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ANNEX

to the Commission Implementing Decision amending Implementing Decision C(2022)1783 final on the financing of the individual measure in favour of Ukraine for 2022

**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX II**

**Action Document for the EU Emergency Support Programme in favour of Ukraine**

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and measure in the sense of Article 23(3) of Regulation (EU) 2021/947 of the European Parliament and of the Council (NDICI).

## 1. SYNOPSIS

### 1.1. Action Summary Table

<b>1. Title</b> <b>CRIS/OPSYS</b> <b>Basic Act</b>	<b>EU Emergency Support Programme in favour of Ukraine</b> Individual measure in favour of Ukraine for 2022 OPSYS reference number: NDICI-GEO-NEAR/2022/ACT-60748 linked to JAD.971439  Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)
<b>2. Team Europe Initiative</b>	No
<b>3. Zone benefiting from the action</b>	The action shall be carried out in Ukraine, and may cover countries bordering west/southwest of Ukraine
<b>4. Programming document</b>	Multi-annual Indicative Programme (MIP) 2021-2027 for Ukraine <sup>1</sup>
<b>5. Link with relevant MIP(s)</b>	The action will contribute to the following priority areas and specific objectives of the Multi-annual Indicative Programme (MIP) 2021-2027 for Ukraine:

<sup>1</sup> C(2021) 9351 final, 13.12.2021

<p><b>objectives/expected results</b></p>	<p><b>Specific objective 1</b> under Priority area 1: Improving connectivity (transport &amp; energy) infrastructure (also via investment support) and efficiency of transport services, including at borders and entry/exit points on the line of contact in eastern Ukraine and in Crimea, with a focus on sustainable, multimodal and smart transport and contribute to the green transition of the economy.</p> <p>Expected result:</p> <ul style="list-style-type: none"> <li>• Enhanced energy infrastructure capacity to uptake and transport renewable energy.</li> </ul> <p><b>Specific objective 2</b> under Priority area 1: Enabling a positive business environment and competitive markets and supporting value-adding and job creating sectors of the economy.</p> <p>Expected results:</p> <ul style="list-style-type: none"> <li>• Improved business regulation and administration, strengthened start-ups and SMEs, particularly those with green and digital business models, including those based on circular economy, and strengthened connections and integration into regional value chains, including the EU;</li> <li>• Improved access to finance, services and markets for micro, small and medium-sized enterprises (MSMEs) in conflict-affected and vulnerable regions;</li> </ul> <p><b>Specific objective 2</b> under Priority area 4: Countering hybrid threats through addressing cybersecurity challenges.</p> <p>Expected result:</p> <ul style="list-style-type: none"> <li>• Stronger capacities of key stakeholders in overall resilience against cyber threats and alignment with the EU cybersecurity standards.</li> </ul> <p><b>Specific objective 1</b> under Priority area 5: Supporting conflict-affected and vulnerable regions through social and economic recovery and enhanced human security, including by pursuing humanitarian demining activities and enhancing Ukraine’s capacities to address risks from mines and other explosive remnants of war and by ensuring protection rights of the conflict-affected population.</p> <p>Expected results:</p> <ul style="list-style-type: none"> <li>• Stronger capacities of communities in conflict-affected and vulnerable regions for citizen dialogue, engagement, peacebuilding and reconciliation;</li> <li>• Improved access to protection and human security including through continued support to de-mining and economic resilience in conflict-affected communities.</li> </ul> <p><b>Specific objective 2</b> under Priority area 5: Supporting the resilience of Ukrainian information space by strengthening sustainability of independent media; by reinforcing the actions reaching out to the conflict affected populations; and by conducive media environment aligned with the EU audio-visual media legislation</p> <p>Expected results:</p> <ul style="list-style-type: none"> <li>• Improved access to protection and human security including through continued support to de-mining and economic resilience in conflict-affected communities.</li> </ul>
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	<ul style="list-style-type: none"> <li>Enhanced capacities of media professionals, civil society, citizens and central and local government officials to identify and dismantle disinformation.</li> </ul>			
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>				
<b>6. Priority Area(s), sectors</b>	<p><b>Priority area 1:</b> A resilient, sustainable and integrated economy;  <b>Priority area 4:</b> A resilient digital transformation;  <b>Priority area 5:</b> A resilient, gender-equal, fair and inclusive society.  DAC Codes: 720 – Emergency response and 730 – Reconstruction relief and rehabilitation</p>			
<b>7. Sustainable Development Goals (SDGs)</b>	<p>Main SDG (1 only):  SDG 16 (Peace, justice and strong institutions)  Other significant SDGs (up to 9) and where appropriate, targets:  SDG 3 (Good health and well-being)  SDG 4 (Quality education)  SDG 5 (Gender equality)  SDG 7 (Affordable and clean energy)  SDG 8 (Decent work and economic growth)  SDG 9 (Industry, innovation and infrastructure)  SDG 10 (Reduced inequalities)</p>			
<b>8 a) DAC code(s)</b>	<p>72010 – Material relief assistance and services (82%)  73010 – Immediate post-emergency reconstruction and rehabilitation (8%)  15160 – Human rights (10%)</p>			
<b>8 b) Main Delivery Channel</b>	<p>Multilateral Organisations – 40000  Private sector institutions – 60000  Non-Governmental Organisations and Civil Society – 20000</p>			
<b>9. Targets</b>	<p><input type="checkbox"/> Migration  <input type="checkbox"/> Climate  <input checked="" type="checkbox"/> Social inclusion and Human Development<sup>2</sup>  <input checked="" type="checkbox"/> Gender  <input type="checkbox"/> Biodiversity  <input checked="" type="checkbox"/> Human Rights, Democracy and Governance</p>			
<b>10. Markers (from DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women’s and girl’s empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>2</sup> For the Neighbourhood, activities related to education shall be marked as part of the “Social Inclusion and Human Development” target, in line with the NDICI-GE programming guidelines.

	Trade development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Inclusion of persons with Disabilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>11. Internal markers</b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Digitalisation Tags: digital connectivity digital governance digital entrepreneurship job creation digital skills/literacy digital services	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	<u>Connectivity</u> Tags: transport people2people energy digital connectivity	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reduction of Inequalities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>BUDGET INFORMATION</b>			
<b>12. Amounts concerned</b>	Budget line(s) (article, item): 14.020111 – Eastern Neighbourhood Total estimated cost: EUR 330 000 000 Total amount of EU budget contribution EUR 330 000 000			
<b>MANAGEMENT AND IMPLEMENTATION</b>				
<b>13. Implementation modalities (type of</b>	Project Modality			

<b>financing and management mode)</b>	<b>Direct management</b> through: <ul style="list-style-type: none"> <li>- Grants</li> <li>- Procurement</li> </ul> <b>Indirect management</b> with the entrusted entities to be selected in accordance with the criteria set out in section 4.3.3
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## 1.2. Summary of the Action

On 24 February 2022, the Russian Federation (RF) launched a full-scale, unprovoked and unjustified **military attack on Ukraine**. The assault has inflicted widespread suffering and casualties on the Ukrainian population, disrupted the provision of essential services, damaged civilian infrastructure and caused massive forced displacement. The European Union (EU) and the international community at large have firmly and unequivocally condemned the aggression in the strongest possible terms and imposed sweeping economic sanctions as well as restrictive measures against individuals in view of RF’s actions against Ukraine.

The Action seeks to contribute to alleviating the suffering of the Ukrainian population caused by the Russian invasion and indiscriminate attacks against civilians and civilian infrastructure by the Russian Armed Forces in blatant violation of international law and international humanitarian law by securing access to basic goods and services as well as protection. The Action will also contribute to strengthening the country’s resilience and resilience against hybrid threats by increasing the capacity of the government, economic actors, media and civil society to withstand the impact of the crisis and contribute to the recovery of the country. Focus will be also placed on the reconstruction of civilian infrastructure and its strategic planning as well as energy security.

The Action, while contributing to advancing SDG 16 (Peace, justice and strong institutions), is in line with Priority Area 1 (A resilient, sustainable and integrated economy), Priority Area 4 (A resilient digital transformation) and Priority Area 5 (A resilient, gender-equal, fair and inclusive society) of the Multi-annual Indicative Programme (MIP) 2021-2027 for Ukraine, and is consistent with the wider European Union’s goal of increasing the stability, prosperity and resilience of its neighbourhood, as set out in the Global Strategy for the Foreign and Security Policy of the European Union.

## 2. RATIONALE

### 2.1. Context

On 24 February 2022, the Russian Federation (RF) launched a **full-scale, unprovoked and unjustified military attack on Ukraine**. The European Union (EU) and the international community at large have firmly and unequivocally condemned the attack in the strongest possible terms and imposed sweeping economic sanctions in view of RF’s actions against Ukraine. EU Member States and allies have also supplied humanitarian, financial and military aid to Ukraine.

This Action, aimed at **alleviating the suffering of the Ukrainian population** caused by the military aggression by the RF as well as **contributing to the country’s recovery and resilience**, is in line with EU policy and assistance provided thus far. Ukraine is a priority partner for the EU in the framework of its Neighbourhood Policy and Eastern Partnership. EU-Ukraine bilateral relations are regulated by the Association Agreement (AA) and its Deep and Comprehensive Free Trade Area (DCFTA) signed in 2014, which sets out an agreed path of reforms for Ukraine’s political association and economic integration with the

EU. The Action also contributes to the EU's overall goal of increasing the stability, prosperity and resilience of its neighbourhood as set out in the Global Strategy for the Foreign and Security Policy of the European Union. It also contributes to upholding the EU's commitment to Ukraine's independence, sovereignty and territorial integrity within its internationally recognized borders, as reiterated inter alia at the 23<sup>rd</sup> EU-Ukraine Summit on 12 October 2021.

The EU has already provided significant assistance to Ukraine, to support the country's resilience and modernisation, and to fight the COVID-19 pandemic. Since 2014, following the illegal annexation of Crimea by the RF and the armed conflict initiated by Russian-backed separatists in Ukraine's eastern regions of Donetsk and Luhansk, the EU and European financial institutions have allocated over EUR 17 billion in grants and loans, including macro-financial assistance (MFA). In this context, the EU has allocated over EUR 1 billion to mitigate the impact of the conflict on the population as well as support the socio-economic recovery and strengthen the resilience of the Government-controlled areas. In January 2022, following the Russian military build-up on the Ukrainian border that preceded the attack, the EU deployed an additional **emergency MFA** package worth EUR 1.2 billion (the first tranche of EUR 600 million has been disbursed by the European Commission in 2 equal instalments, first one of EUR 300 million paid on 11 March, and the second on 18 March 2022) and EUR 120 million to further support Ukraine's **state-building and resilience efforts** (respective Commission Implementing Decision C(2022) 1783 adopted on 16 March 2022).

In the wake of the military attack, and in coordination with member states and international partners, the EU has repurposed part of the ongoing assistance to help meet the immediate needs of the Ukrainian population. The support to be provided under this Action will be closely coordinated with DG ECHO, and will be complementary to the assistance delivered under the Union Civil Protection Mechanism and the Foreign Policy Instrument. Furthermore, all activities will be in compliance with common standards and approaches defined by the interagency coordination mechanisms for international aid (cluster systems) that is currently being established.

The action is fully in line with the provisions of the **Association Agreement (AA)** that foresees cooperation in many of the fields covered and it can support the application for EU membership by Ukraine.

## 2.2. Problem Analysis

The military assault on Ukraine has inflicted **widespread suffering and casualties** on the Ukrainian population, disrupted the provision of essential services, damaged civilian infrastructure and caused massive forced displacement.

Intense attacks have been carried out against major urban centres, such as Kharkiv (east), Kherson and Mykolaiv (south), Mariupol (south-east), Chernihiv and Sumy (north) and the capital Kyiv. Cities of western Ukraine such as Lutsk, Lviv, Vinitsiya and Ivano-Frankivsk have also been attacked. Settlements along the former "contact line" in Donetsk and Luhansk oblasts have been completely devastated as have many other settlements in Ukraine. **Key civilian (including residential, medical and educational) infrastructure has been damaged or completely destroyed**, leaving scores of civilians without shelter as well limiting or completely disrupting the country's capacity to provide essential services to the population. Hybrid attacks, particularly cyber-attacks, continue to further undermine Ukraine's ability to respond to the Russian assault. In addition, the ability of the national civil protection system to cope with the crisis is significantly disrupted at all levels, increasing the vulnerability of the exposed population and exposure to additional natural or human-induced hazards stemming or not from the hostilities.

Population movements continue internally and across borders. More than 4 million refugees have so far fled Ukraine to neighbouring countries, according to the United Nations refugee agency, while an estimated 6.5 million people have been internally displaced. The number of known civilian casualties stands at 2,788, including 1,081 killed, but is likely to be much higher given the indiscriminate shelling of residential areas and civilian infrastructure by the Russian Armed Forces. The massive influx of people heading to western Ukraine will likely overwhelm already-stretched national response capacities, disproportionately affecting the most vulnerable groups. The most affected areas of the country are facing a **major humanitarian crisis**, and the rapidly expanding geographic scope of the military offensive will generate ever-increasing civilian casualties and needs. People are trapped in cities under constant attack, as wide-scale evacuations have not yet been possible in certain locations. The human cost of the ongoing conflict is likely much higher as access and security challenges make it difficult to verify the actual number of deaths and injuries. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) estimates that around 12 million people – nearly 30 per cent of the population – require life-saving humanitarian assistance.<sup>3</sup>

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action:

*Stakeholders:*

- Legitimate Ukrainian central government ministries, public institutions and their executive agencies together with their branches at regional and local level;
- Local administrations, under the legitimate Ukrainian central government, at regional, district and municipal level, and local community organisations;
- Farmers and businesses, in particular MSMEs<sup>4</sup>, related businesses organisations, inputs' suppliers and various service providers, etc.;
- Bilateral development agencies, international organisations, financial institutions, non-governmental organisation and civil society.

*Target beneficiaries:*

- Vulnerable population groups directly or indirectly affected by the conflict, including refugees and internally displaced people (IDPs);
- Ukrainian students and pupils;
- Economic stakeholders including small farms and businesses, in particular MSMEs, directly or indirectly affected by the conflict, including possibly re-established businesses abroad;
- Public institutions of the legitimate Ukrainian government at both central and local levels, whose functioning would have been severely affected by the conflict and would require further strengthening and re-organisation.

*Final beneficiaries:*

Ukraine's population that would benefit from improved livelihoods and increased resilience during and after the armed conflict.

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<sup>3</sup> OCHA, *Ukraine Flash Appeal 2022*

<sup>4</sup> MSMEs- Micro-, small and medium Enterprises.

### 3. DESCRIPTION OF THE ACTION

#### 3.1. Objectives and Expected Outputs

The **Overall Objective (Impact)** of this action is to contribute to alleviating the suffering of the population caused by the military attack on Ukraine by the Russian Federation and strengthen the country's resilience.

The **Specific(s) Objective(s) (Outcomes)** of this action are to:

1. Contribute to meeting the immediate needs of the Ukrainian population directly or indirectly affected by the armed conflict;
2. Increase the country's resilience.

The **Outputs** to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are

Contributing to Outcome 1 (or Specific Objective 1)

- 1.1 Secured access of the Ukrainian population directly or indirectly affected by the Russian invasion, including refugees and internally displaced persons (IDPs), to livelihoods, basic goods and services, and civil protection.

Contributing to Outcome 2 (or Specific Objective 2)

- 2.1 Reorganisation and strengthened capacity of legitimate Ukrainian public institutions to address immediate needs of the Ukrainian population, to support the country's resilience and recovery, preserve the country's cultural heritage, enhance the capacity for border management, including streamline border crossing processes for both persons and goods, and pursue Ukraine's implementation of the AA/DCFTA, as well as political association and economic integration with the EU;
- 2.2 Increased capacity of economic stakeholders and businesses, in particular small farms and MSMEs, to maintain operations and contribute to the country's economic resilience and recovery;
- 2.3 Increased capacity of the relevant bodies and infrastructure to ensure resilient digital development, cyber- and information security, and withstand hybrid threats, including through government strategic communication capacities;
- 2.4 Increased capacity of the civil society and incremental societal resilience including through supporting media and the fight against disinformation;
- 2.5 Strategic planning capacities developed and civilian and transport infrastructure rehabilitated/repared in line with the 'Build Back Better' principle;
- 2.6 Increased energy resilience of the country.

#### 3.2. Indicative Activities

Activities related to Output 1.1 (addressing needs besides those covered by humanitarian aid):



- Activity 1.1.1: Provision of access to food, cash, health and hygiene, shelter, including housing for IDPs, and other relevant goods to the population during and immediately after the conflict;
- Activity 1.1.2: Provision of access to safe drinking water in sufficient quantities where needed during and after the conflict as well as basic sanitation and hygiene;
- Activity 1.1.3: Provision of adequate health, shelter, energy and other relevant services to the population;
- Activity 1.1.4: Enhance the protection of the civilian population, activists and other victims of the armed conflict, and promote a safe environment for civic engagement in Ukraine;
- Activity 1.1.5: Exceptional support to Ukrainian refugee pupils and students and education systems in the countries receiving them; support to IDPs and returnees at all levels (elementary to higher education and training).

#### Activities related to Output 2.1:

- Activity 2.1.1: Provision of technical assistance, equipment and other support as needed to legitimate Ukrainian public institutions;
- Activity 2.1.2: Provision of access to protective equipment to civilian population, aid workers and first responders;
- Activity 2.1.3: Provision of assistance in Ukraine's efforts of further implementation of the AA/ DCFTA;
- Activity 2.1.4: Support for legitimate Ukrainian cultural public institutions and establishments, and stakeholders in culture and creative fields, and in preserving the country's cultural heritage;
- Activity 2.1.5: Support for contingency planning for enhanced rescue capacity after end of war/during ceasefire.

#### Activities related to Output 2.2:

- Activity 2.2.1: Procurement and distribution of agricultural emergency kits to small farms in areas affected by the armed conflict or where supply chains have been disrupted;
- Activity 2.2.2: Provision of technical assistance, business continuity services, financial and other support as needed to small farms and businesses, in particular MSMEs, including for re-established businesses abroad.

#### Activities related to Output 2.3:

- Activity 2.3.1: Provision of technical assistance, equipment and other support as needed to the relevant bodies.

#### Activities related to Output 2.4:

- Activity 2.4.1: Provision of financial support, technical assistance and other support as needed to increase the capacity and financial sustainability of civil society organisations and media, notably in fighting disinformation and strengthening their engagement with citizens and local communities, advance civic education;

#### Activities related to Output 2.5:

- Activity 2.5.1: Provision of financial support, technical assistance and other support as needed for the strategic planning of, and rehabilitation of conflict-damaged civilian and transport infrastructure.

#### Activities related to Output 2.6:

Activity 2.6.1: Provision of financial support, technical assistance and other support to enhance energy resilience, including safety reinforcement and rehabilitation of energy infrastructure, as well as security of energy supply and reserves.

### **3.3. Mainstreaming**

#### **Environmental Protection, Climate Change and Biodiversity**

**Outcomes of the Environmental Impact Assessment (EIA) screening** (relevant for projects and/or specific interventions within a project).

The EIA screening classified the action as Category C (no need for further assessment).

**Outcome of the Climate Risk Assessment (CRA) screening** (relevant for projects and/or specific interventions within a project).

The CRA screening concluded that this action no or low risk (no need for further assessment).

#### **Gender equality and empowerment of women and girls**

As per OECD Gender DAC codes identified in section 1.1, this action is labelled as G1. This implies that the principles of gender equality and women empowerment are significant objectives to this Action.

The principle of gender equality will be embedded in particular in the activities contributing to societal and socio-economic resilience, ultimately benefiting conflict-affected women and men. A focus on gender-specific issues will be ensured throughout the implementation of the Action.

#### **Human Rights**

The Action will be implemented in line with the human rights-based approach and according to the principles of leaving no one behind and reaching the furthest behind first. A protection mainstreaming approach will be pursued as well, in line with the direct basic needs and livelihoods assistance approach of the Action. Activities will combine support to the duty bearers in delivering services with support to the rights holders in understanding and claiming their rights and participating in the decision-making influencing their lives. Particular attention will be paid to the most vulnerable such as women, children, the elderly, IDPs, persons with disabilities and veterans.

#### **Disability**

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D1. This implies that persons with disabilities will be able to enjoy the benefits on an equal basis to persons without disabilities. Their rights and dignity will be promoted and respected.

#### **Democracy**

Basic services will be provided to the whole population. Groups living in the most vulnerable situations, or at greatest risk of being discriminated, will be specifically targeted by this Action.

#### **Conflict sensitivity, peace and resilience**

The Action seeks to mitigate the socio-economic impact of conflict on the population and strengthen the country's socio-economic resilience. A conflict-sensitive approach will be applied throughout its implementation. The Action will adopt a "Do No Harm" approach.

### Disaster Risk Reduction

The Action will contribute to mitigating natural or man-made disaster risks by contributing to increasing individual resilience and coping capacity through the provision of basic services and goods, medicines and healthcare services, including blood banks to the conflict-affected population, by addressing the needs of IDPs, as well as by increasing the preparedness and response capacity of civil society organisations as well as of civil protection services.

### 3.4. Risks and Lessons Learned

Category <sup>5</sup>	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
1	Risk 1: the armed conflict protracts over an extended period of time and security conditions deteriorate further, impeding implementation of immediate response activities.	<b>High</b>	<b>High</b>	Adjust the activities under the Action to identified needs through an ongoing monitoring and maintain on stand-by the components that cannot be implemented until adequate conditions are in place.
1	Risk 2: democratically elected government loses control over (parts of) Ukraine's territory.'	<b>High</b>	<b>High</b>	Continue supporting the legitimately elected government and its institutions through technical and financial assistance.
4	Risk 3: persistent abuses of the rule of law and development of corrupt schemes in the course of the armed conflict.	<b>Medium</b>	<b>High</b>	Transparency and accountability will be ensured in all steps of the Action through appropriate measures and procedures. No funds will flow through governmental channels.

#### Lessons Learned:

##### *Capacity to deliver.*

In calibrating and implementing the EU's response, it is important to adopt tested instruments and approaches within the frame of already established operational delivery models by known partners, so as to ensure delivery. Innovations can be pursued with attention to the capacity of implementing partners and their staff to deliver across all components. For further lessons learnt, it is important to constantly collect feedback on

<sup>5</sup> The risk (category) can be related 1-to the external environment; 2-to planning, processes and systems; 3-to people and the organisation; 4-to legality and regularity aspects; 5-to communication and information.

implementation challenges and what works and what should be adapted. Agility to adapt to the evolving needs of the population and legitimate public institutions in Ukraine and neighbouring countries is primordial.

#### *Collaboration and co-ordination.*

Collaboration and cooperation with other partners on the ground in a complementary and systematic way. In a fast moving crisis environment, operational alignment can take time and the EU and its partners are committed to working in close collaboration in order to effectively and efficiently deliver the assistance required by the population's immediate needs and the resilience by the country's legitimate institutions.

### **3.5. Intervention Logic**

The Action will be implemented against the backdrop of the full-scale, unprovoked and unjustified military attack that the RF launched on Ukraine on 24 February 2022.

Granting access to basic goods and essential services such as health and shelter to the conflict-affected population, and the protection of victims and other vulnerable groups during and after the conflict will contribute to strengthening the population's resilience, ultimately easing its suffering.

Supporting the government's reorganisation and functioning in order to pursue the country's political association and economic integration with the EU in line with the AA/DCFTA. A particular focus should be made on the resilience to cyber-attacks to support the country's socio-economic recovery and reconstruction efforts.

Supporting the creation of better conditions for the recovery and development of Ukrainian small farms and businesses, in particular MSMEs, including through innovation, will also contribute to the economic resilience and recovery of the country. Finally, a strong and vibrant civil society will play a key role, including as emergency responders, in the overall socio-economic recovery and reconstruction effort.

### **3.6. Indicative Logical Framework Matrix**

Results	Results chain: Main expected results	Indicators	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
<b>Impact</b>	To contribute to alleviating the suffering of the population caused by the military attack on Ukraine by the Russian Federation and strengthen the country's resilience	1. Proportion (%) of the Ukrainian population whose immediate needs have been met with EU assistance  2. Resilience degree of Ukrainian institutions and businesses during the armed conflict	1. 0%  2. Low resilience	1. Tbd  2. Resilience restored to a certain extent	1. Individual projects records	<i>Not applicable</i>
<b>Outcome 1</b>	1. Immediate needs of the Ukrainian population directly or indirectly affected by the armed conflict are met	1.1 Proportion (%) of conflict-affected population, including refugees and IDPs, directly or indirectly benefitting from EU assistance	1.1 0%	1.1 Tbd depending on needs	1.1 Overall statistics records	The security situation allows the implementation of the Action.
<b>Outcome 2</b>	2. The country's resilience is increased	2.1 Proportion (%) of farms and businesses that remained in, or came back to business, thanks to EU assistance	2.1 0%	2.1 Tbd depending on needs	2.1 Overall statistics records	The government continues to be committed to EU assistance.
<b>Output 1 related to Outcome 1</b>	1.1 Secured access of the Ukrainian population directly or indirectly affected by the armed conflict, including refugees and IDPs, to livelihoods, basic goods and services, and civil protection	1.1.1 Number of beneficiaries of EU immediate assistance, disaggregated by sex, age and region.	1.1.1 0	1.1.1 Tbd	1.1.1 Individual project records	The ongoing armed conflict has not spread throughout the entire country

		1.1.2 Number of victims of human rights violations directly benefiting from EU assistance	1.1.2 0	1.1.2 Tbd	1.1.2 Individual project records	
<b>Output 1 related to Outcome 2</b>	2.1 Reorganisation and strengthened capacity of legitimate Ukrainian public institutions to address immediate needs of the Ukrainian population, to support the country's resilience and recovery, preserve the country's cultural heritage, enhance the capacity for border management, including to streamline border crossing processes for both persons and goods, and pursue Ukraine's implementation of the AA/DCFTA, as well as political association and economic integration with the EU;	<p>2.1.1 Number of legitimate Ukrainian public institutions directly supported with EU assistance</p> <p>2.1.2 Proportion (%) of AA/DCFTA provisions further implemented with EU assistance</p> <p>2.1.3 Increase (%) in throughput capacity at BCP with EU MS.</p> <p>2.1.4 Number of BCPs provided with equipment.</p>	<p>2.1.1 0</p> <p>2.1.2 50%</p> <p>2.1.3 Tbd at inception phase</p> <p>2.1.4 Tbd</p>	<p>2.1.1 Tbd depending on needs</p> <p>2.1.2 Tbd depending on possibilities</p> <p>2.1.3 10%</p> <p>2.1.4 Tbd depending on possibilities</p>	<p>2.1.1 Individual project records</p> <p>2.1.2 AA/DCFTA implementation follow-up tools</p> <p>2.1.3 Individual project records</p> <p>2.1.4 Individual project records</p>	The government continues to be committed to AA/DCFTA implementation and political association and economic integration with the EU.
<b>Output 2 related to Outcome 2</b>	2.2 Increased capacity of economic stakeholders and businesses, in particular small farms and MSMEs, to maintain operations and contribute to the country's economic resilience and recovery	2.2.1 Number of farms and businesses provided with access to loans and other financial services disaggregated by sex and region	<p>2.2.1 0</p> <p>2.2.2 0</p>	<p>2.2.1 Tbd</p> <p>2.2.2 Tbd</p>	<p>2.2.1 Individual project records</p> <p>2.2.2 Individual project records</p>	The security situation allows the implementation of the Action.

		2.2.2 Number of jobs supported/sustained with EU assistance				
<b>Output 3 related to Outcome 2</b>	2.3 Increased capacity of the relevant bodies and infrastructure to ensure resilient digital development, cyber- and information security and withstand hybrid threats, including through government strategic communication capacities	2.3.1 Number of relevant bodies supported in cyber- and information security  2.3.2 Number of cyber-attacks withstood by the supported bodies	2.3.1 0  2.3.2 0	2.3.1 Tbd  2.3.2 Tbd	2.3.1 Individual project records 2.3.2 Individual project records	The security situation allows the implementation of the Action.
<b>Output 4 related to Outcome 2</b>	2.4 Increased capacity of the civil society and incremental societal resilience including through supporting media and the fight against disinformation	2.4.1 Number of staff from relevant civil society organisations trained to provide support to the civilian population  2.4.2 Number of counter-disinformation campaigns launched by local actors	2.4.1 0  2.4.2 0	2.4.1 Tbd  2.4.2 Tbd	2.4.1 Individual project records 2.4.2 Individual project records	The security situation allows the implementation of the Action.
<b>Output 5 related to Outcome 2</b>	2.5 Strategic planning capacities developed and civilian and transport infrastructure rehabilitated/repared in line with the 'Build Back Better' principle ;	2.5.1 Number of civilian infrastructure rehabilitated, disaggregated by type (local critical transport infrastructure, health posts, schools, municipal facilities and buildings, etc.) with EU support	2.5.1 0	2.5.1 Tbd	2.5.1 Individual project records	The security situation allows the implementation of the Action.
<b>Output 6 related to Outcome 2</b>	2.6 Increased energy resilience of the country	2.6.1 Number of individuals with access to energy with EU support through improved or	2.6.1 0	2.6.1 Tbd	2.6.1 Individual project records	The security situation allows the



		rehabilitated access, disaggregated by type (heating, electricity, etc.)				implementation of the Action.
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## **4. IMPLEMENTATION ARRANGEMENTS**

### **4.1. Financing Agreement**

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

### **4.2. Indicative Implementation Period**

The indicative operational implementation period of this action, during which the activities described in section 3.1 will be carried out and the corresponding contracts and agreements implemented, is **48 months** from the date of adoption by the Commission of this financing Decision.

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

### **4.3. Implementation Modalities**

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and in particular compliance with EU restrictive measures (sanctions) adopted pursuant to Article 215 of the Treaty on the Functioning of the European Union, Anti-Money Laundering/Countering the Financing of Terrorism requirements (reflected in particular under Directive (EU) 2015/849 amended by Directive (EU) 2018/843) and requirements of Regulation (EU) 2018/1046 on the financial rules applicable to the general budget of the Union (in particular Article 155 on Implementation of Union funds and budgetary guarantees).<sup>6</sup>

#### **4.3.1. Direct Management (Grants)**

##### **(a) Purpose of the grant(s)**

The objective of the grants is to secure access of the Ukrainian population directly or indirectly affected by the armed conflict to livelihoods, basic goods and services and civil protection and to provide necessary support to continue strengthening the capacity of civil society organisations, notably in fighting disinformation. The grants will contribute to implementing activities under both Outcomes 1 and 2.

##### **(b) Type of applicants targeted**

The grants will target legal persons, falling under the following categories:

- civil society organisations, including EU strategic partners for capacity building of CSOs
- other relevant public bodies;
- local authorities;
- international organisations

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<sup>6</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu) Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

### **(c) 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 civil society organisations and strategic partners, pursuant to Article 195(a) of the Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union.

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 situation of crisis for Ukraine acknowledged through the DG NEAR Acting Director General's Note ref. Ares(2022)1072486 has further deteriorated after the armed attack on Ukraine by the RF and the rapid expansion of the conflict throughout the country.

### **(d) Exception to the non-retroactivity of costs**

The Commission authorises that the costs incurred may be recognised as eligible as of 24/02/2022 as the first day of the Russian aggression against Ukraine.

#### **4.3.2. Direct Management (Procurement)**

Procurement to support legitimate Ukrainian public institutions in selected areas as defined under Activities related to both Outcomes 1 and 2.

#### **4.3.3. Indirect Management with entrusted entities<sup>7</sup>**

A part of this action may be implemented in indirect management with entrusted entities, which will be selected by the Commission's services using the following criteria:

1. Strong management and operational capacity.
2. Specific expertise or technical competence and prior experience in the priority areas for support as per activities described in section 3.2 under Outcome 1 and Outcome 2.

The implementation by these entrusted entities entails activities related to both Outcomes 1 and 2.

#### **Exception to the non-retroactivity of costs**

The Commission authorises that the costs incurred may be recognised as eligible as of 24/02/2022 as the first day of the Russian aggression against Ukraine.

#### **4.3.4. Changes from indirect to direct management (and vice versa) mode due to exceptional circumstances (one alternative second option)**

If, due to exceptional circumstances outside the Commission's control, negotiations with the entrusted entities fail under 4.3.3, that part of the action may be implemented in direct management through grants or procurement as described in 4.3.1 and 4.3.2.

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<sup>7</sup> The signature of a contribution agreement with the chosen entity is subject to the completion of the necessary pillar assessments

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

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

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

#### 4.5. Indicative Budget

<b>Indicative Budget components</b>	<b>EU contribution (amount in EUR)</b>
<b>Implementation modalities</b> – cf. section 4.3	
Total grants (direct management) – cf. section 4.3.1	30 000 000
Total procurement (direct management) – cf. section 4.3.2	20 000 000
Indirect management with entrusted entities – cf. section 4.3.3	280 000 000
<b>Evaluation</b> – cf. section 5.2 <b>Audit</b> – cf. section 5.3	Will be covered by another Decision
<b>Communication and visibility</b> – cf. section 6	N.A.
<b>Totals</b>	<b>330 000 000</b>

#### 4.6. Organisational Set-up and Responsibilities

The EU Delegation will be responsible for the overall management of the action and will set up organisational set-up at the level of individual contracts per activities described in Section 3.2. Detailed terms of reference/description of the action will be developed for each individual activity, including the management structure, the experts' team and the composition of the Steering Committee in charge of the supervision of the project. The entrusted entities selected for the implementation of activities under indirect management in the priority areas under Section 4.3.3 will be entrusted with the budget implementation tasks as per Description of the Action. Emergency activities will be implemented by organizations experienced in these areas in a way that established norms and policies are fully met and accountability, including in areas directly affected by the

armed conflict is ensured, including through the involvement of local partners and civil society organizations, notably for the last-mile delivery.

On the Ukrainian side, the Cabinet of Ministers of Ukraine usually acts as a coordinator for EU assistance. The deteriorating security situation in Ukraine has diminished the operability of the government authorities and the government may not in the short term be able to fulfil all its monitoring responsibilities. However, the action will be coordinated as much as deemed feasible with the Government Office for European Integration, which is currently responsible for the overall monitoring of aid activities within the frame of the armed conflict with the RF. Furthermore, ministries and agencies being key stakeholders in the priority areas of support under Outcome 2 will be consulted in the process of design of individual activities and involved in the implementation of the projects.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

## **5. PERFORMANCE MEASUREMENT**

### **5.1. Monitoring and Reporting**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix.

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).

Roles and responsibilities for data collection, analysis and monitoring:

The Action will be implemented through a number of contracts with implementing partners contributing to the implementation of specific activities. While the implementing contracts are expected to contribute to the implementation of relevant indicators at Output level, the baselines will be defined in the Terms of Reference or Description of the Action for each contract. Implementing partners will be responsible for setting the relevant benchmarks, for the collection of data, monitoring and reporting at the contract level. The results achieved and recorded at the level of contracts in priority sector will be attributed to measuring the overall progress at the level of outputs. SDGs indicators and, if applicable, any jointly agreed indicators as for instance per Joint Programming document should be taken into account.

### **5.2. Evaluation**

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

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that this action is a set of sub-actions to address immediate needs of

the Ukrainian population directly or indirectly impacted by an ongoing armed conflict along with sub-actions aimed at increasing Ukraine's resilience during and the armed conflict and at post-conflict times.

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

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

Evaluation services may be contracted under a framework contract.

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

### **5.3. Audit and Verifications**

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 audit or verification assignments for one or several contracts or agreements.

## **6. COMMUNICATION AND VISIBILITY**

Communication and visibility is a contractual obligation for all entities implementing EU-funded external actions, to advertise the European Union's support for their work to the relevant audiences.

To that end they must comply with the instructions given in the [Communication and Visibility Requirements of 2018](#) (as updated by the communication and visibility requirements in force under the current programming period 2021 - 2027), notably with regard to the use of the EU emblem and the elaboration of a dedicated communication and visibility plan, to be completed for every action at the start of implementation.

These obligations apply equally, regardless of whether the actions concerned are implemented by the Commission, the partner country (for instance, concerning the reforms supported through budget support), contractors, grant beneficiaries or entrusted entities. In each case, a reference to the relevant contractual obligations must be included in the respective financing agreement, procurement and grant contracts, and delegation agreements.

Communication and visibility measures may be funded from the amounts allocated to the action. For the purpose of enhancing the visibility of the EU and its contribution to this action, the Commission may sign or enter into joint declarations or statements, as part of its prerogative of budget implementation and to safeguard the financial interests of the Union. Visibility and communication measures should also promote transparency and accountability on the use of funds.

Effectiveness of communication activities on awareness about the action and its objectives as well as on EU funding of the action should be measured.

Implementing partners shall keep the Commission and concerned EU Delegation/Office fully informed of the planning and implementation of specific visibility and communication activities before work starts. Implementing partners will ensure adequate visibility of EU financing and will report on visibility and communication actions as well as the results of the overall action to the relevant monitoring committees.