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ANNEX 2

of the Commission Implementing Decision on the financing of the Annual Action Programme, part 2, in favour of Ukraine for 2020

Action Document for Civil Society Facility Ukraine

ANNUAL PROGRAMME

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation and action programme/measure in the sense of Articles 2 and 3 of Regulation N° 236/2014.

1. Title/basic act/ CRIS number	Civil Society Facility Ukraine CRIS number: ENI/2020/042-796 financed under the European Neighbourhood Instrument	
2. Zone benefiting from the action/location	Ukraine The action shall be carried out at the following location: Ukraine	
3. Programming document	Single Support Framework 2018-2020 for Ukraine ¹	
4. Sustainable Development Goals (SDGs)	Main SDG(s) on the basis of section 4.4 <ul style="list-style-type: none"> • SDG 3 Good health and well-being • SDG 8 Decent work and economic growth • SDG 16 Peace, justice and strong institutions Other significant SDG(s) on the basis of section 4.4 <ul style="list-style-type: none"> • SDG 5 Gender equality • SDG 13 Take urgent action to combat climate change and its impacts • SDG 17 Partnerships for the goals 	
5. Sector of intervention/ thematic area	Complementary support to civil society	DEV. Assistance: YES

¹ Commission decision C(2017)8264

6. Amounts concerned	Total estimated cost: EUR 20 000 000 Total amount of European Union (EU) contribution EUR 20 000 000			
7. Aid modality(ies) and implementation modality(ies)	Project Modality Direct management through: - Grants - Procurement Indirect management with UNFPA			
8 a) DAC code(s)	Main DAC code: 15150 - Democratic participation and civil society			
b) Main Delivery Channel	20000 - Non Governmental Organisations (NGOs) and Civil Society			
9. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	X
	Aid to environment	<input type="checkbox"/>	X	<input type="checkbox"/>
	Gender equality and Women's and Girl's Empowerment	<input type="checkbox"/>	X	<input type="checkbox"/>
	Trade Development	<input type="checkbox"/>	X	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	X	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Principal objective
	Biological diversity	X	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input type="checkbox"/>	X	<input type="checkbox"/>
	Climate change adaptation	<input type="checkbox"/>	X	<input type="checkbox"/>
10. Global Public Goods and Challenges (GPGC) thematic flagships	Human development			

SUMMARY

The Civil Society Facility is EU's landmark programme on support to civil society in the Eastern Neighbourhood countries. In Ukraine it is meant to support the commitments made by the EU in relation to enabling environment, policy dialogue and capacity development of civil society – as laid out in the Roadmap for Engagement with Civil society (2018 – 2020). In 2020, it becomes an integral part of EU's response to the COVID-19 crisis in Ukraine. This action reflects the EU's ambitions to develop an empowered and sustainable civil society,

which contributes effectively to public policies and articulates citizens' concerns, partners effectively with relevant stakeholders at local, national and international level, including in the EU. Within a generally favourable environment for civil society organisations in Ukraine, the actions proposed pursue to harness the role of civil society organisations as governance actors, drivers of socio-economic development and building a resilient Ukrainian society. The action focuses also on social innovation and active citizenship as core principles for civic engagement and the premise for healthy democratic societies. Particular attention is being placed to advancement of minority rights, environmental governance and women's rights issues, as well as to tackling the aftermath of the COVID-19 crisis and its medium to long term impact on civil society and local communities in Ukraine.

1 CONTEXT ANALYSIS

1.1 Context Description

The overall environment for Ukrainian civil society organisations (CSOs) is generally favourable, with a satisfactory legal framework and vibrant and diverse civil society actors, especially in areas such as elections, European integration, human rights protection, women's rights, sports and culture, youth engagement and environment/green society. There are approximately 20,000 active CSOs operating in many sectors. Only a quarter of these organisations are based in the capital and active CSOs can be found in great numbers in the regions (most notably in Odesa, Lviv, Dnipropetrovs'k and Kharkiv). In addition to traditional CSOs, a growing number of entities are searching for new forms of mobilisation and inclusion of citizens, experimenting with new forms of association, such as group initiatives, hubs and social enterprises. This seems to be particularly relevant in the spheres of art and culture, digital communication, education, new service provision, and community development.

Since 2014, significant changes have taken place in the general environment for CSO activity. The legislative framework has been modernised and there is now a stronger engagement of civil society in the design and implementation of public policies. CSOs are playing an important role in the development of a new political and administrative culture in post-Maidan Ukraine, in particular with regard to promoting transparency and accountability in public life. As a specific sub-category of civil society organisations, think tanks have been vitalised after Maidan; their work was prominently reflected in forging alliances and producing analysis that informs domestic reform processes as well as the strategies of Ukraine's partners. Yearly monitoring carried out by the Institute of Sociology of the National Academy of Sciences showed that the level of trust in CSOs and charity organisations has increased almost threefold from 2014 to 2017, from 13% to 37%. Still, the level of individual engagement and civic activism remains rather low with less than 20% of Ukrainians being members of CSOs.

A number of factors are still restricting the work of civil society organisations. First, the violent conflict in the east of Ukraine has negatively impacted respect for the rights to freedom of expression, association and peaceful assembly in affected communities. Independent and pro-Ukrainian media, as well as activists, are unable

to operate freely in Non-Government Controlled Areas of Donetsk and Luhansk (NGCA), where censorship is widespread. Second, violent attacks against social, environmental and human rights activists, intended to restrict citizens' willingness to participate are maintaining a steady pace. Among those, attacks against LGBTI rights activists, meant to prevent free exercise of the right to peaceful assembly, stand out.

To curve the spread of the COVID-19 virus the Ukrainian government has introduced social distancing measures as of mid-March 2020. While uncertainty remains on how long the measures will stay in place, they are already leaving a mark on the way communities function. While civil society has already taken a role in contributing to relief of the local communities where they operate, the effects of this crisis are expected to leave a significant mark on the way people live, beyond the health system and the economy. Measures may have an impact on the sources of income of civil society organisations in Ukraine.

1.2 Policy Framework (Global, EU)

Civil society engagement is crucial to the achievement of the objectives of the Neighbourhood Policy. The revised European Neighbourhood Policy² of 2015 commits to a higher diversification of the range of civil society actors which the EU engages with. As a reflection of these commitments, the 'Eastern Partnership – Focusing on key priorities and deliverables' Staff Working Document³ aims not only at civil society engagement in all priority sectors of cooperation between the EU and partner countries, but also sets targets for the outreach of the capacity development programmes in partner countries. As expressed in these documents, the EU seeks meaningful engagement with relevant civil society equally on all the 20 Deliverables in the EaP countries.

The EU's commitment to support civil society applies to all partner countries. Support to the development of capacities of CSOs, engagement in policy dialogue and protection of participation space are the three areas towards which the European Commission has committed its work through the 2012 Communication 'Roots of Democracy and Sustainable Development: Europe's engagement with Civil Society in external relations'⁴. The 2012 Communication highlighted that CSOs are governance actors in their own right. They should therefore receive an opportunity to become equal partners in EU assistance to partner governments. The Council of the European Union in its October 2012 Council Conclusions⁵ stated that the EU recognised the significance of constructive relations between States and CSOs and would further promote them. Since 2012, the EU has repeatedly stated its

² 'Review of the European Neighbourhood Policy', Joint Communication, JOIN(2015) 50 final, http://eeas.europa.eu/archives/docs/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf.

³ SWD(2016)467 of 15.12.2016.

⁴ COM(2012)492, 12.09.2012
<https://eeas.europa.eu/sites/eeas/files/2012-communication-roots-of-democracy-and-sustainable-development.pdf>.

⁵ Council conclusions on The roots of Democracy and sustainable development: Europe's engagement with Civil Society in external relations, https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/foraff/132870.pdf

commitment through a series of policies that have externalities on civil society policy. The Global Strategy for the European Union's Foreign and Security Policy⁶ and the Gender Action Plan⁷ in particular have confirmed the EU policy to engage with civil society.

The fast pace of change in the political environment in the EU's wider Eastern Neighbourhood⁸ has brought a need to re-define the narrative surrounding civil society engagement. The renewed EU Roadmap for Engagement with Civil Society in Ukraine (2018-2020) outlines a number of concrete steps that the EU plans to make in order to meet civil society's needs and advance its role in partner countries.

In March 2020 the EU confirmed its support to Eastern Partnership countries in tackling the COVID-19 crisis. Solidarity with those most affected by the crisis and the restrictive measures is a key pillar of this response. This programme intends to reflect a similar approach to solidarity with local communities in Ukraine.

1.3 Public Policy Analysis of the partner country/region

The engagement of the Government of Ukraine with civil society follows the 'Strategy for civil society development in Ukraine for 2016-2020'. Multiple evaluations and assessments, as well as feedback from civil society organisations show a mixed picture of the effectiveness of this strategy. The strategy focuses on establishing effective procedures for public participation and engagement into national and local policy formulation; wider participation of the CSO in the social and economic development of Ukraine; creating favourable conditions for inter-sectoral cooperation. While most of the commitments seem not to have been implemented⁹, some civil society organisations argue that the accountability entry point that this document is making available is unique and valuable. For this reason, discussions around the revamping of this strategy are now starting, with willingness of the government to continue this strategy.

In terms of structured dialogue with civil society, a number of consultative civil society bodies exist, with different levels of functionality, mandate and effectiveness in place. While post-2014 some of these had critical functions, most are either un-operational or not in a position to reach meaningful impact.

Coordination with the Ukrainian Cabinet of Ministers on donor response to the COVID-19 crisis is ongoing. EU priorities for response have been aligned to the approach taken Eastern Partnership wide: public health, the economy and societal relief.

⁶ 'Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign And Security Policy', http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf

⁷ 'Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020', SWD(2015) 182 final, 21 January 2015

⁸ The term 'Wider Eastern Neighbourhood' refers in the context of this Action Document for the Regional East Civil Society Facility 2018 to the following countries: the six Eastern Partnership countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova, Ukraine), Turkey and the Russian Federation.

⁹ Agency for Legislative Initiatives, Monitoring Study "Implementation of the National Strategy for Promoting Civil Society Development in Ukraine for 2016-2020" <https://csometer.info/ukraine-national-strategy-for-civil-society-development-objectives-not-achieved-finds-study/>

1.4 Stakeholder analysis

Civil society organisations¹⁰, activists and their platforms are key stakeholders, directly involved in the implementation of the action, benefitting from financial support, but also for the establishment of sustainable, effective and transparent budgetary support mechanisms in the long term. In 2019, the EU concluded five strategic partnerships in Ukraine, with organisations that have demonstrated technical and financial capacity to handle large-scale capacity development programmes in Ukraine. They are critical to the local infrastructure for civil society development.

The Ministry of Culture and Youth positions itself as a lead counterpart in the dialogue with civil society of Ukraine. The newly established National Agency for Civil Society will benefit from the enhanced capacities of the CSOs benefitting from this programme.

The final beneficiaries are the citizens of Ukraine, particularly the constituencies that civil society organisations represent. This is most visible during the response to the COVID-19 crisis, where civil society organisations have been at the forefront of humanitarian relief and alternative service delivery. Civil society work has been a main driver for reforms and improvement of governance quality standards in Ukraine. Better information flows on governmental policies are meant to increase community resilience and increase trust in government, where appropriate.

1.5 Problem analysis/priority areas for support

The intervention seeks to address the challenges faced by civil society in Ukraine in achieving their core mandates. More specifically, this action aims to address the lack of financial sustainability of civil society in Ukraine, the nature and extent of severe limitations to public participation and the inequalities in access to resources and knowledge between civil society in large cities and those in smaller communities. Strengthening the capacity of civil society to fulfil its role in the post-COVID-19 crisis recovery will be key. Therefore, the actions proposed aim to enable EU's strategic partners and other civil society organisations to set up large-scale capacity development programmes aiming to address the challenges listed above. Advancing EU's gender equality objectives, as well as the external objectives of the EU Green Deal will be particularly targeted. Additional thematic sectors will be defined based on identification closer to the date of implementation and reflecting more specific sectoral needs, closer to the implementation date. Crisis recovery post-COVID-19 crisis and lifting preventive measures will be addressed across all activities.

¹⁰ The EU considers CSOs to include all non-State, not-for-profit structures, non-partisan and non-violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic, operating from the local to the national, regional and international levels. They include membership-based, cause-based and service-oriented CSOs. Among them, community-based organisations, non-governmental organisations, faith-based organisations, foundations, research institutions, Gender and LGBT organisations, cooperatives, professional and business associations, and the not-for-profit media. Trade unions and employers' organisations, the so-called social partners, constitute a specific category of CSOs. 2012 Communication 'Roots of Democracy' <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0492:FIN:EN:PDF>

2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
The Government of Ukraine changes its political course, limiting space for participatory democratic processes	L	Both a bilateral and multilateral dialogue with the Government of Ukraine have proved to be an effective mitigation tool and early-response mechanism to cope with political attacks against civil society.
The conflict in the east of Ukraine deteriorates or turns into an active phase.	M	The on-going political dialogue and continued economic pressure ensure the security status quo.
The macro-economic situation deteriorates due to internal or external economic factors, including due to COVID-19 restrictive measures, thus influencing the public financing provided in sectors that are relying on civil society collaboration (ie social services, culture).	M	The minimum co-financing requirements established in the action do not add pressure to the potential applicants' financial standing, while streamlining the grants distribution procedures de facto contribute to the budgetary savings.
COVID-19 crisis leads to a significant reduction in sources of funding for civil society organisations	M	The programme foresees post-crisis recovery measures for civil society.
Assumptions		
<ul style="list-style-type: none"> • The Government and President of Ukraine will keep the pro-European and democratic policy direction. 		

3 LESSONS LEARNT AND COMPLEMENTARITY

3.1 Lessons learnt

The implementation of higher amounts of targeted civil society support, combined with the new policy to diversify the range of actors the EU engages with (and appropriate methods to do so), have rendered a number of lessons learnt. Here are those that laid the ground for the design of the Civil Society Facility – Ukraine.

An evaluation of EU support to civil society in all neighbourhood countries showed that financial support to third parties is a cost-effective way to expand outreach beyond capital and support grassroots organisations. The EU was very successful in supporting well-established organisations in engaging in policy dialogue and recognised as a main actor for driving capacity building of civil society. In Ukraine,

interviewed civil society highlighted results achieved through EU engagement on management, fundraising and policy engagement competences of CSOs. According to local CSO interviewees in Ukraine, many changes in the enabling environment, instilled with EU's assistance, are irreversible and will be sustained regardless of donor involvement.

The results of the evaluation present a series of ways in which EU support to capacity building of civil society can be improved. The areas in which CSOs work are largely donor-driven and financial sustainability in between projects remains a problem; smaller, regional organisations tend to be competitive, rather than cooperative. More coordination is necessary between CSOs in their policy work in particular when working on same or closely related issues and ways of strengthening the impact of these initiatives must be found by using diverse working modalities such as fora, and partnerships most appropriate in the given national context. Participation in policy dialogues should be broadened to include the whole range of CSOs – e.g. trade unions, farmers' organisations, cooperatives, etc. - and, wherever possible, have a multi-actor approach, coordinated with national authorities, emphasising their multi-stakeholder dimension. Recent examples show that seed funding has a great impact in supporting CSOs to become community development actors and service providers to citizens. If CSOs serve the needs of local communities, their credibility is also improved and provides bigger opportunities for their financial sustainability. There is a need for the EU to focus its capacity development activities more strategically. For example, research and data collection/evidence gaps, as well as the challenges to CS leadership and management were two topics that came out strongly in stakeholder consultations.

At the same time, CSOs working in the social sector and enjoying a high level of visibility and legitimacy among communities should be supported to contribute more actively to the definition of public policies by developing their advocacy and policy dialogue skills. Organisations oriented towards social services, and all those driven by charity are expected to be the hardest hit by the negative effects of the COVID-19 crisis.

3.2 Complementarity, synergy and donor co-ordination

Complementarity and synergies will be sought with other civil society support programmes currently running or planned for Ukraine. EU reform support programmes which mainstream civil society involvement, such as EU Anti-Corruption Initiative, PRAVO Justice or House of Europe. The actions proposed in this programme also build on ongoing and recurrent funding streams such as EU's global thematic programmes: the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations and Local Authorities global programme – or their successor programmes, as they will be featured in the upcoming Neighbourhood, Development and International Co-operation Instrument (NDICI).

The Eastern Partnership Civil Society Facility 2019 – 2020 foresees incipient funds for engagement with strategic partners on capacity development in Ukraine, to be rolled out during 2020. To answer the COVID-19 crisis, part of these funds will need to be allocated to emergency support and recovery of civil society organisation during and after the COVID-19 crisis. The implementation of the programme

through Strategic Partnership Agreements complements the CSO grant component of the 2019 Civil Society and Culture Programme. The regional Rapid Response Mechanism complements the action with flexible support measures if the necessity arises. The Instrument contributing to Stability and Peace (IcSP) works with and through civil society organisations to achieve objectives compatible with EU foreign policy goals. While civil society development is not a primary focus of the instrument, complementarity with its dedicated work through and with civil society will be reflected throughout the implementation of this programme.

Support to the European Endowment for Democracy in the form of small to medium sized grants to newly established organisations will also be beefed up throughout the implementation lifeline of this programme. Coordination with the European Endowment for Democracy in Ukraine is structural and periodic. Recently signed regional framework partnership agreements will also imply more intensive coordination, particularly with the GMF's Black Sea Trust for Regional Cooperation, People in Need or the Prague Civil Society Centre. The Technical Assistance for Capacity Building of Civil Society in Ukraine has been running in Ukraine until December 2019, in complementarity and coordination with the activities of the Regional Technical Assistance – Eastern Partnership Civil Society.

Complementarity is ensured with PACT/USAID's civic engagement programme ENGAGE, as well as with the recently started USAID capacity development programme. Support to think tanks and their work will be made in regard of Sweden's existing support to think tanks across Ukraine. Process wise, the EU co-chairs together with USAID a bi-monthly donor coordination group in Ukraine. Regular exchange between the main donors is frequent, natural and open. Synergies between large scale EU and USAID funded projects targeting civil society development, dialogue or participation space are a subject of donor consultation and fine-tuning. Results of discussions carried out in donors' sub-groups (for example, on 'good donorship' - under Swedish leadership, or ad-hoc coordination group on COVID-19) have fed into the design of this action.

4 DESCRIPTION OF THE ACTION

4.1 Overall objective, specific objective(s), expected outputs and indicative activities

The **overall objective** of the Civil Society Facility is to strengthen **participatory and inclusive democracy** in Ukraine.

The Civil Society Facility pursues the following **specific objectives**:

Specific objective 1: To increase CSOs' capacity to engage in the policymaking processes and service delivery linked to promoting reforms, active citizenship, sustainable development and social cohesion, including by tackling domestic and gender based violence.

Specific objective 2: To foster a more conducive environment for civil society work in Ukraine.

Outputs linked to specific objectives

Specific objective 1. To increase CSOs' capacity to engage in the policymaking processes and service delivery linked to promoting reforms, active citizenship, sustainable development and social cohesion, including by tackling domestic and gender based violence.

Output 01 (O1). Increased capacities of CSOs to engage in advocacy, policy development and promote accountability.

Main activities

Activity 1. Develop country specific capacity development programmes, including with strategic partners. In line with the Roadmap for EU Engagement with Civil Society in Ukraine, country specific capacity building activities in this area may include:

- 1.1. Use of innovative approaches in advocacy and policy development, including engagement with multi-donor initiatives.
- 1.2. Support to joint donor initiatives intended to secure long-term sustainability and growth of advocacy-oriented organisations.
- 1.3. Develop transformational leadership and organisational management, including in the light of post COVID-19 recovery.
- 1.4. Design tailored support services (and potentially international service hubs) for Ukrainian civil society organisations, and in particular think tanks, social enterprises, media and cultural operators, and organisations promoting rights of national minorities.
- 1.5. Set up co-creation spaces and regional support centres for civil society outside Kyiv.
- 1.6. Stimulate volunteering and advance civic education, including at local level; promote models of multi-ethnic community management through civic leadership and empowerment
- 1.7. Financial support to third parties on issues that are conducive to social cohesion (including but not limited to – provision of local social services and assistance, advancement of minority rights, community leaders' empowerment – including women, sustainable growth issues, recovery post-COVID-19 crisis).
- 1.8 Strengthening the role of civil society, including those advancing women and children's rights to mitigate the negative COVID-19 crisis aftermath; focus to anti-gender based violence interventions will be given.
- 1.9. Promote human rights, equality and anti-discrimination within Ukrainian society, in particular in relation to advancement of freedom of association, peaceful assembly and non-discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation (ref Art 10 of TFEU).
- 1.10. Defend participation of civil society in decision making, by enabling representative organisations to enter into dialogue with the Ukrainian government on issues that concern them – in particular, representing vulnerable groups that are most affected by the COVID-19 crisis, national minorities, women's groups or independent media.

In 2019, Financial Framework Partnership Agreements (FFPAs) were concluded with selected CSOs, which were assessed to have significant experience in providing technical and financial support to grassroots organisations in Ukraine. Where appropriate, the Delegation in Ukraine may use these strategic partners/FFPAs for its capacity-development programmes, wherever the strategic partnership would cover one or more of the following areas:

- design and test new ways (financing tools) to fund CSOs and work towards improving CSOs' financial sustainability;
- adjust capacity development programmes to the specificities of the local communities;
- support CSOs in their own outreach and engagement with citizens and communities;
- support the development of professional not-for-profit management and strengthen internal control and governance;
- provide financial support to third parties (other CSOs);
- advance regional and thematic policy dialogue between civil society and relevant stakeholders;
- support the establishment of a self-voluntary transparency framework for CSOs.

Depending on the thematic knowledge and expertise needed, other relevant partners may be considered.

Activity 2. Provide local technical assistance for capacity development of CSOs to support work on civil society at local level

2.1. Elaboration of studies, civil society mappings (and updates), surveys and other types of exploratory research on civil society issues across the region; develop thematic profiles or sector specific civil society – for example, on national minorities, energy, transport or climate change issues

2.2. Developing and running specific regional trainings for civil society organisations and/or their representatives; maintain and update existing e-learning courses that may have been developed from 2014 to 2020.

2.3. Supporting civic tech initiatives in Ukraine, including by organising selected new tools for e-participation and engagement that may be developed by civic entrepreneurs together with IT programmers and designers.

2.4. Supporting the next generation of civil society leaders, including women, representative of national minorities and people from vulnerable groups; selecting and building capacities of young leaders who have shown leadership potential in civil society through the Civil Society Fellowships and Ukrainian alumni of the regional programme.

2.5. Providing ad-hoc support in response to requests for tailored capacity building from specific civic organisations and actors, including through organisation of events and support for participation of civil society representatives to selected events.

Activity 3. Promote social innovation and the development of new business models for financing CSOs and purpose-driven businesses.

3.1. Provide grants in support to transaction costs of social enterprises and zero interest loans.

3.2. Continue tailored technical support and physical space (at a subsidised price) for business development and day-to-day management.

3.3. Provide grants and technical expertise supporting transaction costs incurred by transition to an income generation business model.

3.4. Promote community engagement and social innovation, support new civic actors, social entrepreneurs and aspiring civic leaders in elaborating new business models for their future organisations, and develop practical tools for their organisational development.

3.5. Raise awareness on the necessity to rebuild the philanthropic sector post-COVID-19 crisis.

3.6. Promote social entrepreneurship, including for traditional skills and crafts within historical minorities of Ukraine, as an alternative process of local community building.

Specific objective 2: Foster a more conducive environment for civil society work in Ukraine.

Output 2 (O2). Ukrainian citizens feel safe to participate to public life and promote their rights.

Activity 4. Set up a support and awareness system for citizens under pressure for pursuing the defence of their civil, political and social rights.

4.1. Financial support to third parties to strengthen and sustain sensitive initiatives by local organisations; support to journalists and bloggers in the field by organising campaigns, by providing legal aid, financial assistance and safety equipment and protection.

4.2. Training and state-of-the-art expertise on digital safety.

4.3. Enabling analysis of early warning on sudden closures of civic space.

4.4. Building support networks, including for physical and psychological rehabilitation of post-trauma attack, including for veterans, members of minorities and other vulnerable groups.

4.5. Support to medical bills and treatment, reconstruction of damaged personal items as a result of rights defence work.

4.6. Awareness campaigns on the added value and positive impact of civil society work, as well as countering societal polarisation around the role of civil society or the specific issues they may tackle.

4.2 Intervention Logic

The Programme will capitalise on the work started by earlier initiatives and ongoing support in the sectors of civil society and sector governance interventions in Ukraine that focus on the implementation of the Association Agreement. It is meant to provide continuous support to civil society in its traditional role of reforms watchdog and catalyst, as well as to societal resilience and innovation. The programme needs to foresee sufficient flexibility to accommodate the effects of the COVID-19 and its aftermath.

The implementation of the action will allow to address the specific barriers that civil society faces in pursuing their mandate – by increasing organisations' financial and technical capacity, promoting open space for participation and ensuring constructive dialogue between civil society and the government.

4.3 Mainstreaming

Gender and children rights, social and economic rights, fight against corruption, resilience and conflict sensitivity, human rights, independent media and other relevant cross-cutting issues are integrated in the design of the action.

The Action foresees specific activities meant to advance women's rights and combat gender based violence, particularly during and in the aftermath of the COVID-19 crisis.

The Action will also seek to avoid reinforcing gender inequalities and stereotypes by implementing EU's rights based approach. LGBTI issues will be mainstreamed. The Action will aim at piloting multi-stakeholder processes for achieving inclusive, sustainable economic development and post-COVID-19 recovery in the country. It will also strive to promote inclusiveness when it comes to internally displaced, conflict affected and vulnerable populations towards community reconciliation. It will support the mobilisation of different local actors for joint efforts for inclusive and sustainable growth.

Building up on ongoing initiatives, the Action will seek to contribute to the advancement of the objectives of the EU Green Deal.

The rights based approach will be used during the design of the specific funding award decisions.

4.4 Contribution to Sustainable Development Goals (SDGs)

This intervention is relevant to the 2030 Agenda. It contributes primarily to the progressive achievement of SDG(s) "Decent work and economic growth" and "Peace, justice and strong institutions", while also contributing to "Take urgent action to combat climate change and its impacts", "Gender equality" and "Partnerships for the goals".

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in Section 4 will be carried out and the corresponding contracts and agreements implemented, is **60 months** from the date of where a financing agreement is concluded.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Decision and the relevant contracts and agreements.

5.3 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 measures¹¹.

5.3.1 Grants: (direct management)

(a) Purpose of the grants:

¹¹ 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.

Grants are foreseen to underpin objectives linked to capacity building of civil society organisations, as described under Objectives 1 and 2, and Outputs 1 and 2 in section 4, in particular in relation to activities 1, 3 and 4. The purpose of the grants will be designed in line with the Roadmap for EU Engagement with Civil Society in Ukraine, and will focus on one or more of the following priorities:

- Design and test new ways (financing tools) to fund CSOs and work towards improving CSOs' financial sustainability – including through support to new business models for CSOs, and direct support to multi-donor initiatives in favour of CSOs' advocacy work.
- Adjust capacity development programmes to the specificities of the local communities, including by making available support services at local level. In this context, pay special attention to the needs of national minorities.
- Support CSOs in their own outreach and engagement with citizens and communities, with a specific focus on countering polarisation and building societal resilience.
- Support the development of professional not-for-profit management and strengthen internal control and governance.
- Provide financial support to third parties (other CSOs), including on issues that are conducive to social cohesion (including but not limited to – provision of local social services and assistance, women's empowerment, sustainable growth issues).
- Advance regional and thematic policy dialogue between civil society and relevant stakeholders.
- Support the establishment of a self-voluntary transparency framework for CSOs.
- Stimulate volunteering and advance civic education.
- Promote a safe environment for civic engagement in Ukraine.

Financial support to third parties may be the main purpose of the action.

(b) Type of applicants targeted

Grants will target legal persons, falling under the following categories:

- civil society organisations¹², including EU strategic partners for capacity building of CSOs (as per 2019 partnerships¹³);

¹² The EU considers CSOs to include all non-State, not-for-profit structures, non-partisan and non-violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic, operating from the local to the national, regional and international levels. They include membership-based, cause-based and service-oriented CSOs. Among them, community-based organisations, non-governmental organisations, faith-based organisations, foundations, research institutions, Gender and LGBT organisations, cooperatives, professional and business associations, and the not-for-profit media. Trade unions and employers' organisations, the so-called social partners, constitute a specific category of CSOs. 2012

- other relevant public bodies;
- local authorities;
- international organisations

Depending on the thematic objective or scope of the support, priority will be given to organisations dealing with women's rights, organisations representing vulnerable groups social enterprises and impact investment funds driving purpose driven business. Special attention should be paid to advancing the rights of national minorities.

(c) Justification of a direct grant

Under the responsibility of the authorising officer by delegation, grants may be awarded without a call for proposals to civil society organisations (and strategic partners) to be selected using the following criteria:

- demonstrate monopoly or specialised technical expertise in their specific area or
- demonstrate a particularly innovative or successful approach to provide support relevant for the objectives of this decision or
- demonstrate they represent a relevant platform or network of civil society in Ukraine or
- demonstrate capacity and willingness to react in an emergency situation linked to the objectives of this action, particularly COVID-19 response and post crisis recovery.

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 country is in a crisis situation and emergency support linked to the objective of this decision is needed, or
- an outstanding technical approach to capacity development is set forward, or
- specific access to information or groups of beneficiaries is ensured by the action proposed.

Such award will be considered on a case-by-case basis in the light of these requirements, on the basis of Art 195 of the Regulation (EU, Euratom) 2018/1046 on the financial rules applicable to the general budget of the Union.

(d) Exception to the non-retroactivity of costs

The Commission authorises that the costs incurred may be recognised as eligible as of 27/03/2020¹⁴ because of the COVID-19 crisis and its aftermath.

¹³ Publication in progress.

¹⁴ Internal note, 'Declaration of crisis situation and application of flexible procedures in the ENI and IPA countries – Covid-19 crisis', Ref. Ares(2020)1792308, issued 27/03/2020

5.3.2 Procurement (direct management)

Procurement contract(s) will be concluded to advance the capacity development of civil society organisations, as described under output 1, in the section 4.

5.3.3 Indirect management with an entrusted entity

A part of this action may be implemented in indirect management with **UNFPA**. This implementation entails support to the following components:

- Mitigate the implications of the COVID-19 pandemic (economic, psychological, health and physical security) on women, children and other vulnerable groups if relevant
- Ensure long-term promotion of gender equality in Ukraine, notably from a European integration

The envisaged entity (UNFPA) has been selected using the following criteria:

- specialised technical competence and experience in combatting gender based and/or domestic violence measures in Ukraine
- length of experience working in Ukraine, as proved by a track record of implementing international cooperation projects in the specific thematic area
- operational capacity to engage on anti-gender based and/or domestic violence measures in a crisis setting
- constructive and reliable relationship with authorities and civil society in the area of gender-based and/or domestic response and prevention

The international organisation identified above, is currently undergoing an ex-ante assessment of its systems and procedures. Based on its compliance with the conditions in force at the time previously other indirect management actions were awarded to the organisation and based on a long-lasting problem-free co-operation, the international organisation can also now implement this action under indirect management, pending the finalisation of the ex-ante assessment, and, where necessary, subject to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation.

In case the envisaged entity would need to be replaced, the Commission's services may select another replacement entity under indirect management using the same criteria.

Exception to the non-retroactivity of costs:

The Commission authorises that the costs incurred may be recognised as eligible as of 27/03/2020¹⁵ because of the COVID-19 crisis and its aftermath.

¹⁵ Internal note, 'Declaration of crisis situation and application of flexible procedures in the ENI and IPA countries – Covid-19 crisis', Ref. Ares(2020)1792308, issued 27/03/2020

5.3.4 *Changes from indirect to direct management mode due to exceptional circumstances*

In case negotiations with UNFPA under indirect management fail, and no replacement under indirect management can be found, the relevant part of the action (section 5.3.3 linked to Activity 1) shall be implemented in direct management, via grants.

- a) Purpose of the grants: implementation of the relevant part of the action (section 5.3.3 linked to Activity 1).
- b) Type of targeted applicants: domestic or international civil society organisations.

5.4 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 products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 Indicative budget

	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
Output 1. Capacity of CSOs	18 500 000	N.A.
- Grants (direct management) – cf section 5.3.1 (linked to Activities 1 and 3)	16 500 000	
- Indirect management with UNFPA - cf section 5.3.3 (linked to Activity 1)	1 000 000	
- Procurement (direct management) – cf. section 5.3.2 (linked to Activity 2)	1 000 000	
Output 2. Enhanced civic space	1 000 000	N.A.
- Grants (direct management) – cf section 5.3.1 (linked to Activity 4)	1 000 000	

Evaluation (cf. section 5.8) and Audit/ Expenditure verification (cf. section 5.9)	200 000	N.A.
Communication and visibility (cf. section 5.10)	300 000	N.A.
Total	20 000 000	

5.6 Organisational set-up and responsibilities

The EU Delegation will ensure coherence among all action components and involved stakeholders. It will carry out routine monitoring of the activities carried out by the contractors. The results indicators and targets will be reviewed on annual basis and revised, if appropriate, in line with the beneficiaries' needs and ambitions.

The projects will be further streamlined by steering committees in charge of the supervision of the individual projects.

5.7 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 direct outcomes) as measured by corresponding indicators, using as reference the Logframe matrix (for project modality) or the partner's strategy, policy or reform action plan list (for budget support).

SDGs indicators and, if applicable, any jointly agreed indicators as for instance per Joint Programming document should be taken into account.

Reports 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).

5.8 Evaluation

Having regard to the importance of the action, a final evaluation will be carried out for the action or its components of this action via independent consultants contracted by the Commission.

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 the grant evaluation and management platform for Ukrainian cultural fund is expected to serve as a pilot action, expected to be further extended to other public funding grants distribution instruments in Ukraine.

The Commission shall inform the implementing partner at least 14 days in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Evaluation services may be contracted under a framework contract.

5.9 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.

It is foreseen that audit services may be contracted under a framework contract.

5.10 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 (for instance, concerning the reforms supported through budget support), 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.

APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY)

	Results chain: Main expected results (maximum 10)	Indicators (at least one indicator per expected result)	Baselines (incl. reference year)	Targets (incl. reference year)	Sources of data	Assumptions
Impact (Overall Objective)	To strengthen participatory and inclusive democracy in Ukraine. <i>As per section 4 of the Action Document</i>	Quality of governance ¹⁶ in Ukraine, as reflected in Ukraine's value of the 'Voice and Accountability' Index	-0.01 (2018)	0.08 (2024)	Worldwide Governance Indicators, World Bank	<i>Not applicable</i>
		Overall score for CSO Sustainability in Ukraine	3.3 (2018)	3 (2024)		
Outcome(s) (Specific Objective(s))	SO1. To increase CSOs' capacity to engage in the policymaking processes and service delivery linked to promoting reforms, active citizenship, sustainable development and social cohesion, including by tackling domestic and gender based violence. SO2. To foster a more conducive environment for civil society work in Ukraine. <i>As per section 4 of the Action Document</i>	<i>Legal environment score, as reflected in the CSO Sustainability Index</i>	3.6 (2018)	3 (2024)	CSO Sustainability Index 2018 ¹⁷	COVID-19 crisis will have a limited impact on civil society and recovery post-crisis will be well underway during the implementation of the programme.
		<i>Organisational capacity score, , as reflected in the CSO Sustainability Index</i>	3.2 (2018)	3 (2024)		
		<i>Financial viability score, as reflected in the CSO Sustainability Index</i>	4.1 (2018)	3.5 (2024)		
		<i>Effectiveness of policy advocacy score, as reflected in the CSO Sustainability Index</i>	2.2 (2018)	2 (2024)		
		<i>Level of involvement in service provision, as reflected in the CSO Sustainability Index</i>	3.2 (2018)	3 (2024)		
		<i>Quality of sectoral infrastructure, as reflected in the CSO Sustainability Index</i>	3.2 (2018)	3 (2024)		
		<i>Public image, , as reflected in the CSO</i>	3.3	3		

¹⁶ <http://info.worldbank.org/governance/wgi/>

¹⁷ <https://www.fhi360.org/sites/default/files/media/documents/resource-csosi-2018-report-europe-eurasia.pdf>

		<i>Sustainability Index</i>	(2018)	(2024)		
Outputs	Output 01 (O1 – linked to SO1). Increased capacities of CSOs to engage in advocacy, policy development and promote accountability.	<i>Set up the first joint donor advocacy fund in Ukraine</i>	0 (2020)	1 (2022)	Monitoring reports at project level/ Steering committees minutes	
		<i>Number of grassroots (small and medium sized) organisations coached and mentored on organisational management</i>	Approx 200 (2020)	1000 (2024)		
	Output 2 (O2 - linked to SO2). Ukrainian citizens feel safe to participate to public life and promote their rights.	<i>Number of sector specific platforms supported</i>	2 (2020)	10 (2024)		
		<i>Average yearly number of organisations receiving EU support to achieve their core mandate, based outside Kyiv</i>	80 (2020)	500 (2024)		
	<i>As per section 4 of the Action Document</i>	<i>Number of women’s and children rights organisations receiving support</i>	2 (2020)	20 (2024)		
		<i>Number of new successful funding instruments¹⁸ for civil society</i>	1 (2020)	5 (2024)		
		<i>Average yearly number of cases targeting defence of civic space brought into strategic litigation</i>	3 (2020)	15 (2024)		
		<i>Average yearly number of emergency support requests answered in support of civic space freedom violations</i>	Approx. 20 ¹⁹ (2020)	Max 50 (2024)		

¹⁸ A funding instrument is a modality used to deliver funds in support of the work of a civil society organisation. Currently the EU uses grants or in-kind support. This programme should expand the forms of support.

¹⁹ This combines different project interventions, mostly targeting human rights defence.

		<i>Number of organisations successfully transitioning to revenue generation to finance achieving their core mandate</i>	Approx. 10 (2020)	Approx. 50 (2020)		
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