



This action is funded by the European Union

**ANNEX I**

of the Commission Implementing Decision on the Annual Action Programme 2015 for the Instrument contributing to Stability and Peace - Global and trans-regional threats

**Action Document for Counterterrorism**

**INFORMATION FOR POTENTIAL GRANT APPLICANTS - WORK PROGRAMME FOR GRANTS**

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) in the following section concerning grants awarded directly without a call for proposals: 5.3 “Grant – direct award (direct management)”

<b>1. Title/basic act/ CRIS number</b>	<b><u>Countering terrorism</u></b> CRIS number: 2015/037-982 financed under Instrument contributing to Stability and Peace (Article 5)			
<b>2. Zone benefiting from the action/location</b>	Miscellaneous Countries in the Middle East/North –Africa (MENA) region.			
<b>3. Programming document</b>	Instrument contributing to Stability and Peace – Multiannual Indicative Programme 2014-2017			
<b>4. Sector of concentration / thematic area</b>	Counterterrorism			
<b>5. Amounts concerned</b>	Total estimated cost: EUR 14 000 000 Total amount of EU budget contribution EUR 14 000 000			
<b>6. Aid modality(ies) and implementation modality(ies)</b>	Component A: Indirect management with a Member State agency Component B : Direct management – direct award to Global Community Engagement and Resilience Fund (GCERF)			
<b>7. DAC code(s)</b>	99810			
<b>8. Markers (from CRIS DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>9. Global Public Goods and Challenges (GPGC) thematic flagships</b>	Not applicable			

## Summary of the action and its objectives

This Counter-Terrorism (CT) programme aims to provide support to the fight against terrorism at local, national and regional levels. The two components of the action are:

Component 1: "Counter Terrorism in MENA countries" (CT MENA).

Component 2: Support to the "Global Community Engagement and Resilience Fund (GCERF)".

Following earlier Counter-Terrorism actions initiated under previous programmes (AAP 2008-2013), the present actions will focus on enabling States in the Middle East and North Africa (MENA) region to build **criminal justice and law enforcement systems** that can cooperate regionally and internationally to offer security to their citizens while ensuring compliance with international law, human rights and the rule of law.

The action will also contribute to support multilateral efforts **countering violent extremism** while enhancing human rights, promoting tolerance and peaceful dialogue.

The action will be closely coordinated with ongoing and planned initiatives on similar issues, notably those funded under Article.3 of the IcSP and the ENI. A coordination mechanism to create synergies and coherence is foreseen to ensure complementarity and to avoid overlap between activities.

The proposed action is in line with the EU Council Conclusions on the ISIL/Da'esh crisis in Syria and Iraq (October 2014), the EU Council Conclusions on Counter-Terrorism (February 2015) as well as the UNSCR 2178 on foreign terrorist fighters.

For all actions under this Action Document, and especially for Component A, the Commission will ensure that measures are implemented in accordance with international law, including international human rights and humanitarian law, and in line with the EU Strategic Framework and Action Plan on Human Rights and Democracy. To ensure compliance with the obligations stipulated in Article 10 of the IcSP Regulation ("Human rights"), a clear human rights perspective will be incorporated throughout the different stages of the project cycle (elaboration of project documents; monitoring of implementation; evaluation) on the basis of the operational guidance developed to this end by the Commission, while relevant information shall be included in its regular reporting. Extensive coordination with other actions, in particular those financed by the EU and its Member States shall be ensured.

## 1 CONTEXT

### 1.1 Sector/Country/Regional context/Thematic area

#### **MENA region**

The Middle East and North Africa Region (MENA)<sup>1</sup> is facing an extremely complex and volatile security situation. The continuing strife in the MENA region stems from political turmoil and a terrorist threat emanating from a number of actors. This presents a range of economic, political and social challenges for relevant actors in the counter-terrorism sphere. The so-called Arab Spring swept across the North Africa and Middle East beginning in 2011 in a wave of anti-government and pro-democracy protests demanding constitutional reform. However, despite the protesters' expressed will for the establishment of more inclusive

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<sup>1</sup> For this action defined as Algeria, Egypt, Iraq, Jordan, Lebanon, Libya, Morocco, Palestine, Syria and Tunisia.

political processes supported by progressive legal reforms, the consequences of the Arab Spring have – with the possible exception of Tunisia – not brought the degree of democracy and peace to the regions that many would have hoped for. The states’ reaction to the protests have in many instances led to increased repression by governments that are struggling to contain growing insurgencies and a new wave of particularly brutal terrorist actors across the MENA region.

### **Foreign Terrorist Fighters**

The Foreign Terrorist Fighters (FTF) phenomenon is a growing threat to many countries, inside and outside the EU. It is estimated that around 15,000 people, among them 6,000 EU citizens, have travelled to take part in the sectarian wars in Syria and Iraq (and beyond). On 24 September 2014, the United Nations Security Council (UNSC) unanimously adopted Resolution 2178 with support from over 120 states representing a broad cross-section of the General Assembly’s membership. The Resolution directs all countries in the UN to “prevent and suppress the recruiting, organising, transporting or equipping of individuals who travel to a state other than their states of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and the financing of their travel and of their activities”. Additionally, it includes explicit language on the need for states to counter violent extremism by taking preventive measures such as engaging with communities at the local level as an integral part of a whole of government approach to stem the threat of FTF.

### **Countering violent extremism (CVE)**

Responding to the challenges posed by the recent escalation in violent extremism worldwide and its current manifestations – such as the rise of groups such as al-Qa’ida in the Islamic Maghreb (AQIM), Boko Haram, and ISIL/Da’esh – is a principal concern of the international community. The current, rapidly evolving context demands immediate and targeted responses to the spread and surge of violent extremism, in its manifest forms, as they emerge. Addressing the local drivers of recruitment and radicalisation to violence by supporting local community-level responses is an important, underexploited, and currently underfunded strand of a holistic, integrated policy for CVE.

#### ***1.1.1 Public Policy Assessment and EU Policy Framework***

In the Council conclusions of 9 February 2015 on Counter-Terrorism, the Council decided to step up, as a matter of urgency, its external action on countering terrorism in particular in the MENA region. The Council Conclusions call for accelerated implementation of the EU Regional Strategy for Syria and Iraq as well as the Da’esh/ISIL threat adopted on 16 March 2015. The EU’s counter-terrorism strategy for Syria and Iraq, with particular focus on foreign fighters, was endorsed on 20 October 2014. It highlighted the need to strengthen partnerships with key countries of the MENA region as well as the League of Arab States, support capacity building including on the implementation of UNSCR 2178, countering radicalisation and violent extremism, and promote international and regional cooperation.

Although having introduced comprehensive legislation pursuant to UNSCR 1373, a number of the MENA countries do not have laws criminalising specific acts relating to foreign terrorist fighters. Some countries do not adequately criminalise the broad range of preventive offences required by UN resolutions and some have introduced broad legislation aimed at addressing preparatory acts related to Foreign Terrorist Fighters. Several countries lack legislation to address preparatory acts aimed at facilitating the travel of FTFs (such as those who provide equipment or financing for, or organise such travel). Several States do not

criminalise travel by FTFs through their territories and several states lack the capacity to ensure that individuals participating in activities relating to FTFs are brought to justice through effective prosecution. It is evident that there are difficulties in the region in obtaining evidence from other countries, including in relation to effective international judicial cooperation. The infrastructure in the MENA region for judicial cooperation is still slow and on many accounts ineffective despite existing support, including through the Euromed Justice programme. The main reasons for this include lack of comprehensive arrangements and instruments for cooperation, inadequate capacity and training, outdated procedures that do not take account of new methods of evidence collection (in particular, special investigative techniques and electronic evidence) and lack of political will. Gaps also continue to exist in arrangements and mechanism relating to extradition. Regarding judicial cooperation, there is a first need to map relevant international agreements ratified by MENA countries (UN Conventions, regional and bilateral agreements applicable in the field of judicial cooperation). Subsequently, major improvement could be reached by ratifying relevant instruments of the Council of Europe, which are open to ratification by non-members, such as:

- European Convention on Extradition (13/12/1957) and its protocols;
- European Convention on Mutual Assistance in Criminal Matters (20/4/1959) and its protocols;
- European Convention on the Supervision of Conditionally Sentenced or Conditionally Released Offenders (30/11/1964);
- European Convention on the Transfer of Proceedings in Criminal Matters (15/5/1972);
- European Convention on the Suppression of Terrorism (27/1/1977) and its protocol;
- Convention on the Transfer of Sentenced Persons (21/3/1983) and its protocol;
- Convention on Cybercrime (23/11/2001);
- Convention on the Prevention of Terrorism (16/5/2005);
- Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (16/5/2005).

The EU has a long-standing commitment to the countries in the MENA region. In 1995, the EU negotiated a Euro-Mediterranean Partnership with 12 Mediterranean Partner Countries (MPC) with the ambitious objective of creating a regional free trade agreement by 2010 and carrying out corresponding governance reforms under the Barcelona Declaration launching the Euro-Mediterranean partnership. The commitments are embodied in a variety of ongoing initiatives including the European Neighbourhood Policy which offers support for political and economic reform in each individual country in due respect for its specificities; and support for the Union for the Mediterranean initiative to encourage regional cooperation among the countries of the MENA region themselves and with the EU.

The more general framework has been supplemented by more CT-related political initiatives. With increasing concerns about the conflict in Syria and Iraq and the security concerns deriving from the phenomenon of foreign fighters who have come from over eighty countries, including EU Member States, the EU has developed a Strategy to address the problem of counter-terrorism and foreign fighters.

The EU's counter-terrorism strategy for Syria and Iraq, with particular focus on foreign

fighters was endorsed on 20 October 2014 by the Foreign Affairs Council<sup>2</sup>. The Strategy mentions as an important element to support countries implementing UNSCR 2170 and 2178 and related resolutions. Priority countries mentioned include all the MENA countries. The immediate objective of the EU engagement is to ensure that the threat does not grow, i.e. stem the flow of new recruits, and that the threat does not spread further beyond the Syria/Iraqi borders. At the same time it is recognised that mitigation is not enough, and that a coherent approach and wider range of tools are called for. The Strategy is founded on the EU's criminal justice-based approach to tackling terrorism while protecting human rights, on the clear premise that the rule of law and the protection of human rights and fundamental freedoms are the foundation of the fight against terrorism for the EU. The Strategy outlines a series of concrete recommendations across the pillars of the wider EU CT Strategy (2005) on Prevent, Pursue, Protect and Respond, as well as on matters related to providing military support and engaging with key partners. It also highlights the need for effective co-ordination between the internal and external CT agenda and it notes that the strategy on Iraq and Syria should be mainstreamed into the relevant Council working groups, including regional groups.

Prevention is and will remain a core element in the EU's strategy against violent extremism. As highlighted by the High Representative/Vice-President Federica Mogherini at the Summit on Countering Violent Extremism in Washington on the 19 February 2015, the EU stands ready to support initiatives aimed at identifying drivers for youth extremism, empowering women, promoting community policing, strengthening local actors, improving the media and education capacities to counter radicalising ideologies.

### ***1.1.2 Stakeholder analysis***

The issue of terrorism has in, various forms and incarnations, been a recurrent phenomenon in the MENA region for more than 50 years. The findings of the identification missions for this project underline that terrorism remains a real concern throughout the region both in terms of “human security” and in terms of threats against the development, stability and security of state and state structures and is recognised as such by official state representatives.

The mapping and gap analysis carried out as part of the identification of this action to a very high degree correlates with, as well as confirms, the analysis of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism in its letter to the President of the Security Council dated 7 November 2014 setting out the gaps in Member States' capacities to implement Security Council resolutions 1373 (2001) and 1624 (2005) that also may hinder the abilities of states to stem the flow of foreign terrorist fighters pursuant to Security Council resolution 2178 (2014). This in particular relates to the following:

Gaps in legal and judicial frameworks: The main issues are outlined under 1.1.1 above.

Overall there is an obvious need for actions to address on-going capacity gaps in the areas of General Law Enforcement and Legal Issues. These needs include improvement in coordinated and strategic training of criminal justice officials (law enforcement, prosecutors and judges, FIU) with regard to the investigation, prosecution and judgement of terrorist offences and international cooperation in criminal matters.

Specific training is needed on how to develop the case from intelligence to conviction, including multi-agency co-operation. Local actors need assistance in developing a platform

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<sup>2</sup> Council conclusions on the ISIL / Da'esh crisis in Syria and Iraq (ref. number 14463/14).

for interaction amongst judges, prosecutors, law enforcement and senior policemen, as necessary, would be of great benefit with the involvement of relevant EU bodies such as CEPOL, EUROPOL and EUROJUST.

Assistance is also needed to amend and operationalise counter-terrorism legislation (and political CT strategies) to bring it into line with the international counter-terrorism instruments, with accompanying safeguards for human rights and civil liberties. This could usefully take its point of departure in the GCTF best practices. Legislation also needs to be updated (e.g. extradition and mutual legal assistance laws), simplifying mutual legal assistance and extradition procedures for practical use on the ground.

Gaps in law enforcement and border control measures: States are under an obligation to take the necessary steps to prevent the commission of terrorist acts. A number of means are at the disposal of States to accomplish this goal, including establishing a counter-terrorism strategy with law enforcement component, supported by a centralised investigative structure and information-sharing among competent law enforcement agencies. Another means is the effective use of special investigative techniques, within a human rights and rule of law framework. Most of the States in the MENA region lack adequate counter-terrorism strategies and the necessary evidence based investigative techniques. There is a lack of community policing programmes which could help to bring together law enforcement agencies and local communities to detect and prevent terrorist activities in an atmosphere of mutual trust. Gaps clearly exist in the MENA region in the international exchange of information by law enforcement and intelligence agencies aimed at preventing the commission of terrorist acts and bringing terrorists, including FTFs, to justice. In particular, this pertains to operational information, especially regarding actions of movements of terrorist persons or networks. Major gaps in the MENA region relates to the border control requirements of various UNSCRs. Many States in the region still lack effective mechanisms to ensure effective border controls and control the issuance of identity papers and travel documents through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents. Not all States in the MENA region are adequately connected to or do not fully exploit the databases of INTERPOL, including its database on stolen and lost travel documents. The porous and lengthy nature of many land borders is a problem for almost all countries in the region.

Specific assistance needs include: enhancement of cross-border investigations capabilities and capacities; development of memorandums of understanding on joint investigation teams, including gathering of evidence and recovery of exhibits; conducting effective training and awareness-raising programmes regarding extradition, mutual legal assistance, warrants for prosecutors, law enforcement and the judiciary; and becoming parties to the international counter-terrorism instruments.

Gaps in countering violent extremism: Both in the context of UNSCR 2178 and 1624, States are obligated to take action to confront the extremist ideas that underlie terrorist and violent extremist action through law enforcement measures as well as through other policies aimed at delegitimising the terrorist narrative within a human rights and rule of law framework. Although political will exists to address the issue not least in a country like Jordan, significant gaps remains in the region. This relates both to the need to develop counter-messages and to initiate community policing and community engagement programmes. Building on existing experiences, additional steps need to be taken in relation to address conditions conducive to the spread of violent extremism, including by empowering youth, families, women, religious, cultural and educational leaders and other relevant civil society groups. A clear lack was

identified in relation to effective strategies and programmes for the handling of returning foreign terrorist fighters including in terms of rehabilitation and reintegration programmes.

Gaps in compliance with human rights obligations and the rule of law: In a number of the MENA countries analysed in this report there continues to be significant gaps in the efforts to ensure compliance with human rights and rule of law obligations in the context of counter-terrorism measures taken inter alia to implement relevant UNSC resolutions such as 1373 and 1624. It is foreseen that similar gaps are to be expected in relation to UNSCR 2178. The point of departure must be that counter-terrorism measures taken by States must comply with their obligations under international law, including international human rights law, international refugee law and international humanitarian law. The findings of this report show that significant gaps still exist in most of the MENA States with regard to compliance with obligations under international law within the framework of counter-terrorism. It is the case for several of the MENA countries that counter-terrorism laws lack the clarity and precision required to ensure that the laws are not used in violation of the rights to freedom of expression, opinion, belief or association. Most MENA States fail to ensure fair treatment and due process for persons accused of terrorist offences, to protect the right to freedom from discrimination or to ensure respect for personal integrity and freedom from torture and ill treatment for terrorism suspects. Failure to comply may increase radicalisation and serve as a condition conducive to the spread of terrorism. Serious gaps also can be observed in connection with refugee flows and compliance with international refugee law. The recent conflicts in the region have brought large numbers of refugees and asylum seekers across borders and the number of internally displaced persons has also increased significantly. Several countries including Jordan, Lebanon, Libya (Iraq/Syria) and Tunisia lack effective mechanisms to manage these complex situations and face major challenges in identifying and protecting refugees while also taking care of their legitimate security concerns by preventing entry into their territories by individuals involved in terrorist acts.

In Sum, the region is faced with immense security challenges that are having negative impact on its own security and presents an urgent threat to countries from around the world, including Europe, where FTF who have travelled to theatres of conflict in the Middle East are returning home radicalised and battle-hardened and willing to commit terrorist acts. To address this urgent threat and protect human rights, countries in the region need support on CT on CVE in general in order to implement more specific FTF-directed measures effectively.

Research and field visits in connection with the formulation of this action also found that more political support founded on an awareness of threat (and what is needed to address it) is needed to ensure that senior leadership in countries in the MENA region is in a position to support and sustain effective training at the national and at the regional level.

### ***1.1.3 Priority areas for support/problem analysis***

There is a need for comprehensive EU engagement across a number of fields including on CT aspects of justice and security sector reform/development but also addressing the prevention aspects through CVE engagements. In the wake of the Arab Spring some countries such as Egypt have opted for a return to a heavy handed approach, relying more on repressive measures than on a more balanced strategic set of policies that include preventive measures and strict attention to human rights. Continued repression could, however, contribute to radicalisation and lead to insecurity in the long run. Other countries such as Tunisia have engaged on security sector reform which – although positive – can, however, in the short run lead to weakened security systems.



### **3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES**

#### **3.1 Lessons learnt**

The research for the identification of this action, including field visits, found that a number of capacity building activities are being undertaken in the region with the support of multiple donors, including the EU. The projects are mostly country-specific but a number of region-wide ongoing or planned projects are also registered. Many of these activities are relevant to this action, for example in the area of promoting access to justice and strengthening the Rule of Law. However, there is generally a lack of strategic coherence among these programming initiatives. The conclusions of the research to a very high degree correlates with, as well as confirms, the analysis of the Security Council Committee established pursuant to Resolution 1373 (2001) concerning counter-terrorism in its letter to the President of the Security Council dated 7 November 2014 setting out the gaps in Member States' capacities to implement Security Council resolutions 1373 (2001) and 1624 (2005) that also may hinder the abilities of States to stem the flow of foreign terrorist fighters pursuant to Security Council resolution 2178 (2014). Accordingly, this action aims to provide opportunities for enhanced donor coordination as well as improved information among - and within - ministries and other relevant actors in recipient countries.

The EU has a longstanding engagement in the MENA region and a considerable experience on cooperation and support exists for projects that are often more CT-relevant than CT-specific. In relation to CT and CVE the EU has developed its engagement in the MENA region considerably over the past six to seven years which is reflected in various high level Declarations, Communications and Council Conclusions, including the recent EU Iraq-Syria strategy and an intensification of high level dialogue meetings.

#### **3.2 Complementarity, synergy and donor coordination**

This action has been designed to ensure coordination with the EU funded capacity building projects financed through the Instrument contributing to Stability and Peace (IcSP) - Articles 3 and 4 covering respectively non-programmable measures in relation to crisis response and programmable measures in the areas of conflict prevention, peace-building and crisis preparedness. It has also been designed in coordination with other on-going or planned regional (notably the programme "Countering radicalisation and Foreign Terrorist Fighters") or bilateral programmes under ENI.

Given the many other initiatives on Counter Terrorism being launched in the region, in the inception phase of this programme, a coordination mechanism will be established involving EEAS, DG NEAR, DG HOME, FPI and the concerned EU Delegations in order to create synergies, coherence and to avoid duplication. The "CT MORSE" programme under IcSP will contribute to address the coordination challenges stemming from the significant increase in EU engagement on Counter-Terrorism.

The action will secure continuity and complementarity of actions already financed at the national level and by other donors, including international organisations, such as UNODC.. The Global Counterterrorism Forum working groups – in particular the working group on Foreign Terrorist Fighters – presents an obvious platform for coordinating capacity building assistance with other donors. The EU is a member of the GCTF set up to coordinate global, civilian led counterterrorism efforts and two EU member states co-chair two GCTF working groups (UK: CVE, NL: Foreign Terrorist Fighters).

### **3.3 Cross-cutting issues**

The activities of this action will be implemented according to the following principles: gender neutrality in its employment and outsourcing actions, and gender balance in all of its committees, workshops and training interventions; participatory approach on direct involvement of civil society and the private sector; promotion of good governance issues; visibility ensured notably by publicity campaigns and publications valorising programme results.

Additional principles governing this action implementation include those related to the adequate protections of human rights and respect for due process throughout all project activities. Appropriate vetting of all subcontractors is necessary to assure that human rights standards are maintained. All assistance and training aspects must include precautionary measures to assure international human rights standards and norms are met, this is particularly important given perpetration and allegation of human rights violations outlined in the mapping report. Given the objectives of the activities themselves, elements concerning the respect of human rights and due process, but also more broadly will obviously be integral parts of the training and awareness-raising activities.

In providing technical assistance and capacity building programming, the issue of corruption should be carefully considered, in particular with regards to the control and audit of programmatic funds. Programme implementers must observe regulatory measures to mitigate funds transfers to politically exposed persons or other individuals or entities that may abuse programmatic arrangements. Corruption is of specific concern in the region. To mitigate the challenges posed by endemic corruption, anti-corruption actions will be comprehensively integrated into all parts of the training and awareness raising activities.

## **4 DESCRIPTION OF THE ACTION**

### **4.1 Objectives/results**

#### ***4.1.1 Overall objective***

In accordance with the Multi Annual Indicative Programme 2014-17, the overall objective is to disrupt terrorist networks and the activities of recruiters to terrorism, cut off terrorist funding and bring terrorists to justice while continuing to respect human rights and international law. This will be achieved through two inter-linked and complementary components outlined in the two specific objectives below.

#### ***4.1.2 Specific Objectives***

##### ***Component A-CT MENA***

The specific objective of the component A is to enable states in the Middle East and North Africa (MENA) region to build criminal justice and law enforcement systems that can cooperate regionally and internationally to offer security to their citizens while ensuring compliance with international law, human rights and the rule of law. The main subcomponents are as follows:

- To build regional institution capacity by enhancing the capacity of the League of Arab States to improve rule of law based CT and CVE efforts with a specific focus on raising awareness of the FF/FTF issue and implementing UNSCR 2178 across the region as well as operationalising CT and FTF-relevant norms. Engage and sustain League of Arab States Member States' attention to the threat of terrorism and increase region-wide efforts to counter and prevent it. In doing so, also enhance the political awareness and support at

national and regional level for the need for a strengthened CT effort.

- To strengthen regional human rights compliant counter-terrorism-related capacities and operational skills on CT and CVE.
- To increase resilience in countries neighbouring Syria, Libya and Iraq thereby containing the threat from ISIL/Da'esh and other violent extremist groups and preventing the crisis from further destabilising the region through targeted pilot-projects.

### ***Component B Support to GCERF***

The specific objective is to work globally with local state and civil society partners to develop and implement interventions that have a demonstrable impact on the threat posed by radicalization and recruitment to terrorism.

## **4.2 Expected Results and Main activities**

### **Component A**

In order to meet the objective mentioned above, Component A (CT MENA) is designed to deliver three results, described below. All of these results are mutually reinforcing.

**Result 1: The regional institutional capacity on CT/CVE is reinforced** to improve rule of law based CT and CVE efforts with a specific focus on addressing the FF/FTF phenomenon. This result will include providing assistance and expertise to help the League of Arab States develop a specific self-evaluation tool for the League of Arab States General Secretariat and its member states to assess their progress in implementing UNSCR 2178 (2014). One specific focus of this result will be to assist with operationalisation of Rule of Law-based CT and FTF-relevant norms. This could include assisting the League of Arab States General Secretariat to help engage and sustain member states' attention to the threat of terrorism and increase region-wide efforts to counter and prevent it.

**Result 2: Establish and Implement a Technical Assistance Facility on Counterterrorism (TAFCT)** to provide standing, demand driven training, technical and legal assistance on CT and CVE related issues. The Facility will need to have light management procedures and should correspond to the needs of third countries without overburdening them.

The assistance provided would cover a wide range of issues depending on need and context. The following specific topics should be considered for support in this regard:

- assistance with domestic implementation of conventions, protocols and resolutions in relation to terrorist activity (notably but not limited to UNSCR 2170 (2014) and UNSCR 2178 (2014));
- assistance in developing and implementing rule of law based criminal justice practices to counter terrorism under a human rights based approach;
- assistance on the establishment and implementation of border controls related to the control the issuance of identity papers and travel documents through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents,
- assistance for making better use of INTERPOL databases on stolen and lost travel documents; and international exchange of information by law enforcement and intelligence agencies aimed at preventing the commission of terrorist acts and bringing terrorists, including FTFs, to justice, including the sharing of operational information, especially regarding actions of movements of terrorist persons or networks.

- assistance for the development of procedures for counter-terrorism law enforcement and/or the identification, documentation and dissemination of good practices on judicialas well as operational information.
- assistance for the eventual signature and implementation of relevant Council of Europe Conventions open to non-members of this organisation.

The programme will define during its inception phase the modalities for the deployment of the assistance as well as an exhaustive list of the type of assistance that could be provided under this facility in full compliance with human rights and with international law, including international humanitarian law (Article 10 of the Regulation establishing IcSP).

**Result 3: Country-specific (resilience) initiatives:** The resilience in countries containing the threat from ISIL/Da'esh and other violent extremist groups is increased. It will contribute to prevent the crisis from further destabilising the region through targeted pilot-projects. Pilot projects will be developed in the formulation phase and shall pay special attention to create synergies and avoid overlap with existing and planned actions, in particular those financed under art. 3 of the IcSP and the ENI. They could tentatively include:

- Jordan: Support for initiatives building on its own efforts to establish a comprehensive counter radicalisation strategy including assistance for facilitating the launching of an operational Amman message II in close coordination with actions to be financed in this field notably under art. 3 of the IcSP.
- Morocco: Support for the implementation of measures within The Hague – Marrakech Memorandum on Good Practices for a More Effective Response to the FTF Phenomenon, which contains good practices to inform and guide interested governments as they develop comprehensive policies, programmes, and approaches to address the FTF phenomenon.
- Tunisia: Support for the implementation of measures related to counterterrorism in the framework of the Security Sector Reform programme.

**General (locations to be defined):** Support to develop effective strategies and programmes for the handling of returning foreign terrorist fighters including in terms of rehabilitation and reintegration programmes.

Other pilot projects could be identified in later stages of this programme, notably in Egypt, Lebanon, and Libya.

## **Component B**

In order to meet the objective mentioned above, Component B aims to deliver the following result:

**Result 1: Strengthened capacity of civil society organisations to deliver actions that prevent and counter terrorism.** Effective Prevent/CVE work requires engagement with vulnerable communities and groups to identify and operationalise local solutions to the drivers of radicalisation. Support will be provided to the identification, design, implementation and evaluation of a number of specific actions in selected countries within pre-defined subject areas, e.g. youth, prisoners, women, diaspora.

Cooperation under this component will be based on, and actively promote, human rights and fundamental freedoms, in particular freedom of religion or thought. EU assistance in this area will not support the promotion of any particular faith, religion or personal belief system.

### **4.3 Intervention logic**

See Annex 1.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

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

### **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is 72 months (48 of implementation of the activities) from the date of the adoption by the Commission of this Action Document.

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

### **5.3 Implementation modalities**

#### ***Component A: CT MENA***

In accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012, this action will be implemented in indirect management with Expertise France.

This implementation entails to manage and be responsible for the execution of the programme, for the budget made available by the Commission (EUR 13 million).

This implementation is justified due to the combined nature of the activities foreseen (provision of capacity building and technical assistance to strengthen relevant actors against terrorism in accordance with the principles of rule of law as well as budget-implementation tasks) but also in order to reinforce the nexus between the internal and the external dimensions of the EU's security policy and to avoid duplication and overlap with similar activities.

Expertise France, supported by other EU Member States agencies, is best placed to cover the wide range of fields of expertise required to perform interventions in the diverse fields of information sharing, capacity building, law enforcement, and regional cooperation while ensuring confidentiality.

The entrusted entity would carry out the following budget-implementation tasks: acting as contracting authority concluding, monitoring and managing contracts, carrying out payments, and recovering moneys due; management of procurement procedures for hiring staff, purchasing goods and equipment, hiring consulting services, and any other relevant transactions.

#### ***Component B Support to GCERF***

This action will be implemented with a direct award to GCERF (direct management).

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

The objective of the grant to be awarded under Component B is to work with local state and civil society partners to develop and implement interventions that have a demonstrable impact on the threat posed by radicalisation and recruitment to terrorism.

As the main purpose of the actions under component B is financial support to third parties no maximum amount for sub- granting will apply. The Description of the Actions for this grant shall define the types of entities eligible for financial support and include a list with the types of activity which may be eligible for financial support. The criteria for the selection of the third party recipients of this financial support, including the criteria for determining its exact amount, shall also be specified in the Description of the Action.

(b) Justification of a direct grant.

Under the responsibility of the Commission’s authorising officer responsible, the grant may be awarded without a call for proposals to the Global Community Engagement and Resilience Fund

Under the responsibility of the Commission’s authorising officer responsible, the recourse to an award of a grant without a call for proposals is because of the de facto monopoly of this body. The direct award is furthermore justified by the specific characteristics of the action that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative power.

(d) Essential selection and award criteria.

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

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

(e) Maximum rate of co-financing.

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

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012, full funding is essential for the action to be carried out. The essentiality of full funding will be further justified by the Commission’s authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(f) Indicative trimester to conclude the grant agreement: Third semester

#### **5.4 Scope of geographical eligibility for procurement and grants**

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

The Commission’s authorising officer responsible may extend the geographical eligibility in accordance with Budget Article 9(2)(b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

#### **5.5 Indicative budget**

<b>Outcomes</b>	<b>EU contribution (amount in EUR)</b>	<b>Third party contribution</b>
<b>5.5.1 – Component A</b>	<b>13,000,000</b>	
Operational activities	12,800,000	
Evaluation and audit	100,000	
Communication and visibility	100,000	
Contingencies	0	
<b>5.5.2 – Component B</b>	<b>1,000,000</b>	

Support to GCERF	920,000	
Evaluation and audit	40,000	
Communication and visibility	40,000	
Contingencies	0	
<b>Totals Component A + Component B</b>	<b>14,000,000</b>	<b>0</b>

## 5.6 Organisational set-up and responsibilities

*Component A:* The implementation of this project will be coordinated and led by Expertise France.

*Component B:* The implementation of this project will be coordinated and led by GCERF.

## 5.7 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate 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 log frame matrix (for project modality) or the list of result indicators (for budget support). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

## 5.8 Evaluation

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

## 5.9 Audit

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

## 5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.6 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

**[APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY) <sup>3</sup>]**

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action without an amendment to the financing decision. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for listing the activities as well as new columns for intermediary targets (milestones) when it is relevant and for reporting purpose on the achievement of results as measured by indicators.

**Component 1 CT MENA**

	<b>Intervention logic</b>	<b>Indicators</b>	<b>Sources and means of verification</b>	<b>Assumptions</b>
<b>Overall objective: Impact</b>	To enable states in the Middle East and North Africa (MENA) region to build criminal justice and rule of law systems that can cooperate regionally and internationally to offer security to their citizens while ensuring compliance with international law, human rights and the rule of law.	Overall positive feedback from countries in the region on usefulness of assistance provided. Increased numbers of successful counter-terrorism actions including prosecutions. Increase in number of national and regional CT events. Targeted events having a particular focus on due process considerations. More interaction [and possible agreements between countries in the region]. Increased compliance with various UN resolutions including UNSCR 2178 Level of operationalization of the Marrakesh – Hague Memorandum on FTF and other relevant GCTF best practice . Decrease in numbers of FTFs [departing MENA-countries]. Decrease in human rights violations related to CT such as arbitrary arrests, use of repression, torture in interrogation, confession based convictions. League of Arab States structure/capacity for practical follow-up (and support to MS) on AL and UN decisions/resolutions etc. relating to CT/CVE, including on FTF.	Assessment of the project at EU dialogue with the region and individual countries including EU-League of Arab States Foreign Affairs Ministerial Meetings. Midterm review and final evaluation Evidence of cases that have reached prosecution, a.) Without complaints about human rights abuses and b.) In certain cases with the exchange of case-relevant information across borders in the region. Various UN reports on the status of implementation of Security Council resolutions including UNSCR 2178. MENA states’ statements at GCTF meetings, in particular the three thematic working groups on FTF, Rule of Law and CVE. UN and independent reports. Assessments by national and international human rights organizations. Announcements by the League of Arab States.	

<sup>3</sup> Mark indicators aligned with the relevant programming document mark with '\*' and indicators aligned to the EU Results Framework with '\*\*'.

<p>Specific objective(s): Outcome(s) Specific objective(s): Outcome(s)</p>	<p>To build <u>regional institution capacity</u> by enhancing the capacity of the League of Arab States to improve rule of law based CT and CVE efforts with a specific focus on raising awareness of the FF/FTF issue and implementing UNSCR 2178 across the region as well as operationalising CT and FTF-relevant norms. Engage and sustain League of Arab States Member States’ attention to the threat of terrorism and increase region-wide efforts to counter and prevent it. In doing so also enhance the political awareness and support at national and regional level for the need for a strengthened CT effort. To strengthen regional human rights compliant counter-terrorism-related capacities and <u>operational skills</u> on CT and CVE in select country of key regional importance and eventually across the MENA-region and ensure they are integrated and internalised as part of a joined-up strategic approach with a strong focus on prevention. In doing so strengthen the internal cooperation between all relevant CT actors and eventually improve international cooperation. To increase <u>resilience</u> in countries neighbouring Syria, Libya and Iraq thereby containing the threat from Daesh and other violent extremist groups and preventing the crisis from further destabilising the region through targeted pilot-projects that have the potential to be replicated throughout the region.</p>	<p>League of Arab States promoting regional implementation of UNSCR 2178 and other relevant UNSCR. Capacity gaps identified with regard to UNSCR 2178. MENA states increasingly meeting obligations under UNSCR 2178. Progress in the direction of an evidence-based approach to CT cases as opposed to an approach based on confessions. Improved capacity of the LAF/Lebanon to engage with local communities, thereby reducing level of tensions and grievances. Improved internal coordination between CT actors in Tunisia through a coordination unit. Living up to international UN standards in terms of effectiveness and human rights and rule of law standards.</p>	<p>Relevant announcements of the AL including from AL Ministerial meetings. AL fact sheet on capacity gaps and reflected in the sub-group of the GCTF on FTF. Reflected in the UN reports on implementation of UNSCR 2178 Increase in number of terrorist cases handled in the “normal” legal system as a percentage of all terrorist incidents based on information from credible human rights organisations. Reduction of number and seize of collateral damage based on information from credible human rights organisations. Official information on establishment of coordinating mechanism. UNCTED and peer review assessments Assessments by internationally acknowledged human rights organisations.</p>	<p>No further deterioration of the current (very difficult and volatile) security situation. Necessary political will at the national and regional level. Access possible to relevant information from AL, GCTF and UN (this type of information is typically sensitive). UNCTED assessments not made available publicly.</p>
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	<p><b>Output 1</b>  <b>The regional institutional capacity on CT/CVE is reinforced</b> to improve rule of law based CT and CVE efforts with a specific focus on addressing the FF/FTF phenomenon, by providing assistance and expertise to help the League of Arab States develop a specific self-evaluation tool for the League of Arab States and its member states to assess their progress in implementing UNSCR 2178 (2014), as well as to help to operationalise CT and FTF-relevant norms. This could include assisting the League of Arab States to help engage and sustain member states' attention to the threat of terrorism and increase region-wide efforts to counter and prevent it.</p>	<p>Level of awareness and expertise with AL staff and amongst MENA-region decision makers.</p> <p>Perceived usefulness of self-evaluation tool amongst AL Member States.</p>	<p>Project Staff interaction with AL Secretariat Staff.  Feedback from AL MS on usefulness of evaluation tool through interaction with Project Staff, international/external assessments.  Number of self-evaluations carried out and submitted to the AL Secretariat.  Number of concrete initiatives taken by AL MS to fill gaps identified through assessments.</p>	<p>Necessary political will at the national and regional level to engage with the EU and the project. Willingness of EU Member State(s) to provide experts would be seconded to the AL.</p>
	<p><b>Output 2</b>  <b>Establish and Implement a Technical Assistance facility on Counterterrorism (TAFCT)</b> to provide standing, demand driven training, technical and legal assistance on CT related issues. The assistance provided will be tailored to each country and could cover a wide range of issues depending on need and context on topics including: implementing rule of law based criminal justice practices to counter terrorism; border controls; and good practices on judicial, operational and intelligence information. Develop and Maintain an Expert and Action Roster to allow for flexible, subject-specific guidance and trainings delivered as pilots and then developed into longer-term training modules on an as-needed basis</p>	<p>Agreement from one or more MENA countries to host platform and adequate facility set up.  Number of relevant officials trained.  Agreement from MENA countries to send relevant officials to selected country or centre (including the IIJ and Hedayah) for training.  Number of relevant officials from MENA countries trained.  Increase in national initiatives taken by MENA states to implement UNSCR2178 and similar instruments.  Assessment of impact of training with officials and level of institutionalizing of capacities within sending institutions.</p>	<p>MoU with host pilot country and subsequent MoU with other MENA countries.  Attendance sheets.  Self-evaluation schemes.  Third-party evaluation.  Experts and activities evaluated after each action, with the Roster Experts continually updated to maintain the quality of trainers.  All the information is recorded so that pilot lead to new actions that are built upon successful experiences.</p>	<p>Level of willingness to engage with the project through one of its existing training centers (i.e. Swaqa). Other MENA countries ready to engage.  Willingness of partner countries and to engage, as necessary.  Willingness of EU Member States to make available qualified experts for short-term missions.  Availability of the best qualified experts from MS, and other sources</p>

				(training entities and networks, NGOs, etc) Political stability in the countries concerned.
	<p><b>Output 3</b>  <b>The resilience in countries containing the threat from ISIL/Da'esh and other violent extremist groups is increased.</b> It will contribute to prevent the crisis from further destabilising the region through targeted pilot-projects, for example, on the development of relevant mechanism and implementation process. This would include the development effective strategies and programmes for the handling of returning foreign terrorist fighters including in terms of rehabilitation and reintegration programmes. The ultimate aim of these initiatives will be to developing standard operation procedures/rules of engagement within national contexts, including national CVE Strategies.</p>	<p>Pilot projects initiated and producing relevant experiences.</p> <p>Increased capacity of policy-makers, criminal justice officials and beneficiary participants from national authorities trained on thematic aspects of counter-terrorism including the investigation, the prosecution and adjudication of FTF cases, and international cooperation in criminal matters.</p> <p>Demonstrable progress in the adoption of specific FTF legal provisions and harmonization of national criminal laws, especially the Criminal Code and CT Law, with the international legal instruments against terrorism through the preparation of specific amendments to the laws or finalization of existing drafts.</p> <p>Increased resilience in selected countries containing the threat from Da'esh and other violent extremist groups.</p>	<p>Project implementation reports. Feedback from national stakeholders through meetings with EU DELs and other EU representatives.</p> <p>Evidence of mechanisms in place, such as APR and PNR, as well as reintegration programmes.</p>	<p>Identified pilot countries willing to engage with the project and initiate pilot projects including sharing its experiences with the regional level.</p>