

ANNEX 5

of the Commission implementing Decision on the 2014 special measure for the Syrian population

Action Document for a "Joint comprehensive EU framework for cross-border operations in Syria from Turkey"

1. IDENTIFICATION

Title/Number	Joint comprehensive EU framework for cross-border operations in Syria from Turkey CRIS number: ENI/2014/351-055		
Total cost	Total estimated cost: EUR 5,500,000 Total amount of EU budget contribution: EUR 5,000,000 At least 10% of the EU contribution to the action will be co-financed in parallel co-financing by the participating EU Member States agencies.		
Aid method / Management mode and type of financing	Project Approach Indirect management with Gesellschaft für Internationale Zusammenarbeit (GIZ)		
DAC-code	430	Sector: 43010	Multiple Sectors: Health; Water/Sanitation; Education; Food security/livelihood; Agriculture; Civil defence; Sub-granting/micro-projects

2. RATIONALE AND CONTEXT

2.1. Summary of the action and its objectives

The action aims to ensure that EU and EU Member States cross-border development projects are implemented in a more coherent and effective way to better respond to needs inside of Syria. The action will cover multiple sectors and intends to complement humanitarian and non-humanitarian activities in hard to reach areas inside of Syria. It will foster synergies between existing EU Member States and EU funded initiatives.

2.2. Context

The Syrian conflict is having a devastating and lasting impact on Syria and across the region. With the conflict in its fourth year, the needs of the affected populations for assistance, including 10.8 million people inside the country and more than 3 million

refugees plus their overstretched host communities in neighbouring countries, are of an unprecedented scale. The number of conflict-related deaths has surpassed 191,000 individuals.

In 2013, the Syria crisis has transformed itself from a humanitarian emergency to a multidimensional and protracted crisis directly affecting several countries in the region - mainly Lebanon and Jordan, but also Iraq, Turkey and Egypt - whose social and economic capacity to deal with the ever growing influx of refugees is all but exhausted. All actors involved in the response agree that this massive challenge requires a comprehensive regional response not only including humanitarian aid but also longer-term structural support to host countries and communities through development instruments, especially as no political solution to the crisis are in sight in the short-term. The neighbouring countries, despite limited resources and domestic challenges, are shouldering the majority of the response to the refugee crisis and cannot cope with it in the long term without significant support from the international community. This is especially true for Lebanon and Jordan with their comparatively small population and limited resources, reaching the limits of their stability as more refugees flow in from Syria.

In response to the crisis, the EU (including its Member States) has so far mobilised EUR 2.8 billion of assistance since the start of the conflict (EUR 1.5 billion from the EU budget and EUR 1.3 billion from EU Member States), making it the main donor in addressing the consequences of this crisis. In 2013 only, the Commission made an exceptional effort of EUR 685 million, notably thanks to the EUR 400 million additional package mobilised in the frame of the Joint Communication “Towards a comprehensive EU approach to the Syrian crisis”¹.

This assistance has allowed for urgent delivery of humanitarian assistance and supported the national and local capacities to deliver services for those affected by the crisis (education, health, basic services such as water and waste management services, support to livelihoods, etc.), both inside Syria and in the neighbouring countries. In Turkey, until now, needs have been mostly covered by Turkey's national funds; only limited funding of EUR 13 million has been provided so far under the Instrument for Pre-accession which is designed mainly for institution building and not for emergency assistance, and 5 million under the Instrument for Stability aiming to build resilience for Syrian children and youth in Turkey.

The majority of the European Commission development assistance has been funded by the European Neighbourhood and Partnership Instrument² (ENPI) through a series of special measures for Syria, Lebanon and Jordan. This support has focused mainly on education, health and livelihood sectors and is expected to ensure that: 2.5 million children affected by the crisis are able to continue to go to school; 50,000 young people benefit from vocational or life-skills training; that 425,000 of the most vulnerable men, women and children have improved access to health services; that 760,000 of the poorest people affected by the crisis receive livelihood support; that the capacity of 85 local Syrian civil society organisations (CSOs) is improved; and that more than 1,100 activists, bloggers and journalists are trained.

¹ JOIN(2013) 22 of 24.6.2013.

² Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument, OJ L 310, 9.11.2006, p. 1.

2.2.1. *Country context*

2.2.1.1. Economic and social situation and poverty analysis

More than three years into a conflict that is estimated to have killed at least 191,000 people, the Syrian economy lies in ruins. Assets and infrastructure have been destroyed, 75% of the population lives below the poverty line, and the human development index has fallen back to where it stood 37 years ago. It is estimated that even with average annual growth rate of 5% it would take nearly 30 years to recover Syria's 2010 gross domestic product (GDP) value.

The Syrian economy has witnessed four stages of decline provoked by the outbreak of the conflict, the imposition of sanctions, the expansion of fighting into the country's economic powerhouses and the opposition seizure of the resource-rich northeast (notably by the "Islamic State of Iraq and the Levant - ISIL"). Nonetheless, regime-controlled areas remain resilient particularly because of the critical support provided by domestic and international allies.

The expansion of the war economy in opposition-controlled areas has been fuelled by the intra-rebel fight for lucrative resources such as oil fields and grain stores, but the rise of state militias and the impact of sanctions have also created powerful new networks on the regime side. A growing number of groups on both sides of the divide now reap significant material benefit from the conflict, which gives them a powerful incentive to prolong the fight.

The relative autonomy gained by local stakeholders is creating new power centres that are likely to clash with any future central Government. The entrenched fragmentation of the economy means that areas controlled by the regime and the opposition have become increasingly disconnected.³

In view of a large part of Syria's economy having shifted into a parallel war economy, it is currently extremely difficult to obtain viable indicators for economic performance and national statistics have become utterly unreliable.

2.2.1.2. National development policy

Bilateral development cooperation between the EU and the Syrian Arab Republic remains suspended. The Damascus-based Syrian government does not exert the monopoly of power in all areas of Syria anymore. There is therefore no national development policy in place. Large parts of Syria are under the control of different military/political factions and the protracted nature of the Syrian crisis produces shifting alliances and creates humanitarian and linking Relief, Rehabilitation and Development (LRRD) needs that need to be swiftly responded to.

2.2.2. *Sector context: policies and challenges*

Currently, there is no national policy that governs service provision in many parts of Syria, as large parts of the country are no longer under the control of the Syrian Government in Damascus. These areas are rather controlled by different armed

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http://www.ecfr.eu/page/-/ECFR97_SYRIA_BRIEF_AW.pdf

factions. Services are mostly provided by local councils and civil society organisations.

Implementation of activities across Syria is challenged by a lack of direct access in many parts of the country, due to a volatile security situation and a lack of a coherent governance structure, following three years of a political turmoil.

Humanitarian aid provided by the UN and its implementing partners is governed by UN Security Council Resolution 2165, dated 14 July 2014, which authorises to use routes across conflict lines and border crossings to ensure that assistance reaches people in need throughout Syria.

On a European level the EU Foreign Affairs Council of 14 April 2014 states that “where possible the EU is committed to increase its support to areas that are not under regime’s control by all possible channels on the basis of a coordinated approach”.

In 2013, the EU allocated EUR 10 million from the Instrument for Stability to three EU Member State agencies to implement an exceptional assistance measure entitled “Assistance to conflict affected communities in Syria, including through support to civilian structures of the opposition”⁴ which is implemented primarily through cross-border assistance from southern Turkey. In July 2014, three EU Member States agencies⁵ drafted a set of proposals to improve cross-border operations from Turkey.

2.3. Lessons learnt

The experience in cross-border operations from Turkey into Syria, which matured over the past two years, has shown that, despite the increasing challenges and access constraints, such operations are possible and vital to support local structures and populations in need in areas that would not be reached by other means.

Synergies between the existing EU Member States agencies projects demonstrated that a coordinated approach and a more integrated implementation of activities generates better results and facilitates work processes compared to the similar set of activities implemented separately by the single agencies.

Experience also shows that local technical expertise, flexibility and reactivity are key to such operations. When measured against the current framework in which the three EU Member States agencies operate, those capacities should be significantly improved.

Projects aiming at a long-term impact for the beneficiary communities they work with should last long enough to build the sustainability of their actions. A longer-term predictability is therefore essential for the development and the management of such projects. It would allow the agencies to create long-lasting structures, to foster better relationship with local partners, hire, train and retain qualified staff in

⁴ C(2013) 2602 of 2.5.2013.

⁵ i.e.: *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ, Germany), *France Expertise International* (FEI, France) and *Direzione Generale per la Cooperazione allo Sviluppo del Ministero Italiano degli Affari Esteri e della Cooperazione Internazionale* (DGCS, Italy).

Gaziantep. This can only be achieved within projects lasting a minimum of 24 months.

Taking stock of the impact and challenges of the existing European-led cross-border operations, this action proposes to develop the existing set-up and consequently to provide the EU and the EU Member States with an improved operational framework to ease and increase its cross-border assistance into Syria. It aims at translating into practice the ideas developed in the above-mentioned set of propositions and consequently, to better cater for the needs of the populations and local partners in Syria.

2.4. Complementary actions

In view of the United Nations Security Council resolution (UNSCR) 2165 humanitarian access has increased, but large gaps in the international response remain. The proposed initiative will be complementary to the current humanitarian responses, as it focuses its activities on building medium-term structures that could lay the ground work for early recovery measures.

The Syria Recovery Trust Fund (SRTF), which has been established in 2013 and is currently funded by a number of EU Member States and non EU-countries aims at funding larger scale rehabilitation projects inside Syria. There are gaps in addressing smaller scale actions that can respond to dynamically evolving needs, including capacity building for Syrian counterparts.

EU Member States have been carrying out different projects aiming at providing basic services and humanitarian assistance to the population in Syria. Their response has been fragmented and partly uncoordinated, especially in the non-humanitarian sector. Attempts for EU Member States coordination have been initiated at the Gaziantep level by the European External Action Service.

"The project will – where appropriate and operationally necessary – be coordinated with other actions implemented by other donors, in support of – or directly by - the Interim Government or any other structure of the National Coalition of Syrian Revolutionary and Opposition Forces."

The present project is meant to serve as a framework to use synergies between existing individual EU Member States projects in order to foster coordination and a better and more efficient response to needs on the ground. It will also increase coordination with EU funded initiatives. Close attention will also be paid not to overlap and to coordinate with ongoing activities such as those supported by the European Commission's Humanitarian aid and Civil Protection department (ECHO).

The present project can be seen as the continuation of the Instrument for Stability-funded exceptional assistance measure "Assistance to conflict affected communities in Syria, including through support to civilian structures of the opposition"⁶ by adding a medium-term perspective, a broader base of implementation partners and by introducing the largest possible integration of projects managed by participating agencies.

⁶ C(2013) 2602 of 2.5.2013.

2.5. Donor coordination

The EU Delegation can no longer participate in donor coordination inside Syria.

Concerning Syria, due to the fact that assistance is using different delivery mechanisms ("cross-line" and "cross-border"), donor coordination is taking place in a number of different fora at different levels. These include:

- The informal "core group" on donor coordination for recovery, resilience, and development response to the Syria crisis which is chaired by the EU and includes key bilateral and multilateral donors. This group aims at improving the effectiveness of development assistance provided in response to the Syrian crisis, both inside Syria and in the neighbouring countries, but does not include humanitarian activities which are coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).
- In addition, coordination is also conducted in the frame of the Working Group on Economic Recovery and Development of the Friends of Syrian People. Here the focus is on coordination of donor support to the opposition held areas of Syria which is mainly supported from southern Turkey (cross-border), although there is also cross line support.
- The UN also co-chairs a number of sectoral coordination meetings based in Damascus.

There is very close and regular internal coordination within the European Commission between the various services involved in the response and with the European External Action Service. The Joint Communication "Towards a Comprehensive EU approach to the Syrian crisis"⁷ helps provide the framework for coordinating all aspects of the EU response to the crisis.

In addition, the revised "Syria Humanitarian Assistance Response Plan" (SHARP) provides a coordinated response strategy for all UN agencies and humanitarian actors.

As concerns grant projects implemented in a country that is behind a smokescreen, however, coordination at the regional/international level is at least as important as coordination between the grant recipients and other implementers on the ground. The EU Delegation also tries to play a facilitating role in that regard, despite the adverse circumstances of being evacuated to Brussels. A consultation meeting of international CSOs active in Syria has been hosted in Brussels by the EU Delegation on the 9th April 2014, and a special session was held for CSOs active in Syria that are funded by the EU in order to encourage information sharing and best practices between different implementing partners. Many CSOs active in Syria attend OCHA hosted Humanitarian Coordination/Working Groups, either in Gaziantep, Beirut, Amman or Damascus. However, designated coordination groups on non-humanitarian activities are generally lacking, and the EU services try to play a coordinating role, where they can.

⁷ JOIN (2013) 22 final of 24.6.2013.

To that end, the EU common workspace in Gaziantep hosts regular EU coordination meetings with EU Member States implementing agencies to coordinate assistance in project form by EU bilateral donors. The present action is expected to significantly increase donor coordination at EU Member States level and will also enhance the role which the EU Delegation can play here.

3. DETAILED DESCRIPTION

3.1. Objectives

The overall objective is to better respond to needs of Syrians by ensuring that EU and EU Member States development projects are implemented in a more coherent and effective way through a joint comprehensive framework. This framework will better link EU Member States projects, for them to make joint strategic decisions based on joint assessments and monitoring with a view to use resources more effectively. It will also allow for a more timely and reactive response to identified needs.

The specific objectives are:

- to provide basic services to the Syrian population and contribute to strengthening local governance through the implementation of flexible and short-term delivery projects in Syria with local civil partners.
- To decrease community tensions by addressing the needs of Syrian refugees on Turkish territory.

3.2. Expected results and main activities

<u>Expected results</u>		<u>Expected activities: (non-exhaustive list)</u>	
1.	Sustainable projects and/or highly efficient short-term delivery projects		
1.1	Sustainable projects and/or highly efficient short-term delivery projects are created in the field of health.	1.1.1	Setting up and support to Primary health care centres (PHC).
		1.1.2	Setting up and support to maternities.
		1.1.3	Supply of drugs, medical equipment and consumable.
		1.1.4	Creation of a reasonable stock of health equipment and consumables in Gaziantep to ensure fluid delivery to the projects. The stock could also be used for result 2.
1.2	Sustainable projects and/or highly efficient short-term delivery projects are created in the field of water and sanitation.	1.2.1	Equipment and restoration of wells, boreholes and water supply system.
		1.2.2	Training and capacity building

			of technical staff in sustainable water management, analysis of water quality and maintenance of networks.
		1.2.3	Supply of water and sanitation equipment. Creation of a reasonable stock of water and sanitation equipment in Gaziantep to ensure fluid delivery to the projects.
1.3	Sustainable projects and/or highly efficient short-term delivery projects are created in the field of education.	1.3.1	Setting up and support to schools.
1.4	Sustainable projects and/or highly efficient short-term delivery projects are created in the field of Food security/livelihoods.	1.4.1	Equipment and restoration of mills.
		1.4.2	Equipment and restoration of bakeries.
		1.4.3	Training and capacity building in the management and running of mills and bakeries.
		1.4.4	Supply of flour/wheat. Creation of a reasonable stock of flour/wheat in Gaziantep to ensure fluid delivery to the projects.
		1.4.5	Support to livelihood opportunities.
1.5	Sustainable projects and/or highly efficient short-term delivery projects are created in the field of agriculture.	1.5.1	Supply of seeds or vegetables. Creation of a reasonable stock of farming seeds in Gaziantep to ensure fluid delivery to the projects.
		1.5.2	Training and capacity building of technicians and farmers on seed multiplication, efficient use of resources etc.
		1.5.3	Supply of agricultural and farming equipment including for irrigation. Creation of a reasonable stock of farming equipment (including for irrigation) in Gaziantep to ensure fluid delivery to the projects.
1.6	Sustainable projects and/or highly efficient short-term delivery projects are created in	1.6.1	Supply equipment such as rubble removal equipment, fire extinction & rescue

	the field of civil protection.		equipment. Creation of a reasonable stock of civil protection equipment in Gaziantep to ensure fluid delivery to the projects.
		1.6.2	Training of staff on the usage, maintenance and repair of the delivered equipment.
2.	Support structures delivering direct services to the Syrian refugees in Turkey.	2.1	Improving access to health centres dedicated to Syrian refugees.
		2.2	Improving access to education services dedicated to Syrian refugees.

3.3. Risks and assumptions

The main risks associated with this project are:

Regarding partners:

- The structures within Syrian civil society are rapidly evolving with high turn over of staff, weak accountability mechanisms and are subject to frequent changes.
- The risk of aid being "instrumentalised" by partners inside Syria.
- As for projects carried out in Turkey, the evolving policy toward Syrian refugees by the Turkish authorities will directly impact the nature and scope of activities to be conducted.

Regarding access:

- It is assumed that the situation in the neighbouring countries will remain such that working with Syrian entities within and from Turkey and access into Syria will still be possible.
- Given that the project is implemented remotely from Turkey, access to certain parts of Syria remains unpredictable over security concerns.

Regarding mismanagement & programme outcomes:

- Furthermore to the project being managed remotely, risks of mismanagement or misuse of project resources by partners are definitely high.
- It is assumed that the project can increase the legitimacy of local structures. If this does not come as a direct result, it should however be noted that the principal objective of this programme is to assist civilian populations regardless of affiliation.
- Due to access restrictions and volatile security conditions, sustainability of the project intervention could be hampered and therefore cannot be guaranteed.

Mitigating measures:

The abovementioned risks underlie all single projects attempting to operate inside of Syria. It is assumed that by increasing strategic coordination and exchange of information between key EU Member States agencies as well as pooling respective implementing experience, this joint approach may mitigate the overall risk as compared to individual projects. It is to be noted that the activities foreseen under 3.2 are not humanitarian response but oriented towards setting the pace for recovery.

3.4. Cross-cutting issues

The present decision aims to implement its activities with a gender sensitive approach that aims to foster gender equality.

Activities will have to demonstrate how they will support human rights and fundamental freedoms (for example: right to life, freedom of expression and association, equal rights, tolerance, human dignity, principles of non-violence).

The decision will require environmental mainstreaming into all projects to make them as energy efficient and environmentally sustainable as possible.

3.5. Stakeholders

Principal stakeholders will be provincial/local civilian service and utility providers as well as provincial/local community actors in Syria and potentially other Syrian provisional institutions and organisations cooperating with the Syrian Opposition Coalition (SOC) subject to agreement in a steering mechanism between the project partners and the EU Delegations in Syria and Ankara on a case-by-case basis notably to ensure that all actions are in line with EU policy objectives and financial procedures. The identification process of these stakeholders will take into account previous successful partnerships within EU Member States bilateral projects. Final beneficiaries will be the local communities they are active in. Implementing partners will be encouraged to work as much as possible in cooperation with CSOs in order to help this sector survive through the crisis.

4. IMPLEMENTATION ISSUES

4.1. 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.

4.2. Indicative operational implementation period

The indicative operational implementation period of this action, during which the activities described in sections 3.2. and 4.3. will be carried out is 48 months from the date of entry into force of the financing agreement or, where none is concluded, from the adoption of this Action Document, subject to modifications to be agreed by the responsible authorising officer in the relevant agreements. The European Parliament and the relevant Committee shall be informed of the extension of the operational implementation period within one month of that extension being granted.

4.3. Implementation components and modules

4.3.1. Indirect management with a Member State agency

This action with the objective of ensuring that EU and EU Member States development projects are implemented in a more coherent and effective way to better respond to needs inside of Syria may be implemented in indirect management with GIZ in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012 (in sub-delegated partnership with other EU Member States agencies, such as FEI and perhaps DGCS). This implementation is justified because GIZ has a significant presence and project experience concerning project implementation in Syria from Gaziantep. Among EU Member States agencies, GIZ has the strongest capacity for this type of project implementation from Gaziantep.

The entrusted entity would contribute to establishing a common project steering framework and to a large extent, delegate budget management activities to the participating EU Member States agencies and other possible partners.

The entrusted entity intends to sub-delegate the execution of the budget to other EU Member States agencies, according to their respective capacities and previous experiences in specific sectors and areas of intervention. Appropriate provisions will be included in the delegation agreement. Such provisions will take into account the different levels of presence of EU Member States Agencies in Gaziantep in order to ensure the maximum possible participation.

The entrusted entity is currently undergoing ex-ante assessment in accordance with the Article 61(1) of Regulation (EU, Euratom) No 966/2012. In anticipation of the results of this review, the responsible authorising officer deems that, based on a preliminary evaluation and on the long-standing and problem-free cooperation with this entity, it can be entrusted with budget-implementation tasks under indirect management.

4.4. Scope of geographical eligibility for procurement and grants

Subject to the following, 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 shall apply.

In accordance with Article 9(2)(a) of Regulation (EU) No 236/2014; the Commission decides that natural and legal persons from the following countries having traditional economic, trade or geographical links with neighbouring partner countries shall be eligible for participating in procurement and grant award procedures: Turkey, Iraq. The supplies originating there shall also be eligible.

The responsible authorising officer 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 other duly substantiated cases where the eligibility rules would make the implementation of this action impossible or exceedingly difficult.

4.5. Indicative budget

Module	Amount in	Third party
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	EUR thousands	contribution (indicative, where known)
4.3.4. – Indirect management with GIZ	5,000	500
Totals	5,000	500

4.6. Performance monitoring

The performance of the project will be closely monitored by the project implementing body. Appropriate reporting and reviewing measures will be built into each contract/agreement to ensure close follow-up on part of the Commission. The Commission reserves the right to carry out verification missions as needed. External results-oriented monitoring missions may also be carried out by the Commission.

4.7. Evaluation and audit

The contract will include a final end of term review as part of the contract. Annual reviews are also foreseen. These will be paid for under the respective contract. Special attention will be paid to the monitoring and evaluation (M&E) dimension of this joint project. A M&E framework with measurable indicators will be developed. The project will be the opportunity to test a new M&E mechanism relying on local NGOs as third-party monitoring. To this end, a group of 8-10 local NGOs is currently being identified to take part in a M&E concepts and methodology training. Special attention will be paid to the evaluation aspect that should go beyond the routine monitoring (picture, videos etc.) and look more broadly at the impact/changes brought about by the project activities in the communities. Once trained, these local NGOs are expected to become an additional asset that could be shared among agencies to improve the current monitoring and evaluation mechanisms for remotely-managed cross-border activities inside Syria.

Evaluations (mid-term, final, ex post) and audit arrangements are integral part of the contractual arrangements with the selected delegatee.

The contract shall be subject to the auditing procedures laid down in the financial regulations, rules and directives of that organisation.

The EU may undertake an ad hoc overall final audit at the end of the implementation if considered necessary. Any such audit would be contracted by the EU financed from a separate financing decision.

4.8. 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 before the start of implementation and supported with the budget indicated in section 4.5 above.

The measures shall be implemented either (a) by the Commission, and/or (b) by the partner country, contractors, grant beneficiaries and entrusted entities. Appropriate

contractual obligations shall be included in, respectively, financing agreements, procurement and grant contracts, and delegation agreements.

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.