COMMISSION IMPLEMENTING DECISION

of 28.6.2019

on the financing of the individual measure in favour of Tajikistan for "Sebzor hydropower plant construction project" for 2019
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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,


Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union’s instruments for financing external action\(^2\), and in particular Article 2(1) thereof,

Whereas:

(1) In order to ensure the implementation of the individual measure in favour of Tajikistan for "Sebzor hydropower plant construction project" for 2019 it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2019. Article 110 of Regulation (EU, Euratom) 2018/1046 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 TFEU\(^3\).

(3) The Commission has adopted the Multi-annual Regional Indicative Programme for the period 2014-2020 (RIP)\(^4\), which has been amended following the mid-term review\(^5\), and sets out the following priorities: Regional Sustainable Development, Regional Stability and Security, and Policy Dialogue Facility and Technical Assistance. To promote investment in a flexible way, a part of Tajikistan’s Multi-annual Indicative Programme for the period 2014-2020 (MIP)\(^6\) was transferred to the RIP following the Mid-Term review while remaining earmarked for investment into Tajikistan. The present project will be financed through this earmarked investment allocation for Tajikistan from the RIP.

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\(^2\) OJ L 77, 15.3.2014, p. 95.

\(^3\) 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(2014) 5653 of 12.08.2014

\(^5\) C(2018) 4741 of 20.7.2018

\(^6\) C(2014) 5667 of 12.08.2014
(4) The objectives pursued by the individual measure to be financed under the Development Cooperation Instrument\(^7\) are to stimulate economic and social development in Tajikistan’s Gorno-Badakhshan Autonomous Region (GBAO) bordering Afghanistan, and more specifically to improve access of the rural population (both women and men) in GBAO to sustainable, green, reliable and affordable electricity, as well as to reduce disaster risk in GBAO through a more balanced energy generation. The Sebzor hydropower plant will compensate to some extent the power shortage in winter, and thanks to its location allow for extending the electricity grid to Afghanistan in the future.

(5) The action is adopted as an individual measure because the construction of the hydropower plant (HPP) is a political priority for the EU, Tajikistan and Afghanistan. Several feasibility studies and environmental and social assessment were carried out, and an EU-financed Technical Assistance Facility study was commissioned to ensure the feasibility and relevance of the intended construction. The HPP will stabilize the sustainable energy supply of Tajikistan’s rural, mountainous and autonomous GBAO region bordering Afghanistan and China, which makes up 45% of Tajikistan’s territory. In line with Tajikistan’s growing commitment to support peace and prosperity in Afghanistan, and to ensure synergies between the EU’s support to Central Asia and Afghanistan, the project will pave the way for connecting Tajikistan’s electricity grids to northern, remote and mountainous Afghanistan where such structures are even less developed.

(6) The action entitled ‘Sebzor hydropower plant construction project’ aims to promote sustainable economic development in Tajikistan’s Gorno-Badakhshan Autonomous Region (GBAO) by constructing the Hydropower Plant with a capacity of 11 Megawatt, with a focus on supplying affordable and clean energy and reducing disaster risk. Thanks to its location, the hydro-power plant will allow for extending the electricity grid to Afghanistan in the future.

(7) Pursuant to Article 4(7) of Regulation (EU) No 236/2014 indirect management is to be used for the implementation of the programme.

(8) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046.

To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046\(^8\) and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

(9) 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.

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\(^8\) Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment.
In order to allow for flexibility in the implementation of the measure, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.

The measure provided for in this Decision is in accordance with the opinion of the Development Cooperation Instrument Committee established under Article 19.

HAS DECIDED AS FOLLOWS:

**Article 1**

**The measure**

The annual financing decision, constituting an annual measure for the implementation of individual measure in favour of Tajikistan "Sebzor hydropower plant construction project" for 2019, as set out in the Annex, is adopted.

The measure shall include the following action: "Sebzor hydropower plant construction project".

**Article 2**

**Union contribution**

The maximum Union contribution for the implementation of the measure for 2019 is set at EUR 20 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union: budget line 21.020300

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

**Article 3**

**Methods of implementation and entrusted entities or persons**

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5.3 of the Annex.

**Article 4**

**Flexibility clause**

Increases or decreases of up to EUR 10 000 000 not exceeding 20% of the contribution set in the first paragraph of Article 2, 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, provided that these 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, 28.6.2019

For the Commission

Neven MIMICA

Member of the Commission