



Brussels, 17.12.2021
C(2021) 9311 final

COMMISSION IMPLEMENTING DECISION

of 17.12.2021

on the financing of the annual action plan in favour of the Kyrgyz Republic for 2021

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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 the 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(2) thereof,

Whereas:

- (1) In order to ensure the implementation of annual action plan in favour of the Kyrgyz Republic, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2021. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The action provided for in this Decision contributes to climate mainstreaming in line with the European Green Deal and the inter-institutional agreement.
- (4) The Commission has adopted the National Multiannual Indicative Programme⁴ for the period 2021-2027⁵, which sets out the following priorities: Governance and Digital Transformation; Human Development; and Green and Climate Resilient Economy.
- (5) The objectives pursued by the annual action plan to be financed under Regulation (EU) 2021/947 geographic programme 'Asia and the Pacific' are to continue supporting the Kyrgyz government-owned Education Development Programme 2021-

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.

⁴ C(2021)8987.

⁵ Commission Implementing Decision adopting a multiannual indicative programme for the Kyrgyz Republic, C(2021)8987 final of 14.12.2021.

2040 and its rolling Education Action Plans 2021-2023 and 2024-2026, strengthening institutional capacity, and enhancing policy dialogue.

- (6) The action entitled ‘Education Sector Reform Performance Contract in the Kyrgyz Republic’ aims to foster development of inclusive and equitable quality education as well as improvement of digital, media and green skills.
- (7) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (8) In order to allow for flexibility in the implementation of the annual action plan, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (9) The action plan provided for in this Decision is in accordance with the opinion of the Neighbourhood, Development and International Cooperation Instrument – Global Europe Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1

The action plan

The annual financing decision, constituting the annual action plan for the implementation of the annual action plan in favour of the Kyrgyz Republic for 2021, as set out in the Annex, is adopted.

The action plan shall include the action: Education Sector Reform Performance Contract in the Kyrgyz Republic, as set out in the Annex.

Article 2

Union contribution

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 32 000 000, and shall be financed from the appropriations entered in the budget line 14.02.01.30: EUR 32 000 000 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

Flexibility clause

Increases or decreases of up to EUR 10 000 000 and not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes⁶ 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 the Financial Regulation provided that these changes do not significantly affect the nature and objectives of the actions.

⁶ These changes can come from assigned revenue made available after the adoption of the financing decision.

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, 17.12.2021

For the Commission
Jutta URPILAINEN
Member of the Commission