Basic information

1995/0056(CNS) CNS - Consultation procedure Regulation	Procedure completed
TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC) **Subject** 6.30.02 Financial and technical cooperation and assistance **Geographical area** Community of Independent States Mongolia	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
RELA External Economic Relations	PEX Peter (PPE)	05/10/1994

Former committee responsible	Former rapporteur	Appointed
RELA External Economic Relations	PEX Peter (PPE)	05/10/1994
RELA External Economic Relations	PEX Peter (PPE)	05/10/1994

Former committee for opinion	Former rapporteur for opinion	Appointed
AFET Foreign Affairs, Security and Defense Policy	SCHROEDTER Elisabeth (V)	12/03/1996
AFET Foreign Affairs, Security and Defense Policy	VÄYRYNEN Paavo (ELDR)	21/06/1995
BUDG Budgets	REHN Olli (ELDR)	24/01/1996
BUDG Budgets	REHN Olli (ELDR)	01/06/1995
ENVI Environment, Public Health and Consumer Protection	FLORENZ Karl-Heinz (PPE)	26/07/1995

	CONT Budgetary Control		
	CONT Budgetary Control	HOFF Magdalene (PSE)	31/05/1995

Council of the European Union

Council configuration	Meetings	Date
General Affairs	1883	1995-11-21
General Affairs	1902	1996-01-29
General Affairs	1922	1996-05-13
Agriculture and Fisheries	1940	1996-06-25

Key events

Date	Event	Reference	Summary
12/04/1995	Legislative proposal published	COM(1995)0012	Summary
10/07/1995	Committee referral announced in Parliament		
17/10/1995	Vote in committee		Summary
17/10/1995	Committee report tabled for plenary, 1st reading/single reading	A4-0254/1995	
14/11/1995	Debate in Parliament		
21/11/1995	Debate in Council		
05/02/1996	Formal reconsultation of Parliament		
05/02/1996	Amended legislative proposal for reconsultation published	04546/1996	
15/04/1996	Vote in committee		Summary
15/04/1996	Committee report tabled for plenary, reconsultation	A4-0107/1996	
19/04/1996	Debate in Parliament		
08/05/1996	Modified legislative proposal published	COM(1996)0213	Summary
17/06/1996	Vote in committee		
17/06/1996	Committee interim report tabled for plenary	A4-0202/1996	
19/06/1996	Debate in Parliament		
25/06/1996	Act adopted by Council after consultation of Parliament		Summary
25/06/1996	End of procedure in Parliament		
04/07/1996	Final act published in Official Journal		

Technical information

Procedure reference	1995/0056(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Rules of Procedure EP 170 EC Treaty (before Amsterdam) E 235
Stage reached in procedure	Procedure completed
Committee dossier	RELA/4/06909 RELA/4/07583 RELA/4/06911

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0254/1995 OJ C 323 04.12.1995, p. 0004	17/10/1995	
Text adopted by Parliament, 1st reading/single reading		T4-0546/1995 OJ C 323 04.12.1995, p. 0074-0083	16/11/1995	Summary
Committee final report tabled for plenary, reconsultation		A4-0107/1996 OJ C 141 13.05.1996, p. 0015	15/04/1996	
Text adopted by Parliament after reconsultation		T4-0210/1996 OJ C 141 13.05.1996, p. 0248-0268	19/04/1996	Summary
Committee interim report tabled for plenary		A4-0202/1996 OJ C 198 08.07.1996, p. 0012	17/06/1996	
Interim resolution adopted by Parliament		T4-0356/1996 OJ C 198 08.07.1996, p. 0162-0202	20/06/1996	Summary

Council of the EU

Document type	Reference	Date	Summary
Amended legislative proposal for reconsultation	04546/1996	05/02/1996	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1995)0012 OJ C 134 01.06.1995, p. 0016	12/04/1995	Summary
Modified legislative proposal	COM(1996)0213 OJ C 218 27.07.1996, p. 0008	08/05/1996	Summary
Follow-up document	COM(2000)0835	20/12/2000	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Regulation 1996/1279 OJ L 165 04.07.1996, p. 0001	Summary

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 12/04/1995 - Legislative proposal

This proposal for a regulation aimed to provide assistance to the New Independent States of the former USSR and to Mongolia (TACIS II programme) from 1 January 1996. The assistance aimed to help the beneficiaries to commit to a process of economic reform and liberalisation. To benefit from this assistance, the countries concerned (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Mongolia) should unconditionally agree to work towards a political democracy and to implement structural reforms in all the economic sectors covered by the assistance. A flagrant violation of these principles by any country could lead to immediate suspension of the assistance. The assistance would take the form of non-refundable grants. The financial statement annexed to the Commission's proposal provided for an envelope of ECU 2 734 million over five years (1995-1999). A four-year indicative programme established for each of the partner states would determine the principal objectives of and guidelines for Community assistance. Action programmes or national projects would be adopted on the basis of this indicative programme each year in all the areas of action of the TACIS programme: human resources development (education, training, restructuring of public administration, employment services, legal assistance, etc.), enterprise restructuring and development (emphasis was placed on the creation of joint ventures through support for SMEs), transport and telecommunications infrastructures, energy, and food production, processing and distribution. Particular emphasis was placed on nuclear safety, the environment and promotion of the participation of women in social and economic life. Similarly, TACIS would encourage the promotion of cooperation between states (particularly by financing border-crossing facilities on borders between the New Independent States and the Union, between the New Independent States themselves, and between the New Independent States and Central European countries eligible under the PHARE programme). The TACIS programme would be implemented on a decentralised basis as far as possible, particularly with a view to promoting local synergies and placing greater emphasis on the Community presence. With regard to comitology, the Commission proposed implementing the programme with the assistance of a management committee composed of representatives of the Member States and chaired by a representative of the Commission.

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 08/05/1996 - Modified legislative proposal

In its amended proposal, the Commission took over 27 of the 36 amendments put forward by Parliament in its opinion. The Commission welcomed, in particular, the amendments which: - aimed to extend the duration of the regulation to six years, - hoped to ensure proper monitoring, audits and evaluations of the projects to make it possible to identify and correct implementation problems, - tightened up the provisions requiring the Commission to account for its activities before the other European institutions, - hoped to reinforce cofinancing between the various donors, - aimed to improve the financing of infrastructures, particularly with regard to cross-border cooperation, - strengthened the role of the environment, public health and intercultural exchanges in the programme, - reinforced the conditional nature of assistance and introduced respect for the rights of minorities and indigenous peoples as a key element of assistance, - promoted the future decentralisation of the programme's management towards recipient countries, - proposed the review of some of the programme's implementation methods, such as maintaining the threshold for direct agreement contracts at ECU 300 000, or promoted the participation of enterprises from PHARE and TACIS countries in the programme, - aimed to strengthen the role of NGOs in the provision of assistance, - tried to promote the multiplier and spin-off effects of the projects. However, the Commission did not accept the amendments which: - prevented the Commission from amending the annexes during the programme, - related to comitology issues (a management committee was preferable to an advisory committee), - required the EP to be consulted before aid could be suspended, - permitted the consultation of external experts for the supervision of the projects, - reduced the role of technical assistance in projects eligible for funding, - amended certain implementation methods (particularly with regard to the time limit for tenders).

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 29/01/1996

The Council reached a political agreement on a draft Regulation concerning the provision of assistance to economic reform and recovery in the New Independent States of the former USSR and Mongolia (TACIS). On account of the substantial amendments which the text contains compared to the Commission proposal, the Council also decided to reconsult the European Parliament. The financial amount scheduled for assistance provided under the draft Regulation for the period 1996-1999 is ECU 2.224 million. Annex IV may be modified by a committee composed of representatives of the Member States acting in accordance with the IIIa procedure (regulatory committee) which will assist the Commission in administering the Regulation. In this connection it should be pointed out that, apart from these Annexes, the provisions of the Regulation may be modified only unanimously, since the legal basis for the adoption of the Regulation is Article 235 which requires unanimity.

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 19/04/1996 - Text adopted by Parliament after reconsultation

In adopting the report by Mr Peter PEX (PPE,NL), Parliament approved the new draft for a regulation concerning the TACIS II programme, notably by tabling a series of amendments aimed at simplifying the procedures proposed by the Council. The draft regulation, as modified by the Council, gives evidence of a deep mistrust for the Commission. The Council defines binding procedures for each type of assistance in the greatest detail and case by case, something which is unique in the Union's history. Parliament has therefore sought in its amendments to guarantee a wider autonomy for the Commission vis a vis the Council in the programme's management, in particular by providing for an advisory committee. In addition, it calls for the Commission to ensure the monitoring and assessment of projects throughout the course of their implementation, as well as their general coordination. The other amendments concern the following points: - a two-year extension of the programme (1996-2001 instead of 1996-1999) and the establishment of indicative programmes covering three-year periods (and not four-year periods), - establishment of cultural programmes (and in particular inter-cultural cooperation), education, health and social protection programmes (including support for democracy) and programmes for environmental protection and public health, - cross-border cooperation is encouraged and cross-border projects could be approved under TACIS II and INTERRREG), - in all cases, particular attention must be paid to the potential multiplier and spin-off effects of the projects (e.g. environmental impact assessment procedures and eco-audits), - the recipients must be involved in the financial management of the projects (the Commission having to establish an appropriate level of local representation with the Member States) and particular attention will be paid to projects which are co-financed directly by local authorities, - service contracts to be awarded by restricted invitations to tender and by private treaty are for operations up to ECU 300 000 (and not ECU 200 000), and participation in all invitations to tender is open to the countries benefiting from PHARE, - an annual report evaluating the progress of projects in each of the partner States. Parliament also insisted on a more effective protection of human rights, and in particular minority rights and the rights of indigenous peoples. In cases of violation of such rights, measures could be taken with a qualified majority and after consulting the EP.

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 25/06/1996

The Council formally adopted the Regulation following the political agreement reached on 29 January 1996 and at the conclusion of the conciliation procedure with Parliament.

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 25/06/1996 - Final act

OBJECTIVE: enactment of a new TACIS Regulation (TACIS II) for countries of the former USSR and Mongolia for the period from 1 January 1996 to 31 December 1999. COMMUNITY MEASURE: Council Regulation (EURATOM/EC) No 1279/96 concerning the provision of assistance to economic reform and recovery in the New Independent States and Mongolia. SUBSTANCE: - the assistance takes the form of a technical assistance programme in favour of economic reforms in progress in the following countries: Armenia, Azerbaidjan, Belarus, Georgia, Kazakhstan, Kirghizstan, Moldova, Oubekistan, Russian Federation, Tadjikistan, Turkmenistan, Ukraine and Mongolia. The total amount allocated to TACIS II for the period in question is ECU 2224 m. The areas covered by the TACIS programme are listed in an annex to the regulation, with priority being given to the following: - human resources development, - education and training, - restructuring of public administration, - employment services and social security rights, - strengthening of the civic society, - policy and macro-economic advice, - legal assistance including approximation of legislation, - enterprise restructuring and development, - support for the development of SMUs, - conversion of defence-related industries, - privatization and restructuring, - financial services, - infrastructures, - transport, - telecommunications, - energy, including nuclear safety (priority), - food production, processing and distribution, - environment, - institutional strengthening, - legislation, - training. Assistance is to be concentrated on sectors and geographical areas in

which the beneficiary countries have already taken action, and in accordance with criteria that are clearly set out in an annex to the regulation. These criteria relate, in particular, to the type of measures to be implemented with regard to cross-border cooperation and industrial cooperation (particularly equity funding of joint ventures). Provisions are also laid down concerning contract information, supervision, monitoring and evaluation, programming and on-the-spot coordination of Community measures. The Commission is also required to provide annual progress reports on the implementation of the programme. The expenditure covered by TACIS II also includes costs of supplies (particularly in the case of nuclear safety programmes), the cost of the project in local currency if necessary, costs related to monitoring and evaluation, costs related to small-scale infrastructure projects in the context of border crossing facilities and the establishment of joint ventures (through the funding of equity investment), although the amount allocated to the last two kinds of activities must not exceed 10% of the annual TACIS budget. A four-year programme should be established for each of the partner states defining the principal objectives of Community assistance. The assistance should be implemented on a decentralized basis as far as possible. To this end, the final recipients of assistance should be closely involved in the preparation and execution of the projects. Regional and cross-border cooperation is strongly encouraged (with measures involving several countries, along the lines of those already financed under the PHARE programme, being envisaged). The programme is subject to respect for democratic principles and human rights. In the event of failure to comply with one of these requirements, the Council, acting by a qualified majority, may take appropriate measures. The Commission is responsible for implementing operations in accordance with the four-year programme, and shall keep the TACIS committee regularly informed of the projects funded (particularly with regard to supply and works contracts). With regard to the award of contracts, detailed information is provided with regard to the applicable procedures for invitations to tender. A separate annex sets out the principles governing the award of contracts. Service contracts may be awarded by restricted invitations to tender and by private treaty only for operations up to ECU 200 000. The Commission is to be assisted by a committee composed of the representatives of the Member States. The EP shall be kept regularly informed of the implementation of the TACIS programme. An annual report shall be drawn up to that end, addressed to all the Community institutions. - ENTRY INTO FORCE: 7 July 1996.

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 13/05/1996

The Council decided to act on Parliament's request for a conciliation procedure to be opened – in accordance with the joint declaration of 1975 relating to acts involving substantial financial commitments – in respect of the proposal for a regulation on the provision of assistance to the New Independent States and to Mongolia for the purpose of economic reform and recovery (TACIS). The Council wanted to see this procedure completed as soon as possible so that it could adopt the regulation without further delay.

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 20/12/2000 - Follow-up document

PURPOSE: to present the European Commission's annual report on the Tacis Programme (1999). CONTENT: In 1999 the Tacis programme made a major contribution to achieving the objectives of supporting the transition to market economies and to democracy in the Newly Independent States (NIS). In 1999 Tacis became even more closely integrated with EU policy in the region, with the coming into force of more Partnership and Cooperation Agreements (PCAs) between the EU and individual NIS. Tacis assistance is provided on the basis of certain shared economic and political values and practices as set out in the PCAs, in particular, respect for democractic principles and human rights and the principles of market economy. Against this background, the main conclusions of the report are the following: 1) stronger links between policy and technical assistance enabled Tacis to respond even more suitably to changing circumstances in the region; 2) the new strategic approach made Tacis more visile to policy-makers, economic interest groups and civic organisations in the NIS, offering new opportunities to ensure projects benefit from local ownership; 3) the Euopean Commission's Common Service for External Relations (SCR) made progress in streamlining and rationalising the administration of Tacis assistance, including tendering and contract procedures, and particularly in financial management; 4) links with other areas of EU policy were also reinforced (e.g. visa requirements, trade links); 5) in terms of programme content, the aim has been to avoid dissipating Tacis's efforts by spreading them too thinly over too wide a range of projects; 6) with regard to environmental projects, fostering regional cooperation has been essential in addressing major environmental challenges; 7) a key theme has been the development of infrastructure (transport, energy and communications) and information-based market economies; 8) evaluaion and monitoring of Tacis projects continued in 1999. While not universally complimentary, they all recognised that Tacis is moving towards self-assessment and measurement of its activities against exacting criteria; 9) with regard to monitoring and supervision in particular, reform will mean a new division of labour between the Commission services responsible for managing the Tacis programme, among others; 10) finally, the backlog in signing contracts was cut to its lowest level since the launch of Tacis in 1991. This value, which is a cumulative measure of the residue of commitments made after deducting the value of contracts signed (and hence of commitments still available for processsing into signed contracts), was down to MEUR 455 in 1999 (after peaking at MEUR 747 in 1996). At this level, the amount is approximately equivalent to one year's Tacis budget.

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 16/11/1995 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr PEX (PPE, NL), Parliament approved the proposal for a regulation with the following amendments: - the programme is to run for a period of 5 years (from 01.01.1996 to 31.12.2000) and is to be reviewed once every 5 years; - the general objectives of the programme are revised: Parliament added that TACIS II should promote the setting up of new structures in the areas of culture, education, health and social protection,

as well as for the protection of democracy and the rule of law. It should also seek to improve environmental protection and public health. In each case attention should be paid to the multiplier and spin-off effects of the projects being funded; - the role of NGOs in the provision of assistance is to be encouraged; - the provision of aid to beneficiary countries is subject to the respect of minority rights and to progress in developing a market economy; - as regards controls, the Commission shall ensure that projects are continuously monitored, audited and assessed. An independent evaluation should also be provided for up to a limit of 3% of the annual TACIS budget. These inspections should be carried out on the spot; - as far as aid is concerned, this is to be granted either autonomously by the Community or as a cofinancing arrangement with the Member States, the EIB, third countries, beneficiary nations or multilateral bodies; - as regards implementation, the Commission shall ensure that there is an appropriate level of local representation involved in the preparation of the projects. In this respect, particular attention will be paid to projects which are cofinanced directly by local authorities or by economic operators in the CCEE, - Parliament called for part of the programme to be devoted to crossborder cooperation. Transfrontier projects would be funded jointly through TACIS II and INTERREG; - the procedure for granting financial aid is modified: the projects are accepted by the Commission and the project list is then sent to the TACIS advisory committee. Parliament also modified the procedures for invitations to tender: . for supply and works contracts: tenders are to be submitted within 90 days, . for services contracts (restricted invitations to tender): 40 days. The contracts are also open to CCEE which are eligible for PHARE and to those Mediterranean countries which are signatories to the GATT agreement on public contracts; - Parliament applied a number of strict criteria for assessing invitations to tender. Undertakings which are not to be selected are entitled to ask why they have been rejected; - as regards commitology and the implementation of TACIS, Parliament is to set up an advisory committee, rather than a management committee. The Commission alone will be responsible for coordinating projects (without involving the Member States); - finally, Parliament asked to be kept informed, on a quarterly basis, of the implementation of the programmes in the beneficiary countries, and that a summary report be sent to it on 01.09 of each year.

TACIS: assistance to the New Independent States of the former USSR and Mongolia (amend. regul. 2053/93/EEC)

1995/0056(CNS) - 20/06/1996 - Interim resolution adopted by Parliament

In adopting the report by Mr Peter PEX (PPE, NL), Parliament sharply criticized the Council which, fifteen months after the Commission proposal, had resumed contact with Parliament (requesting urgent procedure) for a new consultation on the TACIS regulation. Mr PEX noted that the Commission had taken over twenty seven of the thirty six amendments tabled by Parliament and wondered why the Council not only rejected these amendments, but refused even to discuss them. Expressing the hope that the TACIS regulation would be adopted before July, Mr PEX urged the Council, pursuant to the 1975 declaration on the conciliation procedure, to seek all means of reaching complete agreement with Parliament on this regulation within the time still available, and said the Council would be to blame for any failure. The Council, for its part, justified its refusal to consider Parliament's amendments on the basis of an urgent need to implement the TACIS regulation. Conscious that the compromise it had reached on 29 January 1996 was already fragile, it considered that calling it into question would make it impossible for the Council yet again to produce a new text and would therefore delay the implementation of the regulation.