



Brussels, 12.12.2017
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COMMISSION IMPLEMENTING DECISION

of 12.12.2017

**on the 2017 Special measure for the Syrian population to be financed from the general
budget of the Union**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action¹ and in particular Article 2(1) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Whereas:

- (1) In light of the ongoing repression and restrictive measures taken by the Council of the European Union, the Commission has suspended its cooperation with the Syrian Government since May 2011. Since then, normal programming for Syria has not been possible due to the ongoing conflict but direct support to the affected population in Syria and in the neighbouring countries has been maintained under the European Neighbourhood Instrument³ (ENI) through various special measures in complementary to humanitarian assistance in sectors such as education, livelihoods and civil society. This will be revised should the situation evolve towards a post-crisis state-building and reconstruction scenario. Taking into account the crisis situation and the need to respond to the increasing needs, a declaration of crisis was issued in February 2012. Since then, the declaration has been annually extended due to the deteriorating situation. The most recent prolongation was issued in July 2017 and will be valid until June 2018.
- (2) The objective pursued by this measure to be financed under the ENI is to help the Syrian population to cope with the effects of the crisis and prepare for recovery. It is composed of a single action entitled “Programme to strengthen the resilience of the Syrian population and laying the foundations for inclusive recovery processes through conflict-sensitive approaches”. This action will contribute to building the resilience of the Syrian population and to preparing the recovery and reconstruction of the country in case a political process for the resolution of the conflict gains traction. It is composed of five components and will be implemented either by United Nations agencies or Non-Governmental Organisations.

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27).

- (3) This Special Measure falls under the Joint Communication to the European Parliament and the Council ‘‘Elements for an EU strategy for Syria’’⁴.
- (4) It is necessary to adopt a financing Decision the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁵.
- (5) It is necessary to adopt a work programme for grants the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is constituted by the Annex to this Decision (section 5.4).
- (6) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. These entities (the United Nations Human Settlements Programme (UN-Habitat), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Food and Agriculture Organisation of the United Nations (FAO), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), and the World Health Organisation (WHO) comply with the conditions of points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.
- (7) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012 are fulfilled.
- (8) It is necessary to allow the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (9) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (10) The Measures provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee set up by Article 15 of the financing instrument referred to in recital 2,
- (11) The envisaged assistance is deemed to strictly comply with the conditions and procedures set out by the EU restrictive measures concerning the said country.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

⁴ Joint communication of the European Commission and the High Representative to the European Parliament and the Council ‘‘Elements for an EU strategy for Syria’’. JOIN (2017)11 of 14/03/2017.

⁵ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

The Decision on the 2017 Special Measure for the Syrian population, as set out in the Annex, is approved.

The Special Measure shall include the following action: "Programme to strengthen resilience of the Syrian population and laying the foundations for inclusive recovery processes through conflict-sensitive approaches".

Article 2

Financial contribution

The maximum contribution of the European Union for the implementation of the measure referred to in Article 1 is set at EUR 35,000,000 and shall be financed from budget line 22 04 01 03 of the general budget of the Union for 2017.

The financial contribution provided for in the first paragraph may also cover interest due for late payment.

Article 3

Implementation modalities

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annex, subject to the conclusion of the relevant agreements.

The section "Implementation" of the Annex to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012.

Article 4

Non-substantial changes

Increases or decreases of up to EUR 10 million not exceeding 20% of the contribution set by the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20 % of that contribution, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature and objectives of the action.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 12.12.2017

For the Commission
Johannes HAHN
Member of the Commission



ANNEX

of the Commission Implementing Decision on the 2017 Special Measure for
the Syrian population

**Action Document for a "Programme to strengthen the resilience of the Syrian
population and laying the foundations for inclusive recovery processes through conflict-
sensitive approaches"**

INFORMATION FOR POTENTIAL GRANT APPLICANTS

WORK PROGRAMME FOR GRANTS

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) in the following section concerning calls for proposals: 5.3.1 and grants awarded directly without a call for proposals: 5.3.2.

1. Title/basic act/ CRIS number	Programme to strengthen the resilience of the Syrian population and laying the foundations for inclusive recovery processes through conflict-sensitive approaches CRIS number: ENI/2017/040-696 financed under the <i>European Neighbourhood Instrument (ENI)</i>	
2. Zone benefiting from the action/location	Syria	
3. Programming document	N/A	
4. Sector of concentration/ thematic area	N/A	DEV. Aid: YES
5. Amounts concerned	Total estimated cost: EUR 40,030,000 Total amount of EU budget contribution EUR 35,000,000. This action is co-financed by potential grant beneficiaries for an indicative amount of EUR 5,030,000.	
6. Aid modality(ies) and implementation modality(ies)	Project Modality Direct management – grants – call for proposals / direct awards Indirect management with United Nations (UN) agencies including the United Nations Human Settlements Programme (UN-Habitat), the	

	Office of the High Commissioner for Human Rights (OHCHR), Food and Agriculture Organisation (FAO), UN High Commissioner for Refugees (UNHCR), United Nations Development Programme (UNDP), United Nations Population Fund (UNFPA), United Nations Children's Fund (UNICEF), World Food Programme (WFP) and World Health Organisation (WHO).			
7 a) DAC code(s)	110, 120, 150, 220, 311, 430, 730			
b) Main Delivery Channel	41000 – United Nations agencies (potentially – under scenario A). 21000 – International Non-Governmental Organisations (INGO)			
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	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 (including Women In Development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Main objective
	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"/>	
9. Global Public Goods and Challenges (GPGC) thematic flagships	N/A			
10. Sustainable Development Goals (SDGs)	<p>Main Sustainable Development Goal(s): (4) <i>Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all</i> and (16) <i>Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,</i> Secondary SDG Goal(s): (2) <i>End hunger, achieve food security and improved nutrition and promote sustainable agriculture</i> (5) <i>Achieve gender equality and empower all women and girls,</i> (8) <i>Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.</i></p>			

SUMMARY

As per Council Conclusions of 3 April 2017, the European Union (EU) continues to provide resilience support through the provision of education, job creation, support for local civilian governance structures in opposition held areas, including by working with the Syrian Interim

Government, and work to avoid the collapse of the state administration. EU assistance combines cross-border assistance with support from inside Syria and aims at delivering aid as part of a larger effort to address the needs of the population all across Syria, to prevent violent extremism and sectarianism and to build local resilience. The EU will not engage in early recovery/stabilisation efforts that could support social and demographic engineering, nor will assist in the reconstruction of the country until a comprehensive, genuine and inclusive political transition is firmly under way.

The Action under this Special Measure builds on the broad political objectives set in the EU strategy on Syria (made from these *Council Conclusions* as well as in the *Joint Communication on Elements for an EU Strategy for Syria*) that underpin them, and it aims at translating them into a conflict-sensitive, politically and operationally efficient assistance programme, by adhering to the following **parameters**:

- Contribute to avoiding further fragmentation and to reconnecting the country, without supporting policies aimed at demographic, ethnic or political engineering;
- Be guided by the buy-in of the local population and its needs and vulnerabilities, in line with a Whole of Syria approach;
- Contribute to preparing the conditions that can facilitate and support a political transition process on the ground.

In order to achieve the above, the Action will need to be characterised by:

- o An increased collective analysis and regular monitoring of ground dynamics and political economy elements, to enable a continuous re-assessment of the local context and anticipate possible developments;
- o A high degree of flexibility to respond timely and appropriately – in a context in continuous evolution - to the medium-to longer-term needs of the Syrian population and communities;
- o A close scrutiny over our assistance (through close steering and dialogue with partners), reinforced field monitoring, and due diligence around compliance with EU restrictive measures, in order to guarantee that EU support is not manipulated by parties to the conflict;
- o A more strategic use of activities to enhance impact and leverage in specific locations (area-based approach) and to maximize the transformational/peace-building effect of activities inside communities.
- o Actions across Syria reinforcing compatible policies/approaches that will allow reconnecting the country more easily when conditions will allow.

In light of the above, after 6 years of conflict in Syria the proposed Action aims at **strengthening the resilience of the Syrian population while also laying the foundations for the work that will be required if and when a credible political process will open up the possibility for sustainable and inclusive post-agreement recovery processes. The parameters of intervention will differ in the different areas of the country with specific modalities of interventions to be applied according to the different zones of control (regime, opposition, Kurdish areas, areas liberated from ISIS).**

This objective will be achieved through five major areas of work, aimed at achieving the following outcomes:

- 1) **Governance** structures are better articulated horizontally and vertically thus contributing to inclusive local governance dynamics throughout the country;

- 2) Rights of civilians in terms of **housing, land and property (HLP)** are protected and key challenges are identified to prepare the ground for work in this area in a post-agreement phase;
- 3) The **resilience of the Syrian people** (with an emphasis on youth and women) is strengthened notably through multi-sector area-based approaches contributing to better access to basic services and livelihoods support;
- 4) An **approach to national reconciliation** based on both peace building/dialogue efforts and support to transitional justice and accountability is pursued; and
- 5) **Political economy analyses and understanding of local dynamics**, as well as State and non-State actors across Syria are improved, with focus on the geographical areas where the bulk of our non-humanitarian assistance is provided, in order to ensure conflict-sensitive approaches in the short-term while identifying further possible entry points in the medium- to long-term.

Considering that negotiations with UN agencies with regard to the due diligence mechanism to be established to ensure the compliance with EU restrictive measures and objectives when implementing EU funds in Syria are still ongoing and that its outcome is still uncertain at the time of finalising this document, this Action Document introduces two implementation scenarios:

***A) Scenario A* assumes that negotiations with the UN will be successfully concluded by the end of 2017 or early 2018. Under this option the funding foreseen under Specific Objective 2 (HLPs) and 3 (area-based resilience approaches) will be implemented mostly through UN agencies;**

***B) Scenario B* assumes that negotiations with the UN will not be concluded by the end of 2017 or early 2018, thus preventing the award of any contract to UN agencies under such Special Measure. Under this option, Specific Objective 2 (HLPs) and 3 (area-based resilience approaches) will then be implemented by non-UN implementing partners.**

1 CONTEXT

1.1 Country context

The military reaction of the Syrian regime to the peaceful political uprising in 2011 led to a protracted civil war supported and exacerbated by a number of external actors. The continuation of the war is creating a patchwork of segregated and competing regions run by different belligerents and enabling terrorist groups, such as Da'esh and Hayat Tahrir al-Sham, to thrive. In spite of successive UN-led peace talks, the Geneva Communiqué of 2012 and the efforts of the International Syria Support Group and its working groups, no agreement between the parties in conflict has been reached to put an end to the war. Despite the so-called 'local reconciliation agreements', which have been used by the regime to re-impose and secure its administrative and military control over opposition areas through the local capitulation of the armed and political opposition, there has been no real attempt at dialogue from the regime. On the contrary, the escalation of violence on the ground has been systematically pursued by the Syrian regime and its allies, as well as by violent extremist groups and elements of the armed opposition. This has led to the increased vulnerability of the Syrian people, demographic engineering through forced evacuations, and gross violations of human rights and International Humanitarian Law (IHL). The continuation of the war in Syria could lead to

further fragmentation of the country into incompatible and fragile areas of governance which could further fuel repression, violent extremism and terrorism, or an increased military control over the country by the regime or regime-friendly 'guarantor' forces. Both are likely to lead to continued instability with wider disruptive consequences regionally and internationally, including eroding the capacity of the international legal and institutional architecture to resolve disputes.

The Syrian economy has collapsed and has been replaced by a war economy, which often reinforces the regime's patronage structures. The country's Gross Domestic Product (GDP) has contracted significantly (by 63% between 2010 and 2016) and a fragmented war economy based on short-term opportunism and predatory behaviour has also contributed to the economy's decline. According to the World Bank's 2017 Economic and Social Impact Assessment (ESIA): about 20% of all housing units have been partially damaged and 7% destroyed; half of medical facilities are partially damaged and 16% destroyed; 53% of school buildings have been partially damaged and 9.8% destroyed. The cumulative losses in GDP over the course of the conflict have been estimated at USD226 billion, about 4-times the Syrian GDP in 2010. Cumulative GDP losses due to disruptions of the economic system are 20 times higher than those caused by physical destruction during the six years of conflict.

Meanwhile, six years of conflict have taken an enormous toll on the civilian population in Syria. Life expectancy has decreased by more than 20 years on average (from 79.5 years in 2011 to 55.7 in 2016). The economic and human development of Syria has been reversed by 40 years, leading many Syrians to leave their country. Of the pre-conflict population of Syria (approx. 23 million), more than 11 million people have been forced to flee their homes. Estimated casualties vary between 321,358 and 470,000. Some 5.2 million people have sought refuge and safety in neighbouring countries, Inside Syria, 13.5 million people (i.e. three quarters of the remaining population) are in dire need of humanitarian assistance, including more than 6.3 million internally-displaced¹. An estimated 3.47 million people remain trapped in hard-to-reach areas including 513,420 people in 11 besieged communities across the country. According to the 2017 Humanitarian Needs Overview (HNO), the war has left nine million Syrians in need of food, agriculture and livelihoods assistance, out of which 7 million are food insecure, and a further 2 million are at risk of food insecurity.

Violations of IHL, such as the continued deliberate attacks on civilian infrastructure, including water distribution systems, medical facilities and schools, have led to severe shortages and disruptions of essential services, including health care, safe water and education. At the same time, access and delivery of humanitarian assistance have been severely hampered by an increased politicisation of aid. As their lives and livelihoods have been shattered and coping strategies have been exhausted, stretching their resourcefulness to its absolute limit, families are resorting to unsustainable and unsafe means of survival, including forced and/or early marriage, child labour, child recruitment, survival sex and temporary marriages.

¹ 2017 Humanitarian Needs Overview: https://docs.unocha.org/sites/dms/Syria/2017_Syria_hno.pdf

1.2 EU Policy Framework

The Action is framed by the Council conclusions adopted by the Council on 3 April 2017, which endorsed the EU Strategy on Syria² and whose objectives focus on six key areas:

- a) An end to the war through a genuine political transition, in line with United Nations Security Council resolution (UNSCR) 2254, negotiated by the parties to the conflict under the auspices of the UN Special Envoy for Syria and with the support of key international and regional actors.
- b) Promote a meaningful and inclusive transition in Syria, in line with UN Security Council Resolution 2254 and the Geneva Communiqué, through support for the strengthening of the political opposition.
- c) Save lives by addressing the humanitarian needs of the most vulnerable Syrians across the country in a timely, effective, efficient and principled manner.
- d) Promote democracy, human rights and freedom of speech by strengthening Syrian civil society organisations.
- e) Promote accountability for war crimes with a view to facilitating a national reconciliation process and transitional justice.
- f) Support the resilience of the Syrian population and Syrian society.

It is also in line with the approaches and principles as set out in the following documents:

- The Joint Communication of 7 June 2017 on a *Strategic Approach to Resilience in the EU external action*, as well as the *EU Action Plan for Resilience in Crisis Prone Countries 2013-2020*³;
- The EU Communication on Conflict Prevention and the Communication on Empowering Local Authorities in partner countries for enhanced governance and more effective development outcomes⁴;
- The Organisation for Economic Co-operation and Development (OECD)/Development Assistance Committee (DAC) Principles of Good International Engagement in Fragile States and the related 2007 EU Communication towards an EU response to situations of fragility as well as the "Do Not Harm approach"⁵;

² The EU strategy is composed of the above mentioned Council conclusions and the Joint communication by the High Representative and the Commission to the European Parliament and the Council on Elements for an EU Strategy for Syria of 14.03.2017 JOIN (2017)11. For non-EU languages (Arabic, Kurdish, Russian, Farsi and Turkish): https://eeas.europa.eu/headquarters/headquarters-homepage/22659/elements-eu-strategy-syria-joint-communication_en. For EU languages: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1490605315863&uri=CELEX:52017JC0011>"

³ https://eeas.europa.eu/headquarters/headquarters-homepage_en/27711/A%20Strategic%20Approach%20to%20Resilience%20in%20the%20EU%27s%20External%20Action.

⁴ http://ec.europa.eu/echo/files/policies/resilience/com_2013_227_ap_crisis_prone_countries_en.pdf
http://eeas.europa.eu/archives/docs/cfsp/crisis_management/docs/com2001_211_en.pdf;
https://ec.europa.eu/europeaid/sites/devco/files/communication-local-authorities-in-partner-countries-com2013280-20130515_en_4.pdf.

⁵ <https://www.oecd.org/dac/governance-peace/conflictfragilityandresilience/principlesforgoodinternationalengagementinfragilestates.htm>;
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0643:FIN:EN:PDF>

- The EU Communication *Lives in dignity: from aid-dependency to self-reliance* (and notably its promotion of the early engagement of development support in protracted displacement situations) ⁶;
- The Declaration by the co-chairs of the conference '*Supporting the future of Syria and the region*' (5 July 2017) ⁷.

The Action also addresses several of the objectives laid out in the *EU Action Plan on Human Rights and Democracy (2015-2019)*, in particular under chapter III on ensuring a comprehensive human rights approach to conflicts and crises. Innovatively, and going beyond the EU Action Plan, it will also aim at integrating more comprehensive steps laid out in the EU framework for transitional justice.

As the biggest donor with more than EUR 1 billion of assistance provided inside Syria since the start of the conflict, the EU's approach aims to first respond to the humanitarian needs of the population, but also to increase the resilience of civilians (including to prevent further displacement and restrict triggers for radicalisation) in a way that contributes to addressing the root causes of the conflict. This response is devised so as to avoid further fragmentation and to enable the possibility of bringing the country together, socially and institutionally, when conditions will allow.

1.3 Stakeholder analysis

Identified actors that could have a stake in the action:

Stakeholders	Level of engagement with the action
Residents and IDPs in targeted areas including the most vulnerable such as women, disabled, youth and children. Syrians identified as in need of protection from HLP rights violations.	<ul style="list-style-type: none"> • Primary target groups and beneficiaries of the proposed action under the resilience pillar. • Involvement in participatory planning, implementation and – where feasible – monitoring.
Local authorities in opposition-held areas (local councils, provincial councils, technical directorates and the Syrian Interim Government)	<ul style="list-style-type: none"> • These will represent a primary target group under the governance pillar in terms of empowerment, capacity building, accountability, outreach, coordination of services provision, and involvement in planning, implementation and monitoring (particularly under the rapid response / stabilisation component). • engagement with local governance structures should be well thought through, justified and clearly articulated and should contribute to improved mutual accountability between key actors involved in the action at local level.

⁶ http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:0401_5

⁷ <http://www.consilium.europa.eu/en/press/press-releases/2017/04/05-syria-conference-co-chairs-declaration/>

Stakeholders	Level of engagement with the action
Service providers (schools, vocational training centres, business incubators, etc.), including international and Syrian civil society organisations	<ul style="list-style-type: none"> • Primary target groups and beneficiaries of the proposed action and its outputs: rehabilitation of infrastructures, capacity building, etc. • Involvement in planning, implementation and monitoring. • Engagement of non-state providers of public and social services into more centralised and strategic coordination and planning exercises (in opposition-held areas through The Syrian Interim Government (SIG) and related vertical entities).
Community-based informal dispute resolution actors, including local grassroots initiatives and civil society organisations.	<ul style="list-style-type: none"> • Primary target group and beneficiaries of the proposed action and outputs: empowerment, capacity building, service delivery, advocacy capacity, etc. • Partners for the implementation – service delivery to the population. • Community representation and accountability. • Involvement in information and documentation, as well as local informal dispute resolution.
Technical departments of key line Ministries in opposition held areas.	<ul style="list-style-type: none"> • Involvement in civil documentation, as well as legal and regulatory frameworks, while applying a conflict-sensitive approach.
Armed groups	<ul style="list-style-type: none"> • Reduce interference and influence on the provision of services by civilian authorities • Enable access • Dialogue
International Community	<ul style="list-style-type: none"> • Direct and indirect coordination on humanitarian and non-humanitarian issues. • Facilitate access to hard to reach areas
International and national actors working in the sectors of housing and livelihoods,	<ul style="list-style-type: none"> • Dissemination of Housing, Land and Property (HLP) rights, outreach, coupled with HLP-sensitive programming in all sectors and cycles of intervention
Implementers	Engagement with the action
International and Syrian NGOs working on both humanitarian and non-humanitarian assistance.	<ul style="list-style-type: none"> • Implementation, coordination, monitoring and provision of feed-back/qualitative support to activities in the domains of Local Governance, Education, Vocational Training / Livelihoods, civil society dialogue, HLP rights, analysis and research, and (where relevant) on the continuum between humanitarian and non-humanitarian aid. • The willingness to work more with Syrian Non Governmental Organisations will have to be assessed vis-à-vis the different levels of implementing capacity compared to international non-governmental organisations (INGOs).

Stakeholders	Level of engagement with the action
UN agencies (possibly - under scenario A)	<ul style="list-style-type: none"> • Coordination and implementation of activities in the domain of HLP rights, and resilience-oriented area-based approaches.

1.4 Priority areas for support/problem analysis

1.4.1 *Inadequate local governance mechanisms*

The Syrian territory is at present constituted of a patchwork of zones of control in different stages of conflict extending from areas with active front lines to more stable areas where rehabilitation and recovery activities are underway. These areas are governed by different armed and/or political entities that follow different governance models, processes and values; these include the central system of the State pre-dating the conflict, a fragmented mosaic of governance dynamics in opposition-controlled areas, as well as the Syrian Kurdish Democratic Union Party (PYD)-dominated Autonomous Administration area and its sub-canton governance system in the northeast, and alternative governance system implemented in areas controlled by listed entities (Da'esh, Hayat Tahrir al-Sham). Since the onset of the conflict, governance structures and areas of civilian administration have suffered severe setbacks. Local populations have seen the closure of public administration offices across opposition-controlled territory, coupled with the deterioration in the delivery of basic services at community level everywhere in the country.

After the withdrawal of the Syrian government, a multitude of actors started to engage and compete over service delivery in opposition-controlled areas and the power and resources associated with it. In this administrative vacuum, newly-established Local Councils (LCs) emerged as key partners to (a) respond to local ad-hoc and specific needs of a community (b) coordinate relief operations locally, and (c) deliver critical services. LCs were therefore able to establish themselves as the leading agency in service delivery and are strongly associated with it in public perception. With regards to inclusion, attempts to (indirect) election processes have emerged over time, but are still limited to a small pool of influential families and individuals, and do not tend to follow agreed and standardised procedures and protocols. Women, in particular, have been overwhelmingly excluded from participation in LCs leadership positions. Local Councils have also attempted to fill the gap left behind by the central Government of Syria in terms of civilian administration. Their position is corroborated by Legislative Decree 107/2011 (Law 107) and a 2014 Decree passed by the Interim Government of the Syrian Opposition, referring also to Provincial Councils. In government-held areas Decree 107/2011 was only marginally implemented due to a limited follow up work on implementation by-laws (secondary legislation). In opposition-held areas, in view of shifting power geometries on the ground, a coordinated and clearly defined set of mandates, roles and responsibilities between local governance actors has, until very recently, not emerged. In most cases, LCs have very limited or no power of enforcement, competing with other actors for the monopoly in the provision of public services. In cases where coordination with moderate armed groups is strong, or where donor funding increases their legitimacy through the provision of services, LCs have actually been able to exercise more decision-making power, including being able to arbitrate local disputes or represent communities. Nonetheless, challenges associated with emerging governance entities and the different procedural and strategic approaches promoted by donors in the sector have led a) to the

emergence of Syrian Civil Society Organisations (CSO) as local powerhouses, often filling the roles of governance structures (LCs, technical directorates or that of the SIG) in the provision of services, and b) individualised approaches differing from one donor/implementer to the other and not always compatible with the Syrian national legislative framework.

The Syrian Interim Government (SIG) represents the top-layer of this administrative structure in opposition-controlled territories, and it has been mandated by the Syrian Opposition Coalition (SOC) to support local councils, provide coordination and direction that has so far been missing, facilitate projects from concerned donors, and implement policy. Having failed to present an adequate structure for such coordination in the past years, the latest composition of the SIG, as of 2016, is poised to tackle the deficiencies in vertical governance coordination and steering in opposition-held areas. At the same time, technical directorates, remnants of the Syrian state-administration, continue to exist and be operational, albeit often with much reduced capacity. At the moment, and despite recent valuable efforts by the new SIG to remedy this situation, vertical administrative linkages between Local Councils, Provincial Councils, technical directorates and the Syrian Interim Government vary greatly depending on the location and the sector, but remain overall weak. Technical level and more horizontal linkages to cross-line structures of similar nature (e.g. between Local Councils in opposition held areas and municipalities in neighbouring Government controlled areas for example) are also largely absent.

To date there has been little concerted effort to build the resilience of governance structures and local authorities. Such work will provide the basis for more effective representation, transparency and accountability in the exceptionally complex and fluid conflict context. More importantly, it will empower civilian structures to gain legitimacy and withstand the pressure that is exerted by armed groups, thereby paving the way for a reintegration with centralised state structures when there will be a political solution. Functioning local governance structures that are representative of, and accountable to, the local populations are also key to ensure the sustainable implementation of any resilience action supported by donors.

On governance issues, support to state structures in regime-held areas is excluded. Regarding regime-held areas, an engagement with independent local civil society could help as a way to support resilience. Activities in these areas will require ex-ante approval and should not legitimise or otherwise give benefit to the regime.

Being issued by the central government in 2011, local governance Law 107 on decentralisation offers a common framework for supporting local governance processes and structures also in opposition-held areas. However, initial review shows that vertical linkages and relations between the central, provincial and local governance levels that have developed in opposition-held areas should be aligned and clarified with respect to Law 107. That said, the law represents a useful reference for local governance structures that remain embryonic and in need of support. In the prospect of a political settlement and transition, there is scope for integrating strengthened moderate local governance structures into higher level structures. This should help improve the capability, legitimacy and representativeness of a new set of governance structures which could help increasing the opportunities for stability in the medium- to longer-term.

1.4.2 *Housing, Land and Property (HLP) rights*

In the framework of the EU Strategy on Syria, the EU commits to support the post-agreement planning exercise, in close collaboration with the UN Inter-Agency Task Force (IATF) working group set-up for this purpose, and in this effort, to assure that the needs of the population are taken on board in any post-conflict recovery and reconstruction effort. As the EU aims to contribute to reducing the risks of continued local disputes and conflict, further internal migration flows and continued destabilisation at the local level, it is imperative to start tackling some of the challenges around housing, land and property rights, which often lay at the centre of an in-conflict or post-conflict context. This has notably been identified by the UN IATF as a key issue to start looking at now to prepare for the post-agreement phase.

Addressing Housing Land and Property (HLP) challenges in Syria is a highly complex issue, characterised by, on the one hand, a multifaceted legal framework, where a myriad of approximately 140 partially overlapping and contradictory laws and legal decrees govern various aspects of housing, land and property matters in Syria, and, on the other hand, a highly complex system of formal, customary and ‘new’ institutions that have, through the conflict, empowered themselves to deal with HLP matters. The 2017 Syria Humanitarian Needs Overview (HNO) identified HLP rights as a protection issue in 93% of surveyed sub-districts. Key concerns include damage to land/property, looting of private property, unlawful occupancy of property, unaffordability or unavailability of housing, or restrictions on access to property⁸. Other HLP challenges include illegal and undocumented HLP transactions; HLP disputes; limited access to land for livelihoods; contamination of land by explosive hazards; and lack of civil and HLP documentation (the former being a prerequisite to obtaining HLP documentation)⁹. These issues are likely to pose immediate, medium-term and long-term obstacles for the protection environment, early recovery and medium-term stabilisation efforts across Syria.

HLP rights include the full spectrum of rights to housing, land and property and the full continuum of land rights, held according to statutory or customary law, or informally, both public and private housing, land, natural resources and/or property assets. Syria has a complex tenure system, established in the Syrian Civil Code of 1949, and includes a range of statutory, customary, Islamic and informal rights categories, and different access and use rights of publicly (62%) and privately (38%) owned land¹⁰. In rural areas, customary land systems and institutions, infused with Islamic law, are notably prevalent and complement the role of secular committees and courts existing at governorate or national level.

Prior to the conflict, HLP registries existed in all 14 governorates in Syria. However, these only covered transactions within the statutory system (excluding sharia or informal), and there was no central register. Prior to the conflict, over half of the country's inhabitants lived in urban or peri-urban areas and approximately one-third of the urban population (3.4 million

⁸ 2017 Humanitarian Needs Overview, p. 32. <http://hno-syria.org/data/reports/en/flip/index.html> and 2017 Protection Needs Overview p. 17. http://hno-syria.org/data/reports/2017_Syria_Protection.pdf p. 102 and p. 180.

⁹ “Housing, Land and Property (HLP) in the Syrian Arab Republic”, Norwegian Refugee Council (NRC), Briefing note. May 2016. p.9 – 14.

¹⁰ UN Habitat primary and secondary analysis of HLP in Syria.

people) lived in informal settlements, lacking official registration. In Damascus, for example, approximately 40% of the population lived in informal settlements¹¹.

At least 55 civil registry departments have been damaged. Land registries have also been damaged or destroyed, creating situations where reliable land records are no more available. Many of the displaced have also lost their property documents. New transactions have taken place but without proper documentation. Land or housing has sometimes been seized by opportunists, taking advantage of the lack of documentation and weakened legal and institutional environment thus creating complex challenges for the post-conflict phase where numerous disputing claims over HLP assets should be expected.

Beyond the political aim to prepare for a comprehensive, genuine and inclusive transition that also addresses the affected populations' rights and needs, there is a need to start addressing HLP issues as increasingly central to humanitarian and recovery response in Syria, notably in the protection, shelter, food security / agriculture, and early recovery sectors. To address these challenges in a systematic, informed and coordinated manner, a technical working group on HLP was established in 2016, based in Damascus but with potential wider reach to 'whole of Syria' actors. This Technical Working Group (TWG) is composed of both UN agencies and INGOs. Supporting this joint effort to address HLP issues collectively and technically will further enhance conflict-sensitivity and 'do no harm' approaches in the field, critical for humanitarian and recovery actors to be able to operate in an operationally sound, principled and rights-based manner, and also contribute to Syria's stability and peace in the future.

1.4.3 Lack of access to services and livelihood opportunities

As the conflict continues, its multi-dimensional consequences are harshly felt by individuals and communities throughout the country. The expansion of a war economy has created powerful new networks on the regime and the opposition side. A growing number of groups on both sides of the divide now reap significant material benefits from the conflict, which gives them a powerful incentive to prolong the fight. The precarious income situation is also a push factor for young men to either leave the country or to join local militias to gain and income and support their immediate families. The conflict also continues to erode the development of sustainable and diversified livelihoods, destroying the traditional social safety nets and coping mechanisms of host families and local communities, with a rising number of female-headed households and disabled people particularly at risk. It is undermining the longer-term recovery of critical public service sectors such as health and education, leading to damaging long-term consequences for current and future generations. Safe access to food, water, temporary shelters and other essential services (e.g. solid waste management, electricity) is a daily struggle, as is access to employment and economic opportunities. The extended conflict has impacted on the behaviour of host and displaced communities, resulting in rising social tensions.

In this context, it is imperative to create alternative solutions to mitigate the risk of further displacement and to maintain Syria's human capital, by building the resilience of communities and displaced people to cope with the changed environment in a dignified and

¹¹ Based on situational assessment from related pre-conflict programmes in Syria – such as the EU-funded Municipal Administration Modernisation (MAM) Project.

viable way, through the provision of an integrated support to communities particularly affected. In addition, considering the long lasting conflict, there is a need to gradually complement humanitarian assistance with more sustainable solutions in the form of early recovery measures depending on the political situation. Together with the livelihoods sector, education and health remain among the essential needs.

The situation for Syria's vulnerable child and youth population is particularly desperate. It is estimated that 60% of the country's population (almost 11 million people) are aged 24 and below. 2.8 million children in Syria are currently displaced. Displacement, a lack of access to primary, secondary and vocational education, unemployment and violent trauma is having a devastating impact on Syria's future generations. Vulnerability among women, girls and boys has increased dramatically, as displacement and poverty have increased the risk of sexual and gender based violence (SGBV). For adolescents in particular who are entering their formative years, violence and suffering have not only scarred their past; it is shaping their futures. This generation of young people is still in danger of being lost to a cycle of violence and revenge - replicating in the next generation what they suffered in their own. Young people without viable future prospects are at an increased risk of recruitment into armed groups. Education, vocational training and employment generation, and youth participation can play a key role in preventing radicalisation and in enhancing social integration and intercultural dialogue.

The education system is severely affected by the conflict, with limited access to education and undermined educational achievement. Even if the total enrolment rate has slightly increased in 2015, 1.75 million children (32% of the total school-age population) remain out of school, and 1.35 million children are at risk of dropping out. There is an acute paucity of functioning learning spaces: out of 22,000 schools, more than 7,000 are destroyed, partially destroyed or used as shelters. Secondary education has also experienced massive drops of enrolments since the beginning of the conflict. In opposition-held areas, the situation is particularly dire. According to a recent report¹², on a sample of 3,373 schools only 41% are considered safe; 94% of the schools are in need for heating fuel, and 82% lack educational materials. The use of different types of curriculum and the delivery of certificates that are not recognised in the whole country contribute to complicate the picture. The schooling system is inadequate in ensuring inclusion and well-being of children in the current conflict context: even if mental troubles and disability have become major problems in Syria, more than 70% of the teachers do not receive training on psycho-social support, and children with special needs are present in less than a half of the schools. The shortages are also significant specifically when it comes to the quality of education. Beside the education system, the economic and social conditions of children and youth have dramatically deteriorated, with 5.8 million of them in need of assistance, and child labour affecting more than 75% of the households. This situation requires an articulated response, providing different types of assistance to the children and youth in need, with a specific attention to protection and to provision of safe learning spaces, especially in opposition held areas.

In the health sector, a number of public reports have identified the following:

¹² Thematic report "Schools in Syria", Assistance Coordination Unit (ACU), May 2017.

- Over 12.5 million people in Syria are in need of health assistance¹³; more than a half of Syria's 111 public hospitals and half of its 1787 health care facilities are closed or partially functioning¹⁴, and two thirds of health professionals have left the country.
- Obstetric care and child delivery services are dramatically lacking, with only 49% deliveries carried out by qualified practitioners and maternal mortality rates continuously increasing (from 49 maternal deaths per 100,000 before the conflict to 68 deaths per 100,000 births¹⁵). At the same time, child vaccination rates significantly dropped, from more than 90% of children vaccinated before the conflict to 57% in 2016¹⁶.
- The leading cause of mortality in 2017 has been immediate medical trauma: 3.5 million people are expected to need surgical and trauma services¹⁷; 30% of trauma cases results in permanent disability;
- Mental health problems have been spreading for years and require urgent attention. One in five people are at risk of developing mental health issues; the rate of school children displaying behavioural disorder is particularly high with only 8% of school children in conflict-affected areas behaving normally¹⁸.

Furthermore, in July 2017 consultations with the Syrian Interim Government's health ministry and leading health implementers in opposition-held areas have highlighted a particular need to provide more specialised health services in addition to the current focus on primary healthcare and to provide support to Syrians suffering from chronic diseases.

Finally, the massive destruction of infrastructure, and deterioration of municipal services have left rubble spread in former battlegrounds, frontlines and communities blocking access to a large number of areas and neighbourhoods. Large piles of garbage are left on the streets in affected communities, as basic municipal services are difficult to maintain either because of loss of human and physical resources or due to unprecedented high surge in demand caused by large influx of IDPs. In a similar way, electricity provision has been curtailed and this affects all sectors from the social services to livelihood and income generation activities. Such services might therefore require specific attention in localities situated in opposition-held areas, in which a rapid response needs to be provided, not least in order contribute to the legitimisation of local civilian authorities by ensuring the continuation of basic services in a transparent and accountable way and enhancing coordination and linkages between governance actors and civil society organisations.

1.4.4 Absence of social dialogue and accountability for human rights violations

The conflict in Syria has started as a peaceful uprising against the continued human rights violations and restrictions on civil liberties and personal freedoms by the authoritarian and brutal regime - not just since 2011, but throughout the last four decades - as Syrians suffered from the risk of forced disappearance, arbitrary arrests, torture and violent repressive tactics against, at times, entire population groups. However, what started as a popular rebellion

¹³ https://www.humanitarianresponse.info/system/files/documents/files/2017_hrp_syria_170320_ds.pdf

¹⁴ http://www.who.int/hac/crises/syr/sitreps/syria_annual-report-2016.pdf?ua=1

¹⁵ http://www.unfpa.org/sites/default/files/pub-pdf/unfpa_gbv_take10-may17-single41.pdf

¹⁶ 63% measles, 57% polio, 51% DTP 3 (diphtheria- pertussis- tetanus).

(http://www.who.int/hac/crises/syr/sitreps/syria_annual-report-2016.pdf?ua=1).

¹⁷ https://www.humanitarianresponse.info/system/files/documents/files/2017_hrp_syria_170320_ds.pdf

¹⁸ ACU School report 2017.

against a repressive mode of governance and those executing it, soon took on other, more complex dynamics, involving a number of external actors and further raising the level of violence in the country. The increasingly armed confrontation between fragmented opposition groups, regime forces and listed terrorist groups has resulted in a strong increase in violence and polarisation across the country with massive human rights and International Humanitarian Law violations by all sides, as well as the use of chemical weapons as documented by OPCW reports. However, the EU considers that the regime is responsible for the large majority of violations and bears a particular responsibility for the grave deterioration of the human rights situation since 2011, for example by making use of indiscriminate aerial bombings of entire neighbourhoods and their civilian populations.

Since 2013, different EU instruments (the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contributing to Stability and Peace (IcSP) have been supporting the preparations for a future process of transitional justice in Syria by supporting the collection and analysis of evidence material related to potential crimes under international criminal and humanitarian law. Assistance to NGOs conducting investigations into alleged war crimes and crimes against humanity as well as collecting and documenting evidence is still on-going. Supported activities also have a strong focus on international advocacy in order to ensure that actors in the conflict are reminded that violations of IHL and Human Rights will not go unpunished. Since 2017, a new intervention with the International Commission on Missing Persons (ICMP)¹⁹ is taking concrete steps to launch a sustainable process of collecting data from families whose relatives are missing due to/in the Syrian conflict. In parallel, the EU supports the work of the Commission for International Justice and Accountability (CIJA) to analyse evidences and build cases in pursuit of justice for the victims of war²⁰. Support is also provided to the new International, Impartial and Independent Mechanism (IIIM) to fulfil its mandate to collect, consolidate, preserve and analyse evidence of crimes reportedly committed in Syria, as per UNGA Resolution 71/248²¹.

Needs for transitional justice initiatives are nonetheless many. On the one hand, the work on data collection and efforts to sustain mechanism for accountability should continue. Victims and their families need to be supported and rehabilitated. On the other hand, there is scope to explore local reconciliation and dialogue initiatives between families/tribes/communities, as well as possibilities of both cross-line and nation-wide bottom-up and citizen-led initiatives of outreach and bridge-building. In view of Syria's long history of forced disappearances, violent, repressive behaviour by security forces towards the population, there is a need to support initiatives that can strengthen a broad and popular understanding in Syria of the mechanism of how repressive structures become embedded in a society if continuation of such patterns is to be avoided in the future. This also requires a disentanglement of the immediate and conflict-related violations perpetrated both by the regime and by other parties to the conflict, from the systematic mechanism of repression employed by the Syrian state and its regime during the last decades.

¹⁹ ICSP/2016/040-012.

²⁰ ICSP/2016/039-751.

²¹ [ICSP/2017/040-638](#).

1.4.5 Lack of accurate, timely, and comprehensive analysis of ground dynamics and political economy type of research

As of mid-2017, the international response to Syria’s conflict is facing a difficult crisis.

Both the humanitarian and the non-humanitarian response to the Syrian conflict, are in fact heavily dependent on accurate, and regularly updated information from the ground. The military situation in some of the locations where EU partners work is still volatile, which means that the variables underlying our implementation decisions might change, sometimes drastically. But six years of conflict, forced displacement and hardship might have also changed the context that on the surface appear relatively stable. From an operational perspective, the impact of the various livelihoods, education, but also governance and resilience/stabilisation projects can only be properly anticipated and assessed with a full understanding of the beneficiary communities and their socio-economic and political contexts. On the other hand, a developmental approach fostering sustainable outcomes needs to heavily rely on the anchoring of project activities in local structures and seize or boost existing local opportunities, whether in the economic or in other domains. A project targeting also cross-cutting issues such as Psycho-Social Support or social cohesion requires particular sensitivity with regard to the grievances of local population groups. Governance projects need to understand local power dynamics in order to properly assess the risk of engagement and the potential of targeted interventions to maximise impact. The deeper the understanding of the socio-economic parameters and the political economy of locations, communities and regions in Syria, the more likely it is that project objectives will be realistic and achievable and that a 'do no harm approach' is actually pursued. Moreover, in a context in which any post-agreement planning (and possibly reconstruction) phase needs to be very well prepared, there is a need to also understand today’s business environment in Syria, ownership structures of companies, and local war economy dynamics to identify entry points for support in the medium- to long-term and ensure that future EU funding will not indirectly benefit regime cronies or war criminals, or cement social engineering and thus triggering further conflict in the longer-term. Ultimately, there is a need to root the theories of change underlying current and future EU interventions in sound, regular and up to date localised analyses.

2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
<p>Deterioration of the security situation precluding resilience efforts and access to areas of implementation.</p> <p>Further fragmentation of the political situation and rapid evolution of local situations altering the variables on which the intervention was based.</p>	H	<p>Partners chosen have experience implementing actions in such context. They maintain a regular monitoring of conflict dynamics in areas of interventions and undertake periodic assessments of the operational contexts in order to respond to changes.</p> <p>Flexibility has to be built into planning and budgeting processes to allow for modifications during the implementation, in close consultation with (and steering</p>

		<p>by) the EU.</p> <p>Enhanced analytical possibilities and localised situational profiles will further mitigate such risks. Detailed conflict, stakeholder, and local governance analyses to identify interests, needs, incentives, and potential shared benefits will complement the field interventions, in order to better mainstream conflict sensitive approaches.</p>
<p>Increased control on space and resources by parties to the conflict / Parties to the conflict act as spoilers to the action.</p> <p>Difficulties in dealing with areas that could come under control of radical Islamist groups (such as Daesh or Hayat Tahrir al-Sham).</p>	H	<p>Demonstrating success and highlighting the rationale of multi-sector assistance efforts for the benefit of the civilian will be key.</p> <p>Assistance empowers civilian structures to gain legitimacy and withstand the pressure exerted by armed groups.</p> <p>Implementing partners' engagement and dialogue with key neighbourhood and local security actors / armed groups.</p>
<p>Responding to the needs of civilians, preventing state collapse by maintaining essential service delivery functions contributes to legitimizing the ruling entities (such as the Syrian regime, listed radical armed groups, or Kurdish factions).</p>	H	<p>As part of their rules of engagement in any area, implementing partners have the capacity / possibility not to give in to requests by the Regime or other ruling entities.</p> <p>A differentiated approach is needed. Considering how difficult it is to draw a line between regime and state institutions (technical directorates, municipalities), it will be necessary to assess on a case by case basis the role and involvement of the public administration, and to assess to what extent the regime or local ruling entity might extend legitimacy from the delivery of services to the public to ensure that no action benefits the regime. The increased provision of analysis and research foreseen under this Action will be crucial for this.</p> <p>In the specific case of <i>local agreement areas</i>, no interventions are foreseen.</p>

<p>Communities and local governance structures in opposition-controlled areas lack capacity to lead medium-term early recovery and stabilisation efforts</p>	<p>M</p>	<p>Strong emphasis will be put on local level analysis and participatory planning processes to ensure best possible involvement / buy-in to the assistance proposed. Assessment during the inception phase will help identify and address any gaps in capacity.</p> <p>Emphasis will be placed on sensitizing local stakeholders during any inception phase on the rationale of the proposed intervention, setting-up / strengthening local planning and consultation bodies, and strengthening relationships.</p> <p>Involvement of governance structures in projects selection, implementation, and monitoring.</p>
<p>Politically sensitive nature of HLP actions, coupled with the complexity and lack of institutional technical expertise of some HLP-actors, results in extremely limited operational space, notably when employing a whole-of Syria approach.</p>	<p>H</p>	<p>Building technical expertise and joint action between HLP-actors as a means to share capacity and risk across the sector.</p> <p>Ensuring flexibility, confidentiality and providing donor support, as key HLP-challenges arise.</p>
<p>Activities aimed at promoting dialogue results in a protection or reputational risks for participants.</p> <p>Promoting dialogue in the current context becomes a burden on the victims by diluting the emphasis on truth-seeking, accountability, and redress/restitution.</p>	<p>M</p>	<p>Adopting a two-tier approach to transitional justice that involves both the legalistic track focussed on accountability and documentation, and a dialogue track focussed on inter and intra-group dialogue.</p> <p>A gradual approach (and at different levels – community, cross-line) will be followed only involving stakeholders that feel ready to enter such dialogues. A neutral mediation and physical environment will also be provided not to put people at risk inside the country.</p>
<p>Cross-border access to Syria is more and more constrained. Access from Turkey to north Syria is cut off or limited by a less conducive Turkish regulatory environment for international actors acting cross-border</p>	<p>H</p>	<p>Contingency plans are in place by implementing partners to relocate their operations should cross-border access be reduced. Activities from Iraq, Jordan and/or cross-line from Damascus might see an increase compared to activities cross-border from Turkey.</p>
<p>Remote management and oversight of implementation of activities:</p>	<p>M</p>	<p>Selected implementing partners have robust compliance systems with</p>

<p>monitoring and evaluation cannot be addressed properly given the difficulty for EU Delegation staff to ensure a proper field presence. Financial risk and aid diversion.</p>		<p>established internal monitoring and management structures, partnership with local actors and triangulation of sources.</p> <p>At contract level, arrangements and methodologies for supervision and regular reporting are precisely defined.</p> <p>Third party monitoring and evaluation contracts are in place and increased.</p>
<p>Capacity of absorption of non-UN partners</p>	<p>M</p>	<p>Difficulty of partners in absorbing and spending funds, including for major INGOs, due to the relatively small numbers of organisations able to work inside Syria and managing large budgets, in a context presenting high financial risk and possible aid diversion. Diversifying partners to mitigate this risk.</p>
<p>Assumptions</p>		
<ul style="list-style-type: none"> • Targeted areas for the interventions are selected on the basis of security, access, and relatively stabilised local context. Security considerations allow for the movement of implementers' staff and mitigation measures are in place to protect them. • Equipment and supplies necessary to the implementation of the projects are available in the local or regional markets. • Local institutions, community, and armed groups welcome external project interventions that alleviate the conditions in which the civilian population lives. • Effective and reliable local Syrian partners can be identified, whose capacities has been built throughout six years of conflict. • A degree of interlocution of implementing partners, at technical level with the State administrative structures, is required to address HLP issues at a regulatory and national level, ensuring comprehensive, inclusive and sustainable outcomes. 		

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

On governance

Governance structures, local communities and CSOs need to be technically engaged at all levels to ensure coherence and the sustainability of resilience activities. For example, a dialogue with health, education and agricultural technical services at local and provincial levels is necessary to ensure timely technical support to all targeted beneficiary groups and a wide application of international and national standards without political or other bias. Maintaining and fostering technical skills that is lodged in technical directorates will enhance the chances to re-connect the country at a national level.

Past experience shows that technical coordination across conflict lines between administrative entities should also be encouraged to avoid incompatibility of administrative and governance practices and a de facto division of the country. In this respect, working closely with

administrative entities in opposition held areas, but also engaging with technical bodies across the line will warrant the sustainability of EU projects, and allow for more strategic planning. In addition, it allows safeguarding the functioning of institutions which will be crucial for the reconstruction of Syria when the political conditions will allow it. To this end it is also important to continue working towards a harmonisation of donor approaches on governance.

Strengthening local participation in planning, implementation, and monitoring is also essential to ensure local ownership and respect for governance structures. This requires an understanding of the grievances of local populations, and of the mechanisms of outreach and feedback. Successful delivery of local public services that follows local consultation and responds to locally expressed needs is likely to increase the demand for civil rather than military leadership and improved local governance in targeted Syrian areas by crowding out military control of services. EU and other donor support needs to also work against the “NGO-isation” of the delivery of public services and instead strengthen governance structures that provide at the same time a bottom-up approach while also involving a coordination structure that works more top-down.

On the Whole-of-Syria approach

Since 2011, beyond humanitarian aid, the EU has funded development/resilience projects in Syria through a "Whole-of-Syria" approach. Operations were conducted both in regime-controlled and in non regime-controlled areas, allowing the EU to keep playing an active role in the international efforts to resolve the conflict as well as in overall donors' coordination.

The experience in non-humanitarian cross-border operations from Turkey, Lebanon, Iraq and Jordan into Syria, which matured over the past three years, has shown that despite the increasing challenges, access constraints and a shrinking space, such operations are possible and proved vital to support local structures and populations in need in areas that would not be reached by other means. However, while pursuing the cross-border approach, it needs to be ensured that such projects are in line and harmonised with the operations in the rest of the country, pursue compatible activities and ensure continuation of services to the population when conflict lines are shifting.

On the need for complementarities between EU funding instruments (notably humanitarian and development support)

Humanitarian assistance is still and will remain needed for a long time in Syria even in more stable areas. However, there is a need to start laying the foundations for a longer-term support in sectors such as livelihoods, education, protection, health and WASH, as well as to define a more coordinated development framework for local governance and peace-building. Experience shows that the transition from humanitarian interventions towards more resilience-focused ones must begin as soon as conditions allow so and within a coordinated framework, because the needs largely overcome the humanitarian means, and because of the unsustainability of humanitarian support in such a protracted crisis, that can lead to aid dependency.

Coordinating humanitarian, resilience and stabilisation/development support at EU level but also more widely is crucial, and formalising this coordination appears necessary. Concerning the EU, the coordination between the relevant Commission services is ensured in the framework of the *Joint Humanitarian and Development Framework*, regularly updated. This

exercise has shown the particular value-added of activities for humanitarian support when they enhance the cross-cutting issues that are of relevance to humanitarian interventions as well. Examples are the support to medicines testing facilities in Syria which is of complementary use to EU-funded procurement, or project attempting to increase the quality of Psycho-Social Support (PSS) which can translate into enhancing overall support to PSS, mainstreamed in many humanitarian projects as well.

On HLP rights specifically, current programming of actors engaged in the sector has until now focused largely on humanitarian oriented streams of support (e.g. shelter). A more strategic medium-term approach to HLP challenges should start to take place to pave the way for the eventual transition from a humanitarian to a larger-scale recovery and reconstruction paradigm, should political conditions allow.

On implementing partners

While the objectives of the aid implementers often coincide with those of their local Syrian partners, there is a conflict between implementers' approaches using international best-practices which are sometimes perceived as top-down, misinformed and paternalistic by Syrian partners, and a bottom-up approach in which valuable local ideas can better tailor project activities to local circumstances and hence increase feelings of ownership and enhancing sustainability. Donors and international implementers must contend with a dizzying security environment, significant language barriers and information gaps, and a burgeoning but fragmented Syrian civil society that lacks professionalization, internal cohesion and understanding of international standards. As a result, international players have yet to find an effective model for engaging the local actors who know the context best and have most at stake.

On the one hand, it is important to recognise the challenges that our international partners, including the UN, face in developing partnership agreements with local actors, notably in regime held areas, while respecting the EU's policy towards Syria and its legal obligations (notably compliance with EU restrictive measures). On the other hand, as effective relief work must have a strong local component, INGOs as well as UN agencies continue to operate as intermediaries by sub-contracting Syrian NGOs. At the same time, those local Syrian organisations' best employees are often siphoned off into the service of larger, better paying international players. This has resulted in a massive expenditure of resources on intermediary structures which sometimes provide little added-value in terms of direct project implementation, and to significant resentment and loss of opportunities of (economic) empowerment on the part of local Syrian organisations. These elements need to be taken on board in the implementation of this Special Measure

On monitoring and information needs

The war situation in Syria prevents most donors from directly monitoring and evaluating projects on the ground, as the operational team can access the country with only limited reach from Damascus for security reasons. Monitoring and evaluation is essentially done remotely with a triangulation of information coming from different sources. It is based on information gathered from implementing partners (insertion of precise indicators, surveys and regular reporting in contracts) and cross-information from other partners and Syrians participating in meetings/conferences. The situation has evolved rather positively lately: with the protraction of the conflict and all donors facing the same situation, some firms and NGOs have recently

created capacities in the domain of *third party monitoring and evaluation*. The EU Delegation to Syria will start a service contract for this purpose in the third quarter of 2017, thus having a better insight on the results and impact achieved by the projects funded. The use of technology in partners' actions should also be further promoted to increase quality of needs assessments, information gathering and remote monitoring.

In addition to the above, there is also an improved availability of analytical services on general dynamics in Syria on different topics and location. However, as such analysis is not specifically made to meet EU needs (with regard to specific project locations, topics of particular interest for the EU, etc.), the EU Delegation to Syria should also enhance its access to tailor made information and analysis.

3.2 Complementarity, synergy and donor coordination

Since the outbreak of the war in 2011, the EU has collectively (EU and Member States) mobilised more than EUR 10.1 billion in response to the Syrian conflict both inside Syria and in the region, making it the largest donor.

Inside Syria, EU institutions have mobilised more than EUR 1 billion, including more than EUR 700 million in humanitarian assistance. This funding has responded to people's needs across the country in line with the 'Whole of Syria' approach, prioritising multi-sectoral, life-saving operations, particularly in under-served, contested, hard-to-reach and besieged areas.

Bilateral cooperation with the Syrian government was suspended after the regime's violent repression of the civilian uprising in 2011. Nevertheless, the EU has continued to support the Syrian people providing EUR 327 million in non-humanitarian assistance through various instruments:

- The **European Neighbourhood Instrument (ENI)** has funded actions within Syria in various sectors, such as education, support to livelihoods, local governance, health and civil society support. This longer-term funding aims to maintain Syrian human capital, facilitate people's access to basic services, and strengthen the resilience of the population and of local civilian institutions, thus preparing the ground for early recovery and a post-conflict context. Specific challenges in terms of gender, protection and mental health are considered as cross-cutting across these programmes.
- the Commission also supports Syrian civil society and human rights defenders, through the **European Instrument for Democracy and Human Rights (EIDHR)**, whilst other thematic lines support improved rural resilience and increased food security.
- **Under the Instrument contributing to Stability and Peace (IcSP)**, the EU is further supporting dialogue initiatives, resilience interventions, transitional justice, civil society programmes as well as the political process around the Geneva negotiations. To the extent possible, the proposed measures in this Action Document, specifically the component on transitional justice which foresees support to Syrian civil society, will build upon the achievements of the IcSP-funded Tahrir programme.

The EU continues to ensure a clear complementarity between humanitarian, stabilisation and development/resilience assistance and its various funding instruments through the Joint Humanitarian Development Framework (JHDF). The action takes into account the EU's ongoing portfolio of actions with an analysis of potentially strategic gaps. Actions foreseen are following-up or complementary to the portfolio of projects (ongoing or already in the pipeline) funded under ENI since 2011 in the education, livelihoods, health, rapid response /

stabilisation, governance, and support to civil society and media. Thematic budget lines such as DCI – Civil Society Organisations and Local Authorities (CSO-LA), DCI - Food Security, or EIDHR are also directly managed by the EU Delegation to Syria and are therefore taken into account by the current Action, with EIDHR and CSO funds being primarily used to further strengthen the EU's support to accountability and transitional justice in Syria, the CSO-LA support to strengthen local governance by supporting the networking between local authorities and their horizontal linkages with CSOs and vertical ones with the other governance structures, and the DCI-FOOD line supporting smart, sustainable livelihoods by linking agricultural production at the local level with community-cohesion. The proposed action is also closely co-ordinated with actions funded through humanitarian assistance, the IcSP and by other like-minded donors so that complementarities and synergies are ensured.

Due to the regional scope of the conflict and the fact that assistance is provided inside Syria through different delivery mechanisms ("Damascus-based", "cross-line" and "cross-border"), donor coordination is taking place in a number of different fora at different levels and locations. At least sixteen different donor coordination fora / formats have been identified by a recent mapping effort²², most of which see the active involvement of the EU²³. Given the sensitive political environment, the EU Delegation to Syria ensures in fact a permanent follow up in most of the existing coordination fora, and co-chairs several of them. This allows a close coordination with the most relevant donors, which has also benefited the identification of implementing partners and activities for the areas of work included in this Action. Amongst the most relevant donors, the EU is also the only one to have regular access to all hubs of operation (Damascus, Gaziantep, Beirut, Amman, Erbil). The regular missions by the Development Cooperation Section team of the EU Delegation to Damascus and the hubs facilitates the exchange of information with other donors, but also contributes to the steering role of the EU Delegation in promoting such coordination. It also contributes to an improved communication between implementing entities in Damascus and those operating cross-border.

Though the focus of this Action document is on inside Syria, the EU has also mobilised substantial **support to neighbouring refugee-host countries** (Turkey, Jordan, and Lebanon). It has notably created a Facility for Refugees in Turkey, with a total budget of EUR 3 billion for the period 2016-2017, to support longer-term livelihoods, socio-economic and educational perspectives of refugees in Turkey. The EU has also created a **Regional Trust Fund in response to the Syrian crisis** (the Madad Fund) that includes more than EUR 1 billion of contributions from 22 Member States and Turkey and that has provided assistance to refugees and host communities affected by the conflict throughout the region. This is in addition to direct financing from the EU budget, that has been used to date in the region, in order to help Syrians and hosting communities in neighbouring countries. Close complementarity of this

²² The list does not include sector clusters, in which donors do not participate and that are rather a space for coordination between implementers in Damascus, Gaziantep, and Amman.

²³ The following are worth mentioning: the Core Donor Group for the coordination of recovery, resilience, and development response to the Syria conflict, which includes key bilateral and multilateral donors;; EU MS Development Counsellors meetings; other relevant donor coordination formats that bring together the EU and like-minded donors on given topics or from a specific geographical location, such as the Informal Donor Group on Local Governance, the Working Group on Resilience, Livelihoods and Early Recovery, the Southern Syria Donor coordination, etc. DG ECHO covers all the humanitarian coordination fora.

action with those funded in the region to address the Syrian crisis consequences will be maintained.

3.3 Cross-cutting issues

The following issues will mainly be cutting across the present action:

Resilience: The action aims at supporting efforts to integrate resilience across the various sectors so as to address the changing needs of the affected population in Syria, empowering persons and communities, and promoting the dignity of affected peoples. All the projects to be developed under the present action will prioritise activities with anticipated multiplier effects on the conflict-affected communities and the broader emergency and resilience-building activities.

Human Rights: This action explicitly takes account of human rights and directly supports rights holders throughout the foreseen projects with an aim of achieving greater respect, protection, promotion and fulfilment of human rights. The action will be designed and implemented following a rights-based approach, e.g. by focusing on social inclusion and empowerment of marginalised people.

Gender equality: Achieving gender equality and eliminating all forms of discrimination based on sex are mainstreamed throughout all the action. More specifically, a gender-specific focus will be included in activities such as education, employment, dialogue, HLPs, etc. Considering the changing demographics and the prevalence of female-headed households as a consequence of the conflict, vulnerable women will receive specific attention throughout the intervention.

Inclusion: All assistance programmes should mainstream an inclusive approach to project-design and implementation with a specific focus on specifically vulnerable groups such as the disabled and wounded, but also widows and women head of household, people affected by mental problems or psycho-social distress, ex-fighters, and, more broadly, the Syrian youth. Programmes should encompass specific measures and outreach activities for such categories.

Capacity development: A central premise of the action is that it can best contribute to achieve defined outcomes through the development of the capacities of individuals, communities and civic groups as well as local institutions. This is foreseen through direct empowerment around essential services, livelihoods and social protection, and through strengthening the capacities of duty bearers (institutions and communities) to identify needs and respect, protect, and fulfil those rights.

Sustainability: While the war context and modalities of operations in Syria, even today, make sustainability of initiatives a difficult undertaking, the increased focus on developmental rather than humanitarian approaches, combined with a stronger focus on enhancing the participation and empowerment of the local Syrian partners, not only in the implementation but also in the design of specific activities, should enhance the prospects of local initiatives becoming more sustainable. The EU approach on governance with its view to ensuring coherence and compatibility across Syria will also actively work towards making such support more sustainable, under the assumption that the overall military situation does not deteriorate even more.

No Harm: As aid is not always neutral during conflicts, special attention will be given to this concept avoiding causing any unintended harm to a party. .

4 DESCRIPTION OF THE ACTION

4.1 Objectives

4.1.1 Overall objective

The Action aims at strengthening the resilience of the Syrian population while also laying the foundations for the work, notably on governance, that will be required if and when a credible and inclusive political process according to the UNSCR 2254 and the Geneva Communiqué of 2012 will open up the possibility for sustainable and inclusive post-agreement recovery processes.

4.1.2 Specific Objectives

The overall objective will be achieved through five major areas of work, whose specific objectives are defined as follows:

SO1. To promote inclusive **local governance** structures and their (horizontal and vertical) articulation with a view to strengthen their future a role in avoiding further fragmentation of the country and to work towards administrative re-connectability at the national level when conditions will allow.

SO2. To manage potential risks related to recovery and reconstruction efforts, when a transition will be firmly under way, through improved technical analysis and understanding of HLP challenges, and supporting preparatory pathways of action to protect the rights of civilians in terms of **housing, land and property (HLP) rights**.

SO3. To stabilise and improve the **resilience of Syrian communities** (with emphasis on youth and women), i.e. their capacity to recover faster and live in a more sustainable manner, through area-based approaches covering education, health, livelihoods and service provision, allowing for local recovery and strengthening social cohesion.

SO4. To promote a more **comprehensive approach to transitional justice** characterized by efforts aimed at fostering dialogue across different conflict lines (political, ethnic, religious) and at different levels.

SO5. To improve existing **analytical and information-gathering capacities** of local actors on the ground in order to enhance conflict-sensitive approaches in the short-term while identifying entry points for inclusive recovery in the medium- to long-term.

This programme is relevant for the Agenda 2030. It contributes primarily to the progressive achievement of SDG Goals 4 (Ensure **inclusive and equitable quality education** and promote lifelong learning opportunities for all) and 16 (Promote **peaceful and inclusive societies** for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels), but also promotes progress towards Goal(s) 2 (End hunger, achieve **food security and improved nutrition** and promote sustainable agriculture), 5 (Achieve gender equality and **empower all women and girls**) and

8 (Promote sustained, inclusive and sustainable economic growth, full and **productive employment and decent work** for all). This does not imply a commitment by the country benefiting from this programme.

4.2 Expected Outcomes/Results and main activities

SO1 – Local governance

Result 1.1: An enabling environment for the proper implementation (or revision) of Law107 is facilitated or a demand for it is created in opposition-held areas, thus contributing to more decentralized and inclusive local governance dynamics and ensuring a maximum level of policy responsiveness to local needs as well as transparency, accountability and participatory policy making.

Indicative activities: notably building up on previous support to SIG, including the recent analytical work initiated under the Comprehensive Syria Peace Support Initiative²⁴ - and its executive arms inside Syria, activities will include contributing to its integration in and positive impact on vertical administrative and governance dynamics in opposition-held areas, notably through the implementation of pilot interventions aimed at strengthening the linkages between the different governance structures/layers (to be designed and implemented in close consultation with respective local councils and directorates); support to SIG or its executive arms to increase accountability and ensure the participation of women, vulnerable and marginalised groups (e.g. religious minorities) in local decision making processes; support to livelihood and revenue generation in opposition held areas in line with national practices, with a view to make local civilian governance structures less dependent on donor support.

Result 1.2: The SiG, technical directorates, and provincial/local councils are active and recognised governance players on the ground that work towards enhancing civilian control in opposition-held areas, improving efficiency in the short-term provision of services and in the overall coordination of donor-funded projects, and stabilising the administration in opposition-held areas with a view to reconnecting the governance structures at the national level, when conditions allow.

Indicative activities: SIG is supported to increase its capacity to improve its regulatory frameworks and to work in close coordination with local councils, provincial councils and technical directorates on the development of locally-designed and owned sector strategies; The capacity of the SIG and of the executive entities at local and governorate level (i.e. local councils, provincial councils and technical directorates), will be supported to supervise/oversee the service provision and the implementation of support projects.

SO2 – HLP issues

Result 2.1: Technical capacity of local actors is built to identify and address the resolution of key HLP challenges in Syria.

²⁴ ICSP/2016/039-584.

Indicative activities: analysis of the national HLP framework and relevant legislative and administrative provisions; providing technical guidance and expert advice on HLP matters to technical actors; enhancing accountability, predictability and effectiveness of HLP-related activities.

Result 2.2: Multi-layer pathways to support a medium-term approach to addressing HLP challenges are identified and supported, notably in the areas of housing and land administration and governance, and dispute prevention and resolution.

Indicative activities: legal analysis and guidance notes, institutional capacity assessments of key stakeholders,; protection of HLP documentation, outreach and awareness raising, analysis and review of land administration status and future models, technical expertise development; legal advice and counselling, analysis of informal dispute resolution, capacity development.

SO3 – Strengthening the resilience of Syrian population

Result 3.1: Basic social and productive infrastructure is rehabilitated and livelihood opportunities are created in targeted neighbourhoods following a detailed analysis of the locations leading to tailor-made and integrated area-based approaches.

Indicative activities: rubble removal; cash for work activities are set to support the restoration of basic infrastructure; analysis of the local economics to determine business opportunities, organise trainings and support the development of businesses; agricultural activities are developed to create livelihoods and increase household incomes, food production and enhance local markets

Results 3.2: Communities' access to basic social services (health, education) improved in the locations targeted by the area-based approaches mentioned under 3.1.

Indicative activities: rehabilitation of schools and safe spaces; trainings and stipends for teachers and head teachers; provision of educational tools and remedial education; psycho-social support; recreational, cultural and sport activities; support to contribute to lifting barriers to attendance at household and community levels; rehabilitation of health facilities and community well-being centres; procurement of equipment and spare parts for the targeted healthcare facilities; restoration of specific health care activities such as in reproductive health GBV or psycho-social support; trainings for health staff in health care centres are deployed; developing referral systems for patients; support for local CSOs to play a role in the planning and needs assessment of services as well as the monitoring and the feedback on their provision; provision by CSOs of (social) services not typically delivered by local administrations.

SO4 - Comprehensive approach to transitional justice

Result 4.1: Complementarity between EU-funded initiatives for accountability and to fight impunity and other areas pertaining to transitional justice is explored in order to increase the prospects for a more sustainable peace in Syria.

Indicative activities: Support to victims and families, support to activities preparing accountability, peace-building initiatives in/among communities (inside an area or cross-line)

notably through civil society organisations; support to initiatives aimed at fostering dialogue at the local level; potentially already support Syrian-led initiatives aimed at preparing the ground for “truth and reconciliation” work and enhance societal capacity to deal with and gradually demand the reform of authoritarian and repressive systems; potential support to dialogue activities out of the country where needed.

SO5 – Analysis and research

Result 5.1: analytical and information-gathering capacities of Syrian actors on the ground are strengthened.

Indicative activities: training, mentoring and financial support to Syrian researchers and research organisations to provide better statistical data, localised conflict analyses, and in-depth studies on pre-agreed topics or areas for research.

Result 5.2: EU’s on-going and planned intervention are made more conflict-sensitive by enhanced access to regular, up-to-date localised analyses of community dynamics in areas where EU projects operate, and tailor made political economy analyses help better assess the relevance and opportunity to work on certain topics or to follow certain approaches in the medium- to long-term.

Indicative activities: production of in-depth and tailor-made reports and analyses on topics relevant to the EU’s non-humanitarian fields of engagement; consolidation of relevant information from project implementing partners.

4.3 Intervention logic

The rationale of merging different streams of work into one single Action Document comes from the fact that they all contribute to the same general objective and that this will guarantee the necessary flexibility to reallocate funds among the different components during the contracting process in order to adapt to the extremely volatile situation on the ground.

While in 2016 the EU contribution went up to EUR 80 million to be ready to support a credible political process that would make progress towards transition and stabilisation possible, the contribution for this 2017 Special Measure for inside Syria goes back to the levels of the previous years. With no meaningful political process having set-off to date, the EU contribution for 2017 has therefore been revised downwards. Attempts will be made in 2017 to enhance “economies of scale”, synergies and generally render more effective the on-going portfolio by supporting overall governance and coordination of assistance provided in opposition-held areas as well as enhanced conflict sensitivity through improved understanding of local power dynamics, while ensuring that core needs of the population can still be met through greater synergies between different projects in an area-based approach that connects multiple sectors. Attention will also be paid to remove obstacles for return of the population by focusing on transitional justice aspects, as well as community dialogue activities and HLP issues. Should significant political progress be achieved in 2017, additional support could be envisaged, based on the main streams of work presented.

Facing a crisis that in many respects is unprecedented in terms of complexity, this financially more modest Special Measure will also be the opportunity to test and pilot new approaches

and assumptions, to start working with different implementing partners, and have a more granular understanding of local dynamics and political economy considerations that will be key in the following years should the opportunity arise to scale up our non-humanitarian support.

With regards to the intervention logic underpinning specific parts of the Action, the following can be highlighted:

- A **‘Whole of Syria’** approach is pursued with a view to preparing the ground for post-conflict recovery and post-agreement reforms, where local institutions throughout the country are expected to play a key stabilisation role.
- In **strengthening moderate local governance structures** in Syria, the capability, legitimacy and representativeness of such structures will likely increase the chances of stability in the longer term. It is expected that combining the bottom-up approach adopted so far in supporting LCs and NGOs in the delivery of basic services with a top-down approach aimed at an incremental empowerment of the SIG to the extent possible and at strengthening the vertical linkages between the different layers of the administration will enable such governance structures to gain credibility with local stakeholders as the only provider of a viable alternative to the dominance of extremist military factions and as a credible civilian administration able to reconnect more smoothly with the agreed national governance institutions when conditions will allow.
- On the **need for locally-based multi-sector approaches** in perspective of transition: Syria has experienced a massive conflict-induced urbanisation. While in 2011 Syria’s population was 53% urban, today 75% Syrians live in cities, with all the consequences this situation has in terms of access to public services such as health and education, solid-waste collection, damages to urban infrastructures and to the electricity sector, water supply and sewerage treatment systems. These macro-level impacts manifest themselves differently across the country and have spill-over effects one onto the other, pleading for a well-tailored response adapted to each local situation. Thorough conflict analyses and bottom-up needs assessment allowing for well-designed multi-pronged interventions may respond more efficiently to needs expressed by local communities thus better contributing to their resilience, avoiding further migration and setting first steps for dialogue and de-confliction. In addition, this kind of approach allows preparing for an early engagement in recovery and rehabilitation in Syria when a political solution is reached and transition starts.
- On the operational side, in areas such as education or HLPs, meaningful interventions require a dialogue at a technical level of implementing actors **with State actors**, who are the official service providers in areas under the responsibility of the central State. The margin for manoeuvre for interventions outside of the reach of State institutions is therefore meagre and could lead, if pursued, to the creation of parallel/unsustainable systems. Taking into account the EU political standing, this will need to be judged on a case by case basis with close monitoring of implications, risks of intervening vs. not intervening, added value and entry points of potential interventions with a view to best contribute to the operational and political objectives of EU Strategy.
- **Transitional Justice has a multidimensional character.** It includes fighting impunity, but also includes recognition and redress to victims, truth-seeking and fostering trust, strengthening the rule of law, as well as contributing to dialogue and reconciliation and

non-recurrence. It is therefore considered necessary to bring forward, as much as feasible in the current context, a broader spectrum of transitional justice-related activities in Syria, including activities that prepare the ground for reconciliation at the local and national levels in parallel to accountability-related activities.

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- As the objective to promote accountability for war crimes is closely linked to the need to facilitate a dialogue process, a comprehensive approach to transitional justice in Syria needs to be part of EU-supported work in this domain. There is an urgent need to promote efforts aimed at limiting the fragmentation of the Syrian society. Having operations in the different conflict zones, the EU is well-positioned to initiate/facilitate these mediation efforts by connecting partners/individuals and creating the space/logistics for them to convene, get to know each other, better explore the commonalities between them, and to allow Syrians to design their own approach towards transition and reconciliation. Some NGOs have already taken some steps in this direction, and additional support should build upon current initiatives. In this regard, a maximum prudence and transparency in the choice of the implementing organisation in the field of transitional justice has to be assured by inviting a sufficiently large number of organisations for the negotiated procedure.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is 48 months from the date of adoption by the Commission of this Action Document.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

5.3 Implementation modalities

In the below implementation modalities, the Commission will ensure that the entities receiving funds in direct and indirect management and providing financing to third parties in the context of this action will ensure compliance with EU restrictive measures affecting the respective countries of operation.

This Action Document presents two scenarios, only one of which will be pursued depending on the development of the negotiation with the UN regarding the due diligence mechanism to be established to ensure UN's compliance with the EU restrictive measures. The scenarios will be as follows:

Scenario A: in case agreement is reached on the way UN compliance with the EU restrictive measures can be ensured, the implementation of the actions in line with the above-outlined rationale will include UN agencies among potential implementers.

Scenario B: in case no satisfactory agreement with the UN on the compliance with the EU restrictive measures is reached, the implementation of the present actions will not include UN agencies among the potential implementers.

Elements in the following sections on implementation modalities will refer to these two scenarios. Please see table 5.6 to illustrate the difference between both scenarios.

Scenario A: the negotiations between the EU and the UN on the compliance with the EU restrictive measures are successful and are finalized in a timely manner. In this case, the below implementation modalities will be applicable.

A)

5.3.1 Grants

5.3.1.1 Grants: direct award for work on Local Governance component (direct management)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The grant/s would contribute to the achievement of specific objective 1.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to an NGO such as LACU, Midmar, LDO, ACU, CSI, etc. or consortium thereof.

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 referred to in Article 190(2) RAP. The sensitivity of the subject suggests to bring together under the project umbrella these NGO in order to cover all the spectrum of work that could be promoted on governance issues in opposition-held areas.

The maximum indicative amount of the EU contribution for such grant is EUR 5 million and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 24 months in order to maximise our support to nascent governance structures now, to allow them develop within a limited timeframe. In two years the situation might be very different and a different kind of support might be needed.

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the Special Measure 2017; design, effectiveness, feasibility, sustainability and cost-effectiveness of the proposed action.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 100%.

(e) Indicative trimester to conclude the grant agreement

Third trimester of 2018.

5.3.1.2 Grants: direct award for Transitional Justice / Dialogue work (direct management)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The grant proposed would contribute to the achievement of specific objective 4.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals.

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 referred to in Article 190(2) RAP. The sensitivity of the subject suggests inviting a few NGOs for a negotiated procedure.

(c) Eligibility conditions

The maximum indicative amount of the EU contribution for such grant is EUR 2.5 million and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 36 months.

Potential beneficiaries of funding should be a legal person, non-profit-making type of organisations such as civil society organisations (CSOs) or NGOs, be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary and be established in: i) a Member State of the European Union or; ii) a country that is a beneficiary of the Instrument for Pre-Accession Assistance II set up by the Council Regulation (EU) No 231/2014 of 11 March 2014 or; iii) a Member State of the European Economic Area or; iii) a developing country and territory which are not members of the G-20 group or a partner country or territory covered by the European Neighbourhood Instrument Regulation No 232/2014.

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the Special Measure 2017; design, effectiveness, feasibility, sustainability and cost-effectiveness of the proposed action.

The contractor (or a member of the awarded consortium) will also need to demonstrate the capacity to work with partners throughout Syria. If, due to the difficult situation and political sensitivity, this should prove impossible, a separate second grant might need to be awarded to an entity that would carry out the work in other areas.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 90%.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012 if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100%. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(e) Indicative trimester to conclude the grant agreement

Second/third trimester of 2018.

5.3.1.3 Grants: direct award for a Research and analysis grant (direct management)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The grant/s would contribute to the achievement of specific objective 5.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to organisations such as EUI, Synaps, the Humanitarian Access Team, etc. or consortium thereof.

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 referred to in Article 190(2) RAP. The sensitivity of the subject suggests to bring together under the project umbrella these NGO in order to cover the different level of analysis needed.

The maximum indicative amount of the EU contribution for such grant is EUR 2 million and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 36 months.

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the Special Measure 2017; design, effectiveness, feasibility, sustainability and cost-effectiveness of the proposed action.

The contractor (or a member of the awarded consortium) will also need to demonstrate the capacity to work all across Syria.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 100%.

(e) Indicative trimester to conclude the grant agreement

Second trimester of 2018.

5.3.2 Indirect management with a Member State / international organisation

5.3.2.1 Indirect management with international organisations for HLP activities

A part of this action with the objective of contributing to specific objective 2 may be implemented in indirect management through two Delegation Agreements with any of the following organisations in the lead: UN-Habitat, UN OHCHR, FAO, UNHCR, UNDP in accordance with Article 58(1)(c) of the Regulation (EU, Euratom) No 966/2012.

The implementation entails the development of the activities foreseen in the HLP component. This implementation is justified because of the specific expertise in this domain by the

concerned agencies and because they represent the Technical Working Group on HLP issues working on the topic throughout the country. This gives the implementing consortium a great value added in terms of cutting edge work on the issue but also in terms of coordination with other donors as well, making the intervention the ideal Joint Programme for donor interested in funding HLP work.

The entrusted entities would carry out the budget-implementation tasks and be responsible for the award and management of contracts (grants and procurement) to third parties. The entrusted entities can execute these tasks through NGOs or other organisations, according to their respective capacities and previous experiences in specific sectors and areas of intervention. Appropriate provisions will be included in the delegation agreement/s.

These Delegation Agreements should enter into effect in the first semester of 2018. Full respect of EU restrictive measures should be ensured.

5.3.2.2 Indirect management with international organisations for the implementation of resilience-oriented area-based activities

The part of this action related in particular to specific objective 3 may be implemented in indirect management through a Delegation Agreement with a consortium of UN agencies including potentially UN-Habitat, UNDP, FAO, UNICEF, UNFPA, WFP, and WHO, in accordance with Article 58(1)(c) of the Regulation (EU, Euratom) No 966/2012.

The implementation entails the development of area-based multi-sector approaches foreseen under the resilience component. The UN family with its multi-sector mandate and its future leading role in the reconstruction process is the best placed to implement such a project. Nonetheless, in certain areas the consortium could also be joined by NGOs with strong delivery capacity on the ground and able to demonstrate due diligence and accountability, for the sake of complementing missing expertise or presence in a given area or sector.

In the case of a UN-led consortium, the entrusted entities would carry out the budget-implementation tasks and be responsible for the award and management of contracts (grants and procurement) to third parties. The entrusted entities could also sub-delegate part of the execution of these tasks to international or Syrian NGOs, according to their respective capacities and previous experiences in specific sectors and geographical areas of intervention. In this case, the Financial Support to Third Parties should be set up in a way that takes into account their technical and managerial capacities. Appropriate provisions for this will be included in the delegation agreements.

This Delegation Agreement should enter into effect in the first semester of 2018. Full respect of EU restrictive measures should be ensured.

Scenario B: the negotiation between the UN and the EU with regard to the compliance with EU restrictive measures is not successful and/or is not finalised in timely fashion. In this case, the below implementation modalities will be applicable.

B)

5.3.1 Grants

5.3.1.1 Grants: direct award for the work on Local Governance (direct management)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The grant/s would contribute to the achievement of specific objective 1.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to an NGO such as LACU, Midmar, LDO, ACU, CSI, etc. or consortium thereof.

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 referred to in Article 190(2) RAP. The sensitivity of the subject suggests to bring together under the project umbrella these NGO in order to cover all the spectrum of work that could be promoted on governance issues in opposition-held areas.

(c) The maximum indicative amount of the EU contribution for such grant is EUR 5 million and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 24 months in order to maximise our support to nascent governance structures now, to allow them develop within a limited timeframe. In two years the situation might be very different and a different kind of support might be needed.

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the Special Measure 2017; design, effectiveness, feasibility, sustainability and cost-effectiveness of the proposed action.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 100%.

(f) Indicative trimester to conclude the grant agreement

Third trimester of 2018.

5.3.1.2 Grants: direct award for the implementation of HLP activities (direct management)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The grant/s would contribute to the achievement of specific objective 2.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to NRC or a consortium led by them.

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 referred to in Article 190(2) RAP. If implementation through the UN was not

possible, NRC would remain the only non-UN co-chair of the HLP Technical Working Group, making it the best-placed organisation to lead the work in the area of HLP rights.

(c) The maximum indicative amount of the EU contribution for such grant is EUR 6.5 million and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 36 months.

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the Special Measure 2017; design, effectiveness, feasibility, sustainability and cost-effectiveness of the proposed action.

The contractor (or the awarded consortium) will need to demonstrate the capacity to carry out activities throughout Syria. If, due to the difficult situation and political sensitivity, this should prove impossible, a separate grant/s might need to be awarded to cover different areas of the country.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 80%.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100%. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(f) Indicative trimester to conclude the grant agreement

First trimester of 2018.

5.3.1.3 Grants: direct award for the implementation of resilience-oriented area-based approaches (direct management)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The grant proposed would contribute to the achievement of specific objective 3.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals.

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 referred to in Article 190(2) RAP. The sensitivity of the subject suggests inviting a few NGOs for a negotiated procedure.

(c) Eligibility conditions

The grants may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The maximum indicative amount of the EU contribution for such grants is EUR 19 million and the grant may be awarded to sole beneficiaries and to consortia of

beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 36 months.

Potential beneficiaries of funding should be a legal person, non-profit-making type of organisations such as civil society organisations (CSOs) or NGOs, be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary and be established in: i) a Member State of the European Union or; ii) a country that is a beneficiary of the Instrument for Pre-Accession Assistance II set up by the Council Regulation (EU) No 231/2014 of 11 March 2014 or; iii) a Member State of the European Economic Area or; iii) a developing country and territory which are not members of the G-20 group or a partner country or territory covered by the European Neighbourhood Instrument Regulation No 232/2014.

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the Special Measure 2017; design, effectiveness, feasibility, sustainability and cost-effectiveness of the proposed action.

The contractor (or a member of the awarded consortium) will need to demonstrate the capacity to carry out some activities throughout the country, directly or through local partners. If, due the difficult situation and political sensitivity, this should prove impossible, the different grants will need to be implemented in the different areas of the country.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 80%.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012 if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100%. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(f) Indicative trimester to conclude the grant agreement

Second trimester of 2018.

5.3.1.4 Grants: direct award for Transitional Justice / Dialogue work (direct management)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The grant proposed would contribute to the achievement of specific objective 4.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals.

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 referred to in Article 190(2) RAP. The sensitivity of the subject suggests inviting a few NGOs for a negotiated procedure.

(c) Eligibility conditions

The maximum indicative amount of the EU contribution for such grant is EUR 2.5 million and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 36 months.

Potential beneficiaries of funding should be a legal person, non-profit-making type of organisations such as civil society organisations (CSOs) or NGOs, be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary and be established in: i) a Member State of the European Union or; ii) a country that is a beneficiary of the Instrument for Pre-Accession Assistance II set up by the Council Regulation (EU) No 231/2014 of 11 March 2014 or; iii) a Member State of the European Economic Area or; iii) a developing country and territory which are not members of the G-20 group or a partner country or territory covered by the European Neighbourhood Instrument Regulation No 232/2014.

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the Special Measure 2017; design, effectiveness, feasibility, sustainability and cost-effectiveness of the proposed action.

The contractor (or a member of the awarded consortium) will also need to demonstrate the capacity to work with partners throughout Syria. If, due to the difficult situation and political sensitivity, this should prove impossible, a separate second grant might need to be awarded to an entity that would carry out the work in other areas.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 90%.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012 if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100%. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(f) Indicative trimester to conclude the grant agreement

Second/third trimester of 2018.

5.3.1.5 Grants: call for proposal for a Research and analysis grant (direct management)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The grant/s would contribute to the achievement of specific objective 5.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to organisations such as EUI, Synaps, the Humanitarian Access Team, etc. or consortium thereof.

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 referred to in Article 190(2) RAP. The sensitivity of the subject suggests to bring

together under the project umbrella these NGO in order to cover the different level of analysis needed.(c) The maximum indicative amount of the EU contribution for such grant is EUR 2 million and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 36 months.

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the Special Measure 2017; design, effectiveness, feasibility, sustainability and cost-effectiveness of the proposed action.

The contractor (or a member of the awarded consortium) will also need to demonstrate the capacity to work all across Syria.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 100%.

(f) Indicative trimester to conclude the grant agreement

Second trimester of 2018.

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.

In accordance with Article 16 of Regulation (EU) No 232/2014 and with regard to the aim of ensuring of coherence and effectiveness of EU financing, the Commission decides that natural and legal persons from the following countries, territories or regions shall be eligible for participating in procurement and grant award procedures: Turkey, Iraq, Jordan, and Lebanon. The supplies originating there shall also be eligible.

The Commission’s authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014 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

Component	Scenario A		Scenario B	
	EU contribution (million EUR)	Indicative third party contribution (million EUR)	EU contribution (million EUR)	Indicative third party contribution (million EUR)
Specific Objective 1 – Local Governance, implemented	5.0		5.0	

through:				
5.3.1.1 – Grant/s (direct management)	5.0		5.0	
Specific Objective 2 - HLP, implemented through:	6.5		6.5	
5.3.1.2 – Grant/s (direct management)			6.5	
5.3.2.1 – Indirect management with UN organisations.	6.5			
Specific Objective 3 – Resilience (area-based approach), implemented through:	19.0		19.0	
5.3.1.3 – Grant/s (direct management)			19	4.75
5.3.2.2 – Indirect management with UN organisations (or grant with an iNGO consortium)	19	4.75		
Specific Objective 4 – Transitional Justice and Dialogue, implemented through:	2.5	0.28	2.5	0.28
5.3.1.4 – Grant/s (direct management)	2.5		2.5	0.28
Specific Objective 5 – Research and analysis, implemented through:	2.0		2.0	
5.3.1.5 – Call for proposals (direct management)	2.0		2.0	
Evaluation, Audit	0 ²⁵	N.A.		
Communication and visibility	0 ²⁶	N.A.		
Contingencies	0	N.A.		
Total	35	5.03	35	5.03

5.6 Organisational set-up and responsibilities

Under direct management, the EU Delegation would be responsible for monitoring the projects' implementation. Under indirect management, this would be sub-delegated to UN or

²⁵ Will be covered by another Decision.

²⁶ The budget for each component includes communication and visibility.

MS agencies. In any case, considering the political sensitivity of any actions in Syria, the EU delegation will maintain close steering and monitoring of all projects, regardless of management modalities. This could take the form of steering committees for specific components of the action.

Considering the suspension of bilateral cooperation, no role is foreseen for the Syrian authorities in the organisational set-up of the action. Instead, the EU Delegation will ensure that Syrian stakeholders (such as Syrian CSOs) are closely associated to project steering or evaluation and by means of consultations.

5.7 Performance 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 ad hoc updates and regular progress reports and final reports. The need to introduce quarterly project updates and strategic discussions on specific issues will be introduced in new contracts signed. The use of most up-to-date technologies and methods for better needs assessment, information gathering- and sharing in remote management context will be promoted in all contracts to be signed.

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 list of result indicators (for budget support). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

Considering the political sensitivity of the situation inside Syria, the operational section in charge of the implementation of the action will also engage in regular exchanges and discussions with the Delegation's political section to ensure a sound political assessment for each intervention. This will allow ensuring the consistency of the activities with the EU political priorities, convergence of risk analyses, and swift redressal if necessary.

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 nature of the action, a mid-term evaluation will be carried out for this action or its components via independent consultants.

It will be carried out for problem solving, learning purposes and with respect to take stock of the relevance and opportunity to pursue further work in the domain object of this Action.

The Commission shall inform the implementing partner at least 2 months in advance of the dates foreseen for the evaluation mission/s. 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 might be shared with key stakeholders when feasible and appropriate. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

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.

The financing of the audit shall be covered by another measure constituting a financing decision.

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 and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, 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. Where applicable, the Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

Nonetheless, it has to be noted that most of the activities implemented in Syria are politically sensitive and present risks for the implementing partners and the beneficiaries. Hence implementing partners might be exempted from a fully-fledged application of standard visibility requirements. For all actions that might allow some communication and/or visibility to take place, implementing partners will consult with the EU Delegation regarding the profile and visibility appropriate for the specific activity

APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY)

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

	Results chain	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall Objective: Impact	Overall objective To strengthen the resilience of the Syrian population and lay the foundations for sustainable and inclusive post-conflict recovery processes.	% population having access to basic services Post-agreement planning is cautiously started and it is based on sound and realistic assumptions	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Humanitarian Needs Overview (OCHA) - UN-Habitat Urban / City Profiles - Other assessments	
Specific objective 1 Outcome(s)	1. Local governance To promote inclusive local governance structures and their (horizontal and vertical) articulation with a view to the administrative re-connectability at the national level when conditions will allow.	Sector governance shows improved linkages between the different governance layers (LCs/PCs/TDs/SiG)	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Sector studies and evaluations	Assistance empowers civilian structures to gain legitimacy and withstand the pressure exerted by armed groups.
Specific objective 2 Outcome(s)	2. HLP issues To manage potential risks related to recovery and reconstruction efforts, through improved technical analysis and understanding of Housing, Land and Property (HLP) challenges, and supporting preparatory pathways of action to protect the rights of civilians in terms of HLP rights.	# of local, national and international actors that identifies and addresses HLP challenges	TBD-2017	Not feasible in conflict situations. Improvement is the target.	Proceedings and assessments by the members of the HLP technical Working Group	Operational space remains open when implementing HLP actions, notably when employing a whole-of Syria approach.

Specific objective 3 Outcome(s)	3. Resilience of Syrian communities To stabilise and improve the resilience of Syrian communities.	% population having access to basic services: education, health, WASH, electricity # of sites where multi-sector resilience packages based on neighbourhoods analysis and planning are implemented	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- UN Habitat Urban Profiles - Other assessments - Reports from the Humanitarian clusters	Deterioration of the security situation does not preclude resilience efforts and access to areas of implementation.
Specific objective 4 Outcome(s)	4. Transitional Justice To promote a more comprehensive approach to transitional justice characterized by efforts aimed at fostering dialogue across different conflict lines and at different levels.	% of TJ projects with an accountability component. % of TJ projects with a cross-community or broader dialogue / reconciliation component. % of stakeholders opening up to the possibility of being involved in this kind of activities.	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Project reports	Promoting dialogue in the current context does not contribute to diluting the emphasis on truth-seeking, accountability, and redress / restitution.
Specific objective 5 Outcome(s)	5. Analysis and research To improve existing analytical and information-gathering capacities of local actors on the ground in order to enhance conflict-sensitive approaches in the short-term while identifying entry points for inclusive recovery in the medium- to long-term.	# of local actors receiving training and conducting analysis and research on the ground. # of analyses and research papers produced.	TBD-2017	Not feasible in conflict situations. Improvement is the target.	Outputs from projects	Security considerations allow for the movement of implementers' staff and mitigation measures are in place to protect them.
Outputs 1.1	An enabling environment is facilitated for the proper implementation (or revision) of Law107, or a demand for it is created in opposition-held areas, thus contributing to more decentralized and	Participation of women, youth, vulnerable and marginalized groups in the LCs and local planning processes.	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Tatweer and other projects' reports and evaluations	Maintaining essential State functions and preventing state collapse in areas

	inclusive local governance dynamics and ensuring a maximum level of policy responsiveness to local needs as well as transparency and accountability.					under control of the regime does not blur the distinction between the regime and state institutions and local/central layers of governance.
Outputs 1.2	The SiG, local/provincial councils and directorates are active and recognised governance players on the ground that work towards enhancing civilian control in opposition-held areas.	% of LCs whose performance has improved. % of LCs/PCs/technical directorates working with the SiG or following its directives by sector, where relevant.	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Performance indicators and follow up by LACU	Effective and reliable local Syrian partners can be identified for the implementation of local governance activities.
Output 2.1	Technical capacity of local, national and international actors is built to identify and address the resolution of key HLP challenges in Syria.	# of local, national and international actors working on HLP challenges in Syria A strategic framework is in place to work on HLP issues.	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Reports from HLP TWG and/or its members	A degree of engagement and interlocution, at technical level with the State administrative structures, is allowed to address HLP issues at a regulatory and national level.
Output 2.2	Multi-layer pathways to support a medium-term and 'Whole of Syria' approach to addressing HLP challenges are identified and supported.	# of projects activities notably in the areas of housing and land administration and governance, and dispute prevention and resolution.	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Reports from HLP TWG and/or its members	Despite the conflict situation, it is possible to preserve HLP related documents

Output 3.1	Basic social and productive infrastructure is rehabilitated and livelihood opportunities are created in targeted neighbourhoods following a detailed analysis of the locations leading to tailor-made and integrated area-based approaches	<p># of sites where resilience packages based on neighbourhoods analysis and planning are implemented</p> <p>Mills and other productive infrastructure restored. Supply of productive inputs (flour/wheat, seeds or vegetables, agricultural and farming equipment).</p> <p>Livelihood opportunities created (e.g. bakeries, etc.) / # of jobs created with sector and gender disaggregation</p> <p># of local partners supported through micro-grants inside Syria</p> <p># of tons of rubble removed</p> <p># of functioning water networks</p>	TBD-2017	Not feasible in conflict situations. Improvement is the target.	Project reports	The already dire and volatile situation does not degrade to a point where interventions become impossible.
Output 3.2						
Output 3.2ou	Communities' access to basic social services (health, education) improved in the locations targeted by the area-based	Primary health care centres (PHC) and maternities/ delivery centres supported.	TBD-2017	Not feasible in conflict situations.	<ul style="list-style-type: none"> - UN reports - City profiles - Economic studies 	The already dire and volatile situation does

	approach mentioned under 3.1.	Supply of drugs, medical equipment and consumables. % of children attending schools / TVET centres % of projects streamlining PSS activities		Improvement is the target.	from Syrian Centre for Policy Research (SCPR) - WHO reports - Reports from clusters on education - Field visits	not degrade to a point where interventions become impossible.
Output 4.1	Complementarity between EU-funded initiatives for accountability and to fight impunity and other areas pertaining to transitional justice are explored in order to increase the prospects for a more sustainable peace in Syria.	# of dialogues / at local, regional and national level.	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Project reports	Projects supporting documentation are maintained so that the two-tier approach does not become a burden on the victims.
Output 5.1	Analytical and information-gathering capacities of Syrian actors on the ground strengthened.	# analysts mentored # of papers produced by mentored analysts Stakeholders / conflict analyses produced	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Research papers - Projects reports	It is possible to carry out detailed conflict, stakeholder, and local governance analyses on the ground
Output 5.2	EU's on-going intervention are made more conflict-sensitive by enhanced access to regular, up-to-date localised analyses of community dynamics in areas where EU projects operate, and tailor made political economy analyses help better assess the relevance and opportunity to work on certain topics or to follow certain approaches in the medium- to long-term.	# of reports on topics relevant to the EU's non-humanitarian fields of engagement Geographical coverage and depth of local level analysis produced Requests by projects implementing partners to the EUD followed by	TBD-2017	Not feasible in conflict situations. Improvement is the target.	- Research papers - Projects reports	Responding to the needs of civilians does not contribute to legitimizing the ruling entities (such as the Syrian regime, listed radical armed groups, or Kurdish factions).

		strategic orientations.				
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