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ANNEX

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

Exceptional Assistance Measure regarding the Kyrgyz Republic

1. IDENTIFICATION

Action: **Reduction of tensions and prevention of violence in pre- and post-election Kyrgyz Republic**

Action Reference: NDICI CR 2021 / 04

Cost: EUR 1 400 000 (European Union contribution).

Budget Line: 14 02 03 10

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

Lead service: FPI

2. ACTION SUMMARY

Following the wave of public anger over irregularities in the October 2020 parliamentary election, the Kyrgyz Republic witnessed extensive violent protests. There were broadly recognised allegations of widespread vote-buying and the turmoil led to jails and Government buildings being stormed. The Prime Minister and the President stepped down and the election results were annulled. New presidential elections were held on 10 January 2021 with Sadyr Japarov being elected. A referendum on the future political system also took place this date with voters strongly supporting a presidential system (84%). A revised constitution, based on a presidential system, was drafted. The text has been criticised for threatening the separation of powers and the protection of individual freedoms. However, it was put to a referendum on 11 April and 79% of voters voted in favour of the constitutional amendments. Parliamentary elections, initially set for June 2021, are now provisionally planned to take place in the autumn of 2021 under the new Constitution.

The political outlook in the country seems to point towards a consolidation of a highly centralised presidential regime. There are worrying signs of a potential for violence and mobilisation along ethnic and social lines across the country.

This action is a multi-level intervention to prevent violence in 25 districts across the Kyrgyz Republic, identified as potential hotspots for pre- and post- election-related violence. It will

support youth volunteer groups, civil society, and local self-government bodies to improve conflict-analysis, conflict-prevention, and mediation skills and pilot locally-led, inclusive initiatives to more effectively prevent potential violence at the local level. A communications campaign targeting the general public will offer counter-messaging to divisive narratives in the pre- and post-election environment.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

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 were related to broadly recognised allegations of widespread vote-buying and led to jails and Government buildings being stormed. Several prominent politicians were freed from prison by protesters, among them future President Japarov. Amidst the turmoil, first the Prime Minister and then the President stepped down while the Central Election Commission annulled the election results. The turmoil escalated as rival opposition politicians began fighting for government posts, mobilising young people to commit acts of violence, unleashing mobs and other organised crime members, as well as ordinary young men, to confront each other on the streets. The resignation of the president triggered the need for new presidential elections that were held on 10 January 2021 and resulted in the election of Sadyr Japarov. A referendum on the future political system also took place on 10 January. The outcome showed overwhelming support for a presidential system of governance.

The new president, Sadyr Japarov strongly pushed for constitutional reform in line with the outcomes of the January referendum and a revised constitution was drafted. The Council of Europe's Venice Commission and the Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights issued a Joint Legal Opinion on the revised constitution that concludes that some provisions threaten the necessary balance of power and the protection of individual freedoms. However, the revised constitution was put to a referendum on 11 April and the result was 79% in favour, with a participation rate just above the required minimum of 30%. Parliamentary elections, initially set for June 2021, are now provisionally planned to take place in the autumn of 2021 under the new Constitution.

The political outlook in the country points towards a consolidation of a centralised presidential regime. However, this development is disputed by the opposition and there are worrying signs of potential violence and mobilisation along ethnic and social lines across the country. Different political factions have the ability to mobilise violent action to achieve their political aims. Not least young men and women, suffering from economic and social insecurity, are vulnerable to such mobilisation. Concerns over corruption, vote-buying, and clan-based politics remain, while the COVID-19 pandemic has further heightened social tensions and amplified socio-economic vulnerability and fragility.

The 2019 EU-Central Asia Strategy¹ states that the EU will remain engaged in promoting fair and transparent electoral processes. To ensure such processes, an open political dialogue without violence is necessary.

¹ The EU and Central Asia: New Opportunities for a Stronger Partnership; JOIN(2019) 9 final of 15 May 2019.

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

As demonstrated by the widespread turmoil after the elections in October 2020, the potential for political violence in the Kyrgyz Republic is high. With the country currently in a pivotal period and parliamentary elections coming up, urgent efforts are needed in order to maintain a functioning pluralistic system and reduce the risk of violence. Violence in connection with elections and other political events has the potential to threaten social cohesion and stability in the country, thus constituting an exceptional and unforeseen situation in the sense of Article 4(4) of Regulation (EU) 2021/947. An adequate response cannot be provided under any other European Union Instrument due to the urgency with which the funds are required and due to available resources already being firmly committed.

Annex IV, paragraph 2, points (a), (d), (n) and (q) of Regulation (EU) 2021/947 specifically provide for the use of the NDICI rapid response pillar to support (a) through the provision of technical and logistical assistance, for the efforts undertaken by international, regional and local organisations and by State and civil society actors in promoting confidence-building, mediation, dialogue and reconciliation; (d) development of democratic, pluralistic state institutions; (n) measures to promote and defend respect for human rights and fundamental freedoms, democracy and the rule of law, and (q) measures to promote the development and organisation of civil society and its participation in the political process, including measures to enhance the role of women in such processes.

3.3 RISKS AND ASSUMPTIONS

The below table identifies general potential risks associated with the implementation of the programme and possible risk management measures that will be implemented to minimise the potential negative impact.

Risk	Mitigation
Pressure on civil society from political actors	A suspicious approach towards civil society may increase around elections, so particular measures might need to be taken which could involve the EU Delegation approaching Kyrgyz authorities to underline the value of protecting an independent and vibrant civil society.
Violence directed at the action	The implementing partner is well known by the Kyrgyz authorities and has well-established relationships with numerous ministries, law enforcement and civil society organisations.
Poor uptake among local government and others	In order to make sure that mediation, human rights, tolerance, relevant legislation, preventing violence and other skills promoted through this action are also put into practice in local government, etc., it might be necessary to i) further strengthen the monitoring system in order to be able to determine where it occurs and the reasons for the non-occurrences; and ii) establish a dialogue with the organisations where it has not occurred in order to determine how to overcome it (possibly modify the methodology).
Difficult to	The involvement of youth is a central theme of this action. However, there are

get access to 'political youth'	currently gaps in the understanding of the driving forces and the functioning of these 'political youth groupings'. Thus, the action will include a comprehensive mapping of these politicised youth structures to identify suitable partners.
COVID-19	Currently there are no indications that the situation would develop so negatively that the activities of the action cannot be undertaken. However, a permanent monitoring in coordination with the Government will be undertaken. The action will respect/enforce all COVID-19 measures implemented by the Government, including social distancing, and activities may be postponed/rearranged or moved online depending on conditions. The action will also establish its own minimum requirements, including participants in meetings/gatherings will be required to wear masks; hand sanitisers will be provided and participants' temperatures will be taken before events.

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to enable a participative and pluralistic political dialogue without violence in particular in connection with upcoming elections and referenda in the Kyrgyz Republic.

4.2 SPECIFIC OBJECTIVES

- 4.2.1 Political messaging, on all levels, is conveyed in a more positive and conflict sensitive manner leading to a reduction in tensions and the risk of politically motivated violence;
- 4.2.2 Local groups and organisations in 25 districts, selected due to their high potential for political violence, are enabled to counter developments leading towards political violence.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Result (1): Tensions, potentially leading to violence, have been reduced and alternative messages have been offered to reduce tensions.

Activities (indicative):

- 5.1.1 High-level officials and political actors are engaged to promote dialogue and prevent incitement to violence;
- 5.1.2 Counter-messaging is produced to offer alternatives to intolerant, divisive, and violent political rhetoric, mainly on the internet;
- 5.1.3 Politically active youth and women's groups are engaged to promote tolerance and prevent violence.

Expected Result (2): The risk for politically related violence has been reduced in the 25 districts pre-identified as having high potential for pre- and post-election violence.

Activities (indicative):

- 5.2.1 Workshops will inform civil society actors and local self-government bodies from the selected 25 districts on conflict prevention strategies and conflict resolution practices;
- 5.2.2 Capacity building sessions will inform youth volunteer groups, incl. women's groups, from the selected 25 districts on conflict prevention strategies and conflict resolution practices;
- 5.2.3 Exchanges of experiences among youth volunteer groups, incl. women's groups in the 25 target districts;
- 5.2.4 Grants for locally driven civil society interventions aimed at preventing election-related violence in the 25 districts;
- 5.2.5 Refreshing and boosting the capacity of national mediators.

6. IMPLEMENTATION

6.1 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 measures².

6.1.1 Grant: direct award (direct management)

(a) Purpose of the grant

This grant covers the entire action.

(b) Type of applicants targeted

NGOs with extensive experience from the Kyrgyz Republic and previous engagement in conflict prevention in the country.

(c) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because **the action entails crisis management aid, as referred to in Article 195(a) and as defined in Article 2(21) of the Financial Regulation** at the date of the Financing Decision. The grant may be awarded without a call for proposals to International Alert.

(d) Exception to the non-retroactivity of costs

The Commission authorises that the costs incurred may be recognised as eligible as of 1 April 2021 because of the urgency to start actions in the country in connection with elections/referenda in April and October 2021.

² 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.

6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 1 400 000**. A breakdown among components is provided hereunder, and is indicative.

Indicative budget breakdown

Components	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
Component 1: Reduction of tensions and prevention of violence in pre- and post-election Kyrgyz Republic composed of	1 400 000	N/A
6.1.1 – Direct grant (direct management)	1 400 000	N/A
Total	1 400 000	N/A

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under direct management. It will be devolved and sub-delegated to the **European Union Delegation**, with the support of the Commission for the conclusion of the contracts implementing the action.

6.4 PERFORMANCE AND RESULTS MONITORING AND REPORTING

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing 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 outcomes) as measured by corresponding indicators, using as reference the Logframe matrix. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

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

6.5 EVALUATION

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

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

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

6.6 AUDIT

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

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

6.7 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.

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 Requirements for European Union External Action (or any succeeding document) shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

Acknowledging that activities financed under this action will be politically sensitive and/or may constitute a security risk for the implementing partner/beneficiaries, the communication and visibility plan for this measure should develop a differentiated approach to satisfy the requirements from the legal obligations to which EU external funding is bound to without putting at risk the actions supported by this measure.

7. COMPLEMENTARITY, COORDINATION AND FOLLOW-UP

The proposed action is complementary to ongoing EU efforts supporting the Kyrgyz Republic, in particular in the field of conflict prevention. The ongoing IcSP Support to Sustainable Media Sector Reform for Elections-related Conflict Prevention in Kyrgyzstan aims at strengthening the capacity to produce professional, trustworthy and balanced journalistic content so that political actors will be less likely to manipulate media coverage and exploit social and ethnic divisions. Other IcSP measures, like cross-border and cross-sector dialogue for tolerance and peace in Central Asia raises awareness and basic knowledge on conflict sensitivity and tolerance among young people. Other relevant non-EU actions are the FCDO/USAID Support to the Parliament/Governance in Action (S2KP/GiA) programme that includes a campaign on promoting positive political culture.

In addition to the actions focusing on conflict prevention, the existing EU bilateral and regional programmes on supporting civil society and the rule of law, including those funded under the instrument for Civil Society Organisations and Local authorities (CSO-LA) and the European Instrument for Democracy and Human Rights (EIDHR) are relevant to coordinate

with, as well as their successor programmes under the 2021-2027 Multiannual Financial Framework.