

EN

ANNEX

Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe

Exceptional Assistance Measure regarding Ukraine

1. IDENTIFICATION

Action: **Support to accountability and national resilience in Ukraine**

Action Reference: NDICI CR 2025 / 02 - ACT-63032

Cost: EUR 16 million (European Union (EU) contribution).

Budget Line: 14 02 03 10

Duration: Maximum 18 months. The authorising officer responsible may decide to extend this period twice by a further period of up to six months, up to a total maximum duration of 30 months, under the conditions laid down in Article 23(6) of Regulation (EU) 2021/947.

Lead service: FPI

2. ACTION SUMMARY

This action will mobilise relevant support to sustain Ukraine's work on accountability as well as the capacity of its authorities and civil society to defend the country against hybrid attempts to undermine its resilience. Assistance will be implemented via two components.

The first component will support the Office of the Prosecutor General and the National Police as well as other mandated national and international authorities by providing technical means for the collection and use of evidentiary information. This will be used to back investigations and judicial proceedings linked to violations of international law, including investigations into international crimes committed during Russia's war of aggression against Ukraine.

The second component will assist Ukraine in addressing specific risks to societal and national resilience, notably by further growing the country's capacity to plan for, detect, and address developments that may impact on its sovereignty and social cohesion. This will include working with government and civil society to further strengthen Ukraine's existing infrastructure for countering disinformation and foreign information manipulation, as well as providing support to initiatives for forward-planning, inclusive policy formulation and policy dialogue.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

As Russia's full-scale invasion of Ukraine enters its fourth year with continued attacks on civilians and civilian infrastructure, national and international prosecution authorities continue their efforts to ensure that those responsible for the international crimes committed in the context of Russia's aggression against Ukraine can ultimately be held to account. In addition to kinetic warfare, Russia maintains hybrid tactics to undermine Ukraine's sovereignty and resilience, including through disinformation and targeting of the country's international partnerships.

This situation heavily impacts on societal morale and therefore calls for support to accountability efforts as well as reinforced investment into resilience building and the fight against disinformation/FIMI.

3.2 RATIONALE FOR CRISIS RESPONSE ACTIONS UNDER THE RAPID RESPONSE PILLAR OF THE NEIGHBOURHOOD, DEVELOPMENT AND INTERNATIONAL COOPERATION INSTRUMENT

With the continuation of Russia's full-scale war of aggression against Ukraine, international crimes committed in the context of Russia's aggression as well as hybrid attacks and disinformation impact national and societal morale, which risks undermining the Ukrainian defence effort overall, constituting an exceptional and unforeseen situation in the sense of Article 4(4) (a) of the NDICI Regulation. An adequate response cannot be provided under any other European Union Instrument due to the urgency with which the funds are required and due to available resources already being firmly committed.

Annex IV, paragraph 1, second paragraph, points, (f) and (n) of Regulation (EU) 2021/947 specifically provides for the use of the NDICI rapid response pillar to provide (f) support for reinforcement of State capacity - in the face of significant pressures to rapidly build, maintain or restore its core functions, and basic social and political cohesion, and (n) support for measures to promote and defend respect for human rights and fundamental freedoms, democracy and the rule of law, and the related international instruments.

3.3 RISKS AND ASSUMPTIONS

Risks	Probability	Project response
The ongoing combat operations and Russian attacks throughout Ukraine might impact the ability of implementing partners and Ukrainian authorities to implement the planned activities.	M	The implementing partners to be selected will be required to have relevant experience and a clear protocol for operating in war affected areas with sufficient safeguarding and protective measures in place as well as a track record of being able to imminently start work in the affected areas.
The volatile global political situation might impact the action or parts of it in difficult to foresee ways.	M	The implementing partners will be chosen with special attention to flexibility and capability for anticipation and rapid adjustment.

Risks	Probability	Project response
Lack of coordination among donors resulting in duplication of efforts or inefficient allocation of resources.	M	Continued coordination among EU actors will be pursued based also on lessons learned from previous actions.

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to strengthen Ukraine's national and societal resilience as well as accountability efforts with regard to international crimes committed during the Russian war of aggression.

4.2 SPECIFIC OBJECTIVES

- 4.2.1 Sustain accountability efforts for international crimes committed during the Russian war of aggression.
- 4.2.2 Strengthen the Ukrainian capacity to address specific hybrid risks to societal and national resilience, including with regard to disinformation/FIMI, and for relevant and inclusive policy formulation in that regard.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Result (1): Increased accessibility of evidentiary information to ensure that those responsible for the international crimes committed in the context of the Russian war of aggression against Ukraine can ultimately be held accountable.

Activities (indicative):

- 5.1.1 Development of technical solutions for the collection and storage of evidentiary information and support to relevant authorities in this regard;
- 5.1.2 Supporting the accessibility of data to investigative authorities;
- 5.1.3 Development of best use practices for digital evidence in investigative procedures.

Expected Result (2): Increased Ukrainian capacity to address hybrid risks as well as for forward-planning, policy formulation and policy dialogue.

Activities (indicative):

- 5.2.1 Support for stakeholders, initiatives and platforms which work on national and social cohesion and resilience and on remedying the hybrid impact of Russia's war of aggression;

- 5.2.2 Enhance Ukrainian capacities for forward-planning, inclusive policy formulation and policy dialogue, including via global outreach;
- 5.2.3 Strengthen Ukraine's capacity to analyse and address disinformation, including via strategic communication.

6. IMPLEMENTATION

6.1 IMPLEMENTATION MODALITIES

The Commission will ensure that the appropriate EU rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures¹.

6.1.1 Grant: direct award (direct management)

(a) Purpose of the grant

Grants will be awarded for the implementation of both components, for activities under Expected Result (1) and, partly, for activities under Expected Result (2).

(b) Type of applicants targeted

The type of applicants targeted are non-profit organisations and private companies with relevant expertise in the intervention area and the ability to roll out activities with immediate effect.

(c) Justification of a direct grant

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 action entails crisis management aid as referred to in Article 198 (a) and as defined in Article 2(22) of the Financial Regulation** at the date of the Financing Decision.

6.1.2 Indirect management with a pillar assessed entity

This action may be partly implemented in indirect management with the Central Project Management Agency (CPVA). This implementation entails certain activities under Component 2. The envisaged entity has been selected using the following criteria: operational capacity, notably in terms of rapidity of delivery, access to partners and experience working with them, experience in implementing EU funds.

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

6.1.3 Changes from indirect to direct management mode (and vice versa) due to exceptional circumstances

If the preferred modality for parts of Component 2 cannot be implemented in indirect management due to circumstances outside of the Commission's control, these parts of action may instead be implemented in direct management as per section 6.1.1 with an entity which

¹ 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.

will be selected by the Commission's services using the following criteria: operational capacity, thematic and national expertise.

If the preferred modality for either Component, including partly, cannot be implemented in direct management due to circumstances outside of the Commission's control, the whole or part of this action may instead be implemented in indirect management with an entity which will be selected by the Commission's services using the following criteria: operational capacity, thematic and regional/national expertise.

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 16 000 000**. A breakdown among components is provided hereunder, and is indicative.

Indicative budget breakdown

Components	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
Component 1: Support to accountability composed of:	5 000 000	N.A.
6.1.1 – Direct grant for support to accountability (direct management)	5 000 000	N.A.
Component 2: Support to national and societal resilience composed of:	11 000 000	N.A.
6.1.1 – Direct grant for support to dialogue, national cohesion and resilience (direct management)	2 300 000	N.A.
6.1.1 – Direct grant for resilience and global outreach (direct management)	2 000 000	N.A.
6.1.1 – Direct grant for support to countering disinformation (direct management)	1 500 000	N.A.
6.1.1 – Direct grant for support to strategic communication (direct management)	1 200 000	N.A.
6.1.2 – Indirect management with the Central Project Management Agency	4 000 000	N.A.
Total	16 000 000	N.A.

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under direct management for Component 1 and both direct and indirect management for Component 2. It will be managed by the Commission, with the support of the European Union Delegation to Ukraine for the monitoring of the action.

6.4 PERFORMANCE AND RESULTS MONITORING AND REPORTING

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partners shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final report. Each 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 outcomes) as measured by corresponding indicators, using as reference the Logframe matrix. 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.

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).

6.5 EVALUATION

Having regard to the nature of the action, an evaluation will not be carried out for this action or its components.

The Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner.

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

6.6 AUDIT

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

6.7 COMMUNICATION AND VISIBILITY

The 2021-2027 programming cycle adopted a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

In line with the 2022 [“Communicating and Raising EU Visibility: Guidance for External Actions”](#), it will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

7. COMPLEMENTARITY, COORDINATION AND FOLLOW-UP

The action will complement and build on other measures in the relevant areas. It will be closely coordinated with support managed by the EU Delegation to Ukraine, assistance to international crimes investigation by the EU Advisory Mission to Ukraine in the context of the Atrocity

Crimes Advisory Group (ACA), and with the support to the International Centre for the Prosecution of the Crime of Aggression (ICPA) at EUROJUST. It will also be coordinated with relevant efforts by other donors.