



Brussels, 19.7.2021
C(2021) 5329 final

COMMISSION IMPLEMENTING DECISION

of 19.7.2021

on an exceptional assistance measure regarding the Kyrgyz Republic

COMMISSION IMPLEMENTING DECISION

of 19.7.2021

on an exceptional assistance measure regarding the Kyrgyz Republic

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union (TFEU),

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012¹, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing a Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014, (EU) and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009² and in particular Article 23(6) thereof,

Whereas:

- (1) The Kyrgyz Republic was confronted by a very tense political situation following the wave of public anger over the victory of pro-government parties in the October 2020 parliamentary election. These demonstrations led to jails and Government buildings being stormed and to the resignation of the Prime Minister and then the President. The Central Election Commission then annulled the election results, which triggered the need for a new set of elections in 2021. There are worrying signs of a potential for violence and mobilisation along ethnic and social lines across the country. The present situation makes it necessary to adopt an exceptional assistance measure regarding the Kyrgyz Republic.
- (2) In order to ensure the implementation of the measure, it is necessary to adopt a financing decision. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (3) The planned assistance is to comply with the conditions and procedures set out by the restrictive measures³ adopted pursuant to Article 215 TFEU.
- (4) The objective of the measure set out in this Decision is to enable a participative and pluralistic political dialogue without violence in particular in connection with the upcoming elections and referenda in the Kyrgyz Republic and this in order to contribute to peace, stability and conflict prevention in situations of urgency as referred to in Article 4(4)(a) of Regulation (EU) 2021/947.

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 209, 14.6.2021, p. 1.

³ www.sanctionsmap.eu. 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, the OJ prevails.

- (5) In accordance with points (a), (d), (n) and (q) of Annex IV, paragraph 1, of Regulation (EU) 2021/947, the activities set out in this Decision will involve capacity building of civil society actors and local self-government bodies on how to connect and cooperate with different actors to prevent violence, strengthening the involvement of youth and women's groups as well as counter-messaging to intolerant, divisive, and violent political rhetoric, mainly on the internet.
- (6) The effectiveness of the Union response to the situation referred to in recital (1) depends on the rapid and flexible implementation of an exceptional assistance measure of limited duration in accordance with Article 23(4) of Regulation (EU) 2021/947.
- (7) The measure provided for in this Decision is complementary to assistance provided under other Union short-term or long-term external assistance instruments. No fully adequate response can be provided under those instruments to the specific needs being addressed. Therefore, an adequate and effective response is required to enable early action in accordance with Article 4(4) of Regulation (EU) 2021/947.
- (8) The measure provided for in this Decision is consistent with the Union strategic policy framework for the Kyrgyz Republic. Synergies and complementarities are expected with other Union interventions, as detailed in point 7 of the Annex.
- (9) The Commission should authorise the eligibility of costs as of a date preceding that of submission of a grant application, which is prior to the date of adoption of this Decision, for reasons of extreme urgency in crisis management aid or in situations of imminent or immediate danger to the stability of the Kyrgyz Republic, including by an armed conflict, where an early engagement of the Union may prevent an escalation.
- (10) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (11) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (12) In order to allow for flexibility in the implementation of the measure, it is appropriate to define changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.
- (13) The Council and the European Parliament have been informed of the exceptional assistance measure to be adopted by this Decision, in accordance with Article 25(3) of Regulation (EU) 2021/947,

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The financing decision for the implementation of the exceptional assistance measure regarding the Kyrgyz Republic, for 2021, as set out in the Annex, is adopted.

The measure shall include the following action: "Reduction of tensions and prevention of violence in pre- and post-election Kyrgyz Republic".

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2021 is set at EUR 1 400 000, and shall be financed from the appropriations entered in the budget line 14 02 03 10 of the general budget of the Union.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

Article 3
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in point 6 of the Annex. Grants may be awarded to the body/bodies referred to in the Annex.

For reasons of extreme urgency, the eligibility of costs prior to the submission of a grant application and which is prior to the date of adoption of this Decision shall be authorised as of the date set out in the Annex.

Article 4
Duration of the measure

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

If the implementation of this measure or any of its components is suspended owing to 'force majeure' or circumstances beyond the control of the contracting authority and its implementing partner(s), the period of suspension shall not be taken into account for the calculation of the duration of the implementation of this measure.

Article 5
Flexibility clause

Cumulated changes to the allocations of the maximum Union contribution not exceeding 20 % of the contribution set in the first paragraph of Article 2 of this Decision, or cumulated changes to the allocations of specific actions not exceeding 20 % of that contribution, as well as extensions of the implementation period shall not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046 where those changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 19.7.2021

For the Commission
Josep BORRELL FONTELLES
High Representative / Vice-President