibilities of the implementing partner. The Steering Committee will detail the internal monitoring processes to be followed. In addition, the action might be subject to external monitoring in line with the European Commission rules and procedures.

### 5.2. Roles & responsibilities for data collection, analysis & reporting

The implementing partner will be requested to continuously capture, record and track key statistical information on the implementation of activities. Particular emphasis will be placed on systematic collection of data required to track progress on indicators identified in the logical framework.

Within the annual cycle, the action will carry out the following monitoring actions:

- A monitoring plan shall be activated and updated at regular intervals.
- Based on an initial risk analysis, a risk log will be activated and regularly updated.
- From the onset, a lessons-learned log shall be activated and updated regularly to ensure continuous organisational learning and adaptation of the methodological approach in implementing similar actions in the future.
- Insights will be generated on a six-monthly basis from the activities at the beneficiary-level and the regional level, to ensure overall cohesion with the action results.
- The monitoring framework will be periodically updated to record progress towards the achievement of the outcomes.

In the reporting process, a strong emphasis will be placed on soliciting feedback from end users. Where feasible, monitoring frameworks will ensure that reports and collected data capture the tangible impact of the action on women and men and on different categories of vulnerable groups etc.

### 5.3. Evaluation

Having regard to the nature of the action, a final evaluation(s) will be carried out for this action or its components via independent consultants hired by the implementing partner.

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that this action covers a wide range of areas, including sub-grant scheme(s) reaching out to grassroots organisations, and implements a multi-disciplinary approach.

The evaluation reports shall be shared with the targeted IPA III beneficiaries and other key stakeholders following the best practice of evaluation dissemination<sup>8</sup>. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the beneficiary, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the action.

## 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.

<sup>8</sup> See best [practice of evaluation dissemination](#).

## 7. COMMUNICATION AND VISIBILITY

Visibility of EU funding and communication about objectives and impact of actions are a legal obligation for all actions funded by the EU, as set out in the EU communication and visibility requirements in force.

In particular, the recipients of EU funding shall acknowledge the origin of the EU funding and ensure its proper visibility by:

- providing a statement highlighting the support received from the EU in a visible manner on all documents and communication material relating to the implementation of the funds, including on an official website and social media accounts, where these exist; and
- promoting the actions and their results by providing coherent, effective and proportionate targeted information to multiple audiences, including the media.

Visibility and communication measures shall be implemented, as relevant, by the public administrations (for instance, concerning the reforms linked to EU budget support), entrusted entities, contractors and grant beneficiaries. Appropriate contractual obligations shall be included, respectively, in financing agreements, delegation agreements, and procurement and grant contracts.

The measures shall be based on a specific Communication and Visibility Plan, established and implemented in line with the EU communication and visibility requirements in force. The plan shall include, inter alia, a communication narrative and master messages for the action, customised for the various target audiences (stakeholders, civil society, general public, etc.)

Visibility and communication measures specific to this action shall be complementary to the broader communication activities implemented directly by the European Commission services and/or the EU Delegations and Offices. The European Commission and the EU Delegations and Offices should be fully informed of the planning and implementation of the specific visibility and communication activities, notably with respect to the communication narrative and master messages. It is the responsibility of the implementing partner to keep the EU Delegations/Office and the European Commission fully informed of the planning and implementation of the specific visibility and communication activities.

Communication on this Action should also take into consideration the risks from misinformation and disinformation, and the ways of countering these in order to avoid undermining the Union's efforts and image in the Western Balkans.

## 8. SUSTAINABILITY

The action will ensure strong ownership among the targeted IPA III beneficiaries, through proactive consultations and engagement throughout its implementation. It will provide various approaches and modalities for effective capacity development and learning, thereby ensuring that the targeted IPA III beneficiaries will be able to sustain and apply the expertise and knowledge that will be generated and introduced throughout the action.