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THIS ACTION IS FUNDED BY THE EUROPEAN UNION

ANNEX I

of the Commission Implementing Decision on the financing of the Special Measure in favour of the people of Myanmar for 2021

Action Document for Building Resilience and Peace with and through Local Actors'

SPECIAL MEASURE

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and measures in the sense of Article 23 of NDICI-Global Europe Regulation.

1. SYNOPSIS

1.1. ACTION SUMMARY TABLE

| | |
|---|--|
| 1. Title CRIS/OPSYS business reference Basic Act | Building Resilience and Peace with and through Local Actors CRIS/OSPYS number: NDICI ASIA/2021/043-231 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe) |
| 2. Team Europe Initiative | No |
| 3. Zone benefiting from the action | The action shall be carried out in Myanmar/Burma |
| 4. Programming document | Special measure in the absence of a MIP |
| 5. Link with relevant MIP(s) objectives/expected results | N/A |
| PRIORITY AREAS AND SECTOR INFORMATION | |
| 6. Priority Area(s), sectors | Priority Area 3: Peace and Governance |
| 7. Sustainable Development Goals (SDGs) | Main SDG: 16. Promote just, peaceful and inclusive societies Other significant SDGs: 1. No Poverty; 5. Achieve Gender Equality and Empower All Women and Girls; 10. Reduced Inequalities |
| 8 a) DAC code(s) ¹ | Main DAC code – 72010 – Material relief assistance and services. 40% Sub-code 1 – 15220 - Civilian peace-building, conflict prevention and resolution. 20% |

¹ DAC sectors (codes and descriptions) are indicated in the first and fourth columns of the tab 'purpose codes' in the following document: <http://www.oecd.org/dac/financing-sustainable-development/development-financestandards/dacandcrscodelists.htm>

| | | | | |
|--|--|-------------------------------------|-------------------------------------|----------------------------|
| | Sub-code 2 – 15150 – Democratic participation and civil society 20% Sub-code 3: 15160 – Human Rights. 20% | | | |
| 8 b) Main Delivery Channel @ | N/A | | | |
| 9. Targets² | <input checked="" type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input type="checkbox"/> Education ³ <input checked="" type="checkbox"/> Human Rights, Democracy and Governance ⁴ | | | |
| 10. Markers⁵ (from DAC form) | General policy objective @ | Not targeted | Significant objective | Principal objective |
| | 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"/> |
| | Trade development | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Reproductive, maternal, new-born and child health | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Disaster Risk Reduction @ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Inclusion of persons with Disabilities @ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Nutrition @ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | RIO Convention markers | Not targeted | Significant objective | Principal objective |
| | Biological diversity @ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Combat desertification @ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Climate change mitigation @ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Climate change adaptation @ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Policy objectives | Not targeted | Significant objective | Principal objective |

² Actual contribution to targets will be confirmed ex-post based on a standardised methodology.

³ This target is specific to INTPA. If the action is marked as contributing to the Education target, please make sure the target on "Social inclusion and Human Development" is also marked.

⁴ Thematic target for geographic programmes (at least 15%) in delegated act.

⁵ For guidance, see <https://www.oecd.org/development/financing-sustainable-development/development-finance-standards/> (go to "Data collection and resources for reporters", select Addendum 2, annexes 18 (policy) and 19 (Rio) of the reporting directive).

If an action is marked in the DAC form as contributing to one of the general policy objectives or to RIO principles as a principal objective or a significant objective, then this should be reflected in the logframe matrix (in the results chain and/or indicators).

| | | | | |
|---|--|-------------------------------------|-------------------------------------|--------------------------|
| 11. Internal markers⁶ and Tags⁷: | Digitalisation @ Tags: digital connectivity digital governance digital entrepreneurship job creation digital skills/literacy digital services | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Connectivity @ Tags: transport people2people energy digital connectivity | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Migration @ (methodology for tagging under development) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Reduction of Inequalities (methodology for marker and tagging under development) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | COVID-19 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| BUDGET INFORMATION | | | | |
| 12. Amounts concerned | Budget line: B2021-14.020131-C1-INTPA Total estimated cost: EUR 35 000 000 Total amount of EU budget contribution: EUR 35 000 000 | | | |
| MANAGEMENT AND IMPLEMENTATION | | | | |
| 13. Type of financing⁸ | Direct management through: - Grants; - Procurement Indirect management with the entity(ies) to be selected in accordance with the criteria set out in section 4.3.3 | | | |

1.2. SUMMARY OF THE ACTION

On 1 February 2021, the Myanmar military took control of the government, and declared a nationwide State of Emergency. This coup d'état interrupted the democratic transition in Myanmar and stalled the peace process. Protests and demonstrations, including a Civil Disobedience Movement (CDM), spread quickly across states and regions paralysing many sectors of the economy leading to the breakdown of a large part of Government functions and the provision of basic services. The initial political crisis is increasingly leading to a significant socio-economic deterioration, fast growing humanitarian needs across the country and violations of human rights. Since the military

⁶ The internal markers have been created to report on the implementation of the Commission's own policy priorities in areas where no DAC reporting tool is available. For the sake of consistency and comparability, the methodology is equivalent to the DAC markers, with three possible positions (main target, significant target, not targeted)

⁷ Methodology for additional tagging providing granularity on internal markers is under development.

⁸ Art. 27 NDICI

coups, the number of people living in the most vulnerable conditions and in poverty have substantially increased in Myanmar and a food crisis is expected to develop that will disproportionately affect women and children and especially vulnerable female-headed households. In most parts of the country, protestors and civilians are repressed, resulting in the deaths of hundreds of civilians nationally and the imprisoning of thousands by early June 2021. Conflict has escalated in several ethnic areas, displacing over 170,000 people, including towards neighbouring countries. The risk of escalating violence is increasing with the potential for civil war and a regional spill-over, which would further compound an ongoing economic collapse that is estimated to bring half of the population below the poverty line in 2022.

Since then, all ongoing EU cooperation support has undergone a substantial review to readjust all programmes by ending support to the new authorities and redirecting support to directly benefit the people, implementing a 'back to the basics' approach to respond to the population's needs and working with and through civil society. The 'policy first' approach is not anymore possible in Myanmar.

In this context, the Overall Objective of the action is to contribute to lasting peace, security, stability and sustainable development while promoting human rights, democracy and gender equality in Myanmar. The Specific Objective of the action is to contribute towards building resilience and peace with and through local actors. The expected outputs are the following:

1. The humanitarian-development-peace nexus in Myanmar addressing immediate needs, human rights, reduce vulnerabilities, and increase resilience is reinforced;
2. Capacities, confidence and trust among local peace actors and communities allowing for an inclusive political dialogue and peace-making process are strengthened;
3. Capacity and autonomy of local Civil Society Organisations to deliver services, and promote and protect civil rights in Myanmar are enhanced.

The action responds to the urgent requirement to focus on reducing vulnerabilities and increasing resilience of conflict-affected populations by addressing immediate needs and human rights, through the provision of basic services, livelihood opportunities, the protection of human rights and a medium/long-term goal of creating a space for a possible peaceful resolution of the crisis. The action aims at women's meaningful participation in future political dialogue, peace negotiations, and peace-building and reconciliation efforts. Furthermore, the action is grounded in two concepts: a focus on flexibility, in joining humanitarian, development, and peacebuilding approaches, and a focus on civil society and localized response led by trusted community-based organizations, as both a transformative approach and as a mechanism of true sustainability and accountability.

The action corresponds to the priority of supporting peace and durable solutions, in line with the programming exercise carried out until January 2021. This priority remains valid also under the changed circumstances, however, the means and ways of implementation require to be adjusted to bring them in line with the increasing basic needs of larger segments of the society and the focus on working with and through civil society actors. It is also in line with strategic discussions with Member States to provide a coordinated response during the coming two years and in the absence of a MIP. The action will be implemented in coordination and complementarity with the EU Instrument contributing to Stability and Peace (IcSP) and the NDICI crisis response interventions.

This action contributes primarily to SDG 16 "Promote just, peaceful and inclusive societies". It also contributes to SDG 10 "Reduced inequalities" as well as SDG 1 aimed at ending poverty and SDG 5 on gender equality.

2. RATIONALE

2.1. CONTEXT

Myanmar is currently undergoing substantial political changes combined with an important economic fallout and social challenges, including increasing challenges to handle the COVID-19 pandemic. On 1 February 2021, the Myanmar military, the Tatmadaw, took control of the government, and declared a nationwide State of Emergency. The military announced to hold elections after one year as per the Constitution 2008 and formed the State Administration Council (SAC) to govern the country ad interim.

This coup d'état has interrupted the democratic transition in Myanmar and further stalled the peace process, as signatory EAOs quickly declared that they would not negotiate with the SAC new peace committees. Mass protests and demonstrations, including an unprecedented Civil Disobedience Movement (CDM), spread quickly across all states and regions paralysing many sectors of the economy and leading to the breakdown of a large part of Government functions and the provision of basic services.

A group of Parliamentarians elected in the 2020 general elections established the Committee Representing Pyidaungsu Hluttaw (CRPH) as the legitimate people's representation. The CRPH announced its objective to abolish the 2008 Constitution and establish a federal union. It removed all ethnic armed organisations from the list of terrorist groups declaring the de-facto government a terrorist organisation instead, and expressed its support to those who act against the illegitimate military council and are threatened by it.

The CRPH announced the establishment of the National Unity Government (NUG). This cabinet includes lawmakers elected in the 2020 election, members of ethnic groups and key figures in the anti-coup protest; almost all are in hiding or in exile. The NUG aims at bringing together opponents to military rule, and marshalling local and international support for the restoration of democracy. The NUG invited all ethnic groups to join, but some have refused the invitation due to NUG linkages with the NLD. In parallel to these developments, the Tatmadaw is attempting to repress CDM leaders, media, civil society, political figures, and anyone opposing the SAC. In response, and in line with the NUG prospects to start forming the premises of a federal army, a series of People Defence Forces (PDF) started to emerge throughout the country. PDFs consist mainly of young people, equipped with home-made weapons, who aim at defending civilians against the military forces by various actions with varying levels of violence, intensity and efficiency. Some declared their affiliations to the NUG, others to their Ethnic Organisations, while others are even operating autonomously. Some urban guerrilla groups also appeared who are responsible for several hundred explosions until mid-June, and numerous killings and attacks of new regime low ranking officials and suspected SAC informants. These explosions and attacks cannot in most cases be clearly attributed to specific stakeholders, but it cannot be ruled out that some PDFs may be involved. Meanwhile, the NUG published a code of conduct to frame the PDFs' action. The UN has reported rape and sexual violence being part of a deliberate strategy to intimidate, terrorize or punish the civilian population, and they have been used as a tactic of war in Myanmar.

The initial political crisis is increasingly leading to a significant socio-economic deterioration, fast growing humanitarian needs across the country and substantial abuses and violations of human rights. In Yangon, Mandalay, Sagaing and other parts of central Myanmar, where conflict was previously rare, protestors and civilians have been repressed by the Tatmadaw and police, resulting in the deaths of hundreds of civilians nationally and detaining thousands of people by mid-June. Protest leaders, civil society activists, journalists, participants in the CDM and members of the general public have been targeted for arrest leading many to flee to non-government controlled areas, in particular to KNU-controlled areas in the Southeast. In mid- March, airstrikes were launched by the Tatmadaw in the Southeast resulting in about 20,000 people being displaced to the jungles. In the conflict affected areas of Karen and Kachin, crackdowns by Tatmadaw security forces, combined with protracted conflict between the Tatmadaw and EAOs, have already caused tens of thousands of individuals to be displaced. In Rakhine and Shan, an escalation in conflict is expected in the near future, with the potential for further large scale displacement. Tatmadaw and EAOs troop movements have been noted in conflict affected areas, while enrolment of youth in ethnic armies is reported. Moreover, the Brotherhood Alliance⁹ have threatened to end their ceasefire with the Tatmadaw.

Meanwhile, new restrictions in Myanmar's banking system and collateral effects of the CDM have led to severe economic deterioration, creating concerns about a nationwide food security crisis that will disproportionately affect women and children, being especially vulnerable female headed households. Moreover, access to cash is becoming increasingly difficult for the population and organisations. The military government is also dramatically restricting access to information through internet shutdowns and cracking down on media outlets and information providers - further restricting the ability of the international response to react.

Women activists and women organisations have been at the forefront of the pro-democratic movement from the beginning either as protest organisers, online mobilisers or active participants. The highly feminised sectors of health and education are among the first and most active in their engagement with the CDM and women civil servants - according to UNWOMEN updates- account for at least 64% of all public employees sanctioned or dismissed. 3 of the 17 ministers appointed by the NUG are women and 27% of the appointees while gender equality is listed among the Union values.

Local actors and more broadly civil society play an incremental role in assisting the increasing number of people in need and advocating for a return to democracy and rights. Civil society, however, is facing a number of challenges related to a continuous shrinking of the space in which they operate. The main difficulties they are facing concern security and safety of their staff, registration requirements to operate, control of their accounts and access to cash and overall control of their movements and activities. Nevertheless there remain opportunities for civil society to play a key role in advocacy and in dialogue with local actors, especially in non- government controlled areas (NGCA). EU,

⁹ The Three Brotherhood Alliance, made up of the Ta'ang National Liberation Army (TNLA), Rakhine Arakan Army (AA) and Kokang Myanmar National Democratic Alliance Army (MNDAA) , is also known simply as the Brotherhood Alliance.

MS and other donors will rely mainly on civil society to support the Myanmar population, therefore a coordinated approach will be key.

The EU has been a witness to the 2015 National Ceasefire Agreement and has been an important donor to the Joint Peace Fund. As such, the EU has positioned itself at the centre of the peace process and remains a key player in this area. Even though the formal peace process has stalled, peace and peace negotiations are more needed than ever. The EU shall therefore commit to supporting peace more broadly where this can be done in a conflict sensitive way and in particular avoiding the ‘do nothing at all’ trap. This includes building up negotiation and mediation capacities from the grassroots level up, in complement to other higher political-level peace-making actions. The EU-funded Joint Peace fund (JPF), which is led at Ambassadorial-level, gathers 10 donors (including Finland, Germany and Italy) and is being reoriented towards pure peace making and conflict analysis. The programme will be extended at least up to the end of 2022 which opens up for synergies with the current action and harmoniously fit with it. This action reflects the role of the EU as a global actor and illustrates the EU Global Strategy priority of taking an integrated approach to conflicts and crises as a mean to support peace and prosperity. Importance will be given to enabling peace actors, including local communities and women, to demand and participate in the peace process. The engagement allows the EU to consolidate its standing with important players of the peace process and to continue to build foundations for future opportunities.

EU engagement in the country is essential to i) promote EU fundamental values, clearly disregarded by the current ruling of the Myanmar Army; ii) support Myanmar people, now more than ever in need of direct assistance and protection, and iii) look for opportunities to support positive developments of the current crisis in particular with a view to engage on a return on the democratic path.

The EU is also best placed to strengthen the links between peace, humanitarian and development work, which is at the core of the current needs. The ongoing Nexus Response Mechanism (NRM) is particularly suited to respond to the need for a greater focus on localisation of humanitarian, development and peace initiatives, for human rights, conflict sensitivity and gender equity, and can be a key instrument to address the complex crisis situation in Myanmar. Myanmar/Burma has been chosen by the Council of the European Union as one of the six pilot countries for testing the operationalisation of the humanitarian-development-peace nexus.

Finally, under the guidance of the EU CSO Roadmap, the EU is in a unique position to offer a coordinated European CSO support to the population.

2.2. PROBLEM ANALYSIS

Since the February 2021 coup, the official peace process came to a halt and the country is plunged in a socio-economic and humanitarian crisis. Immediate results were the escalation of longstanding conflicts in ethnic areas, a civil disobedience movement, internal displacement of civilians and the emergence of armed resistance all over the country. Moreover, the coup d'état has halted almost entirely the COVID-19 response and with a large proportion of the medical staff involved in the civil disobedience movement the health care system has as good as imploded. The state is on the verge of civil war with a very concerning and direct impact on the population.

As a dire and complex situation unfolds - characterized not only in humanitarian terms but also as a deep crisis in development, democratization, peace and human rights - and circumstances worsen, international support will play an important role in safeguarding the well-being of the Myanmar population. The suffering of civilians affected by human rights violations and abuses is ongoing not only for the non-recognised Rohingya ethnic group, but also for the ethnic minorities recognised by the State as well as civilians opposing to the coup. While approaching ten years of displacement and despite ongoing and often increasing needs, IDPs in northern Myanmar/Burma face decreasing aid and protection services. This is also the case in the south east of the country where peace dividends have never been truly achieved. Furthermore, following the military coup, new displacements are occurring all over the country, but especially in the south east in the borderlands confining with Thailand.

According to data released in a recently published report by UNDP the compounded negative shocks of the COVID-19 pandemic and the ongoing coup d'état if unchecked, could push up to 12 million people into poverty. That could result in as much as 25 million people - nearly half of Myanmar's population - living below the national poverty line by early 2022, a level of impoverishment not seen in the country since 2005. In particular, the poor and the near poor are likely to be more affected. This is exacerbated by the gender gap; disparities faced by minorities, displaced and stateless populations; and the digital divide. UNDP's report highlights that women and children are expected to bear the heaviest brunt of the combined impact of COVID-19 and the political crisis. Even prior to the COVID-19 pandemic and the coup, 61% of the population were unable to afford a healthy diet (FAO, 2020), almost half of all women of reproductive age were anaemic and close to one third of all children under five years of age were stunted.

Given the pre-existent vulnerabilities female headed households are those most at risk. A recent study by the World Bank on the Gender impact of COVID-19 points out that 42% of female headed households stated that they do not have enough to eat compared to 31% of male headed households. Without rapid corrective actions on economic, social, political and human rights protection policies, Myanmar's efforts to achieve the Sustainable Development Goals by 2030 will be well out of reach.

Civil Society Organisations will be the key actor of this process. CSOs have played a vital role in service provision and the democratisation process even before the military coup in February 2021. The EU has been a strong supporter of Myanmar CSO for many years and has established a good network with organisations. Through the implementation of the roadmaps (2014-2017 and 2018 – 2020) the partnership between the EU and Civil society has been strengthened. Over the last 5 years EU civil society projects focussed on capacity building as well as creating an enabling environment for CSO to participate in policy setting. After the coup this work has become even more important as now a lot of support will be needed to be channelled through civil society organisations. Support to Civil Society Organisations will be twofold and will focus on the one hand to direct support to communities (CSOs as preferred channel of service delivery), one the other hand to civic participation and peacebuilding (CSOs as actor for change). A flexible approach in collaboration with other donors and especially member states should be sought.

While the programming exercise was interrupted as a result of the military coup, the three priorities areas, including a focus on peace and durable solutions, including for IDPs, refugees/potential returnees and stateless populations are considered to be still valid, but will however need to be implemented in a different way and with adjusted means. Instead of the 'policy first' approach in direct support to Government entities, a back to basic approach is the most appropriate way forward, focussing on direct support to the people of Myanmar. This implies a limited focus on direct strengthening of governance systems, but favours specific support to peace building, including a localised and community-based approach and to peace making should opportunity arises to engage in this area. There is an urgent need to focus on reducing vulnerabilities and increasing resilience of conflict affected populations including IDPs by addressing immediate needs and human rights, through the provision of basic services, livelihood opportunities, the protection of human rights and a medium/long term goal of creating a space for a possible peaceful resolution of the crisis. This will be done under this action by building capacities and/or facilitating the action of those local actors that mobilise informal solidarity networks. In the same context, and contingent to favourable developments, peace-making efforts will be supported. Technical assistance, analytical support, and other peace facilitating actions should continue to be provided to stakeholders genuinely engaged in peace solving actions. A strong conflict sensitive approach and a robust context based conflict analysis based on a participatory approach will be required for each project and from each implementing partner funded by the action. This will be done in close coordination with the EU member states and other donors.

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

Civil Society Organizations, first line responders and local communities are the ultimate managers of resources as well as beneficiaries of its improved management. Therefore the main stakeholders, both as rights holders and as action actors, will be civil society organisations and community based organisations that are representing the rights of different groups such as women and persons living in vulnerable situations (persons with disabilities, indigenous peoples and IDPs). The action will build the capacity of civil society organisations while at the same time relying on them to localise and implement the activities identified under this action.

The vast majority of INGOs operating in Myanmar work in close partnership with national and local civil society actors. The INGO Forum was founded in 2007 to bring together more than 130 INGO member organizations helping build better partnerships, improve coordination, effectiveness and coherence of development and peacebuilding support in the country. INGO Forum recognizes the critical voice of local and national partnerships and the centrality of ensuring local ownership and accountability of target populations that benefit from the projects.

Many of the INGO partner with the more than 300 local NGOs and CSOs who are particularly strong in ethnic areas, where many local organisations have links to ethnic armed groups and on this basis are the only actors able to access large areas where highly vulnerable people live. Many of the EU funded projects have supported this INGO/NGO partnership to deliver support to the local communities and the population. In order to deliver this direct support at local level, networks and collaborations with the more than 200,000 community-based organizations have been set up. These organisations originated from religious and ethnic groups at local level and implemented traditional social welfare/ basic services activities and supported the daily needs of communities, especially in remote, ethnic and conflict-affected areas with weak central government control.

There are a few local CSO's that have formed networks and umbrella organisations. These became key agencies for the development of Community Based Organisations (CBOs), particularly in the regions and states where it is difficult

for the EU and other international partners to provide services and enhance civic awareness. These organisations were also vital to distribute relief aid in areas of conflict while remaining impartial. The EU has supported a number of these networks directly and through its sub-granting schemes with INGOs. For instance, is the main donor of the Gender Equality Network (GEN) and through the Joint Peace Found the Alliance for Gender inclusion in the Peace process (AGIPP). Special focus will be given to inclusion and support for organisations that are representing women's equal rights and participation.

3. DESCRIPTION OF THE ACTION

3.1. OBJECTIVES AND EXPECTED OUTPUTS

The Overall Objective (impact) of this action is to contribute to lasting peace, security, stability and sustainable development while promoting human rights, democracy and gender equality in Myanmar.

The Specific Objective (outcome) of this action is to contribute towards building resilience and peace with and through local actors.

The Outputs to be delivered by this action contributing to the Specific Objective (Outcome) are:

- 1.1. The humanitarian-development-peace nexus in Myanmar addressing immediate needs, reduce vulnerabilities, and increase resilience is reinforced;
- 2.1 Capacities, confidence and trust among local peace actors and communities allowing for an inclusive political dialogue and peace-making process are strengthened;
- 3.1 Capacity and autonomy of local Civil Society Organisations to deliver services, and promote and protect civil rights in Myanmar are enhanced.

3.2. INDICATIVE ACTIVITIES

Indicative activities related to output 1.1

- Provide basic services to vulnerable and food insecure people and local communities including in education, health including COVID-19 related interventions, livelihoods, social protection, in particular in conflict-affected areas;
- Implement conflict-sensitive initiatives incl. to strengthen land tenure and registration, and to prevent land grabbing, including a focus on IDP, discriminated minorities and women's land rights;
- Promote freedom of movement and access to information, and establish mechanisms to actively protect rights and human security of at persons and communities living in the most vulnerable situations, including to facilitate citizenship recognitions and/or birth registration processes with particular focus on indigenous peoples, discriminated minorities and IDPs and other conflict-affected population;
- Establish protection monitoring mechanisms and early warning systems, including for COVID-19 and/or any other exogenous shock;
- Carry out research and analysis feeding into the identification of evidence-based solutions in the framework of the triple nexus;
- Strengthen the coordination mechanism for a holistic response to Myanmar's protracted crisis.

Indicative activities related to output 2.1

- Build the capacity of local participants, and in particular of women and youth, in peace negotiation and mediation, in preparation for resuming of the inclusive peace dialogue at political level for developing evidence-informed policy positions and communicating to the public; close coordination with MS and other donors will be assured.
- Confidence- and trust-building activities among civil society actors involved in peace making and peace building;
- Enable local actors to identify and respond to gender specific local security threats and needs;
- Enable local actors to organise and conduct ceasefire monitoring, participate in ceasefire monitoring committees and ongoing ceasefire negotiations;
- Build capacities for gender-sensitive approaches and mainstreaming of gender perspective, including on the Women, Peace and Security (WPS) framework.
- Support to CSOs to move forward the WPS agenda with a focus on increasing the representation of women in peace building initiatives and decision-making bodies in conflict-affected settings.

Indicative activities related to output 3.1

- Provide technical support and training to build the capacity of local actors and civil society;
- Create an enabling environment for civil society through structured dialogues, consultations, creation of platforms and research activities;
- Explore and identify alternative ways to work with and through non-state actors at local levels in Myanmar;
- Enable civil society and local actors to identify emerging needs and basic services, and provide assistance for them to respond timely.
- Support to women's rights CSOs and CSO networks with the objective of strengthening their structure and addressing their immediate needs, allowing them to continue their important activities in the new context.

3.3. MAINSTREAMING

Environmental Protection & Climate Change

Control over abundant natural resources and weak governance are among the root causes of the conflict and most likely of the military coup. Few of the anticipated activities are likely to have significant environmental consequences, but this will be assessed on a case-by-case basis. Protection of natural resources, access to water and sanitation and the identification of sustainable livelihood activities will be mainstreamed into all activities. These are opportunities for strengthening the nexus between the humanitarian and development activities.

Outcomes of the SEA screening

The Strategic Environmental Assessment (SEA) screening concluded that no further action was required.

Outcomes of the EIA (Environmental Impact Assessment) screening

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

Outcome of the CRA (Climate Risk Assessment) screening

The Climate Risk Assessment (CRA) screening concluded that this action is 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 particular attention will be paid to gender mainstreaming throughout the action.

Women will not only benefit from the action but they will be key actors in the implementation of all three outputs. The NRM (Nexus Response Mechanism) that will facilitate a part of the implementation of this action has already developed its own gender strategy with a focus on implementing gender transformative approaches. In the area of peace, the action targets women's rights in the peace process and increased participation of women at all levels, including in conflict mediation and peace negotiations. The development of the CSOs roadmap, EU's strategy to strengthen its cooperation with CSOs, has included consultations with women's organisations and other organisations working in gender equality (particularly LGTBQI) and is addressing their specific priorities and needs. Gender issues will be addressed in the structured dialogue with CSOs and links between the roadmap and the CLIP (Country Level Implementation Plan) of the GAP are included.

Under this action, there will be at least two projects marked G2 (according to the OECD-DAC gender marker), under outputs 2.1 and 3.1, aiming at:

- i) supporting the implementation of the WPS agenda, with a focus on increased representation of women.
- ii) strengthening women's rights organisations and networks to address their immediate needs and facilitate their work in the new context.

Human Rights

The ongoing repression of peaceful protests following the military takeover of 1 February 2021 reinforces the importance of mainstreaming the promotion of Human Rights and demands for active Human Rights protection of categories at risks. The action will consider the status of the target groups as well as the concerns of the different ethnicities in the areas of intervention. Systematic integration of a human rights-based approach in activities aiming to meet the population's immediate needs, including the right to food and adequate nutrition will be pivotal.

Disability

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D0. This implies that the Action will not have a specific focus on disabilities, but it will take an inclusive approach through-out also considering the role and specific needs of persons with disabilities in the current context.

Democracy

The democratic transition in Myanmar started in 2012 and has dramatically been halted by the military coup staged on the first February 2021, preventing the elected Parliament to take seat and proclaiming a state of emergency. The action will support activities tailored to find spaces to promote meaningful and peaceful participation and exchange, with the aim to contribute in preparing the ground for a positive and democratic resolution of the crisis.

Conflict sensitivity, peace and resilience

A conflict analysis screening is being carried out during summer 2021 and in parallel to formulating the action to inform the action and ensure a do no harm and conflict sensitive approach in its design and implementation. This analysis screening reviews and updates the assessments carried out in 2019 and reviewed in January 2021, prior to the latest political developments, and as such builds on a continuous process of conflict considerations, which in the current context has become even more important than before.

The action will incorporate the final recommendations of the conflict analysis screening, the action will adopt a conflict sensitive approach that will act to minimise negative impacts and maximise positive impacts of the intervention on conflict. Civil society actors will be enabled to take conflict sensitive approaches in their work and interactions.

Disaster Risk Reduction

It is possible that Myanmar/Burma could face hazards of increased frequency and intensity with the potentially growing effects of climate change which could lead to further displacement of populations. The country ranks 2nd out of 187 countries in the Global Climate Risk Index (2020, data for 1999 to 2018) and 17th out of 191 in the Index of Risk Management (INFORM, 2020). Readiness to cope with the impacts of climate change and extreme events is particularly low in IDP camps and communities with a high percentage of Rohingya population as also underlined by a recent study. Therefore, attention will be given to early warning systems and the level of exposure and vulnerability of communities facing natural hazards such as cyclones, storm surges, floods and tsunamis and the COVID-19 pandemic.

Other considerations if relevant

None

3.4. RISKS AND LESSONS LEARNT

| Category | Risks | Likelihood (High/ Medium/ Low) | Impact (High/ Medium/ Low) | Mitigating measures |
|-------------------------------|--|---|---|--|
| 1-to the external environment | Risk 1: Political and security situation in the country does not allow for effective implementation of programmes | M | H | Due diligence protocols will be put in place; Close monitoring during the life of partnerships and projects, that will be based on data disaggregated, at least, by sex, age, disability and specific groups when applicable to promote equal participation, non-discrimination. A conflict sensitive approach will be applied. Application of the crisis declaration, i.e. flexible procedures. |
| 1-to the external environment | Risk 2: Civil society and/or local actors cannot operate freely, either for security or other practical | M | H | The EU Delegation looks into experiences from pilots to operate actions with across the border/remote management solutions methodologies to overcome financial and logistic challenges. |

| | | | | |
|--|---|---|---|--|
| | reasons, which hinder an effective implementation of programmes. | | | Special attention will be paid to safety and security of women including GBV, when planning and implementing activities. |
| | Risk 3: Weak capacity of national actors, including the ethnic organisations, political parties and CSOs results in major constraints for finding a common ground to re-engage into a process conducive to stability and peace | M | M | Combining technical support with capacity building and soft skills trainings; Increasing capacity to engage in evidence-informed policymaking; including use and collection of disaggregated data Careful transparent selection of implementing partners |

Lessons Learnt:

Substantial engagement of the EU in Myanmar’s conflict affected areas and the ongoing operationalisation of the triple nexus, engagement in the peace process and close cooperation with civil society allows for the consideration of a number of lessons learned for this action:

The layers of the different conflicts in the country are multiple and deeply interconnected at the political level. Hence the piecemeal approach too often adopted so far cannot address the underlying problems in their complexity. This requires a new approach encompassing the humanitarian, development and political dimensions, which is materialised in the piloted nexus response mechanism. Experience in particular from conflict areas shows the need for a localised and bottom-up approach to avoid grievances, ratchet up tensions, and engender rivalries and fuelling of armed resistance. In crisis contexts, development programmes must timely respond to external shock affecting the most vulnerable population. Also, experience shows that tangible benefits for people in conflict/crisis zones must be promoted and the critical role of gender in addressing fragility has to be recognised. To address conflict and achieve peace, it is important to focus the analysis rather on structural discrimination than on inter-communal conflict.

The recent developments have shown, that civil society struggles to overcome the challenges they are facing following the coup. It will be crucial to provide flexibility to the local actors, for example with regard to access to cash, and allow time for the local actors to position themselves and prepare their response. It will be important to learn from the experiences of other countries to enable civil society to continue operating in a more and more restricted environment, including increasing control and oversight of the de fact authorities on operations and funding and the security risks that come with it. A coordinated approach by development partners is of the utmost importance and analysing lessons learned from other initiatives such as FLER (ECHO) will be drawn.

3.5. THE INTERVENTION LOGIC

The underlying intervention logic for this action is that in response to the broad basic needs, eruption of violence and increased conflict as well as the increasing role of civil society as a consequence of the coup, the reinforcement of a nexus approach will make the population more resilient and enhance the process towards peace. This will involve supporting the most vulnerable, strengthening of peace building efforts at local community level and a strong civil society providing services and advocating for the needs and rights of the people of the country.

This approach takes into consideration the assumption that under the current circumstances, for people and organisations to ensure they can resist the external impact caused by the military takeover, a flexible and holistic response is required. The humanitarian-development-peace approach, as currently implemented in Myanmar, is considered most appropriate for this purpose, as it not only allows to react flexibly to the changing needs, but also addresses the needs of the people combining a shorter term and a longer term vision, combined with a focus on conflict sensitivity and prevention. The current situation in Myanmar indicates a strong need to closing the gap between the immediate emergency response and the important focus on strengthening people's sustainable and peaceful living.

The context also requires a specific focus on peace making and peace building, in particular, in absence of a functioning national peace process, on direct assistance to the communities to achieve peace at the local level. While the formal peace process is stalled, the action contributes to creating the demand and establishing functioning structures for peace building, conflict prevention and mitigation at the local level. Strengthening local civil society and assisting them to provide the support needed to local communities as well as advocating for their rights and needs, will complement the holistic approach taken which will help achieving resilience and peace.

With increased resilience of the population of Myanmar, in particular the most vulnerable segments, and local structures and organisations in place demanding and making peace, this action contributes – jointly with other programmes implemented by the EU, member states and other development partners – to solutions that allow for lasting peace, security, stability and sustainable development in Myanmar. The underlying assumption here is that strong communities, with an important role and participation of all segments of the community including women, and capacitated inclusive civil society organisations will build the basis for a social cohesion, life in security and peace, and also advancement towards development.

As part of the support for socio-economic recovery in conflict-affected areas and areas interested by civilian unrest, a strong emphasis will be given to alleviating inter-communal tensions and addressing serious human rights concerns: the systematic integration of rights based approach in activities aiming to meet populations immediate needs will be pivotal to all aspects of programme implementation, in order to assure principled, inclusive, non-discriminatory and needs based interventions. All actions will be screened against strict human rights due diligence and conflict sensitivity criteria for assuring principled engagement limiting the potential to perpetuate segregation or harmful practices.

3.6. LOGICAL FRAMEWORK MATRIX

At action level, the indicative logframe should have a maximum of 10 expected results (Impact/Outcome(s)/Output(s)).

It constitutes the basis for the monitoring, reporting and evaluation of the intervention.

On the basis of this logframe matrix, a more detailed logframe (or several) may be developed at contracting stage. In case baselines and targets are not available for the action, they should be communicated for each indicator at signature of the contract(s) linked to this AD, or in the first progress report at the latest. New columns may be added to set intermediary targets (milestones) for the Output and Outcome indicators whenever it is relevant.

- At inception, the first progress report should include the complete logframe (e.g. including baselines/targets).
- Progress reports should provide an updated logframe with current values for each indicator.
- The final report should enclose the logframe with baseline and final values for each indicator.

The indicative logical framework matrix may evolve during the lifetime of the action depending on the different implementation modalities of this action.

The activities, the expected Outputs and related indicators, targets and baselines included in the logframe matrix may be updated during the implementation of the action, no amendment being required to the Financing Decision.

PROJECT MODALITY (3 levels of results / indicators / Source of Data / Assumptions - no activities)

| Results | Results chain: Main expected results (maximum 10) | Indicators: (at least one indicator per expected result) | Baselines (values and years) | Targets (values and years) | Sources of data | Assumptions |
|----------------|--|--|---|---|--|---|
| Impact | To contribute to lasting peace, security, stability and sustainable development while promoting human rights, democracy and gender equality in Myanmar/Burma | <p>1 Level of Representation of women among mediators, negotiators and technical experts in formal peace negotiations (SGD 16.8) (GAPIII /WPS)</p> <p>2 Annual number of victims of armed clashes.** ** (disaggregated by sex, age, ethnicity, disability and displacement status).</p> <p>3. Level of material (level of income/assets) and non-material (access to public services) poverty in the conflict-affected areas, disaggregated by gender, age groups, location , displacement status and ethnic group - indicators)</p> | <p>1 To be defined at contracting stage</p> <p>2 To be defined at contracting stage</p> <p>3 To be defined at contracting stage</p> | <p>1 To be defined at contracting stage</p> <p>2 To be defined at contracting stage</p> <p>3 To be defined at contracting stage</p> | <p>1 Reports by NRM Conflict Analysis and Research Facility (CAR), established under the Nexus Response Mechanism</p> <p>2 Reports by NRM CAR Facility Assistance Association for Political prisoners' updates .</p> <p>3 Specialised reports by The Asia Foundation (TAF), the ADB, WB and other well respected think tanks and institutions.</p> | <i>Not applicable</i> |
| Outcome | To contribute towards building resilience and peace with and through local actors. | 1 Number of displaced persons reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law disaggregated by gender and ethnicity(**EU RF 2.17 and 2.28) | <p>1 To be defined at contracting stage</p> <p>2 To be defined at contracting stage</p> | <p>1 To be defined at contracting stage</p> <p>2 To be defined at contracting stage</p> | <p>1 Survey of displaced persons to be implemented by the Action at the beginning and end of implementation</p> <p>2 Survey of displaced persons to be implemented by</p> | <p>Broader peace and security conditions do not hinder implementation. There is space for implementing partners to work</p> |

| | | | | | | |
|-------------------|--|---|---|---|--|--|
| | | <p>2 Percentage of persons/target population in a given context reporting an improved feeling of safety and dignity by the end of the intervention compared to at the beginning, disaggregated by gender and ethnicity</p> <p>3 (GAP Indicator 9.6.) N# of individuals (male/female/ethnicity) directly benefiting from EU supported programmes that specifically aim to support civilian post-conflict peace building and/ or conflict prevention (**** EU RF 2.28) (GAPIII / WPS)</p> | 3 To be defined at contracting stage | 3 To be defined at contracting stage | <p>the Action at the beginning and end of implementation.</p> <p>3 Surveys conducted by NRM CAR and other EU-funded projects.</p> | <p>without endangering their lives/freedom. Assistance can be provided without unwarranted interference by de-facto authorities, EAOs or regional actors that may aim to steer or change the focus of interventions under the umbrella of action (e.g. by influencing the selection of target locations, beneficiaries or modes of implementation)</p> |
| Output 1.1 | <p>1 The humanitarian-development-peace nexus in Myanmar addressing immediate needs, reduce vulnerabilities, and increase resilience is reinforced</p> | <p>1.1 Number of persons benefiting from local projects aiming to eliminate barriers to access to services for displaced persons (disaggregated by sex, displacement status and ethnicity) (**EU RF 2.17)</p> <p>1.2 Number of beneficiaries who received legal or practical aid through this action to resolve</p> | <p>1.1 To be defined at contracting stage</p> <p>1.2 To be defined at contracting stage</p> <p>1.3 To be defined at</p> | <p>1.1 To be defined at contracting stage</p> <p>1.2 To be defined at contracting stage</p> <p>1.3 To be defined at</p> | <p>1.1 Progress reports for the Action - participants for each event disaggregated by sex, displacement status</p> <p>1.2 Database of beneficiaries (disaggregated by sex, location, type of</p> | <p>Effective and reliable local Myanmar partners can be identified.</p> <p>Local entities, communities, and EAOs remain open to external project</p> |

| | | | | | | |
|-------------------|---|---|---|---|--|--|
| | | <p>competing claims to housing, land and assets and who obtained civil registration documents with support of the action (disaggregated by type of claim, sex, location, age, ethnic group and displacement status) (** 2.17 and 2.27)</p> <p>1.3 Number of persons benefitting from improved basic services and human/technical/financial resources provided with support from the action (disaggregated by gender and displacement status and ethnicity) (GAP III)</p> <p>1.4 Availability of quantitative and qualitative data provided by this action on the impact of the displacement situation disaggregated by gender and ethnic group, e.g. with regard to perspectives for solutions, protection, basic services, housing, employment, and environment(** 2.18)</p> | <p>contracting stage</p> <p>1.4 To be defined at contracting stage</p> | <p>contracting stage</p> <p>1.4 To be defined at contracting stage</p> | <p>document, age and displacement status) and statistics to be provided in progress reports for the Action</p> <p>1.3 Progress reports for the Action</p> <p>1.4 Assessment studies to be commissioned by the Action</p> | <p>interventions that alleviate the conditions in which the civilian population lives.</p> |
| Output 2.1 | <p>2 Capacities, confidence and trust among local peace actors and communities allowing for an inclusive political dialogue and peace-making process are strengthened</p> | <p>2.1 % of trained participants who have improved their capacities to participate in political dialogue. (Disaggregated by gender and displacement status and ethnicity)</p> <p>2.2 Number of persons involved in local reconciliation initiatives and/or confidence-building initiatives</p> | <p>2.1 To be defined at contracting stage</p> <p>2.2 To be defined at contracting stage</p> | <p>2.1 To be defined at contracting stage</p> <p>2.2 To be defined at contracting stage</p> | <p>2.1 National and sub-national surveys conducted by the action. Facts of handing over / discussion on analysis/information, lists of capacity building participants, minutes explaining the</p> | <p>Stakeholders share a common understanding of priorities.</p> |

| | | | | | | |
|-------------------|--|---|--|--|--|---|
| | | (disaggregated by gender and displacement status and ethnicity) (GAPIII) 2.3 Perceived levels of interaction between members of different communities in conflict affected States compared to a year ago (disaggregated by gender and displacement status and ethnicity) (GAPIII) | 2.3 To be defined at contracting stage | 2.3 To be defined at contracting stage | events/ training and coaching. 2.2 To be defined 2.3 To be defined | |
| Output 3.1 | 3 Capacity and autonomy of local Civil Society Organisations to deliver services, and promote and protect civil rights in Myanmar are enhanced | 3.1 Number of mechanisms (civil society organizations, community-based organizations, civil society networks, consultation groups, etc) established or strengthened that foster citizen and civil society engagement 3.2 Number of women led organisations or women's rights organisations supported through the action (GAP III) 3.3 Number and type of institutions (formal and informal) adopting transformative policies, norms and practices (GAP III) | 3.1 To be defined at contracting stage 3.2 To be defined at contracting stage 3.3 To be defined at contracting stage | 3.1 To be defined at contracting stage 3.2 To be defined at contracting stage 3.3 To be defined at contracting stage | 3.1 reports developed by the technical facility and CSO projects reports 3.2 reports developed by the technical facility and CSO projects reports 3.3 CSO projects reports | Expectations are adequately managed. Local ownership principles are honoured through processes of validation by a wide cross-section of stakeholders |

4. IMPLEMENTATION ARRANGEMENTS

4.1. FINANCING AGREEMENT

In order to implement this action, it is not 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 will be carried out and the corresponding contracts and agreements implemented, is 60 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 compliance of the action with EU restrictive measures¹⁰.

4.3.1. DIRECT MANAGEMENT (GRANTS)

4.3.1.1 Grants: (direct management)

(a) Purpose of the grant(s)

The objective and expected results of the grants will contribute to the achievement of Output 2.1 *“Capacities, confidence and trust among local peace actors and communities allowing for an inclusive political dialogue and peace-making process are strengthened”*, as described in sections 3.

This call will be launched in the 4th quarter of 2021 under a suspensive clause prior to the adoption of this Decision. This is justified because of the urgency to respond to the needs of the population and capacity of civil society needs to be strengthened.

(b) Type of applicants targeted

In order to be eligible for a grant, the applicant(s) must:

- be a legal person, and
- be non-profit-making, and
- be a specific type of organisation such as: non-governmental organisation, public sector operator, local authority, international (inter-governmental) organisation, and
- be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.

(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 non-governmental organisations and/or civil society organisations, selected using the following criteria:

- capacity for managing projects in the peace and or governance sector;
- ability to work directly with relevant national counterparts and civil society partners in Myanmar;
- demonstrated experience in conflict sensitive approaches to development and in due diligence compliance
- demonstrated experience in applying a human rights based approach
- demonstrated experience in capacity building for civil society organisations; and

¹⁰ 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.

- presence and experience in operating in Myanmar.

Under the responsibility of the Commission’s authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because the country is in a crisis situation referred to in Article 2(21) of the Financial Regulation at the date of the Financing Decision, and/or because of the nature of the action with regard to Article 27(3) NDICI-Global Europe Regulation (current situation in the country qualifies under the provisions of article 27(3), and may require financing actions in situations where there is a serious lack of fundamental freedoms, including violation of human rights, threats to democratic institutions, escalation of crisis or armed conflict, where human security is most at risk, as well as financing human rights defenders or actors involved in crisis and armed conflict related dialogue, conflict resolution, reconciliation and peace building).

4.3.1.2 Grants: (direct management)

(a) Purpose of the grant(s)

The objective and expected results of the grants will contribute to the achievement of Output 3.1 “*Capacity and autonomy of local Civil Society Organisations to deliver services, and promote and protect civil rights in Myanmar are enhanced*”, as described in sections 3.

This call will be launched in the 4th quarter of 2021 under a suspensive clause prior to the adoption of this Decision. This is justified because of the urgency to respond to the needs of the population and capacity of civil society needs to be strengthened.

(b) Type of applicants targeted

In order to be eligible for a grant, the applicant(s) must:

- be a legal person, and
- be non-profit-making, and
- be a specific type of organisation such as: non-governmental organisation, public sector operator, local authority, international (inter-governmental) organisation, and
- be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.

(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 non-governmental organisations and/or civil society organisations, selected using the following criteria:

- ability to work directly with relevant national counterparts and civil society partners in Myanmar,
- capacity for managing projects in the governance sector,
- demonstrated experience in conflict sensitive approaches to development and in due diligence compliance,
- demonstrated experience in applying a human rights based approach
- demonstrated experience in capacity building for civil society organisations; and
- presence and experience in operating in Myanmar.

Under the responsibility of the Commission’s authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because the country is in a crisis situation referred to in Article 2(21) of the Financial Regulation at the date of the Financing Decision, and/or because of the nature of the action with regard to Article 27(3) NDICI-Global Europe Regulation (current situation in the country qualifies under the provisions of article 27(3), and may require financing actions in situations where there is a serious lack of fundamental freedoms, including violation of human rights, threats to democratic institutions, escalation of crisis or armed conflict, where human security is most at risk, as well as financing human rights defenders or actors involved in crisis and armed conflict related dialogue, conflict resolution, reconciliation and peace building).

4.3.2. DIRECT MANAGEMENT (PROCUREMENT)

The objective and expected results of the procurement will contribute to the achievement of Output 3.1 “*Capacity and autonomy of local Civil Society Organisations to deliver services, and promote and protect civil rights in Myanmar are enhanced*”, as described in sections 3. The call for tenders (services) will target the contracting of technical assistance for support to the CSOs roadmap/strategy.

This call has been launched in the 4th quarter of 2021 on under a suspensive clause prior to the adoption of this Decision. This is justified because of the urgency to respond to the needs of the population and capacity of civil society needs to be strengthened.

4.3.3. INDIRECT MANAGEMENT WITH AN INTERNATIONAL ORGANISATION

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

- Demonstrated experience in providing support to IDPs and in collaborating with CSO in conflict areas providing access to basic services.
- Demonstrated experience in managing joined humanitarian-development-peace funding mechanisms.
- Established presence in Myanmar/Burma and experience in the management of funds in related sector.
- Demonstrated experience in conflict sensitive and human rights based approaches to development and in due diligence compliance

The implementation by this entity entails implementing the activities related to Output 1.1 *“The humanitarian-development-peace nexus in Myanmar is reinforced by reducing vulnerabilities, increasing resilience and protection of rights”*, as described in sections 3.

4.3.4. CHANGES FROM INDIRECT TO DIRECT MANAGEMENT MODE (AND VICE VERSA) DUE TO EXCEPTIONAL CIRCUMSTANCES (ONE ALTERNATIVE SECOND OPTION)

In case of exceptional circumstances outside of the Commission's control the implementation modalities of the components of this action could be changed as follows:

- Output 1.1 (section 4.3.3) could be changed from indirect management with an international organisation to direct management through the award of grants. In such case, type of applicants will be as defined in section 4.3.1 above, with the following addition: “operate in Myanmar, Thailand and/or Bangladesh, and”
- Output 2.1 (section 4.3.1.1) could be changed from direct management through the award of grants to indirect management with an international organisation. The entity will be selected by the Commission's services using the following criteria:
 - Demonstrated experience in peace making and building and in collaborating with CSO in Conflict Areas providing access to basic services.
 - Established presence in Myanmar/Burma and experience in the management of funds in related sector.
 - Demonstrated experience in conflict sensitive approaches to development and in due diligence compliance
- Output 3.1 (sections 4.3.1.2 and 4.3.2) could be changed from direct management through the award of grants and procurement to indirect management with an international organisation. The entity will be selected by the Commission's services using the following criteria:
 - ability to work directly with relevant national counterparts and civil society partners in Myanmar
 - demonstrated experience in capacity building for civil society organisations
 - Established presence in Myanmar/Burma and experience in the management of funds in related sector
 - Demonstrated experience in conflict sensitive approaches to development and in due diligence compliance

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

| Indicative Budget components¹¹ | EU contribution (amount in EUR) | Third-party contribution, (amount in EUR) |
|--|---|--|
| Implementation modalities – cf. section 4.3 | | |
| Output 1.1 - The humanitarian-development-peace nexus in Myanmar addressing immediate needs, reduce vulnerabilities, and increase resilience is reinforced composed of | 17 000 000 | |
| Indirect management with an international organisation - cf. section 4.3.3 | 17 000 000 | |
| Output 2.1 - Capacities, confidence and trust among local peace actors and communities allowing for an inclusive political dialogue and peace-making process are strengthened composed of | 8 000 000 | N.A. |
| Grants (direct management) – cf. section 4.3.1 | 8 000 000 | N.A. |
| Output 3.1 - Capacity and autonomy of local Civil Society Organisations to deliver services, and promote and protect civil rights in Myanmar are enhanced composed of | 9 700 000 | N.A. |
| Grants (direct management) – cf. section 4.3.1 | 7 000 000 | N.A. |
| Procurement – total envelope under section 4.3.2 | 2 700 000 | N.A. |
| Evaluation – cf. section 5.2 Audit – cf. section 5.3 | Will be covered by another decision ¹² | |
| Communication and visibility – cf. section 6 | 300 000 | N.A. |
| Total | 35 000 000 | |

4.6. ORGANISATIONAL SET-UP AND RESPONSIBILITIES

For Output 1.1 (nexus support) a Steering Committee will be established, chaired by the EU Head of Delegation and will be composed by members of the Delegation as well as ECHO, and possibly representatives of eventually other contributing donors to the programme, one permanent member ex-officio of the programme secretariat and ad-hoc observers invited for consultative purposes only, in order to provide guidance (technical, programmatic, and/or political) as deemed fit. This Steering Committee will meet on a regular basis, including ad hoc meetings as required given the flexible response the nexus mechanism requires.

For output 2.1 (peace building support,) a Steering Committee, chaired by the EU Head of Delegation and composed of representatives of the EU Delegation, will be established to oversee and monitor progress and advice in light of the strategic positioning of the EU within the peace process. Ad hoc invitations can be extended to other local actors and member states.

For Output 3.1 (CSO support), an Steering Committee, chaired by the EU Head of Delegation and composed of representatives of the EU Delegation and the technical facility team will be established for each component to determine the content of structured dialogues and other activities. Ad hoc invitations can be extended to other local actors and member states. Consultations will take place in regard to project monitoring and evaluation as well as in regard to annual / strategic operational documents.

¹¹ N.B: The final text on audit/verification depends on the outcome of ongoing discussions on pooling of funding in (one or a limited number of) Decision(s) and the subsequent financial management, i.e. for the conclusion of audit contracts and payments.

¹² Where the action is not covered by a financing agreement (see section 4.1), but ‘will be covered by another Decision’ as it is unlikely that evaluation and audit contracts on this action would be concluded within N+1. These contracts have to be authorised by another Financing Decision.

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. Gender equality, human rights and human rights based approach (HRBA) expertise will be ensured during implementation and follow up as possible. They will also be integrated in relevant capacity building activities and documents (i.e. ToRs etc), as minimum requirement of expertise.

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).

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

Roles and responsibilities for data collection, analysis and monitoring:

- Baselines setting: Baselines and targets will be provided at contracting level at the latest within six months from contracting. Information will be collected by Implementing Partners, which will foresee adequate human resources and arrangement to allow for this process.
- Data collection and reporting: Surveys will be carried out by dedicated staff of Implementing Partners, who will foresee adequate human resources and arrangements for this purpose.
- M&E Capacities: This action foresees to provide support to and strengthen the M&E capacities of local actors/CSOs to monitor progress. All implementing partners will put adequate resources in place to ensure appropriate monitoring and evaluation.
- For the sake of accountability vis-à-vis stakeholders, their participation will be ensured by a constant consultation which will accompany all interventions.
- Gender equality results will be monitored in line with each of the actions provisions.
- The application of a HRBA will be monitored, in line with the working principles (non-discrimination, participation, transparency and accountability).

5.2. EVALUATION

Having regard to the importance of the action, mid-term and final evaluations will be carried out for this action or its components by independent consultants contracted by the Commission.

Mid-term evaluation will be carried out for problem solving, and learning purposes, in particular with respect to the chosen implementing modality and its efficiency and effectiveness in supporting peace building and conflict transformation, strengthening Civil Society Organisations and promoting an inclusive development model for all conflict affected and vulnerable populations.

Final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the volatile context of Myanmar/Burma. The final evaluation will assess progress towards expected results by comparing start/end points as defined in the inception phases.

The Commission shall inform the implementing partner at least 2 months 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.

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](#) (or any successor document), 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.

It is envisaged that a contract for communication and visibility may be contracted.