COMMISSION DECISION
OF 2000

Extending the operations of the Technical Assistance Information Exchange Office (TAIEX) for 2001,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to certain countries of Central and Eastern Europe, as last amended by Regulation (EC) No 1266/99 of 21 June 1999, and in particular article 9 thereof,

Whereas Regulation No 3906/89 lays down the rules and conditions for the granting of economic aid to certain countries of Central and Eastern Europe,

Whereas the measures provided for by this Decision are in accordance with the opinion of the Committee on Aid for Economic Restructuring in certain countries of Central and Eastern Europe,

HEREBY DECIDES AS FOLLOWS:

Article 1

The programme described in the Annex to the present decision is hereby adopted.

Article 2

The maximum amount of Community assistance shall be 6 MEUR to be financed through the budget line B7-030A and 24 MEUR to be financed through the budget line B7-030B in 2000.

Done in Brussels,

For the Commission
FINANCING PROPOSAL TO EXTEND THE OPERATIONS OF THE
TECHNICAL ASSISTANCE INFORMATION EXCHANGE OFFICE
(TAIEX)

1. IDENTIFICATION

COUNTRY         MULTI-BENEFICIARY
PROGRAMME       APPROXIMATION OF LEGISLATION
YEAR            1ST JANUARY 2001-31 DECEMBER 2001
COST            30 MEURO
IMPLEMENTING AUTHORITY  EUROPEAN COMMISSION
CONTRACTING END DATE  31 DECEMBER 2001
DISBURSEMENT END DATE  31 DECEMBER 2002
SECTOR          LE
GROUP           O
BUDGET LINE     B7-030A: 6 MEURO
                B7-030B: 24 MEURO
TASK MANAGER    BRIDGET CZARNOTA

2. SUMMARY

The present financing proposal provides the financial basis for future TAIEX activities through the prolongation of the existing PHARE multi-beneficiary Programme until 31 December 2001.

Since 1996 the TAIEX mandate has been reinforced and extended in the framework of the pre-accession strategy, notably in Agenda 2000, dealing with technical assistance in the field of approximation of legislation for the entire Acquis. It assists the Associated Countries of Central and Eastern Europe, Cyprus and Malta (in January 2000 Malta was added to the list of countries1) to achieve their objectives and monitors their rate of achievement. Limited assistance to Turkey is being considered.

Activities include seminars, training, workshops, expert and study visits, provision of tools and information products for among others, translation and interpretation activities, as well as the necessary co-ordination and monitoring, in close co-operation with Member States and Commission services. Furthermore a database has been developed to permit the Associated Countries of Central and Eastern Europe, Cyprus and Malta to log the progress made in transposing and implementing EU legislation, covering the entire Acquis and its application and enforcement infrastructures.

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1 Pending a definitive arrangement both Cyprus and Malta are financed through a separate financing instrument. The exact budget items and amounts for technical assistance with regard to these countries are indicated separately.
TAIEX services nowadays cover technical assistance on the full Acquis for not only national administrations, but also the judiciary, parliaments, regional and local administrations, and commercial, professional and economic groupings.

The “classical” Taiex approach will continue, i.e. financed from the multi-country programme (and therefore outside each country’s national envelope) and responding to a request from a candidate country for specific expertise. Preparation and follow-up of missions and study visits will be further strengthened and a logical order will be implemented in the short term expertise whenever possible.

Due to the continuously increasing demand for TAIEX services and the setting up and running costs of this new service, it is expected in line with earlier experience that the budget will be fully depleted at the end of this year. The additional costs of providing Taiex services to Cyprus and Malta (and possibly Turkey) will be met from separate budget lines.

As indicated in the November 99 PHARE Management Committee session, the TAIEX PHARE programme will have a three year cycle until 31 December 2002. Given the increased financial needs it is now proposed to increase this budget to 30 Meuro in year two of this programme.

The actual financial proposal envisages therefore an increase of the budget from 22 as originally foreseen to 30 Meuro, covering the period January to December 2001.

3. **BACKGROUND**

TAIEX was originally set up for a two year period (i.e. until December 1997) following publication of the Commission's White Paper on "Preparation of the Associated Countries of Central and Eastern Europe for Integration into the Internal Market of the Union" with the objective of providing complementary and focused technical assistance in the areas of legislation covered in the White Paper. It was conceived as a "one stop shop" to assist national administrations in the Associated Countries of Central and Eastern Europe, not only in understanding and drafting legislation related to the Single Market, but also in its implementation and enforcement.

TAIEX was initially designed to provide five principal services: documentation and advice on Single Market legislation, setting-up of workshops and seminars; arranging study visits to Commission and Member States; mobilisation of experts to advise in the Associated Countries of Central and Eastern Europe; creation of databases on deployment and results of technical assistance. The original budget was increased December 1996 to allow it to also cover work related to the translation and interpretation of Single Market legislation into the languages of the Associated Countries of Central and Eastern Europe.

In the meantime and notably since the adoption of Agenda 2000 in which the TAIEX mandate was extended to cover the full acquis communautaire the workload of TAIEX has increased exponentially. In line with the overall PHARE approach TAIEX will continue to function as a multibeneficiary tool for achieving targets and monitoring compatibility in the field of approximation of legislation.

4. **POLICY ASSESSMENT**

The main role of TAIEX as regards technical assistance is that of a problem solver and a catalyst. Taiex acts as a complement to and is coordinated with the national Phare programmes, responding with tailormade actions in all fields of the Acquis to individual requests not covered in the national programmes. TAIEX will continue to be one of the main instruments for mobilising expertise from officials in the Member States and within the Commission.
5. **INSTITUTIONAL ASSESSMENT**

In line with Agenda 2000 the TAIEX mandate has been reinforced and extended thus widening the range of recipients appreciably. In addition to the expertise available within the Commission, the Office draws heavily on the experience and co-operation of Member States in three ways.

First it mobilises experts from the public and the semi-public sectors in each Member State through its expert pool. This allows beneficiary countries to gain assistance from their counterparts in the Member States dealing with the same tasks of transposition and application of EU legislation.

Secondly the Office relies on staff provided by means of secondment from Member States administrations to extend the availability of expertise and bring knowledge and experience of practical administrative problems at national level.

Thirdly it depends on Member States’ administrations for the organisation of study visits of officials from Associated Countries of Central and Eastern Europe, Cyprus and Malta to their counterparts in the European Union, to gain experience notably in the implementation of the EU *Acquis*.

It should be noted that, as the enlargement process proceeds, the assistance becomes more and more detailed and specialised, making the support from Member States experts even more vital, since they are the only ones with real experience in implementing the *Acquis*. Sources of information for Member States include all levels and types of public and semi-public bodies.

6. **OBJECTIVES**

The assistance under the programme will cover the delivery of information and expertise on the transposition, implementation and enforcement of legislation in the Associated Countries of Central and Eastern Europe, Cyprus and Malta in the pre-accession context as well as to facilitate the flow of information to and from the Commission and these countries.

A large part of TAIEX assistance will remain demand-driven, but all requests for assistance will be verified for their compatibility with the overall pre-accession strategy, and in particular the priorities of the Accession Partnerships and the national Phare programmes based on these priorities.

7. **DESCRIPTION**

In order to meet the priorities indicated in the Accession Partnerships in the most effective way, the Commission’s services will continue to co-operate closely to ensure coherence in the services made available by TAIEX and through other PHARE assistance programmes.

TAIEX will continue to draw heavily on the experience and co-operation of Member States using mainly experts from their national and/or regional administrations. However also experts from a range of institutions and associations in the semi-public sector and in individual cases, from universities and the private sector will also be included where necessary. The duration of expert missions will be generally around two weeks. The missions can take place at any location within the EU and Associated Countries of Central and Eastern Europe, Cyprus and Malta.

The following subjects will be covered by TAIEX under this programme:

*Advice on transposition, implementation and enforcement of legislation.*

This will be done notably through expert visits and study visits. As explained above these activities will, where appropriate, be ordered to gain continuity. At the same time, individual short-term assistance activities will remain available to meet unforeseen urgent needs.
Technical assistance will be constructed as a flexible and rapid delivery mechanism for expertise from Member States’ public and semi-public bodies to their counterparts in the Associated countries. Within this period any combination of the following technical assistance means, individually or as a package, can be delivered by TAIEX:

- Mobilisation of national expert(s) in a given field for a series of missions;
- Workshops in either Brussels, the Member States or the relevant Candidate Country;
- Study visits to the European Institutions and Member States;
- Short term mobilisation of national experts

These elements will enable TAIEX to provide a coherent approach to providing assistance that fits the need expressed by the Candidate Countries.

**Provision of information and know-how.**

Activities concerned are seminars, training and documentation, where necessary in cooperation with other donors/organisations.

**Logging of progress of alignment of the Associated Countries of Central and Eastern Europe, Cyprus and Malta.**

The Office’s databases allow a comprehensive overview to be maintained by each Associated Country of the compatibility of its legislation with that of the Community, and of the underlying enforcement structures. This constantly up-dated overview will be valuable in ensuring that technical assistance efforts will become “accession driven” and focus on the most pressing needs of the Candidate Countries’ accession. TAIEX is responsible for the day-to-day management and updating and will assist in “concordance testing” of the legislation concerned. Those databases will be extended and adapted in respect of monitoring regulatory and supervisory infrastructures. The Associated Countries of Central and Eastern Europe, Cyprus and Malta will be responsible for the delivery and updating of correct data, for which reporting tools have been developed.

**Advice on co-ordination of translation and interpretation activities**

This includes assisting central translation units and creating and developing translation training programmes and procurement and development of tools where necessary. A limited amount of translation of texts for institutional use may be provided under the programme.

**Other activities and co-ordination**

The present multi-country programme is aimed at complementing the national programmes and other initiatives already launched by PHARE, the Member States and other bodies from the public and private sectors by covering those needs at multi-country level.

8. **COST AND FINANCING PLAN**

The programme is intended to cover the period until 31 December 2002. With respect to the allocation in 2001 of 30 Meuro, its planned breakdown is as follows:
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<thead>
<tr>
<th>SEMINARS – WORKSHOPS</th>
<th>Operational Expenditures</th>
<th>Contractor Extra muros</th>
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Cover all expenses associated with the organisation of these events both in Brussels and in the Associated Countries of Central and Eastern Europe, Cyprus and Malta¹, but without expert fees/travel

<table>
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<tr>
<th>TECHNICAL ASSISTANCE THROUGH EXPERTS</th>
<th>19</th>
<th>5.75</th>
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Covers all expenses and fees associated with the provision of services of experts from the public and private sector Covers their costs for seminars, training and short term secondment as well

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<th>DATABASES</th>
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Cover costs related to the development and updating of these databases, the fees of database experts and the development of related informatics tools

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<th>INFORMATION</th>
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Covers costs related to information, documentation, reporting on the Associated Countries of Central and Eastern Europe, Cyprus and Malta publicity and reproduction costs

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<th>TRANSLATION, INTERPRETATION</th>
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Covers costs for training, tools (e.g. glossaries, electronic equipment and software), expert fees etc.

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<tr>
<th>AUDIT MONITORING</th>
<th>0.25</th>
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<tr>
<th>CONTINGENCY</th>
<th>0.25</th>
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**TOTAL** | **30** |

(¹) Covers all AC’s, Cyprus and Malta

**Implementation arrangements**

The programme will be implemented by the Commission in accordance with tendering and contracting procedures as required by the Financial Regulation. The Commission will conclude contracts with independent consultants for the execution of the programme.

The Member States are invited to:

¹ The exact budget items and amounts for technical assistance with regard to Cyprus and Malta will be indicated separately.
• make available expert advice on the transposition of EU legislation into national law, and on the structures needed for its implementation, including by means of the secondment of officials on short term assignments.

• provide information on their own assistance efforts and on the availability of expert advice through the PHARE Management Committee and the Technical Assistance Information Exchange Office;

• co-ordinate planned assistance efforts to ensure that support from different sources is effective and mutually reinforcing.

TAIEX for its part will bring together appropriate Commission and Member States’ resources to meet the Associated Countries of Central and Eastern Europe, Cyprus and Malta objectives in a co-ordinated, accession driven approach. Decisions about the use of services will be taken in the light of timetables and work programmes set out in the individual Accession Partnerships, and National Programmes for the Adoption of the Acquis, and in co-operation with other Commission services, and the Member States.

The Commission will manage and co-ordinate the overall programme through the TAIEX Office. The Office will draw from a specially designed fund to be administered with the help of external, competitively selected, contractors. These contractors may also administer related funds under the TAIEX programme where appropriate, to be reflected in their own respective contracts. These funds will cover all the expenses which are needed for the provision of the services of TAIEX, the development and maintenance of the databases, provision of specialised light equipment in the beneficiary countries and overhead expenses for the costs and operation of these contractors.

Arrangements may have to be revised in the light of future decisions in the context of the externalisation policy.

9. AUDIT, MONITORING AND EVALUATION

The Commission’s services shall:

• monitor the implementation

• sign contracts with independent consultants to execute and follow the progress of the Programme and its components and carry out an ex-post evaluation after completion of the Programme.

In order to facilitate these activities, a set of indicators of achievement will be used in line with the objectives and targets of the programme.

10. RISKS

An important risk in the area of approximation of legislation, as in other fields of Technical Assistance is that of duplication and even competing advice. TAIEX aims to diminish this risk notably through its databases, that will be developed to function as a co-ordination tool both for the Associated Countries of Central and Eastern Europe, Cyprus and Malta and other bodies, so as to prevent overlaps.

Furthermore existing co-ordination procedures have been strengthened and new ones introduced with the aim of further improving overall co-ordination.

The TAIEX programme is essentially accession driven but will rely to a considerable extent on the willingness of Member States administrations and institutions to make experts available for missions
to the Associated Countries of Central and Eastern Europe, Cyprus and Malta as well as for participation in seminars, training meetings etc.