giz

Template self-declaration on EU Russia sanctions **(based on template annex to BMWK Circular dated 14 April 2022)**

(from all candidates / bidders / all members of candidate or bidding consortia)

Name of the award procedure / contract:
File number of the commissioning party:

I/we hereby submit the following binding declaration (if applicable, also on behalf of the persons represented in the request to participate/offer):

☐ ☐

1. The **candidate(s) / tenderer(s)** does / do**es** not **(Tick ✓ your response)**

qualify as (a) person(s), entity(ies) or body(ies)with a connection to Russia referred to in **Article 5 k)** (1) of Council Regulation (EU) No. 833/2014, as amended by Article 1 (23) of Council Regulation (EU) 2022/576 of 8 April 2022 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine,

a) by the Russian nationality of the candidate/tenderer or the establishment of the candidate/tenderer in Russia,
b) by a natural person, entity or body to which one of the criteria referred to in letter (a) applies holding a stake in the candidate/tenderer by owning proprietary rights of more than 50%,
c) by the candidate/tenderer acting on behalf or at the direction of persons, entities or bodies to which the criteria referred to in letters (a) and/or (b) apply.

2. Companies involved in the contract as **subcontractors, suppliers or companies whose capacities are used in connection with the provision of proof of eligibility** which account for more than 10% of the contract value also do not belong to the group of persons with a connection to Russia within the meaning of the provision.

3. We confirm and will ensure, including but not limited to the term of the contract, that no companies involved as **subcontractors, suppliers or companies whose capacities are used in connection with the provision of the proof of suitability** are used which account for more than 10% of the contract value.

Company / Contractor Name …… **D**ate): ……

Company Representative/ Name / Signature: ……..

Article 5k of Regulation (EU) No 833/2014, as amended by Article 1 (23) of Council Regulation (EU) 2022/576 of 8 April 2022, reads as follows:

(1) It shall be prohibited to award or continue the execution of any public or concession contract falling within the scope of the public procurement Directives, as well as Article 10, paragraphs 1, 3, 6(a) to 6(e), 8, 9 and 10, Articles 11, 12, 13 and 14 of Directive 2014/23/EU, Article 7 and 8, Article 10 (b) to (f) and (h) to (j) of Directive 2014/24/EU, Article 18, Article 21 (b) to (e) and (g) to (i), Articles 29 and 30 of Directive 2014/25/EU and Article 13 (a) to (d), (f) to (h) and (j) of Directive 2009/81/EC, to or with:

a) a Russian national, or a natural or legal person, entity or body established in Russia;

b) a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50% by an entity referred to in point (a) of this paragraph; or

c) a natural or legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph,

including, where they account for more than 10% of the contract value, subcontractors, suppliers or entities whose capacities are being relied on within the meaning of the public procurement Directives.

(2) By way of derogation from paragraph 1, the competent authorities may authorise the award and continued execution of contracts intended for:

a) the operation, maintenance, decommissioning and radioactive waste management, fuel supply and retreatment and safety of civil nuclear capabilities, and the continuation of design, construction and commissioning required for the completion of civil nuclear facilities, as well as the supply of precursor material for the production of medical radioisotopes and similar medical applications, critical technology for environmental radiation monitoring, as well as civil nuclear cooperation, in particular in the field of research and development;

b) intergovernmental cooperation in space programmes;

c) the provision of strictly necessary goods or services which can only be provided, or which can only be provided in sufficient quantities, by the persons referred to in paragraph 1;

d) the functioning of diplomatic and consular representations of the Union and of the Member States in Russia, including delegations, embassies and missions, or international organisations in Russia enjoying immunities in accordance with international law;

e) the purchase, import or transport of natural gas and oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore from or through Russia into the Union; or

f) the purchase, import or transport into the Union of coal and other solid fossil fuels, as listed in Annex XXII until 10 August 2022.

(3) The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this Article within two weeks of the authorisation.

(4) The prohibitions in paragraph 1 shall not apply to the execution until 10 October 2022 of contracts concluded before 9 April 2022.