



TACIS 1992

OPERATIONAL GUIDE



Directorate General I
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TACIS
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COMMISSION OF
THE EUROPEAN
COMMUNITIES

TACIS

TECHNICAL ASSISTANCE TO THE
COMMONWEALTH
OF INDEPENDENT STATES
AND GEORGIA

OPERATIONAL GUIDE

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1. BACKGROUND AND PRINCIPLES

TACIS is the world's biggest Technical Assistance (TA) Programme.

It is the European Community's particular effort to support the ongoing process of economic reform and development in the 11 states of the CIS and Georgia. The overall aim of the programme is to contribute to the building up of a market economy.

"**TACIS**" stands for "Technical Assistance to the Commonwealth of Independent States". The programme also includes Georgia.

Technical Assistance is provided in several key areas to support the respective countries' efforts to create the conditions for a market-oriented economy and a democratic society. To date, the European Community has provided 850 MECU (400 MECU in 1991 and 450 MECU in 1992) from the common EC budget for this purpose.

The **TACIS** Programme aims to develop the local skills and know-how required for the acceleration of the economic reform process in the CIS and Georgia through the provision of advice, know-how and practical experience necessary for the effective functioning and management of a market-based economy and related institutional structures. This, in turn, will accelerate the integration of the CIS countries and Georgia into the world economy.

The implementation of the **TACIS** Programme should encourage the establishment of conditions favourable to the development of the private sector.

A prerequisite to the successful evolution of a market economy is the emergence of a democratic society. Therefore, the **TACIS** Programme will encourage the establishment of the formal and informal organisations that are vital for the development of a pluralistic democratic civil society.

Technical Assistance will, as much as possible, take the form of integrated programmes, combining actions in various sectors in order to maximise the impact of all programme activities.

The **TACIS** Programme is implemented on a decentralised basis. The final recipients of Community assistance are closely involved in the preparation and execution of programme activities.

The 1992 Programme will also finance a number of regional (inter-state) activities, based on common requests received from three or more States.

2. HISTORY OF THE TACIS PROGRAMME

At the meeting of the European Council in Rome in December 1990, the European Community and its Member States decided to support the authorities of the former Soviet Union in their efforts to bring about economic reform and recovery.

On the basis of a joint assessment of the economic situation and reform process in the former USSR, the European Community and the authorities of the former USSR decided to focus the 1991 Technical Assistance (T.A.) Programme on 5 sectors :

- training in the public and private sector
- energy
- transport
- financial services
- food distribution

On 15 July, 1991, the Council adopted a Regulation (EEC, EURATOM) N° 2157/91, providing the legal basis for the Technical Assistance Programme. Community funding for the implementation of the operation amounted to a total of ECU 400 million for the 1991 financial year.

On 22 July, 1991, the Member States approved the Commission's proposal of an Indicative Programme, which defined the general framework and priority areas of the 91 TACIS Programme.

The Indicative Programme was then signed by EC Commission Vice-President Andriessen and USSR Ambassador Voronin.

In October and November 1991, the Member States approved the Commission's proposals of five sectoral programmes, which had been established by the Commission on the basis of the Indicative Programme, and on the basis of project proposals submitted by entities from the beneficiary state.

Following this approval, the Commission took financing decisions on these five programmes, to which the following amounts were allocated :

energy	115,0 MECU
training	103,0 MECU
food distribution	74,0 MECU
transport	45,8 MECU
financial services	37,5 MECU

A further 15 MECU were earmarked for Technical Assistance to the Baltic States, suited to their specific needs as new States.

The remaining 9,7 MECU were allocated for programme preparation, monitoring and evaluation.

On 12 December, 1991, the 5 financing memoranda were signed by Vice-President Andriessen and the Chairman of the Inter State Economic Committee of the USSR, Ivan Silaiev.

The approach of the Technical Assistance Programme for 1992 was adjusted following the fundamental changes which resulted from the demise of the Soviet Union and the creation of the Commonwealth of Independent States.

Thus, on 11 February 1992, a "protocol of agreement" was signed by the EC and the 12 Independent States, laying down the basic principles for future cooperation. The following main decisions were taken in the framework of the "protocol":

- the 12 Independent States committed themselves to implement the 1991 Programme as originally designed;
- the negotiation, definition and implementation of the 1992 Programme will generally follow a bilateral approach.

Following the "protocol of agreement", Indicative Programmes were signed with each Independent State, identifying the priority areas on which the EC Technical Assistance Programme in 1992 would be focused. This marked the very first time that the EC signed cooperation programmes with the Newly Independent States .

On the basis of the Indicative Programmes, the Commission services carried out country "programme identification missions" in each Independent State in June, July and September, 1992. During the course of these missions, Action Programmes were drafted, in cooperation with interlocutors from each beneficiary state. The Action Programmes define the overall strategies in the selected sectors, and identify the main actions to be supported under the 1992 TACIS Programme.

3. INSTRUMENTS

The **TACIS** Programme concentrates on the transfer of know-how in the mentioned focal sectors. Therefore, Community assistance financed under this programme is of four basic types :

- policy advice
- institution building
- design of legal and regulatory frameworks
- training

Funds are also available for the supply of key equipment which is indispensable for carrying out the kind of activities referred to above (e.g. training equipment and materials, computers, demonstration equipment). The financing of capital goods is therefore **not** covered by the programme.

Moreover, only those projects which provide a structural contribution to economic development and the setting up of a market economy may be supported in the framework of the **TACIS** Programme. The promotion of individual or isolated single activities does therefore not fall within the scope of the **TACIS** Programme.

In contrast with many other cooperation programmes, the **TACIS** Programme funds are in the form of grants, i.e. are not reimbursable.

4. TACIS 1991 - FOCAL SECTORS

A. ENERGY

The former Soviet Union is one of the world's most important producers of energy. However, this sector faces a number of serious problems. Since the Chernobyl accident, the safety of Soviet-designed reactors has been questioned, and the future role of nuclear power has come under intense scrutiny. According to estimates, about one-third of the total amount of energy produced in the CIS and Georgia is wasted. In addition, oil production is decreasing, and energy related environmental problems are increasing.

The production, transmission and utilisation of energy suffer from a great lack of efficiency. This results mainly from the depletion of the most economically accessible reserves of fossil fuels and the use of outdated equipment and technology.

The reform and modernisation of the energy sector is therefore crucial to the process of building up a market economy.

The largest amount of funds under the 91 programme was allocated to the energy sector. In line with the conclusions of the European Council meeting of December 1990, Technical Assistance in the energy sector focuses on the improvement of nuclear safety, energy saving and activities in the fields of electricity, oil and gas.

The largest component of this assistance is in the field of nuclear safety, to which 53 MECU were allocated. These funds are directed to the improvement of the safety of the various types of reactors operating in the CIS, the provision of training programmes, and support for the strengthening of nuclear safety regulation in the CIS.

In the field of energy saving, 10 MECU are provided for the establishment of a small number of energy centres which form the nucleus for the future establishment of a network of such centres operating throughout the CIS. A further 10 MECU is provided to fund exemplary energy saving projects, at both the industrial and municipal levels.

Actions in the fields of oil and gas and electricity have been allocated 17 MECU each. These include a number of projects aimed at assisting the reorganisation and restructuring of organisations and enterprises within a market-oriented framework. Other projects aim to improve oil and gas production, including in the Tyumen region, and the utilisation of the gas transmission network. Projects involving the modernisation and refurbishment of thermal power stations and the improvement of the electricity supply network, including interconnections with the European system, are also included in the programme.

B. TRAINING

This sector programme is based on the assumption that understanding of market mechanisms by enterprise managers and public administrators is essential for the success of economic reform.

Economists, statisticians, business school professors and social scientists suffer from a long-standing isolation from their Western colleagues. Most of them lack the essential concepts and techniques of modern economics and business science. Enterprise managers lack the specific skills required for performing their functions in a market environment, and also frequently an understanding of essential market mechanisms.

Law-makers and public decision-makers, who face the immediate tasks of macroeconomics stabilisation, liberalisation and the redefinition of inter-state economic relations, suffer from an isolation from Western economic culture. Finally, wage-earners and the public at large are disoriented as they witness the collapse of old stereotypes without being able to determine their

future role in society. Therefore, in the training sector, the EC aims to build up cooperation in the following fields :

Management Training (54 MECU), focused on : improvement of management institutions; development capability of individual managers; restructuring of enterprises and regional economies.

Economics (25 MECU), focused on : assistance to economic reform and legislation; training and education in market economics; support to economic research and information; institution building.

Statistics (8 MECU), focused on : advice to the statistics offices in the field of statistics; training of statisticians on statistical techniques in a market economy.

Customs (7 MECU), focused on : training customs officers; reorganisation and computerisation of customs offices; drafting new customs legislation.

Information (1 MECU), focused on : opportunities under EC Technical Assistance Programme; the Community's aims and activities; relations with the CIS.

Translation and terminology (3 MECU), focused on : development of a Russian/Community terminology system; intensive language training, particularly for interpreters and translators in the key sectors for the Community assistance to the CIS.

C. FOOD DISTRIBUTION

The food distribution programme aims to provide assistance to both public authorities and the new private sector in the CIS and Georgia to reduce post-harvest losses of perishable foodstuffs, and to build an effective food distribution system.

Serious food losses are common at almost every stage in the food distribution chain between the farm-gate and the consumer, due to a lack of physical and management infrastructure. The recent collapse of the "command" system contributes to food shortages in the cities, as the privatisation and the free market system are still in the early development stage.

The TACIS Programme aims to tackle problems concerning perishable foodstuffs, where losses are significant, and which are critical basic products: fruits and vegetables, meat, dairy and bakery products. All points of the supply chain need to be covered in order to tackle the bottlenecks. Special attention will be given to the process of transition towards a free market and private enterprise system. Hence, the strategy shows two dimensions of the programme : addressing immediate needs, whilst simultaneously helping to build an appropriate framework for longer-term action. Activities to disseminate the experience gained in pilot projects form part of the programme.

The programme covers projects spread across a number of states, from Minsk to Alma-Ata, and from Murmansk to Tbilisi. However, there is a notable concentration on the problems in the large cities, in Moscow and St.Petersburg in particular.

D. TRANSPORT

The transport sector in the CIS and Georgia is facing both a severe lack of efficient technical capacity and very important institutional problems. Together, these problems slow down the process of transforming the transport sector and the economy of the Independent States into a more market-oriented system. The former system was very strictly centralized. The coordination of activities in the individual sub-sectors of the transport sector was reasonably efficient, although not comparable to Western European standards. Now, with the transport sector partially decentralised and expected to move towards a more market-oriented operation, major weaknesses of the centrally planned and supply determined system are

very apparent. Without a strong centrally planned operation, the coordination of the activities is lacking and, consequently, transports "break down". Shipments are lost or held up during transportation from their points of origin to their final destinations.

The TACIS Programme aims to enable transport operators in the CIS to make more efficient use of the existing transport capacities. Therefore, the contents of the programme relate essentially to the :

- removal of transport bottlenecks;
- promotion of multimodal traffic;
- restructuring or creation of market-oriented transport companies, and improvement of safety standards (including the improvement of maintenance facilities).

In addition, activities which contribute to an assessment of future transport infrastructure needs are being supported.

Priority has been given to actions which are likely to encourage public and private sector organisations in the Community to finance subsequent operations.

E. FINANCIAL SERVICES

For several decades, most of the economic functions in the former Soviet Union have been carried out by central planning authorities. In market economies, these are performed by the financial services sector.

The prime functions of financial services in a market economy, such as the coordination of independent saving and investment decisions, the provision of a market for property rights and organisational performance (stock exchanges), the bridging of the gap between production expenses and sales revenues, and the provision of insurance to private agents, were either irrelevant or assigned to state authorities. Those functions which were the

responsibility of the financial sector were intended to be performed in a purely passive way, in order not to interfere with the planning coordination mechanisms.

The main objective of Technical Assistance in the financial services sector is the promotion of a sound structure for modern financial services. Their existence is a precondition to any market economy. At the same time, they are required for an efficient transition towards a market economy in other sectors.

Technical assistance under the 1991 TACIS Programme concentrates on the following priority areas : central banking (4.0 MECU), banking (commercial, merchant, savings and cooperative : 12,1 MECU), bank training (9,0 MECU), financial markets (2.7 MECU), insurance (3.7 MECU), accountancy and auditing (3.5 MECU). These areas have been chosen in view of the difficult structural conditions in the former USSR, and the widespread inexperience in dealing with financial systems in a liberalised economy.

Precedence has been given to actions which are likely to encourage public and private sector organisations in the Community to finance subsequent operations. In view of the key role the banks have to play in providing investors with the liquidity required for the establishment of private business and the restructuring of state enterprises, a clear emphasis is placed on this sub-programme.

This is further accentuated in the 1992 TA Programme, which is enhanced by projects in the field of tax administration and investment guarantees.

Coordination of technical assistance activities in the CIS and Georgia with international financial institutions such as the IMF, the World Bank and the OECD, is especially important in this field.

5. IMPLEMENTATION OF THE 91 TACIS PROGRAMME

The EC **TACIS** Programme represents the first Western action of this kind in favour of the former Soviet Union. In preparing and defining the **TACIS** Programme, the Commission was faced with a number of difficult circumstances. Both the political events in the Baltic Republics in January 1991 and the Coup d'Etat in the USSR in August 1991 caused delays; later, the demise of the Soviet Union, especially with regards to the imponderable distribution of political responsibilities and economic competences, added further problems.

In spite of these difficulties, the Commission managed to identify good and viable projects through contacts with then Soviet experts in existing companies, universities, local authorities, associations, etc. In this sense, the Technical Assistance Programme was established within a framework of a decentralised cooperation. In carrying out this exercise, the Commission has benefitted greatly from the collective knowledge of the realities of the economic and social situation in the former Soviet Union accumulated by Member States and their economic operators, especially those from the private sector.

A total number of 350 projects were selected for funding under the 1991 **TACIS** Programme, out of more than 1200 project proposals received by early October 1991.

As regards the implementation of the **TACIS** Programme, a distinction must be made between the decision to finance a certain project and the actual realisation of this project. Since **TACIS** funds are only allocated to structural projects lasting up to three years, the realisation of projects (and the corresponding disbursement of funds) can obviously only take place within a certain time period.

Firms and consultants from the EC which are interested in participating in the implementation of the programme can register for this purpose with the Commission (DG I) in Brussels.

Some examples of projects currently under way under the 1991 TACIS Programme:

The Commission has launched a project to provide advice to policy makers on how to implement their reforms. This project covers all 12 Newly Independent States and is budgeted a total of ECU 9 million, the largest amount allocated to a single project within the 91 Programme.

As regards the transport sector, projects dealing with the reorganisation of the port of St. Petersburg, the modernisation of the air traffic control system in Russia, as well as the renovation of the Moscow-Saint Petersburg railway are under way.

In the financial services sector, the Commission is currently financing a project involving the provision of advice from an important number of experts to the biggest Russian bank, the Savings Bank. The aim is to enable the Savings Bank to restructure itself into a modern savings bank dealing with private clients, SMEs and local authorities. An International Finance and Banking School, co-financed with the European Bank for Reconstruction and Development, is providing specialized vocational training programmes for up to 4,000 trainees per year from the banking sector.

In training sector, a project is currently under way for the strengthening of the International Management Institute of Saint Petersburg, through the creation of new courses which may become the prerequisite for future MBA programmes. The cost of this project is ECU 3 million.

The Odessa Region in the Ukraine has a great agricultural potential, but is currently badly affected by problems in the fields of food production, processing, distribution, wholesaling and retailing. A project currently under way in the food distribution sector is aimed at providing both immediate and longer term practical assistance in the milk, meat, fresh produce and animal feedstuff sectors to reduce losses and overcome shortages of supply. ECU 2 million have been allocated to this project.

6. TACIS 1992 FOCAL SECTORS FOR TECHNICAL ASSISTANCE

Indicative Programmes, identifying the priority areas on which the EC Technical Assistance in 1992 will be focused, were signed with each Newly Independent State in March and April, 1992.

Owing to its experiences with the 1991 Programme, the Commission succeeded in consolidating the 1992 approach.

The focal sectors within the 1992 TACIS Programme respect a necessary continuity with the priority sectors identified under 1991 Programme. The 1992 Programme therefore builds on the 1991 Programme, aiming to intensify the efficiency of technical assistance through sectoral or regional linkages. A number of related sectors have also been introduced in the programme, which will strengthen the impact of all activities.

Within the Indicative Programmes, each Independent State defined, with the Commission, the priority focal sectors for cooperation. Though each Indicative Programme was tailored to the specific needs of the respective recipient states, the following areas prevail in each of the programmes :

HUMAN RESOURCES DEVELOPMENT:

Technical Assistance in the field of human resources is intended to facilitate the smooth transition to a more plural society based on the market economy. It will seek to make sustainable adaptations to vocational, professional and tertiary training, and to offer policy guidance to the administration to facilitate legislative and institutional reform on the one hand, and to cope with the anticipated dramatic transitional movements in employment and budgetary availability on the other hand.

Complementarity with support from the EC in other fields will be emphasised, and thus vocational training will be seen as part of the effort in those fields.

Particular groups will be targeted: e.g. the unemployed who, through retraining, will become better able to respond to new labour market demands and consider self-employment. It will offer links between colleges and universities and the economic environment, so that faculties can adapt to meet new labour requirements.

Provision of advice and support related to job creation, social security and the development of a civil society will also be included in the programme. Such support will emphasise the maintaining of the quality of life in conditions of severe budgetary stringency.

FOOD PRODUCTION AND DISTRIBUTION:

The actions to be supported in this sector will be at two levels : on the one hand, institutional and policy reforms and, on the other hand, programmes in agricultural production, agro-industry, storage, transport, wholesale market and the retail sector.

For example, a Master Plan will be prepared for future agricultural sector activities in various countries, based on the optimal utilisation of available resources and the necessity both to feed the population and provide the country with export revenue from agriculture production and processed foods. Special attention will be paid to sustaining the environment while increasing productivity, for example through better irrigation techniques to save scarce water resources.

NETWORKS:

Among these networks, the Indicative Programmes consider measures to improve management systems, and the organisational, legal and regulatory framework in the following sectors : energy, transport and telecommunications. Whenever possible, national projects in those areas should dovetail with multi-national initiatives in the same sectors.

High level experts will be provided to help design overall energy policies, with particular emphasis on oil and gas production and inter-state transport, including measures that will improve the industry's efficiency. The TACIS Programme will support energy related advisory services on government level and projects aimed at the restructuring and modernisation of major energy consumer industries. Other activities will focus on the training of engineers and future managers in the energy sector.

The Commission will provide programmes of technical assistance to the transport sector in order to advise Civil Aviation Authorities, particularly in view of improving airport management and training staff involved in air traffic control. It will also help reorganise public transport and improve management of ports.

ENTERPRISE SUPPORT SERVICES:

Actions to be funded in this sector will cover :

- development of policy, legal and institutional mechanisms supporting the creation and the growth of small and medium scale enterprises;
- creation and restructuring of financial institutions (in particular commercial banks, financial markets and insurance companies);
- privatisation;
- advice for the conversion of the defence related industry;
- development of policies to attract and regulate foreign investment in support of economic recovery.

THE REGIONAL PROGRAMME:

In addition to the regional programme for nuclear safety, a limited financial allocation has been set aside to fund other regional (inter-state) programmes which should mainly address two kinds of issues:

- policy advice to governments, parliaments and other relevant institutions of the Independent States within such areas as inter-state economic relations (trade, payments, common policies), matters relating to money, tax reform, budgetary procedures and technique.
- programmes of common interest to several states. Joint projects in the fields of energy, agriculture, transport and telecommunications are examples.

The regional programme will cover regional initiatives based on common requests received from several Independent States within the sectors mentioned above.

NUCLEAR SAFETY PROGRAMME:

The design and condition of currently operating nuclear power plants in the Commonwealth of Independent States give rise to serious concern about their short term safety as a group, though the level of safety varies considerably from plant to plant. The Chernobyl accident of 1986 is a vivid illustration of the possible consequences of the operation of an unsafe nuclear power plant. There is an urgent and generally accepted need for immediate action to improve the safety situation.

An important financial allocation has therefore been set aside for this purpose.

The activities are designed to improve the safety of operating nuclear power plants and to strengthen the regulatory authorities of the countries involved. More specifically, the programmes aim to :

- improve the knowledge of the safety aspects of the Soviet designed reactors;
- improve the operational safety of some reactors;
- carry out technical and analytical studies on the possible improvements that can be made;
- identify the nuclear safety problems associated with all aspects of the nuclear fuel cycle; and,
- promote a common European approach to the regulatory and control aspects of nuclear safety.

Most of the projects included in the programme are generic. The studies cover safety issues which are typical to particular reactor designs and are thus not site specific. The choice of a generic approach was based, amongst other considerations, on the fact that the reactor park is composed of only a few basic reactor designs -- the WWER (pressurised water reactor) and the RBMK (light water graphite moderated reactor).

The programme will, in addition, include technical studies needed to prepare for the shutting down or decommissioning of reactors found to be particularly unsafe.

The 1992 TACIS programme will continue to provide support for the regulatory authorities in both the Russian Federation and the Ukraine.

Moreover, nuclear safety issues related to all aspects of the nuclear fuel cycle, such as irradiated waste storage and transport, will be given high priority in our programming.

In addition, a special fund of 20 MECU is dedicated to the co-financing of the International Science and Technology Centre (ISTC).

The main function of the International Science and Technology Centre is to act as a clearing house for redirecting scientists and engineers in the former Soviet Union away from activities with military proliferation implications and towards activities with peaceful objectives.

The ISTC will start operating in summer 1992.

The main sponsors of the Centre are the European Community, the USA, Japan and the Russian Federation.

7. BASIC PROCEDURAL RULES

The 11 States of the CIS and Georgia on the one hand, and the EC on the other, agreed in February 1992 on the following principles for future cooperation :

- The 12 Independent States commit themselves to implement the 1991 programme, as originally agreed with the Union authorities.
- Each State will appoint a "National Coordinator" as an official interlocutor.
- Coordinating Units will be established in each State as soon as possible.
- The funds for the 1992 programme will be distributed between the 12 States according to a formula which takes into account GNP per capita, the total population, the state of political and economic reforms and the absorption capacity. In this way, an objective and mutually accepted distribution of funds is guaranteed.
- An Indicative Programme will be negotiated with each State, focusing on a small number of priority sectors.

The TACIS Programme follows established EC procedures in the area of external aid, governed by a specific EC Council Regulation for the assistance to the (ex)USSR and by the financial regulation applicable to the general EC budget.

8. BODIES RESPONSIBLE FOR IMPLEMENTING TACIS

On the Community side :

The Directorate-General for External Relations (DG I) of the European Commission is responsible for the implementation of operations. The Commission will also ensure, together with the Member States, the effective coordination of Technical Assistance efforts undertaken by the Community and individual Member States.

The Commission is assisted by a management committee composed of representatives of the Member States and chaired by the representative of the Commission. The Commission submits Financing Proposals and draft decisions to the Committee. The Committee delivers its opinion on the drafts, especially where this relates to general implementation, the administration of the Programme, co-financing and coordination. The Commission is responsible for the selection of projects to be financed within the scope of the TACIS Programme.

The Commission is represented in Moscow by its permanent Delegation which includes a Technical Assistance section. A number of similar Delegations are planned for several other recipient countries. These delegations will play an increasingly important role during the preparatory, coordination, implementation and evaluation phases of the TACIS Programme. Decentralised management of the TACIS Programme remains a central objective.

On the recipient state's side :

Originally, the Programme was negotiated with the all Union government and coordinated by the Coordinating Unit in Moscow, established for this purpose. Since the demise of the Soviet Union, each Independent State has nominated its own "National Coordinator", who acts as an official national interlocutor of the EC for the TACIS Programme.

Coordinating Units have been established in each Newly Independent State. The Coordinating Unit in Moscow currently deals with the Russian programme only.

The main role of the National Coordinating Units is the day-to-day management of the TACIS Programme in the respective CIS country or in Georgia.

The Coordinating Units are staffed by local professionals and include senior representatives from relevant ministries and other institutions. For the evaluation and implementation of projects, the Units are assisted by a number of consultants from EC Member States financed by the TACIS budget.

While the Coordinating Units are located outside existing administrative structures, they are responsible to and report to the National Coordinator.

More specifically, the C.U. performs the following tasks :

- assess the development needs of the country, in particular those which could be financed by foreign technical assistance;
- help with the identification of priority sectors for assistance;
- inform potential recipients, throughout the country, about the aims of the programme, the terms of access to Community funding, and implementation modalities.
- evaluate programme proposals and requests for funding (these should always be within the agreed sectors of concentration).
- pass on to the Commission official proposals signed by the National Coordinator for possible financing.
- assist with tendering and contracting of services and associated equipment to be provided through EC funding;
- monitor contract performance, supervise project implementation and undertake final project evaluations.

9. WHAT ARE THE MAIN STEPS IN THE DECISION-MAKING PROCESS?

The Commission of the European Communities takes the decision on whether or not to finance a project in the framework of the TACIS Programme. A series of preparatory and coordination activities is undertaken beforehand.

Under the 1992 TACIS Programme, the Indicative Programmes built the general framework for cooperation. They reflect, on the basis of priority ranking, the relative importance that each State attributes to the various focal sectors of the Programme.

Using these Indicative Programmes as guidelines, the Commission services coordinated and carried out "identification missions" in each Independent State, during which a series of Actions Programmes were drafted, in cooperation with interlocutors of the recipient states and, when necessary, with external assistance financed by the Commission.

The main function of the Action Programmes is to make the Indicative Programmes operational. This means that the Action Programmes define overall strategies in the selected sectors and identify the main actions to be supported. Requests from potential beneficiaries are considered in the definition of sectoral programmes, though actions may also be independently designed.

Four Action Programmes were established for the Russian Federation, focusing on the Moscow area, Saint Petersburg, and the Samara and Tyumen regions. For the 11 other Newly Independent States, one single Action Programme was established per country.

The Action Programmes were submitted in the form of Financing Proposals to the Member States in the Management Committee Meetings of October, November and December, 1992, and thereafter to the Commission for a financing decision. The first projects in the framework of the 1992 TACIS Programme were launched almost immediately afterwards.

10. CRITERIA FOR FINANCING AND SELECTING PROJECTS

The TACIS Programme does generally not finance single small and isolated projects. TACIS funds are available for integrated programmes of actions for the development of specific sectors or regions.

Projects must therefore be reflected in the Indicative Programmes, and subsequent Action Programmes, prepared by the Commission in cooperation with the beneficiary states.

Action Programmes may be set up on the basis of ideas and proposals submitted within the framework of the Indicative Programmes by potential final recipients. A number of important criteria should be considered :

- adherence to the text and spirit of each country's Indicative Programme;
- integration and linkage of actions;
- immediate impact on the overall economic reform process on macro-economic level;
- contribution to the transfer of know-how and necessary skills to the people of the beneficiary states for the effective functioning of a market economy;
- reduction of social problems to be met during of the transformation process;
- multiplier effect of projects : principle of pilot projects.

11. WHO CAN SUBMIT PROJECT PROPOSALS ?

All proposals for the financing of projects within the framework of the relevant Programmes must be submitted by applicants from the CIS or Georgia to the corresponding Coordinating Unit. Project proposals are used to establish the needs of the recipient states, and may be adapted to fit within a coherent national programme. Projects which do not comply with the priorities set out in the Indicative Programmes cannot be considered.

The applicant from a CIS State or Georgia could be a :

- government institution at state or local level;
- cooperative association;
- private enterprise;
- state enterprise;
- university, academy or training institution;
- any qualified autonomous operator of the civil society.

It should be stressed that the TACIS Programme is **demand-driven**. Project proposals are therefore not submitted by EC economic operators, consultants etc., but by potential **final recipients**, and through the appropriate channel (in the recipient state, the Coordination Unit).

In order to ensure the identification of a coherent set of proposals for each country, the Commission not only selects but can also adapt and indeed design activities, in close cooperation with the authorities of each recipient state.

The projects which are finally selected for possible financing are thus the result of finely tuned programming, and have the support of the National Coordinator and the Coordinating Unit.

12. HOW CAN EC ECONOMIC OPERATORS PARTICIPATE IN THE TACIS PROGRAMME ?

The TACIS Programme will continue to draw the full on the creativity and expertise of the EC economic operators. The lack of infrastructure and experience for the absorption of foreign assistance in the CIS creates unique difficulties. The task of financing concrete actions promoting the transition towards a market economy in the former socialist states hitherto isolated from the international community, becomes more effective by integrating the local contacts of the Member States, and especially of their private sectors. Therefore, the dialogue should not be confined to public officials on both sides. If the building up of a market economy is the global aim, this cannot be done without the active participation of economic operators, especially from the private sector.

The main function of the TACIS Programme is to stimulate the transformation process towards a market economy and a democratic society. The actual realisation and building up of a market economy and democratic society is thereafter the main task of operators from the beneficiary states assisted, where relevant, by EC economic operators.

Whilst EC economic operators can submit their specific ideas and proposals for consideration to the coordination Unit or Commission (assuming these fall within the agreed sector priorities), such proposals cannot normally be treated in isolation for financing. However, such proposals, if considered worthy of pursuing, can become the basis for a programme concept or component for future financing. In this way, it will be ensured that the experiences and advice of the economic operators, especially from the private sector, will always be incorporated in the strategic and conceptional planning and prioritising of the TACIS Programmes in the CIS and Georgia.

The principal role of EC economic operators is therefore to assist with the implementation of those programme activities which have been defined and chosen by the Commission in close cooperation with its counterparts in the beneficiary states.

After sectoral programming, the Commission draws up an action plan for each state, consisting of individual projects. These projects will be executed by qualified operators from the EC or the CIS and Georgia, after being selected by the Commission from its registry, and invited to tender.

EC operators can demonstrate their interest in participating in the implementation of projects by registering with the Central Consultancy Register (cf. chapter 14). This gives EC operators the chance to be considered in the process of awarding direct contracts or launching restricted tenders whether or not they have been involved in project design.

13. HOW ARE CONTRACTS AWARDED?

There are three different procedures of awarding an implementation contract.

For technical assistance contracts and small supply contracts:

- direct agreement
- restricted tender

For supply contracts:

- open tender

The basic requirements for participating in contracts for the implementation of the TACIS programme are as follows :

- Participation is open on equal terms only to all natural or legal persons and companies having the nationality or being incorporated with their main establishment or place of business in one of the Member States of the European Community as well as those from the CIS and Georgia.
- The supplies to be purchased must originate either within a beneficiary state or within the EEC according to the general EEC concept of origin. This clause is regularly inserted into all contracts and tenders.
- The Commission shall ensure that for every operation, the offer selected is economically the most advantageous, particularly in view of the qualifications and guarantees offered by the tenderers, the cost and quality, the nature and conditions for execution, the cost of utilisation and technical value.
- Prices must be quoted in European Currency Units (ECU) and are paid either in ECU or in the currency of the recipient state(s).

*** Service contract: direct agreement or restricted tender**

The vast majority of contracts under the TACIS Programme falls under this category.

Whether service contracts are awarded via "direct agreement" or via a "restricted tender" procedure depends on the total value of the contract. Below a certain ceiling (at present 300.000 ECU), contracts may be awarded by direct agreement.

In this case, the Commission awards the contract, on behalf of the recipient country, after informal consultation and/or negotiation with possible contractors.

For service contracts exceeding the ceiling, restricted invitations to tender will be issued. In this case, the EC Commission, on behalf of the recipient country, asks a limited number of possible contractors for a formal offer. Due to the technical and professional expertise required, tenders will typically be invited from firms or institutions with proven experience in the relevant field. The EC Commission has a register of suitable candidates.

On this basis, a "short list" of firms or institutions is established, which are invited to submit an offer. The "short list" also takes into account that there should be widest possible participation from firms and institutions of all EC Member States.

A detailed description of the task ("terms of reference") is the core element of the restricted tender.

The EC Commission, on behalf of the recipient country, evaluates the tenders submitted on the basis of quality and price, and awards and signs the contract with the successful tenderer.

*** Supply contract: open tender**

For supply contracts, an open tender procedure is used in which all interested firms from the Community and the recipient countries can participate on equal terms. The calls for tender are published in the EC Official Journal in all official EC languages and in the recipient States.

Smaller supply contracts can be awarded after consultation of several suppliers. The evaluation and contract procedures are similar to those for service contracts.

Since the TACIS Programme concentrates on the transfer of know-how, supply contracts are only of limited importance (cf. chapter 3).

14. HOW TO REGISTER WITH TACIS?

By registering with TACIS, EC economic operators (firms, consultants etc.) demonstrate their interest to be considered for the implementation of projects under the TACIS programme. For this purpose, any eligible and qualified firm may apply to the Commission's services and request to be registered on its "long list".

Registration Forms are available at :

**Commission of the European Communities
DGI - External Relations
Central Consultancy Register
Mrs. Sylvie Davrou-Koch
Rue de la Loi, 200
B - 1049 BRUXELLES**

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ANNEXES

COUNCIL REGULATION (EEC, EURATOM) No 2157/91
of 15 July 1991

concerning the provision of technical assistance to economic reform and recovery in the Union of Soviet Socialist Republics

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the European Economic Community and the European Atomic Energy Community have concluded an Agreement on trade and commercial and economic cooperation with the Union of Soviet Socialist Republics ;

Whereas the European Council, at its meetings in Dublin and Rome in 1990, expressed its will to back the steps undertaken by the Soviet authorities to bring about the reform and recovery of the Soviet economy ; whereas to that end it decided to provide as soon as possible technical assistance in the fields of public and private sector management training, financial services, energy, transport and foodstuffs distribution ;

Whereas that aid should go towards projects that benefit the final recipients in the various republics of the Soviet Union ;

Whereas the implementation of such technical assistance should enable conditions favourable to private investment to be established ;

Whereas the European Council at its meeting in Rome also stressed the importance of effective coordination by the Commission of the efforts made in the Soviet Union by the Community and its Member States acting individually ;

Whereas it is appropriate that the Commission be assisted in the implementation of Community aid by a committee made up of Member States' representatives ;

Whereas this technical assistance will be the subject of a practical programme geared to specific projects, and will be eligible for overall support of ECU 400 million in 1991 and a sum yet to be determined in 1992, to be released in tranches as projects actually materialize ;

Whereas the implementation of these operations is such as to contribute to the attainment of the Community's objectives, and the Treaties have not provided, for the

adoption of this Regulation, powers other than those of Article 235 of the EEC Treaty and Article 203 of the EAEC Treaty,

HAS ADOPTED THIS REGULATION :

Article 1

An operation to assist economic reform and recovery in the Union of Soviet Socialist Republics shall be implemented by the Community in 1991 and 1992 in accordance with the criteria laid down in this Regulation. This assistance shall be concentrated on sectors and geographical areas where it can play a key role in the continuation of the reform process.

Article 2

The amount of Community funding for the implementation of the operation set up by this Regulation shall total ECU 400 million for the financial year 1991. The funds estimated as necessary for the financial year 1992 shall be decided at a later stage by the Council, acting unanimously.

The budget authority shall determine the appropriations available for 1992, taking into account the principles of sound financial management referred to in Article 2 of the Financial Regulation applicable to the general budget of the European Communities and with due regard for the financial outlook.

Article 3

1. The aid referred to in Article 1 shall take the form of technical assistance for the economic reforms under way in the Soviet Union, for measures aimed at bringing about the transition to a market economy and for related projects. It shall also cover reasonable costs of supplies required for the implementation of these operations.

The costs of the projects in local currency shall be covered by the Community only to the extent strictly necessary.

2. The appropriations referred to in Article 2 shall cover costs relating to the preparation, implementation, monitoring and evaluation of the execution of these operations.

3. Technical assistance shall give priority to the fields of public and private-sector management training, financial services, energy, transport and foodstuffs distribution.

⁽¹⁾ OJ No C 140, 30. 5. 1991, p. 10.

⁽²⁾ OJ No C 183, 15. 7. 1991.

4. Operations to be financed under this Regulation shall be selected taking account, *inter alia*, of the recipients' preferences and on the basis of an assessment of their effectiveness in achieving the objectives aimed at by Community assistance.

5. Technical cooperation shall be implemented on a decentralized basis. The final recipients of Community assistance shall be closely involved in the evaluation and execution of the projects.

Article 4

1. Community assistance shall take the form of grants, which shall be released in tranches as projects actually materialize.

2. Financing decisions, and any contracts resulting therefrom, shall expressly provide, *inter alia*, for supervision by the relevant Commission departments and the Court of Auditors, to be carried out on the spot, if necessary.

Article 5

1. Annual general guidelines shall be laid down in an indicative programme covering all the operations referred to in Article 3 (4). They shall define the thrust of Community assistance in the focal areas and the procedures for the implementation of operations. They shall be adopted each year under the procedure provided for in Article 7 (2) and (3).

2. For 1991, sectoral guidelines shall be laid down in sectoral programmes for the priority areas described in Article 3 (3), incorporating a list of the principal projects, together with an estimate of their cost wherever possible. These sectoral guidelines for 1991 shall be adopted in accordance with the procedure provided for in Article 7 (2) and (3).

3. The technical assistance projects funded under the 1992 budget shall be adopted under the procedure provided for in Article 7 (2) and (3).

Article 6

1. The Commission shall implement operations in accordance with the indicative programme referred to in Article 5.

2. Supply contracts shall be awarded by means of open invitations to tender except in the cases provided for in Article 116 of the Financial Regulation applicable to the general budget of the European Communities.

Service contracts shall as a general rule be awarded by restricted invitations to tender and by private treaty for operations of up to ECU 300 000. As from 1 January 1992 this amount shall be revised by the Council on the basis of a Commission proposal, account being taken of experience gained in similar cases.

Participation in invitations to tender and contracts shall be open on equal terms to all natural and legal persons in the Member States and the Soviet Union.

3. Taxes, duties and charges shall not be funded by the Community.

Article 7

1. The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission, to be known as the 'Management Committee for Assistance to the USSR'.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the EEC Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission of the Council forthwith. In that event, the Commission shall defer application of the measures for six weeks.

The Council, acting by a qualified majority, may take a different decision within the period laid down in the first subparagraph.

4. The Committee may examine any other question relating to the implementation of this Regulation which may be put to it by its Chairman, possibly at the request of the representative of a Member State, and in particular any question relating to general implementation, the administration of the programme co-financing and the coordination referred to in the following Article 8.

5. The Commission shall inform the Committee at regular intervals concerning the implementation of the technical assistance programme, in particular by means of six-monthly reports.

Article 8

The Commission shall, together with the Member States, ensure the effective coordination of the technical assistance efforts undertaken in the Soviet Union by the Community and individual Member States, on the basis of the information supplied by the Member States.

Article 9

At the end of each financial year, the Commission shall draw up a progress report on cooperation activities. This report shall be addressed to the European Parliament, the Council and the Economic and Social Committee.

Article 10

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 July 1991.

For the Council

The President

P. BUKMAN

ANNEX II

1. BRUSSELS

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