PD-ABN-312

Deloitte Touche Tohmatsu

Tajikistan Privatization Task Order

Final Report

Project No. 110-0005
Contract No. CCN-0005-C-00-3123-00
Task Order #20-0136-DTT
Prepared by Deloitte Touche Tohmatsu ILA Group Ltd.

Submitted to:

USAID

USAID/Dushanbe
USAID/Almaty
AID/W Office of Private Enterprise
ENI/PER/NISP

October 1996

Deloitte Touche Tohmatsu International

TAJIKISTAN PRIVATIZATION TASK ORDER
FINAL REPORT

Prepared by:	Deloitte Touche Tohmatsu ILA Group Ltd.
USAID Project No.	110-0005
Contract No.:	CCN-005-C-00-3123-00
Task Order No.:	20-136-Deloitte
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Mission:	USAID/Almaty
Period of Performance:	July 20, 1996 to September 30, 1996
Country of Performance:	Tajikistan
Estimated level of effort:	50 days
Level of Effort to date:	50 days
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EXECUTIVE SUMMARY

The Privatization Program of Tajikistan is currently stalled, with only about 7% of the nation's assets sold since the program began over three years ago.

The program is blocked at the regional level by lack of knowledge, resources and, in some cases, motivation. There are very real problems created by the mandatory valuation guidelines and at other points where the State Property Committee (SPC) gets involved in the process. Regional privatization, particularly in the North (Leninabad Oblast) and probably in the Gorno Badakshan autonomous region, can be energized. The District of Republican Subordination, including Dushanbe, can probably be energized but is currently not cooperating. The Garm region and the South (Khatlon district) are unknowns at this point.

There are several Republic-level privatizations backlogged in the SPC. That backlog is over two years old, in some cases. It is impossible to ascertain the number and nature of delays and who is responsible for them, since there is no project tracking Management Information System (MIS). The high degree of discretion in the approval process, particularly in the valuation methodologies, allows indefinite delays or postponement of privatizations. There is no market clearing mechanism (e.g., bankruptcy) allowing another way to deal with problem enterprises.

Without a working bankruptcy law, enterprises (privatization objects) face no liquidation downside if they do not initiate privatization actions. Also, voluntary liquidation, which might be desirable, cannot occur due to the lack of a bankruptcy law.

Conclusions to Date

- *Overall:* The privatization process in Tajikistan can be made to work.
- *Challenges to overcome:* The privatization process in Tajikistan is too complex, lacks transparency, and is too slow. The principal action agency, the SPC, is more of an impediment than a catalyst.
- *Institutional weakness:* There are basic correctable problems in the privatization process (at the SPC and elsewhere) relating to the information level of the people in the process and the means at their disposal to accomplish their tasks. This deficiency in information and tools is resulting in lack of enthusiasm and low morale.
- *Leadership:* The institutional weaknesses are not offset by the commitment, depth, or quality of the leadership provided.
- *Some core problems:* There are some core problems, e.g., the bankruptcy law, valuation methodology, and accounting and tax law, all of which require work. There is the lack of an informed and motivated constituency (including the leadership) for changing these laws. Overall, the society has not been prepared for transition to a market economy.
- *Need for action:* There are remedial actions that should be initiated at the functional levels and within the privatization process and related communities that are not highly dependent on

leadership actions. These remedial actions are essential to the success of the Program should leadership be motivated to mobilize it and commit resources to it at the level of those made available by the World Bank. The donor/lender community must now initiate these remedial actions. Analysis has been done that is more than sufficient to support these actions. At this time, analysis without action will reinforce the tendency to inertia in the Tajik privatization process.

- *Donor/lender community response:* The donor/lender community intended for the UNDP and USAID bridging projects to convey a sense of urgency, action, and serious commitment to the privatization process. It was hoped that these efforts would help motivate the process so that the larger World Bank project would achieve rapid absorption. These efforts seem to be having an effect, as both the UNDP and USAID are focusing on a broader range of resources on the issue.
- *Basic needs:* Tajikistan has not benefited significantly from the range of institution building and "transition to a market economy" training that has been going on since 1990 in the former Eastern Bloc countries. It has a very significant and basic need in this regard. While this need is slowly being met, the process should be accelerated. The body of knowledge, trainers, curricula, and other information are available in Russia and well-known to the donor/lender community.

Recommendations

USAID should focus significant effort on putting in place the basic information and support that will enable Tajikistan to undertake the transformation to a market economy. Specific recommendations include:

- Continue the bridging consultancy support to the Privatization Program until the arrival of the World Bank team expected in late October or early November (see Annex 9).
- Continue to build the trained constituency for change in the bankruptcy and valuation methodologies used in Tajikistan. Expose Tajik stakeholders, including government and business leaders, to modern bankruptcy and valuation methodologies. Make available drafting assistance for revision of the existing bankruptcy and valuation legislation and regulations.
- Support the continued growth of the business community particularly its link to the government in privatization and related issues.
- Provide assistance in targeted training programs and business development centers.
- Consider a long-term or intermittent, policy-level advisor positioned in the Office of the Prime Minister, the President's Office, or within the Privatization Commission. This resource would coordinate USAID's various economic transition efforts and help blend them into the efforts being undertaken by the World Bank, UNDP, EU TACIS, etc. The purpose of the technical assistant would be to reinforce the need for transparency, speed (mass privatization programs, purchasing power creation programs), and simplification of the privatization program.

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- Craft a role for USAID in the critical task of involving stakeholders in the economic transformation process, e.g., training, seminars, or law drafting assistance.
- Identify and document "success stories" for small businesses, the agricultural sector, and for medium and large enterprises.

I. INTRODUCTION

A. Purpose of Report

The contract reporting requirement includes a final written status report of at least 15 pages (with an executive summary of 2-3 pages) which summarizes the status of privatization in Tajikistan including recommendations for further assistance. This report will also serve as a guide to the larger World Bank team. It includes contact information for Tajik government officials, all non-governmental organizations (NGOs), private voluntary organizations (PVOs), embassies, and international organizations in Tajikistan . A list of persons contacted is attached. A recommended reading list is also attached.

B. Project Origin

This task order was the second part of a two-part privatization "bridging" project. The United Nations Development Program (UNDP) carried out Phase I, which focused on legal and structural issues in the Tajik Privatization Program. Phase II, implemented through this task order, focused on the policy and organizational aspects of the privatization program with the objective of identifying policy and organizational constraints in the program and assisting in lessening these constraints. Phase I and II were intended as preparatory ground work for a World Bank Institution Building Technical Assistance (IBTA) program. The objective of the IBTA program is to support the Tajik Privatization Program (the Program).

Both Phases I and II were initiated by a World Bank request for assistance. The United States Ambassador to Tajikistan encouraged USAID's participation.

The project was rapidly mobilized by the USAID Office for Market Transitions of the Regional Mission for Central Asia with funding available under Deloitte Touche Tohmatsu ILA Group Ltd.'s (ILA Group) Omnibus I contract.

C. Evolution of Task Order Purpose and Objectives

The original scope of work (see Annex 1) envisaged analysis and policy dialogue to prepare the way for the World Bank team. After the initial month on the ground, it became clear that to achieve the objectives of the Tajikistan Privatization Program, visible initiatives were required.

With the strong concurrence and support of the USAID Project Officer, an action-oriented task was added to the project that included a program of training and equipping the privatization agency, initiating national-level policy seminars, and beginning or supporting other efforts. This change was strongly supported and encouraged by the United States Embassy, the World Bank, and the UNDP.

The additional task order tasks included:

- Increasing Tajik understanding of the privatization process
- "Bridging" the UNDP efforts, the U.S. Government support, the World Bank effort, and the Tajik players
- Assisting the advancement of the privatization process in Tajikistan.

With the need for action identified, the objectives of the task order and its active "bridging" role became clear:

1. To create momentum toward change in the establishment of a market economy in Tajikistan, particularly in the privatization component of that process.
2. To build a constituency for change within the community that must lead the process including government, business leaders, regional development leaders, and other privatization stakeholders and advocates.

II. TASK ORDER SCOPE OF WORK AND ACCOMPLISHMENTS

The purpose of the task order is to bridge the UNDP's initial analytical efforts and implement follow-on work intended to ease the absorption and targeting of the World Bank project teams. This section presents the list of tasks contained in the task order scope of work (in bold), consultant amplification of the tasks (in italics) and the accomplishments achieved under each.

1. **Engage in a dialogue with the Tajik Privatization Agency and other relevant Government officials on possible privatization strategies.** *Understand the privatization vision of the SPC leadership and other related policy-making agencies. Begin to directly effect the necessary changes in the vision that are required to make the Tajik Privatization Program begin to function.*

   The consultant met with the Prime Minister, the Chairman of the SPC, and personnel from the Office of the President. In addition, meetings were held with all of the senior, and most of the junior, officers of the SPC, several of the senior officers of the Economic Court and the Antimonopoly Board, and the Deputy Governor of the Central Bank. The core documents used as the basis for these discussions included the UNDP report and the Davalatov presentation (see Annexes 9 and 7 respectively).

   The discussions were successful and follow-up efforts are planned. These include a national-level seminar on privatization-related issues to be organized through the new UNDP-funded Enterprise Development Board (EDB). (See Annex 16.)

   Another outcome of the discussions was an endorsement of the need for an MIS system, and a recognition of the flawed nature of both the valuation and bankruptcy methodologies in Tajikistan. In addition, there is a new awareness that the administrative capabilities of the Tajiks are not up to the complexity of their current programs and that simplified, transparent, and mass methods must be utilized.

   The 3 September 1996 law on privatization cheques, a form of government debt equity conversion, was translated (see Annex 12). This law is one of the supports of the privatization effort and is the first mass privatization tool in which the World Bank team will probably find itself involved.

   The consultant worked with Scott Bolls, the UNDP consultant developing the Enterprise Development Board concept, to find ways to link the EDB to the privatization effort as a buyer feedback mechanism. The EDB will also focus discussion on the needs and the role of business in the privatization process and the transformation of the economy (see Annex 16).

2. **Identify the key policy, legal, and institutional constraints to rapid and transparent privatization.** *What is not working in the Tajik privatization process and why? How can it be made to begin to function in a properly systematic, transparent, and rapid manner*

with the required popular support? Provide recommendations on how to begin to overcome these constraints.

Constraints currently affecting the privatization process include the following:

- The civil war in Tajikistan has created a situation where central governance is difficult at best. Regional centrifugal tendencies and suspicions combined with ignorance and irresolute leadership create a situation where inaction is tolerated or ignored. This is the basic circumstance governing the stalled privatization process.
- Tajikistan is a country increasingly short on skills, trained manpower, and initiative. Despite this, the principal of "keep it simple" has been ignored. The privatization process is overly complex, its basic principles not understood, and the rules governing the process frequently in conflict. In addition, the communication of what should be done, and how, is not undertaken.
- With the exception of the very top of the leadership structure and a few officially generated documents for external consumption, no clear vision or understanding of privatization in Tajikistan is being enunciated.
- There is enough legislation to get the privatization process underway, but there needs to be more will and other means behind it (see Annexes 10, 11, 12, and 13).
- The State Property Committee (SPC) is involved in the discretionary politics of the privatization process rather than being the institution impartially committed to moving the privatization process forward. The SPC, as currently functioning, is in the way and not part of the solution (see Annexes 7 and 10).
- The privatization process is over-centralized and there is every indication the government wants to further that process. While nominally independent, the regional centers are undertrained, guided from the center, and over-controlled in critical ways.
- An informed constituency either within or outside the privatization process has not been developed. The natural constituencies are the buyers and sellers, i.e., the business community and government.
- Central and SPC regional personnel are, in general, undertrained, understaffed, undermanaged, underequipped, and have low morale.
- Lack of a valuation methodology and lack of a working bankruptcy law are examples of institutional items needing adjustment. A broad range of business-friendly legislation is also needed.

The World Bank IBTA facility is appropriately designed to begin addressing some of the major issues in the privatization arena. The IBTA facility ties disbursements principally to concrete progress in the privatization arena. This conditionality will focus attention on constraints to privatization and the need to overcome them. Interested readers should contact the World Bank for documentation pertaining to the IBTA facility.

By contrast, efforts to date to develop a credible business sector (e.g., the Prime Minister's Enterprise Development Board, Academy for Educational Development (AED)/New Independent States Exchanges and Training Project (NET) business centers and training programs, and the EBRD's business center programs) could benefit from additional support.

The Tajikistan privatization effort has not focused on the problems of the agricultural sector, which is the largest sector of the economy. Agriculture has several fundamental problems that must be understood. The World Bank Country Economic Memorandum, Tajikistan Agriculture Sector study (see Annex 18), and the IMF's Recent Economic Developments report, dated April 23, 1996, provide background information on this sector.

3. **Provide recommendations on the establishment of a public enterprise monitoring unit.** *Initiate analytical work for the World Bank-recommended public enterprise governance unit that should serve to replace line ministries and agencies during the interim period before privatization or other allocation.*

This task is an add-on from the World Bank's project wish list. As such, it is tangentially related to the core issues addressed by this consultancy.

A public enterprise monitoring unit is principally an asset governance vehicle. At its worst it is the replacement GOSPLAN. At its best it is an overstretched holding company that tries to manage crises in major government enterprises until they can get into the privatization pipeline or until a decision is made on their ultimate disposition.

The first requirements of such a unit are administrative capability and good analytical business skills or access to it. The usual first step is a very significant effort to build a database and get a legal and influential handle on the enterprises in the government's portfolio.

If a public enterprise monitoring unit is established, it should be considered a long-term activity and should be established within the Office of the President. The office should be fully funded and staffed primarily by offshore resources rather than the limited stock of capable Tajik administrators. The office will have a long start-up period and a massive administrative task to accomplish. It should, however, be used as a training ground for bright young Tajiks. It should be noted, however, that establishing this type of office is not a priority. Getting enterprises moving toward privatization is more important than trying to govern what has been virtually ungovernable or ungoverned for years.

The following task was incorporated into the project as a result of the findings of the first month's activities.

4. **Make recommendations and initiate actions, within the scope of the resources of the project, that contribute to the vitalization of the Tajik Privatization Program.**

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Identify the resolvable problems in the Privatization Program in Tajikistan and initiate actions that begin to solve them. Create momentum and change within the Privatization Program to ready it for the resources and impetus that will be provided by the World Bank team. Provide guidance to the World Bank team on areas requiring the most initial support. Create tangible results and initiatives. Leave a footprint, not just a report.

The following specific actions (in bold) were identified as necessary to complete Task No. 4. Actions completed are described under each.

(a) Increase awareness of the World Bank program and its usefulness in the privatization process. *Create momentum in anticipation of that program. (Coordinate with the World Bank, IMF, UNDP, U.S. Embassy, SPC, Central Bank, Ministry of the Economy, and others.)*

There is a heightened awareness of the importance of the privatization effort and the significance of the arrival of the World Bank team. Concentrated efforts on the part of the World Bank, IMF, U.S. Government and the UNDP culminated in two watershed events: the World Bank loan signings; and meetings held by the IMF/IBRD in Washington and by the U.S. Government. These meetings made clear to the Tajik delegation the importance of progress in economic reform and privatization. The activities conducted through this task order helped the Tajiks to focus on the content of the discussions. Special impact was made in the Prime Minister's Office, the Office of the Chairman of the SPC, and the Office of the President. Specific activities completed include:

- Initiated detailed meetings with the entire senior, and the most functional, staff at SPC in Dushanbe. Prepared the SPC's first organization chart. Was resident in the SPC with a good counterpart. Identified in detail the operating problems of the SPC.
- With assistance from NET/AED Dushanbe (Tamara Lashbrook), initiated meetings with regional and city SPC officials in Leninabad Oblast, Khojand, and Isfara. Learned of the regional realities of privatization of both regional and Republic-level properties.
- With assistance from NET/AED Dushanbe (Tamara Lashbrook), initiated group meetings with businessmen in Khujant, Isfara, and Chkalovsk and one-on-one sessions at business sites and elsewhere. Heard the views of the "client," the Tajik buyers in the privatization process.
- Initiated detailed meetings with other key players in this project: UNDP, World Bank, the Central Bank officer in charge of the World Bank Project Implementation Unit (PIU), USAID, U.S. Embassy, and the IMF.
- Initiated meetings with Central Asia American Enterprise Fund (CAAEF), one of the few serious foreign investment operations in Tajikistan (EBRD being the other).

(b) Make a visible contribution to the SPC. *Build its self- respect and morale, change its attitude, and empower it by: (i) initiating an SPC equipment procurement program, and related training and other actions; (ii) expanding the USAID training effort to remedy targeted weaknesses; and (iii) initiating internal projects within the SPC that help it solve its problems, beginning with a Management Information System (MIS).*

A visible contribution was made. Thirteen republic and regional SPC staff departed on the Privatization II training course; five people attended a one-week training course on bankruptcy, valuation, and liquidation in Bishkek; 19 out of 45 staff members are in computer training or scheduled for it; the initial computer inputs to the SPC are on order; the need for an MIS has been recognized and a suitable start of a program identified. Specific actions taken include:

- Initiated computerization and equipment planning committee activities.
- With assistance from USAID/Almaty (Paul Davis), identified an appropriate one-week bankruptcy, valuation, and liquidation training course funded by USAID and given by the Morozov group in Bishkek. Selected, briefed, and debriefed five Tajik participants. Worked with the NET/AED office in Dushanbe (Tamara Lashbrook and Richard Shortlidge) to identify an appropriate follow-on activity. Helped design and fund this activity.
- Designed and contracted locally for a basic computer training course for 19 of the 45 SPC staff members. The course was designed around a Microsoft office environment (see Annex 15).
- Designed and wrote a computerization plan and initiated its action steps (see Annex 14).
- Based on the computerization plan, conducted equipment tenders in Dushanbe and Moscow. With assistance from ILA Group personnel in Moscow, identified and contracted with a Moscow supplier for procurement of most of the equipment within the amount budgeted in the task order. The Moscow procurement resulted in a savings of approximately 30% over the quotes obtained from Dushanbe despite the transportation costs. Deliveries are scheduled to begin mid-October.
- Had one steel door and two steel grates installed in SPC offices to protect the new computer and copying equipment.
- Contracted for and initiated action on the design, configuration, installation, maintenance, and support of the SPC's computerization effort with David Brooks from CADA.
- Designed and contracted for a continuing education and software familiarization program for the SPC upon receipt of its equipment.

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- Worked with the NET regional training course design resource (Richard Shortlidge) to identify training needs and design responsive programs to meet those needs.
- Participated in the return debriefing of the NET/AED Privatization I trainees (see Annex 17).
- Participated in the exit briefing of the NET/AED Privatization II trainees.

(c) Begin to focus the SPC on results, transparency and accountability, and the need for speed and efficiency. *Begin with a results-focused MIS and reporting system. (Work with SPC, NET, Central Asian Development Agency (CADA)).*

The leadership of the SPC has accepted the need for and importance of an MIS, and has agreed to allocate two of its six incoming computers to that effort. This will foster greater transparency, accountability, and efficiency.

The Macedonian Privatization Agency's Excel-based MIS program and the Access program used by Carana in the Kazakhstan Mass Privatization Program may be appropriate for Tajikistan.

(d) Use Phase I of the UNDP report as the focus for a strategic discussion of privatization program adjustments and remedies. *Translate and distribute the report. (Work with SPC, NET, UNDP, World Bank).*

The UNDP Phase I report was translated into Russian and became the centerpiece of policy discussions with high-level government officials. The discussions focused on the need for a national-level seminar on the status of the Tajik privatization program and how to get it moving (see Annex 11).

(e) Begin to link privatization stakeholders, specifically the business/privatization process/government dialogue link. *Privatization is a part of the process of developing a market economy driven by the business community. It is this community that will be the buyers and managers of the privatized assets. Initiate actions toward this end. Participate in and plan joint seminars and efforts. (Work with SPC, NET, UNDP, World Bank).*

Linkage of privatization stakeholders was begun. The Economic Development Board and the privatization support program are collaborating; training programs incorporating mixed groups of business and government representatives was instituted; joint seminars were held; and the Chairman of the SPC participated in his first face-to-face meeting with assembled businessmen to field comments. The critical step of getting businessmen accepted as part of the core privatization debate was achieved.

(f) Develop a plan to use the Russian language version of the IFC's manual on mass privatization that was developed out of the Nizhny Novgorod case. *(Work with SPC, NET, Carana.)*

The Resolution supporting the first mass privatization vehicle (privatization cheques), was only approved on September 3, 1996. It was not possible, therefore, to properly schedule the use of the IFC manuals in this phase. The World Bank team is tasked with implementing the mass privatization schemes and will decide whether to use the IFC manuals or not.

(g) Review the UNDP-funded film on privatization being made in collaboration with Tajikfilm. *(Work with UNDP, Tajikfilm).*

The Tajikfilm script (see Annex 17) was reviewed and revised. Specific recommendations were to use the pilot film to create a positive, familiar image identification for the economic transformation process and to avoid altogether the use of jargon words such as "privatization" and even the word "business." Success stories for the film clips were identified. The revised drafts of the film scripts and actual film will be reviewed during the follow-on assignment.

(h) Attempt to get privatization-related meetings on the agenda of the Prime Minister of Tajikistan during his September trip to the United States. *The hope would be to foster his support of the process so that upon his return, he can energize the privatization process. (Work with U.S. Embassy Economic Section, USAID, World Bank).*

The U.S. Ambassador strongly endorsed the idea of reinforcing the World Bank and IMF messages on the importance of economic reform and privatization. He used a significant part of his trip preparation time with the Prime Minister to focus him on the realities of privatization in Tajikistan and the work of the Project. A related event was the appearance of the Project Manager on Tajik National television with the Prime Minister and the U.S. Ambassador.

(i) Begin to deliver findings, recommendations, and action proposals to the privatization officials to create an aware constituency for change. *Gain credible access to them. (Work with SPC, U.S. Embassy, UNDP, World Bank, Central Bank, etc.).*

The process of stirring up the interest of government administrators has begun. The Antimonopoly Board and the Economic Court have been brought into the issue of bankruptcy and valuation methodologies along with the SPC and business community. The Prime Minister, the Chairman of the SPC, and the Office of the President have received the UNDP Phase I report and the summary of the

privatization situation in Tajikistan prepared by this Project that discusses what can be done constructively and quickly to get the process moving.

(j) Begin to identify "success stories" and cases for action on a regional basis. *(Work with UNDP, NET, etc.)*

Some success stories are beginning to be identified: a major carpet manufacturer, a major textile operation, an agricultural cooperative, and others. Detailed work on them needs to be done. One or more may become an example in the Tajikfilm work.

(k) Propose ways to continue generating momentum in the privatization process. *Increase decentralization of the process but increase the clarity and transparency of the procedures that must be used (e.g., public information initiatives).*

Several proposals for programs to establish and maintain momentum in the privatization process have been made including the ones in this report. Specific design assistance was given to AED/NET for courses that would impact the privatization and business development link. Joint strategies were developed with the U.S. Embassy, particularly the Economic section, on such things as the Prime Minister's visit. The UNDP has worked on developing the link between their Phase I effort, their EDB effort and the continuing privatization assistance. Suggestions were made at the level of the Chairman of the SPC, the Office of the President, and the Prime Minister on concrete ways to begin to move the privatization process forward.

5. Other Actions Completed

- Prepared a briefing outline in Russian and English for SPC Chairman Davlatov and the Tajik Government team going to Tokyo. The briefing focused on problems in the Tajik privatization process and the foreign investment equation (see Annex 8).
- With assistance from, and in support of, the U.S. Embassy (Ambassador Smith), helped prepare Prime Minister Asimov for his U.S. trip. Identified several follow-up activities with the Prime Minister.
- Assisted the Office of the President to understand an EBRD proposal to invest in a Tajik bank.
- Briefed the incoming World Bank-funded Carana consulting team in Almaty (Veronica John and team members) and in Washington, D.C. (Eduardo Tugendhat). Provided Carana copies of the core recommended reference material on the project including a draft of this report and attachments.
- Worked with the World Bank (Razi Batley) on the mobilization of their team and shared equipment procurement and needs information. Mr. Ghasimi was provided copies of the consultant's monthly report, the first draft of this report, and a copy of the final report.

- Arranged for an initial computer equipment delivery to the SPC so that the World Bank team can be quickly productive, particularly in its MIS effort. Space has been designated for the initial team in rooms 148 and 149 at the SPC. Anwar V. Najmiddinov, Head of the Methodologies Department, has been designated the team's day-to-day counterpart. Two e-mail addresses on two different servers are in place. The names and particulars of recommended drivers, translators, executive assistants, and secretaries have been compiled. Assistance in locating flats, travel arrangements, computer, and technical assistance has also been arranged.
- Assembled a reference library of reading materials for the incoming World Bank team. The library includes the latest laws and basic contact information.
- Wrote terms of reference for NET/AED-funded follow-up to this project. As part of the recommended follow-up to this effort, the consultant will be on the ground in Dushanbe when the World Bank team begins to mobilize. He will be prepared to introduce and guide them during their initial period on the ground to the degree the team requires assistance.

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III. CONCLUSIONS

- *Overall:* The privatization process in Tajikistan can be made to work.

- *Challenges to overcome:* The privatization process in Tajikistan is too complex, lacks transparency, and is too slow. The principal action agency, the SPC, is more of an impediment than a catalyst.

- *Institutional weakness:* There are basic correctable problems in the privatization process (at the SPC and elsewhere) relating to the information level of the people in the process and the means at their disposal to accomplish their tasks. This deficiency in information and tools is resulting in lack of enthusiasm and low morale.

- *Leadership:* The institutional weaknesses are not offset by the commitment, depth, or quality of the leadership provided.

- *Some core problems:* There are some core problems, e.g., the bankruptcy law, valuation methodology, and accounting and tax law, all of which require work. There is the lack of an informed and motivated constituency (including the leadership) for changing these laws. Overall, the society has not been prepared for a transition to a market economy.

- *Need for action:* There are remedial actions that should be initiated at the functional levels and within the privatization process and related communities that are not highly dependent on leadership actions. These remedial actions are essential to the success of the Program should leadership be motivated to mobilize it and commit resources to it at the level of those made available by the World Bank. The donor/lender community must now initiate these remedial actions. Analysis has been done that is more than sufficient to support these actions. At this time, analysis without action will reinforce the tendency to inertia in the Tajik privatization process.

- *Donor/lender community response:* The donor/lender community intended for the UNDP and USAID bridging projects to convey a sense of urgency, action, and serious commitment to the privatization process. It was hoped that these efforts would help motivate the process so that the larger World Bank project would achieve rapid absorption. These efforts seem to be having an effect as both the UNDP and USAID are focusing on a broader range of resources on the issue.

- *Basic needs:* Tajikistan has not benefited significantly from the range of institution building and "transition to a market economy" training that has been going on since 1990 in the former Eastern Bloc countries. It has a very significant and basic need in this regard. While this need is slowly being met, the process should be accelerated. The body of knowledge, trainers, curricula, and other information are available in Russia and well-known to the donor/lender community.

IV. RECOMMENDATIONS

USAID should focus significant effort on putting in place the basic information and support that will enable Tajikistan to undertake the transformation to a market economy. Specific recommendations include:

- Continue the bridging consultancy support to the Privatization Program until the arrival of the World Bank team expected in late October or early November.
- Continue to build the trained constituency for change in the bankruptcy and valuation methodologies used in Tajikistan. Expose Tajik stakeholders, including government and business leaders, to modern bankruptcy and valuation methodologies. Make available drafting assistance for revision of the existing bankruptcy and valuation legislation and regulations.
- Support the continued growth of the business community particularly its link to the government in privatization and related issues.
- Provide assistance in targeted training programs and business development centers.
- Consider a long-term or intermittent, policy-level advisor positioned in the Office of the Prime Minister, the President's Office, or within the Privatization Commission. This resource would coordinate USAID's various economic transition efforts and help blend them into the efforts being undertaken by the World Bank, UNDP, EU TACIS, etc. The purpose of the technical assistant would be to reinforce the need for transparency, speed (mass privatization programs, purchasing power creation programs), and simplification of the privatization program.
- Craft a role for USAID in the critical task of involving stakeholders in the economic transformation process, e.g., training, seminars, or law drafting assistance.
- Identify and document "success stories" for small businesses, the agricultural sector, and for medium and large enterprises.

ANNEX 1:

Scope of Work

ANNEX 1

TAJIKISTAN PRIVATIZATION TASK ORDER

Background

Privatization is a central part of any economic reform program. The transfer of state assets to the private sector exposes companies to the discipline of the market and forces them to become more efficient in order to survive. It also removes the enterprises from the state's budget which in turn helps to promote macro-economnic stability.

Since the break-up of the former Soviet Union, Tajikistan has lagged behind other countries in carrying out economic reforms, in large part because the country has been mired in a civil war. Recently, however, the Tajik Government has begun to push forward with key economic reforms, including privatization. The Government has reached agreement with the World Bank in principle on a $22 million loan, which includes a signifiant component for technical assistance to the Tajik Privatization Agency. The World Bank's privatization consultants should arrive in Tajikistan sometime around early October.

During this interim 3 month period, USAID can play an important role in advising the Tajik Government on the development of its privatization program. In this fashion, USAID can play a role in the creation of the policy framework for privatization in Taikistan and help to leverage the much larger World Bank resources for that country.

Tasks

An effective legal and policy framework will go a long way towards ensuring that privatization in Tajikistan is carried out with maximum speed and transparency. Accordingly, the adviser should work on the following:

1) Engage in a dialogue with the Tajik Privatization Agency and other relevant Government officials on possible privatization strategies.

The most successful privatization programs in the NIS have been those which have emphasized transparency, speed and popular participation. Privatization has met entrenched political resistance in every NIS country in which it has taken place, and Tajikistan will undoubtably be no exception. To counter this resistance, privatization must build a constituency for reform by ensuring that the majority of stakeholders in the country have some stake in the process. This includes citizens, enterprise workers and managers and regional authorities. Balancing these competing interests while also ensuring that privatization occurs as rapidly as possible is critical to the success of any program. The advisor will need to ensure that key Tajik privatization officials understand and support these basic principles of speed, transparency and popular participation.

2) Identify the key policy, legal and institutional constraints to rapid and transparent privatization. These include:

a. Large versus small-scale privatization
b. Cash versus vouchers
c. Corporatization and valuation
d. Participation ncentives for regions and enterprises
e. Importance of privatization vis-a-vis management contracting and other partial forms of ownership divestiture
f. Agricultural privatization strategy
g. Clarification of the link between privatization and capital markets
h. Ensuring that a legal framework that promotes the principles of speed, transparency and popular participation is in place.
i. Building public understanding of both the meaning and importance of enterprise privatization

3) Provide recommendations on the establishment of a public enterprise monitoring unit

The contractor should assist the State Property Committee and the Ministry of Finance to identify the most appropriate location for establishing a Public Enterprise Monitoring Unit. The contractor should also assist the Government in determining what the functions of the unit should be. The contractor should assist the Government to understand, however, that the best method for dealing with troubled state enterprises is to push them rapidly through a speedy and transparent privatization program that both gives the enterprises new owners, while also removing them from the books of the state.

Tangible Results

1) Key officials of the Tajik Privatization Agency and other relevant Government ministries will have been briefed on various privatization modalities and will understand the need for transparency and speed in the Tajik privatization program.

2) A monthly report of at least 5 pages will be provided to the USAID/Dushanbe Representative, the USAID/CAR/OMT Office Director, and the USAID/ENI/PER Project Officer outlining privatization-related technical support activities provided during the previous month, and both current status and prospective changes in privatization-related policy/institutional conditions in Tajikistan. Verbal reports on these issues should be provided to the USAID/CAR/OMT Office Director on a weekly basis. All written materials produced by the contractor may be fully shared with the World Bank.

3) A written report of at least 15 pages (with an executive summary of 2-3 pages) which summarizes the status of privatization in Tajikistan will be completed, and will include recommendations for further assistance. This status report will also serve as a guide to the larger World Bank team that will arrive in the fall.

ANNEX 2:

Consultant Curriculum Vitae

TWYMAN, Charles G.

Deloitte Touche Tohmatsu International

Profession: Development Consultant **Years with Firm: 10** years

Nationality: USA

KEY QUALIFICATIONS:

Mr. Twyman is a Senior Manager in the International Lending Agencies Group of Deloitte Touche Tohmatsu. As the manager of major international privatization and economic reform projects, he has extensive experience managing large teams and building consensus among consultants, governments, and aid providers. He is a development professional who specializes in designing and/or redesigning major private sector development related policy initiatives and carrying them through to self-sustaining fruition. He is experienced and comfortable both in the macro and micro aspects of this task. His significant international experience includes Tajikistan, Bosnia, Macedonia, Russia, Hungary, Malawi, Nigeria, Indonesia, and Singapore. He has helped design and manage major privatization and business development programs in Eastern Europe and in Africa. He also has served as a privatization training resource to both the United States Agency for International Development (USAID) and the World Bank.

EDUCATION:

- 1970 MA, Johns Hopkins University, School of Advanced International Studies
- 1963 BA, Johns Hopkins University, Political Science, Economics, and History

EXPERIENCE DETAILS:

Deloitte & Touche **1987-Present**

For Deloitte & Touche, Mr. Twyman has undertaken the following major assignments:

- **USAID Tajikistan Privatization Agency refocusing effort:** Aug. - Nov. 1996

Mr. Twyman was the USAID funded bridging consultant given the task of preparing the Tajik privtization process and its implementing agency the State Property Committee (SPC) for a significant World Bank privatization technical assistance package. Working with the Director of the SPC, the Prime Minister and other senior officials and staff Mr. Twyman helped them renew their privatization program and get it back on track.

- **Deloitte & Touche market development initiative, Bosnia and Herzegovina:** Feb. - July 1996

Mr. Twyman has spent early 1996 in Bosnia developing opportunities for Deloitte and Touche with the International Lending and Donor Institutions and laying the basic groundwork for a Deloitte and Touche office in Sarajevo. Mr. Twyman has particularly pursued opportunities in the Privatization and Small and Medium sized Enterprise areas plus audit and advisory opportunities particularly in the finance sector.

- **USAID Macedonian Privatization Agency Reorganization, Macedonia:** (Dec. 1995, Jan. 1996)

In Macedonia, at the request of the Director of the Macedonian Privatization Agency, Mr. Twyman led the Agency through a reengineering program to enable the Agency to respond to changing and increasing demands. His contribution included a restating of their strategic plan, a major reorganization, job descriptions for the new organization, and the initiation of performance measurement matrices for the Agency and its staff.

- **USAID New Business Development Project, Russia** (1993 - 1995)

In Russia, Mr. Twyman was the start up Chief of Party for the USAID-funded Russia New Business Development Program. Mr. Twyman was responsible for the strategic direction, performance measurement, motivation, staffing, and management of a large (US$50 million 160 person) multinational team with offices in nine cities throughout Russia. The goal of the New Business Development Program is to stimulate and sustain the growth of the emerging private sector in the post-privatization phase of development in Russia serving as a catalyst for Russian economic revitalization.. The Program provides direct assistance to new Russian small and medium-sized enterprises, as well as training institutions, business associations, and local business service organizations.

- **USAID Assistance to the Hungarian State Property Agency** (1989-1993)

For four years Mr. Twyman was Chief of Party for a USAID-funded program that focused on providing assistance to the government of Hungary in designing and implementing its privatization program. His particular contribution was helping establish the core strategy and vision of the Agency and the practical measurement of its progress toward those goals. This program, the first of its kind in Eastern Europe and one of the most successful, encompasses approximately 2,500 major enterprises. As the Chief of Party and Long-Term Advisor, Mr. Twyman had a dual role as a technical resource for SPA senior management and as overall project manager for all other technical assistance activities of the Deloitte Touche Tohmatsu team. He was available to high-level SPA staff on a full-time basis to respond to questions concerning the structure, strategy, and function of the SPA and the Hungarian privatization program. As Project Manager, he acted as a lightning rod for the technical assistance needs of the SPA -- hearing the needs directly from the SPA he worked with USAID to design the appropriate response then mobilized appropriate Deloitte Touche Tohmatsu teams of specialists to meet the need.

- **Government of Malawi** (1987-1989)

As Divestment Policy Advisor, Mr. Twyman established an executive office to advise the Government of Malawi (GOM) and its largest state-owned holding company, the Agricultural Development and Marketing Corporation (ADMARC), on the privatization and divestiture of certain of ADMARC's assets. He assisted the GOM to devise divestment strategies and conducted negotiations that led to the sale of 40 enterprises. Specific activities included working with top-level government and corporate officials to establish policy, practical guidelines and measurement parameters for the program that met the needs of the GOM and the international donor and lender community. He analyzed the financial, management, legal, and national strategic parameters of a broad range of business activities as varied as large tobacco and tea estates, small canneries, and the largest commercial bank. Required skills included: understanding of national political and economic objectives and trade-offs, understanding of international and multinational agencies and their objectives, ability to deal credibly with government officials and senior investors, ability to

understand a broad range of business activities, the drive to negotiate, document, and close major transactions, and the ability to operate independently.

First National Bank of Chicago **1970-1986**

Mr. Twyman's responsibilities focused on management, advice and analysis, and negotiation.

As Vice President, he designed, managed, and executed a contractor industry withdrawal strategy without loss and minimal disruption, reducing a portfolio of 74 names to 14 and commitments from $300 to $50 million. He transitioned to mortgage bank lending specializing in workout credits.

As Deputy Managing Director and Senior First Chicago Officer of the International Merchant Bank (IMB) (Nigeria), Ltd., an affiliate of First Chicago, he was responsible for operations and corporate banking activities and a broad range of board-related functions to include building a new headquarters. IMB grew from net earnings of $2.6 million to $10 million and footings of $212 million to $741 million. IMB had more than 400 employees at three branch locations. He also served as Vice President of the Nigerian American Chamber of Commerce and served as US business community spokesman.

As the Bank's representative in Indonesia, Mr. Twyman was responsible for a loan portfolio in excess of $100 million, FNBC's country strategy and activities in Indonesia, a seven-figure profit plan, and served on the Board and Loan Committee of a joint-venture finance company. He advised on financial and management strategy to private sector companies who were recipients of timber concessions from the Government of Indonesia to develop down-stream linkages to comply with the terms of the concession. As a Board member of a joint venture investment finance company he helped advise small and medium-size private sector companies on financial and management strategy. He helped organize finance in the palm oil, copra, tobacco, and shipping.
As Lending Officer in the Bank's Singapore Branch, he managed 50 percent of the Branch loan portfolio, was responsible for the Bank's Malaysian business and helped design and launch a finance company in Thailand.

LANGUAGES:

	Speaking	Reading	Writing
English	Excellent	Excellent	Excellent
Spanish	Good	Excellent	Fair

ANNEX 3:

Project Chronology

ANNEX 3
PROJECT CHRONOLOGY

7/19/96	Contract signing.
7/22 to 7/30	Mobilization activities: visa, immunizations, logistical arrangements. Initial briefings with Josh Cohen, Project Officer, USAID/ENI/PER and Reza Ghasimi, The World Bank. Received and reviewed detailed materials from USAID, the World Bank, UNDP, International Monetary Fund (IMF), and other sources. Met Paul Davis, Mission Director, USAID/CAR/OMT in Washington on July 29th and 30th instead of in Almaty as planned.
7/31	Depart Washington for Almaty.
8/3	In Almaty, briefings with Kazakhstan Case-by-Case Privatization Project Advisor. Discussions with Deloitte & Touche Office Directors from Tashkent and Dushanbe on privatization subjects.
8/4	Arrive in Dushanbe.
8/4 to 8/24	Dushanbe resident at the SPC, meetings in Dushanbe with SPC, U.S. and Tajik Officials, representative various organization, USAID, U.S. Government, the World Bank, IMF, UNDP, New Independent States Exchanges and Training Project (NET), and others.
8/25 to 8/28	Travel to Khujant, Chkalovsk, and Isfara with Arlene Farrell, U.S. Embassy Economic Officer and NET Representative to give Privatization Seminars and met one-on-one with business, government, and SPC leaders to discuss the realities of privatization. In Khujant gave a joint presentation with Mr. Davlatov, Chairman, SPC.
8/29 to 9/24	Dushanbe SPC, meetings with SPC, USAID, U.S. Embassy, NET, Prime Minister, UNDP, World Bank, Central Bank, and Tajikfilm.
9/25 to 9/27	Almaty, meetings with USAID, Carana, Kazakhstan's Case-by-Case Privatization Project, Deloitte's accounting and bank reform project, information exchange with NET/Academy for Educational Development (AED), equipment procurement follow-up.
9/28 to 9/30	In Washington, met with USAID, NET/AED, World Bank, Carana, and followed-up with equipment procurement.

Projected next portion

10/14 to 11/22	Approximate dates in Dushanbe.
11/24 to	Washington, DC. Submit final report.

ANNEX 4:

List of Individuals Contacted

List of Relevant Contacts (Business cards are attached):

- R. Grant Smith, Ambassador of the USA
- Matlub S. Davlatov, Chairman, SPC
- Ickbolsho Salimov, Deputy Chairman, SPC
- Paul Davis, USAID/CAR/OMT, Mission Director
- Richard Fraenkel, USAID/Dushanbe Representative
- Josh Cohen, USAID/ENI/PER, Project Officer
- Anwar Najmiddinov, Head of Methodologies Department, SPC
- Isroil Nosirov, Deputy Chairman, SPC
- Eduardo Tugendhat and Veronica John, CARANA Corporation
- Isroil Ismailov and Sadriddin Khamdamov, Tajikbankbusiness
- Ihtier Ashurov, Deputy Minister of Agriculture Soil Reforms
- Eleonora Yunusova, Commerical Analysis Assistant, U.S. Embassy
- Bogdan Lisovich, UNDP Deputy Resident Representative, UN Deputy Resident Coordinator
- Tamara Lashbrook, Country Representative, USAID NET Project
- Scott Bolls, Attorney Business Privatization, UNDP
- M. Razi Batley, World Bank Consultant
- Sharif Rahimov, First Deputy Chairman, National Bank of the Republic of Tajikistan
- Professor Parvona Jamshedov, Director, Republic of Tajikistan, English Computer Center
- Gary Linden, Program Economist, USAID, Kazakhstan
- Eric Herman, Vice-President, Central Asian-American Enterprise Fund (CAAEF)
- Zvi Shwa, General Director, Tajik Tel
- Bakhtiar Umarov, Professor, Director of Science
- Matluba Uljabaeva, Director of Education Project, IBM and Tajikistan
- Renny Travers Smith, Country Representative for Counterpart Consortium, NGO Capacity Building Program
- David Brooks, Administrator, Central Asian Development Agency (CADA)
- Dr. Richard Shortlidge, President, Matanzas International Resources, Inc.
- J. Michael Biddison, Regional Manager, Central Asian Republics, Hagler Bailly Consulting
- Milos Strugar, United Nations Mission of Observers in Tajikistan
- Kathie Fazekas, Director, American Council Collaboration Education Language Studies
- Kutbiddin Eshonov, Economic Director, Isfara Hydrometallurgical Plant
- Mustapha Rouis, Prinicipal Economist, The World Bank
- Bahodurhudja Samadov, I Deputy of the Chairmand, Isfara city
- Peter Downs, Country Development Officer, USAID
- Izzatoullo Kolonov, Leninabad Region Government Administration
- Sadullo Rahimov, Tajikfilm
- Sharif Rahimov, First Deputy Chairman, National Bank of Tajikistan
- Lola Iadgarova, Tajikistan Representative, AMS Central Asia Travel
- Farkhod Odinaev, Scientific Research Institute of Preventive Medicine of Tajikistan

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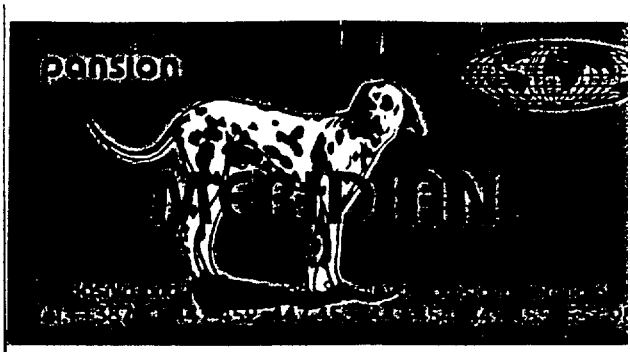

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AKF (Aga Khan Foundation) AKDN (Aga Khan Development NetWork)	*Dushanbe*	Hotel October Rudaki Ave. Room # 203	21-16-47 24-70-93 21-04-68	51-00-66 (fax/tel) 583-492-282-520 (mobile telex) akftjk@atge.automail.com	Hakim Feerasta, *Representative of AKDN in Tajikistan/Chief Executive Officer of AKF* [H/Off: 24-70-93] Natasha Avakova, *Assistant to C.E.O.* Kamoljon Burhanov, *Administrator* [H: 32-99-21]
Pamir Relief and Development Program	*Khorog*		Int. cod: (37-79-10)/ Code from Dushanbe: (2910) 27-19/26-99 67-99/60-37/65/99		Mahmadamin Mahmadaminov, *General Manager* Yodgor Faizov, *Deputy General Manager*
Aga Khan Development NetWork	*Khorog*		25-99/43-45		Nukhra Mamadaslomova, *Office Manager*
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President's Office	*Dushanbe*		21-68-00		Jamshid Karimov, [Off: 21-32-00]
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	Khujand				Ali Sadjad, *Pharmacien* [Off: (37 771) 5-54-36] Alexis de Suremain, *Logistics Officer*
RI (Relief International)	*Dushanbe*	70 Rudaki Ave., # 76	21-86-53 21-07-17 27-75-65	21-86-53 (fax/tel) Relief@ri.td.silk.glas.apc.org	Martin Lee Black Grove, *Director* Rachel Rosental, *Program Assistant* Bahriddin Sharipov, *Field Officer* Firuza Mahmadzieeva, *Office Manager*
SCF/UK (Save the Children Fund/UK)	*Dushanbe*	17 2nd Proyezd Ozodi	24-03-39	51-00-75 (satellite fax/tel) office@scfuk.td.silk.glas.apc.org	Patricia Sellick, *Program Manager* Laura Mitchell, *Project Manager* [H: (Bokhtar) (37744) 2-34-64] Lutfia Karimova, *Administrator*
SC/US (Save the Children/US)	*Dushanbe*	18 Turdieva Str.	21-07-71 21-18-86 24-03-93 24-02-06	51-00-79 (satellite fax/tel) scdush@scdush.td.silk.glas.apc.org	Bharat Devkota, *Field Office Director* [H: 24-64-05] Payam Foroughi, *DACA Coordinator* [E-mail: payam@payam.td.silk.glas.apc.org] Muzaffar Djorubov, *Office Manager* Gulchehra Akhmedova, *Program Officer* Vitaly Pleskach, *Chief Accountant* Timur Murodshoev, *Computer Specialist*
	Qurghon-Teppa	38 Oleg Koshevoy Str.	(244) 2-31-08 (244) 2-23-91		Saiyed Husain, *Co-Program Director* Pamela Husain, *Co-Program Director* Sobirjon Safarov, *Office Manager*
	Shahri Tus	17 Kuibesheva Str.	(240) 2-24-77		Abdelhadi Ali Makki, *Office Manager* [(240) 2-22-86] Jamoliddin Radjabov, *Administrator*
	Voseh	25 Amirshoev Str.	(211) 2-28-63		Barbara Fink, *Health Program Director* [H: (Voseh) (211) 2-28-63, (Dushanbe) 24-16-32] Mirzomurod Samiev, *Administrator*
SNI (Shelter Now International)	*Dushanbe*	11 Telman Str., # 11	24-83-53	Harry@shelter.org	Harry Van Burik, *Country Director* [Off: 21-51-98, H: 24-15-84, E-mail: harry@sni.td.silk.glas.apc.org Glen Taybor, *Deputy Director* [Off: 24-83-53]
	Kofarnihon		(236) 2-22-75		Joachim Jackle, *Program Officer* [Off: (236) 2-22-75 H: 2-53-58]
TACIS (Agrotech SPAU)	*Dushanbe*	44 Rudaki Ave. # 110	21-00-21 27-47-97	51-01-04 (fax/tel)	Arndt fon Stein Lausnitz, *Team Leader* Timothy Ralph Attridge, *Economist* Fabio Yakorossi, *Manager* Sverlana Balhova, *Assistant Team Leader*

Organization	Office	Address	Main Phone #s:	Fax, Telex, E-mail:	Key staff/ Title [Home phone, Office phone, E-mail]
TACIS (Technical Assistance to the C.I.S.) (Main Office)	*Dushanbe*	44-46 Rudaki Ave. 2nd Floor	21-26-09, 21-02-26 21-82-94	51-01-00 (fax/tel) tacis@cutajik.td.silk.glas.apc.org	Paul McGregor, *Head of Mission* [H: 23-26-01, mcgregor@tacis.td.silk.glas.apc.org] Frank Janier Dubry, *Project Manager*
TACIS (Energy Program)	*Dushanbe*	62 Rudaki Ave., # 66	21-63-16	(3772) 873-68-20-83-433	Alan Gersten Brian, *Energy Sector Coordinator* Nazarbek Abdulov, *Assistant*
TACIS (Regional Agricultural Reform Program)	*Dushanbe*	46 Rudaki Ave. 3d Floor, # 167	21-52-24 21-77-14	51-00-91 (fax/tel)	Peter Beker, *Assistant Head of Mission* [Off: 21-77-14] Julian Watts, *SPF Manager*
Telecommunications Enterprise (Operator for Intl. Calls)	*Dushanbe*		21-29-40 21-08-27, 21-39-42		
UNDP (United Nations Development Program)	*Dushanbe*	25 Bekhzod Str.	21-06-79	51-00-84 (fax/tel) Registry@Taj.freenet.kiev.ua	Markku Visapaa, *Resident Representative/ UN Resident Coordinator* [Off: 21-06-70, 21-06-79] Bogdan Lisovich, *Deputy Resident Representative/ Deputy UN Resident Coordinator* [Off: 21-06-85, 21-06-70] Basil Comnas, *Senior Program Adviser* [Off: 21-06-82, H: 24-03-73] Helene Sand Andresen, *UNV Program Officer* [Off: 21-06-94] Sukumar Mishra, *UNV Project Coordinator* [Off: 23-07-71] Prosper Bani, *UNV Community Facilitator* [Off: 23-07-71] Luigi De Martino, *Junior Program Officer* [Off: 23-07-81] Ulrich Sondermann, *Legal Advisor* [Off: 23-08-51] Zuhra Akhmedova, *UNFPA Program Officer* [Off: 23-09-06] Evgenia Vasukova, *Finance Officer* [Off: 21-06-86] Abduqahhor Nurov, *National Program Officer* [Off: 21-06-80] Matluba Turaeva, *National Program Officer* [Off: 21-06-80]
UNHCR (United Nations High Commissioner for Refugees)	*Dushanbe*	Rudaki Ave. 25 Said Nosirov Str.	21-74-24 24-62-65	51-00-40 (fax/tel)	Pierre-Francois Pirlot, *Regional Coordinator* Gregory Balke, *Acting Senior Liason officer* Frank Remus, *Roving Field Officer* Jalil Zargoosh, *Regional Telecommunications Operator* Silas Itivett, *Regional Workshop Manager* Thomas P. Leckinger, *Consultant* [H: 21-56-94, thomas@tpl.td.silk.glas.apc.org] Oliya Baykhanova, *Administrative Secretary*
UNICEF (United Nations Childrens Fund)	*Dushanbe*	Hotel Tajikistan # 701-708	21-27-12 21-27-44	21-27-22 (fax/tel) 21-27-82 (fax/tel) 51-00-81 (fax/tel) inbox@unicefid.td.silk.glas.apc.org	Johan Fagerskiold, *Resident Program Officer* [H: 21-27-12, E-mail: johan@unicef.td.silk.glas.apc.org] John Conte, *Emergency House Officer* [H: 21-27-12] Elena Kazandzi, *Operations Officer* Sobir Qorbanov, *National Health Officer*
UNMOT (United Nations Mission of Observors to Tajikistan)	*Dushanbe*		21-01-47 21-01-03		Gerd Merrem, *Head of Mission*
UPS (United Parcel Service)	*Dushanbe*	14-A Aini Str., 1st Floor	21-46-82 (fax)	21-71-54	Sadriddin Gazibekov, *Manager* [Off: 21-46-82, H: 27-74-63]
USAID (US Agency for International Development)	*Dushanbe*	105 Rudaki Ave. # 2 & 3	21-00-77 21-01-71 21-04-29	21-01-71 (fax/tel) 51-00-49 (fax/tel)	Richard Fraenkel, *Country Representative* [H: 24-74-63] Abdurahim Muhidov, *Project Managment Specialist* [Off: 21-04-29, H: 34-04-32] Olga Krylova, *Administrative Assistant* [Off: 21-01-71]
VI (Vision International)	*Dushanbe*	85/1 Rudaki Ave. # 19		21-57-47 (tel/fax) vision@visint.td.silk.glas.apc.org	Stephen Robb, *Program Coordinator* [H: 24-64-47] Meshach Chujour, *Doctor*
VneshEconomBank	*Dushanbe*	5 Ostrovski Str.			Izatullo Lalbekov, *President* [Off: 23-35-61 H: 27-52-94] Rafik Rahimov, *Vice-president* [Off: 23-37-76] Larisa Loginova, *Vice-president* [Off: 23-35-71]
WFP (United Nations World Food Program)	*Dushanbe*	51 Turdieva Str.	21-09-07 24-39-50	51-00-87 (fax/tel) wfp@wfp1.td.silk.glas.apc.org	Trevor Martin, *Country Director* [H: 21-50-02, tmartin@wfp.td.silk.glas.apc.org] A.S.M. Saifuzzaman, *Emergency Officer* [H: 27-10-87] Tatiana Gvasalia, *Administrative Officer*
The World Bank	*Dushanbe*	40 Rudaki Ave.,# 802	21-67-97	51-00-82 (satellite fax/tel)	Muzaffar Usmanov, *Liaison officer*

L

AMERICAN EMBASSY, DUSHANBE

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Name	Position	Office	Ext.{O/H}	Home	Selcall No
R. Grant Smith	Ambassador	21-03-56	101/102	21-03-48	198
William Davnie	DCM	21-03-52	103	21-03-52	123
Barbara Coskun	Ambassador Secr.	21-03-56	119	24-88-15	275
Steven Slatin	Admin Officer	21-03-56	117	27-92-70	284
Bruce Prior	GSO/Cons Off	21-19-90	108		
Arlene Ferrill	Pol/Econ Off	21-03-56	118	24-15-61	171
Joe Sanchez	Military Officer	21-04-57	106	21-03-56	159
Vance Blakely	IPO	21-03-56	111	24-03-52	276
Eugene Gilmore	Commun. Officer	24-66-83		24-66-83	237
Richard Fraenkel	USAID Officer	21-00-77	130	24-74-63	269
William Jackson		(202) 647-67-57 Fax: 647-35-06		(703) 516-03-68	

MEDICAL UNIT

Jeff Paulsen	Medical Officer	24-82-34 21-64-42 27-46-10	112	24-40-77	256
Gaffur Hodjamurodov	Medical Asst	24-82-34 24-27-58	112	21-84-07	217

LANGUAGE UNIT

Yelena Jumaeva	Language Instructor	21-03-58	144	27-26-98

ADMINISTRATIVE SECTION

Steven Slatin	21-03-60	117	27-92-70	284
B&F Section:				
Anora Karimova	21-18-46	121	34-35-63	
Khairinisso Menglibaeva	21-18-46	122	27-09-80	
Shuhrat Asrorov	21-04-05	143	23-34-10	
Communication Systems Section:				
Suhrob Hamidjanov	21-04-20	135	34-42-37	235
Personnel:				
Ludmila Nazarova	21-03-60	116	27-44-83	
Protocol Asst/Interpr.:				
Muhabbat Akhmedova	21-04-20	136	21-73-00	
GSO Section:				
Bruce Prior	21-19-90	108		
Janna Yunusova	21-20-57	133	23-00-82	
Laly Ibrohimova	21-20-57	132	33-93-90	121
Muhabbat Salimova	21-20-57	144	33-14-77	
Umed Saidov	21-20-57	134	33-13-36	
Maintenance:				
Tolib Boltaev	21-17-42	129	36-60-40	
Osim Karimov	21-17-42	129	35-48-57	
Embassy Drivers:				
Ismoil Nazarov	21-17-42	124	No phone	238
Mamatkul Nabiev	21-17-42	124	No phone	246
Shokir Alimov	21-17-42	124	23-35-44	224
Viktor Rizhkin	21-17-42	124	36-69-47	212
Travel:				
Muhabbat Salimova	21-20-57	144	33-14-77	
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	77-10-81			
	77-12-62			
Reception:				
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George Didikaev	21-21-09	125	32-40-41	
			32-00-49	
Andrey Gavrilenko	21-21-09	125	36-35-06	

CONSULAR SECTION

Janna Yunusova	21-20-57	133	23-00-82	

ECONOMIC/POLITICAL SECTION

William Davnie	21-03-52	104	21-03-52	123
Farhod Bakoev	21-03-62	137	24-13-89	
Hadiya Nazirova	21-03-62	138	27-26-85	
Hasan Aliev	21-04-05	140	36-63-62	
Muhib Kurbanov	21-03-62	137	35-92-10	
Muzaffar Asimov	21-04-05	140	24-89-50	
Shahin Asadov	21-03-58	139	21-06-09	

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Main Numbers	21-01-71,	21-04-29		
FAX Number	21-01-71			
Ext Numbers	130			
Richard Fraenkel	21-00-77	130		269
Abdurahim Muhidov	21-04-29	130	34-04-32	
Olga Krylova	21-04-29	130	27-88-46	

USAID Drivers:

Bozorboi Saidov	21-01-71		No phone	

U.S. DEPARTMENT OF COMMERCE (BISNIS)

Eleonora Yunusova	21-04-12	143	23-05-11	

U.S. INFORMATION SERVICE

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Irage Tursoon-Zadeh	21-20-79	142	24-54-32	226
Manzura Mamadalieva	27-45-41		37-02-61	

Kathie Fazekas	27-46-55	27-76-46
Elena Kotlyarova	27-46-75	34-00-90
Matlyuba Mamadjanova	21-17-95	37-16-54

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Ashgabat: (3632)	24-49-25 24-49-94 24-47-30 24-47-00 CPU: 24-01-03 Adm: 24-47-30 Fax: 51-13-05	
Baku: (8922)	96-00-19	
Bishkek: (3312)	22-27-77 22-26-31 22-29-20 22-24-73	62-04-28 21-06-63
After hours	22-32-89	21-34-00
GSO Fax:	22-35-51	21-08-53
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OR
Deputy Chairman: Vosif Rustamov
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OR
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Dushanbe, Tadjikistan
Last Update September 10, 1995

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	Mr. Abdukahor Nurov	21-01-05	
	Col. Gotfried Maicher	21-01-25	21-01-05
	Mr. Peter Goukiyan	21-01-60	
	Maj Angel Dimitrov	21-01-47	21-01-03
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	Ms. Martha Admin/Fin Office	21-07-24	
	Mr. Greg Balke Protection Officer	21-04-75	21-07-24
	Mr. Amin Awad	21-04-73	
	Mr. N.Angus Security Officer		
	Radio Op	21-01-47	24-70-70 24-00-76
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	Secretary	21-01-29	
	Mr. Prosper Bani		
	Mrs. Jacquilaine Fitz		
	Ms. Helene Andersen UNV rep		
	Ms. Shahrbanou Tajibakhsh Women in Development Consultant		
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	Mr. John Conte	21-27-44	21-28-83
		FAX 21-27-22	21-27-82
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	Director	21-78-92	24-39-50
	Mr. Saifuzzaman Emergency Officer		
UNDHA	Mr. Bradle Foerster	24-70-90 21-04-68	fax: 00873 175 44-21

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IOM I.Somoni str.,46/1	Mr. John W. Barbee Mrs. Goulsara Pulatova	21-03-02 Int'l 51-00-62	24-71-96

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AKF Hotel "October" room 202 & 204	Mr. Taj Mitha Mr. Hakim Feerasta Ms. Natasha Avakova	 51-00-66 24-70-94	 24-70-93 21-16-47
AKF/Osh	Mr. Nurbekzade	2-40-52	
AKF/ Khorog		27-19	26-99
ICRC Khujandy,Proezd 2, 3a	Mr. Raphael Gailland Mr. Allan Kolly Mr. Walter Monnier	31-34-55	31-39-90
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Save the Children (US) Shaartuz Kuibishev str, 17	Mr. Ali Abou el einain	(240) 2-24-77	2-22-86 h

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	18,Polevaya str.Bokhtar	21-6-52	
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Kirov str.6/1	Mr. Martin Watkinson	21-14-21	
International	Mr. Rob Andrew	21-07-56	
Rescue Committee	Mr. Randal Leek	21-07-56	510038 fax
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	Ms. Gina De Ocampo		
Central Asia Deve-	Mr. David Lovett	21-08-80	24-62-64
lopment Agency,Inc,	Mr David Brooks	21-22-10 ph/fax	24-64-47
(CADA)	Mr. Glenn Talor		
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	Director of the Management Development Centre		
	Mr. Bjorn Renberg		
	Mr. Marcelo Ganzoles		
	Bisness (SED) Cunsultant		
Human Rights Watch/ Helsinki	Ms. Guissou Jahangiri Jeannot	21-52-69	
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REACH Project (John Snow)	Mr. Ibod Sharifi	24-34-43	
Orphans, Refugees,	Mr.Rich Berghan	23-19-66 ph/fax	
& Aid,(Germany)	Mr. Jeffrey Paulsen	27-46-10	
17 Kuibishev St., 11		22-64-42 ph/fax	
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26,Techron, Apt. 45			
Mercy Corps International	Mr.Jim Hinton	21-58-69	21-70-08 h
40,Bukoro, Apt 32	Mrs.Beverly Hinton	21-58-69	21-70-08 h
	Mrs. Farida Asadova		
CARITAS Switzerland	Mr.Thomas Bollinger	23-05-44	
20/2,A.Donish,	Ms.Karin Fueg	23-05-44	
Apt. 13& 14			
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Shark Str.			
SNI	Mr.J.Jackle		
	Office Manager		

	EU Monitor Ms, Sabine. Marshal Counterpart Funds Manager		
World Bank 40 Rudaki, room 8 8 th floor	Mr. Martial Laurent Aid-Coordinator Unit Adviser	21-67-97	51-00-82
BASICS/Project Bokhtar 65/1-37	Mr. Ibod Sharifi Country Coordinator	24-34-43	21-54-37
Pharmaciens Sans Frontieres	Mr. Geoffrey de Voulgrenant	23-09-66	23-42-01fax
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Refugees International	Andre	34-02-09	
UPS Aini Str. 14-a		21-46-82	27-58-77

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US Embassy	Mr. Grant Smith		
	Ms. Martha Peterson	21-03-50	
	Mr. Brad Hanson, DCM		
	Ms. Elizabeth vice-council	21-19-90	
	24 hours line	21-03-56	
	Msr. Ludmila Nazarova	21-03-60	
USAID/rep. Rudaki, 105, apt. 2	Mr. Richard Fraenkel	21-00-77	21-04-38 h
	Mr. Abdurahim Muhidov	21-04-29	34-04-32 h
	Ms. Khirynisso	21-01-71	36-85-10 h
	Timothey	24-74-63	21-35-08 h
USAID R.6929 NS Department of State Washington,DC 20523	Ms. Delphia Dirks Desk Officer Central Asia Republics	(202) 647-4571 (202) 736-7566 FAX	
US Embassy/MW	Switch board	(095) 252-24-30	
	Mr. Daniel F. Keller Regional Conular Officer	956-4231	956-4261
Russian Embassy	Mr. M. Sinkevich	21-10-05;	
	Mr. Felix Dovzhenok counsellor	24-70-87	
	Mr. Vladimir Khruliov	21-10-15	
	Consulate	21-11-56 fax	
German Embassy	Mr. Z. Yung	21-21-89	

Pakistan Embassy 37-a Rudaki Avenue	Mr. Javed Hafiz Ambassador	21-20-81	
	Syed Hasan Javed Counsellor	21-04-36	21-04-33
Turkish Embassy		21-16-09	21-22-08
Iranian Embassy		24-70-84	
Indian Embassy	Mr. G. Dharmendra	27-51-69	
Embassy of China Parvina str., 8		21-01-39	24-81-87
Afgan Embassy Pushkina Str.		27-60-62	

ANNEX 5:

Privatization in Tajikistan (August 1995 to March 1996)

ANNEX 5
PRIVATIZATION IN TAJIKISTAN (AUGUST 1995 TO MARCH 1996)

The attached privatization status report as of March 1996, prepared by the Economic Section of the U.S. Embassy, fairly represents the achievements of the Tajik privatization program to date. The UNDP Phase I report provides a good basic summary of how the privatization process works (see attached diagram) and outlines the most relevant laws (see attached report). Its organization chart is incorrect within the SPC. A revised internal organization chart also listing current incumbents and manning levels is attached.

PRIVATIZATION IN TAJIKISTAN (AUGUST OF 1995 - MARCH OF 1996)

SUMMARY
---

1. IN 1995, SUBSTANTIAL CHANGES OF THE PROCESS OF PRIVATIZATION WERE NOT FIXED IN SPITE OF SLIGHT ACTIVIZATION OF PRIVATIZATION AS THE RESULT OF SOME OFFICIAL DOCUMENTS. THE PRESIDENT'S DECREES FROM AUGUST 2, 1995 AND MARCH 25, 1996 CONCERNED PRIVATIZATION AND ARISING FROM THEM GOVERNMENT'S RESOLUTIONS WERE THE MARKED STEP TOWARDS IMPROVING THE LEGAL BASIS FOR SPEEDING UP OF FORMATION OF A MARKET ECONOMY AND ATTRACTION OF INVESTMENTS TO THE ECONOMY. ACCORDING TO THE DOCUMENTS, THE GOVERNMENT PLANS BOTH TO COMPLETE "A SMALL PRIVATIZATION" AND TO SET UP OPEN COMPANIES ON THE BASIS OF LARGE STATE ENTERPRISES BY THE END OF 1996. FOR THESE PURPOSES NEW GOVERNMENTAL BODIES WERE ESTABLISHED TO CHARGE THOSE MATTERS.

GENERAL INDICATORS OF PRIVATIZATION FOR 1995
---

2. IN FACT 380 STATE PROPERTY UNITS OF 723.4 MILLION RUBLES OF TOTAL ESTIMATED VALUE WERE PRIVATIZED IN 1995 INCLUDING 64 UNITS OF THE REPUBLICAN PROPERTY (433.3 MILLION RUBLES OF TOTAL ESTIMATED VALUE) AND 316 UNITS OF THE COMMUNAL PROPERTY (290.1 MILLION RUBLES). IN 1995 THE TOTAL MONEY RECEIVED TO THE STATE BUDGET FROM PRIVATIZATION CAME TO 286.6 MILLION RUBLES (INSTEAD OF 95 MILLION RUBLES PLANNED BY THE GOVERNMENT IN THE BEGINNING YEAR). FROM THAT RECEIPTS TO THE REPUBLICAN BUDGET WERE 197.9 MILLION RUBLES AND RECEIPTS TO THE LOCAL BUDGETS - 88.7 MILLION RUBLES.

3. 4 UNITS FROM TOTAL NUMBER OF THE PRIVATIZED UNITS OF THE REPUBLICAN PROPERTY WERE REORGANIZED TO LEASING ENTERPRISES, 39 WERE BOUGHT OUT INTO COLLECTIVE PROPERTY, 17 WERE TRANSFORMED INTO JOIN-STOCK COMPANIES, 4 WERE BOUGHT OUT INTO THE PRIVATE PROPERTY. THE STATE SHARE IN THE TOTAL CHARTER CAPITAL OF JOIN-STOCK AND LIMITED COMPANIES AMOUNTS TO 340.4 MILLION RUBLES. 736.5 THOUSAND RUBLES OF DIVIDENDS WERE RECEIVED IN 1995. A GENERAL PART OF THE PRIVATIZED COMMUNAL PROPERTY ARE ENTERPRISES OF CONSUMER SERVICES, TRADE AND CATERING. IN PARTICULAR, IT WERE PRIVATIZED 109 SHOPS, 38 UNITS OF THE CATERING, 158 UNITS OF THE CONSUMER SERVICES AND 18 UNITS OF OTHER BRANCHES.

4. THE REGIONAL RESULTS OF PRIVATIZATION IN TAJIKISTAN WERE FOLLOWING: 68 UNITS (99.2 MILLION RUBLES OF TOTAL ESTIMATED VALUE) WERE PRIVATIZED IN LENINABAD OBLAST, 68 (11.7 MILLION RUBLES) - IN KHATLON OBLAST, 111 (157.2 MILLION RUBLES) - IN DUSHANBE, 27 (3.7 MILLION RUBLES) - IN NORAK, 27 (6.5 MILLION RUBLES) - IN LENINSKI DISTRICT, 1 (3.8 MILLION RUBLES) - IN HISSOR DISTRICT, 1 (293.0 THOUSAND RUBLES) - IN KOFARNIHON DISTRICT.

IMPROVING THE PRIVATIZATION LEGAL BASIS

5. MOST IMPORTANT OFFICIAL DOCUMENT FOR SPEEDING PRIVATIZATION WAS THE PRESIDENT'S DECREE "ON MEASURES FOR FURTHER DEEPENING AND EXPANDING OF THE PROCESS OF PRIVATIZATION" ISSUED IN AUGUST 2, 1995. HENCE, THE GOVERNMENT PREPARED A SPECIAL PROGRAM OF PRIVATIZATION IN WHICH WAS CONCRETED THE MECHANISM OF TRANSFORMATION OF STATE PROPERTY. THERE ARE FOLLOWING MAIN POINTS OF THE AUGUST DECREE AND PROGRAM:

- TRANSFORM STATE ENTERPRISES HAVING 30 AND MORE WORKING PLACES INTO OPEN COMPANIES;
- SALE STATE ENTERPRISES HAVING LESS THAN 30 WORKING PLACES INTO PRIVATE AND COLLECTIVE PROPERTY THROUGH AUCTIONS;
- TRANSFORM CLOSE COMPANIES FORMED ON THE BASIS OF STATE ENTERPRISES INTO OPEN COMPANIES;
- ATTRACT FOREIGN INVESTORS TO THE REPUBLIC BY MEANS OF TENDER AND AUCTIONS, INVESTMENT SALES, AS WELL AS BY MEANS OF DIRECT SALE OF PROPERTY;
- ESTABLISH THE NETWORK OF INVESTMENT FUNDS, ACCUMULATING MONEY HOLDINGS OF THE POPULATION AND ENSURING STEADY PROFITABILITY OF SHARES.

6. THE PRESIDENT'S DECREE ON INTRODUCTION OF NOMINAL PRIVATIZATION ACCOUNTS WAS PUBLISHED IN MARCH 1996. IN ACCORDANCE WITH THE DECREE THE NOMINAL PRIVATIZATION ACCOUNTS ARE TO BE INTRODUCED SINCE APRIL 1, IN ORDER TO PAY OFF DEBTS OF STATE SALARY AND OTHER PAYMENTS EQUAL TO IT TO THE POPULATION WHICH HAD BEEN FORMED AS ON MAY 10,1995. THE GOVERNMENT IS INSTRUCTED TO WORK OUT AND APPROVE THE REGULATION ON ISSUE, ORDER OF CIRCULATION AND USE OF THE PRIVATIZATION ACCOUNTS.

NEW STATE BODIES FOR PRIVATIZATION

7. IN ACCORDANCE WITH THE PRESIDENT'S DECREES (FROM AUGUST 2, 1995 AND JANUARY 3, 1996) THE STATE COMMISSION FOR PRIVATIZATION AND THE FUND OF PRIVATIZATION WERE SET UP. THE FUNCTION OF THE STATE COMMISSION FOR PRIVATIZATION HEADED BY THE PRIME-MINISTER IS THE MANAGEMENT AND COORDINATION OF ACTIVITIES OF MINISTRIES, REPUBLICAN AND LOCAL BODIES ON CARRYING OUT PRIVATIZATION. THE FUND OF PRIVATIZATION IS ONE OF THE DEPARTMENT OF THE STATE COMMITTEE FOR PROPERTY. FUNCTIONS OF THE FUND ARE TO CHARGE STATE SHARES OF STOCK COMPANIES, DETERMINE PRIVILEGES FOR BUYERS OF STATE PROPERTY, CARRY OUT AUCTIONS AND COMPETITIONS FOR SELLING STATE PROPERTY, ATTRACT FOREIGN INVESTORS TO THE PRIVATIZATION PROCESS.

Prepared by Shuhrat

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Data

on the results of denationalization & privatization according to the form of property

Years	Leasing		*Subtotal*	Leasing with further purchase		*Subtotal*	Private property		*Subtotal*	Collective property		*Subtotal*	Joint-stock companies		*Subtotal*	TOTAL
	r.p *	m.p. *		r.p.	m.p.		r.p.	m.p.		r.p.	m.p.		r.p.	m.p.		
1991	2		2				1	12	13	4	12	16	2		2	33
1992	20	2	22	4	2	6	2	334	336	62	341	403	17	2	19	786
1993				1		1	1	41	42	6	20	26	11	4	15	84
1994	2	5	7					182	182	10	120	130	6	18	24	343
1995	1			0		0	4	109	113	42	200	242	17	7	24	380
TOTAL	**25**	**7**	**32**	**5**	**2**	**7**	**8**	**678**	**686**	**124**	**693**	**817**	**53**	**31**	**84**	**1626**

RESULTS OF DENATIONALIZATION AND PRIVATIZATION IN THE RT IN 1991-1994 (ACCORDING TO BRANCHES)

BRANCHES	TOTAL UNITS	PRIVATIZED					
		1991	1992	1993	1994	1995	TOTAL
INDUSTRY	385	3	21	5	15	21	65
CONSTRUCTION	800	3	17	1	14	12	47
TRANSPORT	4500	-	9	1	-	15	15
TRADE AND PUBLIC CATERING	4590	16	185	21	74	163	459
CONSUMER SERVICES	3542	10	511	49	200	151	921
PROVISION AND SALE	3000	1	10	-	-	-	11
AGRICULTURE	1700	-	5	1	9	5	20
OTHERS	-	-	28	6	31	24	89
TOTAL	18,617	33	786	84	345	380	1,626

RESULTS OF PRIVATIZATION ACCORDING TO TERRITORY

NAME OF REGION	1991	1992	1993	1994	1995	TOTAL
GORNY BADAHSHAN	-	-	13	8	-	21
LENINABAD OBLAST	1	351	8	180	81	621
KHATLON OBLAST	5	148	27	70	73	323
DUSHANBE	26	171	27	79	151	454
NUREK	-	9	1	-	27	37
KOFARNIHON	-	11	1	6	2	20
TURSUNZADE	-	36	-	-	14	50
LENIN DISTRICT	1	19	5	-	27	52
HISSOR DISTRICT	-	25	2	-	5	32
GARM DISTRICT	-	11	-	-	-	11
KOMSOMOLOBAD DISTRICT	-	5	-	-	-	5
T O T A L	33	786	54	343	380	1,626

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THE NUMBER OF WORKERS OF PRIVATIZED ENTERPRISES IN THE RT FOR 1991-1995

A FORM OF PRIVATIZATION	THE NUMBER OF WORKERS
JOIN-STOCK COMPANY	50,850
COLLECTIVE PROPERTY	28,265
PRIVATE PROPERTY	2,071
LEASING	2,123
LEASING WITH FURTHER PURCHASE	4,650
T O T A L :	87,859

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ANNEX 6:

State Property Committee (SPC) Administrative Structure

3.7. Administrative organisations

In order to illustrate the complexity of the administrative system in Tajikistan, the following list of the most important decision making bodies is presented. It is evident *that the number of administrative levels from farmer to the highest level of government is too high. The number of different ministries, departments, institutions and committees dealing alone with agricultural questions are also excessive.* In addition to the over elaborate levels of administration, the responsibilities at different levels of administration are not always the right ones.

It is not possible or even advisable to suggest any major changes here, but to present a base for discussions with and within the structures of administration.

Parliament has 281 members

President. The office of the President has several councillors representing different areas of administration. The total number of State Councillors is 7, in addition to that there are 14 Councillors. President's apparat consists of 3 persons and the press centre of 5 persons.

Prime Minister's Cabinet includes 1. deputy and 5 other deputies and their assistants. There are 17 departments in his office dealing with questions of security, economics, finance, agriculture, etc. PM also has 4 councillors and a secretariat of 3 persons.

State Committees. There are 20 State Committees responsible for the preparation and execution of legal statutes. Many of these committees are closely related with decision making that affects agriculture: for instance committees on agriculture, food and food processing, cotton industry, fruit and vegetables, agrarian reform, meat and milk, state property, industry, contracts and trade, etc.

Ministries. The 17 existing ministries are as follows:

- Security
- Economic and foreign relations
- Foreign affairs
- Irrigation
- Education
- Transport
- Agriculture
- Grain and bread production
- Labour
- Interior
- Health
- Culture and Information
- Defence
- Protection of Environment
- Communication
- Social Security
- Justice

The need for any institutional building is evident. There are problems for instance with more direct contacts with the government. It is hoped that the national co-ordination of the farmers' associations in the future might mean more power to influence the government decisions.

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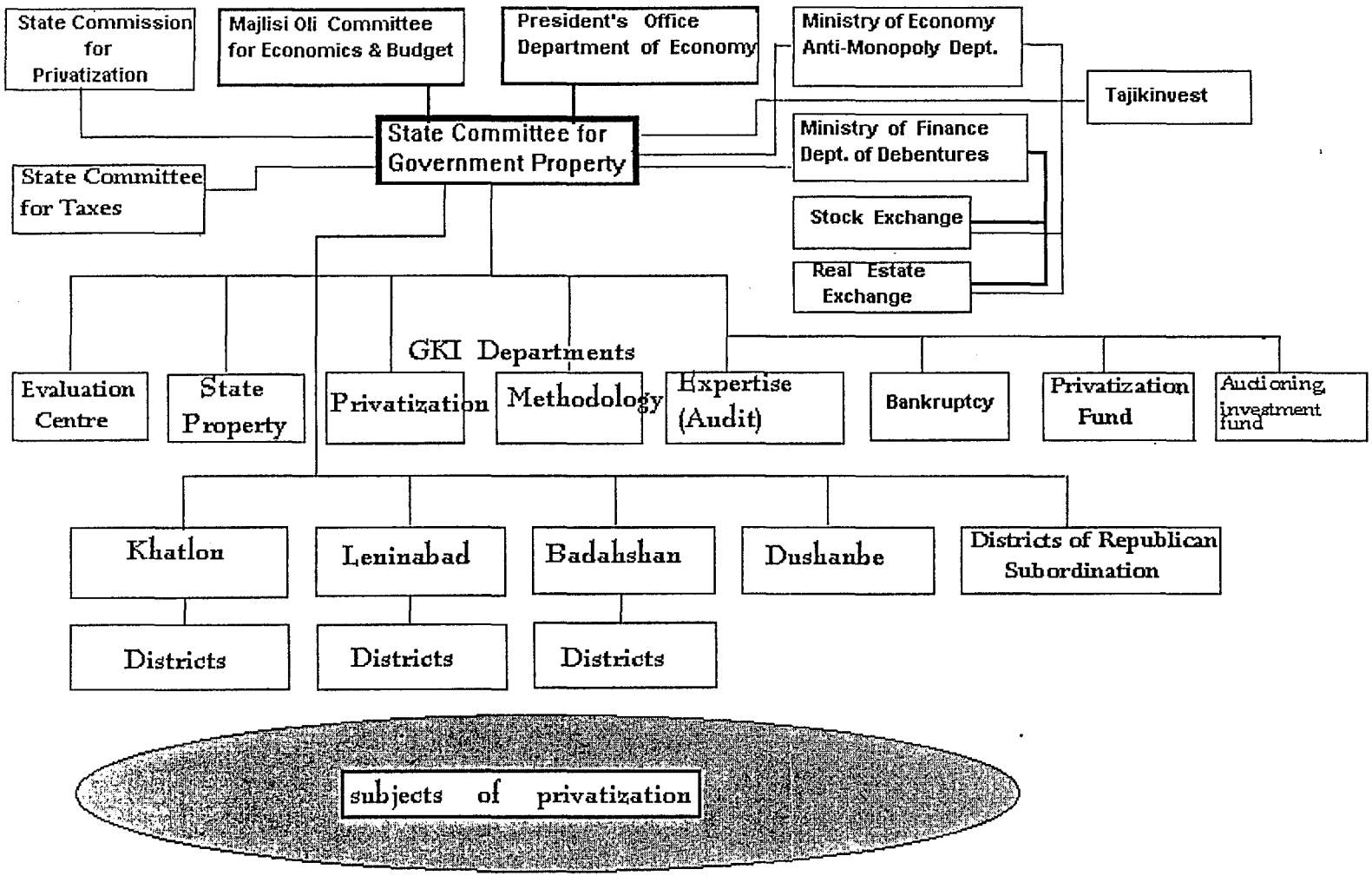
ANNEX 7:

SPC Organization Chart

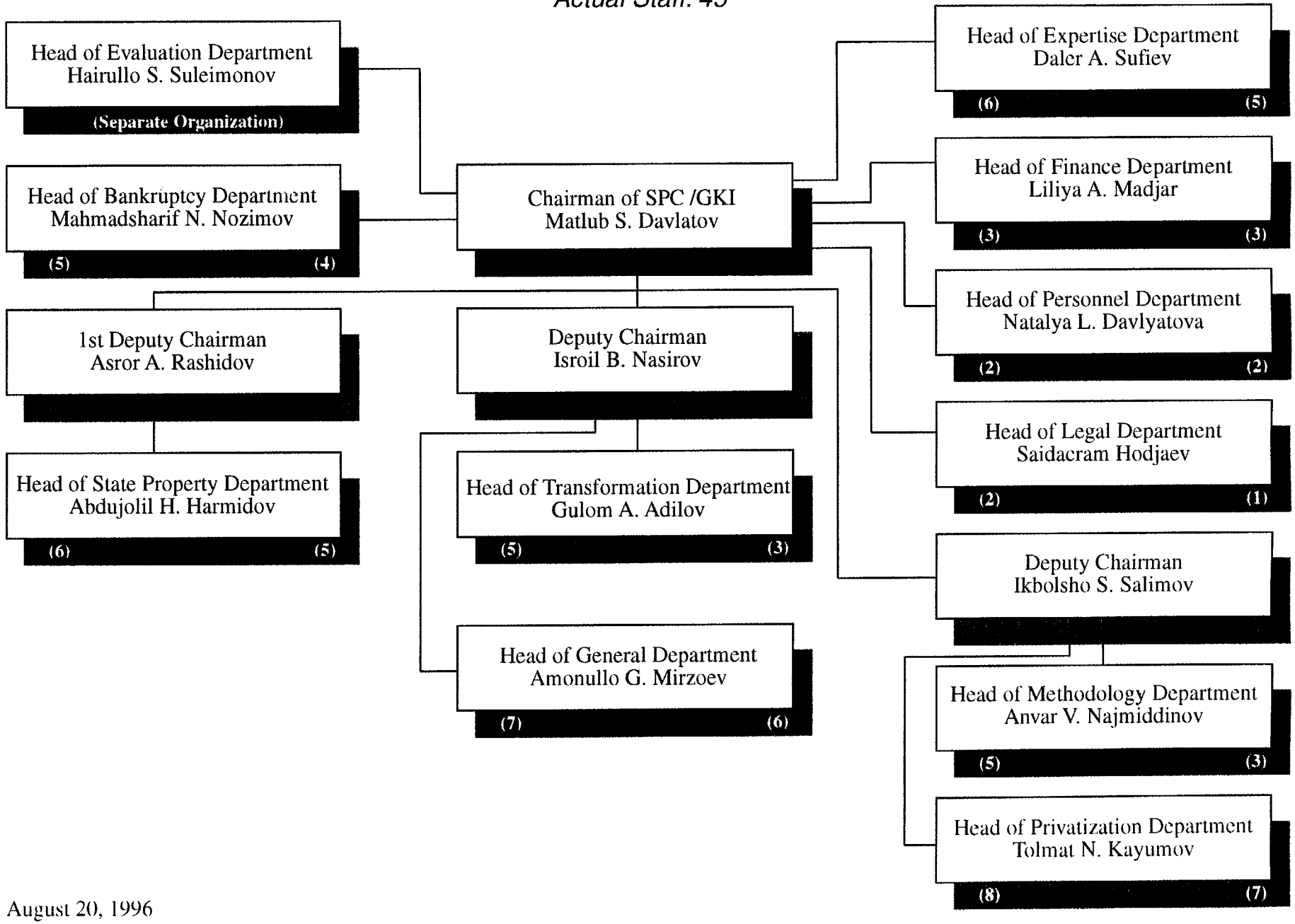
PRIVATIZATION



67

State Committee for State Property

Total Staff Approved: 54
Actual Staff: 45



August 20, 1996

ANNEX 8:

Memo regarding Presentation Outline for the 1996 Tokyo International Monetary Fund(IMF)/International Bank for Reconstruction and Development (IBRD) Conference prepared for Matlub S. Davlatov (English/Russian)

PRESENTATION OUTLINE:

PREPARED FOR: Matlub S. Davlatov
PREPARED BY: Charles G. Twyman
PURPOSE: 1996 Tokyo IMF/IBRD conference

6 September, 1996

SUBJECT:

The acceleration of the privatization process in Tajikistan
The role of foreign investment in the Economy of Tajikistan

Questions Posed:

1. What are the obstacles to the privatization process in Tajikistan?
2. What are the likely preconditions that must exist in Tajikistan before there can be significant foreign involvement in the privatization process?
3. Why are foreign legal entities or individuals reluctant to purchase state owned enterprises.
4. What should the GKI do?
   What should Government do?
   What should the Khukumats do?
   --- in order to improve the situation.

1. The principles obstacles to the privatization process in Tajikistan are:

a: A lack of a broad popular understanding both among the people and the leadership that a rapid reshaping of the economy into the Tajik version of the market economy is necessary to the revitalization of Tajikistan

b. A lack of understanding both at the popular and leadership level that Privatization, or more simply the process of placing the major and appropriate part of the productive assets of the state into the hands of directly responsible owners and mangers, is an important contributing part of the process of economic revitalization.

c. There is no sense of urgency in the process. There is no deep felt conscious awareness that idle assets: manpower, industrial plants, infrastructure cost the Tajik economy and people very real money not only in maintenance and depreciation but in lost skills, falling further behind the market, and irrecoverable opportunity losses.

d. The present privatization process and the related laws are partially inconsistent with the intent of the economic reform process. This is a result of the rapid evolution of the leadership level of the process. The leaderships desires is lagged by the understanding level and actions of the administrative and legal structure.

e. Examples of fundamental problems are the rudimentary nature of the bankruptcy law system and the valuation methodologies employed in the privatization process and the Tajik economy.

f. A major practical problem is the lack of means and information available to the people involved in the privatization process. They must compete for resources in a cash resource short nation just beginning to recover from a civil war situation.

2. The condition that would have to exist in Tajikistan before it could expect a broad involvement of foreign investments in its privatization process would include:

a. A re-establishment of civil and legal order Predictability.

b. Clear (not necessarily favourable -though it helps- legal rights in the areas of property rights, tax liabilities, the jurisdiction and precise range of appropriate responsibilities of the various Republic, Khukumat and city level officials. Predictability.

c. Realization by Tajikistan that they are competing for investment, just like the US, Russia, Portugal, Malaysia, New Zealand, and Kazakstan. It doesn't matter that they are attractive, they have to be more attractive or better at positioning to attract investment.

d. The privatization process must embody the principles of; clarity, transparency, competitiveness, accountability and speed if it is to successfully involve a broad range of foreign investors.

3. Foreign legal entities and individual tend to not buy state owned enterprises or do it reluctantly for the following reasons:

a. The liabilities, ascertainable and hidden, of many state-owned enterprises exceed the value of the enterprises in many cases or even more importantly may. Such liabilities as loans from state banks, wage arrearages, arrearages to pension and health programs, environmental problems, etc. are all difficult to resolve.

b. The labor circumstances at many state owned enterprises are difficult to work with as historic over and underemployment and the legal position of labor unions and entrenched management create a difficult if not impossible working environment for a commercial firm.

c. In many instances the poorly-founded selling price expectations of the state is one example of the low level of market knowledge of the state's negotiating teams. It takes time for a state apparatus to have enough knowledge, and it requires considerable access to resources, to be able to deal effectively with serious business negotiators. As importantly the state apparatus frequently can't tell the difference between serious and non serious bidders.

d. Experience in other privatizing economies has shown pursuing a privatizing enterprise usually means a protracted, frustrating, start and stop process with many unknowns many of them unreasonable and difficult to manage.

e. Where privatization by a foreign investor makes sense is when a state owned entity has some particular asset; natural resources, skilled labor, market position, that makes them uniquely attractive and worth the trouble.

4. what should the GKI do?

a. Be the principal advocate of getting the Government, the lagal and administrative apparatus and itself out of the way of the market process in privatization. There is market energy in Tajikistan. Simplify the privatization process where the process does not add value. Examples are particularly clear in the small and medium sized enterprise sectors. This sector's privatization should be done through regionalized, rapid transparent programs well designed and quickly executed.

b. As the principal seller in the process listen to the market. Solve the systemic problems. The price setting (valuation methodology) doesn't work, sales are not happening, buyers cannot pay. Review and adjust the pricing mechanism.

c. A major market clearing mechanism that is vital to a market economy, bankruptcy,
doesn't work in Tajikistan. This is blocking the transfer of many assets to active managers. The GKI must lend its weight to getting this situation resolved or it will find its activities blocked.

d. Sponsor programs that create purchasing power for privatizing assets. Voucher programs, lease-purchase arrangements, specialized loan and guarantee facilities, development funds, help the buying client -particularly Tajik- do business.

e. Increase its professional skill level and assume a leadership roll.

f. Focus on the result of enterprises successfully put into the market not yield to the national treasury. It is often far better for the economy that the purchase proceeds for an asset
be plowed into the purchased enterprise rather than turned over to the treasury.

What should the Government do?

a. The Government must assume a leadership role in clearly establishing and economic vision for Tajikistan. They must help the people of Tajikistan come to appreciate and share the value of that vision fully aware of its costs.

b. The Government must become the principle advocate of the urgency of the process of economic revitalization of Tajikistan.

c. The Government must become the driving and policing part of the mechanism holding administrators responsible for rapid, transparent, effective actions.

d. The Government must be the principle advocate of Tajikistan with the major development and funding agencies during the period of Tajikistan's structural adjustment.

What should the Khukumats do?

a. Tajikistan is historically and, as a result of significant mountain ranges, is physically regionalized. The regions have long proud histories. It is the regions and their people that languish if they wait for initiatives from elsewhere. They must drive the economic renewal process, not wait for it to happen.

b. The Khukumats should focus resources and energy on creating active links with the business community and get involved in all aspects of the economic revitalization process: simplified laws, accelerated privatization, support for businesses, investment incentives, an increased responsibility for the resources in their regions to include a significant portion of the Republic level properties which are more regional than national in interest.

c. The Khukumats should become strong advocates of their regions and cities and the business and privatization processes in those regions and cities. They should be pushing the Government and GKI to move or getting them out of the way and assuming responsibility if they don't.

ПРЕДСТАВЛЕНИЕ ОЧЕРК:

ПОДГОТОВЛЕНО ДЛЯ: Матлюба С. Давлятова

СОСТАВИЛ: Чарльз Г. Твайман

ЦЕЛЬ: 1996год ТОКИО Конференция МВФ/

6 сентября 1996года

ТЕМА:

Ускорение приватизационного процесса в Таджикистане
Роль иностранных инвестиций в Экономике Таджикистана

ВОПРОСЫ:

1. Что мешает приватизационному процессу в Таджикистане?
2. Какие условия должны существовать в Таджикистане для привлечения значительных иностранных инвестиций в приватизационный процесс?
3. Почему иностранные юридические и физические лица неохотно покупают государственные предприятия?
4. Что должно сделать ГосКомИмущество?
   Что должно сделать Правительство?
   Что должны сделать Хукуматы?
   .... для того чтобы исправить ситуацию.

Основными препятствиями приватизационному процессу в Таджикистане являются:

а. Недостаточный уровень понимания происходящего как у населения так и у руководства страны в том, что быстрое преобразование экономики в Таджикскую модель рыночной экономики является необходимым для восстановления Таджикистана.

б. Недостаточный уровень понимания как у населения так и на уровне руководства, в том что Приватизация, или выражаясь в простой форме это процесс передачи основного или соответствующего производственного имущества от государства в прямое владение директоров или владельцев, является важной частью процесса экономического выздоровления.

в. Нет чувства крайней необходимости в проведении данного процесса. Не существует глубокого осознания в том, что бездействующие активы, а именно: рабочая сила, промышленные заводы, инфраструктура стоят огромных денег для Таджикской экономики и населения Республики для поддержания и амортизации предприятий, но и потеря умений и способностей остающихся позади рынка и невостанавлемые упущенные возможности.

г. В настоящее время процесс приватизации и соответствующие законы частично непоследовательны в отношении процесса экономических реформ.
Это является результатом быстрого развития руководящего уровня в процессе.
Уровень понимания и действия административных и законодательных структур отстают от желания руководства.

д. Примерами фундаментальных проблем являются:
несовершенная система законов о банкротстве и методология оценки, применяемых в процессе приватизации и Таджикской экономике.

е. Главной практической проблемой является:
недостаток средств и информации для людей вовлеченных в процесс приватизации. Они должны конкурировать за денежные ресурсы.
Таджикистан только начинает восстанавливаться после состояния гражданской войны.

2. Условие, которое должно быть создано в Таджикистане для вовлечения иностранных инвестиций в приватизационном процессе должны включать:

а. Восстановление гражданского и законодательного права в Республике ПРЕДСКАЗУЕМОСТЬ.

б. Чёткие законодательные права в областях:
право на собственность, налогообложение, юрисдикция и четкие ограничения ответственности служащих на различных уровнях :Республиканский, Хукуматы и города.

в. Осознание Таджикистаном того, что страна конкурирует за инвестиции также, как и Россия,США, Португалия, Малазия, Новая Зеландия и Казахстан.
Не имеет значения то, что Таджикистан привлекательная страна, Таджикистан должен быть еще привлекательным или иметь более благоприятную позицию чем другие страны для привлечения инвестиций.

г. Приватизационный процесс должен включать принципы:
ЯСНОСТИ ПРОИСХОДЯЩЕГО, ПРОЗРАЧНОСТИ, КОНКУРЕНЦИИ, ПОДОТЧЕТНОСТИ, СКОРОСТИ, для того чтобы с успехом привлечь иностранных инвесторов.

3. Иностранные юридические и физические лица неохотно покупают государственные предприятия по следующим причинам:

а. Задолжности предприятия, установленные и скрытые в большинстве случаев превышают стоимость предприятия. Такие задолжности как :
кредиты государственных банков, долги по зарплате, долги по выплате пенсий и социальные программы, проблемы окружающей среды и т. д. очень сложны для разрешения.

б. Условия труда на большинстве государственных предприятий представляют трудности для работы, законодательная позиция рабочих союзов и обособленная позиция руководства делают трудным и даже невозможным функционирование коммерческих фирм.

в. В большинстве случаев слабо обоснованная цена продажи имущества является одним из примеров низкого уровня знания рынка в группах ведущих переговоры Требуется время для государственного аппарата, чтобы приобрести достаточный уровень знания , а также требуется значительный доступ к ресурсам, чтобы вести дело с участниками серьезных деловых переговоров. Самое важное: государственные органы часто не способны указать разницу между серьёзным и несерьёзным покупателями.
г. Опыт других стран с приватизируемой экономикой показал , что преследование приватизируемого предприятия означает затягивание начала процесса и остановка процесса со многими неизвестными причинами большинство из которых являются безосновательными и трудными для управления.
д. Для иностранного инвестора приватизация имеет смысл лишь там где предприятия имеют специфический актив: природные ресурсы,высококвалифицированные кадры, своё место на рынке, то ,что их делает привлекательными и стоит затрат.

4.Что должно сделать ГосКомИмущество?

а. ГКИ должно стать принципиальным сторонником отстранения себя ,Правительства законодательных и административных органов от рыночного процесса в приватизации. В Таджикистане существует энергия для создания рынка . ГКИ должен упростить приватизационный процесс. Примеры можно увидеть в секторе малых и средних предприятий. Приватизация такого сектора должна происходить по регионам , должны быть созданы четкие программы, хорошо спланированные и быстро выполняемые.
б. ГКИ является главным продавцом в процессе и должно прислушиваться к рынку.
Решать систематические проблемы. Методология оценки не работает, не происходит продаж, покупатели не могут платить. ГКИ должно пересмотреть и совершенствовать ценовой механизм.
в. Основной механизм очищения рынка - банкротство, который является существенным в рыночной экономике, не работает в Таджикистане.
Это блокирует передачу имущества в руки активных руководителей.
ГКИ должно приложить все свои усилия, чтобы исправить эту ситуацию иначе вся деятельность комитета остановится.
г. ГКИ должно спонсировать программы , которые создают покупательский потенциал для приватизируемого имущества. Ваучерные программы , соглашения об аренде с выкупом. специальные кредиты,гарантийные обязательствпа, фонды по развитию , оказывать помощь клиенту- особенно таджикскому- делать бизнес.
д. Повысить свой профессиональный уровень и принять роль лидера.
е. ГКИ должно сфокусироваться на результатах предприятия, ложно успешно внедрять в рынок , а не собирать деньги в казну.
Очень часто для экономики лучше получить доходы от имущества и направлять их в купленное предприятие, чем отдавать эти деньги в казну.

Что должно сделать Правительство?

а. Правительство должно принять руководящую роль в создании экономического видения для Таджикистана. Оно должно помочь людям Таджикистана прийти к пониманию и разделить ценность этого видения полностью осознавая его стоимость.
б. Правительство должно стать главным сторонником крайне необходимого процесса экономического оживления Таджикистана.
в. Правительство должно стать ведущей и направляющей частью механизма имеющего администраторов ответственных за быстрые, ясные, эффективные действия.
г. Правительство должно быть принципиальным сторонником Таджикистана в переговорах с фондами по развитию и агенствами на период структурного регулирования Таджикистана.

Что должны сделать хукуматы?

а. Таджикистан исторически и , как результат значительных горных рядов физически разделен на регионы. Регионы имеют древнюю великую историю. Это регионы и население которое ослабеет если будет ждать инициативу со стороны . Регионы должны сами вести процесс экономического оживления, а не ждать пока это произойдет само собой.
б. Хукуматы должны сфокусировать ресурсы и энергию на создание активных связей с деловыми сообществами и должны быть вовлечены во все аспекты процесса экономического выздоровления: упрощение законов , ускорение приватизации , поддержка предприятий, инвестиции, повышение ответственности за ресурсы , расположенные на территории регионов, включая значительную часть Республиканслого имущества которое является больше региональным чем Республиканским по интересу.
в. Хукуматы должны стать сильными сторонниками своих регионов и городов и предприятий и приватизационного процесса в этих регионах и городах.
Они должны подталкивать Правительство иГКИ или убрать их с пути и принять ответственность на себя, если они не хотят.

ANNEX 9:

Draft Terms of Reference for follow-on work

TERMS OF REFERENCE

NET/AED Privatization Training Resource - Tajikistan
Period: 12 October, 24 November, 1996

CURRENT SITUATION: The privatization process in Tajikistan is stalled. Peace is dawning. The leadership has a market economy oriented vision for the revitalization of the nation. The government apparatus and business community lack the means; trained manpower, equipment, funding, and knowledge, to undertake the transition to a market economy. USAID, the UNDP, and the World Bank are initiating institution building activities to change this situation particularly in the privatization process and related activities. The initial UNDP efforts and the initial USAID "bridging" efforts undertook the preliminary analysis and began to initiate the changes in the Tajik privatization process that will make the absorption of the World Bank IDA funded privatization Institution Building Technical Assistance (IBTA) loan possible.

PROJECT ORIGIN: The previous "bridging" projects established that a credible and continuing catalyzing presence on the ground in Tajikistan was necessary to overcome the inertia in the privatization process and to prepare the ground for effective absorption of the World Bank team. This objective of this project is to provide this catalyst. The resource person provided will serve as a trainer, mentor, and coordinating stimulus within the broadly defined privatization community.

PROJECT OBJECTIVES:
1. To create momentum toward change in the market economy establishment process in Tajikistan particularly in the privatization component of that process.
2. To build a constituency for change within the community that must lead the process, both government and business. The policy apparatus particularly will be targeted as will the other process stakeholders and advocates; business leaders, regional development leaders, and others.

SPECIFIC OBJECTIVES:
1. To assist in the development of the Business Development Commission (BDC) as a meaningful voice with a role in the economic transformation and privatization process.

Work with the office of the PM, the SPC, the UNDP and the BDC to plan a Republic level privatization seminar and related strategy building activities. Possibly involve Central and Eastern European Privatization Network (CEEPN) resources.

2. To build a constituency for change of the valuation methodologies used in the privatization process. The objective will be to make progress toward changing the process so that it incorporates current concepts to include DCF analysis etc. rather than the previous Soviet model.

Work with NET, the SPC at the Republic and Regional level, the Economic Courts, the independent valuation agency, the business community and others to follow-up on the Bishkek training seminar and the Privatization I and II courses, to bring knowledge of modern techniques to the Tajik users. Specifically to plan targeted training and strategy planning seminars.

3. To build a constituency for change of the bankruptcy law of Tajikistan so that it provides the "market exit" mechanism that a market economy and particularly a privatizing economy require.

Work with NET, the SPC at the Republic level and regionally, the Economic courts and the business community. Plan and schedule specialized training and mentoring for this community. Try to identify bankruptcy law drafting assistance.

4. Help make the privatization process more transparent, accountable and manageable with the expectation of accelerating and demystifying the process particularly for policy makers.

Initiate the creation of a simple transaction driven Management Information System possibly modeled on the very effective Excel driven model used in Macedonia or perhaps the Carana model developed in Kazakhstan.

5. Help advance the process of building public support of the economic transformation and privatization process.

Assist in the development of the Tajikfilm UNDP funded pilot film on privatization.

Help identify "success stories" for this and other uses.

6. Help maintain the cooperative focus of the donor/lender community on the needs of the economic transformation, privatization, and business development needs of Tajikistan. Help with the consolidation of that constituency.

7. Help define the strategy of the privatization agency. Involve it in an institution building
strategy development process. Provide in house training/mentoring. Try to plan and execute an off-site seminar. The objective will be to try to refocus the Agency so that it commits itself to simplifying and speeding up the privatization process.

8. The economic transformation of Tajikistan to a market economy driven nation is vital to its survival. Privatization is a part of that equation. A major task of the project will be to convey a sense of the urgency of the process and the commitment of the donor/lender community to assist in moving the process forward.

9. Make recommendations for continuing USAID support of the market transformation process particularly in the privatization and business development area. This will be done within the context of the WB, UNDP, EBRD, and other efforts in this regards.

ANNEX 10:

Phase I: U.N. Development Program (UNDP) Report -- Flow Chart of Privatization Process and Privatization Laws

Flow Chart of the Privatization Process

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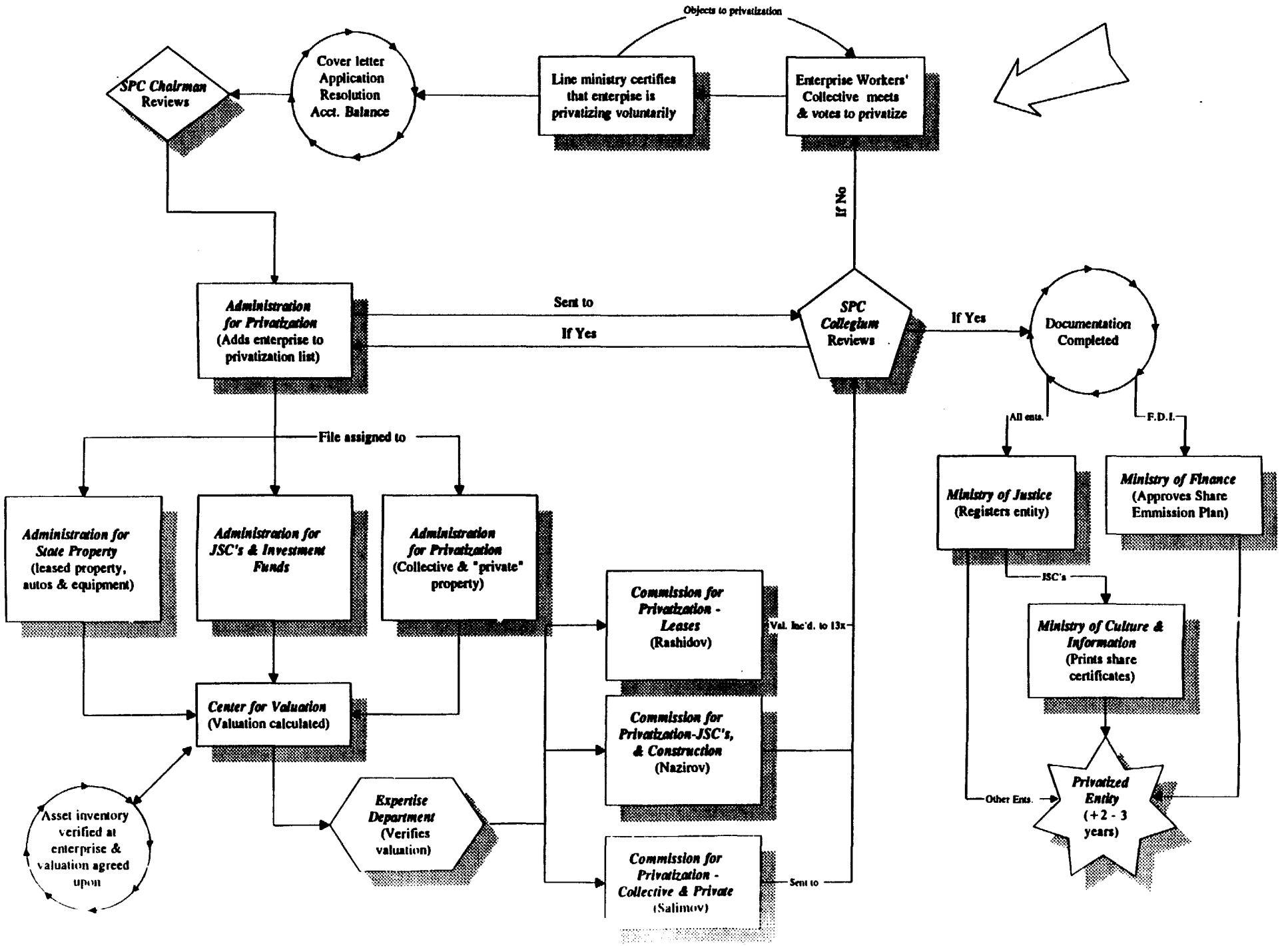

Flow Chart of Asset Valuation

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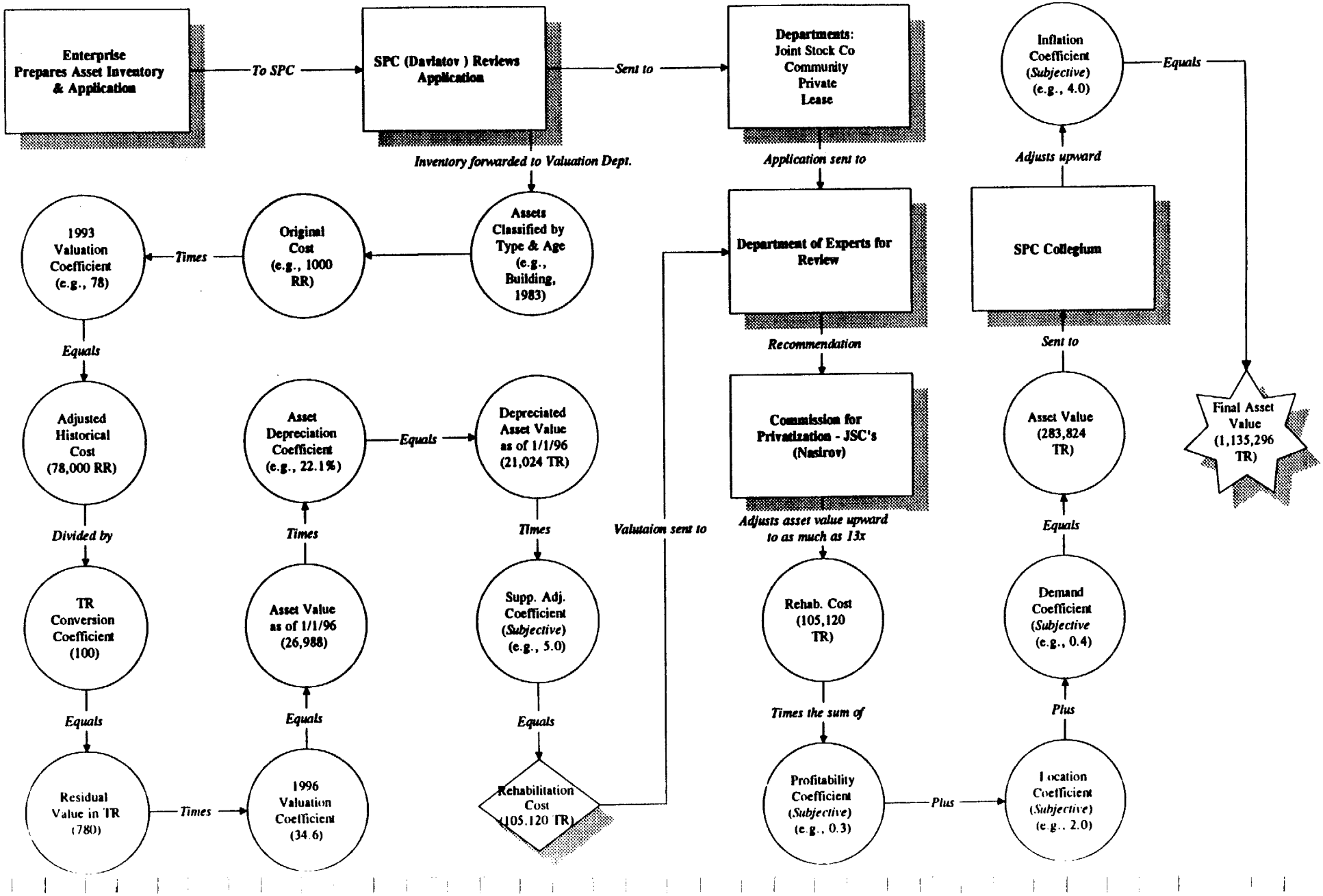

Privatization Laws of Tajikistan
(*as of 4/16/96*)

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DECREE
ON MEASURES TO FURTHER PROMOTE PRIVATIZATION OF STATE PROPERTY

Proceeding from the necessity to accelerate the process of formation of the market economy; to deepen and broaden the process of denationalization & privatization of state property; to make the process of economic reform irreversible; to increase the efficiency of the national economy; to establish a basis for repaying state debts to the population; and to create the conditions necessary to attract foreign and domestic investment in the economy, I hereby:

DECREE:

Article 1 Elements of the Privatization Program

Within a fortnight, the Government shall develop and adopt a program to further promote privatization & denationalization of state property, anticipating that it will contain the following goals:

See, Decree No. 543, August 23, 1995, and the Program attached thereto.

a) By the end of 1996, all necessary steps shall be completed to transform state property into private property, except as otherwise expressly prohibited or limited by the law "On Privatization & Denationalization in Republic of Tajikistan" (No. 6, February 21, 1991);

Subsequently amended by Law No. 194, November 11, 1995.

b) State enterprises with thirty (30) or more employees ("large enterprises") shall be reorganized into open joint-stock companies. State enterprises employing less than thirty (30) employees ("small enterprises") shall be sold at auction to individuals or collectives;

Literally, "working places". This term refers not to how many persons are employed, but to how many employment slots were allocated to the enterprise under Soviet labor practices. The distinction between "small" enterprises and "large" enterprises based solely upon the number of members in the workers' collective is likely to create uncertainty (e.g., workers who have emigrated or are not regularly working) and invite abuse through manipulation of the head count.

c) Privatization of state property will be carried out on the

See, Decree No. 42, January 12, 1996. Current valuation

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basis of a simplified and uniform methodology of asset valuation;

methodologies are complex, highly subjective and routinely overstate asset values.

d) State enterprises organized as closed joint-stock companies will be transformed into open joint-stock companies, providing citizens with free access to the process of denationalization and privatization;

e) Public tenders, auctions and direct sales will be used as a means for attracting foreign investment in the Republic of Tajikistan; and,

f) A program of post-privatization support for enterprises will be developed and implemented.

Article 2 Repayment of Wage Arrears

In order to repay the state debt to the population for wage arrears earned as of May 10, 1995, Government of the Republic of Tajikistan shall develop and implement, in the shortest time possible, a plan to enable individuals to use these sums in the privatization of the state property.

See, Decree No. 442, March 25, 1996. Significantly, there is no implementation mechanism.

Article 3 Creation of Investment Funds

With the intention of attracting broad participation in the privatization of Tajikistan's economy and promoting the formation of capital and securities markets, the establishment of the investment funds will be promoted to provide an opportunity for accumulation of capital and stable management of share holdings.

It is unclear whether investment funds will be owned and managed privately or by the state. A draft regulation on investment funds is currently under consideration by the Government.

Article 4 State Privatization Fund

In order to accelerate the process of privatization in Tajikistan, a State Privatization Fund shall be created that will implement the Privatization Program called for in this Decree. The State Property Fund will establish regulations concerning the rights of shareholders in state joint-stock companies, promulgate rules for determining share distribution during privatization and organize public tenders and auctions of state property.

Repealed by Decree No. 133, April 4, 1996.

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DECREE
ON CREATION OF THE
STATE PRIVATIZATION FUND

Pursuant to the decree of the President of Republic of Tajikistan "On Measures to Further Deepen & Enlarge the Process of Privatization", (No. 294, August 2, 1995) it is hereby:

This Decree has been repealed by Decree No. 133, April 4, 1996.

DECREED:

1 That a State Privatization Fund shall be created to:

a) Provide support to privatized enterprises and private entrepreneurship;

b) Implement measures on the use of shares of the state-owned joint-stock companies;

To date no definitive share allocation scheme has been adopted.

c) Define the requirements in granting privileges in the purchase of state property and securities;

The concept of priority amongst participants is ill-defined here as elsewhere (See, Law No. 194, Art. 7, November 11, 1995).

d) Carry out the privatization of state property by auctions, public tenders and other methods authorized law;

See, Regulations on Sale of State-owned Assets Through Auction, State Property Commission Minutes, No. 4, December 22, 1995.

e) Develop measures on the collection and distribution of the proceeds generated from privatization;

See, e.g., Law No. 194, Art. 15, November 11, 1995.

f) Attract foreign investment.

See Law on Foreign Investment, No. ____,

2 The State Commission for Privatization is authorized to manage the State Privatization Fund.

3 The State Commission for Privatization shall create the administrative structures and determine the budgetary requirements for the operation of the State Privatization Fund.

4 The Vice-chairman of the State Property Committee, Mr.

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basis of a simplified and uniform methodology of asset valuation;

methodologies are complex, highly subjective and routinely overstate asset values.

d) State enterprises organized as closed joint-stock companies will be transformed into open joint-stock companies, providing citizens with free access to the process of denationalization and privatization;

e) Public tenders, auctions and direct sales will be used as a means for attracting foreign investment in the Republic of Tajikistan; and,

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With the intention of attracting broad participation in the privatization of Tajikistan's economy and promoting the formation of capital and securities markets, the establishment of the investment funds will be promoted to provide an opportunity for accumulation of capital and stable management of share holdings.

It is unclear whether investment funds will be owned and managed privately or by the state. A draft regulation on investment funds is currently under consideration by the Government.

Article 4 State Privatization Fund

In order to accelerate the process of privatization in Tajikistan, a State Privatization Fund shall be created that will implement the Privatization Program called for in this Decree. The State Property Fund will establish regulations concerning the rights of shareholders in state joint-stock companies, promulgate rules for determining share distribution during privatization and organize public tenders and auctions of state property.

Repealed by Decree No. 133, April 4, 1996.

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Article 5 State Commission for Privatization

In order to accelerate denationalization and privatization of state property in all sectors of the economy, a State Privatization Commission shall be established. Commission membership will be as set forth in the Annex to this Decree.

See Art. 7 of the Program on Measures to Accelerate Privatization, No. 543, August 23, 1995.

Article 6 Other Measures to be Taken by the Government

Within one (1) week of the effective date of this Decree, the Government shall define the status of the State Commission for Privatization. Within one (1) month of the effective date of this Decree, the Government shall adopt regulations of the State Privatization Fund.

President of the
Republic of Tajikistan I. Rakhmonov

Decree No. 294, August 2, 1995

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ANNEX TO DECREE NO. 294:

COMPOSITION OF THE STATE COMMISSION FOR PRIVATIZATION

Chair

Prime-Minister of Republic of Tajikistan	*AZIMOV, Yakhyo* *Tel: 21-18-71*

Deputy Chair

Chairman of the State Property Committee	*DAVLATOV, Matleb* *Tel: 21-86-59*

Membership

Chief Presidential Advisor on National Economy	*GAFUROV, Rakhimjon* *Tel: 23-32-43* *(No longer serving.)*
Minister of Economy & Foreign Economic Relations	*GAFAROV, Tukhtaboy* *Tel: 21-00-64*
Minister of Justice	*ISAMAILOV, Shavkat* *Tel: 21-44-05*
Head of the Economic Department, Office of the President	

DECREE
ON MEASURES TO ACCELERATE PRIVATIZATION IN THE REPUBLIC OF TAJIKISTAN

To accelerate the transformation to a market economy through denationalization and privatization of state property; to make these reforms irreversible; to increase the efficiency of the national economy; to establish a basis for repaying state debts to the population; and, to create the necessary conditions to attract foreign and domestic investment in the economy, I hereby:

Provisions of this Decree relating to the creation of the State Privatization Fund have been amended in part and repealed in part by Decree No. 133, April 4, 1996.

DECREE:

1 The attached Program to Accelerate Privatization is hereby adopted and shall have the force of law.

2 That a State Property Committee shall be constituted to coordinate and oversee management of denationalization and privatization in the Republic of Tajikistan, as set forth in the attached Program.

This is the successor to the earlier Committee of People's Deputies established by Law No. 6, February 21, 1991.

3 That the State Property Committee shall provide the Government with monthly reports on progress made in carrying out the attached Program.

4 In order to attract broad public participation in the process of corporatization of state enterprises and encourage the development of securities markets, a network of investment funds will be created as a mechanism for accumulating of household savings and providing for stable profitability of shares. The ministries and agencies, regional khukumats, cities and districts shall provide technical and administrative support to promote the creation and operation of investment funds, audit firms, information services and training of specialists for investment funds.

5 The Government of the Republic of Tajikistan shall establish a State Privatization Fund, whose primary tasks shall be to:

Repealed in part by Decree No. 133, April 4, 1996. As originally configured, the State Property Fund was to be under the direct control of the State Privatization Commission. The effect of Decree No. 133 will be to incorporate the Fund into the administrative structure of

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Isroil Babaevitch Nasirov, who is responsible for corporatization of state enterprises, shall act as manager of the State Privatization Fund without supplementary payment.

5 Mr. Nasirov shall be assisted in the management of the State Property Fund by a First Deputy and a Deputy Manager.

6 Within one (1) week of the effective date of this Decree, the State Property Committee shall allocate office space for the staff of the State Privatization Fund.

7 The Ministry of Finance shall allocate funds to the State Privatization Fund as its statutory capital.

8 The State Privatization Fund has the right to use up to 200 million Russian Rubles in dividends earned by the Republic of Tajikistan on shares held in joint-stock companies located Russian Federation.

9 The Ministry of Communications shall provide the State Privatization Fund with telephone service including three numbers reserved for government use.

10 The Joint-Stock Commercial Agricultural-Industrial Bank "Shark" is designated as the official repository bank for all amounts held in trust by the State Privatization Fund.

11 Within one (1) month of the effective date of this Decree, the State Privatization Fund shall develop and submit its operating regulations and submit them for approval to Government of Republic of Tajikistan.

President of the
Republic of Tajikistan I. Rakhmonov

No. 538, August 22, 1995

the SPC.

a) Develop and implement a set of measures to support private entrepreneurship as envisaged by the Program to Accelerate Privatization;

Not yet implemented.

b) Manage state holdings in joint-stock companies;

c) Grant buyers of state property the privileges envisaged in the Program to Accelerate Privatization;

d) Organize competitive sales of state assets through competitive tenders and open outcry auctions; and,

e) Attract foreign investment.

6 Registration of joint-stock companies set up in accordance with this Decree shall be accomplished in their respective localities within one (1) week and without registration fees or other payments.

7 The Government of the Republic of Tajikistan shall:

a) Take all measures to ensure unconditional implementation of the Program to Accelerate Privatization, including;

i) A revaluation of fixed assets by May 10, 1996;

ii) Adoption of simplified rules for valuation of state property; and,

While new coefficients for calculating the value of state assets have been adopted (See, Decree No. 42, January 12, 1996.) the methodology remains unchanged in its material aspects.

iii) Introduction of privatization certificates issued as a means of repayment of wage arrears and amounts contained in bank accounts frozen as of May 10, 1995.

The mechanism for accomplishing this objective remains undefined.

b) Submit to the Majlisi Oli of the Republic of Tajikistan proposals to introduce necessary changes into the legislation of the Republic of Tajikistan currently in force.

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President of the
Republic of Tajikistan I. Rakhmonov

Decree No. 543, August 23, 1995

a5

RESOLUTION ON MEASURES TO ACCELERATE PRIVATIZATION IN THE REPUBLIC OF TAJIKISTAN

To implement Presidential Decree No. 294 "On Measures to Further Promote Privatization of State Property" (August 2, 1995) the Government of the Republic of Tajikistan hereby:

RESOLVES:

1 To adopt attached Program for Accelerate Privatization in the Republic of Tajikistan.

2 That within two (2) months of the effective date of this Resolution, all relevant ministries, agencies, associations, companies, concerns and other economic units, acting together with the State Property Committee and the executive committees (Khukumats) of all oblasts, towns and districts shall develop and submit to the State Property Committee for approval:

a) A list and schedule for privatization, by auction or competitive tender, of all eligible "small" state-owned enterprises (defined as having fewer than thirty (30) employees) engaged in public catering, commercial trade, public services and other activities;

Not yet adopted or implemented. See also, Art. 7, Law No. 194, November 11, 1995. Here, "employees" is substituted for "working places" in the original.

b) A list and schedule for the transformation of all eligible "large" state-owned enterprises (defined as having thirty (30) or more employees) into open joint-stock companies;

Not yet adopted or implemented.

c) A list of chronic loss-making enterprises that could be sold on a competitive basis;

Not yet adopted or implemented.

d) A list of unfinished construction projects that could be privatized as authorized by law.

Not yet adopted or implemented.

e) Privatization and corporatization of all eligible state-owned enterprises, excluding agricultural enterprises, shall be completed by the end of 1996.

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3 Within one (1) week of receipt of the list and schedule for privatization, managers of the state-owned enterprises identified therein shall establish working committees to prepare the documents necessary for privatization.

4 Within one (1) month, the State Property Committee shall:

a) Develop, approve and publish the privatization plan;

Under consideration by the Government.

b) Jointly with the Ministry of Justice, develop, approve and publish the model charter for open joint-stock companies;

See, Para. 7.4 of Resolution No. 543, August 23, 1995 (Program) which identifies the Commission as the entity responsible for developing necessary model documentation.

c) Together with the Ministry of Finance develop, approve, and publish a model share emission prospectus along with procedures for the registration and transfer or sale of shares in open joint-stock companies created through privatization of state in accordance with this legislation;

Not yet adopted.

d) Jointly with the relevant ministries and agencies, develop and submit to the State Privatization Commission for approval model procedures for transforming state-owned enterprises into the open joint-stock companies and, similarly, model procedures for transforming closed joint-stock companies into open joint-stock companies.

Not yet adopted.

5 The Ministry of Finance, together with the Ministry of Economy, the State Property Committee, and the State Statistics Agency shall, within one (1) month, submit proposals on re-calculation of asset values as of May 10, 1995.

See Decree No. 42, January 12, 1996.

6 The Ministry of Culture and Information shall be responsible for issuing physical shares for open joint-stock companies established in accordance with the schedule approved by the State Property Committee.

In practice, JSC's are not required to have their shares issued by the Ministry. Instead, the Ministry will print shares, for a fee, providing that the JSC supplies the proper security paper.

7. The Ministry of Finance, together with the National Bank, shall,

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within one (1) month, submit proposed regulations to the Government on procedures for repatriation of dividends earned by foreign legal and physical persons.

8 The Ministry of Finance, the Ministry of Economy and the State Property Committee shall, within one (1) month, develop and submit the draft regulations on investment funds.

Draft regulations have been drafted and proposed and are currently under consideration by the Government.

9 The Ministry of Culture and Information, together with relevant ministries and agencies, shall ensure comprehensive coverage in the mass media of all measures undertaken for implementation of the Program for Further Deepening and Enlarging of the Process of Privatization in the Republic of Tajikistan.

A few television and radio programs on privatization have been produced to date. There is no formal working relationship between the Ministry and the SPC on privatization matters.

President of the
Republic of Tajikistan I. Rakhmonov

No. 543, August 23, 1995

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PROGRAM ON MEASURES TO ACCELERATE PRIVATIZATION IN THE REPUBLIC OF TAJIKISTAN

This Program proceeds from the necessity to implement radical economic reforms in the Republic of Tajikistan; to intensify the process of privatization and denationalization of state property and to make it irreversible; to increase economic efficiency in the national economy; and, to attract foreign and domestic investment.

The main objective of this Program is to foster the necessary conditions for transformation of all enterprises, subject to denationalization, into other forms of property and to establish the basis for a market economy by the end of 1996.

During this period, primarily "small privatization" shall be completed. Simultaneously, medium and large state enterprises shall be transformed into joint-stock companies with share allocations to be determined by the level of workers' collective and public interest and participation in the purchase of shares. The state's initial share holding in these joint-stock companies could be close to 100%. In time, the state's shares will be sold on the securities market. The timing and extent of the state's divestiture of shares will depend on all relevant factors and may last several years, extending into the 21st century. Implementation of this Program is a vital objective of the Republican Government, the khukumats and the Tajik people.

Article 1 Major Objectives of the Program

1.1 The Program is designed to accomplish the following major tasks:

a) Broaden the scale of denationalization and privatization in all sectors of the national economy;

b) Make the process of privatization irreversible;

c) Create a mechanism for repayment state debts to the population;

d) Establish conditions necessary to attract domestic and foreign investment in the economy;

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e) Develop and implement a mechanism for accelerating the process of privatization;

f) Carry out privatization primarily through the sale of shares on the securities market;

g) Provide all segments of society with open access to the process of privatization; and,

h) Increase the economic efficiency of the national economy.

Article 2 Forms & Principles of Denationalization & Privatization

2.1 The major thrust of the privatization effort during this new phase of economic reform will be the reorganization of the state-owned enterprises into other forms of property. Small enterprises are encouraged to reorganize into proprietorships and limited liability companies. Medium- and large-scale enterprises should be transformed into open joint-stock companies.

2.2 Existing national level management bodies and their regional branches are subject to reorganization. The national sectoral, state and interstate management bodies, concerns, and their regional subdivisions, being administrative structures, shall be reorganized into corporations, unions and associations formed on a voluntary basis with the right to limit their membership. A union, corporation or association can be formed as an open joint-stock company, as an executive body serving the needs of its founders, or as a holding company, if its creation does not lead to the formation of a new monopoly.

2.3 The conditions for privatization of state-owned enterprises will depend upon their size and business profile. Enterprises of trade, public catering, communal services are to be sold through auctions or through competitive tender. The same applies to small and medium-scale enterprises in other sectors and uncompleted construction projects, regardless of their size (provided that the balance holders do not have enough funds to complete the construction).

2.4 When selling objects by competitive tender, the primary criteria for selecting the winner shall be:

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a) Maintenance or increase of productive output and the introduction of new goods and services;

b) Increased investment;

c) Maintenance or increase in the level of the work force;

d) Development of infrastructure and protection of the environment; and,

e) Other benefits and conditions as set forth in business plans submitted for consideration.

2.5 In certain cases (e.g., when selling unfinished construction projects or bankrupt enterprises), one hundred percent (100%) of the shares can be sold to foreign buyers.

2.6 It is envisaged that during 1995-1996, conditions necessary for creating a network of holding companies, investment funds, companies and other non-state intermediaries will be put into place.

2.7 Holding companies will be established on a voluntary basis through consolidation of joint-stock companies, collective enterprises, proprietorships, limited liability companies, small commercial and other enterprises and organizations of different forms of property.

2.8 Holding companies shall be regulated in accordance with legislation adopted by the Government.

2.9 Consulting firms shall be involved in the preparation of enterprises for privatization, informing potential investors about *the conditions of their function*, preparation of the drafts of juridical and financial contracts with the buyers.

2.10 *In order to promote the participation of foreign investors in the overall program of privatization, it is envisaged to sell them shares and assets of bankrupt enterprises through competitive tenders. Real estate will be sold through auctions. Their participation in tenders, auctions, direct investing of the enterprises as well as granting the concessions and the construction of enterprises with 100% of foreign capital participation.*

This provision requires further clarification or elaboration by the Government.

Article 3 Improvement of Valuation Procedures

3.1 The reorganization of the state-owned enterprises and organizations into other forms of property shall be implemented in compliance with regulations adopted by the State Property Committee specifying valuation methodologies for privatization of state-owned property.

3.2 The valuation of state assets shall be carried out in compliance with current valuation methodologies which state values as of May 10, 1995 and shall include in such calculations the increased valuation coefficients approved by the Government.

Article 4 Attracting Foreign Investment

4.1 Participation of foreign legal and physical persons in the process of privatization in the Republic of Tajikistan is envisaged to increase the technological base of the enterprises reorganized, introduce new methods of enterprise management, improve managerial skills, increase know-how, provide access to foreign markets, generate cash through transactions, promote the development of international relations and develop linkages between Tajikistan's industries and the world market. Privatization through the sale of shares to foreign investors for hard currency is envisaged.

4.2 The following are methods of privatization for foreign investors:

a) By sale of:

1) Shares through competitive sales including tenders, auctions, stock exchanges as well as through direct negotiations;

2) *All or some portion of the shares to one person or a group of foreign investors, which will allow the creation of joint-ventures or enterprises with 100% foreign capital*;

This provision requires further clarification or elaboration by the Government.

3) Assets of liquidated or bankrupt enterprises through transparent competitive sales on the basis of criteria established beforehand;

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4) Real estate through auctions and direct sales on the competitive basis; and,

5) State-owned property according to investment projects.

b) This will be accomplished by:

1) Attracting new investment in state-owned enterprises by increasing their authorized capital, transforming state-owned enterprises into joint-stock companies and then selling the resulting shares to foreign investors;

2) Signing concession agreements with foreign investors that will allow the state to retain ownership of the property while transferring the right to use or manage property (this is the preferred method for mining and municipal enterprises) to the foreign investor;

3) *Allocating and exchanging shares of the state enterprises privatized in investment funds, insurance companies, investment banks established with the participation of foreign capital*;

This provision requires further clarification or elaboration by the Government.

4) Implementing privatization on a "turn key" basis allowing construction of new facilities by foreign investors while retaining state ownership of the land *or completion of construction to consumer level while preserving the property right with the state for the part of the this construction; and,*

This provision requires further clarification or elaboration by the Government.

5) Long-term leases of state-owned assets to foreign investors.

4.3 *Decision on attracting foreign investors to the privatization process is submitted by the state management bodies and adopted by the Government of the Republic of Tajikistan.*

This provision requires further clarification or elaboration by the Government.

4.4 A number of independent consulting and auditing firms shall be established to attract foreign investment and participation in the privatization process. Foreign firms shall also be invited to partici-

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pate.

4.5 In order to attract foreign investors to the national economy, an international agency will be established to:

a) Publish and distribute advertising booklets containing current legislation and the legal framework for economic reform in the Republic of Tajikistan identifying: the goals of the privatization program; what enterprises are already privatized or will be subject to privatization; what share allocation requirements are imposed; what requirements exist for investment proposals; how sale of shares of the privatized enterprises through auction are accomplished; and, etcetera;

b) Provide upon request all necessary information on the progress of privatization in Tajikistan;

c) Develop a database of potential foreign investment partners; and,

d) Coordinate the activity of the offices and departments for external economic relations of the ministries.

Article 5 Introduction of Privatization Checks

5.1 In order to repay the state debts on wage arrears, privatization checks will be issued beginning on November 1, 1995 and remain valid until the end 1996. These checks are guaranteed by the Government and may be used for the purchase of state property, the shares of the privatized enterprises *or investment funds when privatizing the housing fund.*

This provision requires further clarification or elaboration by the Government.

Article 6 Methods of Denationalization & Privatization

6.1 All state enterprises that are subject to denationalization are divided into four groups to which the following privatization methods correspond:

a) The first group includes small enterprises of trade, public catering, services and other economic sectors with less than thirty (30) workers and are subject to auction sale;

Literally, "working places". See, Art. 1, Decree No. 294, August 2, 1995.

b) The second group includes all other enterprises that shall

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be transformed into open joint-stock companies;

c) The third group includes uncompleted construction projects and loss-making enterprises that shall be privatized on a competitive basis; and,

d) The forth group includes the property of operating, liquidated enterprises and those in the process of liquidation that are subject to sale through the auction.

6.2 The State Property Committee and local khukumats can alter the methods of privatization of state-owned assets on a case-by-case basis depending upon their peculiar circumstances.

Article 7 Corporatization of State Enterprises

7.1 It is planned to establish a State Commission for Privatization that will coordinate and manage the entire privatization process. The State Privatization Commission shall determine and coordinate the activities of the ministries, agencies, local governments (khukumats) and other state management bodies directed at denationalization of property including the establishment of open joint-stock companies.

7.2 The reorganization of state enterprises into open joint-stock companies shall be completed within the period specified in the schedule approved by the State Privatization Commission depending on the form of property (national or communal).

7.3 The ministries, agencies, associations, concerns and local khukumats shall, within three (3) days of receipt of the above-mentioned schedule, provide notice to the enterprises identified thereon.

7.4 Managers of state-owned enterprises in the process of being transformed into open joint-stock companies shall, within one (1) week, form a working commission for preparation of the documents for denationalization and privatization. The State Privatization Commission shall, within one (1) month, develop and submit to the State Property Committee and its regional branches the following documents:

a) A model privatization plan;

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b) A model for asset valuations;

c) A model charter for joint-stock companies; and,

d) A model share emission prospectus.

7.5 The State Property Committee shall be responsible, in accordance with current legislation, for authentication of the documents submitted by enterprise working commissions.

7.6 The State Property Committee or, where appropriate, the local khukumat shall, within ten (10) days from the date of submission of the privatization documents, evaluate them according to established procedures and approve, with the concurrence of the Ministry of Finance, the privatization plan and the share emission prospectus.

7.7 In cases where the documents submitted do not meet the requirements of the State Property Committee or the local khukumat, necessary revisions or amendments shall be completed by the enterprise within one (1) week.

7.8 The State Property Committee or, where appropriate, the local khukumat, shall be the co-founder of the open joint-stock company, and together with the associations, concerns, and enterprises involved, shall prepare and submit the required documentation for registration of the joint-stock company.

7.9 Registration of the joint-stock company shall be completed within one (1) week and on the spot.

7.10 Registration of the joint-stock company shall be completed on the basis of an application, a copy of the approved privatization plan and a charter of the joint-stock company. No registration fees or other payments will be charged when registering a joint-stock company approved in accordance with established procedures. Refusal to register a joint-stock company is not permitted.

7.11 From the moment of the registration, the joint-stock company will assume all assets and liabilities of the predecessor enterprise and becomes an assignee of the rights and obligations of the predecessor enterprise.

7.12 *Until the first shareholders' meeting of the reorganized en-*

This provision requires further clarification or elaboration by

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terprise, the manager shall continue to perform his responsibilities. The meeting shall be held after fifty percent (50%) of shares have been sold.

the Government.

7.13 Permanent management bodies of the joint-stock company shall be organized at the first shareholders' meeting.

7.14 The allocation and distribution of shares of the joint-stock company shall be performed in accordance with the share emission plan submitted and approved during the privatization (*sic*) process and the following procedures:

a) The State Property Committee or, where appropriate, the local khukumat, shall, within three (3) days after registration of the joint-stock company, *approve the format and content of its shares, specifying the registration date and number as well as one copy of the emission prospectus. The registration of the emission prospectus shall be performed in accordance with the procedure approved jointly by the State Property Committee and the Ministry of Finance;*

This provision requires further clarification or elaboration by the Government.

b) Within one (1) week the State Property Committee or local khukumat shall send a copy of emission prospectus to the Ministry of Finance (or its regional representatives) to be entered into the Unified Register of Securities;

c) The State Property Committee or, where appropriate, the local khukumat, shall bear full responsibility for timely submission and authenticity of the information provided on the issuance of shares;

d) Within one (1) week following registration of shares, the founder(s) shall provide *notice in the mass media the information about the subscription to shares*;

This provision requires further clarification or elaboration by the Government.

e) The registration of subsequent share emissions *and emission prospectus of the joint-stock companies established as a result of the reorganization of the state-owned enterprises* shall be carried out by the Ministry of Finance (or its regional representatives) in accordance with the established procedures; and,

This provision requires further clarification or elaboration by the Government.

f) After establishing joint-stock companies in accordance with

Repealed by Article 4, Decree No. 133, April 4, 1996

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the procedures set forth in this Program, shares owned by the state shall be transferred to the State Privatization Fund. This Fund shall organize the sale of shares on the securities market. State Privatization Fund also shall organize the sale of enterprises and other objects through auction in compliance with the current Program.

Article 8 State Support of Private Enterprise

8.1 To ensure the regular operation of enterprises during the post-privatization period, the Government shall develop a set of measures to:

a) Foster the creation of special investment funds;

b) Use privatization proceeds to support economic development programs for privatized enterprises;

c) Reinvest dividends earned on state-held shares for technical improvements and renovation of the fixed assets of privatized enterprises;

d) Identify priority sectors of the economy for which denationalization can be carried out under the most favorable conditions;

e) Create conditions favorable for attracting foreign investment and establishing stable international economic relations;

f) Develop and implement various investment incentives including reduction or exemption from customs duties, taxes, quotas, licensing requirements and etcetera; and,

g) Provide guarantees of the legal and economic rights of private business interests.

Article 9 Use of Privatization Proceeds

9.1 Proceeds from the sale of state assets, dividends earned on shares held by the state and lease payments shall be paid into the accounts of the State Privatization Fund.

This Article is repealed in its entirety by Article 4 of Decree No. 133, April 4, 1996. It thus eliminates any effective mechanism for financial oversight of the SPC's use of privatization proceeds.

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9.2 Use of privatization proceeds shall be governed by standards and procedures adopted by the Government.

9.3 The Government has the right to amend or alter such standards and procedures as may be required from time to time in light of existing financial and market (e.g., real estate, securities) conditions.

9.4 Funds raised in the privatization of both national and communal property are owned by the State and shall be distributed as follows:

a) 50% shall be allocated to the national and local budgets depending upon the type of property privatized;

b) 35% shall be allocated to privatized enterprises for technical improvements and development purposes. The use of these funds shall be controlled by the Government;

c) 15% shall be allocated to support implementation of the State Program for Privatization and Denationalization including the creation investment and market structures, support of private entrepreneurship, and maintenance and material incentives of the personnel of the bodies implementing privatization.

9.5 With approval of the Ministry of Finance, the State Privatization Fund shall use temporarily unallocated funds to provide short-term loans to enterprises on the basis of risk and return.

Article 10 Privatization of Agriculture

10.1 *Agricultural enterprises privatization by virtue of characteristic features of agrarian means of production, production process in that sector has specific peculiarities. In this connection individual agriculture enterprises within the frames of this Program shall be privatized to approbate its regulations in the agricultural sector. In order to accelerate the privatization of state agriculture enterprises a separate program shall developed.*

This provision requires further clarification or elaboration by the Government.

Article 11 Privileges Applied in Privatization

11.1 During implementation of this Program, the following privi-

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leges may be applied:

a) A portion of the shares in enterprises being transformed into joint-stock companies shall be transferred to members of their workers' collectives free of charge. This allocation shall not exceed the per capita equivalent of 20 times the minimum monthly salary;

b) In the case of chronic loss-making or bankrupt enterprises and unfinished construction projects, the Government may authorize, upon recommendation by the appropriate state agencies, that the purchase price of the assets may be reduced up to fifty percent (50%) for citizens of Tajikistan.

Article 12 Public Education & Awareness Campaign

12.1 A large-scale and continuous advertising campaign to clarify the principle provisions of this Program is of great importance to accelerate privatization process. To this end, special bulletins, visual aids, legislative acts and administrative regulations concerning privatization shall be disseminated through all media of mass communication.

Adopted by Resolution of the
Government of Tajikistan

No. 543, August 23, 1995

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MINUTES OF THE STATE PRIVATIZATION COMMISSION OCTOBER 31, 1995

In Attendance: Karimov, D., Kh., Chairman
Davlatov, M. S., Deputy Chairman
Gafurov, R. G., Member
Gafarov, T. G., Member
Ismoilov, Sh. M., Member
Nasirov, I. B., Manager, State Privatization Fund
Nadjmiddinov, A. U., Chief of the Working Group

1 Agenda

1.1 Progress to date on implementation of the Decree No. 294, August 2, 1995, and the accompanying Resolution "On Measures to Further Promote Privatization of State Property"; and,

1.2 Start-up of the State Privatization Fund.

2 Minutes & Resolutions

2.1 Having listened to and discussed the information presented on progress to date on implementation of Decree No. 294, August 2, 1995, and the accompanying Resolution, "On Measures to Further Promote Privatization of State Property" the State Privatization hereby *RESOLVES*:

a) That the progress to date made by ministries, agencies, khukumats and other state managing bodies responsible for implementing the subject Decree and Resolution is unsatisfactory.

b) That the State Property Committee, together with the responsible ministries and state agencies, shall prepare and publish a standard charter for open joint-stock companies, a standard plan for initial share emissions, and regulations governing the issuance, distribution and circulation of shares in corporatized state enterprises;

c) That the State Property Committee, together with the responsible ministries and state agencies, shall draft and submit

to the Commission for approval a preliminary order transforming state enterprises open joint-stock companies;

d) That within a week, the State Property Committee, together with the responsible ministries and state agencies, will submit to the Commission for approval a schedule of television broadcasts supporting privatization; and,

e) That the State Property Committee, jointly with the editorial boards of the state newspapers, shall establish columns devoted to the subject of privatization of state property.

2.2 Within a week, the heads of relevant ministries, agencies, associations, enterprises and khukumats shall personally oversee implementation of Paragraph 2 of Resolution No. 543, August 23, 1995.

2.3 Within one (1) month, the State Property Committee, together with the Ministry of Internal Affairs, the State Prosecutor's Office and the Dushanbe Khukumat are to conduct an inspection of the premises of the ministries, agencies and other state managing bodies and eliminate all commercial enterprises being conducted therein.

2.4 Staff levels at the headquarters of the State Privatization Fund for 1995 is authorized up to thirty (30) employees.

See, Decree No. 133, April 4, 1996 that merges the State Privatization Fund into the SPC and repeals certain requirements concerning its administration and operation..

2.5 The Commission confirms the selection of Mr. Nadjmitdinov as the First Deputy - Business Manager and Ms. Valieva as Deputy Business Manager of the State Privatization Fund.

2.6 The Commission hereby adopts the State Privatization Fund's estimated 1995 budget of one-hundred thousand (100,000) Tajik Rubles.

2.7 State Privatization Fund shall:

See, Decree No. 133, April 4, 1996.

a) Within one (1) week prepare and submit for consideration to this Commission a draft depository contract with the Agri-

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cultural/Industrial Bank "Shark", the Tajik Bank for External Economic Affairs and the Central Asian Bank; and,

b) By the end of 1995, organize auctions and the sale of shares in state-owned enterprises.

2.7 Within one (1) month, the State Property Committee shall deliver to the State Privatization Fund all shares in joint-stock companies held by it and obtain the appropriate certification of such delivery from the State Privatization Fund.

See, Decree No. 133, April 4, 1996.

2.8 Mr. Nadjmitdinov, First Deputy - Business Manager of the State Privatization Fund is hereby appointed to serve as the Chief of the Commission's Working Group.

See, Decree No. 133, April 4, 1996.

Prime Minister and Chairman
State Property Commission D. Karimov

Minutes No. 2 (1c), October 31, 1995

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AMENDMENT TO THE LAW ON DENATIONALIZATION AND PRIVATIZATION OF STATE PROPERTY

In order to bring Article 86 of Law No. 6 of the Tajik S.S.R. "On Denationalization and Privatization of State Property", dated February 21, 1991 into compliance with Constitution of the Republic of Tajikistan, the Majlisi Oli of the Republic of Tajikistan hereby:

This law provides the basic framework for privatization in Tajikistan. It replaces the cited law, but does not include the technical annexes of the earlier text.

***RESOLVES*:**

To amend the aforementioned Law by substituting the following language:

Article 1 General Provisions

1.1 Denationalization is defined as the process of forming a multi-sectoral economy based upon decentralization of management and the transformation, through privatization, of state property into private property.

1.2 Privatization is defined as the process of transferring ownership of state assets to collectives and private persons as a necessary prerequisite for the transition to a market economy and for the promotion of entrepreneurial activity.

1.3 The main aim of denationalization and privatization is to overcome the alienation of producers from the means of production and to establish a close relationship between ownership and productive output.

Article 2 The Goals of Denationalization & Privatization

2.1 Denationalization and privatization are intended to:

a) Create a clear delineation between the role of the state in regulating economic activity and the role of private individuals in the production of goods, services and other economic activities;

b) Overcome monopolism in the national economy;

See, Law On Limitation of

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Anti-monopolistic Activity, No. 872, December 27, 1993.

c) Create an environment that fosters competitiveness and economic responsibility of proprietors;

d) Promote private enterprise and provide opportunities for each citizen to reach his or her greatest potential; and,

e) Establish conditions favorable to the formation of market infrastructure including securities and capital markets.

Article 3 Applicability & Scope

3.1 The process of denationalization and privatization of state property shall be governed by the present law and any such other official acts, decrees, resolutions as may be lawfully adopted from time to time by the Government of the Republic of Tajikistan.

3.2 The denationalization and privatization of property of the Republic of Tajikistan existing outside the physical boundaries of the state shall be controlled by this Law except to the extent that it is directly contrary to the terms and conditions of any bilateral or multilateral agreements entered into by the Government of the Republic of Tajikistan.

Article 4 Principles of Denationalization & Privatization

4.1 The main principles of denationalization and privatization are:

a) To promote open and broad participation of the general public;

b) Implementation of denationalization and privatization through distribution of shares to the public on a concessionary as well as commercial basis;

Mechanisms for share allocation and distribution have not yet been finalized. Current plans are to allocate up to 40% of the shares to the state which will reduce the economic impact of privatization.

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c) Provision for maintenance of social protections for the population as denationalization and privatization are undertaken;

d) Equality of all citizens in participating in denationalization and privatization of state property;

No formal mechanism has been developed. It appears, however, that significant distinctions between classes of those eligible to participate will be drawn based on age, profession, work history and other factors. Share allocation schemes currently under consideration do not meet this requirement.

e) State control over the organization and implementation of denationalization and privatization; and,

In principle, privatization is to be initiated at the enterprise level. In practice, however, privatizations are generally negotiated on a case-by-case basis between the enterprise, the controlling ministry or agency and the SPC.

f) Observation of antimonopoly requirements.

See, Law No. 872, December 27, 1993. The Department of Antimonopoly Policy of the Ministry of Economy is isolated from the privatization process and has no voice in the decision-making process described above.

Article 5 Objects of Denationalization & Privatization

5.1 All state property, including enterprises and assets in industry, agriculture, construction, public services, trade, catering, as well production facilities, housing and other sectors, shall be subject to denationalization and privatization, except as otherwise prohibited by law.

Land is not included in this definition. Privatization of housing is governed by a separate law. See, Law No. 114, November 4, 1993.

5.2 The objects of denationalization and privatization shall include both integrated property (i.e., a single firm with physical assets or operations at more than one location) or a unitary (i.e., a single physical asset or operation).

Tajik property law dates from the Soviet era. It is highly complex, recognizing numerous types of property and forms of ownership. See, Law on Ownership, No. ___, December 5, 1990.

5.3 Operational subdivisions of integrated state enterprises are subject to denationalization and privatization.

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5.4 Land, natural resources, water, air, fauna and flora, and other natural resources, objects of historical heritage and national value, defense enterprises, and enterprises for burial of nuclear wastes, administrative buildings and structures shall not be subject to denationalization and privatization.

This is the "negative list" for privatization. Land and natural resources should be shifted to the "permissive list" below to reflect the current practice of de facto privatization though leases and informal arrangements.

5.5 Denationalization and privatization of all public services including rail and air transport, heating, water supply, sewage and other municipal services, electric power generation and distribution, chemicals manufacturing, strategic resources, precious metals mining and processing, health care facilities, wineries and educational and cultural institutions shall be undertaken by decision of the of the Government of Republic of Tajikistan.

This is the "permissive list" for privatization. Tajik law does not have any mechanism for effective regulation of natural monopolies, nor does it have means for competitive award of licenses or public contracts. At present, the Government allows "privatization" in these sectors on an ad hoc basis without any effective mechanism for protecting the public interest.

Currently, a proposal to require prior antimonopoly clearance on large-scale privatizations is being considered by an inter-ministerial working group. An earlier proposal put forward by the Ministry of Economy was considered and rejected after the SPC raised objections to it. The SPC's view is that it should conduct its own antimonopoly review.

5.6 Privatization and denationalization of state housing stock shall be regulated by a corresponding law of the Republic of Tajikistan.

See, Law No. 114, November 4, 1995.

Article 6 Persons Eligible to Participate in Denationalization & Privatization

6.1 Those eligible to participate in denationalization and privatization include citizens of the Republic of Tajikistan, workers' collectives, leaseholders, cooperatives, joint stock companies, commercial banks, joint ventures, organizations and other legal persons.

"Participation" is used here in the broadest sense. The terms and conditions of such participation have yet to be defined.

6.2 Legal and physical persons foreign states are also eli-

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gible to participate in denationalization and privatization.

Article 7 Methods of Denationalization and Privatization

7.1 The following methods can be used for denationalization and privatization:

a) Lease and lease with an option to purchase;

Leasing has been identified by several sources within the Government as an area of abuse that is hindering progress on privatization. See. Law on Leases, No ___, December 6, 1990.

b) Corporatization;

Literally "to transform into a share company". Under current practice, this is not viewed as an interim step toward privatization, but rather as an end in itself.

c) Direct sale, including installment contracts;

This implies the use on non-competitive tenders but does not specify conditions under which this method of privatization can be pursued to the exclusion of others enumerated in this Article. Experience shows that this practice invites abuse.

d) Competitive tenders and auctions;

As noted above, there is no law governing competitive tenders or public procurement. For regulations concerning the sale of state property at auction, see, Minutes of the State Property Commission, December 22, 1995.

e) Direct transfer, free of charge.

It is anticipated that this method will be used primarily in the case of unfinished construction projects.

7.2 Workers' collectives shall be given preference in the buy-out of their respective enterprises as a whole. In cases where a buy-out by the workers' collective is not possible, preference in the selection of the method for denationalization and privatization shall be given to those who are able to utilize the assets privatized with the greatest efficiency.

Under the current formulation, the workers' collective has the exclusive right to purchase the enterprise outright if it has the resources to do so. Failing this, it has a paramount claim on up to 60% of the shares of the enterprise with the remaining 40% to be held by the state

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indefinitely. Of this 60%, 40% is reserved to the workers with a share equal to 20 times the minimum monthly wage (approximately $33) to be given to each member of the collective free of charge. The difference between the aggregate amount of free shares and the "value" of 40% of the enterprise represents a significant gap between the preferential allocation of shares and the collective's ability to purchase such shares. Given existing valuation methodologies (See, Decree No. 42, January 12, 1996), that exaggerate the value of assets, collectives will not be able to purchase the full 40% allocated to it or be forced to take on commercial debt at userous rates. The anticipated result will be an increase of the state's holding to greater than 50%, thus renedering the benefits of "privatization" questionable.

7.3 Members of workers' collectives of a given state enterprise (including pensioners who have previously worked for not less that 10 years at the enterprise and have thereafter returned to employment there) shall have preference in the purchase of shares of the enterprise as compared to other persons.

It is not clear from existing legislation how this provision will be put into effect.

7.4 The procedure for purchase of shares in a given enterprise by pensioners and other citizens who are not members of the workers' collective shall be defined by the Charter of the reorganized enterprise.

This Paragraph gives the workers' collective the right to transform the privatizing enterprise into a closed joint-stock company in contradiction with the apparent intent of the Law. Corporate charters should be standardized so as to minimize the opportunity for blocking outside participation where the collective in unable to purchase the enterprise outright.

7.5 The state authority exercising operational or management control over an enterprise may begin privatization of the enterprise on its own initiative.

In practical terms, this contradicts the intent of Paragraph 7.2 above. Frequently it is the ministry or other controlling body that is resisting collectives' efforts to privatize.

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7.6 Loss-making and insolvent state enterprises shall be denationalized by administrative order. In this case, the relevant state authority shall have the right to independently determine the method of privatization taking into account importance of the enterprise to the national economy, its technological base, its size and the condition of its fixed assets, the characteristics of production, the number of employees and other relevant factors.

See, also, Law on Bankruptcy, No. _____, March 10, 1992.

7.7 Denationalization and privatization may be prevented where:

a) The enterprise falls within a category of assets not otherwise subject to privatization pursuant to the provisions of Article 5 above;

b) Doing so would be in violation of the preferences set forth in this Article; and,

This limitation gives the workers' collective de facto veto power over state initiated privatization plans.

c) Denationalization and privatization of a given type of enterprise would lead to results not otherwise anticipated by this legislation.

Article 8 Programs of Denationalization & Privatization

8.1 With a view to pursuing coordinated state policy the State Property Committee, jointly with Majlis Oli, ministries and agencies, shall develop programs of denationalization and privatization of objects of national and municipal property will be submitted to the appropriate legislative body (i.e., republican or khukumat) for approval.

Article 9 Valuation of State Assets Subject to Privatization

9.1 The methods and procedures for calculating the value of state assets for the purpose of privatization shall be specified by regulations promulgated by the Government.

See, Decree No. 42, January 12, 1996. Current valuation methodologies are extremely complex and contain many subjective elements. In practice, valuations are negotiated on a case-by-case basis between the enterprise, the controlling state agency and the

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SPC. The interests of the controlling state agency dominate in this process. The result is overstated asset valuations that make it difficult, or impossible, for the collective to obtain a controlling interest in the privatizing enterprise. It is through this mechanism that state monopolists are seeking to maintain effective control over enterprises formerly under their direct operational control.

9.2 The valuation of state assets shall be made on the results of inventory, current price and other factors influencing value.

This formulation cannot be rendered in English with any precision. It seems to indicate that valuations shall be based upon depreciated historical cost, plus current assets/liabilities and other considerations such as location and "profitability".

9.3 The valuation of fixed assets shall be made phase by phase on the basis of successive evaluation of the initial, residual and evaluated cost.

This seems to refer to depreciated historical cost adjusted for capital improvements.

9.4 If a given enterprise is purchased in its entirety by the members of its workers' collective, the State Property Committee may, in its discretion, sell the enterprise without re-calculation of its residual value.

That is, by using the results of the 1993 valuation. This represents a significant economic concession to the collective.

9.5 Where a state asset is sold through auction, its calculated value shall be the opening price.

See, Regulations on Privatization of State Property by Auction, State Privatization Commission Minutes No. 4, December 22, 1995.

Article 10 Privatization Accounts

10.1 Privatization accounts, giving the right to its owner for the share in national and municipal property distributed free of charge, will be established in order to assure equal access, fairness and broad participation in the program of denationalization and privatization.

See, Decree on the Introduction of Personal Privatization Accounts, No. 442, March 25, 1996. No mechanism for the use of these accounts has been adopted.

10.2 Privatization accounts shall be distributed to the citizens of the Republic of Tajikistan (except those otherwise

Differentiation between entitlements introduces an unnecessary complexity and under-

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prohibited from participation by other legislative acts) taking into consideration their profession, age and work history.

cuts the stated goal of a privatization process that it be open and fair as stated in Article 4 above.

10.3 Regulations concerning the creation, operation and use of privatization accounts will be promulgated by the Government.

Article 11 Financial Sources of Denationalization & Privatization

11.1 The following financial resources may be used during denationalization and privatization:

a) Retained earnings at the disposal of the enterprise workers' collective;

b) Unused funds disbursed by the Government to the enterprise for the purpose of economic stimulation;

c) Personal savings of the members of workers' collectives;

d) Personal savings of the citizens and amounts contained in privatization accounts;

As a result of the introduction of the Tajik Ruble and its rapid devaluation, the Government ordered bank accounts frozen as of May 10, 1995. The sums in these accounts, in addition to accrued wage arrears, are to be repaid by the Government through issuance of privatization "checks" that can be redeemed for shares in privatizing enterprises and assets. The mechanism for accomplishing this objective has not yet been determined.

e) Foreign direct investment; and,

f) Bank loans and credits.

Article 12 Implementation of Denationalization & Privatization

12.1 The right to make the decision on denationalization

Jurisdiction is based on a dis-

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and privatization of Republican property shall be entrusted to the State Privatization Committee. In the case of local or regional property, the decision to privatize will rest jointly with the local legislative body having jurisdiction and the regional office of the State Property Committee.

tinction in ownership. Privatization of "local" poses problems since it is not clear how conflicts between local khukumats and the SPC will be resloved. In practice, the khukumats are privatizing assets (if at all) on an informal basis.

The wording of this provision also seems to directly contradict apparent intent of Article 7 to give the workers' collective the right to decide whether or not to privatize (c.f., Para. 7.5).

12.2 Participation of the foreign legal persons in the purchase of state property shall be governed by relevant legislative acts and regulations of the Republic of Tajikistan.

See, Law on Foreign Investment, No. ___, _____ 19__.

12.3 Due to the current economic and political situation, the Government shall have the right to impose certain restrictions on the timing of privatization of certain types of enterprises.

Article 13 Transfer of Property Rights of Privatized Property

13.1 A written purchase-sale agreement shall be concluded between the state agency with authority to privatize the asset ("Seller") and the privatized enterprise ("Buyer") specifying:

Standard form contracts should be prepared by the SPC and adopted by the State Privatization Commission.

a) The effective date and time of transfer of ownership from the Seller to the Buyer;

b) That the Buyer assumes full responsibility for satisfaction of all outstanding legal and financial liabilities of the privatized entity;

The Government has not addressed the issue of inter-enterprise debt that could prove to be a major obstacle to privatization.

c) Other obligations of the parties to the contract; and,

d) The rights of the parties to the contract in the event of breach or default under the purchase-sale agreement.

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13.2 Transfer of ownership rights shall be effective once all amounts due under the purchase-sale agreement, and any outstanding taxes, are paid in full.

This gives rise to a nebulous state of semi-privatization where the sale of the assets is agreed to, but the buyer has yet to make the necessary payments to affect transfer of ownership. This allows the buyer to hold and use the property simply by making a down payment. The state in turn must continue to "manage" the asset until the full payment is made or the buyer defaults.

13.3 Prior to privatization, the entity shall settle all outstanding accounts with the state and any banks to which it is obligated, unless otherwise provided for in the buy-sell agreement.

Article 14 Labor Relations

14.1 Labor relations of the privatized enterprise shall be governed in accordance with the relevant laws of the Republic of Tajikistan currently in force.

See, Law on Labor Relations, No.____, ____, 1974.

Article 15 Utilization of the Proceeds from Denationalization & Privatization

15.1 The proceeds from denationalization and privatization of state property shall be accumulated in special accounts. The procedure of utilization of these funds shall be defined by legislative acts. Five percent (5%) of the funds transferred to the special accounts shall be used by the State Property Committee to cover current operating costs associated with the organization and management of the process of denationalization and privatization in the Republic of Tajikistan

No financial controls are indicated. Periodic audit and reversion of budget surpluses to the national treasury should be explicitly provided for.

It is not clear how this provision apples to local khukumats who currently retain 100% of the proceeds from the sale of local property.

Article 16 Legal Protection During Denationalization & Privatization

16.1 The rights of the subjects of denationalization and privatization of the state enterprises shall be protected in the established procedure and on the conditions established by the legislative acts of the Republic of Tajikistan.

Disputes concerning proposed privatizations are currently resolved on a case-by-case basis at the presidential level. This politicizes the privatization process and reinforces

current perceptions of unfairness in addition to causing significant delay and uncertainty. In practice, the SPC is the final arbiter concerning interpretation of the laws it administers. This opens the door for arbitrariness and abuse of process. A means of appealing certain administrative determinations of the SPC should be developed and exclusive jurisdiction for such appeals should be vested with the appropriate judicial authority (i.e., the Supreme Economic Court).

President of the
Republic of Tajikistan I. Rakhmonov

No. 194, November 4, 1995

LAW
ON PRIVATIZATION OF HOUSING

This Law establishes the main principles governing privatization of the housing stock of the Republic of Tajikistan, setting forth the legal, social and economic grounds for reorganization of ownership rights in dwellings. The objective of this law is to create conditions that will promote freedom of choice and improvement in the quality and safety of housing in Tajikistan.

Section I
Main Principles

Article 1 Privatization of housing stock shall be carried out through the free transfer or sale of dwellings to the citizens occupying them.

Article 2 Citizens who lease a dwelling from the state have the right, upon agreement of all those of age living therein, to acquire ownership rights in the dwelling according to the requirements set forth in this Law and other applicable legislation.

Article 3 Citizens, becoming owners of dwellings can own, manage or dispose of such property in the accordance with the present Law. Citizens have the right to sell, gift, bequeath, lease, or otherwise transfer the property to the extent not otherwise prohibited by this Law. Use of privatized dwellings for purposes other than housing shall be determined by mutual agreement of all residents of legal age and the local authority of competent jurisdiction.

The owners of multi-occupant dwellings (such as apartment buildings) shall become be tenants in common of all plant, equipment and common areas of such premises.

The right of quiet use and enjoyment of the land upon which dwellings and associated buildings are located shall follow the owner of the privatized dwelling except as otherwise provided for by law.

It is clear that the title to the land is not follow the privatized dwelling. Instead, the intent appears to be that the right of "quiet use and enjoyment", as that concept is defined in Western legal traditions, follows title to the dwelling.

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Article 4 Dwellings that are unfit for habitation (i.e., not meeting sanitary and fire-safety standards), dormitories, houses of special historic or cultural value, military housing and living quarters provided in connection with employment are not subject to privatization.

Local khukumats, in consultation with labor collectives affected thereby, shall have the right to determine how privatization of communal apartments, housing on state farms and associated agricultural enterprises shall be accomplished.

Article 5 Transfer, sale and registration of privatized dwellings shall be undertaken by khukumats in the case of local property, and by the State Property Committee in the case of republican property.

Article 6 This Law will come into effect in the autonomous oblast of Gorno-Badakhshan (including all cities, towns and regions located therein) upon adoption of this Law by the Oblast Chairman.

Article 7 Action on applications for privatization of dwellings shall be taken within one (1) month of submission to the appropriate authority. Citizens have the right of judicial appeal in cases where their rights to privatize dwellings are violated.

Article 8 Disabled veterans of the Great Patriotic War, heroes of Soviet Union and persons of similar distinction, disabled workers and the physically disabled, war veterans, families of those who gave their lives in service to the state, families with income below the officially established minimum monthly wage and who need improvement in their living conditions, and persons who suffer from chronic and disabling illnesses shall be provided (in a specifically determined order of preference) access to affordable state housing provided that rental payments are made.

Article 9 Existing preferences for provision of housing to needy citizens shall remain in effect.

Section II
Main Principles and Conditions for Privatization of Dwellings

Article 10 Every citizen has the right to acquire one (1) dwelling, free of charge, through privatization of the state housing stock.

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Article 11 Each citizen may acquire up to eighteen (18) square meters of living space free of charge. In the case of families, an additional nine (9) square meters may be obtained free of charge. In such cases where the size of the privatized dwelling exceeds the maximum areas stated above, citizens shall pay the difference between the total cost of the dwelling and the amount transferred free of charge in accordance with this Law.

The total area of living space that may be transferred free of charge can be increased to a total of twenty (20) square meters for those classes of persons identified in Article 8 above.

Article 12 The value of the property transferred free of charge shall be based upon the cost of a single unit as a part of the total available living area and shall reflect current market prices for dwellings in average condition at the time and place where the property is located.

Article 13 The total cost of a dwelling shall take into account the total available living area and the general condition of the property. Independent valuation commissions shall be formed and consist of representatives from the local khukumat, trade-union representatives, organizations, labor collectives, financial institutions and banks, and also those citizens acquiring dwellings.

The methodology for calculating the value of property acquired under this Law shall be determined by the Government of the Republic of Tajikistan.

Article 14 Privatization of occupied dwellings that require additional repairs shall be renovated by the competent local authority. In such cases where the occupant repairs the premises at his own expense, the occupant shall be entitled to reimbursement for the difference between the amount paid for the dwelling and its value prior to renovation.

In practice, this does not occur. Most apartments and homes have already been privatized either officially, or spontaneously. Sales based on current book values are reported for official purposes and cash transactions reflecting prevailing market rates for real property are conducted informally between the parties.

Article 15 Dwellings may be purchase by citizens on an installment basis with a repayment period of up to twenty (20) years.

Article 16 The proceeds from privatization of the state housing stock shall be used in accordance with the Law "On Denationalization and Privatization of Property in the Republic of Tajikistan".

See, Art. 15, Law No. 194, November 11, 1995.

Article 17 Housing stock that is controlled by enterprises and organizations shall be subject to privatization along with the controlling entity, or separately, if transferred to a khukumat of competent jurisdiction.

Section III
Service and Repair of Privatized Housing

Article 18 Service and repair of privatized housing shall be at the expense of their owners and in compliance with mandatory regulations and norms comparable to those established by the local authority of competent jurisdiction. For the purpose for servicing and maintaining their property, owners may form cooperative associations.

Article 19 Service and repair agreements between owners shall be kept at the local authority of competent jurisdiction. Payment for service and repairs to privatized dwelling shall be the joint responsibility of the owners.

Article 20 Owners of privatized detached dwellings have a right to contract for services and utilities independently.

Article 21 Service and repair of dwellings that partly privatized dwellings shall be carried on by the same local authorities of competent jurisdiction as before privatization. The owners of dwellings located in partially privatized structures shall share in common all service and repair costs associated with the building's plant, equipment, common areas and appurtenances.

Article 22 Management of repairs and service to privatized dwellings shall be the responsibility of the local khukumat.

Article 23 Violation of the rules concerning the use of privatized dwellings, associated equipment, communications, and common areas shall be punished in accordance with legislation of the Republic of Tajikistan.

President of the

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Republic of Tajikistan

I. Rahkmonov

No. 114, November 4, 1995

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REGULATIONS ON PRIVATIZATION OF STATE PROPERTY BY AUCTION

Article 1 General Provisions

1.1 These regulations set forth the general provisions for the organization of auctions and rules governing participation therein, procedures for making settlements and affecting the transfer of property rights in the physical assets or shares purchased.

1.2 Term "privatization at auction" is defined as the sale of state property to the highest qualified bidder.

1.3 Upon recommendation of the State Privatization Fund, the State Privatization Commission shall determine what state-owned property will be sold at auction.

1.4 Entities subject to privatization include:

a) Enterprises, shops, factories, and other entities including all operating divisions and subsidiaries;

b) Equipment, buildings, structures and other assets of liquidated enterprises including their divisions and subsidiaries;

c) Unfinished construction projects; and,

d) Shares in corporatized state-owned enterprises.

Article 2. Preliminary Measures

2.1 The State Privatization Fund shall act as the seller of state assets for the purpose of privatization.

2.2 In this capacity, the State Privatization Fund is responsible for:

a) Publishing information on the privatization of state-owned assets according to approved procedures;

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b) Conducting auctions;

c) Making settlements with the purchasers of state assets at auction;

d) Executing contracts of sale and purchase concerning privatized assets; and,

e) Informing the public of auction results.

2.3 In preparation for auctions, the State Property Committee and local executive committees shall transfer title, securities and other required documentation to the State Privatization Fund.

2.4 Based upon the data received by it from reporting enterprises, the State Property Fund will publish a list of the enterprises and assets to be sold at least three (3) weeks prior to the scheduled date of the auction.

2.5. Notice of scheduled auctions shall include the following information:

a) In the case of enterprises:

1) The name and address of the enterprise;

2) The total area occupied by the enterprise and associated buildings and structures with a description thereof;

3) The productive capacity, output and number of persons employed by the enterprise;

4) A list of fixed assets and equipment, grouped according to industrial classification, including non-productive (social) assets;

5) Unfinished construction projects including an estimated cost for completion and amounts expended to date;

6) Current account balances;

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7) Current inventory;

8) Current assets not otherwise identified including securities, share holdings in other enterprises and intangibles (i.e., patents, trademarks, & etc.);

9) Current and contingent liabilities of the enterprise; and,

10) The annual balance of the enterprise and an income statement for the previous year.

(b) When selling shares in a joint-stock company, the amount of authorized capital, the nominal share price and the total number of shares on offer shall be identified.

(c) When selling the assets of a liquidated (bankrupt) enterprise it shall be necessary to identify the basic characteristics of the enterprise.

(d) In all cases, it shall be required to specify:

1) The type of auction;

2) The starting price of the assets on offer as established by the State Property Fund taking into consideration all relevant factors including profitability, location and demand for the goods or services produced;

3) The form, and terms (in cases where an installment contract is mutually agreed to), of payment;

4) Procedures for pre-auction inspection of the assets on offer at the auction;

5) The deadline for receipt of applications and other qualifying documentation;

6) The down payment (10% of the starting price) required to bid and the identifying information of the

settlement account into which the down payment should be deposited;

7) The date, time and place of the auction; and,

8) Contact information for the State Privatization Fund (including telephone number).

The format for presenting this and other supplementary information shall be defined by the Vendor.

The text from this point forward has not been formatted, edited or annotated.

2.6. From the moment of publication of the information message the Vendor provides the possibility for all legal and physical entities to familiarize beforehand with the privatization object.

Invitation to familiarize beforehand with the privatization object is provided for the fee amount of which is specified by the Vendor. The latter should facilitate examination of the privatization object.

Article 3 Terms for buyers' participation

3.1. Juridical and Physical person that have civil rights in accordance with the legislation, applied for their participation in an auction and submitted other documents in due time and paid in a sum of money in established order that makes up 10% of the initial price of a privatized object are admitted to the participation in an auction.

Peculiarities of participation in auctions by foreign juridical person and citizens are defined by the present legislation.

3.2 The following documents are necessary to the submitted to the seller's address for participation in an auction:

a) application for participation in an auction in forms given in appendixes 1 and 2 to the present regulations;

b) during auction by tender - an offer with a price of the object sealed up in a separate envelope;

c) a copy of a payment document confirming payment of mortgage to the seller's account given in the information

about an auction.

d) Juridical persons additionally submit copies of founding documents certified by a notary or by an organ implementing registration.

3.3 Persons admitted to participation in an open auction are given a participation ticket that includes a number under which a buyer takes part in an auction, a name of a privatized object exhibited for sale in an auction, main conditions of holding an auction. a ticket is given to a participant after receiving his application and on producing a mortgage payment document to the seller's account.

In case of holding an open auction entrance tickets are sold for persons who are not participants of an auction. The price of an entrance ticket is fixed by a Seller.

A participant of a closed tender is sent a written information on receiving his application with the date of its registration.

3.4 Receiving applications is stopped on the expiry of the fixed period:

3.5 Information about persons who applied for participation in an auction is confidential.

3.6 An applicant may be refused participation in an auction if:

a) a person applying for the participation doesn't have civil rights in accordance with the present legislation;

b) a person applying for participation didn't submit necessary documents in due time predetermined by these regulations.

3.7 During a closed tender since the moment of publication communication with a tender is not allowed till the last moment, the participants are prohibited to exchange or let out any information about the object sold by them. Non-fulfillment of this requirement is qualified as a rude violation of the rights of an auction.

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Article 4 Order of holding an action.

4.1 The form of holding an auction is defined by a seller. An auction is held in the following forms;

a) an open action, used as a rule, when assents of a liquidated enterprise, small enterprises (with a number of employees less than 200 persons), shares of joint stock company are sold;

b) a closed auction used as a rule when big enterprises and share holdings of joint stock companies are sold.

4.2 An open auction is held in the following order:

a) An auction is held by an auctioneer employed by a seller. An auction is held on condition if 2 participants at least take part in it. An auction begins with an announcement, a short description and an initial price of an object and a step of an auction.

b) A step of an auction is set within the limits from 5% till 15% of the initial price. A step is chosen by an auctioneer within agreed limits. A step of an auction remains the same for the whole period of an auction.

c) During auction an auctioneer names the price, and buyers signal their readiness to buy at the given price raising their tickets.

d) An auction begins with the announcement of the initial price of an object. After announcement of the initial price an auctioneer names the buyer's number, who has the first from the auctioneer's point of view to raise the ticket. Then the auctioneer announces the following price in accordance with the auction step.

e) An auction is completed when after thrice repeated announcement of the price none of the buyers raised the ticket. the buyer whose ticket number was announced last becomes the winner of the auction.

4.3 On completion of an auction an auctioneer announces about the sale of an exhibited object, names the selling price and the ticket number of a winner.

If after thrice repeated announcement of the initial price none of the buyers raised the ticket, an auction is declared non-valid and the object is returned to the seller.

An auction closed by tender is held in the following order:

Auction by tender is held by a constantly working tender commission, the members of which are approved by the State Committee on property privatization.

On expiration of the receiving period of applications the protocol of the tender commission about the received applications is drawn up, signed by the chairman and the secretary of the commission.

Concealment of applications for participation in an auction by tender, non-registration while summing up the results involves administrative responsibility in accordance with the present legislation. A fine is imposed on the chairman. The results of the tender are recognized non-valid in this case.

Unsealing envelopes with price offers of the participants and summing up of the final results of an auction by tender is made not later than three days after stopping receiving applications.

Only those applications that were sent during the period of a closed tender are taken into consideration.

The Buyer that offered the highest price becomes the winner of a closed tender.

In case the highest price is contained in 2 or more offers the participants becomes that one whose offer was declared earlier. If that does not result in revealing the winner, a competition commission draws lots for defining a winner.

While unsealing envelopes and summing up the results, buyers or their authorized persons and representatives, having a warrants rep-

resentatives of executive organs, representative of mass media and other citizens may be present.

4.4. The winner of the auction must produce the ticket and sign a protocol of the results of the auction by the period established by the organizers on completion of the auction of the given object. The protocol is signed in duplicate by a buyer or his authorized representative and by an organizer of the auction.

Information about the buyer and the seller, the name of the privatized object, the final price as well as mutual commitments of both parts to sign a sale contract of the given object.

4.5. If within 10 days the winner of an auction didn't sign the protocol of its results, he is not returned his deposited mortgage, the results of the auction are annulled, the object is returned to the seller. During a closed auction the right to purchase the object in this case goes to a participant who offered a previous price. If the net participant refuses to sign the protocol, the results of the tender are annulled.

4.6. Information about the results of the auction is published in the local press within 30 calendar days since the holding auction.

Article 5 Official registration of the rights for property of a privatized enterprise and settling accounts with the participants of the auction.

5.1. During period not later than 15 calendar days since signing the protocol of the results of the auction a sale contract between a seller and a buyer must be signed in accordance with the present legislation.

5.2. In the sale contract concluded based on results of the auction the following is pointed:

a) the name of the sold object;

b) the purchase price of the object;

c) information of a seller, a buyer, in case of necessity;

d) mediator, their whereabouts;

e) order of transfer of an object, form, terms and conditions of payment.

5.3. In accordance with the fixed terms and form of payment a Buyer must transfer or pay in cash an agreed by the contract sum of money on the accounting number of a seller as well as the service taxes, equal to 7% from a purchase sum. In case a buyer doesn't transfer or pay in a fixed sum of money within the established terms, a sale-contract is annulled, and the sum of mortgage is not returned. During auction by tender the right to purchase an object is given to a participant who offered the previous price. If the next participant refuses to sign a sale contract, the results of tender are annulled.

5.4. The sum of mortgage paid in by a buyer while purchasing an object is included into the sum of its payment in a privatization transaction. All the other participants of the auction are returned the sum of mortgage within 10 days after signing of the protocol of the results of auction

5.5. A buyer may purchase an object sold in the auction by installments at the decision of a seller. The size of initial installment is fixed not less than 30% of the auction price of an object and an installment plan mustn't exceed 12 months. The conditions of payment by installments are reflected in the contract.

5.6. When purchasing property in an auction, by installments including, transference of the right to property for a privatized property is realized in accordance with the Law "About privatization of state property in the Republic of Tajikistan".

Article 6 Distribution of earnings from sale of privatized in the auction

6.1. Receipts from sale of privatized objects in the auction are formed out of money means, gained from buyers for purchase of privatized objects, as well as from money left at the seller's disposal after selling invitation tickets for preliminary acquaintance with privatized objects by participants, from sale of tickets to auction, from mortgages that were not returned in fixed in order and from service taxes.

6. 2. Order and ways of distribution of money means from sale of privatized objects are defined by the Law and normative acts of the Republic of Tajikistan.

Article 7 _____ of privatization transactions and responsibility of parts.

7. 1. Privatization transactions of property in an auction are recognized non-valid in case and in order established by the legislation of the Republic of Tajikistan.

7. 2. Disputes about recognition of privatization transaction in an auction non-valid are considered in the court in accordance with the present legislation.

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APPENDIX 1
(filled by a juridical person)
(name of the seller of the privatized object)

Application for participation in the auction
(by closed tender)
By:
(full name of an applying juridical person)

1. Having studied informational data about the privatized object we undersigned, authorized to sign an application agree to purchase:

(full name of privatized object)

2. In case of winning out the auction we undertake commitments to conclude a sale contract by the time fixed not later than 30 days since signing the protocol with organizers of the auction.

3. We agree to the fact that in case of non recognition of us the winner of the auction and further refusal to conclude a sale contract or failure to pay in an agreed sum of payment by the time fixed, the sum of mortgage paid by me remains to the seller.

4. Before signing a sale contract of the privatized object this application as well as the protocol, signed together with the organizers of the auction will be considered as having power of an agreement between us.

5. Concluded
"___"_____199__y._____
_____

6. Full name and address of a participant of the auction:

7. Payment domicile of an auction participant an account in the bank to which sum of returned mortgage is transferred:

8. Share of the State, local Majlisis of People's Deputies, public organizations in the founding capital of our enterprise makes up:

(sum in numbers and spelling) ruble, that makes up_____% of the total sum of authorized capital.

Copies of founding documents are submitted.

Signature of authorized person:
On behalf
(name of a buyer)
(post of empowered person)
Last name
First name
Patronymic
Signature
Date
Seal
Received by
Completed by seller)
Appendix 2
(filled by citizens)

(name of the seller of the privatized object)

Application for participation in the auction)

1. Having Studied informational data about privatized object I:

agree to purchase the given object:

2. In case of winning out in the auction I undertake commitments to conclude a sale contract by the time fixed not later than 30 days since signing the protocol with organizers of the auction.

3. I agree to the fact that in case of non-recognition of me the winner of the auction and further refusal to conclude a sale-contract or my failure to pay in an agreed sum of payment by the time fixed, the sum mortgage paid in by me remains to the seller.

4. Before signing a sale-contract of the privatized object this application as well as the protocol, signed together with organizers of the auction will be considered as having power of an agreement between us.

5. Concluded

6. Last name
First name
Patronymic
Passport Number Location of Issuance & Date

7. Payment domicile of a citizen, an account in bank, to which a returned mortgage is transferred.

Signature of a citizen

Date

Received by:

(filled by seller)

"Approved" by the State Commission Republic of Tajikistan (Minutes No. 4) December 22, 1995

DECREE
ON INTRODUCING PERSONAL PRIVATIZATION ACCOUNTS

In accordance with the Article 10 of Law No. 194, November 11, 1995, "Amendment to the Law on Denationalization and Privatization"; to pay off state debt on salaries and other payments; to provide social equity and to establish an equal footing upon which citizens can participate in the privatization of state property, I hereby:

Under the current proposal, uncirculated 1,000 Tajik Ruble notes are to be stamped "privatization check" and issued to individuals in an amount equal to the sum of amounts frozen bank balances as of May 10, 1995 and accrued wage arrears.

DECREE:

Article 1 Creation of Personal Privatization Accounts

That from April 1, 1996, personal privatization accounts will be introduced in the Republic of Tajikistan.

Article 2 Implementing Regulations

That the Government will develop and adopt regulations and procedures governing the issuance, circulation and use of personal privatization accounts.

These "checks" are to be used in the purchase of shares in privatizing companies. It is anticipated that implementation of this scheme will create significant inflationary pressure. In addition, up to 50m of the "checks" have already been misappropriated which will significantly undermine public perceptions of the transparency and fairness of the privatization process.

President of the
Republic of Tajikistan I. Rakhmonov

No. 442, March 25, 1996

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DECREE
ON THE MANAGEMENT OF
STATE-OWNED ENTERPRISES

In accordance with the laws of the Republic of Tajikistan "On Property ", and "On Enterprises ", and with the aim of ensuring efficient operation of the state sector during the period of transition to a market economy, I hereby:

See, Law on Ownership, No. ___, December 5, 1990; Law on Joint Stock Companies, No. 454, December 23, 1991.

DECREE:

Article 1 Management/Labor Agreements

The Government, through authorized contracting agencies, will negotiate and execute five (5) year management/labor agreements with all state enterprises. The terms and conditions of the agreements, consistent with existing legislation, will establish a system of wages, performance bonuses and other conditions. Upon expiry, and at the Government's option, management/labor agreements may be renewed for a subsequent five (5) year period based upon performance during the preceding contract period.

Article 2 Non-Interference in Day-To-Day Management

2.1 The role of the state in managing of enterprises controlled by national (Republican) and local (Khukumat) administrative bodies will be negotiated with the management of state enterprises in accordance with approved government policies and relevant economic development programs.

2.2 The government has no right to interfere in the day-to-day operational and financial affairs of state enterprises and shall not set prices or control the sale of goods produced, except as authorized by existing legislation.

2.3 Distribution or use of after tax profits of state-owned enterprises shall be determined by the Government of the Republic of Tajikistan.

Article 3 Financial Audit & Management Reviews

3.1 A complete financial audit and management review of state-

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owned enterprises shall be performed by the Control & Revision Department of the Ministry of Finance, or the appropriate local authority, not less than once every two (2) years.

Article 4 Implementing Measures

Within one (1) month, the Government of the Republic of Tajikistan shall:

a) Draft and adopt rules and procedures for the use and distribution of profits earned by state enterprises with priority being accorded to the support of important strategic and social enterprises and guaranteeing payment of wages to the employees of such enterprises;

b) Taking into account current and prospective privatization programs, develop a list of enterprises (including municipal property) that will remain in state ownership and therefore require management contracts;

c) During 1996, negotiate and sign management contracts with the directors of the relevant state-owned enterprises taking into account their professional qualifications, business experience and the financial performance of their respective enterprises during 1995;

d) Draft and adopt appropriate measures to eliminate direct financial and operational control over state-owned enterprises as exercised by ministries, agencies and state committees and to make any and all necessary revisions to existing laws in order to harmonize them with the present Decree; and,

e) Submit to Majlis Oli for approval legislative proposals defining penalties that may be imposed against government officials who exercise, or attempt to exercise, undue influence in the day-to-day operational or financial affairs of state-owned enterprises.

President of the
Republic of Tajikistan I. Rakhmonov

No. 441, March 25, 1996

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DECREE ON RECALCULATION OF ASSET VALUES

With the purpose of amending the method for calculating the value of depreciated assets and non-durable goods to bring their value into line with replacement costs and current market prices, the Government of Tajikistan hereby:

DECREES:

1 That all ministries, departments, state enterprises, organizations, and khukumats perform, based upon circumstances existing as of January 1, 1996, the following analyses:

Many of the financial and accounting concepts used in the original have no direct analog in English. The rendering of this text is necessarily approximate and is based largely upon information gathered in interviews with officials at the State Property Committee, the Ministry of Finance and the State Statistics Agency.

a) A recalculation of the value of fixed assets of state enterprises based on replacement cost calculated by using the schedule of valuation coefficients contained in the Appendix below;

b) A recalculation of the current value of depreciated assets and non-durable goods based upon current market prices; and,

c) The results of the recalculated asset values shall be presented to the State Statistics Agency by April 1, 1996.

2 Recalculate the value of fixed assets in accordance with applicable regulations that are to be developed and approved jointly by the Ministry of Finance, the State Property Committee and the State Statistics Agency.

3 The Ministry of Finance, State Property Committee and the State Statistics Agency are directed to:

a) To develop and adopt, within two (2) weeks of this De-

cree, appropriate implementing regulations on the valuation of fixed assets as required by this Decree;

b) Provide technical and administrative support to enterprises and organizations in the recalculation of asset values and reflecting same in their accounting and statistical reporting as of April 1, 1996.

4 The State Statistics Agency is directed to compile and report to the Government the results of the recalculation of asset values by May 1, 1996. On matters where a decision of the Government is required, legislative proposals shall be submitted for consideration

5 The State Property Committee shall establish the starting price for each enterprise and organization to be sold through auction or tender. In doing so, the State Property Committee shall utilize the schedule of coefficients set forth in the Appendix below and prepare standard documents for recalculation of asset values for the purpose of privatization.

6 Enterprises, organizations and institutions that have already complied with the requirements of Article 7 of Decree No. 8 (324), May 6, 1995 "On the Conditions for Introduction of a National Currency" by conducting a supplemental calculation of asset values are not required to undertake a further recalculation of asset values.

President of the
Republic of Tajikistan I. Rakhmonov

Decree No. 42, January 12, 1996

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APPENDIX TO DECREE NO. 42

INDICES FOR RECALCULATION OF FIXED ASSETS
(Excerpted)

	Type of Asset	Industrial Code	Valuation Coefficient		
			Pre-1993	1993	Post-1993
1	Buildings	10000 - 10018	34.6	9	4.1
2	Construction		34.6	9	
3	Power Generation & Transmission		34.6	9	4.1
4	Electrical Equipment		33.7	8	4.1
5	Machinery & Equipment for Non-ferrous Metallurgy		33.7	8	2.2
6	Equipment for Manufacture of Chemicals		34.6	9	2.2
7	Machinery & Equipment for Oil & Gas Exploration & Drilling		34.6	9	2.5
8					
9					
10					
11					
12	Technical Equipment for Light Industry	44900 - 44932	38.5	8	2.2
13					
14	Tractors (All Types)	40600 - 40612	30.0	7	1.7
15					
16					
17					
18	Computers	48000 - 48010	21.0	8	4.0
19	Vehicles	50400 - 50428	28.4	9	2.4
20					
21					
22					
23	Housing Stock	N/A	12.0	9	4.1
24					
25					
26	Unfinished Buildings	N/A	34.6	9	4.1

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ANNEX 11:

Phase I: U.N. Development Program (UNDP) Report -- Flow Chart of Privatization Process and Privatization Laws(Russian Version)

UNITED NATIONS DEVELOPMENT PROGRAMME IN TAJIKISTAN
БАРНОМАИ ТАРАККИЁТИ СОЗМОНИ МИЛАЛИ МУТТАХИД ДАР ТОЧИКИСТОН

Bekhzod St. 25, Dushanbe, Tajikistan, Tel.: (7-3772) 51-00-84, Fax: 873-151-33-44, registry@taj.freenet.kiev.ua

11 September 1996

Excellency,

I have the honour to transmit to you the Russian version of the final report of UNDP consultants Messrs. Mark Belcher and Sean Morris, who, during the first quarter of 1996, worked closely with Mr. Davlatov, Chairman of the State Property Committee, on a variety of issues relating to privatization.

In view of the intimate relationship between privatization and the development of small business in Tajikistan, and bearing in mind the mandate of the Enterprise Development Board recently created under your leadership, I suggest that the report be circulated to members of the Board and that, in the near future, the findings of the above-named consultants become the subject of an open discussion by the Board's members.

I look forward to your comments on this proposal and avail myself of this opportunity to renew to you, Excellency, the assurances of my highest consideration.

11/9-96

Markku Visapaa
UNDP Resident Representative

H.E. Mr. Y. Azimov
Prime Minister of Tajikistan

Attachment

cc: Mr. Davlatov, SPC

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UNITED NATIONS DEVELOPMENT PROGRAMME IN TAJIKISTAN
БАРНОМАИ ТАРАККИЁТИ СОЗМОНИ МИЛАЛИ МУТТАХИД ДАР ТОЧИКИСТОН

Bekhzod St. 25, Dushanbe, Tajikistan. Tel.: (7-3772) 51-00-84, Fax: 873-151-33-44, registry@taj.freenet.kiev.ua

11 сентября 1996 года

Ваше Превосходительство,

Я имею честь представить Вам отчет на русском языке консультантов ПРООН Марка Белчера и Шона Мориса, которые в первом квартале 1996 года тесно сотрудничали с г-ном Давлятовым, Председателем Госкомимущества по многим вопросам, касающихся приватизации.

Учитывая тесную взаимосвязь между приватизацией и развитием предпринимательства в Таджикистане и имея в виду, что под вашим руководством создан недавно Совет по развитию предпринимательства, я предлагаю, чтобы с этим отчетом ознакомились все члены Совета и надеюсь, что в ближайшем будущем мы сможем обсудить в открытой беседе с членами Совета результаты исследования выше названных консультантов.

Я ожидаю с нетерпением ваш ответ на это предложение и пользуюсь случаем возобновить Вам, Ваше Превосходительство, заверение в моем весьма высоком уважением.

Маркку Висапаа
Постоянный Представитель ПРООН

Господину Я. Азимову
Премьер-Министру Республики Таджикистан

Приложение

копия: Господину Давлятову, ГКИ

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ОБЗОР ПРАВОВОЙ И ИНСТИТУЦИОНАЛЬНОЙ СТРУКТУРЫ ПРИВАТИЗАЦИИ В РЕСПУБЛИКЕ ТАДЖИКИСТАН

Подготовили
Марк Д. Белчер
и
Д. Шон Моррис

6 мая 1996 года

ПРООН/ВСЕМИРНЫЙ БАНК
ПРЕДВАРИТЕЛЬНАЯ КОНСУЛЬТАЦИЯ

Development Partnerships in Tajikistan

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Этот проект подводит итог деятельности и полученных данных, проведенных в январе-апреле 1996 года, которые явились ответом ПРООН Консультативному Проекту Всемрного Банка по технической помощи создании новых программ. Спонсор миссии - ПРООН, а проводили ее Марк Белчер и Шон Моррис. Полученные данные основываются на консультациях и беседах, которые проводились консультантами. Вопросы, касающиеся этого отчета, следует направлять по адресу:

Программа Развития ООН в Таджикистане
ул. Бехзод, 25
Душанбе, Таджикистан
Тел.: (3772) 51-00-84
Факс: 873-151-33-44
Электронная почта: registry@taj.freenet.kiev.ua

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1. Введение

Этот отчет дает краткий обзор результатов технической помощи, проведенных при содействии Программы Развития ООН и Всемирного Банка. Цель заключалась в том, чтобы обеспечить поддержку Правительству Таджикистана в его стремлении усилить правовую и административную структуру для приватизации с целью помочь республике получить кредит от Всемирного Банка.

Правовая структура для проведения приватизации в Таджикистане все еще находится на ранней стадии развития. Она содержит большое количество пробелов и противоречий, которые необходимо устранить до начала ускоренной программы приватизации. Процесс этот будет трудным, так как предпосылки, лежащие в основе усилий Таджикистана на пути к приватизации должны быть пересмотрены в свете привалируюших макро уровневых ограничений на пути к приватизации, включающих политическую нестабильность, экономическую неопределенность, слабое законодательство и отсутствие административной правоспособности.

Основными механизмами приватизации, которые определены Таджикским законом, являются Государственная Комиссия по Приватизации ("Комиссия"), Государственный Комитет по управлению Имуществом (ГКИ) и Государственный Фонд Приватизации ("Фонд"). В настоящее время, ГКИ фактически господствует во всех аспектах процесса и проявляет усилие в осуществлении руководством этой программой. Кроме того, что ГКИ является ведомством, которое осуществляет приватизацию, он также владеет и управляет арендованным недвижимым имущество в приватизированных и частично приватизированных фирмах. Фонд, созданный как независимая административная организация, был недавно включен в административную структуру ГКИ.

Для того, чтобы продвинуть цели программы вперед, рекомендуется значительная реструктуризация административных механизмов приватизации. Роль комиссии в определении политики и согласования полномочий следует усилить четким делегированием полномочий этой организации Парламентом. Одновременно, круг обязанностей ГЛИ следует ограничить осуществлением и руководством этой программой. Обязанности ГКИ как владельца/менеджера предприятий следует передать другому органу, а затем упразднить.

Приватизация в Таджикистане осуществляется двумя параллельными административными структурами с юрисдикцией приватизации на "республиканском" и "местном" уровнях, соответственно. Координация между этими двумя структурами недостаточная, а приватизация местной собственности не продвинулась вперед, как ожидалось. Рекомендуется единая административная структура, которая сохраняет значительную степень местной автономии и стимулирует приватизацию. Межправительственные координация и сотрудничество в выполнении целей программы также недостаточны. Предлагаются меры по ограничению количества ведомств, вовлеченных в приватизацию и меры по улучшению подотчетности.

Процессуальные механизмы приватизации, установленные Таджикским законом необходимо упростить и логически обосновать, чтобы помочь программе ускоренной приватизации. Две области,в которых необходимы немедленные реформы - корпоратизация и оценка. Согласно Таджикскому закону, предприятия считаются приватизированными, даже если государственная доля имущества превышает 40%. Приватизацию следует пересмотреть таким образом, чтобы она включала только те сделки, в результате которых остаток государственной доли имущества составит 25% или меньше. При имеющей место программе приватизации, корпоратизация рассматривается как самоцель, а не промежуточный шаг уменьшения доли государства. Корпоратизация должна включать четкое требование распродажи так, чтобы доля государственного имущества сократилась до минимума в течение 3-5 лет.

Методологии определения стоимости имущества с целью приватизации излишне сложны и обременительны. Существующие оценки основываются на фактических издержках в определенном истекшем периоде, скорректированными с повышенным применением серии субъективного исчисления к факторам, которые имеют отдаленное отношение к реальной оценке возможной рыночной стоимости имущества. В результате - стоимость имущества намного преувеличена и является, возможно, важнейшей причиной отсутствия стимула к приватизации. Следует отказаться от существующих методологий оценок в пользу простого ясного метода, опирающегося на основной экономический потенциал того имущества, о котором идет речь.

Несоответствия в правовой структуре приватизации отражены отсутствием институциональной правоспособности выполнить ускоренную программу приватизации. Ни Комиссия, ни ГКИ не имеют ни штата, ни оборудования, чтобы развивать и управлять национальной программой приватизации с компонентом массовой приватизации. Значительный объем ресурсов должен будет использован для обучения персонала и создания административных структур, что увеличит потенциальную возможность этих организаций.

В первую очередь следует проводить маломасштабную приватизацию и только затем массовую. К тому же, следует провести интенсивную общественную программу, чтобы информировать общественность о выгодах приватизации и порождать интерес к государственному имуществу. Скорость и четкое определение конечных целей по завершению каждого административного этапа приватизации поможет увеличить количество предприятий, подлежащих приватизации.

Отсутствие рентабельной системы приватизационных чеков для массовой приватизации представляет значительный пробел в программе приватизации в Таджикистане. Создание институциональной структуры для восполнения этого пробела - является следующим важным шагом в продвижении вперед процесса приватизации. Ключевыми вопросами, подлежащими рассмотрению - приемлимость и выдача приватизационных чеков, их распределение, хождение и обмен на недвижимость. Проект системы приватизационных чеков и дочерней системы продажи предприятий с аукциона владельцам приватизационных чеков очень сложное дело и следует поддержать Правительство Таджикистана в этой работе.

Механизмы финансовой поддержки посредников недостаточно развиты для проведения массовой приватизации. Биржа недвижимости (Биржа) начала функционировать в январе 1996 года. Биржа проводит аукционы по распродаже малых предприятий, ликвидируемых предприятий, объектов незаконченного строительства и другого имущества. До настоящего времени, результата деятельности Биржи неутешительны. Правительство Таджикистана недавно приняло устав по созданию и работе фондов капиталовложений. Это тоже является областью, которая находится на ранней стадии развития с институциональной точки зрения. Центральная фондовая Биржа развивает деловые отношения с финансовыми кругами, Министерством финансов, Национальным Банком и ведущими коммерческими банками. Первоначальные цели биржи такие как создание рынка для правительственной облигаций и участия в приватизации имущества, принадлежащего государству, отстают, по крайней мере, на один год.

Месяцы, оставшиеся до выплаты кредита Всемирного Банка, критические. В какой-то мере, донорские ресурсы доступны, продолжающаяся техническая помощь Правительству принесет непосредственную выгоду. Рекомендуется, чтобы та техническая помощь в оставшееся время переходного периода была направлена на президентский уровень, где решаются общие вопросы по проекту программы приватизации в Таджикистане. Первоначальные цели во время этого периода, заключаются в том, чтобы развивать политическую поддержку пересмотру и определению институциональных ролей Комиссии и ГКИ, как уже говорилось в этом отчете. В какой-то мере, если позволяет время и ресурсы, особое внимание следует уделить исправлению понятия "корпоратизация" и развитию механизма распределения и выпуска приватизационных чеков.

2. Оценочные критерии

Кроме необходимы политических обязательств правительства для успешного проведения приватизации, как показывает опыт в различных странах мира, что там, где существует определенные условия, выгоды от приватизации могут быть максимальными, но в тоже время возникают сопутствующие негативные последствия. Эти условия используются как база для оценки правовой структуры Таджикистана по приватизации. Это:

- *Подотчетность* - Будет ли способствовать приватизация ответственному акционерному управлению, основанному на подотчетности дирекции своим акционерам?
- *Баланс* - Будет ли одна группа акционеров иметь большие доходы от приватизации за счет других акционеров?
- *Конкуренция* - Может ли приватизация привести к значительной демонополизации и увеличить конкуренцию в народном хозяйстве?
- *Выполнимость* - Реальны ли цели приватизации, при данных политических, социальных и экономических условиях?
- *Стимулы* - Будет ли участие в приватизации приносить чистый экономический доход большинству каждой группы акционеров?
- *Простота* - Можно ли быстро осуществить приватизацию?
- *Непрерывность* - Понимается ли приватизация как дело выгодное для народного хозяйства и общества в целом?
- *Понимание* - Является ли процесс приватизации открытым, честным и легко понимаемым?

3. Макро уровневые ограничения на приватизацию

Прежде чем делать обзор правовой и институциональной структуры приватизации в Таджикистане, полезно вкратце дать определение некоторым самым важным макро уровневым ограничениям на приватизацию. Это:

3.1 Политическая нестабильность

Конфликты, которые разделяют Таджикистан, происходят в результате сложного смешения родовых, этнических, религиозных, экономических, социальных и политических сил. Спорадический вооруженный конфликт, охвативший в основном районы Гарма и Тавиль-Дары, продолжает значительно подрывать доверие, необходимое людям для того, чтобы заниматься долгосрочным планированием, что подразумевается приватизацией. Недавние изменения в высших эшелонах руководства рассматриваются некоторыми как позитивный шаг к улучшению управления на республиканском уровне. Тем не менее, глубокое недоверие Правительству сохраняется и влияет на общественное восприятие процесса приватизации в Таджикистане и его поддержку.

3.2 Экономическая неопределенность

Экономический кризис в Таджикистане продолжается. Реальный ВВП уменьшается и заводы работают малой частью свое производственной мощности. Тяжелые и постоянные нехватки тепла, электричества, бензина, питьевой воды и многих основных товаров народного потребления также указывает на трудное экономическое положение в Таджикистане сегодня. Средняя заработная плата примерно 15 долларов в месяц, а безработица в настоящее время затронула около 50% рабочей силы. Инфляция, в среднем, составляет 16-18% в месяц[1]. Введение Таджикского Рубла в мае 1995 года и последующие попытки защитить его стоимость уничтожили все личные сбережения населения. Банковская инфраструктура Таджикистана развита слабо, а финансовых посредников, практически, не существует.

3.3 Слабое законодательство

Законодательство в Таджикистане твердо не установлено. Люди имеют слабое представление о своих действительных и процессуальных законных правах, а механизмы защиты этих прав в настоящее время не соответствуют цели. Точную, своевременную и полную информацию о существующем положении трудно (если не невозможно) получить. Современной правовой традиции, определяющей права собственности населения или регулирующей их передачу в собственность не существует. Кроме того, механизмы разрешения проблемы не работают.

3.4 Неадекватная институциональная правоспособность

См. Часть 5.

[1] Согласно последним статистическим данным МВФ.

4. Существующая Правовая Структура по Приватизации

4.1 Административные механизмы

4.1.1 Государственная Комиссия по Приватизации

Государственная Комиссия по Приватизации ("Комиссия") была создана указом президента 2 августа 1995 года[2]. Деятельность комиссии заключается в выполнении политики координационного и осуществляющего приватизацию органа от Правительства[3] Комиссию возглавляет Премьер Министр, в комиссию входят - Председатель Государственного Комитета по управлению Имуществом (ГКИ), Министр Экономики и Внешних Экономических Отношений, Министр Юстиции, Главный Советник Президента по Экономическим Вопросам и Начальник Экономического отдела аппарата Президента[4]

Комиссия - относительно новая организация, которая должна только еще утвердить свой приоритет в определении программы[5] приватизации в Таджикистане. Большинство законодательных предложений и политических инициатив берут начало в ГКИ и проходят через Комиссию и передаются в Правительство на утверждение. Позиция Комиссии была и есть скорее реагирующая, чем про-активная. Результатом этого явился процесс формулирования политики, которая в данном случае ведет к кризису. Сегодняшняя неспособность Комиссии принимать руководство в определении программы приватизации в Таджикистане кажется возникает в результате отсутствия институциональной правоспособности с одной стороны и отсутствия четко определенного законодательного мандата, с другой стороны.

Первым важным шагом в укреплении способности Таджикистана развивать и выполнять эффективно стратегию приватизации должно стать делегирование правительством Комиссии полномочий, вдобавок к ответственности, чтобы выработать свою программу приватизации. Практически, это потребует ясности и организационной рационализации роли Комиссии как основной организации, определяющей основную политику по отношению к другим составным частям правительства.

До настоящего времени, попытки Комиссии добиться согласия с существующим законодательством по приватизации были неэффективными[6] . Комиссия работает недостаточно хорошо из-за отсутствия полномочий ее власти. Для того, чтобы исправить эту ситуацию, Правительству необходимо представить Комиссии полномочия контролировать выполнение законов по приватизации и своих административных предписаний. Эти полномочия должны также включать в себя право тщательно рассматривать и, в случае необходимости, отдавать распоряжения на увольнение правительственных чиновников (ниже министерского ранга), которые не выполняют или отказываются выполнять законные директивы Комиссии[7]. Так же, Комиссия должна быть уполномочена тщательно рассматривать негосударственные организации, которые препятствуют или пытаются препятствовать законной приватизации. В случае необходимости, она должна иметь право штрафовать и выдвигать основание для уголовного преследования, или то и другое вместе[8].

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[2] См. Статью 5, Указ № 294 от 2 августа 1995 года.

[3] См., например, Статью 7, Программа Мер по Ускорению Приватизации, Указ № 543 от 23 августа 1995 года. (*"Комиссия ... координирует и руководит всем процессом приватизации ..., определяет и координирует деятельность министерств, ведомств, местных правительств (хукуматов) и других государственных управленческих организаций, направленную на реприватизацию собственности, включая создание открытых акционерных компаний."*)

[4] См. Дополнение к Указу № 294 от 2 августа 1995 года

[5] Существующее законодательство не дает четкого определения функций этой комиссии. См. Статью 5, Указ № 294 от 2 августа 19956 года. (*"В целях ускорения денационализации и приватизации государственной собственности во всех сферах народного хозяйства создать Государственную Комиссию по Приватизации."*)

[6] См. Протокол Государственной Комиссии по Приватизации № 2 от31 октября 1995 года. До настоящего времени ни одна из директив, направленных в ГКИ, содержащихся в П.2.1 не были выполнены полностью.

[7] Подлежит независимому административному обзору.

[8] Последний случай Главхлопкопрома является показательным. См сноску 21.

Рекомендации

- Внести поправки в существующее законодательство, чтобы укрепить статус Комиссии, четко определив его, как основной орган по проведению политики приватизации и дать четкие полномочия по выполнению законодательных директив.
- Развивать "быстрый курс" законодательного процесса, где зарождаются все законы в Комиссии (с обязательным привлечением ГКИ и поддержкой составных частей правительства).
- Развивать начальные усилия технической помощи по созданию хорошо обученного и снаряженного штата профессионалов для поддержки работы Комиссии. Этот штат, с технической информацией от специалиста по приватизации, должен рационализировать и ускорить процесс приватизации, выполнить программу выпуска ценных бумаг (например распределение ваучеров и т.д.) и контролировать согласованность с законодательными требованиями, программой и задачами.

4.1.2 Государственный Комитет по управлению Имуществом:

ГКИ был создан в феврале 1991 года, когда Верховным Советом был принят закон "О Денационализации и Приватизации Собственности в Таджикской ССР"[9] и подписан Президентом Махкамовым. Этот закон переработан в ноябре 1995 года[10], но сохраняет основные черты закона Советского времени. В настоящее время ГКИ является доминирующей силой в развитии, выполнении и интерпретации политики приватизации в Таджикистане. Со времени своего образования, ГЛИ доминирует в процессе приватизации, несмотря на явные усилия правительства ограничить власть комитета, создав Государственную Комиссию по Приватизации и Государственный Имущественный фонд ("Фонд")[11]. При существующей практике большинство законодательных инициатив зарождаются в ГКИ и затем передаются в аппарат президента для утверждения. В правительстве не существует консультативного органа, на котором могли бы обсуждаться предложения ГКИ и предложения других.

При существующей практике, большинства законодательных инициатив берут начало в ГКИ и затем отсылаются Аппарат Президента для утверждения В Правительстве не существует консультативного органа, на котором могли бы обсуждаться предложения ГКИ и предложения других, имеющих отношение к приватизации членов кабинета. С институциональной точки зрения, это позволяет ГКИ обрести значительную свободу по приватизации объектов. Обычно, формулирование политики осуществляется ведомством-исполнителем и здесь есть опасность того, что формирование этой политики является внутренним закрытым процессом, что мы имеем сейчас в Таджикистане. Ограничение роли ГКИ в формировании политики в отличии от проведения политики, может обеспечить появление ясности и справедливости при приватизационном процессе.

Юрисдикция приватизации основана на разграничении республиканской и местной собственности[12]. ГКИ имеет юрисдикцию под собственность, которой владеет Правительство республики, в то время как хукуматы[13] имеют юрисдикцию на приватизацию местной собственности[14]. Это разделение ответственности требует

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[9] Закон № 6 от 21 февраля 1991 года

[10] Поправки к закону О денационализации и приватизации собственности в Таджикистане, № 194 от 4 ноября 1995 года.

[11] И Комиссия и фонд были создана указом президента за три месяца до принятия закона № 194. Важно, что никакой орган не указан в последнем законе. Поскольку законы, принятые Мачлиси Оли имеют приоритет над указами президента, это упущение может поставить под сомнение правовое положение Комиссии. Судьба Фонда была недавно решена указам № 133 от 4 апреля 1996 года.

[12] См. Статьи 8, 12, Закон от 4 ноября 1995 года

[13] Местные правительственные собрания на областном, городском и кишлачном уровнях.

[14] По крайней мере в определении, какое имущество будет приватизировано. См. Статьи 8,12, Закон №194 от 4 ноября 1995 года. *(В случае местной или региональной собственности, решение приватизировать принимается совместно местным законодательным органом, обладающим юрисдикцией и региональным отделом ГКИ).*

параллельных административных структур, т.к. Республиканская и местная собственности рассеяны по всей стране. В то время как, в теории предлагается координация действий параллельных административных структур на практике[15]. Ни у ГКИ нет легальных полномочий заставить хукуматы проявить инициативу по приватизации, ни Комиссия не может приказать подчиняться закону. В результате там, где приватизация началась на местном уровне, она осуществляется автономно от национальной программы[16].

ГКИ также обладает значительной свободой в определении как административного, так и процессуального процесса приватизации. Не существует в настоящее время ни отпечатанных административных правил, которым бы ГКИ следовал, ни опубликованных инструкций доступных для заявителей. Как и раньше, бюрократический процесс остается лабиринтом, который требует административного инсайдера, чтобы переговоры прошли успешно[17]. Как результат этого, в утверждении заявления на приватизацию отсутствует ясность, и процесс этот сложный и обременительный.

Как единственный интерпретатор законов, которым он должен руководствоваться, ГКИ имеет почти неограниченную свободу действий в определении условий, при которых должна быть закончена приватизация[18]. В настоящее время нет эффективного механизма решения спорных вопросов[19]. Там, где возникают споры, касающиеся законности приватизации, или связанных с ней законов государственного имущества, дело рассматривается на политическом уровне, представлением его непосредственно Президенту. Отсутствие механизмов решения споров, способствует неопределенности в процессе приватизации и является причиной задержки, так как внутреннее согласие достигается посредством политических каналов. Это также политизирует процесс того, что приватизация может превратиться в форму политического покровительства[20].

Другой аспект абсолютного доминирования ГКИ в формулировании и выполнении политики приватизации - его роль как номинального собственника имущества, которые он должен приватизировать. Это отклонение от лучших существующих практик, когда исполнительные ведомства или ведомства их заменяющие[21], действуют как опекуны имущества в пользу граждан. Двойственная роль ГКИ как руководителя и собственника имущества, создает возможность для столкновения интересов. При этих обстоятельствах цель массовой приватизации противоположна конкурирующим целям - увеличение дохода

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[15] Как отмечено выше, Закон №194 не уполномочивает Комиссию и ее роль в координации параллельных усилий ГКИ и местных хукуматов в приватизации государственного имущества. Пока существуют региональные отделы ГКИ, их юрисдикция ограничена только государственной собственностью. Но в Статье 7, *Программа Мер по Ускорению Приватизации*, №543 от 23 августа 1995 года, где Комиссии предоставлены полномочия координировать деятельность как ГКИ, так и местных хукуматов в отношении корпоратизации.

[16] Недавний эксперимент в Душанбе является показательным. Приватизация местной собственности, которая имела место, проводилась неофициально. ГКИ не могло принудить хукумат Душанбе выставить свободные активы на аукцион через недавно учрежденную Биржу, потому что Комитет представил несогласие Хукумата перед Комиссией. И так как, у Комиссии не было четко определенных легальных полномочий заставить Хукумат согласиться, то необходимо было передать дело для принятия решения на президентском уровне.

[17] Лучшее тому свидетельство было несогласие между главными официальными лицами ГКИ по процессуальному процессу для процедуры подачи заявлений на приватизацию. Как уже говорилось в этом отчете, существует по крайней мере 14 основных пунктов в процессе, на которые уходит, в среднем, от 2 до 8 лет. Явным большинством, рабочие коллективы имеют право определить, приватизировать ли и какую форму приватизации избрать. С правовой точки зрения, однако, право коллектива контролировать приватизацию не обязательно так широко.

[18] Статья 7, №194 отдает предпочтение коллективам в том случае, если он может купить предприятие сразу же. Тем не менее, параграф 7, пункт 7.5 государственному представителю, осуществляющему управление и контроль над предприятием, право начать приватизацию. Это не является вопросом *одобрения* заявлений на приватизацию, которое остается прерогативой ГКИ или местного хукумата.

[19] Подразумевается, что Верховный Экономический Суд, основанный в ноябре 1995 года является компетентным в этих вопросах. До настоящего времени, единичные случаи приватизации могут быть представлены на рассмотрение этого суда. Высокая плата (50% от стоимости объекта) и продолжительность и сложность процесса апелляции рассмотрения, представляют собой значительные помехи к эффективному судебному решению коммерческих и связанных с ними споров.

[20] Наглядным примером является нынешние попытки приватизировать хлопковый сектор. 2 из 18 действующих хлопковых заводов подали заявление на приватизацию. Главхлопкопром, бывший государственный (теперь частный монополист в этом секторе) был против приватизации, высказывая различные правовые основания. ГКИ постановил, что в этих случаях приватизация возможна. Этот спор был представлен Президенту для решения несколько месяцев назад и все еще ждет решения. Независимо от того, как будут решены эти два случая, приватизация всех остальных хлопкоочистительных заводов будет также оспариваться ГКИ. Не имея правового прецедента, на который можно было бы сослаться, каждый случай приватизации может быть подвержен спорам, которые могут быть решены только Президентом. В каждом случае, ГКИ рискует стать жертвой краткосрочных политических соображений и, следовательно, снижения своего авторитета. Как результат, ГКИ будет избегать принимать силовые решения, либо, избегая этих случаев полностью, либо пытаясь найти неформальные решения с монополистом. В любом случае, результат обращения рабочего коллектива по поводу приватизации совершенно ясен.

[21] Например, Национальный Банк, Министерство Финансов или специальный приватизационный фонд.

от продажи или оставление собственности государству[22]. При таких обстоятельствах, экономические стимулы будут способствовать сохранению рентабельного имущества и освобождению от малоценного имущества по вздутым ценам.

Неправильная роль ГКИ как собственника и попечителя государственного имущества, выявилась во время фазы оценки приватизационного процесса. При существующей методологии, первоначальная цена корректируется с учетом амортизации (в таджикских рублах на 1.01.96). При существующем положении дел, эта базовая цена может быть увеличена в 20 раз по сравнению с амортизационной[23]. Субъективность оценочного процесса дает возможность манипулировать ценами, либо делая данное имущество исключительно доступным, либо недоступным для коллектива купить его.

Другой пример, где ГКИ выступает на первый план как собственник, его участие в заседаниях совета директоров предприятия и акционеров. Как важный или доминирующий держатель акций, ГКИ имеет возможность препятствовать участию акционеров извне, манипулировать ценами акций и требовать выплаты дивидендов, вместо того, чтобы снова инвестировать предприятие. Учитывая, что находящиеся в обороте суммы, принадлежащие ГКИ частично связаны с суммами, получаемыми от управления государственным имуществом[24], для ГКИ является целесообразным сохранять рентабельное имущество, продавать малоценное имущество, когда это возможно и, таким образом, получать прибыль.

Рекомендации

- Как предлагалось выше, единственной, наиболее важной первостепенной реформой правовой структуры для приватизации, является усовершенствование и определении четкой организационной ответственности всех учреждений, проводящих приватизацию. Это ограничит права ГКИ в выполнении программы и определения его юрисдикции по отношению к хукуматам. Ответственность за проведение политики приватизации должна быть передана Комиссии. Право ГКИ оценивать имущество должно быть передано, предпочтительно Министерству финансов. Также роль ГКИ, как руководителя должна быть упразднена и передана другому органу[25] и затем упразднить Комитет вообще, используя ускоренную корпоратизацию больших предприятий и ускорив продажу с аукциона малых предприятий.
- Другим важным аспектом реформы было бы определение и разъяснение существующих организационных связей между учреждениями исполнителями с целью упрощения процесса приватизации и налаживания отчетности. Главенствующая роль ГКИ в процессе приватизации означает, что некоторые учреждения, призванные поддерживать его /ГКИ/ (например, антимонопольный отдел Министерства Экономики) не участвует в проведении политики приватизации, а лишь сохраняют свое номинальное название. Полномочия Комиссии должны быть использованы для контроля и проведения согласованных действий в процессе приватизации ГКИ и другими организациями.
- Отсутствие эффективных механизмов надзора способствует появлению произвола, политическому расчету и контролю инсайдера в приватизационном

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[22] Существующий закон не требует от государства отказа от имущества в корпоратизированных предприятиях. См., например, Статью 7, *Программа Мер по Ускорению Приватизации*, №543 от 23 августа 1995 года: Статья 12, параграф 12.3. *Поправки к закону о денационализации и приватизации*, №194 от 4 ноября 1995 года, *Указ об Управлении государственными предприятиями*, №441 от 25 марта 1996 года. Как было упомянуто, оценка государственного имущества - процесс субъективный, который включает в себя рентабельность, как фактор для повышения цены. Наконец, в соответствии со Статьей 15, Закон №194 от 4 ноября 1995 года, 5% от выручки за приватизацию должны быть уплачены ГКИ для покрытия операционных и других издержек. Это положение не предусматривает ежегодный пересмотр процесса. Но см. Статью 9, параграф 9.4, Программа №543 от 23 августа 1995 года. Следует заметить, что хотя и не законченная, Программа приватизации содержит ясные финансовые цели, которые предлагается достигнуть путем приватизации.

[23] См. Приложение В . В примере, данном в диаграмме, конечная цена имущества приблизительно в 11 раз выше, чем амортизационная.

[24] См. Статью 15, Закон №194 от 4 ноября 1995 года, Статью 9, Постановление №543 (Программа), 23 августа 1995 года (Национальный Банк., Государственный Приватизационный Фонд был подчинен ГКИ в соответствии с Указом №133 от 4 апреля 1996 года.

[25] Например, Министерству Экономики или специальному органу, созданному для этой цели.

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процессе. Действия ГКИ должны находиться под постоянным внешним контролем Комиссии (по вопросам административного согласия), Верховного Экономического Суда (по интеграции и применению законов и приватизации),Министерства финансов (по вопросам бюджетного ассигнования и финансового аудита приватизационного процесса), Министерства Экономики (по вопросам антимонопольного согласия) и Министерства юстиции (по вопросам финансовой коррупции и криминального вмешательства в приватизацию.

- Процесс приватизации и административные процедуры его использования должны быть упрощены и широко доступны для общественности. Структура ГКИ в том виде, каком она существует сейчас, должна быть изменена, с тем чтобы процесс приватизации был закончен в течение недель, а не лет.

4.1.3 Государственный Приватизационный Фонд

Государственный Приватизационный Фонд был создан указом Президента в августе 1995 года[26]. Фонд был создан как полуавтономное исполнительное ведомство, контролируемое Комиссией. Фонд был создан для исполнения мер по использованию акций, принадлежащих государству в акционерных компаниях, создания системы приоритетов среди участвующих в приватизационном процессе, проведения аукционов государственной собственности и определения того, как будут вырученные от приватизации суммы собраны и распределены[27]. В октябре 1995 года Фонд получил полномочия развивать политику сбора предложений для рассмотрения Комиссией, создать региональные, административные филиалы и отделы, управлять и продавать государственное имущество через тендеры, аукционы, прямую продажу и другие методы, разрешенные законом[28]. Создав Фонд, Правительство учредило административную структуру, более тесно связанную с вновь созданной Комиссией, обладающей многими прерогативами, ранее осуществляемыми ГКИ.

Несмотря на многочисленные официальные акты, касающиеся создания и работы фонда, он так и не начал работать. После нескольких месяцев неопределенности, фонд был передан под административный контроль ГКИ. Это, практически, означало его конец[29]. Учитывая обстоятельства и время событий, можно предположить, что создание фонда рассматривалось ГКИ как угроза его господствующей роли в процессе приватизации и что вызвало сопротивление ГКИ его функционированию. Это говорит, как о политической силе ГКИ, так и о неудовольствии внутри Правительства тем, как ГКИ проводит приватизацию.

4.1.4 Хукуматы

Как упоминалось выше, хукуматы контролируют приватизацию местной собственности автономно[30]. Практически Правительство оказывает мало (или никакого) влияния на программу приватизации хукуматов, за исключением Душанбе и других главных городов Таджикистана. Создав параллельные административные структуры для приватизации республиканского и местного имущества, Правительство оказало сомнительную услугу местным властям[31]. В то время как существующие политические реалии могут помешать реформированию всей структуры приватизации, единственная административная структура должна заменить существующие параллельные структуры. Местная автономия и инициативы могут быть поддержаны хукуматами, выполняющими ту же функцию, что и отраслевые министерства на национальном уровне (т.е. определение

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[26] *Указ о создании Государственного Приватизационного Фонда*, №538 от 22 августа 1995 года.

[27] Параграф 1 (в), (с), (d), Указ №538 от 22 августа 1995 года. См. Также Статью 7, параграф 7.14 (f), Постановление №543 (Программа), 23 августа 1995 год.

[28] *Указ о Правилах Управления Государственным Приватизационным Фондом*, №634 от 17 октября 1995 года.

[29] См. Указ №133 от 4 апреля 1996 года.

[30] См. Сноску 17.

[31] Можно спорить о том, можно было дать большую самостоятельность местным властям, особенно, когда они проявили желание продвинуть реформу и импровизировать. Как не смешно, оказалось, что такие случаи, скорее исключения, чем правило.

списка имущества, подлежащего приватизации и оказания помощи в приватизации). Хукуматам следует отчислять значительную долю от вырученных от приватизации местного имущества сумм[32], как стимул для продолжения процесса приватизации.

4.1.5 Министерства, ведомства и другие участники

По крайней мере 9 министерств и правительственных ведомств играют роль в процессе приватизации. Однако, механизмы неправительственной координации определены плохо и функционируют неформально Министерство финансов несет ответственность за создание и выполнение финансовых аспектов приватизации[33]. В дополнение, оно несет ответственность за определение форм документации[34], установление методологии оценки[35], утверждение планов эмиссии акций и регистрацию приватизирования компаний и их ценных бумаг[36].

Роль Министерства финансов определена менее четко. Помимо представительства в Комиссии[37], антимонопольное осуществление применено в контексте приватизации[38]. Министерство экономики также призвано определять политику и процедуру переоценки стоимости имущества и регулированию инвестиционных фондов[39]. Министерство юстиции помогает ГКИ в развитии и осуществлении процедур по созданию и регистрации акционерных компаний, созданных через корпоратизацию и приватизацию[40]. Министерство культуры и информации проводит компанию по созданию и координации общественного сознания важности приватизации. В дополнение, оно печатает акции для вновь приватизированных компаний[41]. Государственное статистическое агентство несет ответственность за помощь в развитии методов оценки имущества[42]. Национальный Банк поддерживает приватизацию, предоставив Правительству правила по процедурам возвращения доходов иностранным инвесторам[43].

В целом, уровень координации между различными организациями, вовлеченными в процесс приватизации, довольно низок. Где возможно, количество участвующих организаций должно быть сокращено. Например, Функции министерства культуры и информации могли бы быть переданы ГКИ. В то же самое время необходимо усилить координацию и обмен информации между ведомствами, занятыми в приватизации. Это может быть сделано установлением официальных связей и имея комиссию, которая бы периодически делала обзор работы, чтобы определить и устранить недостатки.

Как указывалось, роль рабочих коллективов в приватизации велика. В настоящее время, принятие решения о приватизации почти полностью зависит от коллектива. Это не значит, что не принимаются во внимание интересы других людей. Производственные ассоциации и другие квази-правительственные деятели могут и действительно играют важную роль в ускорении или задержке приватизации, в зависимости от целей, которые они преследуют[44].

Роль Верховного экономического Суда и отдела антимонополии министерства экономики в приватизационном процессе, четко не определены.

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[32] См. Статью 9, параграф 9.4 (а). Постановление №543 (Программа), 23 августа 1995 г. *(Фонды, полученные от национальной и коммунальной собственности принадлежат государству и будут распределяться следующим образом ... 50% будет выделено национальному и местному бюджетам, в зависимости от типа приватизируемой собственности).* Увеличение этих отчислений от 75% до 85% усилило бы экономические стимулы для хукумата в плане продолжения политики приватизации.

[33] Статья 3, Указ №441 от 25 марта 1996 года.

[34] Статья 7, параграф 7.14 (а),(в) и (е). Постановление №543 (Программа), 23 августа 1995 года.

[35] Статья 5, Постановление №543 от 23 августа 1995 года.

[36] Статья 4 (с), Постановление №543 23 августа 1995 года.

[37] См. Приложение, Указ №294 от 2 августа 1995 года.

[38] См., например, Статью 2, Параграф 2.1 (в), Закон №194 от 11 ноября 1995 года.

[39] Статьи 5, 8, Постановление №543 от 23 августа 1995 года.

[40] Статья 4, Постановление №543 от 23 августа 1995 года.

[41] Статьи 6,9, Указ №543 от 23 августа 1995 года.

[42] Статья 5, Указ №543 от 23 августа 1995 года.

[43] Статья 7, Указ №543 от 23 августа 1995 года.

[44] Опыт других республик бывшего Советского Союза показывает, что приватизация наиболее прибыльных промышленный концернов часто происходит спонтанно или, по крайней мере, на базе, исключительно благоприятных для концернов условий, (например, Российский Газпром, Украинский Бласко). В других случаях интерес контроля для блокирования приватизации, как средство сохранения контроля. Случай с Главхлопкопромом, о котором уже упоминалось, является примером этого.

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4.2 Процессуальные механизмы

4.2.1 Имущество для приватизации

Имущество и предприятия в промышленности, сельском хозяйстве, строительстве, обслуживании, торговле, общественном питании, производстве оборудования и жилищном строительстве[45] подлежат приватизации[46]. Предприятия внутри этих категорий могут быть приватизированы как единый комплекс[47] или отдельно, как действующие единицы[48]. Определенное имущество и предприятия не подлежат приватизации - это земля, природные ресурсы, вода, воздух, флора, фауна, имущество, представляющее историческую ценность, правительственные здания, оборонные предприятия, предприятия захоронения ядерных отходов[49]. Список разрешенных к приватизации, включает в себя имущество, для приватизации, которого требуется специальное разрешение Правительства. Он включает в себя железнодорожный и воздушный транспорт, отопление, водоснабжение, канализацию и другие муниципальные услуги, производство и распределение электроэнергии, производство химикатов, стратегические ресурсы, добыча и обработка драгоценных камней, оборудования для здравоохранения, винзаводы и образовательные и культурные учреждения[50].

4.2.2 Методы приватизации

Государственное имущество, подлежащее приватизации далее оформляется как одна из четырех категорий. Малая приватизация включает предприятия торговли, общественного питания, бытового обслуживания и другие подобные им с количеством не более 30 рабочих мест[51]. Крупномасштабная приватизация включает в себя все другие ликвидные и действующие предприятия[52]. Оставшиеся две категории - это незаконченные строительные объекты[53] и фирмы-банкроты[54].

Шесть видов приватизации государственного имущества определены законом Они включают: аренду (и аренду с правом выкупа), корпоратизацию, прямую продажу (включая продажу в рассрочку), конкурсные тендеры и аукционы, прямую передачу, бесплатную и другие методы[55]. Как правило, продажа в рассрочку и аренда - методы приватизации наиболее часто выбираемые малыми предприятиями. Крупные предприятия должны быть корпоратизированы[56], а не незавершенные строительные объекты и фирмы-банкроты либо продаются на конкурсной основе, либо, где возможно, просто передаются[57].

Различия между малыми и крупными предприятиями сделаны неудовлетворительно по нескольким пунктам, Первое, они слишком упрощены. Следует определить три обширных класса приватизируемого имущества[58] и на уровне имеющейся рабочей силы[59] и необходимой. Определенные цели программы (например, быстрота, простота) могут быть достигнуты скорее в зависимости от характеристики предприятия для целей приватизации. Категория малых предприятий может быть расширена значительно,

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[45] См. Параграф 5,6. Закон №194 от 4 ноября 1995 года. Закон №114 от 4 ноября 1995 года. Приватизация, практически, завершена.

[46] Параграф 5.1. Закон №194 от 4 ноября 1995 года.

[47] Параграф 5.2. Закон №194 от 11 ноября 1995 года.

[48] Параграф 5.3. Закон №194 от 11 ноября 1995 года.

[49] Параграф 5.4. Закон №194 от 11 ноября 1995 года.

[50] Параграф 5.5. Закон №194 от 11 ноября 1995 года.

[51] Параграф 6.1. Постановление №543 (Программа), 23 августа 1995 год.

[52] Параграф 6.1 (в). Постановление №543 (Программа) 23 августа 1995 год.

[53] Параграф 6.1 (с). Постановление №543 (Программа) 23 августа 1995 год.

[54] Параграф 6.1(d). Постановление №543 (Программа) 23 августа 1995 год.

[55] Параграф 7.1 (a)-(e). Закон №194 от 4 ноября 1995 года. Специальные методы приватизации, с участием иностранных инвестиций. См параграф 4.2. Постановление №543 (Программа) 23 августа 1995 год.

[56] Статья 7. Постановление №543 (Программа) 23 августа 1995 год.

[57] Параграф 6.1 (c), (d). Постановление №543 (Программа) 23 августа 1995 год. См. Также Правила аукционной приватизации. Протокол Государственной Комиссии по Приватизации, №4 от 22 декабря 1995 года.

[58] Эмпирический анализ примерно 8.000 предприятий должен быть сделан, чтобы определить оптимальную систему классификации предприятий с административной точки зрения.

[59] По существующему закону, это определяется не по количеству служащих, а по количеству рабочих мест. Советское понятие, которое не имеет отношения к процессу приватизации не должно приниматься во внимание.

включая предприятия с количеством рабочих до 75 человек. Так как самые крупные предприятия в народном хозяйстве чаще всего проблематичны для приватизации, крупномасштабная приватизация могла бы быть определена более узко, ограничив этот класс имущества от 10 до 20 крупнейшими предприятиями в народном хозяйстве. Категория средних предприятий будет довольно многочисленной, но отобранная с большими трудностями.

Корпоратизация государственный предприятий заслуживает особого внимания, так как это камень преткновения всей программы приватизации в Таджикистане. Под руководством Комиссии список предприятий и график корпоратизации будет составлен и опубликован для предприятий, указанных в нем[60]. По этому графику руководитель предприятия должен создать комиссию по подготовке документации[61] и представить ее ГКИ для проверки и утверждения. По закону, приватизация и планы эмиссии акций должны быть утверждены ШКИ и Министерством финансов соответственно в течение 10 дней со дня подачи заявления[62]. Когда заявление утверждено, ГКИ или другое правительственное ведомство[63], действующее как соучредитель корпоративного предприятия, несет ответственность за регистрацию компании[64].

Корпоратизация, по Таджикскому закону, есть форма приватизации, а не подготовительная стадия к важному изменению. В то время как методология размещения акций еще не закончена[65], имеющаяся формулировка призывает государство сохранять за собой 40% акция предприятия без последующей продажи. Практически, доля государства может составить более 50%[66]. С точки зрения государства выгодность этой схемы заключается в том, что она позволит поднять доходы с помощью рабочих коллективов[67], отсрочить громадный долг в форме замороженных счетов и задолженности по зарплате[68], тем не менее сохранить право на будущие доходы предприятий. Продажа акций государственных предприятий рассматривается главным образом, как средство увеличения доходов и как средство повышения экономической эффективности[69]. Ожидаемый результат такой политики - роль государства в народном хозяйстве сократится только на бумаге, в то время как эффективность реформ будет значительно подорвана[70].

К сведению, там, где приватизация рассматривается как механизм получения дохода, нет места распределительным аспектам процесса. Это отражается и на прямой передаче государственного имущества членам рабочего коллектива[71] и на покупке льготных акций, предусмотренной законом[72]. Существующая схема лишает учителей, медицинских работников, военнослужащих и других людей, не являющихся членами

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[60] См. Статью 7. Постановление №543 (Программа) 23 августа 1995 год.

[61] Определенная, как план приватизации, оценка имущества, корпоративный устав и эмиссия акций, параграф 7.4, Постановление №543 (Программа) 23 августа 1995 год.

[62] Этот предельный срок, как и в отношении других, определенных законом нереален даже при самых благоприятных обстоятельствах.

[63] В большинстве случаев, именно местный хукумат имеет право дать разрешение на приватизацию имущества, однако, в одном из пунктов указывается, что отраслевые министерства и другие квази-правительственные организации могут быть соучредителями корпоратизированных предприятий.

[64] См. Параграф 7.14. Постановление №543 (Программа) 23 августа 1995 год.

[65] Программа приватизации 1996-1997 годов была утверждена 17 апреля 1996 года, но консультанты не могли получить ее вплоть до отъезда.

[66] Возможно, Правительство серьезно переоценило выгодность корпоратизации как механизма увеличения доходов. В народном хозяйстве Таджикистана в настоящее время немного ликвидных предприятий. Большая часть населения кажется более озабочена удовлетворением своих нужд, нежели инвестициями в контролируемых государством предприятия.

[67] По существующей схеме, широкое распределение имущества среди населения невозможно. 40% льготных ассигнований рабочим коллективам позволит рабочим лишь приобрести акции. В соответствии с параграфом 11.1(а) Постановления №543 (Программа) от 23 августа 1995 года, члены коллектива имеют право бесплатного приобретения акций на сумму в размере 20 минимальных месячных окладов, или приблизительно на 33 доллара. Неясно, однако, будут ли эти ассигнования выделены или какое значение они будут иметь в создании положительных стимулов к частной собственности и управлению.

[68] См. Указ О Ведении Личных Приватизационных Счетов, №442 от 25 марта 1996 года. В результате введения таджикского рубля и его быстрой девальвации, Правительство дало приказ о замораживании счетов 10 мая 1995 года. Суммы этих счетов в дополнение к нарастающей сумме задержек по зарплате.

[69] Во многих отношениях этот подход имеет сходство с государственно-корпоративной моделью, которая имеет место НРЧ.

[70] В первую очередь из-за роли, которую государство продолжает играть в управлении предприятием и его требований выплаты доходов, которые могли бы быть вложены в развитие производства.

[71] См. Статью 11. Постановление №543 (Программа) 23 августа 1995 год.

[72] См. Статью 7. Закон №194 от 4 ноября 1995 года.

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рабочих коллективов, права участия в приватизации. Это вызывает негативное отношение общественности к приватизации и поднимает вопрос об основах социальной справедливости программы.

Рекомендации

- Расширить распределительный эффект приватизации передачей значительной части государственного имущества широким слоям населения.
- Ориентировать приватизацию, включать операции, позволяющие государству иметь только 25% и менее.
- На срок от 3 до 5 лет установить мораторий на выплату дивидендов государственным владельцам акций.
- Исключить или значительно сократить корпоратизацию как конец приватизации, введением обязательных положений о лишении акций.
- Пересмотреть малую и крупную приватизацию с тем, чтобы определить промежуточный класс приватизируемых объектов.
- Развивать механизмы передачи собственности в долгосрочную аренду на основе тендеров/аукционов.

4.2.3 Начало процесса приватизации[73]

Во многих случаях процесс приватизации начинается и определяется рабочими коллективами[74]. Приватизация начинается с собрания рабочего коллектива и голосования. Если принимается резолюция о проведении приватизации, то создается комиссия и готовятся необходимые документы[75]. Отправляется письмо с заявлением на приватизацию, копия резолюции рабочего коллектива о решении приватизировать предприятие, "баланс предприятия"[76]. На этой стадии государственный контролирующий орган[77] удостоверяет, что рабочий коллектив добровольно принял решение о приватизации[78]. Затем, заявление и остальные документы направляются в ГКИ. Заявление рассматривается председателем ГКИ и далее передается внутреннему административному органу - Администрацию по приватизации. После этого заявление направляется на рассмотрение коллегии ГКИ[79]. После утверждения заявление либо возвращается в Администрацию по Приватизации, либо направляется в параллельные административные структуры, известные как администрация по государственному имуществу и администрация акционерных обществ и инвестиционный фонд. Затем инвентаризационная опись имущества предприятия направляется в центр оценки республиканской собственности (ЦОРС), номинальной автономный орган при ГКИ. Используя инвентаризационную опись имущества как основу, ЦОРС готовит предварительную оценку стоимости предприятия, а затем на месте проверяет точность и полноту инвентаризационной описи[80] Предприятие и ЦОРС ведут переговоры по применению дополнительного коэффициента при оценке. Это субъективное определение

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[73] См. Приложение А : Схема последовательности процесса приватизации.

[74] Приватизация - это процесс, происходящий снизу-вверх. Тем не менее, существуют механизмы для приватизации сверху вниз. См. Параграф 7.5 и 7.6. Закон №194 от 4 ноября.

[75] Процедура, описанная здесь, относится к приватизации акционерных обществ. Процедура меняется на разных стадиях процесса и зависит от типа приватизируемого имущества и других факторов.

[76] Инвентаризация основных средств предприятий и текущего балансового отчета.

[77] Например, для приватизации автоконцерна по дальним перевозкам ему необходимо получить сертификат министерства транспорта или квази-правительственного торгового ведомства, Автотранс.

[78] Приватизация предприятием может быть остановлена если какое-либо ведомство возражает. Это первое средство, используемое

[79] То, что решение о приватизации контролируется коллективом является исключением из общего правила. В каждую ежегодную программу приватизации Правительство включает предприятия, которые оно планирует к приватизации. Если предприятие не включено в программу, оно будет внесено в список дополнительно. Если же оказывается, что предприятие уже внесено в список, к нему применяются требования параграфа 2, Постановления No 543 от 23 августа 1995 года. В таких случаях стимул к приватизации исходит сверху вниз. Следует заметить, что в настоящее время попытки Правительства навязать приватизацию сверху не имели успеха. По правительственной программе приватизации на 1996-1997 годы за 7 с половиной месяцев было утверждено и зарегистрировано только 283 предприятия (приблизительно 3,5 % от общего числа) к приватизации. Остается посмотреть, сколько из включенных в программу предприятий будет действительно приватизировано.

[80] См. Приложение "В" Последовательная схема хода процедуры оценки.

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стоимости, при которой амортизационная стоимость имущества предприятия увеличивается на 100%. Объясняется это различными "факторами ". Когда консенсус в споре по дополнительному коэффициента достигнут и оценка закончена, документ направляется в отдел экспертизы ГКИ[81]. Если стоимость утверждается, этот и все остальные документы заявителя направляются в одну из трех параллельных комиссий по приватизации в зависимости от типа приватизируемой собственности. На этом этапе дается дополнительная субъективная оценка коэффициентов, увеличивая расчетную стоимость предприятия в 13 раз. Когда этот процесс закончен, заявление поступает в коллегию ГКИ для окончательного рассмотрения. Обычно, на этом этапе происходит дальнейшее увеличение стоимости, что объясняется инфляцией[82]. Если же заявление утверждается, корпоративный устав предприятия[83] направляется в министерство юстиции и предприятие регистрируется[84] В случае с акционерными обществами предварительный размер эмиссии акций направляется в министерство финансов на утверждение и регистрацию[85].

Методология прохождения заявления о приватизации, описанная выше, смехотворна даже по советским стандартам. Административный цикл прохождения заявлений длится, в среднем, от 2 до 3 лет. Для того, чтобы облегчить эту проблему необходимо, чтобы каждый шаг прохождения заявление соответствовал законодательству. Следует подготовить стандартный пакет необходимых документов[86] так, чтобы заявители имели все инструкции и необходимы формы-бланки. Роль ГКИ должна быть сведена к приему заявления, проверки согласованности прохождения процедуры, обработке необходимых бумаг. Оценка стоимости, проведенная самими заявителями, либо имеющим на это право экспертом, должна быть представлена на административное рассмотрение и последующее утверждение независимым аудиторам[87]. Точно так же вместо того, чтобы представлять заявление председателю, оно должно быть представлено в центральный регистрационный отдел и оттуда беспрепятственно пройти весь упрощенный путь.

Рекомендации

- Перестроить процесс прохождения заявления с целью превратить его в само исполняемый и по крайней мере отчасти само финансируемый. Развить мощные экономические стимулы на уровне предприятия для начала приватизации. Применять санкций (например потеря рабочим коллективом льгот при покупке акций) там, где предприятие во время не смогло воспользоваться своим правом на приватизацию.
- Стандартизировать и упростить процедуру прохождения заявлений. Следует строго придерживаться моделей корпоративных уставов и планов эмиссии акций, чтобы исключить непредвиденные обстоятельства.

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[81] Так как оценка субъективна предприятие ничего не может сделать, даже если считает, что она завышена. Это самый спорный вопрос в приватизационном процессе. В большинстве случаев и ГКИ, и государственный контролирующий орган заинтересованы в завышении стоимости предприятия. Контролирующий государственный орган будет стараться увеличить стоимость, тем самым блокируя приватизацию. Если стоимость предприятия превышает средства коллектива, контролирующий орган выигрывает от этого. ГКИ также заинтересован в завышении расчетной цены предприятия. Учитывая, что доходы ГКИ прямо связаны с уровнем, происходящих приватизационных процессов, ГКИ прямо выигрывает от завышенных цен. Так руководители предприятия не имеют возможности торговаться или поставлены перед выбором принять завышенную стоимость или риском того, что со временем эта цена будет еще более высокой. Таким образом у предприятий создается мнение, что первоначальная мотивация не представляет собой ни экономическую возможность для приватизации, а только прикрытие искусственного вздутия цен на имущество ГКИ.

[82] Следует отметить, что стоимость имущества увеличивалось по крайней мере дважды со ссылкой на инфляцию.

[83] Неясно, на какой стадии прохождения заявления по инстанциям был выработан устав и представлен в ГКИ. Ясно, что он появился где-то перед тем, как заявление было направлено в коллегию ГКИ для окончательного утверждения.

[84] См. параграф 7.10 Постановление No 543 (Программа) 23 августа 1995 год.

[85] См. параграф 4, Постановление No 543 (Программа) 23 августа 1995 год.

[86] Параграф 4, No 543 (Программа) 23 августа 1995 год призывает к подготовке модели плана приватизации, корпоративного устава и плана эмиссии акций. До сих пор это требование не выполнено.

[87] Упростив и стандартизировав процедуру прохождения заявления, Правительство сможет переложить значительную часть административного груза на заявителя. Оценка стоимости, как было описано выше, является наиболее проблематичным аспектом в этом процессе. Требования подробного финансового отчета и угроза жестких санкций по отношению к заявителям скрывающим настоящую стоимость имущества были бы хорошим сдерживающим средством. Последующий аудит, проведенный на основе "поощрения" один из способов создания само финансирующего механизма, гарантирующего, что государство получит полную стоимость имущества, которое продает в процессе приватизации.

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- Где возможно, передать административные заботы заявителям и ограничить свободу действий ГКИ в работе с заявлениями.
- Составить свод правил, определяющих каждый основной шаг в прохождении заявления. Определить обязанности ГКИ и вспомогательных правительственных ведомств и разработать механизмы ответственности за невыполнение обязанностей. Определить права заявителя и создать механизмы для ускоренного административного рассмотрения жалоб заявителей.
- Обеспечит заявителей подробными инструкция и формами-бланками, необходимыми для процесса приватизации.

4.2.4 Оценка стоимости

Методология оценки стоимости имущества волнует Правительство с конца 1995 года и остается главным пунктом споров между руководителями предприятий и Правительством[88]. Процесс оценки стоимости имущества начинается на уровне предприятия, когда готовится инвентаризационная опись имущества - баланс предприятия. Этот документ включает в себя спись всех основных и оборотных средств, указывается тип, срок эксплуатации и первоначальная их цена. Эта информация затем направляется в ГКИ вместе с заявлением и другими необходимыми документами.

После того как заявление первоначально рассмотрено, инвентаризационная опись направляется для анализа в ЦОРС. Предварительные данные проверяются и затем обрабатываются, чтобы получить общую" реабилитационную стоимость" предприятия. В примере, приведенном в приложении "B№, первоначальная стоимость здания, построенного в 1983 году предположительно 1000 российских рублей. В 1993 году первоначальная стоимость его увеличивается (78x), так как применяется соответственный коэффициент оценки, отражающий инфляцию переходного периода. Результат, известный как скоординированная первоначальная стоимость, и переводится в таджикские рублы делением на коэффициент конверсии (100), получается, что остаточная стоимость = (780 таджикских рублов). Эта стоимость повышается применением коэффициента оценки (34.6x) в 1996 году. Это объясняется инфляцией предыдущих трех лет. Цена этого имущества на 1 января 1996 года в таджикских рублах 26988. Коэффициент амортизации такого класса имущества 22.1%[89], таким образом, стоимость этого зданий с учетом амортизации (21.024) таджикских рублов. Наконец, применение дополнительного субъективного коэффициента (5x)[90] после проверки на месте показывает, что реабилитационная стоимость (105,120 таджикских рублов).

Предварительная оценка вначале процесса приватизации является основной отправной точкой, служащей основанием для приватизации. Как было сказано, заявление проходит через ряд дополнительных административных органов, где цена имущества повышается применением различных субъективных 2коэффициентов". Возвращаясь к примеру, приведенному в приложении "B", заявление и предварительная оценка имущества направляются в отдел экспертизы ГКИ на рассмотрение, отсюда - в одну из трех "Комиссий", упомянутых выше. На этой стадии реабилитационная стоимость 105,120 таджикских рублов увеличивается на основании его "рентабельности" (0.3x), место расположения (2.0x), спроса на его продукцию (0,4x) и другие факторы. Заявление о приватизации и установленная реабилитационная стоимость (283,824 таджикских рублов) затем направляется на коллегию ГКИ, где стоимость последний раз увеличивается применением коэффициента инфляции (4.0x), таким образом окончательная цена имущества 1,135,296 TP. Конечная стоимость -минимальная цена для продажи имущества[91] может поставить покупателя в тупик.

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[88] См. Закон No 42 от 12 января 1996 года.

[89] Амортизация проводится по коэффициенту, установленному в советский период.

[90] Как описано выше, этот коэффициент обсуждается с руководителем предприятия.

[91] Существуют четкие исключения из правил для объектов незавершенного строительства и фирм банкротов. См. напр.# 11.1 (a). Постановление No.543 (Программа) от 23.08.95.

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Недостатки в существующем порядке оценки и очевидны, и удручающи. Субъективность этого процесса возможно является предметом наибольшего беспокойства. Хотя закон не вносит ясность в этот пункт все же кажется, что должен приниматься во внимание только коэффициент оценки 1996 г.[92] Тот факт, что ГКИ продолжает использовать дополнительные коэффициенты, как сказано выше, может быть объяснен либо не пониманием требований закона, либо прямым грабежом с целью увеличить доходы от приватизации. В любом случае, справедливость (честность) приватизации подорвана отсутствием мощного экономического стимула, что способствует взвинчиванию цен на продукцию и имущество[93]. Устранения субъективных компонентов в методологии оценки стоимости - первый важный шаг в укреплении процесса приватизации.

С другой стороны, рассматривая трудности, испытываемые при оценке имущества, хочется сказать, что Правительство пытается использовать не те методы для этой работы. методология, описанная выше, не особенно изменилась с Советского периода. Как таковая она плохо подходит к задачи приближения к рыночной стоимости, основанной на разумном ожидании будущих доходов от имущества. упрощенная методология. оценки имущества, имеющего производственный потенциал, значительно увеличит вероятность того, что имущество, предложенное на продажу, будет куплено. В конечном счете, это вопрос политический и Правительство должно решить его[94].

Рекомендации

- Изменить методологию оценки имущества так, чтобы цена соответствовала ожиданию будущих доходов.
- Усилить независимость ЦОРС и увеличить его дееспособность путем специального обучения и покупки современного оборудования.
- Обучить и выдать лицензии независимым экспертам, которые будут проводить оценку и выдавать сертификаты, и проводить независимые аудиты (ревизии) на основе системы "поощерения"[95].
- Упростить, стандартизировать и нацелить административные органы, участвующие в процессе, на то, что бы приватизация была закончена в течение недель, а не месяцев как это имеет место сейчас.

Приватизационные счета: Создание приватизационных счетов недавно было санкционировано президентским указом[96]. Предполагается, что эти счета будут служить административным механизмом, который будет способствовать выплате Сум, взятых государством у граждан, как результат решения от 10.05.95 г. о замораживании банковских счетов, и задержек по зарплате, последовавших за введениям таджикского рубла. Эта может быть также использовано в связи с предполагаемой программой

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[92] Даже между экспертами ГКИ нет единого мнения по поводу применения этих коэффициентов. ЦОРС утверждает, что следует применять только коэффициент 1996 г. Руководство ГКИ, однако, придерживается другой точки зрения по этому вопросу.

[93] Так как существующие методики оценок неадекватно объясняет экономическую стоимость имущества, неплатежеспособный завод может иметь ту же самую стоимость, что и платежеспособный завод, находящийся в квартале от него. Такая стоимость имущества значительно завышена и не привлекает внимание рынка к его приватизации. Увеличивая стоимость имущества и не позволяя ему свой собственный уровень а рынке, Правительство рискует задушить свою собственную инициативу в зародыше.

[94] Вопрос о том, как оценивать имущество, предназначенной приватизации, является особенно деликатным. С одной стороны, государство осторожно подходит к вопросу оценки имущества и выставляет себя в уже знакомом критицизме, что и способствует раздаче "бриллиантов королевства". С другой стороны, государство заинтересовано в том, чтобы видеть как программу приватизации как "успешной", результатом которой является продажа значительной части имущества. И так как текущая методологии оценки основываются на исторических цене, приравненной с инфляцией (бухгалтеркий термин), они значительно превосходят существующую стоимость имущества, которая должно быть приватизированою. К несчастью, государство не может иметь оба способа. Если имущество значительно переоценено, граждане будут оставаться в стороне от приватизации. И является правдой, где экономические условия особенно сложны, как например, в Таджикистане. Как это было в случае с Чешской Республикой, государство, очевидно, будет вынужденно выбирать между своим упорством удержать стоимость имущества или отказаться от программы приватизации.

[95] Эта система может быть использована, предлагая лицензированным ревизорам поощрения, в размере % от стоимости имущества, скрытой или намеренно заниженной, но восстановленной аудиторами.

[96] Указ об Открытии Персональных Приватизационных Счетов No. 442 от 25.03.1996. См. также ст. 10, Закон No.194 от 4.11.95.Перспективы массовой приватизации обсуждаются в Части V этого отчета.

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массовой приватизации, с распределением ваучеров и планом погашения долга[97]. Существует важный развивающийся аспект закона о приватизации в Таджикистане и аспект, где Правительство нуждается в непрерывной технической помощи.

Приватизационные чеки: В Правительстве возникло предложение, касающееся подходящего механизма по возвращению долгов государства своим гражданам путем притязания граждан на госимущество через приватизацию. Более раннее предложение, представленное ГКИ, выдвинуло на первый план безотлагательность того, что Правительство поняло, что надо развивать программу как можно быстрее и отсутствии экспертизы, необходимой для развития механизма, который бы не шел в разрез с целями МВФ. Это еще одна область, где Правительство нуждается в технической помощи.

4.2.6 Передача собственности

Механизмы передачи собственности плохо определенны и требуют дальнейшей разработке в процессе развития приватизации. В настоящее время передача прав собственности происходит путем исполнения "купи-продай" соглашений и удовлетворении некоторых условий прецедента[98]. При существующих обстоятельствах, навязывание этих условий прецедента похоже послужит возникновению важного класса "полу приватизационного" имущества, которое на бумаге приватизировано, но все еще находится под контролем - собственника ГКИ или другого соответственного органа. Очень тревожит вопрос как будут выплачиваться предприятиями долги друг другу и задолженности по налогам. По существующему положению приватизация не может быть осуществлена до тех пор пока долги не оплачены. Это несомненно замедлит процесс приватизации и вряд ли улучшит финансовое положение экономики страны. Поскольку эмпирический анализ следует выполнить до оценки возможных экономических последствий, программы по ликвидации администрации, отсрочки долга, конпенсации долга имуществом и освобождению от налогов могли бы значительно облегчить процесс приватизации и дать толчок развитию частного сектора.

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[97] В настоящее время не ясно открыты ли будут эти счета в пользу уважаемых 1.6 мил. граждан, которые заняли деньги или будут ли счета эти для граждан, которые в состоянии участвовать (особенно благодаря значительным суммам. находящемся у них) в приватизационном процессе. Несмотря на текст параграфа 10.1 Закон 194, кажется, что нынешнее Правительство склонно благоволить к первым.

[98] Ст 13, Закон 194, 4.11.95 г.

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5. ДЕЕСПОСОБНОСТЬ ОРГАНОВ И ВЫПОЛНЕНИЕ ПРОГРАММЫ ПРИВАТИЗАЦИИ

5.1 Правовая и регулирующая структура

Закон о Денационализации и Приватизации с поправкой от 4 ноября 1995 был принят как закон в январе 1996. Поправка позволяет трудовым коллективам решать вопросы и методы приватизации, подход к приватизации снизу-вверх. Управление и контроль за процессом приватизации осуществляется Госкомимуществом (ГКИ). Эта приватизация сверху вниз после того, как предприятие решает приватизироваться. Недавно созданная Государственная Комиссия по приватизации координирует и формирует политику, решает споры и помогает ГКИ выполнять программу. Настоящая поправка обеспечивает введение приватизационных счетов, используя акции госпредприятий в приватизационном процессе в качестве возвращения долга населения. К сожалению, несмотря на усилия, приватизацию и ее формы не очень хорошо понимают в Таджикистане. В результате, приблизительно только 8.0% предприятий, подлежащих приватизации, прошли через этот процесс.

Приватизация в Таджикистане началась в 1991 г., когда был принят первый закон о приватизации и денационализации. С февраля 1991 был принят ряд законов о денационализации и приватизации и развитии частного сектора. Первые законы следующие:

- Закон об аренде (1991 г.)
- Закон о регистрации Предприятий (1992 г.)
- Закон об Акционерных Кампаниях (1992 г.)
- Закон об Иностранных Инвестициях (1992 г.)
- Закон о Предпринимательстве (1992 г.)
- Закон о Банкротстве (1992г.)
- Закон о Предприятиях (1993 г.)
- Закон о Приватизации Жилищ (1996 г.). (Ж-С)

В 1995 г. признание несовершенства правовых структур привело к принятию серии правительственных Постановлений в попытке ускорить процесс приватизации в Таджикистане. Результаты приватизационной программы 1995 г., опубликованный в феврале 1996 г., показали, что процесс проходит слишком медленно и что правовая и регулирующая структуры малоэффективны. Среди самых последних постановлений:

- Указ Президента No.294 от 2.08.95 "О мерах по дальнейшему углублению и расширению процесса приватизации госсобственности", который утвердил Государственную Комиссию по Приватизации Госсобственности.
- Декрет Правительства Таджикистана No.538 от 22.08.95 г. "О создании Государственного Приватизационного Фонда".
- Декрет Правительства Таджикистана No.543 от 2.08.95 "Организационные меры по дальнейшему Углублению Процесса Приватизации Госсобственности", который одобрил "Программу Дальнейшего Углубления и Расширения Приватизации Госсобственности в Республике Таджикистан".
- Самый последний Указ Президента No.442 от 2.03.96 г. "О Приватизационных Чеках".

Можно предложить ряд рекомендаций по правовой и регулирующей структуре, которые вы найдете в разделе Peacemeal. Подход к улучшению процесса приватизации сделал его еще более сложным и создал внутренние конфликты. Например, приказание сделать закрытые акционерные компании открытыми оказалось противоречит конституции

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и закону и приватизации. Каждый рабочий коллектив имеет право выбрать форму собственности и метод приватизации. Это одно из многих противоречий между законами и приватизационной программой, которые необходимо устранить.

5.2 Структура органов и их правоспособность

Госкомимущество (ГКИ) является частью исполнительного органа и подчинен Совету Министров. ГКИ был создан Мачлиси Оли, его Председателем назначен Президентом и представлен на утверждение парламентом. Недавно созданная (Указ # 294 от 2 августа 1995 года) Государственная Комиссия по Приватизации возглавляется Премьер Министром и состоит из ведомственной группы, которая координирует процесс, формирует политику и разрешает споры. Как и во многих бывших советских республиках, Госкомимущество (ГКИ) формирует политику, является продавцом и в большинстве случаев владельцем государственной собственности. ГКИ имеет все полномочия для проведения программы приватизации в жизнь в то время как четко не определена роль отраслевых министерств, как и тех кто может участвовать в процессе выбора и утверждения.

Для переходных экономик является характерным, что приватизационные органы не имеют поддержки, как и традиционных министерств. Без необходимых политических полномочий и экономической поддержки, приватизационные органы развиваются неравномерно. Правоспособность этих органов должна быть увеличена, чтобы они смогли преодолеть препятствия со стороны отраслевых министерств и общего отношения населения к экономическим реформам, как предусмотрено законами и правительственными декретами. Опыт других республик бывшего Советского Союза показывает, что без сильной политической поддержки со стороны Правительства на самом высоком уровне, приватизация сама не состоится. ГКИ имеет небольшой штат (приблизительно 45, а должно быть 70), который не имеет опыта работы, технических средств для проведения приватизации. ГКИ, соответственного штата и финансовой поддержки (т.е. оборудования и обученного персонала), нельзя ожидать, что приватизация достигнет своих целей и она кажется и не является приоритетной для Таджикского Правительства. При таких политических и экономических препятствиях проведению приватизации в Таджикистане, следует дать приватизационным органам больше полномочий для проведения программы. Слабая правоспособность и бюрократических тенденций привели к слабой координации (или вообще отсутствию оной) с другими отделами и органами, важными для экономической реформы (например, Антимонопольный отдел, Отдел Иностранных инвестиций, Министерство финансов, Национальный банк и т.д.).

5.3 Типы/формы собственности

Рассматривались типы собственности для определения влияния типа собственности на процесс приватизации. Ясно, что существовали пять типов собственности (например муниципальная и республиканская - два различных типа) осложняют процесс приватизации.

5.3.1 Республиканская и местная

Как и во всем бывшем Советском Союзе, национальная и местная собственности разливаются по отношению предприятий к бюджету. Например, предприятия, которые производят товары для народного хозяйства (включая всесоюзные предприятия) считаются национальной собственностью. Предприятия местные, производящие товары и оказывающие услуги местному обществу, считаются муниципальными.

5.3.2 Аренда

Аренда редко используется ГКИ Таджикистана по разным причинам. Главная проблема заключается в процедуре оценки (арбитраж, разрешение споров),

используемой в определении стоимости предприятия, сдающегося в аренду, и условия оплаты. Несколько договоров, подписанных на аренду, подписаны на срок от 3 до 5 лет, с очень высокими суммами оплаты (реиндексация, инфляция или другие причины), определенные ГКИ. Аренда - это тип капитальной аренды, кажется наиболее выгодной для предприятия, которые подвержены большому % амортизации таким как транспортные предприятия. Таким образом, когда действительно началась приватизация, государственное имущество было оценено с учетом большого % амортизации и его легче было приобрести рабочим коллективом. Другие явные преимущества, связанные с арендой т.е. налоги, амортизационные списания, четко не определены ы существующем законодательстве.

Аренда считается формой приватизации в большинстве республик бывшего Советского Союза. Аренда может привести к улучшению и изменению деятельности предприятия. Эта часть юрисдикции на уровне арендной платы. С другой стороны, аренда не изменяет форму собственности. И действительно, в зависимости от типа контракта на аренду, государство может контролировать предприятие. Здесь надо сказать, что появилось много контрактов на аренду, которые нарушаются в той или другой форме, главным образом из-за того, что предприятия не способны вносить арендную плату и уплачивать налоги или сохранять штат и производственный профиль. Согласно данным, аренда в Таджикистане редко используется как форма передачи государственной собственности. Именно по этим причинам аренда должна быть ограничена для специфических типов предприятий со строго регламентированными условиями работы и должны быть определены санкции за несоблюдение этого распоряжения. В противном случае, рекомендуется не использовать аренду при приватизации государственного имущества. Эта задача, с которой частный бизнес справляется лучше, т.к. в этом случае можно варьировать условия аренды к обоюдной выгоде.

5.3.3 Аренда с выкупом

Незначительное улучшение обыкновенной аренды не решает проблемы. Если аренду считать одним из путей приватизации следует выбрать аренду с последующим выкупом. Следует потребовать от всех предприятий, находящихся в аренде эту форму аренды, превращающую предприятие в акционерное общество. В противном случае, предприятие должно быть продано с аукциона или ликвидировано.

5.3.4 Частная собственность

Эта форма собственности имеет отношение к одному человеку или не более, чем к двум покупателям государственной собственности. Преимущество этой формы собственности в том, что она позволяет людям покупать объекты приватизации напрямую или в рассрочку. Государству не остается акций, которыми государство могло бы контролировать или управлять.

5.3.5 Коллективная собственность

Коллективная собственность - известная форма собственности в Таджикистане. Эта форма собственности, которую могут приобрести от 2 до 30 юридических или физических лиц. Преимущество коллективной собственности состоит - 1) это известная форма собственности, 2) государству доли не остается. Большинство предприятий выбирают уплату в рассрочку. Проблемы возникают тогда, когда предприятие не способны оплатить счета ГКИ.

5.3.6 Акционерная компания

В Таджикистане существуют три типа акционерных компаний: открытый, закрытый м с ограниченной ответственностью. Как минимум два держателя акций необходимо, чтобы открыть акционерную компанию. Большинство акционерных компаний становятся новыми участниками рынка. На сегодня, 87 государственных предприятий стали акционерными компаниями. Когда государственное предприятие переводят в акционерную компанию, коллектив рабочих имеет право приобрести до 40% акций. Оставшиеся 60% остаются в

резерве, обычно 20%, иногда больше для последующего приобретения рабочим коллективом или стратегическим инвестором: оставшиеся 40% акций обычно приобретает ГКИ. Закон об акционерных компаниях немного устарел и, возможно, требуется его пересмотреть в будущем.

5.3.7 Жилье

Новый закон о жилье, принятый в 1996 году включает в себя приватизацию жилища. Жилью в этом отчете не уделяется много внимания, тем не менее дается краткий обзор приватизации жилья в контексте приватизации предприятий. Жилье, если им владеет государственное предприятие, отдается этому предприятию бесплатно во время приватизации. Затем, обычно, оно передается местному хукумату, где жилец имеет право его купить в соответствии с законом о жилье. Если предприятие не приватизирует или не передает жилье хукумату во время начальной приватизации, а рабочий, бывший служащий или жилец захочет приобрести жилье в собственность, то в этом случае на собственность применяется стандартная индексация стоимости (в 1.200 раз), чтобы определить ее стоимость. Поэтому собственность лучше передать хукумату прежде, чем ее купит жилец.

5.4 Осуществление основных приватизационных схем

Это часть отчета рассматривает меры осуществления приватизации. Тогда как, правовая структура формирует основание для программы приватизации, осуществление ее показывает сложности процесса. Без адекватных механизмов и административных процедур, основные законы и правила становятся слабыми и неэффективными. В Таджикистане приватизационная модель централизирована, бюрократизирована, политизирована и поэтому не отвечает целям программы приватизации. Система не более бюрократичная, чем другие системы, но она осуществляется таким образом, что эффективность доводится до минимума, а время необходимое для приватизации увеличивается до крайности. Единственные цели, поставленные программой приватизации на 1996-1997 годы - доходы, полученные от приватизации, с приложением списка предприятий, который не может быть увеличен и период приватизации не должен быть сокращен. К сожалению, с самого начала приватизации в Таджикистане эти цели так и не были достигнуты. Таким образом, процесс приватизации требует тщательного рассмотрения для определения основных причин провала по выполнению и путей улучшения эффективности программы.

5.5 Методы приватизации

В отличие от многих других республик бывшего Советского Союза, Таджикистан высказывается против определения дифференциации приватизации. Таким образом, не существует схемы деления на малую, среднюю и крупную приватизацию. Согласно процедурам на сегодня, любое предприятие, имеющее менее 30 рабочих мест (т.е. служащих в Советский период) должно быть продано с аукциона. Другие объекты приватизации незаконченного строительства (сооружения), отдельное имущество, убыточные предприятия тоже надо продать с аукциона. Тогда как предприятия, где более 30 рабочих мест, следует обратить в акционерные компании. Многие механизмы и структуры осуществления недостаточно определены или поняты Правительством, предприятиями и населением, чтобы эффективно работать. В добавок, стимулы для предприятий начать приватизацию на уровне предприятия не получили широкого признания. Вместо этого, приватизация является очень неопределенным процессом с неопределенным результатом. Это можно отнести к методам приватизации, которые применяются к различным типам предприятий и государственного имущества, числу форма собственности и тому как осуществляется приватизация.

5.5.1 Массовая приватизация

Понятие массовой приватизации в Таджикистане понимают плохо. Массовая приватизация означает широкомасштабную приватизацию или просто ускорение процесса приватизации. К сожалению, институциональная правоспособность ГКИ и отсутствие адекватной инфраструктуры, массовую приватизацию в Таджикистане осуществить сложнее, чем,возможно, в другой бывшей республике бывшего Советского Союза. Несколько других проблем, имеющих отношение к подготовке предприятия: макроэкономические стимулы, отсутствие инвестиционных фондов, слабое образование и сознание общественности, недостаточный уровень распространения информации, бюрократические преграды означают, что массовая приватизация отстает, по крайней, мере на 1-2 года. Это не рассматривается как проблема, так как масштаб экономики не требует массовой приватизации в настоящее время, так как ряд крупных приватизируемых предприятий управляем. Гораздо важнее совершенствовать структуры и механизмы осуществления приватизации, которые бы способствовали развитию рынка капиталов и конкуренции. Это может быть завершено благодаря ускорению маломасштабной приватизации, усовершенствованию механизма использования замороженных счетов и совершенствованию правовой и регулирующей структур.

Важно до введения массовой приватизации начать информационную и образовательную компании в течение нескольких месяцев, чтобы повысить уровень понимания населением приватизации и экономической реформ. Цель этого - привлечь широкую общественность к участию в процессе приватизации и создать базу для нее и экономической реформы. Отбор или подразделение предприятий, проходящих через процесс реформы очень важен, когда выполняется программа массовой приватизации (ПМП). Количество государственных предприятий для приватизации должно быть установлено заранее. Если это не будет сделано, потенциальные инвесторы столкнутся с дополнительной неопределенностью - в какие предприятия вкладывать капитал. Опыт показывает. что инвесторы имеют тенденцию полагать, что лучшие предприятия продаются на более поздней стадии приватизации. Первый шаг - это выбор предприятий, которые станут частью программы. Все предприятия, кроме маломасштабных, обычно включены в ПМ. Кроме того, стратегическая промышленность (например, горное дело, нефть и газ) могут принять форму ПМП. Количество предприятий должно соответствовать спросу, порождаемому распределением ваучеров среди населения и созданию инвестиционных фондов. Это потребует значительного переосмысления м внесения изменений в существующие программы и механизмы приватизации.

Сроки и скорость - две исключительно важные особенности. Быстрота выполнения, когда программа уже согласована. Только таким путем бюрократические препона можно преодолеть. После определения количества предприятий и графика, предприятия, включенные в программу, должны быть корпоратизированы. Сегодня в таком положении находятся большинство приватизируемых предприятий. Рабочие коллективы могут иметь до 40% акций (как правило), а инвестор(ы) могут владеть оставшимися акциями хотя бы 35% (часто гораздо меньше). Таким образом, корпоратизация устанавливает базис по выпуску акций и проведению аукционов и предлагает более высокие цены, по сравнению с приватизационными органами. Корпоратизация решает многие важные вопросы такие как, первоначальная оценка предприятия, собственность на землю, но не требует возвращения предприятию. Этот процесс требует определения корпоративного устава для предприятия, который установит количество, тип и первоначальную стоимость акций и компаний, решит - какие активы принадлежат предприятию и назначит совет директоров. Такая работа уже проделана для приватизируемых предприятий в Таджикистане. Целью является создание акционерных компаний открытого типа для того, чтобы акции продавались открыто с минимальными ограничениями. Таджикская программа приватизации корпоратизирует предприятия путем частичного лишения имущества, полной приватизации, которая произойдет в будущем. Это бы внесло значительное изменение в ПМП, где ряд корпоратизированных предприятий создается благодаря процессу, представляющему собой простую автоматическую административную процедуру. Будут снабжены стандартным пакетом документов, процедур и правил, а

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также для них будет установлен срок завершения регистрации. Чтобы начать аукционы должно быть достаточное количество аукционов.

Проект системы приватизационных чеков и дочерней системы продажи предприятий с аукциона владельцам приватизационных чеков сложный, он требует ряда решений, которые окажут влияние на стоимость и сложность системы. Приватизационные чеки или другие инструменты приватизации используются, чтобы создать спрос на акции предприятия. С официальными лицами ГКИ были обсуждены некоторые пункты с тем, чтобы выработать подход к массовой приватизации, обеспечивающий эффективную и справедливую передачу собственности. Главное здесь - выпуск, приемлемость, распределение, хождение и перевод в недвижимое имущество приватизационных чеков. Инвестиционные фонды также помогают создать спрос на акции госпредприятий и являются важными финансовыми посредниками и неотхемлимой частью ПМП. Инвестиционные фонды должны отвечать высоким стандартам, чтобы избежать критики и проблем, имевших место в других республиках. Лицензионные требования - важный элемент в развитии инвестиционных фондов, которые должны удовлетворять будущий спрос жителей Таджикистана сыграть существенную роль в приватизации.

Спрос ПМП, создаваемый посредством приватизационных чеков и инвестиционных фондов отвечает предложению через аукционы. Конкурирующее предложение цены на аукционе порождает рынок для акций и приватизируемых предприятий и является механизмом, осуществляющим приватизацию.

Массовая приватизация всегда оставляет государству часть акций. Это происходит по многим причинам. Первая, Правительство может решить не продавать все свои акции во всех приватизируемых предприятиях или продать все свои акции на отдельном или специфическом предприятии. Вторая, непроданные акции считаются остатком от аукциона. Третья, все акции всех предприятий не могут быть проданы за один раз. Владение акций государством является проблемой, как показывают несколько примеров по Таджикистану. Во-первых, государство должно решить, как управлять большим количеством оставшихся акций и разработать стратегию их передачи (например, скорейшее избавление, максимализация доходов, поиск инвесторов и укрепление рынка капитала). Во-вторых, государство должно решить, как оно будет осуществлять право корпоративного управления своими ценными бумагами. В Таджикистане этот вопрос еще не решен. Дело, очевидно, обстоит так: государство осуществляет управление и контроль над фирмами, которые оно приватизировало.

5.5.2 Маломасштабная приватизация

Маломасштабная приватизация - муниципальная собственность в торговле, общественном питании и обслуживании. Программа приватизации 1996-1997 годов включает 13 республиканских предприятий, которые попадают под это определение. Эту форму приватизации обычно проще осуществлять технически и политически, чем приватизацию крупных предприятий. В Таджикистане маломасштабными считаются предприятия, где не более 30 рабочих или "рабочих мест". Согласно закону, предприятие, где меньше 30 рабочих мест приватизируется через аукционы, хотя можно использовать и тендеры, прямую продажу и выкуп доли в предприятии служащими. Никакого условия для оценки предприятия в определении его статуса не ставится. Оценка стоимости производится только при определении начальной цены. Правила аукциона разрешают продать объект по самой высокой цене. Процесс начинает рабочий коллектив. Таким образом, как и в других частях программы для рабочих коллективов существует слабый стимул для начала приватизации.

Определение малого предприятия само по себе нуждается в пересмотре, так как 30 рабочих мест мало что значит, поскольку в советское время прием на работу сверх штата был обычным делом. Тогда же руководителям предприятий предписывалось принимать на работу как можно больше людей и обеспечивать их всеми социально-бытовыми услугами. Сегодня закон строго ограничивает определение маломасштабных предприятий. Например, многие предприятия со штатом менее 30 рабочих сегодня не

подходят к этой форме приватизации, так как ранее здесь работало больше 30 служащих. Изменением определения, количество фирм на маломасштабную приватизацию возрастает. Пересмотренное определение должно включать независимо работающие филиалы фирм так или иначе включенные в эту категорию.

Маломасштабная приватизация в Таджикистане,как и приватизация вообще, малоэффективна, особенно по сравнению с другими республиками. На практике маломасштабная приватизация делегирована хукуматами (местные власти), которые определяют и выполняют сделки, практически лишая ГКИ полномочий, предоставив ему пассивную роль в процессе. Подход "снизу-вверх" по отношению к маломасштабной приватизации не отработан. Таким образом, здоровый сектор малого бизнеса - фундамент рыночной экономики - не появился. Маломасштабная приватизация обеспечивает базу для собственников и покупателей, где они могут на опыте узнать рыночную экономику и создание рабочих мест, что существенно важно для обеспечения потерявших работу людей. Тем не менее, для выполнения программы массовой приватизации, нужно ускорить маломасштабную. Много политических и системных преград явилось причиной того, что маломасштабная приватизация идет медленным темпом. Основные препятствия - отсутствие стимула, недостаточная покупательная способность населения, отсутствие опыта в проведении аукционов.

Организация проведения аукционов и торгов должно быть усовершенствовано. До настоящего времени было проведено три аукциона - в Худжанде, Кулябе и Душанбе. В Худжанде и Кулябе осуществлялись новые формы аукциона. В Душанбе республиканская биржа недвижимости несет ответственность за продажу с аукциона предприятий и другого государственного имущества вместо ГКИ и Душанбинского хукумата. До сих пор, эта биржа не функционировала в таком объеме по некоторым причинам (см. ниже). Аукционы, которые проходили недавно не были широко преданы гласности. Более того, результаты для общественности оказались недоступными.

5.6 Структуры и механизмы в проведении приватизации

5.6.1 Аукционы

Аукционы проводятся на должном уровне, но информация о них и о государственном имуществе, подлежащем продаже с аукциона для общественности недоступно. Обнадеживает то, что это дело изменится, так как все больше объектов становятся доступными для продажи с аукциона. Организация и проведение аукционов - это область, где можно эффективно использовать техническую помощь для усовершенствования институциональной инфраструктуры, необходимой для реализации маломасштабной приватизации и продажи другого государственного имущества. Процедура аукциона и опыт их проведения хорошо известны в других бывших советских республиках. Наиболее важным пунктом является выполнение законов и правил, управляющих аукционами.

5.6.2 Торги (тендеры)

Тендеры не применялись в приватизации, так как они не являются эффективным методом передачи объектов незавершенного строительства и другого государственного имущества в частный сектор. Последние правило торгов отражает упрощенный подход к процессу и является нереальным на местах. Тем не менее, торги позволяют навязывать условия. Это означает, что они более гибкие для приватизации. Например, при продаже объектов незавершенного строительства, тендером можно использовать инвестиционную принудительность и сократить или полностью изменить первоначальную цену. Торги должны быть простыми, нетрудоемкими, справедливыми и честными. Для этого информация о торгах объектов должна быть опубликована заранее. Максимализация прибыли может стать весомым условием любого торга для достижения некоторых преимуществ, которые аукционы имеют.

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5.6.3 Фондовая Биржа

Центральная фондовая биржа была основана Указом Президента No 8 от 3 декабря 1994 года. Биржа фактически начала работать в октябре 1994 года, когда 6 самых крупных банков Таджикистана были утверждены и зарегистрированы в министерстве финансов. Центральная фондовая биржа (далее ЦФБ) действует на основе закона Республики Таджикистан "О ценных бумагах и фондовых биржах". Предполагается, что закон способствует приватизации и развитию инфраструктуры рынка капитала. До сегодняшнего времени главной функцией биржи является межбанковский обмен валюты. Они занимаются выпуском краткосрочных государственных облигаций и связанных с ними регистрационных и де позитивных документов. Развитие краткосрочных государственных облигаций рекомендуется, так как это позволяет Правительству разделить денежную и фискальную политику. К сожалению, способность государства гарантировать оплату облигаций вызывает подозрение. В настоящее время ЦФБ занимается межбанковским обменом валюты для своих клиентов. ЦФБ развивает хорошие деловые отношения с финансовыми органами, министерством финансов, национальным банком Таджикистана и основными коммерческими банками. Однако, основная цель выпуска государственных облигаций и участия в приватизации государственного имущества остается призрачной. Главными проблемами с точки зрения ЦФБ являются:

1. Недостаточная правовая база для выпуска и циркуляции ценных бумаг.
2. Отсутствие методологической базы для выпуска и развития рынка ценных бумаг.
3. Недостаточное количество техники которое связано с отсутствием опыта составления компьютерных программ, что автоматизирует торговлю, включая системы памяти, основанные на местной сети Novel Netware или Windows NT.
4. Структурные и функциональные вопросы организации фондовой биржи.
5. Обучение специалистов, дилеров и штата для фондовой биржи.
6. Практическое вхождение на фондовые биржи и автоматическое управление ценными бумагами в системе памяти.
7. Организация арбитражных операций на фондовой бирже.

5.6.4 Биржа недвижимости

Биржа недвижимости основана Указом Президента No 8 от 3 декабря 1994 года. Биржей совместно владеют ГКИ и Душанбинский хукумат (Городской исполнительный комитет) 52/48. Однако, ни ГКИ, ни хукумат не уплатили установленного законом капитала, чтобы сформировать этот орган. Вместо этого, ГКИ обеспечил Биржу займом в 13 миллионов таджикских рублов при 200% годового дохода, подлежащего уплате 1 июля 1996 года. Хукумат обеспечил место для постройки биржи. Заем использовали для обучения специалистов и покупки компьютеров. Однако, другое государственное имущество, ликвидные, объекты незавершенного строительства и отдельное имущество могут быть проданы через биржу. Биржа продала 28 единиц автотранспортных средств и получила доход в размере 2 миллионов таджикских рублов в первом квартале 1996 года.

Отсутствие финансовой и политической поддержки замедляет создание и развитие этого института. Биржа, похоже, имеет адекватные процедуры, но у нее нет практического опыта в их осуществлении. При данных обстоятельствах объем приватизации маломасштабных предприятий, недвижимого и другого имущества не может быть реализован. Вопрос о правах на собственность очень важен для укрепления целостности рынка. Несмотря на название (Русский перевод, перевод с таджикского более подходящий) торговля недвижимостью через Биржу маловероятна и не прибыльна. в то время как частная продажа недвижимости (хотя и слабое) в конечно счете выполняет эту функцию. Биржа работает по открытому торговому режиму, который позволяет вести переговоры через маклеров. Основное имущество состояло из автотранспортных средств

государственных предприятий. Предполагается, что республиканская Биржа недвижимости будет проводить аукционы государственной собственности, а именно малых, ликвидных предприятий, объектов незавершенного строительства и отдельного имущества предприятий. Политические решения препятствуют их способности начать проведение аукционов. Есть надежда, что благодаря изменениям в местном правительстве будет все таки принято постановление по этим политическим вопросам. Биржа просто покупает и продает собственность, большей частью государственную. Настоящая ситуация вынудила Биржу продать службы негосударственному сектору (это позитивный результат), чтобы генерировать продажу. Открытая система торговли работает следующим образом:

1. Заявление на продажу оборудования и транспортных средств направляется в администрацию государственной собственности ГКИ. В настоящее время проданы только автотранспортные средства.
2. ГКИ либо принимает заявление, либо отклоняет его.
3. Если заявление принимается (что до сих пор и происходило), технический паспорт автотранспортного средства или объекта посылается на Биржу с указанием цены его стоимости.
4. Информация (описание, цена) об объектах на продажу публикуется в газете заранее, хотя бы за две недели, в идеале за месяц. Потенциальные покупатели имеют право изучить оборудование, представленное на продажу.
5. Заявка представляется маклеру на Бирже с указанием процентов и цены. Цена участия в торгах 500 таджикских рублов.
6. Лицо, предлагающее наивысшую цену, выигрывает. В случае равной оплаты выигрывает тот, кто предложил ее первым.
7. Лицо, предлагающее наивысшую цену платит и соглашение о купле продаже передается покупателю.

6. Рекомендации

6.1 Общие

- *Подотчетность* -Будет ли приватизация способствовать ответственному акционерному управлению, основанному на подотчетности дирекции своим акционерам?

  Приватизация в Таджикистане все еще находится на начальной стадии развития. Концепция подотчетности совета директоров своим акционерам усовершенствуется и должна быть поддержана стандартным корпоративным уставом, предоставляя акционерам право заменить неэффективно работающих руководителей. Также и Правительство должно сократить количество акций до 25% и менее и установить мораторий на уплату дивидендов государству на срок от 3 до 5 лет.

- *Баланс* -Будет ли одна группа акционеров иметь больше доходов от приватизации за счет других акционеров?

  При существующей программе приватизации выигрывает государство в ущерб всем другим держателям акций, за исключением части рабочих коллективов. Совершенствуя таджикскую модель приватизации, Правительство должно соблюдать и регулировать интересы всех держателей акций так, чтобы прибыли и трудности приватизации были распределены поровну.

- *Конкуренция* - Может ли приватизация привести к значительной демонополизации и увеличить конкуренцию в народном хозяйстве?

  В Таджикистане отсутствует практически не существует про конкурентных элементов. Параллельное развитие частного сектора и защита инициатив малого бизнеса должны быть связаны с процессом приватизации и должен осуществляться антимонопольный надзор.

- *Выполнимость* - Реальны ли цели приватизации при данных политических, социальных и экономических условиях?

  Правительство с помощью содружества доноров должно отступиться от своей программы приватизации, чтобы уяснить цели приватизации и дать им правильную оценку, исходя из политической, социальной и экономической обстановки в стране.

- *Стимулы* - Будет ли участие в приватизации приносить чистый экономический доход большинству каждой группы акционеров?

  Как уже детально говорилось в этом отчете структура экономического стимула, лежащая в основе приватизации в Таджикистане, искажена. Правительство должно пересмотреть полностью правовую и институциональную структуру приватизации и определить пути усиления стимулов для широкого участия населения в приватизации по всей стране.

- *Простота* - Можно ли быстро осуществить приватизацию?

  Да. Для этого необходимо упростить все стадии программы. Это одно в достаточной мере увеличит шансы на успех приватизации в Таджикистане.

- *Непрерывность* - Понимается ли приватизация как дело выгодное для народного хозяйства и общества в целом?

  Время - это главный фактор для всех заинтересованных сторон. Упростив приватизационные процедуры, Правительство сможет ускорить переход к рыночной экономике. Правильно управляемая приватизация вызовет.

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6.2 Специфические

1. Внести поправки в существующее законодательство, чтобы укрепить статус Госкомиссии по приватизации как основного органа проводящего политику приватизации.
2. Делегировать полномочия Комиссии, которая позволяет подчиняться ее законным директивам
3. Развить /Усовершенствовать законодательный процесс по принятию законодательства по приватизации и правил ее исполнения.
4. Оказать техническую помощь по созданию хорошо обученного и современного штата профессионалов для поддержки работы Комиссии.
5. Усовершенствовать и проводить в жизнь четко определенные линии организационной ответственности для каждого института, осуществляющего приватизацию
6. Ограничить полномочия ГКИ до выполнения программы.
7. Определить юридические полномочия ГКИ по отношению к хукуматам.
8. Оградить ГКИ от оценки имущества.
9. Исключить или частично снизить роль ГКИ как владельца и руководителя.
10. Рационализировать существующие организационные связи между исполнительными органами, упростив процесс приватизации и повысив подотчетность этих органов.
11. Установить эффективный надзор со стороны Комиссии за работой ГКИ (по административным вопросам), Экономического Суда (по интерпретации и применению законов приватизации). Министерства Финансов (по бюджетным ассигнованиям и финансовому аудиту процесса приватизации), министерства Экономики (по вопросам антимонополии) и Министерства юстиции и МВД (по вопросам официальной коррупции и криминального вмешательства в приватизацию).
12. Изменить политику навязывания приватизации сверху вниз со стороны ГКИ.
13. Упразднить Государственный Приватизационный Фонд.
14. Расширить перераспределительный эффект приватизации, обеспечив прямую передачу значительной части госимущества широким кругам населения.
15. Переориентировать приватизацию, включив сделки или операции, в результате которых государство будет иметь 25 % и акций предприятия.
16. Ввести на срок от 3 до 5 мораторий на выплату дивидентов государственным держателям акций.
17. Упразднить или значительно сократить как "конец" приватизации, введением обязательных положений о лишении (акций предприятий).
18. Переопределить "малую" и "крупную" приватизацию и создать промежуточный класс приватизируемых объектов.

ANNEX 12:

Privatization Laws 202 and 203, May 20, 1996 (English/Russian)

ANNEX 12
PRIVATIZATION LAWS 202 AND 203

The two most important laws subsequent to the UNDP Phase I report are the laws 202 and 203 of 20 May 1996 (translations attached). The most useful part of Law 203 is that there is an attached list by name of every Republic-level privatization object (254 of them) that must be privatized, so basic accountability can start there.

RESOLUTION

of the Government of the Republic of Tajikistan

May 20, 1996. No.203

On the Program of Privatization of State Property in the Republic of Tajikistan for 1996-1997

With the aim of realizing the measures for further deepening and expanding the process of privatization of state property, increase of efficiency of economy, attraction of bothe the part of money holdings of population and foreign investments to the national economy, the Government of the Republic of Tajikistan enacts:

1. Approve the Program of Privatization of State Property in the Republic of Tajikistan for 1996-1997.

2. The State Committee for Property, Ministries and local authorities(Hukumat) take concrete measures for realization of the mentioned Program and strictly to be guided by requirements of it during the privatization of units of republican and municipal property.

3. The State Committee for Property and local authorities within two-month terms are to revise an availability and correctness of agreements on privatization and leasing of property and receipt of privatization revenue to the budget. The Government is to be informed on results of the revision.

4. Allow to the State Committee for Property and local authorities, taking into account suggestions of Ministries, local authorities, workers' collectives of enterprises and establishments, to make amendments and additions to the list of being privatized units included into the Program.

5. The Ministry of Culture and Information, State Committee for Property provide for explanation of general items of the Program through mass media.

Chairman
of the Government
of the Republic of Tajikistan E.Rahmonov

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PROGRAM OF PRIVATIZATION OF STATE PROPERTY IN THE REPUBLIC OF TAJIKISTAN FOR 1996-1997

Program of Privatization of State Property in the Republic of Tajikistan for 1996-1997 is worked out in accordance with the Low of the Republic of Tajikistan On Denationalization and Privatization of State Property, the President's Decree of August 2, 1995 On Measures for Further Deepening and Expanding of Processes of Privatization of State Property, the Program of Economic Reform of the Republic of Tajikistan for 1995-2000 approved by the Majlisi Oli of the Republic of Tajikistan in November 2, 1995.

The goal of this Program is the creation of necessary conditions for transformation of state enterprises into other forms of property and forming the basis of market economy before the end of 1997.

The main Program tasks are the following:
- expanding scales of denationalization and privatization in all branches of the economy;
- giving to the process of privatization irreversible character;
- attraction of wide section of the population to the process of privatization;
- creation of necessary conditions for paying off to the population the state debts on salary and other payments equal to it;
- forming the mechanism of privatization meeting the modern stage of realization of it;
- forming conditions for attraction of foreign investments and technologies;
- increasing an efficiency of the economy.

The following are provided to fulfil these tasks:
- completion of the "small privatization" by the end of 1996;
- creation of necessary conditions for transformation of all state enterprises into other forms of property, excluding those, denationalization and privatization of which are prohibited by the Low On Denationalization and Privatization of Property.
- transformation of enterprises having 30 and more working places into open companies and other forms of property;
- sale on a competitive basis of units of trade, public catering, public feeding and other state enterprises having less than 30 working places into private and collective property;
- accomplishment of privatization of property based on uniform simplified order and mechanism of assessment of state property;
- transformation of close companies established on the basis of state enterprises into open companies;
- attraction of foreign investors to the Republic by the means of tender and stock, investment sales as well as by the means of direct sale of property;
- ensuring a post-privatization support of enterprises by the government.

There is a list of units of republican property worked out on the basis of orders of workers' collective, suggestions of ministries, establishments, local authorities and decisions of the State Committee for Property. The list includes 234 units valuating 418.3 billion of rubles. 173 of them are to be transformed into the open companies, 20 units are to be sold on a competitive basis. The rest 41 units are an uncompleted construction projects which are to be privatized by the resolution of Commissions established in accordance with the current legislation.
The revenue from privatization of these units is supposed to be 30 million rubles (10 million in 1996, 20 million in 1997).

All units included into the program receive the status of units of privatization since the moment of approvement of the Program. Ministries and other state establishments lose the plenary powers on operative management of mentioned units.

The State Committee for Property carries out privatization of the units without additional concordances. Privatization of units of republican property is carried by the State Committee for Property exclusively. This function is not to be delegated to other establishments.

By suggestions of state establishments the State Committee for Property considers and takes decisions on the gaining the rights of operative management of shares owned by the state authorities.

Units of communal property are to be privatized in accordance with regional programs worked out by the local bodies for state property. These programs are to be confirmed by the local authorities after the preliminary concordance with the State Committee for Property. Local authorities make amendments to the programs in the case of discrepancy of mentioned programs with requirements of normative documents within 10 days. The State Committee For Property controls over the fulfillment of the regional programs.

Foreign investments operate in the process of privatization in accordance with the Low of the Republic of Tajikistan on Foreign Investments. It is provided that the foreign participants are to buy shares of privatized or privatizing enterprises of all branches of economy. The State Committee for Property takes a decision on ways of attraction of foreign investors to the privatization process of the projects of state property included into the Program.

With the aim of paying of the state debts on salary to the population and other payments equal to it, the Government suggests to issue privatization accounts (checks). These accounts (checks) are guaranteed by the Government and can be used for buying out state property, shares of state enterprises and special funds as well as for privatization of dwellings.

It is provided that cotton-cleaning plants will be transformed into stock companies stage by stage. Portion of shares of these stock companies will be sold to workers of cotton-growing enterprises.

Revenue from privatization are to be used in accordance with the Article 15 of the Low on Denationalization and Privatization of State Property and Articles 3 and 11 of Low on the State Budget of the Republic of Tajikistan for 1996.

Special bulletins, advertising appeal matters and mass media will be used for the aim of speeding up the denationalization and privatization of state the property and explaining the items of the Program.

Requirements stated by this Program are obligatory for all state and local authorities.

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объектов республиканской собственности
преобразуемых в акционерные общества
открытого типа

1992 г.

I. ГОСКОМИМУЩЕСТВО РЕСПУБЛИКИ ТАДЖИКИСТАН
ПО ЛЕГКОЙ ПРОМЫШЛЕННОСТИ

1. АО "Таджикистанфрукт", г.Душанбе
2. АО "Виктора", г.Душанбе
3. Арендный з авод "Танхизот" г.Душанбе
4. Арендная фабрика ИП "Армугон", г.Душанбе
5. Душанбинский шелкомотальный комбинат, г.Душанбе
6. АО "Таджикистекстиль", г.Душанбе
7. АО "Бовар", г.Душанбе
8. Арендное предприятие "Шарифдуз", г.Душанбе
9. Меховая фабрика, г.Худжанд, Ленинабадская область
10. Фабрика "Сарфуз", г.Худжанд, Ленинабадская область
11. Обувная фабрика № 2, г.Худжанд, Ленинабадская область
12. Дорожная передвижная механизированная колонна, г.Худжанд.
13. Исфаринский винзавод, г.Исфара, Ленинабадская область
14. Производственное объединение "Мохира", г.Исфара, Лен-я обл.
15. Производственно-торговая фирма "Вино ", г.Пенджикент, Ленинабадская область
16. Швейная фабрика, г.Нурек
17. Обувная фабрика, г.Куляб, Хатлонская область
18. Швейная фабрика, г.Курган-Тюбе, Хатлонская область
19. НПО "Вятс", г.Душанбе
20. Малое кондитерское предприятие "Таджиковед", г.Курган-Тюбе, Хатлонская область
21. Арендное предприятие "Бардош", Исфаринхонский район
22. Государственная фирма "Виктора", Исфаринхонский район
23. Ленинский ГСК, Ленинский район, Ленинабадская область
24. Государственный кооператив "Шевда", п.Нефтяники, Исфаринский район, Ленинабадская область
25. Швейная фабрика, Московский район, Хатлонская область
26. Швейная фабрика "Дангара", пос.Дангара

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27. [illegible] "[illegible]", [illegible], Ленинабадская область
28. Швейная фабрика им. [illegible], [illegible], Джабор Расулевский район, Ленинабадская область
29. Промышленно-торговое предприятие "Бордо", [illegible] ский район, Ленинабадская область
30. ПО "Таджикхимпром", Ленинский район, Хатлонская область
31. Сользавод, Ленинский район, Хатлонская область

II. МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. АТП-1, г.Душанбе
2. АТП-29, г.Душанбе
3. ТЭП по междугородним перевозкам, г.Душанбе
4. Таксомоторное предприятие, г.Худжанд, Ленинабадская область
5. Таксомоторное АТП, г.Курган-Тюбе
6. АТП-16 ДПО, Гиссарский район
7. ПМК-7 "Таджикгидростроитрест", Гиссарский район
8. Авторемзавод им.Кирова, г.Душанбе

III. МИНИСТЕРСТВО ХЛЕБОПРОДУКТОВ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Хлебозавод, г.Худжанд, Ленинабадская область
2. Хлебозавод, г.Кофарн., Ленинабадская область
3. Хлебоприемное предприятие, Гиссарский район

IV. МИНИСТЕРСТВО МЕЛИОРАЦИИ И ВОДНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Арендный деревообрабатывающий комбинат, г.Душанбе
2. ПМК-9, г.Душанбе
3. Ремонтно-механические мастерские, г.[illegible], Ленинабадская область
4. ПМК-25 РССО "Таджикводстрой", Гиссарский район

V. МИНИСТЕРСТВО СЕЛЬСКОГО ХОЗЯЙСТВА

1. Хлопкочистительный завод, с-з им.Кирова, Вахшского района, Хатлонская область

[illegible]
[illegible] ТАДЖИКИСТАН

[illegible] "[illegible]", г.Душанбе

VII. МИНИСТЕРСТВО ЗДРАВООХРАНЕНИЯ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Республиканский реабилитационный центр п.Харангон, г.Душанбе

VIII. ГОСУДАРСТВЕННЫЙ КОМИТЕТ ПО КОНТРАКТАМ И ТОРГОВЛЕ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. РПО "Таджиклесстройматериал", г.Душанбе

IX. КОМИТЕТ "ТАДЖИКЗОЛОТО"

1. [illegible], г.Душанбе
2. Тюбечно-[illegible] завод, г.Душанбе
3. Консервный комбинат, г.Худжанд, Ленинабадская область
4. Консервный комбинат, г.Кофарн., Ленинабадская область
5. Консервный комбинат, г.Курган-Тюбе, Ленинабадская область
6. Сользавод, Ленинский район, Хатлонская область

[illegible] ПРОМЫШЛЕННОСТИ

1. ПО Хлопкоочистительной промышленности, г.Худжанд, Ленинабадская область
2. Хлопкоочистительный завод, [illegible] район, Ленинабадская область
3. Хлопкоочистительный завод, Джабор Расуловский район, Ленинабадская область
4. [illegible] Хатлонская область
5. Хлопкоочистительный завод, Колхозабадский район, Хатлонская область
6. Хлопкоочистительный завод, Кофарнихонский район
7. Хлопкоочистительный завод, Турсунзадевский район
8. Хлопкоочистительный завод, п.Айни, Ленинского района
9. ПКТБ "Точикпахта", г.Душанбе
10. Завод "Хлопкозапчасть", Кофарнихонский район

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XI.КОМИТЕТ "ТАДЖИКМЯСОМОЛПРОМ"

1.Мясоконсервный комбинат,г.Душанбе
2.Молочный комбинат,г.Душанбе
3.Маслодельный завод,г.Исфара,Ленинабадская область
4.Маслокомбинат,г.Пенджикент,Ленинабадская область
5.Сырзавод,Кумсангирский район,Хатлонская область
6.Молочный комбинат,г.Куляб,Хатлонская область

XII.ГОСУДАРСТВЕННАЯ СТРОИТЕЛЬНАЯ КОМПАНИЯ "ТАДЖИКСТРОЙ"

1.ПСО "Захира",г.Душанбе
2.Кооператив "Домостроитель - 2",г.Душанбе

XIII.КОНЦЕРН "ТАДЖИКСЕЛЬСТРОЙ"

1.Трест "Сельстрой-2",г.Гафурова,Ленинабадская область
2.АТП-14,Кофарнихонский район

XIУ.КОНЦЕРН "МАДАД"

1.Филиал ЦП МТО "Таджикагроснаб",г.Душанбе

ХУ.КОНЦЕРН "УМРОН"

1.Завод нерудных материалов,Ленинский район
2.Завод камнеобработки,Ленинский район

ХУI.КОНЦЕРН "ХИЗМАТ"

1.Дом быта "Садбарг",г.Душанбе
2.Центр моды "Бону",г.Душанбе
3.Завод нестандартного оборудования,г.Душанбе
4.ПМК,г.Ура-Тюбе,Ленинабадская область
5.МПО "Таджиктрикотажбыт",г.Душанбе

ХУII.КОНЦЕРН "ТАДЖИККОММУНСЕРВИС"

1.Трест "Таджикремстройтрест",г.Душанбе
2.СХРСУ,Гармский район

ХУIII.ПО "МОХИР ВАЛР"

1.Джиликульский рыбхоз,Джилику[illegible] район,Хатлонская область
2.Куйбышевский рыбхоз,Куйбышевский район,Хатлонская область

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XIX.РПО "ТАДЖИКАВТОМОТОСЕРВИС"

1. СТО-3 "Москвич",г.Душанбе
2. СТО-24 "Лада",г.Душанбе
3. СТО-14,г.Душанбе
4. СТО-2,г.Худжанд,Ленинабадская область

XX.КОРПОРАЦИЯ "ТАДЖИКМОНТАЖСПЕЦСТРОЙ"

1. Корпорация "Таджикмонтажспецстрой",г.Душанбе
2. Филиал "Автоматика",г.Душанбе

XXI. ПРОЧИЕ

1. Душанбинский филиал АО "Автоматика",г.Душанбе
2. Госкомпания "Таджикгидроэнергострой",г.Душанбе
3. Республиканская школа высшего спортивного мастерства,г.Душанбе

1997 год

I.ГОСКОМИТЕТ ПО ДЕЛАМ ПРОМЫШЛЕННОСТИ

1. ПО "Таджиктекстильмаш",г.Душанбе
2. Завод холодильников,г.Душанбе
3. Завод "Торгмаш",г.Душанбе
4. Душанбинский шелккомбинат,г.Душанбе
5. Производственное объединение НХП "Гулдаст",г.Душанбе
6. Производственное объединение НХП "Дилором",г.Душанбе
7. Трикотажная фабрика "Элегант",г.Душанбе
8. Производственное объединение "Таджикцемент",г.Душанбе
9. Завод "Нилуфар",г.Исфара,Ленинабадская область
10. ПО "Электротехника",г.Исфара,Ленинабадская область
11. ПО "Наусельмаш",Науский район,Ленинабадская область
12. Прядильно-тканная фабрика,г.Канибадам,Ленинабадская область
13. Фарфорный завод,г.Турсун-Заде
14. Швейная фабрика "Фируза",г.Куляб,Хатлонская область
15. Вахшский азотно-туковый завод,г.Курган-Тюбе,Хатлонская область
16. Трансформаторный завод,г.Курган-Тюбе,Хатлонская область
17. Хлопкопрядильная фабрика,г.Курган-Тюбе,Хатлонская область
18. НПО "Таджиксистемавтоматика",г.Душанбе
19. Механический завод "Филиз",п.Шураб,Исфаринский район,Ленинабадская область
20. Швейно-трикотажная фабрика,Ганчинский район,Ленинабадская область
21. Науский мехкарьер,Науский район,Ленинабадская область
22. Экспериментальная меховая фабрика "Муина",Бохтарский район, Хатлонская область

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[illegible] район

24. Швейная фабрика им.Бобожатова,Аштский район,Ленинабадская область
25. Таджикский алюминевый завод,г.Турсун-Заде

II.МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. АТП-7,г.Душанбе
2. Автоколонна 2926,г.Душанбе
3. Автоколонна 2927 ДПАО,г.Душанбе
4. ПСМТ "Мостоспецстрой",г.Душанбе
5. Автоколонна 2928 ДПАО,г.Худжанд,Ленинабадская область
6. Спецавтоколонна ДПАО,Кофарнихонский район
7. Хозрасчетная пассажирская автоколонна,Воссейский район,Хатлонская область
8. Бустонская хозрасчетная автоколонна,Матчинский район,Ленинабадская область

III.МИНИСТЕРСТВО ХЛЕБОПРОДУКТОВ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Булочно-кондитерский комбинат,г.Душанбе
2. Комбинат хлебопродуктов,г.Душанбе
3. Стройтрест,г.Худжанд,Ленинабадская область
4. Комбинат хлебопродуктов,Кофарниханский район

IУ.МИНИСТЕРСТВО МЕЛИОРАЦИИ И ВОДНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Ремонтно-экскаваторный завод,г.Душанбе
2. Завод напорных труб и железобетонных изделий,г.Душанбе
3. АТП-I,г.Душанбе
4. ПМК-5,Ленинский район

У.МИНИСТЕРСТВО СЕЛЬСКОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Объединение "Таджикагростроймонтаж",г.Душанбе
2. Хлопкоочистительный завод,с-з им.Ф.Саидова Бохтарского района, Хатлонская область
3. Хлопкоочистительный завод,с-з им.Дзержинского,Гиссарского района

УI.КОМИТЕТ "ТАДЖИКПИЩЕПРОМ"

1. Масложиркомбинат,г.Душанбе
2. Спец.АТП-I,г.Душанбе
3. Спец.АТП-3,г.Душанбе
4. Сользавод,Аштский район,Ленинабадская область

УII.ГЛАВНОЕ УПРАВЛЕНИЕ ХЛОПКООЧИСТИТЕЛЬНОЙ ПРОМЫШЛЕННОСТИ

1. Хлопкоочистительный завод,г.Канибадам,[illegible]
2. Хлопкоочистительный завод,Матчинский район,Ленинабадская область
3. Хлопкоочистительный завод,г.Курган-Тюбе,Хатлонская область
4. Хлопкоочистительный завод,п.Уяли,Гозималикский-район,Хатлонская область
5. Хлопкоочистительный завод,п.Октябрьский,Бохтарского района, Хатлонская область
6. Хлопкоочистительный завод,Шаартузский район,Хатлонская область
7. Хлопкоочистительный завод,Пянджский район,Хатлонская область
8. Хлопкоочистительный завод,Дархазский район,Хатлонская область
9. Хлопкоочистительный завод,Московский район,Хатлонская область
10. ПМК-5,Науский район,Ленинабадская область

УIII.КОМИТЕТ "МЯСОМОЛПРОМ"

1. Молочный комбинат,г.Худжанд,Ленинабадская область
2. Маслодельный завод,Шахристонский район,Ленинабадская область

IX.ГОСУДАРСТВЕННАЯ СТРОИТЕЛЬНАЯ КОМПАНИЯ "ТАДЖИКСТРОЙ"

1. ПКО "Таджикмонолитстрой",г.Душанбе

X.КОНЦЕРН "ТАДЖИКСЕЛЬСТРОЙ"

1. Трест "Таджиксельстройматериалы",г.Душанбе
2. Трест "Спецсельстрой",Ленинский район

XI. КОНЦЕРН "УМРОН"

1. Завод "Строммаш", г.Душанбе
2. Завод нерудных и облицовочных материалов,п.Консой

XII. КОНЦЕРН "ТАДЖИККОММУНСЕРВИС"

1. Спецхозрасчетное строительное управление (СХРСУ),г.Турсунзаде.
2. СХРСУ, г.Нурек.
3. СХРСУ, п.Шахринау.
4. СХРСУ, Файзабадский район.
5. СХРСУ, Джиргитальский район.

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XIII. ПО "МОХИПАРВАР"

I. Чубекский рыбхоз, Московский район.

XIУ. РПО "ТАДЖИКАВТОМОТОСЕРВИС"

I. СТО-7, г.Канибадам.
2. СТО-I7, г.Куляб.

ХУ. КОРПОРАЦИЯ "ТАДЖИКМОНТАЖСПЕЦСТРОЙ"

I. ДСМУ "Союзпроммонтаж", г.Душанбе.
2. ПСО "Таджикбурвод", г.Душанбе.

ХУI.КОМИТЕТ ПО ДЕЛАМ АРХИТЕКТУРЫ И СТРОИТЕЛЬСТВА

I. Среднеазиатский филиал НИИ оснований и подземных сооружений.

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П Е Р Е Ч Е Н Ь

объектов незавершенного строительства реализуемых на тендерной основе

№№ пп	Наименование отрасли и объектов На 1996 год	Выполнено работ на 01.01.1996г. (тыс.руб.)
	I. ЖИЛИЩНОЕ СТРОИТЕЛЬСТВО	
I.	29 кв.жилой дом в кв.Зарафшон-I,г.Душанбе	79,549
2.	54 кв.жилой дом 2-8I в кв.Зарафшон-I,г.Душанбе	203,I92
3.	I6-этаж.жилой дом по ул.Рудаки,г.Душанбе	35,045
4.	Жилдом-3 в 20I мкр-не,блокиI,2,3,г.Душанбе	II695,897
5.	I32 кв.ж/д по ул.Н.Карабаева,г.Душанбе	524,502
6.	Жилдом I в городке ДМС,Г.Душанбе	84,996
7.	Жилдом 2 в городке ДМС,г.Душанбе	23,406
8.	82 кв.ж-дом по ул.Пушкина,г.Душанбе	9800,990
9.	54 кв ж-дом 3 в 83 мкр-не(ЖОУК),г.Душанбе	68,865
I0.	54 кв ж-дом 4 в 83 мкр-не,г.Душанбе	74,496
	II.ПРОСВЕЩЕНИЕ	
I.	Школа в кв.Бофанда,г.Душанбе	750,I06
2.	Детсад по ул.Варзобской,г.Душанбе	532,042
3.		
	III.ЗДРАВООХРАНЕНИЕ	
I.	Многопрофильная больница по ул.Н.Карабаева,г.Душанбе	308,497
	IУ. ТОРГОВЛЯ	
I.	Магазин продовольственный и непродовольственный в кв.Испечак-II,г.Душанбе	I50,9I4
2.	Магазин продовольственный и непродовольственный в 83-мкр-не,г.Душанбе	204,2I2
3.	Торговые ряды по ул.Кр.Партизан,г.Душанбе	II3,298
4.	Пристройка к чайхане "Рохат",г.Душанбе	73,867
	У. ПРОЧИЕ ОТРАСЛИ	
I8.	Здание Хукумата Октябрьского района,г.Душанбе	2I63I,I67
I9.	Пристройка к здании Хукумата Центрального района,г.Душанбе	2960,00I

МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА

1. Профилакторий-санаторий, г.Исфара, Ленинабадская область

ПО "МОХИПАРВАР"

1. Цех Коптильный с холодильником мощностью 1 тонны в сутки, Кофарниханский район

1997 ГОД

I. ЖИЛИЩНОЕ СТРОИТЕЛЬСТВО

1.	10[illegible] кв.ж/дом 2-25 в кв.Зарафшон, г.Душанбе	4816,689
2.	108 кв.ж/дом 2-28 в кв.Зарафшон, г.Душанбе	8854,860
3.	14[illegible] кв.ж/дом в 101 мкр-не, г.Душанбе	6954,355
4.	Ж/дом 8а в кв.Мухандис, г.Душанбе	3557,927
5.	32 кв.ж/дом по ул.Джами, г.Душанбе	562,536
6.	16 этаж.ж/дом 2 кв.Бофанда, г.Душанбе	145,846
7.	Ж/дом типа "Крест" по ул.Южно-Обходная, блоки 1,2,3, г.Душанбе	317,797
8.	Ж/дом кв.Х.Шерози 6,9,10,11, г.Душанбе	20742,412
9.	Общежитие ТГУ на 4800 мест, г.Душанбе	10107,224
10.	20 кв.ж/дом 3-34 в кв.Зарафшон-2, г.Душанбе	18,146
11.	15 кв.ж/дом 2-38 в кв.Зарафшон-2, г.Душанбе	8,190

II. ПРОСВЕЩЕНИЕ

1.	Школа в кв.Зарафшон-2, г.Душанбе	435,635
2.	Школа в к-ке Харангон, г.Душанбе	60,664 } проект
3.	Школа на Восточных Холмах, г.Душанбе	302,349

III. ЗДРАВООХРАНЕНИЕ

1.	Инфекционная больница, г.Душанбе	1477,090
2.	Полиция объемных блоков для многопрофильной больницы, г.Душанбе	69,299

IV. ТОРГОВЛЯ

1.	Хозблок [illegible]-75 в кв.ЗАРАФШОН-2, г.Душанбе	24,070

V. ПРОЧИЕ

1.	АТС-4[illegible] на Восточных Холмах, г.Душанбе	157,007

МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. АТП на 350 автобусах "Икарус", г.Душанбе

ПО " МОХИПАРВАР"

1. Коптильный цех с холодильником мощностью 300 тонн в год, г.Кофарнихон

П Е Р Е Ч Е Н Ь

объектов Республиканской собственности подлежащих реализации на аукционной основе в 1996 году.

I. ГОСКОМИТЕТ ПО ДЕЛАМ ПРОМЫШЛЕННОСТИ

1. Фирменный хозрасчетный магазин "Обувь", г.Душанбе
2. Фирменный хозрасчетный магазин "Наргис", г.Душанбе
3. Фирменный магазин "Абрешим", г.Душанбе
4. Фирменный хозрасчетный магазин "Малика", г.Худжанд, Ленинабадская область
5. Фирменный хозрасчетный магазин "Нигора", п.Шахринау
6. Хозрасчетный магазин Душанбинского кожообъединения, пос.Восе, Хатлонская область

II. МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА

1. Управление "Автотехснаб" ЛПАО пос. Ленинаи, им.Джаббар Расулова, Ленинабадская область
2. Автотранспортная мастерская, г.Курган-Тюбе, Хатлонская область
3. Автостанция г.Курган-Тюбе, Хатлонская область

III. МИНИСТЕРСТВО КУЛЬТУРЫ И ИНФОРМАЦИИ

1. Магазин 2, (ул.Чехова 3), г.Душанбе
2. Магазин 4, (ул.Рудаки), г.Душанбе
3. Магазин 18, (ул.Чернышевского 53) г.Курган-Тюбе, Хатлонская область
4. Магазин 54, (ул.Борбад 27), Курган-Тюбе, Хатлонская область

IV. Госкомитет по контрактам и торговле

1. Магазин 3 РПО "Таджикэлектростройматериалы", г.Душанбе
2. Хозрасчетный ремонтно-строительный участок "Стеклокерамзит", г.Душанбе
3. Таджикская мастерская "Казгипроторг", г.Душанбе
4. Предприятие "Таджикреклама", г.Душанбе

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5. Предприятие мелкооптовой торговли, г. Душанбе

6. Мелкооптовый хозрасчетный магазин, Таджикабадский район

7. Мелкооптовый хозрасчетный магазин, Дзержинский район

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Хукумати Чумхурии Точикистон

КАРОР

Правительство Республики Таджикистан

ПОСТАНОВЛЕНИЕ

от 20 мая 1996 года № 203

г.Душанбе

О программе приватизации государственной собственности в Республике Таджикистан на 1996 - 1997 годы

В целях реализации мер по дальнейшему углублению и расширению процесса приватизации государственной собственности, повышения эффективности производства и мобилизации части денежных накоплений населения и внешних инвестиций в экономику страны Правительство Республики Таджикистан п о с т а н о в л я е т :

1. Утвердить прилагаемую Программу приватизации государственной собственности в Республике Таджикистан на 1996 - 1997 годы.

2. Государственному комитету Республики Таджикистан по управлению государственным имуществом, министерствам и ведомствам, органам исполнительной власти на местах (хукуматам) принять конкретные меры по реализации указанной программы и строго руководствоваться её требованиями при приватизации объектов республиканской и коммунальной собственности.

3. Государственному комитету Республики Таджикистан по управлению государственным имуществом, органам исполнительной власти на местах (хукуматам) в двухмесячный срок провести ревизию наличия и правильности оформления договоров о приватизации и передаче в аренду объектов и имущества в соответствии с действующим законодательством Республики Таджикистан, а также своевременности поступления средств в бюджет.

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О результатах проделанной работы информировать Правительство Республики Таджикистан.

4. Разрешить Государственному комитету Республики Таджикистан по управлению государственным имуществом и органам исполнительной власти на местах (хукуматам) с учетом предложений министерств, ведомств, трудовых коллективов предприятий и организаций при необходимости по согласованию с Правительством Республики Таджикистан вносить изменения и дополнения в перечень объектов приватизации, включенных в настоящую Программу.

5. Министерству культуры и информации Республики Таджикистан, Государственному комитету Республики Таджикистан по управлению государственным имуществом обеспечить разъяснение основных положений Программы в средствах массовой информации.

Председатель
Правительства Республики
Таджикистан Б.Рахмонов

ПРЕЗИДЕНТИ ЧУМХУРИИ ТОЧИКИСТОН ДАСТГОХИ ИДОРАИ ИЛЕКТРОНИ ЦИУЪБАИ УМУМИ

УТВЕРЖДЕНА

Постановлением Правительства
Республики Таджикистан
от 20 мая 1996 года №.203

ПРОГРАММА

приватизации государственной собственности в Республике Таджикистан на 1996-1997 годы

Программа приватизации государственной собственности в Республике Таджикистан на 1996-1997 годы (в дальнейшем Программа) разработана в соответствии с требованиями Закона Республики Таджикистан "О разгосударствлении и приватизации государственной собственности", Указа Президента Республики Таджикистан от 2 августа 1995 года № 294 "О мерах по дальнейшему углублению и расширению процессов приватизации государственной собственности", Программы экономических преобразований Республики Таджикистан на 1995-2000 годы, утвержденной постановлением Маджлиси Оли Республики Таджикистан от 2 ноября 1995 года, и с учётом опыта проведения приватизации в 1991-1995 годах.

Целью Программы является создание до конца 1997 года всех необходимых условий для преобразования в иные виды собственности всех подлежащих приватизации объектов и формирование основ рыночной экономики.

Основными задачами Программы являются:

- расширение масштабов проведения разгосударствления и приватизации во всех отраслях народного хозяйства;
- придание процессу приватизации необратимого характера;
- вовлечение в процесс приватизации максимально широких слоев населения республики;
- создание условий для погашения образовавшейся задолженности государства населению по заработной плате и приравненных к ней платежам и вкладам;

- формирование механизма приватизации, соответствующего современному этапу её осуществления;
- создание материальных условий для формирования и развития элементов рыночной инфраструктуры;
- формирование условий для привлечения отечественных и зарубежных инвестиций в производство;
- повышение эффективности функционирования экономики.

Для реализации намеченных задач предусматривается:

- завершение в период до конца 1996 года "малой приватизации";
- создание за этот период условий для преобразования в иные формы собственности всех государственных предприятий, за исключением тех, разгосударствление и приватизация которых запрещена Законом Республики Таджикистан "О разгосударствлении и приватизации государственной собственности;"
- преобразование государственных предприятий, имеющих 30 и более рабочих мест, в акционерные общества открытого типа и в иные формы собственности;
- продажу на аукционной и конкурсной основе в частную и коллективную собственность объектов торговли, быта, общественного питания и других предприятий, имеющих менее 30 рабочих мест;
- осуществление приватизации собственности на основе единого упрощенного порядка и механизма оценки государственного имущества;
- преобразование созданных на базе государственных предприятий акционерных обществ закрытого типа в акционерные общества открытого типа, обеспечивающих свободный доступ граждан к процессу разгосударствления и приватизации;
- привлечение иностранных инвесторов в республику посредством проведения тендеров и аукционов, инвестиционных торгов, а также прямой продажи государственного имущества;
- обеспечение государством послеприватизационной поддержки предприятий.

В программу включены объекты республиканской собственности, перечень о которых определен на основе заявок трудовых коллек-

титов, предложений соответствующих министерств, ведомств, хукуматов областей, городов и районов и решением Госкомимущества Республики Таджикистан /перечень объектов прилагается/. Объекты, включенные в Программу в количестве 234 единиц, общей оценочной стоимостью 418,3 млрд.рублов (расчетно), по формам разгосударствления и приватизации распределяются следующим образом:

- подлежащие преобразованию в акционерные общества открытого типа 173 объектов, с оценочной стоимостью 414,3 млрд. рублов;
- подлежащие продаже объектов на аукционной и конкурсной основе - 20 объектов, оценочной стоимостью 0,3 млрд.рублов;
- объекты незавершенного строительства - 41 объект, с оценочной стоимостью 3,7 млрд.рублов. Эти объекты приватизируются по заключению специально образованной для этих целей комиссии в соответствии с действующим законодательством.

Поступление средств от приватизации объектов, включенных в Программу на 1996-1997 гг., составляет 30,0 млрд.рублов, (расчетно), в том числе:

в 1996 году - 10,0 млрд.рублов (расчетно)
в 1997 году - 20,0 млрд.рублов (расчетно)

С момента утверждения Программы все объекты, включенные в нее, получают статус объектов приватизации.

Полномочия ранее принадлежащие министерству, ведомству, другому органу, по оперативному управлению указанных объектов, утрачивают силу.

Госкомимущество без дополнительных согласований с органами государственного управления осуществляет приватизацию объектов, включенных в настоящую Программу. Приватизация объектов республиканской собственности осуществляется исключительно Госкомимуществом республики. Эта функция не может быть делегирована другим органам.

Госкомимущество Республики Таджикистан по предложению государственных органов управления рассматривает и решает

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вопрос о передаче прав оперативного управления принадлежащих государству акциями в Уставных фондах акционерных обществ.

Объекты коммунальной собственности приватизируются в соответствии с территориальными программами, которые разрабатывают органы по управлению государственным имуществом на местах.

Эти программы утверждаются местными маджлисами народных депутатов по предварительному согласованию с Госкомимуществом Республики Таджикистан. В случае несоответствия указанных программ требованиям нормативных документов хукуматы областей, городов и районов в десятидневный срок в соответствии с замечаниями Госкомимущества вносят необходимые изменения. Контроль за выполнением территориальных программ осуществляется Госкомимуществом Республики Таджикистан.

В процессе приватизации допускается использование иностранных инвестиций в соответствии с Законом Республики Таджикистан "Об иностранных инвестициях". Предусматривается проведение валютной приватизации путем продажи акций приватизированных и приватизируемых предприятий иностранным физическим и юридическим лицам во всех отраслях народного хозяйства.

Решение о форме привлечения иностранных инвесторов в процессе приватизации объектов государственной собственности, включенных в настоящую Программу, принимается Госкомимуществом Республики Таджикистан.

Для погашения задолженности государства населению по выплатам заработной платы и приравненных к ней платежей предлагается внедрение приватизационных счетов (чеков). Эти счета (чеки) обеспечиваются гарантией Правительства Республики Таджикистан на выкуп государственного имущества, приобретение акций приватизированных и приватизируемых предприятий или специализированных фондов, а также при приватизации жилищного фонда.

Предусматривается поэтапное преобразование хлопкоочистительных предприятий в акционерные общества. При этом часть акций этих акционерных обществ будет реализована непосредственно коллективам хлопкосеющих хозяйств.

Средства от продажи государственной собственности, полученные в процессе приватизации, используются в соответствии со статьей I5 Закона Республики Таджикистан "О разгосударствлении и приватизации государственной собственности" и статьями 3 и II Закона Республики Таджикистан "О Государственном бюджете Республики Таджикистан на 1996 год".

В целях ускорения разгосударствления и приватизации государственной собственности, разъяснения положений настоящей Программы будет осуществляться выпуск специальных бюллетеней, наглядных пособий, сборников нормативных актов и использованы другие возможности средств массовой информации.

Требования, установленные настоящей Программой, обязательны для исполнения всеми органами государственного управления и местного самоуправления.

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П Е Р Е Ч Е Н Ь
объектов республиканской собственности преобразуемых в Акционерные общества открытого типа

1996 г.

I. ГОСКОМИТЕТ РЕСПУБЛИКИ ТАДЖИКИСТАН ПО ДЕЛАМ ПРОМЫШЛЕННОСТИ

I. НПО "Таджикхимьерузгор", г.Душанбе.
2. ТАО "Ситора", г.Душанбе
3. Арендный завод "Тачхизот" г.Душанбе
4. Арендная фабрика НПП "Армугон", г.Душанбе
5. Душанбинский мебельный комбинат, г.Душанбе
6. ПО "Таджиктекстиль", г.Душанбе
7. ДПШО "Чевар", г.Душанбе
8. Арендное предприятие "Чарлдуз", г.Душанбе
9. Мебельная фабрика, г.Худжанд, Ленинабадская область
I0. Фабрика "Зардуз", г.Худжанд, Ленинабадская область
II. Обувная фабрика № 2, г.Худжанд, Ленинабадская область
I2. Арендная передвижная механизированная колонна, г.Худжанд.
I3. Исфаринский химзавод, г.Исфара, Ленинабадская область
I4. Производственное объединение "Мохира", г.Исфара, Лен-я обл.
I5. Производственно-торговая фирма "Сино", г.Пенджикент, Ленинабадская область
I6. Швейная фабрика, г.Нурек
I7. Обувная фабрика, г.Куляб, Хатлонская область
I8. Швейная фабрика, г.Курган-Тюбе, Хатлонская область
I9. НПК "Элто", г.Душанбе
20. Малое кондитерское предприятие "Таджикобод", г.Курган-Тюбе, Хатлонская область
2I. Арендное предприятие "Зарбсоз", Кофарнихонский район
22. Государственная фирма "Ситора", Кофарнихонский район
23. Анзобский ГОК, Айнинский район, Ленинабадская область
24. Государственный кооператив "Звезда", п.Нефтяник, Исфаринский район, Ленинабадская область
25. Швейная фабрика, Московский район, Хатлонская область
26. Швейная фабрика "Дангара", пос.Дангара

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XI.КОМИТЕТ "ТАДЖИКМЯСОМОЛПРОМ"

1.Мясоконсервный комбинат,г.Душанбе
2.Молочный комбинат,г.Душанбе
3.Маслодельный завод,г.Исфара,Ленинабадская область
4.Маслокомбинат,г.Пенджикент,Ленинабадская область
5.Сырзавод,Кумсангирский район,Хатлонская область
6.Молочный-комбинат,г.Куляб,Хатлонская область

XII.ГОСУДАРСТВЕННАЯ СТРОИТЕЛЬНАЯ КОМПАНИЯ "ТАДЖИКСТРОЙ"

1.ПСО "Захира",г.Душанбе
2.Кооператив "Домостроитель - 2",г.Душанбе

XIII.КОНЦЕРН "ТАДЖИКСЕЛЬСТРОЙ"

1.Трест "Сельстрой-2",г.Гафурова,Ленинабадская область
2.АТП-14,Кофарнихонский район

XIУ.КОНЦЕРН "МАДАД"

1.Филиал ЦП МТО "Таджикагроснаб",г.Душанбе

У.КОНЦЕРН "УМРОН"

1.Завод нерудных материалов,Ленинский район
2.Завод камнеобработки,Ленинский район

УI.КОНЦЕРН "УИЗМАТ"

1.Дом быта "Садбарг",г.Душанбе
2.Центр моды "Бону",г.Душанбе
3.Завод нестандартного оборудования,г.Душанбе
4.ПМК,г.Ура-Тюбе,Ленинабадская область
5.МПО "Таджиктрикотажбыт",г.Душанбе.

УII.КОНЦЕРН "ТАДЖИККОММУНСЕРВИС"

1.Трест "Таджикремстройтрест",г.Душанбе
2.СХРСУ,Гармский район

УIII.ПО "МОЙПАРВАР"

1.Джиликульский рыбхоз,Джиликульский район,Хатлонская область
2.Куйбышевский рыбхоз,Куйбышевский район,Хатлонская область

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XIX.РПО "ТАДЖИКАВТОМОТОСЕРВИС"

1. СТО-3 "Москвич",г.Душанбе
2. СТО-24 "Лада",г.Душанбе
3. СТО-14,г.Душанбе
4. СТО-2,г.Худжанд,Ленинабадская область

XX.КОРПОРАЦИЯ "ТАДЖИКМОНТАЖСПЕЦСТРОЙ"

1. Корпорация "Таджикмонтажспецстрой",г.Душанбе
2. Филиал "Автоматика",г.Душанбе

XXI. ПРОЧИЕ

1. Душанбинский филиал АО "Автоматика",г.Душанбе
2. Госкомпания "Таджикгидроэнергострой",г.Душанбе
3. Республиканская школа высшего спортивного мастерства,г.Душанбе

1997 год

I.ГОСКОМИТЕТ ПО ДЕЛАМ ПРОМЫШЛЕННОСТИ

1. ПО "Таджиктекстильмаш",г.Душанбе
2. Завод холодильников,г.Душанбе
3. Завод "Торгмаш",г.Душанбе
4. Душанбинский шелккомбинат,г.Душанбе
5. Производственное объединение НХП "Гулдаст",г.Душанбе
6. Производственное объединение НХП "Дилором",г.Душанбе
7. Трикотажная фабрика "Элегант",г.Душанбе
8. Производственное объединение "Таджикцемент",г.Душанбе
9. Завод "Нилуфар",г.Исфара,Ленинабадская область
10. ПО "Светотехника",г.Исфара,Ленинабадская область
11. ПО "Наусельмаш",Науский район,Ленинабадская область
12. Прядильно-тканная фабрика,г.Канибадам,Ленинабадская область
13. Фарфорный завод,г.Турсун-Заде
14. Швейная фабрика "Фируза",г.Куляб,Хатлонская область
15. Вахшский азотно-туковый завод,г.Курган-Тюбе,Хатлонская область
16. Трансформаторный завод,г.Курган-Тюбе,Хатлонская область
17. Хлопкопрядильная фабрика,г.Курган-Тюбе,Хатлонская область
18. НПО "Таджикистемавтоматика",г.Душанбе
19. Механический завод "Филиз",п.Шураб,Исфаринский район,Ленинабадская область
20. Швейно-трикотажная фабрика,Ганчинский район,Ленинабадская область
21. Науский мехкарьер,Науский район,Ленинабадская область
22. Экспериментальная меховая фабрика "Муина",Бохтарский район, Хатлонская область

27. Чистакузская фабрика "Ситора", Ходжентский район, Ленинабадская область
28. Швейная фабрика им. Жуайдуллаева, п. Пролетарск, Джабор Расуловский р айон, Ленинабадская область
29. Промышленно-торговое предприятие "Ворух", Исфаринский район, Ленинабадская область
30. ПО "Таджикхимпром", Яванский район, Хатлонская область
31. Сользавод, Яванский район, Хатлонская область

II. МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. АТП-1, г. Душанбе
2. АТП-29, г. Душанбе
3. ТЭП по междугородным перевозкам, г. Душанбе
4. Таксомоторное предприятие, г. Худжанд, Ленинабадская область
5. Таксомоторное АТП, г. Курган-Тюбе
6. АТП-16 ШАО, Гиссарский район
7. ПМК-7 "Таджикгидростройтрест", Гиссарский район
8. Авторемзавод им. Кирова, г. Душанбе

III. МИНИСТЕРСТВО ХЛЕБОПРОДУКТОВ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Хлебзавод, г. Худжанд, Ленинабадская область
2. Хлебзавод, г. Исфара, Ленинабадская область
3. Хлебоприемное предприятие, Гиссарский район

IV. МИНИСТЕРСТВО МЕЛИОРАЦИИ И ВОДНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Арендный деревообрабатывающий комбинат, г. Душанбе
2. ПМК-9, г. Душанбе
3. Ремонтно-механические мастерские, г. Кайраккум, Ленинабадская область
4. ПМК-25 РССО "Таджикводстрой", Гиссарский район

V. МИНИСТЕРСТВО СЕЛЬСКОГО ХОЗЯЙСТВА

1. Хлопкочистительный завод, с-з им. Кирова, Вахшского района, Хатлонская область

VI. МИНИСТЕРСТВО ОБРАЗОВАНИЯ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Хозрасчетное предприятие "Пилотные школы", г. Душанбе

VII. МИНИСТЕРСТВО ЗДРАВООХРАНЕНИЯ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Республиканский реабилитационный центр п. Харангон, г. Душанбе

VIII. ГОСУДАРСТВЕННЫЙ КОМИТЕТ ПО КОНТРАКТАМ И ТОРГОВЛЕ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. РПО "Таджиклесстройматериалы", г. Душанбе

IX. КОМИТЕТ "ТАДЖИКПИЩЕПРОМ"

1. Пищекомбинат, г. Душанбе
2. Табачно-ферментационный завод, г. Душанбе
3. Консервный комбинат, г. Худжанд, Ленинабадская область
4. Консервный комбинат, г. Исфара, Ленинабадская область
5. Консервный комбинат, г. Ура-Тюбе, Ленинабадская область
6. Сользавод, Восейский район, Хатлонская область

X. ГЛАВНОЕ УПРАВЛЕНИЕ ХЛОПКООЧИСТИТЕЛЬНОЙ ПРОМЫШЛЕННОСТИ

1. ПО хлопкочистительной промышленности, г. Худжанд, Ленинабадская область
2. Хлопкочистительный завод, Наукский район, Ленинабадская область
3. Хлопкоочистительный завод, Джабор Расуловский район, Ленинабадская область
4. Хлопкоочистительный завод, г. Куляб, Хатлонская область
5. Хлопкоочистительный завод, Колхозабадский район, Хатлонская область
6. Хлопкоочистительный завод, Кофарнихонский район
7. Хлопкоочистительный завод, Турсунзадевский район
8. Хлопкоочистительный завод, п. Айни, Ленинского района
9. ПКТБ "Точикпахта", г. Душанбе
10. Завод "Хлопкозапчасть", Кофарнихонский район

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23. Швейная фирма "Умеда",с-з Самсолык,Комсомолобадский район
24. Швейная фабрика им.Бойматова,Аштский район,Ленинабадская область
25. Таджикский алюминевый завод,г.Турсун-Заде

II.МИНИСТЕРСТВО ТРАНСПОРТА ИТ ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

I. АТП-7,г.Душанбе
2. Автоколонна 2926,г.Душанбе
3. Автоколонна 2927 ДПАО,г.Душанбе
4. ПСКТ "Мостоспецстрой",г.Душанбе
5. Автоколонна 2928 ДПАО,г.Худжанд,Ленинабадская область
6. Спецавтоколонна ДПАО,Кофарнихонский район
7. Хозрасчетная пассажирская автоколонна,Воссейский район,Хатлонская область
8. Бустонская хозрасчетная автоколонна,Матчинский район,Ленинабадская область

III.МИНИСТЕРСТВО ХЛЕБОПРОДУКТОВ РЕСПУБЛИКИ ТАДЖИКИСТАН

I. Булочно-кондитерский комбинат,г.Душанбе
2. Комбинат хлебопродуктов,г.Душанбе
3. Стройтрест,г.Худжанд,Ленинабадская область
4. Комбинат хлебопродуктов,Кофарниханский район

IУ.МИНИСТЕРСТВО МЕЛИОРАЦИИ И ВОДНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

I. Ремонтно-экскаторный завод,г.Душанбе
2. Завод напорных труб и железобетонных изделий,г.Душанбе
3. АТП-I,г.Душанбе
4. ПМК-5,Ленинский район

У.МИНИСТЕРСТВО СЕЛЬСКОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

I. Объединение "Таджикагростроймонтаж",г.Душанбе
2. Хлопкоочистительный завод,с-з им.Ф.Саидова Бохтарского района, Хатлонская область
3. Хлопкоочистительный завод,с-з им.Дзержинского,Гиссарского района

УI.КОМИТЕТ "ТАДЖИКПИЩЕПРОМ"

I. Масложиркомбинат,г.Душанбе
2. Спец.АТП-I,г.Душанбе
3. Спец.АТП-3,г.Душанбе
4. Сользавод,Аштский район,Ленинабадская область

УII.ГЛАВНОЕ УПРАВЛЕНИЕ ХЛОПКООЧИСТИТЕЛЬНОЙ ПРОМЫШЛЕННОСТИ

I. Хлопкоочистительный завод,г.Канибадам,
2. Хлопкоочистительный завод,Матчинский район,Ленинабадская область
3. Хлопкоочистительный завод,г.Курган-Тюбе,Хатлонская область
4. Хлопкоочистительный завод,п.Уяли,Гозималикский район,Хатлонская область
5. Хлопкоочистительный завод,п.Октябрьский,Бохтарского района, Хатлонская область
6. Хлопкоочистительный завод,Шаартузский район,Хатлонская обл
7. Хлопкоочистительный завод,Пянджский район,Хатлонская облас
8. Хлопкоочистительный завод,Фархарский район,Хатлонская облас
9. Хлопкоочистительный завод,Московский район,Хатлонская облас
10. ПМК-5,Науский район,Ленинабадская область

УIII.КОМИТЕТ "МЯСОМОЛПРОМ"

I. Молочный комбинат,г.Худжанд,Ленинабадская область
2. Маслодельный завод,Шахристонский район,Ленинабадская облас

IX.ГОСУДАРСТВЕННАЯ СТРОИТЕЛЬНАЯ КОМПАНИЯ "ТАДЖИКСТРОЙ"

I. ППСО "Таджикмонолитстрой",г.Душанбе

X.КОНЦЕРН "ТАДЖИКСЕЛЬСТРОЙ"

I. Трест "Таджиксельстройматериалы",г.Душанбе
2. Трест "Спецсельстрой",Ленинский район

XI. КОНЦЕРН "УМРОН"

I. Завод "Строммаш", г.Душанбе
2. Завод нерудных и облицовочных материалов,п.Консой

XII. КОНЦЕРН "ТАДЖИККОММУНСЕРВИС"

I. Спецхозрасчетное строительное управление (СХРСУ),г.Турсу
2. СХРСУ, г.Нурек.
3. СХРСУ, п.Шахринау
4. СХРСУ, Файзабадский район.
5. СХРСУ, Джиргитальский район.

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XIII. ПО "МОХИПАРВАР"

I. Кубекский рыбхоз, Московский район.

XIУ. РПО "ТАДЖИКАВТОМОТОСЕРВИС"

I. СТО-7, г.Канибадам.
2. СТО-I7, г.Куляб.

ХУ. КОРПОРАЦИЯ "ТАДЖИКМОНТАЖСПЕЦСТРОЙ"

I. ДСМУ "Союзпроммонтаж", г.Душанбе.
2. ПСО "Таджикбурвод", г.Душанбе.

ХУI.КОМИТЕТ ПО ДЕЛАМ АРХИТЕКТУРЫ И СТРОИТЕЛЬСТВА

I. Среднеазиатский филиал НИИ оснований и подземных сооружений.

П Е Р Е Ч Е Н Ь

объектов незавершенного строительства реализуемых на тендерной основе

№№ пп	Наименование отрасли и объектов На 1996 год	Выполнено работ на 01.01.1996г. (тыс.руб.)
	I. ЖИЛИЩНОЕ СТРОИТЕЛЬСТВО	
I.	29 кв.жилой дом в кв.Зарафшон-I,г.Душанбе	79,519
2.	54 кв.жилой дом 2-8I в кв.Зарафшон-I,г.Душанбе	203,I92
3.	I6-этаж.жилой дом по ул.Рудаки,г.Душанбе	35,045
4.	Жилдом-3 в 20I мкр-не,блоки I,2,3,г.Душанбе	II695,897
5.	I32 кв.ж/д по ул.Н.Карабаева,г.Душанбе	524,502
6.	Жилдом I в городке ДМС,Г.Душанбе	84,996
7.	Жилдом 2 в городке ДМС,г.Душанбе	23,406
8.	82 кв.ж-дом по ул.Пушкина,г.Душанбе	9800,990
9.	54 кв ж-дом 3 в 83 мкр-не(ЖОУК),г.Душанбе	68,865
I0.	54 кв ж-дом 4 в 83 мкр-не,г.Душанбе	74,495
	II.ПРОСВЕЩЕНИЕ	
I.	Школа в кв.Бофанда,г.Душанбе	750,I06
2.	Детсад по ул.Варзобской,г.Душанбе	532,042
3.		
	III.ЗДРАВООХРАНЕНИЕ	
I.	Многопрофильная больница по ул.Н.Карабаева,г.Душанбе	308,497
	IУ. ТОРГОВЛЯ	
I.	Магазин продовольственный и непродовольственный в кв.Испечак-II,г.Душанбе	I50,914
2.	Магазин продовольственный и непродовольственный в 83-мкр-не,г.Душанбе	204,2I2
3.	Торговые ряды по ул.Кр.Партизан,г.Душанбе	II3,298
4.	Пристройка к чайхане "Рохат",г.Душанбе	73,867
	У. ПРОЧИЕ ОТРАСЛИ	
I8.	Здание Хукумата Октябрьского района,г.Душанбе	2I63I,I67
I9.	Пристройка к зданию Хукумата Центрального района,г.Душанбе	2960,00I

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МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА

I. Профилакторий-санаторий, г.Исфара, Ленинабадская область

ПО "МОХИПАРВАР"

I. ЦЕХ Коптильный с холодильником мощностью I тонны в сутки, Кофарниханский район

1997 ГОД

I. ЖИЛИЩНОЕ СТРОИТЕЛЬСТВО

I. I08 кв.ж/дом 2-25 в кв.Зарафшон, г.Душанбе	4816,689
2. I08 кв.ж/дом 2-28 в кв.Зарафшон, г.Душанбе	8854,860
3. I44 кв.ж/дом в I0I мкр-не, г.Душанбе	6954,355
4. Ж/дом 8а в кв.Мухандис, г.Душанбе	3557,927
5. 32 кв.ж/дом по ул.Джами, г.Душанбе	562,536
6. I5 этаж.ж/дом 2 кв.Бофанда, г.Душанбе	I45,846
7. Ж/дом типа "Крест" по ул.Южно-Обходная, блоки I,2,3, г.Душанбе	3I7,797
8. Ж/дом кв.Х.Шерози 6,9,I0,II, г.Душанбе	20743,4I2
9. Общежитие ТГУ на 4800 мест, г.Душанбе	I0I07,224
I0. 20 кв.ж/дом 3-34 в кв.Зарафшон-2, г.Душанбе	I8,I46
II. I5 кв.ж/дом 2-38 в кв.Зарафшон-2, г.Душанбе	8,I90

II. ПРОСВЕЩЕНИЕ

I. Школа в кв.Зарафшон-2, г.Душанбе	435,633
2. Школа в к-ке Харангон, г.Душанбе	60,664 проект
3. Школа на Восточных Холмах, г.Душанбе	302,349

III. ЗДРАВООХРАНЕНИЕ

I. Инфекционная больница, г.Душанбе	I427,090
2. Полигон объемных блоков для многопрофильной больницы, г.Душанбе	59,399

IV. ТОРГОВЛЯ

I. Хозблок [illegible]-75 в кв.ЗАРАФШОН-2, г.Душанбе	24,070

V. ПРОЧИЕ

I. АТС-45 на Восточных Холмах, г.Душанбе	I57,007

МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

I. АТП на 350 автобусах "Икарус", г.Душанбе

ПО " МОХИПАРВАР"

I. Коптильный цех с холодильником мощностью 300 тонн в год, г.Кофарнихон

ПЕРЕЧЕНЬ

объектов Республиканской собственности подлежащих реализации на аукционной основе в I996 году.

I. ГОСКОМИТЕТ ПО ДЕЛАМ ПРОМЫШЛЕННОСТИ

I. Фирменный хозрасчетный магазин "Обувь", г.Душанбе
2. Фирменный хозрасчетный магазин "Наргис", г.Душанбе
3. Фирменный магазин "Абрешим", г.Душанбе
4. Фирменный хозрасчетный магазин "Малика", г.Худжанд, Ленинабадская область
5. Фирменный хозрасчетный магазин "Нигора", п.Бахринау
6. Хозрасчетный магазин Душанбинского комбината, пос.Восе, Хатлонская область

II. МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА

I. Управление "Автотехснаб" ЛПАО пос. Дигман, ул.Шафар Расулова, Ленинабадская область
2. Автотранспортная мастерская, г.Курган-Тюбе, Хатлонская область
3. Автостанция г.Курган-Тюбе, Хатлонская область

III. МИНИСТЕРСТВО КУЛЬТУРЫ И ИНФОРМАЦИИ

I. Магазин 2, (ул.Чехова 3), г.Душанбе
2. Магазин 4, (ул.Рудаки), г.Душанбе
3. Магазин I0, (ул.Чернышевского 53) г.Курган-Тюбе, Хатлонская область
4. Магазин 34, (ул.Борбад 27), Курган-Тюбе, Хатлонская Область

IV. ГОСКОМИТЕТ ПО КОНТРОЛЮ И ТОРГОВЛЕ

I. Магазин 3 РПО "Таджикэлектростройматериалы", г.Душанбе
2. Хозрасчетный ремонтно-строительный участок "Стекло-керамзит", г.Душанбе
3. Таджикская мастерская "Казгипросторг", г.Душанбе
4. Предприятие "Таджикреклама", г.Душанбе

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5. Предприятие мелкооптовой торговли, г.Душанбе

6. Мелкооптовый хозрасчетный магазин, Таджикабадский район

7. Мелкооптовый хозрасчетный магазин, Дзержинтальский район

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The description of the State Program on Privatization for the period of 1996-1997 in the Republic of Tajikistan.

The Government of the Republic of Tajikistan in order to ~~implement of measures of~~ further deepening and extending the processes of privatization of state property approved a Program of privatization in the Republic of Tajikistan for 1996-1997 by its decree from may 20,1996. What is the essence of this Program? This Program is the first which is formed taking into account the new edition of the Law of the Republic of Tajikistan " On denationalization and privatization of the state property" (November 1995.) and also, in accordance to the Decree of the president of the Republic of Tajikistan from August 2, 1995 #294 " on measures for further deepening and extending the processes of privatization of the state property" and the program of Economic Reforms of the Republic of Tajikistan for 1995-2000, approved by the Majlisi Oli (Parliament) from November 2, 1995. When drafting the Program all positive and negative moments of the works carried out on privatization in 1991-1995 were taken into account.

The main goal of the Program is to create until the end of 1997 all necessary conditions for transformation to other forms of ownership all the objects subject to privatization and formation the basis of the market economy. The main tasks are determined by the Program. ~~That is,~~ increase ~~of~~ the scales of denationalization and privatization in all branches of the national economy, involvement into the process of privatization as widely as possible all strata of the population of the republic, formation of conditions for attracting native and foreign investment into production sphere, increasing the efficiency of functioning of the national economy.

For the realization of the outlined tasks it is foreseen the following measures: completion of small privatization till the end of 1996; creation of necessary conditions for transformation of all state enterprises to other forms of ownership, except those,

denationalization and privatization of which is prohibited by the Law of the Republic of Tajikistan " On denationalization and privatization of state property"; transformation of the state enterprises which have 30 or more working places into shareholding societies of opened type and other forms of ownership, sale on the auction and competition basis the objects of trade, house holding services, public nourishment and other enterprises which have less then 30 working places; implementation of privatization on the basis of simplified order and mechanism of evaluation of the state property; transformation of the stock companies of closed type into an opened ones, thereby enabling citizens to access to the process of privatization; attracting of foreign investment to the country by virtue of carrying out of tenders and competitions, and, also, by virtue of direct sales of the state property; providing the enterprises by the state post- privatization support.

The Program involves 234 objects the list of which is determined on the basis of the claims of working collectives, proposals of a line of Ministries, Departments, Regional Hukumats (former Executive Committees), that of cities and districts and also the decisions of the State Committee for Property of the Republic of Tajkistan. From that 173 objects are going to be transformed to a shareholding societies of opened type; 20 objects are subject to realization on an auction basis and 41 of unfinished construction objects are going to be realized on the basis of competition and tenders according to a decision of a specially established commission for these purposes.

The calculated revenue to be obtained from the privatization of objects included to the Program of Privatization for 1996-1997 will make up 30 billion Tajik Rubles.

It should be noted, that the objects which are included in the Program will have a status of objects to be privatized, that means that the authorization earlier belonged to a Ministry, Department and the organs which carried out an operative control over those

objects will be no longer valid. The State Committee for Property privatizes the objects included in the Program without an additional concordance with the Governmental structures.
According to proposals of the Governmental structures (Ministries, Departments) the State Committee for Property can make a decision on assignation the rights of operative control over the shares belonging to the State in the Statutory Funds of the shareholding societies. Concerning the objects of communal (municipal) property are privatized according to the Areal Programs of Privatization, which is elaborated by the local organs controlling the state property. These Programs, preliminary coordinated with the State Committee for Property of the republic, are subject to approval by the local Majlises of people deputies. In the case of inconsistencies of such Programs with the normative documents of Regional Hukumats, Cities and Districts, the corrections are made within the ten days period taking into account the remarks of the State Committee for Property. The overall control over the implementation of the local Programs of Privatization is made by the State Committee for Property.

It is mentioned in the Program that in process of privatization the use of foreign investments is permitted in accordance with acting legislation. The hard currency privatization is foreseen by virtue of sales of shares of privatized or being privatized enterprises to foreign individuals and judicial persons in all branches of the national Economy. The decision about the forms of attracting of foreign investors in the process of privatization of objects of state property including to the Program is made by the State Committee for Property.

For the first time the stage by stage transformation of ginning factories to a shareholding societies of opened type is foreseen, where part of shares of these societies will be realized directly to a cotton growing farms.

The Program supposes to create the conditions for repay of foreseen salaries to the population and equated to them payments and deposits. For this purpose an inscribed privatization accounts (checks) are proposed to be introduced. These accounts (checks) are provided by the guarantee of the government of the Republic of Tajikistan to purchase the state property, acquisition of shares of privatized or being privatized enterprises or specialized funds, and also, when privatizing the dwelling fund.
At present the State Commission for Privatization approved the sample of the Privatization Check and ordered the Saving Bank of the Republic of Tajkistan and the Ministry of Finance of the Republic to print them in the enterprises of Gosznak of Russia.

In order to speed up denationalization and privatization of state property, explanation of the provisions of the Program of Privatization the State Committee for Property will publish a special bulletins, visual aids, collection of normative acts and use other facilities of mass media.

In the end it should be noted that the requirements posed by this Program are obvious for fulfillment by all bodies of state and local government.

For the implementation of the Program, the Sate Committee for Property of the Republic of Tajikistan adopted a decree, where the tasks of Managements and Departments of the Central Body and that of local organs of control on state property are determined as well.

The schedule of privatization of objects included to the Program is approved. The concrete terms and the persons responsible for implementation are determined. The order and the system of summarizing of the work done for the ten days period, month and quarter is established.

The auctions and competitions for sales of state property and the objects of the state property are foreseen to carry out regularly, paying a special attention to the problems of openness of the measures being carried out.

The transition to a stage of a large scale privatization oriented to creation of shareholding societies of opened type, the issuance of shares of enterprises and creation of markets of immovable and stocks are foreseen.

In all its initiatives to implement the State Program of Privatization the State Committee for Property will lean on cooperation and support of International Monetary Fund and the World Bank.

Iqbolsho Salimov,
Deputy Chairman of the State
Committee for Property of the
Republic of Tajikistan.
Dushanbe, Tajikistan. July 11, 1996.

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Хукумати Чумхурии Точикистон

КАРОР

Правительство Республики Таджикистан

ПОСТАНОВЛЕНИЕ

от 20 мая 1996 года № 202

г.Душанбе

О программе приватизации государственной собственности в Республике Таджикистан на 1996 - 1997 годы

В целях реализации мер по дальнейшему углублению и расширению процессов приватизации государственной собственности, повышения эффективности производства и улучшения на этой основе доходов населения и внешних инвестиций, развития страны Правительство Республики Таджикистан постановляет:

1. Утвердить прилагаемую Программу приватизации государственной собственности в Республике Таджикистан на 1996 - 1997 годы.

2. Государственному комитету Республики Таджикистан по управлению государственным имуществом, министерствам и ведомствам, органам исполнительной власти на местах (хукуматам) принять конкретные меры по реализации указанной программы и строго руководствоваться её требованиями при приватизации объектов республиканской и коммунальной собственности.

3. Государственному комитету Республики Таджикистан по управлению государственным имуществом, органам исполнительной власти на местах (хукуматам) в двухнедельный срок провести ревизию наличия и правильности оформления договоров о приватизации и передаче в аренду объектов и имущества в соответствии с действующим законодательством Республики Таджикистан, а также своевременности поступления средств в бюджет.

Результаты проделанной работы информировать Правительство Республики Таджикистан.

4. Разрешить Государственному комитету Республики Таджикистан по управлению государственным имуществом и органам исполнительной власти на местах (хукуматам) с учетом предложений министерств, ведомств, трудовых коллективов предприятий и организаций при необходимости по согласованию с Правительством Республики Таджикистан вносить изменения и дополнения в перечень объектов приватизации, включенных в настоящую Программу.

5. Министерству культуры и информации Республики Таджикистан, Государственному комитету Республики Таджикистан по управлению государственным имуществом обеспечить разъяснение основных положений Программы в средствах массовой информации.

Председатель
Правительства Республики
Таджикистан

О.Расулов

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УТВЕРЖДЕНА
Постановлением Правительства
Республики Таджикистан
от 20 мая 1996 года № 203

ПРОГРАММА

приватизации государственной собственности в Республике Таджикистан на 1996-1997 годы

Программа приватизации государственной собственности в Республике Таджикистан на 1996-1997 годы (в дальнейшем Программа) разработана в соответствии с требованиями Закона Республики Таджикистан "О разгосударствлении и приватизации государственной собственности", Указа Президента Республики Таджикистан от 2 августа 1995 года № 294 "О мерах по дальнейшему углублению и расширению процессов приватизации государственной собственности", Программы экономических преобразований Республики Таджикистан на 1995-2000 годы, утвержденной постановлением Маджлиси Оли Республики Таджикистан от 2 ноября 1995 года, и с учётом опыта проведения приватизации в 1991-1995 годах.

Целью Программы является создание до конца 1997 года всех необходимых условий для преобразования в иные виды собственности всех подлежащих приватизации объектов и формирование основ рыночной экономики.

Основными задачами Программы являются:

- расширение масштабов проведения разгосударствления и приватизации во всех отраслях народного хозяйства;
- придание процессу приватизации необратимого характера;
- вовлечение в процесс приватизации максимально широких слоев населения республики;
- создание условий для погашения образовавшейся задолженности государства населению по заработной плате и приравненных к ней платежам и вкладам;

- формирование механизма приватизации, соответствующего современному этапу её осуществления;
- создание материальных условий для формирования и развития элементов рыночной инфраструктуры;
- формирование условий для привлечения отечественных и зарубежных инвестиций в производство;
- повышение эффективности функционирования экономики.

Для реализации намеченных задач предусматривается:

- завершение в период до конца 1996 года "малой приватизации";
- создание за этот период условий для преобразования в иные формы собственности всех государственных предприятий, за исключением тех, разгосударствление и приватизация которых запрещена Законом Республики Таджикистан "О разгосударствлении и приватизации государственной собственности;"
- преобразование государственных предприятий, имеющих 30 и более рабочих мест, в акционерные общества открытого типа и в иные формы собственности;
- продажу на аукционной и конкурсной основе в частную и коллективную собственность объектов торговли, быта, общественного питания и других предприятий, имеющих менее 30 рабочих мест;
- осуществление приватизации собственности на основе единого упрощенного порядка и механизма оценки государственного имущества;
- преобразование созданных на базе государственных предприятий акционерных обществ закрытого типа в акционерные общества открытого типа, обеспечивающих свободный доступ граждан к процессу разгосударствления и приватизации;
- привлечение иностранных инвесторов в республику посредством проведения тендеров и аукционов, инвестиционных торгов, а также прямой продажи государственного имущества;
- обеспечение государством послеприватизационной поддержки предприятий.

В программу включены объекты республиканской собственности, перечень о которых определен на основе заявок трудовых коллек-

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7. [illegible] "[illegible]", [illegible], Ленинабадская область
28. Шелковая фабрика им. [illegible], г. Кировобод, Джабор Расуловский район, Ленинабадская область
29. Промышленно-торговое предприятие "Ворух", Кировский район, Ленинабадская область
30. ПО "Таджикхимпром", Ленинский район, Хатлонская область
31. Сользавод, Ленинский район, Хатлонская область

II. МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. АТП-1, г. Душанбе
2. АТП-29, г. Душанбе
3. ТОП по международным перевозкам, г. Душанбе
4. Таксомоторное предприятие, г. Худжанд, Ленинабадская область
5. Таксомоторное АТП, г. Курган-Тюбе
6. АТП-16 ДПАО, Гиссарский район
7. ПМК-7 "Таджикгидростройтрест", Гиссарский район
8. Авторемзавод им. Кирова, г. Душанбе

III. МИНИСТЕРСТВО ХЛЕБОПРОДУКТОВ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Хлебозавод, г. Худжанд, Ленинабадская область
2. Хлебозавод, г. Исфара, Ленинабадская область
3. Хлебоприемное предприятие, Гиссарский район

IV. МИНИСТЕРСТВО МЕЛИОРАЦИИ И ВОДНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Арендный деревообрабатывающий комбинат, г. Душанбе
2. ПМК-9, г. Душанбе
3. Ремонтно-механические мастерские, г. Канибадам, Ленинабадская область
4. ПМК-25 РССО "Таджикводстрой", Гиссарский район

V. МИНИСТЕРСТВО СЕЛЬСКОГО ХОЗЯЙСТВА

1. Хлопкочистительный завод, с-з им. Кирова, Вахшского района, Хатлонская область

[illegible] РЕСПУБЛИКИ ТАДЖИКИСТАН

[illegible]. Хозрасчетное предприятие "Пилотные школы", г. Душанбе

VII. МИНИСТЕРСТВО ЗДРАВООХРАНЕНИЯ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Республиканский реабилитационный центр п. Харанон, г. Душанбе

VIII. ГОСУДАРСТВЕННЫЙ КОМИТЕТ ПО КОНТРАКТАМ И ТОРГОВЛЕ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. РПО "Таджиклесстройматериалы", г. Душанбе

IX. КОМИТЕТ "ТАДЖИКПИЩЕПРОМ"

1. Пищекомбинат, г. Душанбе
2. Табачно-ферментационный завод, г. Душанбе
3. Консервный комбинат, г. Худжанд, Ленинабадская область
4. Консервный комбинат, г. Исфара, Ленинабадская область
5. Консервный комбинат, г. Ура-Тюбе, Ленинабадская область
6. Сользавод, Восейский район, Хатлонская область

X. ГЛАВНОЕ УПРАВЛЕНИЕ ХЛОПКОВОЙ ПЕРЕРАБАТЫВАЮЩЕЙ ПРОМЫШЛЕННОСТИ

1. ПО хлопкочистительной промышленности, г. Худжанд, Ленинабадская область
2. Хлопкочистительный завод, Гаусский район, Ленинабадская область
3. Хлопкоочистительный завод, Джабор Расуловский район, Ленинабадская область
4. Хлопкоочистительный завод, [illegible] Хатлонская область
5. Хлопкоочистительный завод, Кол[illegible]ский район, Хатлонская область
6. Хлопкоочистительный завод, Ленинский район
7. Хлопкоочистительный завод, Турсунзадевский район
8. Хлопкоочистительный завод, п. Айни, Ленинского района
9. ПКТБ "Точикпахта", г. Душанбе
10. Завод "Хлопкозапчасть", Ходжаниконский район

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питов, предложений соответствующих министерств, ведомств, хукуматов областей, городов и районов и решением Госкомимущества Республики Таджикистан /Перечень объектов прилагается/. Объекты, включенные в Программу в количестве 234 единиц, общей оценочной стоимостью 418,3 млрд. рублов (расчетно), по формам разгосударствления и приватизации распределяются следующим образом:

- подлежащие преобразованию в акционерные общества открытого типа 173 объектов, с оценочной стоимостью 414,3 млрд. рублов;
- подлежащие продаже объектов на аукционной и конкурсной основе - 20 объектов, оценочной стоимостью 0,3 млрд. рублов;
- объекты незавершенного строительства - 41 объект, с оценочной стоимостью 3,7 млрд. рублов. Эти объекты приватизируются по заключению специально образованной для этих целей комиссии в соответствии с действующим законодательством.

Поступление средств от приватизации объектов, включенных в Программу на 1996-1997 гг., составляет 30,0 млрд. рублов, (расчетно), в том числе:

в 1996 году - 10,0 млрд. рублов (расчетно)
в 1997 году - 20,0 млрд. рублов (расчетно)

С момента утверждения Программы все объекты, включенные в нее, получают статус объектов приватизации.

Полномочия ранее принадлежащие министерству, ведомству, другому органу по оперативному управлению указанных объектов, утрачивают силу.

Госкомимущество без дополнительных согласований с органами государственного управления осуществляет приватизацию объектов, включенных в настоящую Программу. Приватизация объектов республиканской собственности осуществляется исключительно Госкомимуществом республики. Эта функция не может быть делегирована другим органам.

Госкомимущество Республики Таджикистан по предложению государственных органов управления рассматривает и решает

вопрос о передаче прав оперативного управления принадлежащими государству акциями в уставных фондах акционерных обществ.

Объекты коммунальной собственности приватизируются в соответствии с территориальными программами, которые разрабатывают органы по управлению государственным имуществом на местах.

Эти программы утверждаются местными маджлисами народных депутатов по предварительному согласованию с Госкомимуществом Республики Таджикистан. В случае несоответствия указанных программ требованиям нормативных документов хукуматами областей, городов и районов в десятидневный срок в соответствии с замечаниями Госкомимущества вносят необходимые изменения. Контроль за выполнением территориальных программ осуществляется Госкомимуществом Республики Таджикистан.

В процессе приватизации допускается использование иностранных инвестиций в соответствии с Законом Республики Таджикистан "Об иностранных инвестициях". Предусматривается проведение валютной приватизации путем продажи акций приватизированных и приватизируемых предприятий иностранным физическим и юридическим лицам во всех отраслях народного хозяйства.

Решение о форме привлечения иностранных инвесторов в процессе приватизации объектов государственной собственности, включенных в настоящую Программу, принимается Госкомимуществом Республики Таджикистан.

Для погашения задолженности государства населению по выплатам заработной платы и приравненных к ней платежей предлагается внедрение приватизационных счетов (чеков). Эти счета (чеки) обеспечиваются гарантией Правительства Республики Таджикистан на выкуп государственного имущества, приобретение акций приватизированных и приватизируемых предприятий или специализированных фондов, а также при приватизации жилищного фонда,

Предусматривается поэтапное преобразование хлопкоочистительных предприятий в акционерные общества. При этом часть акций этих акционерных обществ будет реализована непосредственно коллективам хлопкосеющих хозяйств.

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XI.КОМИТЕТ "ТАДЖИКМЯСОМОЛПРОМ"

I.Мясоконсервный комбинат,г.Душанбе
2.Молочный комбинат,г.Душанбе
3.Маслодельный завод,г.Исфара,Ленинабадская область
4.Маслокомбинат,г.Пенджикент,Ленинабадская область
5.Сырзавод,Кумсангирский район,Хатлонская область
6.Молочный комбинат,г.Куляб,Хатлонская область

XII.ГОСУДАРСТВЕННАЯ СТРОИТЕЛЬНАЯ КОМПАНИЯ "ТАДЖИКСТРОЙ"

I.ПСО "Захира",г.Душанбе
2.Кооператив "Домостроитель - 2",г.Душанбе

XIII.КОНЦЕРН "ТАДЖИКСЕЛЬСТРОЙ"

I.Трест "Сельстрой-2",г.Гафурова,Ленинабадская область
2.АТП-I4,Кофарнихонский район

XIУ.КОНЦЕРН "МАДАД"

I.Филиал ЦП МТО "Таджикагроснаб",г.Душанбе

XУ.КОНЦЕРН "УМРОН"

I.Завод нерудных материалов,Ленинский район
2.Завод камнеобработки,Ленинский район

XУI.КОНЦЕРН "ХИЗМАТ"

I.Дом быта "Садбарг",г.Душанбе
2.Центр моды "Бону",г.Душанбе
3.Завод нестандартного оборудования,г.Душанбе
4.ПМК,г.Ура-Тюбе,Ленинабадская область
5.МПО "Таджиктрикотажбыт",г.Душанбе

XУII.КОНЦЕРН "ТАДЖИККОММУНСЕРВИС"

I.Трест "Таджикремстройтрест",г.Душанбе
2.СХРСУ,Гармский район

XУIII.ПО "МОХИ[illegible]"

I.Джиликульский рыбхоз,Джилику[illegible] район,Хатлонская область
2.Куйбышевский рыбхоз,Куйбышевский район,Хатлонская область

XIX.РПО "ТАДЖИКАВТОМОТОСЕРВИС"

I. СТО-3 "Москвич",г.Душанбе
2. СТО-24 "Лада",г.Душанбе
3. СТО-I4,г.Душанбе
4. СТО-2,г.Худжанд,Ленинабадская область

XX.КОРПОРАЦИЯ "ТАДЖИКМОНТАЖСПЕЦСТРОЙ"

I. Корпорация "Таджикмонтажспецстрой",г.Душанбе
2. Филиал "Автоматика",г.Душанбе

XXI. ПРОЧИЕ

I. Душанбинский филиал АО "Автоматика",г.Душанбе
2. Госкомпания "Таджикгидроэнергострой",г.Душанбе
3. Республиканская школа высшего спортивного мастерства,г.Душанбе

1997 год

I.ГОСКОМИТЕТ ПО ДЕЛАМ ПРОМЫШЛЕННОСТИ

I. ПО "Таджиктекстильмаш",г.Душанбе
2. Завод холодильников,г.Душанбе
3. Завод "Торгмаш",г.Душанбе
4. Душанбинский шелккомбинат,г.Душанбе
5. Производственное объединение НХП "Гулдаст",г.Душанбе
6. Производственное объединение НХП "Дилором",г.Душанбе
7. Трикотажная фабрика "Элегант",г.Душанбе
8. Производственное объединение "Таджикцемент",г.Душанбе
9. Завод "Нилуфар",г.Исфара,Ленинабадская область
I0. ПО "Светотехника",г.Исфара,Ленинабадская область
II. ПО "Наусельмаш",Науский район,Ленинабадская область
I2. Прядильно-тканная фабрика,г.Канибадам,Ленинабадская область
I3. Фарфорный завод,г.Турсун-Заде
I4. Швейная фабрика "Фируза",г.Куляб,Хатлонская область
I5. Вахшский азотно-туковый завод,г.Курган-Тюбе,Хатлонская область
I6. Трансформаторный завод,г.Курган-Тюбе,Хатлонская область
I7. Хлопкопрядильная фабрика,г.Курган-Тюбе,Хатлонская область
I8. НПО "Таджиксистемавтоматика",г.Душанбе
I9. Механический завод "Филиз",п.Шураб,Исфаринский район,Ленинабадская область
20. Швейно-трикотажная фабрика,Ганчинский район,Ленинабадская область
2I. Науский мехкарьер,Науский район,Ленинабадская область
22. Экспериментальная меховая фабрика "Муина",Бохтарский район, Хатлонская область

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Средства от продажи государственной собственности, полученные в процессе приватизации, используются в соответствии со статьей 15 Закона Республики Таджикистан "О разгосударствлении и приватизации государственной собственности" и статьями 3 и 11 Закона Республики Таджикистан "О Государственном бюджете Республики Таджикистан на 1996 год".

В целях ускорения разгосударствления и приватизации государственной собственности, разъяснения положений настоящей Программы будет осуществляться выпуск специальных бюллетеней, наглядных пособий, сборников нормативных актов и использованы другие возможности средств массовой информации.

Требования, установленные настоящей Программой, обязательны для исполнения всеми органами государственного управления и местного самоуправления.

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Перечень
объектов республиканской собственности
преобразуемых в акционерные общества
открытого типа

1996 г.

I. КОМИТЕТ РЕСПУБЛИКИ ТАДЖИКИСТАН
ПО ДЕЛАМ ПРОМЫШЛЕННОСТИ

1. ПО "Таджикцветметзолотрест", г.Душанбе.
2. ТАО "Бритва", г.Душанбе
3. Арендный завод "Тачхизот" г.Душанбе
4. Арендная фабрика ПЫ "Арзгон", г.Душанбе
5. Душанбинский мебельный комбинат, г.Душанбе
6. ПО "Таджиктекстиль", г.Душанбе
7. ДПО "Чевар", г.Душанбе
8. Арендное предприятие "Тадждуз", г.Душанбе
9. Мебельная фабрика, г.Худжанд, Ленинабадская область
10. Фабрика "Бардуз", г.Худжанд, Ленинабадская область
11. Обувная фабрика № 2, г.Худжанд, Ленинабадская область
12. Арендная передвижная механизированная колонна, г.Худжанд.
13. Исфаринский химзавод, г.Исфара, Ленинабадская область
14. Производственное объединение "Мохира", г.Исфара, Ленинабадская обл.
15. Производственно-торговая фирма "Сино ", г.Пенджикент, Ленинабадская область
16. Швейная фабрика, г.Пурек
17. Обувная фабрика, г.Куляб, Хатлонская область
18. Швейная фабрика, г.Курган-Тюбе, Хатлонская область
19. НПК "Элто", г.Душанбе
20. Малое кондитерское предприятие "Таджикобод", г.Курган-Тюбе, Хатлонская область
21. Арендное предприятие "Бардсоз", Кофарнихонский район
22. Государственная фирма "Бритва", Кофарнихонский район
23. Анзобский ГОК, Айнинский район, Ленинабадская область
24. Государственный кооператив "Звезда", п.Нефтянник, Исфаринский район, Ленинабадская область
25. Швейная фабрика, Московский район, Хатлонская область
26. Швейная фабрика "Дангара", пос.Дангара

МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА

1. Профилакторий-санаторий, г.Исфара, Ленинабадская область

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ПО "МОХИПАРВАР"

1. ЦЕХ Коптильный с холодильником мощностью I тонны в сутки, Кофарниханский район

I 9 9 7 Г О Д

I. ЖИЛИЩНОЕ СТРОИТЕЛЬСТВО

I. I08 кв.ж/дом 2-25 в кв.Зарафшон, г.Душанбе	48I6,689
2. I08 кв.ж/дом 2-28 в кв.Зарафшон, г.Душанбе	8854,860
3. I44 кв.ж/дом в I0I мкр-не, г.Душанбе	6954,355
4. Ж/дом 8а в кв.Мухандис, г.Душанбе	3557,927
5. 32 кв.ж/дом по ул.Джами, г.Душанбе	562,536
6. I6 этаж.ж/дом 2 кв.Бофанда, г.Душанбе	I45,846
7. Ж/дом типа "Крест" по ул.Южно-Обходная, блоки I,2,3, г.Душанбе	3I7,797
8. Ж/дом кв.Х.Шерози 6,9,I0,II, г.Душанбе	20743,4I2
9. Общежитие ТГУ на 4800 мест, г.Душанбе	I0I07,224
I0. 20 кв.ж/дом 3-34 в кв.Зарафшон-2, г.Душанбе	I8,I46
II. I5 кв.ж/дом 2-38 в кв.Зарафшон-2, г.Душанбе	8,I90

II. П Р О С В Е Щ Е Н И Е

I. Школа в кв.Зарафшон-2, г.Душанбе	435,633
2. Школа в к-ке Харангон, г.Душанбе	60,664 проект
3. Школа на Восточных Холмах, г.Душанбе	302,349

III. З Д Р А В О О Х Р А Н Е Н И Е

I. Инфекционная больница, г.Душанбе	I427,090
2. Полигон объемных блоков для многопрофильной больницы, г.Душанбе	89,399

IУ. Т О Р Г О В Л Я

I. Хозблок -75 в кв.ЗАРАФШОН-2, г.Душанбе	24,070

У. П Р О Ч И Е

I. АТС-45 на Восточных Холмах, г.Душанбе	I57,007

МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

I. АТП на 350 автобусах "Икарус", г.Душанбе

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ПО " МОХИПАРВАР"

I. Коптильный цех с холодильником мощностью 300 тонн в год, г.Кофарнихон

П Е Р Е Ч Е Н Ь

объектов республиканской собственности подлежащих реализации на аукционной основе в I996 году.

I. ГОСКОМИТЕТ ПО ДЕЛАМ ПРОМЫШЛЕННОСТИ

I. Фирменный хозрасчетный магазин "Обувь", г.Душанбе
2. Фирменный хозрасчетный магазин "Наргис", г.Душанбе
3. Фирменный магазин "Абрешим", г.Душанбе
4. Фирменный хозрасчетный магазин "Малика", г.Худжанд, Ленинабадская область
5. Фирменный хозрасчетный магазин "Нигора", п.Шахринау
6. Хозрасчетный магазин Душанбинского кожооъединения, пос.Восе, Хатлонская область

II. МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА

I. Управление "Автотехснаб" ЛПАО пос. Дигмаи, им.Джаббар Расулова, Ленинабадская область
2. Автотранспортная мастерская, г.Курган-Тюбе, Хатлонская область
3. Автостанция г.Курган-Тюбе, Хатлонская область

III. МИНИСТЕРСТВО КУЛЬТУРЫ И ИНФОРМАЦИИ

I. Магазин 2, (ул.Чехова 3), г.Душанбе
2. Магазин 4, (ул.Рудаки), г.Душанбе
3. Магазин I0, (ул.Чернышевского 53) г.Курган-Тюбе, Хатлонская область
4. Магазин 34, (ул.Бороад 27), Курган-Тюбе, Хатлонская Область

IУ. ГОСКОМИТЕТ ПО КОНТРАКТАМ И ТОРГОВЛЕ

I. Магазин 3 РПО "Таджикэлектростройматериалы", г.Душанбе
2. Хозрасчетный ремонтно-строительный участок "Стеклокерамзит", г.Душанбе
3. Таджикская мастерская "Казгипроторг", г.Душанбе
4. Предприятие "Таджикреклама", г.Душанбе

XIII. ПО "МОХИПАРВАР"

I. Чубекский рыбхоз, Московский район.

XIУ. РПО "ТАДЖИКАВТОМОТОСЕРВИС"

I. СТО-7, г.Канибадам.
2. СТО-I7, г.Куляб.

ХУ. КОРПОРАЦИЯ "ТАДЖИКМОНТАЖСПЕЦСТРОЙ"

I. ДСМУ "Союзпроммонтаж", г.Душанбе.
2. ПСО "Таджикбурвод", г.Душанбе.

ХУI.КОМИТЕТ ПО ДЕЛАМ АРХИТЕКТУРЫ И СТРОИТЕЛЬСТВА

I. Среднеазиатский филиал НИИ оснований и подземных сооружений

П Е Р Е Ч Е Н Ь

объектов незавершенного строительства реализуемых на тендерной основе

№№ пп	Наименование отрасли и объектов На 1996 год	Выполнено работ на 01.01.1996г. (тыс.руб.)
	I. ЖИЛИЩНОЕ СТРОИТЕЛЬСТВО	
I.	29 кв.жилой дом в кв.Зарафшон-I,г.Душанбе	79,549
2.	54 кв.жилой дом 2-8I в кв.Зарафшон-I,г.Душанбе	203,I92
3.	I6-этаж.жилой дом по ул.Рудаки,г.Душанбе	35,045
4.	Жилдом-3 в 20I мкр-не,блокиI,2,3,г.Душанбе	II695,897
5.	I32 кв.ж/д по ул.Н.Карабаева,г.Душанбе	524,502
6.	Жилдом I в городке ДМС,Г.Душанбе	84,996
7.	Жилдом 2 в городке ДМС,г.Душанбе	23,406
8.	82 кв.ж-дом по ул.Пушкина,г.Душанбе	9800,990
9.	54 кв ж-дом 3 в 83 мкр-не(ЖОУК),г.Душанбе	68,865
I0.	54 кв ж-дом 4 в 83 мкр-не,г.Душанбе	74,496
	II.ПРОСВЕЩЕНИЕ	
I.	Школа в кв.Бофанда,г.Душанбе	750,I06
2.	Детсад по ул.Варзобской,г.Душанбе	532,042
3.		
	III.ЗДРАВООХРАНЕНИЕ	
I.	Многопрофильная больница по ул.Н.Карабаева,г.Душанбе	308,197
	IУ. ТОРГОВЛЯ	
I.	Магазин продовольственный и непродовольственный в кв.Испечак-II,г.Душанбе	I50,914
2.	Магазин продовольственный и непродовольственный в 83-мкр-не,г.Душанбе	204,2I2
3.	Торговые ряды по ул.Кр.Партизан,г.Душанбе	II3,298
4.	Пристройка к чайхане "Рохат",г.Душанбе	73,867
	У. ПРОЧИЕ ОТРАСЛИ	
I8.	Здание Хукумата Октябрьского района,г.Душанбе	2583I,I67
I9.	Пристройка к здании Хукумата Центрального района,г.Душанбе	2960,00I

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5. Предприятие мелкооптовой торговли, г. Душанбе
6. Мелкооптовый хозрасчетный магазин, Таджикабадский район
7. Мелкооптовый хозрасчетный магазин, Джиргитальский район

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[illegible] завод, с-з Самсоник, Ком[illegible] [illegible]дский район
24. Швейная фабрика им. Бойматова, Аштский район, Ленинабадская область
25. Таджикский алюминиевый завод, г. Турсун-Заде

II. МИНИСТЕРСТВО ТРАНСПОРТА И ДОРОЖНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. АТП-7, г. Душанбе
2. Автоколонна 2926, г. Душанбе
3. Автоколонна 2927 ДПАО, г. Душанбе
4. ПСМТ "Мостоспецстрой", г. Душанбе
5. Автоколонна 2928 ДПАО, г. Худжанд, Ленинабадская область
6. Спецавтоколонна ДПАО, Кофарнихонский район
7. Хозрасчетная пассажирская автоколонна, Воссейский район, Хатлонская область
8. Бустонская хозрасчетная автоколонна, Матчинский район, Ленинабадская область

III. МИНИСТЕРСТВО ХЛЕБОПРОДУКТОВ РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Булочно-кондитерский комбинат, г. Душанбе
2. Комбинат хлебопродуктов, г. Душанбе
3. Стройтрест, г. Худжанд, Ленинабадская область
4. Комбинат хлебопродуктов, Кофарниханский район

IУ. МИНИСТЕРСТВО МЕЛИОРАЦИИ И ВОДНОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Ремонтно-экскаваторный завод, г. Душанбе
2. Завод напорных труб и железобетонных изделий, г. Душанбе
3. АТП-I, г. Душанбе
4. ПМК-5, Ленинский район

У. МИНИСТЕРСТВО СЕЛЬСКОГО ХОЗЯЙСТВА РЕСПУБЛИКИ ТАДЖИКИСТАН

1. Объединение "Таджикагростроймонтаж", г. Душанбе
2. Хлопкоочистительный завод, с-з им. Ф. Саидова Бохтарского района, Хатлонская область
3. Хлопкоочистительный завод, с-з им. Дзержинского, Гиссарского района

УI. КОМИТЕТ "ТАДЖИКПИЩЕПРОМ"

1. Масложиркомбинат, г. Душанбе
2. Спец. АТП-I, г. Душанбе
3. Спец. АТП-3, г. Душанбе
4. Сользавод, Аштский район, Ленинабадская область

УII. ГЛАВНОЕ УПРАВЛЕНИЕ ХЛОПКООЧИСТИТЕЛЬНОЙ ПРОМЫШЛЕННОСТИ

1. Хлопкоочистительный завод, г. Канибадам, [illegible]
2. Хлопкоочистительный завод, Матчинский район, Ленинабадская область
3. Хлопкоочистительный завод, г. Курган-Тюбе, Хатлонская область
4. Хлопкоочистительный завод, п. Уяли, Гозималикский район, Хатлонская область
5. Хлопкоочистительный завод, п. Октябрьский, Бохтарского района, Хатлонская область
6. Хлопкоочистительный завод, Шаартузский район, Хатлонская область
7. Хлопкоочистительный завод, Пянджский район, Хатлонская область
8. Хлопкоочистительный завод, Фархарский район, Хатлонская область
9. Хлопкоочистительный завод, Московский район, Хатлонская область
10. ПМК-5, Науский район, Ленинабадская область

УIII. КОМИТЕТ "МЯСОМОЛПРОМ"

1. Молочный комбинат, г. Худжанд, Ленинабадская область
2. Маслодельный завод, Шахристонский район, Ленинабадская область

IX. ГОСУДАРСТВЕННАЯ СТРОИТЕЛЬНАЯ КОМПАНИЯ "ТАДЖИКСТРОЙ"

1. ППСО "Таджикмонолитстрой", г. Душанбе

X. КОНЦЕРН "ТАДЖИКСЕЛЬСТРОЙ"

1. Трест "Таджиксельстройматериалы", г. Душанбе
2. Трест "Спецсельстрой", Ленинский район

XI. КОНЦЕРН "УМРОН"

1. Завод "Строммаш", г. Душанбе
2. Завод нерудных и облицовочных материалов, п. Консой

XII. КОНЦЕРН "ТАДЖИККОММУНСЕРВИС"

1. Спецхозрасчетное строительное управление (СХРСУ), г. Турсунзаде.
2. СХРСУ, г. Нурек.
3. СХРСУ, п. Шахринау.
4. СХРСУ, Файзабадский район.
5. СХРСУ, Джиргитальский район.

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ANNEX 13:

Resolution, September 3, 1996: "On Issue, Circulation, and Use of Nominal Privatization Accounts (Cheques)"

ANNEX 13
RESOLUTION ON ISSUE, CIRCULATION, AND USE OF NOMINAL PRIVATIZATION ACCOUNTS (CHEQUES)

The second important law item for the World Bank team is the 3 September 1996 Resolution No. 388 giving the details on the issue, circulation and use of nominal privatization accounts (cheques), which is one of the first mass privatization purchasing power creation vehicles. It and the auction processes (particularly regionally) will probably become the focus of the World Bank team's mass privatization program support. A translation of the law is attached.

The Government of Tajikistan Republic
Resolution on 3 September 1996 N 388
Dushanbe
"On Issue, Circulation, and Use of Nominal Privatization Accounts (Cheques)"

On execution of the President's Decree on 25.03.96 on introduction of privatization accounts, the Government of Tajikistan Republic resolved:

1. Approve the additional statements about the conditions of issue, circulation, and use of privatization accounts (cheques)
2. The National Reserve Bank of Tajikistan is to make not less than 2.5 million copies of privatization cheques, on the enterprises of Goznak of Ministry of Finance, Russia Federation.
3. Ministry of Finance Republic of Tajikistan are the National Reserve Bank of Tajikistan are to define the order and sources of financing of expenses for printing the privatization cheques.
4. The State Property Committee (GKI) and regional execution bodies are to inform the population about privatized assets, joint stock companies, and other possibilities of using the privatization cheques.
5. The State Property Committee, the National Reserve Bank, Ministry of Culture and Information are to explain the main statements of this resolution in the mass media.

The Chairman of the Government of Tajikistan
I. Rakhmonov

Approved by Resolution of Government of Tajikistan on 3 September 1996 N 388
Regulations

On conditions of issue, order of circulation and use of privatization cheques.

These regulations are created in accordance with the President's Decree of Tajikistan Republic on 25 March 1996 N 442.

On introduction of privatization accounts.

The regulations establish the following order of distributing the privatization cheques to the population.

1. The privatization accounts (cheques) are introduced, with the objective to pay the department of the state from 11.01.94 to 10.05.95 on salary and equivalent payment transferred on the special accounts of the bodies of National Reserve Bank RT in accordance with the declaration of the State Commission. On introduction of the National Currency of Tajikistan Republic from 6.05.96 N 8 (324).
2. The citizens are provided with the privatization cheques in limits of means on privatization accounts.
3. Privatization cheques are used as liquid means for privatization targets only, i.e. the cheques are subject to buyout the shares of privatizing enterprises and state property, including housing and also are subject to exchange on shares of investment funds.
4. The privatization cheques are valid on the whole territory of Tajikistan, independently of place of issue and are not to restore after a loss.
5. Privatization cheques can be donated either transferred by right of succession in accordance with the Law or sold to another individual or legal body.
6. Falsification of cheques is subject to prosecution.
7. Organizations and enterprises, independently of forms of ownership are prohibited to accept the privatization cheques as a payment for their production and services.
8. The enterprises and organizations of all forms of ownership are to give to the citizens the written approval: the number of invoice, date, sum transferred to the privatization accounts.
9. The citizens apply to the brands of National Reserve Bank RT, giving the notification or saving bank book and also passport and another document identifying the person and sign after receiving the privatization cheques.
10. Unreasonable refuse in giving of cheques and also limitation of rights of people during the use of cheques can be appealed.
11. The privatization cheques used in process of privatization of state property are subject to taking out of circulation and passed by the bodies of SPC to the branches of National Reserve Bank.
12. The privatization cheques are to be given during the period upon the 1st April 1997 validity to: 1 October 1997.

ANNEX 14:

Equipment and Computerization Plan

EQUIPMENT AND COMPUTERIZATION PLAN
STATE PROPERTY COMMITTEE OF TAJIKISTAN
August 31, 1996

OVERALL PLAN AND PHASE I DETAIL:

Computerization and Equipment Committee:

Ikbolsho S. Salimov, Deputy Chairman
Amonullo G. Mirzoev, Head of General Department
Charles G. Twyman, USAID Advisor (DTT ILA)
Technical Advisor: Asomuddin Atoen, System Operator, CADA

MISSION AND ORGANIZATION OF THE SPC:

The State Property Committee of Tajikistan (SPC) is the national level co-ordinating and execution body of the privatization program of the Republic of Tajikistan.
The SPC functions from a central headquarters in Dushanbe which manages the overall program and through 4 major regional offices who oversee 52 city offices. The total approved Headquarters staff is 54 (reduced from 75 as part of a general government austerity measure) with 45 on staff. The regional and city level staff are employees of their respective Oblasts, regions or cities. The headquarters occupies 25 offices in 843 M2 of office space with 18 offices in 600 M2 of contiguous space on the second floor of the Ministry of Agricultureand 7 offices of 230 M2 meters on the 1st floor directly below.

The SPC's Dushanbe head office sets the overall guidelines for the program and manages the transformation and privatization of the major Tajik enterprises (Republic properties). The regional and city offices handle the same issues (within the guidelines from the center) for the smaller properties (retail trade, catering, light manufacturing, construction, housing flats, etc.). Proceeds from the sales of the Republic properties go to the central budget, regional and city sales go the respective regional and city governments.

The Agency also has the responsibility under the Bankruptcy Act to act as the court appointed liquidator (in western terminology) for all bankrupt enterprises. (As the definition of bankruptcy is that a company is not bankrupt until its liabilities exceed the value of its total assets and as the total assets are fixed on an inflated historic basis there is 1 bankrupt company in Tajikistan and 34 being considered for this status). The Bankruptcy Department has two virtually untrained staff.

The SPC is supposed to be preparing to be able to accelerate the privatization program particularly through mass programs and simplified auction sale programs. They are to prepare to absorb World Bank assistance (in order of mobilization) 1. a mass privatization program and a public information program 2. A program for the privatization of small enterprises and a program for the privatization of medium and large enterprises.

Less than 10% of the governments assets have been even partially privatized since the program began in 1991. There are at least 234 major objects to privatize at the Republic level (each of which might well lend itself to break-up prior to sale) and several thousand (at least 9000) at the regional level. There is significant recent legislation on the books which quite broadly empowers the SPC (frequently in conflict with other legislation) to take the lead in privatization nation-wide.
CONCLUSION

THE AGENCY LACKS THE PHYSICAL MEANS TO UNDERTAKE THE TASKS IT HAS BEEN SET EITHER IN TRAINED MANPOWER OR EQUIPMENT.

SOLVING THE PROBLEM

To make privatization work there must be people involved in the process that know how and why it must proceed with the skills and equipment to get the task done. Motivation and leadership are two other intangible but very real necessities which like training are not the focus of this report.

Training Needs Summary:

The information and skill level within the functional parts of the privatization program; the SPC, the National Evaluation Committee, the Economic Courts, the Tax office etc. are minimal in terms of what is required to move toward a market economy. More narrowly a systematic SPC wide training program with related training in the government and business organisations they interface with is necessary. Key first level subject introductions, in addition to the general privatization training that has already been initiated by NET, would include:

Valuation
Bankruptcy
Accounting concepts
Principals of Business

The training needs of the SPC and its related organizations is a subject for further discussion and immediate remedial action but not within the framework of this analysis except for the training required for the computerization undertaking and its spin-off needs.

Equipment Needs:

The SPC does not function as a modern office. It is not staffed or equipped to handle the detailed, complex, high volume tasks it is meant to undertake. It most particularly cannot handle these tasks in a transparent and accountable manner. A computerization program can begin to address these needs. Beginning to Equip and train the SPC to function as part of a systematized accountable program positions them to:

increase throughput
increase accountability on a by-transaction basis
permit the management of the organization and particularly its high volume programs
increase transparency of the whole process
absorb new technology and assistance -like the World Bank teams- with minimal start up interface problems.
permit communications and information exchange with other related organizations within and outside of Tajikistan.

THE PROBLEM THAT EQUIPMENT CAN BEGIN TO ADDRESS:

Staffing:
At an approved staff count of 54 but 45 actual the SPC is short staffed and what staff they have is undertrained across the board. This is a major issue which has to be addressed systematically elsewhere. For modern office skills they have 11 persons who can type that include 4 staff with some computer literacy (can turn it on and keyboard in a text mode and print) and 5 qualified typists. All the staff are Russian literate, 42 speak Tajik but are not necessarily literate in Tajik, 5 speak some German, there is 1 Pharsi and 1 Arabic speaker. They have 11 personnel with English language skills ranging from poor passive knowledge to worse.

Equipment:

Computers/office equipment: The SPC have three soviet era computers which are over ten years old, and cannot run any modern software, and only one is fully functional. They have one functioning dot matrix printer. They do however have 6 functional electric typewriters and a limited supply of pencils and pens and a guarded availability of notepaper.

Communications: The SPC is relatively telecommunications rich. They have 20 lines on the 21 exchange (the best in town) and 4 direct intra government lines. However they have no satellite line, no direct access to international dialling. One goes to the Post Office to prepay outgoing international calls. Incoming international calls can be received. There is no phone switchboard to manage the phone lines. There is one fax machine in the Chairman's office which requires his permission to use for incoming or outgoing messages. The SPC does not have an E mail address though there are two E mail servers in Dushanbe.

Copying: The SPC has no copying facility. Carbon paper is available by requisition.

Records:
Due to the lack of a data base there is no good inventory of what has to be dealt with (referred to as objects)or their status in the process. This creates a situation where neither transparency nor accountability are encouraged or even physically possible. The scale of the problem is that there are over 234 Republic level objects of a major nature identified for privatization out of a total inventory that is considerably larger and includes most of the major state assets. There are several thousand (about 9000) at the local level. Objects have typically been controlled by various ministries, regional authorities, city authorities and the various mega-objects themselves and

records are incomplete, disbursed, in manual form for the most part and inaccurate. Private property is unconstitutional so all holdings are leasehold (with little legal protection) or by simple possession. Records are incomplete. The transformation of objects to a legal form (either Joint Stock company or Co-operative) takes place laboriously typically with a simultaneous partial privatization with manual record keeping.

THE EQUIPMENT PROGRAM:

Organizational Phase:

When the urgency of the equipment needs were recognized and being aware that the major WB equipment and MIS was not expected before late 1997 and given of the possibility of a phased solution first from the USAID to be followed by two equipment inputs from the World Bank program, the first step was to form an equipment committee.

The Chairman (Davlatov) appointed his Deputy (Salimov) to head the committee and put the head of the Administrative Department (Mirzoev) on the committee as the deputy. The privatization advisor from Deloitte & Touche (Charles Twyman) was made part of the committee.

The committee defined the framework for the work of the committee (this plan being the outcome). The committee did an inventory of the SPC's skills, equipment, communications resources, space, electrical power, and security circumstances.
The committee directed an independent specialist (Asomuddin Atoen, CADA System Specialist) to design an initial equipment needs procurement plan based on:

1. The present and likely expanded needs of the SPC
2. The machine and software population in related and supporting organizations in Tajikistan.
3. The servicing, training, and trouble shooting capabilities within the Tajikistan market.

Outline of the Equipment Plan:

The committee concluded that the SPC should begin a phased program of equipping the SPC relying on outside resources due to its own lack of resources. USAID would be requested to provide initial support. The planned and budgeted WB support would provide the balance.

PHASE I: Would consist of four action steps:

1. Define equipment needs by priority area
2. Define the SPC machine needs
3. Define training and staffing needs for equipment utilization, and initiate training programs.

4. Define the security and other ramifications of the program

PHASE II and later PHASES

Supported by World Bank funding would build up from and expand the PHASE I framework. For the most part replicating and refining the machine population, adding the NOVELL LAN and related servers and hardware, putting in a switchboard, increasing copying capability and continuing training and staff support (A LAN administrator and computer assistant etc.)

Committee Recommendation for PHASE I:

1. Define equipment needs by priority area.

It was felt that the objective should be to make the SPC a Local Area Networked (LAN) organization with the ability to interface with the programs and data bases in other related organizations in the Republic. This would entail computerizing the entire SPC. This is not an unrealistic task given the small size of the SPC and the resources available through the proposed World Bank program. Thus the initial equipment inputs should be compatible with the expected expanded machine population.

The SPC needs immediately:

copying capability
fax capability
E mail capability
CD ROM capability
basic workstations compatible with the eventual SPC computerization plan
Printing capability
basic software

Functional allocation:

One work station and printer would be made available to the Chairman's office (room 137-138) to speed and formalize SPC communications. The space would have to be hardened with additional locks
Four work stations and one printer (networked) would go in into the large two room single entrance Methodology Department space (room 148-149). Two machines would be for initiating the MIS and data-base project (with external assistance)- and two machines would be available for a pooled work area and communications center. This space would be staffed for an initial period by a consultant/trainer, problem-solver to ease the break-in period for the staff with the equipment. These four machines would also serve as the in-house training facility for staff on computer use. This machine area could also absorb some of the initial needs of the anticipated World Bank teams as they mobilize but before their own equipment is procured and delivered. Two existing phone

lines will be added to the one already in the space. The space would be hardened by steel doors and the related locks.
One work station and one printer would go into the finance and asset control department (room 155) to initiate computerization of that function. The area will be hardened by adding new locks.
The copier would go into the General Department for control and maintenance reasons, to spread the electrical load onto another phase and it is a convenient central siting.
The multi use fax machines would go into the 148-149 computer/communications center. There would be two lines dedicated to their use.
Both external modems would initially be placed in the 148-149 facility sharing the fax lines. Both external CD ROM's and the related library would initially be in the 148-149 facility for training and control during the initial period.

2. Define the SPC machine needs:

The independent experts study concludes that the machine population in Tajikistan is at a low level of sophistication but is operating at a good world-wide technical level for PC driven environments. This local machine profile mirrors the recommended starting and expanded future needs of the SPC.

The Tajikistan population profile is IBM compatible PCs and servers.
Operating systems favour DOS and Windows 95.
The large networks in place are mainly Novell driven.
The favoured operating environment is Windows with Windows 95 in several offices.
Microsoft Office is the standard software load on workstations (except the US Embassy and USAID for historic reason). Microsoft systems deal particularly well with Cyrillic and the Tajik version thereof. Norton software provides the core diagnostic and computer management tools.
Keyboards are 105 key Windows 95 English/Cyrillic keyboards.
The processors are 486 and Pentium.
The standard floppy drive is the 1.44mb 3.5" FDD
The hard drives are 800 MB and higher
RAM is usually 16 MB or higher to meet the operating needs of Windows 95.
Monitors are all color.
There is a fair body of service and computer specialists that know how to troubleshot, fix, and manage this type equipment, software, and network.
There is also limited local training capability as well.
Most of the printer population is Hewlett Packard machines as a result there is some informal servicing capability.
The copier population is dominated by Rank Xerox so there is some informal servicing capability.
The favoured faxes are multi use plain paper due to the shortage of the paper for the other type machines and their multiple use. (HP and Toshiba)
The market is a very heavy user of E mail as a primary mode of communications given the high cost and low reliability of international telephone communications. Hayes compatible modems operating at 28,800 are standard as the two local servers operate at that speed.
There are some CD ROM data base and training material library facilities available at the UNDP, the NET business center, at the IMF office and elsewhere. Standard speed is 4X.

Individual Machines must be protected against dramatic current fluctuations (a real copier killer) and outages particularly during the winter. Typically Uninterruptable Power Supplies (UPSs) with power regulating circuits built in. Voltage regulators on copiers.
Power is 220V 50 HZ. The room 148-149 site has 9 10 amp outlets on one phase. (Room 148 and room 149 have air-conditioners which help control heat and dust at certain times of the year).
The nearest parts and supplies are Tashkent in Uzbekistan and Almaty in Kazakhstan with Moscow the fall back given the high flight frequency. Visiting consultants and the courier services deal with most parts problems deliveries.
Equipment interchangability and redundancy is a must given the nature of the servicing and parts availability

3. Define training and staffing needs for equipment utilization, and initiate training programs:

The entire operating staff to include managers should be computer literate.
Two immediate-training groups of 10 each of mixed operators and managers has been identified.
The initial training group consists of those with some computer background and keyboarding skills, the second and later groups will have more tailored programs.
Competitive bidding for training programs that can begin immediately is underway.
When the SPC has its own machines the computer center (room 148-149) will serve as a training facility. External trrainers will be brought in at that time.
For the first four months there will be an externally funded technician available part time at the SPC to solve teething and training problems particularly for the in house problem solvers.

4. Define the security and other ramifications of the program:

Security: The SPC is an open access area. The locks are rudimentary and so standard and ill-fitted as to be of limited value. Computers, printers, copiers and the related software and supplies are high value items. The individual sites for the initial equipment inputs should be hardened and individuals assigned responsibility for site control. Eventually the SPC will have to become limited access. The General Admin and Finance area can be hardened with steel grates and improved locks. The communications center should have a steel door and preferably some kind of sound alarm to alert the building security.

MIS: The SPC lacks even a rudimentary Management Information System (MIS) that tracks Tajikistan's privatization process. There immediate needs are a basic system that tracks privatization underway in the SPC. While very complex systems have been developed in several countries there is a simple EXCEL driven privatization MIS that was developed in Macedonia by a comparable agency with a comparable sized program. The system meets the reporting needs of the agency and the World Bank and other users. It is simple to maintain and use. Its documentation is in close-to Russian and its designers and users are Russian speakers. It is hoped the Macedonian Agency will co-operate and make its asistance available so that their core program can be used as a starting point for Tajikistan. The World Bank program plans to make a major MIS contribution but in a later phase unfortunately.

Assistance Absorption: The SPC's lack of equipment makes it difficulty for them to make effective use of external assistance. Much information is available in electronic form but they cannot use it. Much information is available but they cannot reproduce and circulate it easily. Much communication and training can be done but it depends on the ability to communicate and distribute information. Most technical assistance efforts require basic equipment support to be effective. The total lack of computers, printers, copiers, faxes, E mail capability, is a barrier to making the SPC effective and able to absorb training and assistance. The bathrooms could also use some work. Maybe WHO?

Process Vs Mystery: The SPC is the heart of a Process. It must have the ability to design, communicate and manage that Process. The Process must have accountability, responsibility and transparency. Without detailed procedures and controls this doesn't happen. Computerization and an MIS system can become the core of the management of the Process. If privatization is a mystery not a process it will destroy itself politically regardless of its outcomes or actual integrity.

ANNEX 15:

Computer Training

CONTRACT

DELOITTE TOUCHE TOHMATSU INTERNATIONAL ILA GROUP Ltd
senior manager CHARLES G. TWYMAN
1001 Pennsylvania Avenue NW
Washington,DC 20004-2594 USA
tel: (202) 879-56-00
facsimile: (202) 879-56 07
E-mail: CHICK_TWYMAN_AT_DTT.HU. BUDAPEST@DTTUS.COM.
wishes to purchase training consultancy services
AND
CENTER "PILOT SCHOOLS"
Director of Educational Project IBM & Tajikistan MATLUBA ULJABAEVA
9,Bofanda str., Dushanbe Tajikistan
tel: 27-79-78
21-17-26
wants to offer training consultancy services

so they here by enter into a contract to deliver the following services to the receiving institution **THE *STATE PROPERTY COMMITTEE TAJIKISTAN REPUBLIC (GKI)***

1. A computer traning course (24 hours) is to be given for 9 (nine) individuals nominated by DTT and GKI.
   During the period: from to
   Terms of payment Cash in advance:
   1 individual @ $44
   total number of individuals= 9
   total cost=$396
   In accordance with the attached syllabus Attachment A

2. The second computer training coures (24 hours) is to be given for 10 (ten) individuals nominated by DTT and GKI.
   During the period: from to
   Terms of paiment: Cash in advance
   1 individual @ $44
   total number of individuals= 10
   total cost= $440

In accordance with the attached syllabus Attachment A

3. An advanced course for Windows 95 is to be given for 5 (five) individuals nominated by GKI and DTT each course to total 16 hours.
   During the period : from to
   1 individual @ $2 per hour x 16 = $32
   total number of individuals= 5
   total cost= $160
   In accordance with the attached syllabus Attachment B

The graduates will be provided a certificate of completion upon satisfactory completion of the preceding courses.

4. Upon the delivery of equipment and its installation in the GKI , the center "PILOT SCHOOLS will precontract to deliver an inhouse tutor / trainer.
During the period of 90 work days
for 3 (three) days a week at the GKI for 2 (hours) each day,
Terms of payment: Cash in advance
1 hour= $2
total hours = 180
total cost= $360

The traning and the cources offered will be hands on support to the GKI
a) refresher traning of stuff
b) problem solving
c) computer familiarization for untrained stuff.

5.The center "PILOT SCHOOLS" will coordinate with CADA ,the DTT, the GKI.

6. The attached syllabuses of the traning courses are part of this contract and the core work to be delivered.

7. If the GKI will not be provided with equipment then item 3 and 4 of the contract will not be implemented and unutilised funds will be returned to DTT.

8. In the event the GKI chooses not to accept this courses and ceases to cooperate with contracting parties: DTT and center "PILOT SCHOOLS The center "PILOT SCHOOLS" will reimburse any unutilised money to DTT.

9. In the event the USAID chooses to withdraw its support to Tajikistan or this project , unutilised funds will be returned to DTT.

10. In the event the servicing firm finds it cannot work with the receiving institution (GKI), and DTT agrees that it shall be able to cease its activities, it may advise the receiving institution and the remaining unutilized training funds will be returned to DTT.

TERMS OF PAYMENT:

CASH ***USD*** one thousand three hundred and fifty six ($1,356) PAYABLE IN ADVANCE UPON THE EXECUTION OF THE CONTRACT.

DATE:_____

On behalf of DTT ILA _____ CHARLES G. TWYMAN

On behalf of Director of "PILOT SCHOOLS" _____ MUTLUBA ULJABAEVA

On behalf of the Chairman of the GKI _____ MATLUB DAVLATOV

LIST of personell of State Property Committee Tajikistan Repablic
SUBJECT: computer traning course for users

1. Mokhbi Nozimova	-	*secretary typist*
2. Zulfia Sirodjeva	-	*specialist of the 2nd category Methodology Department*
3. Farida Ismoilova	-	*clerk*
4. Nazokat Djalilova	-	*specialist of the 2nd category Expertise Departent*
5. Gulzifa Shamsieva	-	*senior specialist Privation Department*
6.Kumriniso Usmonova	-	*secretary typist Evaluation center*
7. Surayo Aliboeva	-	*inspector on personell Evaluation center*
8. Zuryo Burhanova	-	*book -keeper*
9. Tatyana Khairova	-	*translator*

ANNEX 16:

Enterprise Development Board (English/Russian)

Franks. The cost of each program, planned for six months, is $480,800 (the cost of transportation of the medicines is not included). By the two programmes, 100 tons of medicines and medical supples were provided to Tajikistan. PSF provide aid to all districts of the Republic, except MBAR. Their assistance is directed at city and district hospitals and maternity departments. Since its establishment in the country, PSF cooperates with the Ministry of Health of RT in preparation of the solution for intravenous injection of glucosis NaCL, KCL. Distribution of medicines is made against appeals. After each distribution, PSF carry out control over proper use of the medicines received as humanitarian aid.

PSF specialize in three areas : therapy, obstetrics and gynecology, surgery. One of the important functions of PSF is training of the local personnel for the proper use of medications. With this purpose, PSF issued two medical reference books, which the hospitals receive for free. The third reference book is being prepared now.

On September 15, PSF will begin their third program, which is also planned for six months. It is planned that Badahshan will be included in the list of beneficiaries.

Economics, Business, Finance

The RT National Bank has set on August 7, 1996 the following rates of foreign currencies to the Tajik Ruble :

Pound Sterling GBr	448.90
Dutch Guilder	175.00
Dollar US	291.00
Dollar Canada	211.80
German Mark	196.30
Swiss Frank	242.10
ECU	369.00
Japanese Yen	27.30
Kazakh Tenge	42.90
Kyrgyz Som	24.30
100 Russian Rubles	5.60
Turkmen manat	0.15
Uzbek Sum	5.80

The Enterprise Development Board will protect the interests of the Tajik businessmen

The United Nations Development Program began the work on establishment of the Enterprise Development Board, with the purpose of assisting the economic development of the Republic of Tajikistan. It will be a permanent non-government office that will act as the liaison between the Government of the Republic and the private sector's small and medium-size businesses. The principal objective of this office is to assit the government with active participation and support from the private sector. The office will promote and protect the interests of small business over the long term and support the Republic's privatization program.

Prime Minister Azimov approved UNDP's idea to form the EDB. The EDB will report to the Prime Minister's office. The primary functions of the EDB will be to:

1. Facilitate a dialogue between key governmental personnel and the emerging private sector;
2. Provide technical input in shaping and strengthening private sector development policies;
3. Serve as a quasi-official representative, advocate and ombudsman of private sector interests as formulated at the local level'
4. act as the official point of contact between the government and the international donor community.

It is envisioned that EDB will be built around a voluntary membership of Tajik businesses and entrepreneurs. It shoul be operated as a non-political, non partisan, open and democratic advocacy body for businesses and individuals who support free market competition and private enterprise.

Services that EDB can provide would be similar to what local and national Chambers of Commerce in other countries provide.

UNDP has agreed to fund the start-up of the EDB over the first several months. Monies will be allocated for computer equipment, telephones, office equipment, training of EDB members through workshops and seminars, honorariums (to be established) for members' time, travel expenses,

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ENTERPRISE DEVELOPMENT BOARD

In order to assist in the economic development of the Republic of Tajikistan, UNDP is organizing an Enterprise Development Board. It will be a **permanent** non-governmental office that will act as the liaison between the Government of the Republic and the private sectors' small to medium-sized businesses. The principle objective of this office is to assist the government with active participation and support from the private sector. The office will promote and protect the interests of small business over the long-term and support the Republic's privatization program.

Prime Minister Azimov approved UNDP's idea to form the EBD on July 2, 1996. The EBD will report to the Prime Minister's Office. The primary functions of the EBD will be to:

1. Facilitate a dialogue between key governmental personnel and the emerging private sector.

   - Serve as a forum for private businesses and entrepreneurs to help them identify constraints upon free market competition and to develop self-help strategies for overcoming them.

   - Identify small to medium-sized businesses that require immediate privatization.

   - Provide Small business with information about their legal rights and obligations in a business context.

   - Aggressively promote an agenda for legal and legislative reform to:

     - Reduce legal and regulatory obstacles to new enterprise formation and market entry by simplifying and standardizing business registration and reporting requirements.

     - Encourage and expedite privatization laws with the state owning 25% or less of enterprises.

     - Assist the SPC in the implementation of a fair and objective means for asset valuation that meets realistic market expectations. Train and license independent experts to perform and certify enterprise audits, valuations, etc.

- Act as a "watch dog" by creating measures for effective oversight of the SPC on administrative compliance matters; of the Supreme Economic Court on interpretation and application of privatization laws; and the Ministries of Justice and the Interior on official corruption and criminal interference on business privatization development.

- Develop policy reform directed at anti-racketeering enforcement.

- Hasten land reform laws allowing small business to be protected in land ownership .

- Improve existing legal mechanisms, i.e. contract enforcement, disputes, and administrative review of state action.

- Create an equitable system of tax assessment and collection.

- Reduce tariff barriers to trade and simplify customs clearing procedures.

2. Provide technical input in shaping and strengthening private sector development policies:

   - Develop A Code of Business Ethics and Conduct.

   - Organize periodic training and information seminars on various topics relevant to small business members' day-to-day business operations including: accounting, preparing realistic business plans, marketing, cost reduction, obtaining bank financing and credits, identifying overseas markets, etc.

   - Implement a sustained public education/awareness campaign to inform government officials and the general public of the benefits that arise from the privatization and the creation of new businesses.

3. Serve as a quasi-official representative, advocate and ombudsman of private sector interests as formulated at the local level.

   - Gather and present relevant information to key policy makers about the practical local needs of private businesses.

- Support private business owners' rights and create an arbitration board for complaints resulting from unfair governmental treatment, harassment or corruption.

- Identify specific examples of governmental policies that work for and against private sector business development.

4. Act as the official Point of Contact between the government and the international donor community.

   - Serve as a clearing house for information and assistance in assessing government donor-funded resources that are available to small businesses and entrepreneurs.

   - Coordinate implementation of donor-funded projects to assure maximum efficiency.

It is envisioned that the EDB be built around a voluntary membership of Tajik businesses and entrepreneurs. It should be operated as a non-political, non partisan, open and democratic advocacy body for businesses and individuals who support free market competition and private enterprise.

The EDB shall not promote the economic or political goals of any particular individuals, commercial organization or political party. It should be organized as a non -profit private enterprise. The EDB should not be formed to operate as a law firm, public accounting firm, private consulting firm or commercial bank. The EDB could charge membership dues and service fees to cover its costs.

Services that the EDB can provide would be similar to what local and national Chambers of Commerce in other countries provide:

- providing a consumer referral service concerning small business members' reputability and financial solvency.

- promoting inter-business development for members including partnerships, and joint-venturing.

- publishing a membership directory and list of goods and services provided by the members.

- offering mediation and conciliation services as to commercial disputes arising between members and consumers.

UNDP has agreed to fund the start-up of the EDB over the first several months. Monies will be allocated for computer equipment, telephones, office equipment, training of EDB

members through workshops and seminars, honorariums (to be established) for members' time, travel expenses, consultants' time and other costs. Total budgeted costs amount to $ 75,000.

During the initial several months, the EDB members will be asked to propose their long-term strategies and financial requirements. UNDP will continue to offer minimal financial support until the EDB becomes self-sustaining . Other donor groups including USAID, TACIS, Eurasia Foundation, etc. may have interest to assist in the EDB's development once it gets started.

The key element in developing the EDB is to find 8-10 influential leaders, including a representative from UNDP, all with strong private sector or governmental credentials. These leaders must be able to function well with governmental bodies and they must first and foremost be dedicated to helping advance the economic situation in their Republic. They must be willing to commit time and effort to getting the EDB started. Initially this is planned to be on a part-time basis. Prominent Tajik business and governmental individuals together with consultants from international donors will also be selected to act as independent advisors to the EDB.

UNDP plans to arrange and pay for trips to business regions outside Dushanbe so that the EDB members can be exposed to a wider range of business practices, and to see how Chambers of Commerce function for the purpose of assisting Small Businesses.

The 8-10 candidates for the EDB and the outside consultants must be approved by the Prime Minister and UNDP. It is recommended that the selective process be completed by the first week in August. Once the members are selected then we can apply for formal registration. According to the Justice Ministry 10 founding members are required. The process should take about 2 weeks.

СОВЕТ ПО РАЗВИТИЮ ПРЕДПРИЯТИЙ (СРП)

Для того, чтоб помогать в экономическом развитии Республики Таджикистан, ПРООН организовывает Совет по развитию предприятий. Это будет **постоянно действующий** неправительственный Совет, который будет связующим звеном между Правительством Республики и малыми и средними предприятиями частных секторов. Главная цель этого Совета - помогать правительству активным участием и поддержкой со стороны участников частного сектора. Совет будет долгосрочно содействовать и защищать интересы малого бизнеса.

Премьер Министр Азимов 2 июля 1996 года одобрил идею ПРООН организовать СРП. Данный СРП будет подотчетен Отделу Премьер Министра. Основными функциями СРП будут:

1. Облегчить диалог между ключевым правительственным персоналом и появляющимся частным сектором.

- Служить в качестве форума для предприятий частного бизнеса и предпринимателей и помогать им выявлять трудности в конкуренции свободного рынка и развивать стратегии самоподдержки в преодолении этих трудностей.

- Обеспечивать представителей малого бизнеса информацией об их юридических правах и обязанностях в связи с бизнесом.

- Настойчиво выдвигать повестку юридической и законодательной реформы для того, чтоб:

  - уменьшать юридические и нормативные препятствия при образовании и вхождении в рынок нового предприятия, путём упрощения и стандартизации регистрирования бизнеса и требований к нормативам отчётности.

  - Развивать политику реформ, направленных на соблюдение законов о борьбе с рэкетом.

  - Ускорить реформу законов о земле, позволяющую защитить представителей малого бизнеса в их землевладении.

  - Совершенствовать существующие юридические механизмы, т.е. надзор за соблюдением контрактов, обсуждение и административный надзор за действием государства.

- Создавать беспристрастную систему налоговой оценки и сбора.

- Ослаблять тарифные барьеры в торговле и упрощать таможенные процедуры.

2. Обеспечивать технический вклад в формировние и усиление стратегий развития частного сектора:

   - Развить Код этики и поведения в бизнесе.

   - Организовывать периодическое обучение и информационные семинары по различным темам, соответствующим ежедневным бизнес-операциям представителей малого бизнеса, включая: бухгалтерский расчет, подготовку бизнес-планов, маркетинг, снижение себестоимости, получение банковского финансирования и кредитов, определение зарубежных рынков , и т.д.

   - Осуществлять кампанию непрерывного общественного обучения / осведомленности , с тем, чтоб информировать правительственных чиновников и широкую общественность о выгодах, возникающих от создания предприятий малого бизнеса.

3. Служить как полу-официальный представитель, адвокат и защитник интересов частного сектора, формулируемых на местном уровне..

   - Собирать и предоставлять соответствующую информацию ключевым фигурам, вырабатывающим политику, о практичеких местных потребностях преставителей частного бизнеса.

   - Определять особые образцы правительственных стратегий, действующих за или против развития бизнеса частного сектора.

4. Являться официальной точкой соприкосновения между правительством и международным сообществом доноров.

   - Служить в качестве расчетной палаты для информации и помощи в оценке правительству ресурсов, фундируемых донорами, предоставлямыми для представителей малого бизнеса и предпринимателей .

   - Координировать внедрение проектов, обеспечиваемых донорскими фондами для гарантии максимальной эффективности.

Представляется, что СРП будет образован на добровольном членстве представителей таджикского бизнеса и предпринимателей. Им следует

руководить как не-политическим, внепартийным, открытым и демократичным отделом, защищающим бизнесменов и физических лиц, которые поддерживают конкуренцию свободного рынка и частное предприятие.

Данный Совет не будет содействовать экономическим или политическим целям каких-либо особых физических лиц , коммерческой организации или политической партии. Его следует организовать как коммерческое предприятие, не гоняющееся за выгодой. СРП не должен быть создан для действия в качестве юридической фирмы, общественной бухгалтерской фирмы, фирмы для частных консультаций или как коммерческий банк. Совет мог бы взимать членские взносы и оплату за услуги на покрытие своих расходов.

Услуги, предлагаемые данным Советом, могли бы быть подобными тем, которые в других странах предоставляются местными и государственными Палатами Коммерций:

- предоставление информационных услуг потребителю относительно надежности и финансовой платежеспособности участвующих в малом бизнесе.

- Содействие в межбизнесовом развитии для участников, включая партнёрство и создание совместных предприятий.

- Издавая справочник для участников и список товаров и услуг, предоставляемых членами.

- Предлагая посреднические и примирительные услуги в отношении коммерческих споров, возникающих между членами и потребителями.

ПРООН соглашается на начальную финансовую поддержку такого Совета в течение нескольких первых месяцев. Денежные средства будут предназначены на компьютерное оборудование, телефоны, оснащение офиса, обучение членов Совета на практических занятиях и семинарах, (предстоит установить) гонорары за использованное время членов, командировочные расходы, время консультантов и другие издержки.

В первые начальные месяцы членам Совета будет предложено разработать свои долгосрочные стратегии и финансовые потребности. ПРООН будет продолжать минимальную финансовую поддержку до тех пор, пока Совет не станет самоокупаемым. Другие донорские группы, включая U.S.AID, TACIS, Eurasia Foundation и т.д. могут проявить интерес помогая в развитии СРП , когда он начнёт свою работу.

Ключевым элементом в развитии СРП является - найти 8-10 влиятельных лидеров, включая представителей из ПРООН, с сильными полномочиями,

предоставленными всем от частного сектора или правительства. Эти лидеры должны обладать способностью хорошо функционировать с правительственными органами и должны быть прежде всего и главным образом преданны делу помощи продвижения вперёд экономической ситуации в своей Республике. У них должно быть желание посвятить своё время и усилия на то, чтоб СРП начал свою работу. Первоначально это планируется как неосновная работа. Выдающиеся представители таджикского бизнеса и физические лица из правительства, наряду с некоторыми консультантами от международных доноров, будут также отобраны в качестве независимых советников для СРП.

ПРООН планирует организацию и оплату командировок в регионы за пределами Душанбе, с тем, чтоб членам СРП открылась более широкая сфера бизнес-практики и, чтоб увидеть, как действуют Палаты Коммерции в целях помощи малому бизнесу.

Данные 8-10 кандидатов для СРП и привлеченные консультанты должны быть утверждены Премьер Министром и ПРООН. Рекомендуется закончить процесс подбора к первой неделе августа. После выбора членов можно обращаться за официальной регистрацией.

ANNEX 17:

AED/NET Privatization I and II Training

TO: Sholpan
CC: Rand
FR: Carolyn
RE: Final TIP
DT: 6/17/96

SUBJECT: Training Implementation Plan. NET Project, PTP# 11596009. 18 participants from Tajikistan, Tajikistan Privatization I, PTP Code #11596009, Mississippi Consortium for International Development (MCID), Jackson, MS. Program dates are June 29 to Ju
ly 27.

OBJECTIVE: Short term training in privatization. Participants will be able to apply their newly gained knowledge/skills in their jobs upon return to Tajikistan. The training code is 3501, Business, Small Business Development

DURATION: 29 days including entry and exit.

U.S. CONTACTS:

Mississippi Consortium for International Development: Dr. Ally Mack, 1225 Robinson St., Jackson MS 39203. 601/973-3791 (Office Tel.), 601/981-3008 (Home Tel.)

AED Training Specialist: Ms. Carolyn Lobron, 703/671-2927 (Home Tel.), 202/884-8038 (Office Tel.)

AED Travel Coordinators: Mr. John Ward, 703/532-4710 (Home Tel.), 202/884-8416 (Office Tel.), and Mr. Chris Anspach 703/528-6130 (Home Tel.), 202/884-8514 (Office Tel.)

TRAVEL: Call forward to Boston on 6/29/96. Airline tickets will be prepaid by AED/W on 6/21/96. Flight information is as follows:

6/28: Depart Dushanbe at 8:00 AM on Tajik Air flight #632, arrive Moscow at 10:30 AM. Overnight in Moscow.

6/29: Depart Moscow/SVO at 2:00 PM on Delta Airlines Flight #31, arrive New York/JFK at 4:00 PM. Depart New York/JFK at 5:20 PM on Delta Airlines Flight #1866, arrive Boston at 6:30 PM.

7/10: Depart Boston on at 3:25 PM on Delta Airlines Flight #1865, arrive New York/JFK at 4:24 PM. Depart New York/JFK at 6:20 PM on Delta Airlines Flight #1597, arrive Washington/National at 7:35 PM.

7/13: Depart Washington/National at 9:00 AM on Delta Airlines Flight #941, arrive Atlanta at 10:51 AM. Depart Atlanta at 12:25 PM on Delta Airlines Flight #1935, arrive Jackson, Mississippi at 12:40 PM.

7/27: Depart Jackson at 10:25 AM on Delta Airlines Flight #640, arrive Atlanta at 12:46 PM. Depart Atlanta at 1:30 PM on Delta Airlines Flight # 62, arrive New York/JFK at 3:55 PM. Depart New York/JFK at 5:50 PM on Delta Airlines Flight #30, arrive M
oscow/SVO at 11:15 AM on July 28.

7/28: Depart Moscow at 7:00 PM on Tajik Air Flight # 631, arrive Dushanbe at 9:30 PM.

LUGGAGE: Please inform participants that they must attach a luggage tag to each check-on bag. The luggage tag should include the participant's name and the training provider's address and telephone number. This will facilitate the identification of los
t luggage. AED/W suggests that participants take a carry-on bag containing a change of clothing should this situation present itself.

Participants should note that they may have to pay excess baggage charges if the weight of their baggage exceeds the weight allowed by the airline they are flying on.

Delta Air Lines luggage restrictions: Passengers are allowed to check in 2 bags that

weigh no more than 32kg (70 lb) each. The must be no bigger than 62 inches
(l x w x h) in dimension. Excess baggage charges generally start at about $100 per piece and can go as high as $300 per extra piece if oversized and overweight.

PROGRAM INFORMATION: The following is an outline of proposed topics and training activities during the program.

Institute for Transitional Economies (ITE), Boston, Massachusetts

Saturday, June 29

Arrive in Boston. Transfer to Brookline Holiday Inn.

Sunday, June 30

Full day cultural activities in Boston and Cambridge.

Monday, July 1

Morning: Participants cash checks at the bank. Orientation to the neighborhood. Facilitated by Nancy Owens and Jim May

Afternoon: Administrative Session completing forms and paperwork.

Tuesday, July 2

Morning: Orientation to the program. Status of privatization workshop with trainers. The purpose of this workshop is to help the trainers to understand the particular training needs of the delegates so that future sessions can be adjusted as necessary
to make them as useful as possible
to the delegates. Facilitated by Ed Beard.

Afternoon: An overview of the privatization process. The Russian example. Presentation and discussion led by Marshall Goldman, Director, Russian Research Center, Harvard University; Professor of Economics at Wellesley College; and author of Lost Opport
unity: Why Economic Reforms in Russia Have Not Worked. Facilitated by Ed Beard.

Wednesday, July 3

Morning. Meeting with Majid Tehranian, Russian Research Center, Harvard University. Mr. Tehranian is a specialist in international telecommunications and will address two main issues: the role of an effective telecommunication system in successful privat
ization efforts and the relative roles of the public and private sectors in developing the kind of telecommunication system in Tajikistan. This meeting will be facilitated by Ed Beard.

Meeting with Jeffrey Sachs, Director of the Institute for Economic Analysis, Cambridge and Moscow. Mr. Sachs is one of America's leading authorities on issues of economic reform. He will focus on the problem of hyperinflation and both the need to control
and methods for controlling inflation as a key component of privatization efforts. Mr. Sachs will also address specific procedural and administrative questions put to him by the participants with reference to examples in Poland and the Czech Republic. T
he group will receive his book on economic reform in Russia and a couple of his papers (all translated into Russian.). This meeting will be facilitated by Ed Beard.

Afternoon: Meeting conducted at the hotel about the relationship between government and business in the U.S. Trainer: Ed Beard

Thursday, July 4

Independence Day Celebration

Friday, July 5

Morning. A Comparative Study of Privatization Efforts in Russia, Brazil and Israel: The Problem of Hyperinflation. This session will consist of the showing of a Russian Language film prepared for and shown on Russian National Television, Channel 2. Dis
cussion of issues
raised in the film will be led in Russian by Mikhail Kazachkov, President and CEO of Freedom Channel, and producer of the film. Facilitated by Ed Beard.

Afternoon: The Asian Experience. Cases of Privatization from China and Vietnam. Led by David Dapice, University of Massachusetts, Amherst, and facilitated by Ed Beard.

Saturday, July 6

Cultural Activities

Sunday, July 7

Free day.

Monday, July 8

Morning: Site visit to Arthur D. Little, Inc. for discussion of privatization efforts in Central Asia. Meeting facilitated by Eve Spangler.

Afternoon: Site visit to the Associated Industries of Massachusetts. This will be followed by a site visit to the Massachusetts State House and a meeting with Daniel Bosley, Massachusetts House of Representatives. Visits facilitated by Ed Beard.

Tuesday, July 9

Morning: Visit to the Mellon Bank for a discussion on what American investors look for when they make decisions in working in the international arena. Visit facilitated by Ed Beard

Afternoon: Site visit to Texas Instruments. The Texas Instruments facility that will be visited is sited on a former toxic waste site which TI has cleaned up. The purpose of the visit is to discuss the role of private industry in ecological preservation
. Visit facilitated by Eve Spangler.

Wednesday, July 10

Morning: Wrap up session. Facilitated by Nancy Owens, Jim May and Ed Beard.

Afternoon: Fly to Washington, DC.

Thursday, July 11

Morning: Meeting with Alan Platt, Senior Associate, Gibson Dunn and Crutcher, law firm, Washington, DC. Dr. Platt will talk about the current political climate in Washington re foreign aid in general and the role of the United States in the world, and he
will specifically address the consequences of the new Republican led Congress for foreign aid to Central Asia and the other areas of the former Soviet Union. Facilitated by Ed Beard.

Meeting with Howard Adler, Partner, Gibson Dunn and Crutcher. Mr.Adler is the head of the firm's privatization team. He will discuss favorable and unfavorable conditions for privatization throughout the world, with particular attention to attracting fore
ign private investment. Facilitated by Ed Beard.

Afternoon: Field visit to the Justice Department. Officials from the Antitrust Division of the Justice Department will discuss how this division functions, how it is organized, and how it relates to other government regulatory agencies. Presenters: Norma
n Familant, Chief, Economic
Litigation, Antitrust Division, US Department of Justice; and Andy Joscow, Chief of Economic Regulatory Section, Antitrust Division, US Department of Justice. Facilitated by Ed Beard.

Friday, July 12

Morning: Officials from the Commerce Department will discuss its role in the promotion and stimulation of the U.S. economy and how the Commerce Department relates to the regulatory roles of the Justice Department and the Federal Trade Commission. In addi
tion, staff from the Commerce Department's BISNIS program--the promotion of U.S. private business entry into the Newly Independent States of the former Soviet Union-- will discuss that particular effort.
Facilitator: Mike Guerin, Trade Specialist, BISNIS Program, Commerce Department.

Afternoon: Federal Trade Commission. The role of the FTC in regulating commerce and reducing unfair trade practices. Overview of the interplay between the executive branch, the legislative branch, and private industry. Depart FTC for Gibson, Dunn, Crutc
her. Meeting with Philip Rudolph, Partner, Gibson, Dunn and Crutcher. Presentation on the historical evolution of American antitrust legislation. Facilitated by Ed Beard.

Saturday, July 13

Morning: Summary workshop. Morning. Using the information learned and perspectives developed so far in this program, participants will evaluate the viability of policy recommendations in light of current realities in their home countries. Facilitator:
Dr. Anders
Aslund, Senior Associate, Carnegie Endowment of International Peace; and member of the International Board of Directors of the Russian Privatization Program.

Afternoon: Depart Washington for Jackson.

MISSISSIPPI CONSORTIUM FOR INTERNATIONAL DEVELOPMENT, Jackson. MS

DAY/DATE
MORNING
AFTERNOON
EVENING

Saturday,
July 13
Depart Washington, D.C. for Jackson, MS
12:44 p.m.
Arrival in Jackson, Mississippi; airport Welcome by MCID and Project staff; settling-in at Ramada Inn Southwest and lunch with MCID and Project staff5
p.m.
Applied Networking and Cultural Activity:
Shopping for groceries at Sack & Save

Sunday,
July 14
10:00 a.m.
General Orientation:
Housekeeping matters
Presentation/Review of the Training
Program
Cross-Cultural orientation
Coordinated by N

atalia Sullivan
12:00 noon
Lunch

1:00 p.m.
Depart for Vicksburg, MS

2:00 p.m.
Applied Networking and Cultural Activity: Visit the National Military Park in Vicksburg, MS - Tour of the Park S.S.Cairo Museum
5:30 p.m.
Applied Networking and Cultural Acti
vity: Lunch Mississippi River
Free Evening

Monday,
July 15
8:30 a.m.
Training Session
Introduction to the Business Activities and Action Plan development process
Coordinated by James Bennett
12 noon
Lunch

1:00 p.m.
Training Session
Continue with the m
orning session
Coordinated by James Bennett
7:00 p.m.
Applied Networking and Cultural Activity: Welcome Reception hosted by MCID (Invited guests includes local elected officials and business persons in the Metro-Jackson area)

Tuesday,
July 16
Community
Learning Activity:
Visit the Small Business Development Center at Hinds Community College and learn about the services available to new business enterprises (this entity provides various services to the business community in Metro-Jackson, including indu strial services, business and government services, computer training services, workforce development, mobile learning lab, small business development consultation, and international trade advising.) Bill Scaggs, Program Coordinator, will serve as facilit
ator; Tel. 857-3536; Fx. 857-3535
Community Learning Activity:
Visit the Jackson Enterprise Center--Incubator and Business Support Center for "Homegrown" Businesses (the Enterprise Center is a business Incubator where a number of new and growing business
es operate under one roof in a sheltered environment which provides affordable rental rates, business counseling, and access to shared services, equipment, and common areas.) Richard Acker, Executive Director, will serve as facilitator; Tel. 352-0957; F
x. 948-3250

Debriefing of the day's activities
Free Evening

Wednesday,
July 17
9:00 a.m.
Community Learning Activity:

Visit the Mississippi Economic Council (This is the State Chamber of Commerce which leads efforts in Mississippi to improve the business climate, c
reate a competitive and equitable tax structure, improve education, provide labor laws fair to business and to labor.)
Lincoln Warren, Vice-President, will serve as facilitator; Tel. 969-0022; Fx.353-0247
1:30 p.m.
Community Learning Activity:
Visit Miss
issippi Resource Center; this private organization markets the state of Mississippi to industry in the U.S and around the world. Don Moore is the Director and will be the facilitator; Tel. 352-0506; Fx 352-8491

Debriefing of the day's activities
Applied
Networking and Cultural Activities

Thursday,
July 18
9:30 a.m.
Community Learning Activity:
Visit Arant Farms, Delta Western Feed Mill, and Delta Pride Catfish Processing Plant (Mississippi is the leading state in producing and processing pond raised ca
tfish in the world) Owner Turner Arant will serve as a facilitator for all three visits.
12 noon
Lunch
Community Learning Activity:
Visit Arant Farms, Delta Western Feed Mill, and Delta Pride Catfish Processing Plant (Mississippi is the leading state in p
roducing and processing pond raised catfish in the world) Owner Turner Arant will serve as a facilitator for all three visits.

Debriefing of the day's activities

Weekly Round table and Evaluation Session
Coordinated by Natalia Sullivan
Free Evening

Friday,
July 19
6:00 a.m.
Depart for Alexandria

10:00 a.m.
Community Learning Activity:
England Industrial Airpark and Community (in just three years, a town whose economy was dependent the England Air Force
Base has been able to convert itself to a civilian based economy). Jon Grafton, Executive Director will serve as facilitator; Tel. (318) 449-3504; Fx (318) 449-3506
Community Learning Activity:
England Industrial Airpark and Community

3:00 p.m,.
Depart
Alexandria for New Orleans, LA
6:00 p.m.
Arrival to New Orleans, LA; Check-in the Hotel

Free Evening

Saturday,
July 20
10:15 a.m.
Driving Tour of the City of New Orleans

11:00 a.m.
Visit Aquarium of the Americas
12:30 p.m.
Free Time in the French Quar
ter Lunch; Sightseeing

5:00 p.m.
Return to the Hotel to Rest
8 p.m.
Applied Networking and Cultural Activity: Louisiana culture at New Orleans

Sunday,
July 21
10:00 a.m.
Depart the Hotel

10:30 a.m.
Visit the French Quarter and the French Market
2 p.m.
Board Steamer Natchez for a Ride down the Mississippi River

5 p.m.
Depart for Jackson, MS

8 p.m.-9 p.m.
Shopping for Groceries at Sack-n-Save

Monday,
July 22
Administrative Session

9:00 - 11:30 a.m

Community Learning Activity:
Visit Trustmark National Bank to learn about the availability of finances and evaluation of alternative types of financing methods for small and medium businesses (one of the Mississippi's largest bank). Benjamin Butts, Vice
-President; will serve as a facilitator; Tel. 961-6423
Community Learning Activity:
Visit Staplcotn (Cotton marketing and financial cooperative of farmers)
Woods Eastland, President and CEO;
Jerry Hoover, Vice-President of loan discount; Virginia White, V
ice- President of communications; will serve as facilitators.
Tel: 453-6231

Debriefing of the day's activities

Applied Networking and Cultural Activity

Tuesday,
July 23
Administrative Session

9:00 a.m.
Community Learning Activity:
Guest speaker on Public-Private Partnership and Private-Private Cooperation: The Role of Public and Private Sector Organizations in Economic Development of a Locality

Facilitator: Dr. Scott McDonald, Assistant Professor of Public Policy and Administration at Jackson State University and President of WDE Consulting, a private consulting and training firm in economic development analysis, marketing and training; Tel. 982
-6405; Fx. 364-2364
Community Learning Activity:
Services Provided by the Center Include One-on-One Counseling, Visit the Jackson State University's Small Business Development Center (SBDC) to learn about the involvement of a university in the developmen
t small businesses (SBDC) furthers economic development through the provision of management and technical assistance to small businesses in the Jackson Metropolitan area, training and education, start-up assistance, and market research.
Henry Thomas, Cent
er Director, will serve as facilitator; Tel. 968-2028; Fx. 968-2796

Debriefing of the day's activities
Shopping for groceries for traditional dinner

Wednesday,
July 24
Administrative Session

10:00 a.m.
Community Learning Activity:
Visit the Mississippi Department of Economic and Community Development to learn about sta
te strategies stimulate industrial development and promote investments (the department's primary goal is to attract new industries, grow and nurture existing industries.) Michael E. Daves, Associate Manager for the Existing Business and Industry Division
; Tel. 359-3449; Fx. 359-2832

1:15 p.m.
Community Learning Activity:
Tour the New State Capitol
Honorable Hillman Frazier, Mississippi State Senator

3:00 p.m.
Prepare Traditional Tadjikistan Cuisine
Applied Networking and Cultural Activity: Experience Tajikistan dinner prepared by participants

Thursday,
July 25
Administrative Session

8:30 a.m.
Training Session:
Action Plan Development
Coordinated by James Bennett
12 noon
Lunch

1:30 p.m.
Training session:
Action Plan Development
Coordinated by James Bennett
Free Evening

Friday,
July 26
Administrative Session

8:00 a.m.

Presentation of Action Plans by the participants
The panel of local business leaders will attend the presentations. Coordinated by James Bennett
2:00 p.m.
Final Round table and Evaluation Session
Coordin
ated by Natalia Sullivan
Applied Cultural and Networking Activity: Closing Ceremony, Farewell Dinner and Presentation of Certificates

Saturday,
July 27
Depart for Tajikistan via Delta

LODGING: Participants will be met upon arrival in Boston by Dr
. Jim May and Nancy Owens from ITE with interpreter Irene Flores. The group will then be transported to their hotel, the Brookline Holiday Inn. Ms. Flores will stay at the same hotel with the participants in Boston, Washington and Jackson. Participant
s will be lodged in double rooms. The cost of lodging will be paid by MCID. Participants are responsible for paying any additional expenses such as laundry, phone calls, faxes, and pay TV.

For any travel mishaps or delays en route to the U.S., participants should contact Ms. Irene Flores at home at 617/229-8986. Ms. Flores is a Russian speaker and will be able to assist participants should they encounter any problems en route to the U.S.

ALLOWANCES: Upon arrival in Boston, each participant will receive an AED check in the amount of $740.00. Please note that allowances should be used to help cover the cost of meals and incidental expenses. The cost of lodging will be paid for by MCID.

CITY
RATE
NIGHTS
TOTAL

Boston
$34.00
10
$340.00

Washington, D.C.
$34.00
3
$102.00

Jackson
$30.00
13
$390.00

Jackson
$19.00
1

$ 19.00

New Orleans
$34.00
2
$ 64.00

Exit
$25.00

$ 25.00

Subtotal

$940.00

AMA

(200.00)

TOTAL

$740.00

P
articipants will be taken to a bank in Boston to cash their allowance checks.

Participants should not pay for any medical, doctor, dentist, medicine or related health care costs without consulting first with the insurance carrier, Administar Solution, In
c. (the toll-free telephone number is 1-800-551-5995) to determine whether the costs will be covered by the insurance.

ESTIMATED TOTAL BUDGET: $153738.00

Tuition: $84,240.00
Lodging: $20,700.00
Allowances: $18,522.00
Travel: $28,476.00
HAC: $ 1800.00

INCOME TAX STATUS/MEDCERT: Based on information provided, this training is assumed to be job-related. Medcerts are on file as of 5/30/96.

RESTRICTIONS: Please advise participants no personal changes allowed in tickets or training schedule.

MISSION COMMENTS/CONCURRENCE REQUESTED:

The above Training Implementation Plan for Tajikistan Privatization, PTP# 11596009, is approved.

_____ _____
USAID Project Officer Date

NIS EXCHANGES & TRAINING (NET) PROJECT
Final Training Report
TAJIKISTAN PRIVATIZATION-I
for 18 people from Tajikistan

Background and Descriptive Information

PTP #	11596009
Program Dates	July 1-26, 1996
Training Provider	Mississippi Consortium for International Development (MCID)
Training Sites	Boston, Massachusetts; Washington, DC; Jackson, Mississippi
Training Objectives	To enable the participants to develop the capacity to successfully restructure previously state-owned enterprises and develop legislation supportive of the creation and promotion of a market-based economy

Program Description

The training request received by AED called for a training seminar for Tajikistan public and private sector officials involved in privatization efforts in their home-country. In response, Mississippi Consortium for International Development proposed to deliver a four week training program on privatization consisting of classroom seminars, community learning activities, and networking activities.

Specific Findings, Conclusions, and Recommendations

Program Content and Methodology

MCID collaborated with the Institute for Transitional Economies (ITE), Boston, MA in implementing this project. The first phase (two weeks) took place in Boston and Washington, DC, and was carried out by ITE. During this stage the participants examined recent privatization experiences of other countries in the FSU, Central and Eastern Europe, and Asia with the view of understanding the strengths and weaknesses of approaches and methods employed in privatization efforts. The second part (another two weeks) took place in Jackson, Mississippi, and was implemented by MCID. This phase focused on exposing participants to a cross-section of American business enterprises whereby participants had the opportunity to meet and visit medium and small businesses, small business associations and leaders, government officials working with medium and small business development, and financial and training institutions dealing with medium and small business enterprises.

The training incorporated classroom lectures, case studies, group discussions, and site visits. In the course of the program, the participants visited the Boston Chamber of Commerce, Massachusetts Office of International Trade and Investment, the US Commerce Department, the Federal Trade Commission, and several small and medium enterprises. One important element of the program was the development of Action Plans by the participants for privatization and private sector development to be implemented upon returning home.

Instructors/Interpreters

The participants gave very positive evaluations of the instructors' knowledge and responsiveness, as well as of the organization of the training sessions. In most cases, the instructors were able and willing to adjust the level of the presentation to the participants' knowledge of the content. The instructors answered all questions and in some cases provided additional materials on seminar topics.

Consecutive interpretation was used during the training. Overall, the participants were satisfied with the quality of interpretation and translation, although some of the participants reported a certain degree of dissatisfaction with the quality of interpretation during the Jackson based part of the program (mostly, unfamiliarity with the technical terms). However, it is evident from the exit questionnaires that the knowledge of Russian of some trainees was inadequate for such a sophisticated program.

USAID/AED Required Components

The provider submitted a detailed report on the program with comments on participants' activities and their attitude toward the program and the USA. According to the trainees' responses, the provider was responsive to participants' professional needs and interests. Each morning at the administrative sessions and each week at the rountables the program staff met with delegation in order to discuss impressions of the program. The purpose of these discussions was to seek feedback from the group that could help improve and adjust the schedule.

The participants had a lot of opportunities to establish professional links with their American colleagues. Aside from instructors, the trainees had opportunities to meet with other professionals during site visits and special events organized by the provider.

Logistics

No logistical problems were reported. The participants were satisfied with the housing accommodation, meals and transportation. In Boston the group was housed at the Holiday Inn, Brookline. The group seemed to find the hotel quite acceptable and all made use of the fact that it is on the trolley line with direct access to downtown Boston. The participants wanted an escort interpreter to stay in their hotel to help during free time activities. Some delegates complained at the beginning that the hotel was not five star and made derogatory remarks about the hotel. But this attitude changed quickly. In Washington the group was housed at the Doubletree Hotel, Arlington. During the course of the program in Jackson, the participants were provided with double occupancy rooms at the Holiday Inn Southwest Hotel. All the hotels are conveniently located within walking distance of restaurants and shopping areas.

Participant Monitoring Issues

AED arrival and exit questionnaires were administered. AED carried out three telephone interviews with the trainees to monitor the relevance of the topics to the participants and the level of instruction. Overall, the participants were very satisfied with the program and its administration. Although there were no major incidents, there were several occasions when members of the group behaved rudely and inappropriately. Further attention to participants recruitment and selection, and reinforcement of the responsibilities of participants during pre-departure session could help alleviate this.

Follow-On

The participants suggested the following as topics to be addressed during possible follow-on training in their home country:

- Development of securities markets: how to structure them, how to organize the work of a stock exchange;
- Practice of underwriting;
- Development of financial markets;
- How to attract foreign investments;
- How bankruptcy and anti-monopoly legislation is structured and implemented.

Summary/Recommendation

Overall, the participants provided very positive feedback on the program. The trainees' expectations were closely matched by the program provider, and the vast majority of trainees acquired very useful knowledge and skills in the US. For future programs however more attention could be paid to the selection of the trainees, and the professional composition of the group.

Overall, the provider performed very well and is recommended for future programs.

FINAL EVALUATION REPORT

Tajikistan Privatization-I -- Mississippi Consortium for International Development

This evaluation report is based on data from 18 completed arrival and 17 completed exit questionnaires.

SUMMARY - RECOMMENDATIONS

The participants feedback on the program was positive overall. The provider offered a very sophisticated training program. It met al lthe academic training and practical objectives of the program and was responsive to participants' professional needs and interests. The provider is recommended for future programs. However, it is evident from the exit questionnaires that in a number of cases, the trainees' educational level and professional skills were inadequate to the general requests of the US based training. For future programs, more attention could be paid to the selection process.

Participant Profile

Number of participants:	18
Gender:	Male - 16
	Female - 2
Average age of respondents:	41.2 years old
Countries:	Tajikistan
Total supervision load	3,629 people

Overall Assessment

"Overall, how would you assess your U.S. training experience?"

Excellent	4
Good	12

No one answered, "Fair," "Poor" or "Very Poor."

NET Goals When asked whether or not their training was relevant to the larger challenges facing their country, three participants said that their training was "Very relevant," three said it was "Moderately relevant," and one said the training was "Slightly relevant" to their country's transition to a free market economy. Two participants said that their training was "Very relevant," three said it was "Moderately relevant," and one said it was "Slightly relevant" to their country's transition to a democratic system of government. No one said it was "Not at all relevant."

Translation/Interpretation

Overall, evaluation of interpretation/translation was positive. Though almost half of the group indicated occasional difficulties with the interpretation/translation during classroom lectures and discussions, it is related rather to the participants' poor Russian than to the interpreters' inadequacy.

Objectives

Fifteen participants indicated that their training program met its objectives "To a great extent," and two responded, "To a medium extent." No one said, "Only to a slight extent."

Training Program

Participants were asked, "How would you rate the following aspects of your training?" Their responses are as follows:

	Not Applicable	Very Poor	Poor	Undecided	Good	Very Good
a. Training ability of instructors					8	5
b. Technical expertise of instructors					6	7
c. Program content					8	5

d. Instructional methods and delivery					8	5
e. Balance between theory and practice				1	8	4
f. Consultations with instructors				1	7	5
g. Group discussions				1	8	4
h. Pace of instruction				2	6	5
i. Written materials				2	5	6
j. Site visits, field trips					7	6
k. Internship	1			1	6	3
l. Opportunities to develop professional linkages	1			1	7	4
m. Identifying ways to apply training				2	7	4
n. Explanation of and support for developing follow-on needs				2	3	3

Application of Training

When asked to comment on the statement "A significant part of the training was directly relevant to my work," nine participants indicated, "Very much," five indicated, "Moderately," and two indicated, "Slightly." One participant indicated, "Not at all."

When asked to comment on the statement, "The knowledge and skills that you learned in the US will be useful to you when you return home," eleven indicated, "Very much," four indicated "Moderately," and one indicated, "Slightly." One participant indicated, "Not at all."

Linkages

When asked, "To what extent have you made arrangements to stay in contact with the American colleagues whom you met in the U.S.?" three answered, "To a great extent," nine answered, "To a moderate extent," and one answered, "To a very slight extent." Four participants said, "Not at all."

Most Memorable Event

The trainees indicated among the most memorable events visits to Washington, Jackson and New Orleans, meeting with Jeffrey Sachs, and the training program itself.

Follow-on

Suggestions for the content of possible follow-on courses included requests for training in the following areas: "How to create successful joint ventures,' "How to create a special documents," "How to manage change in the workplace," and "How to write proposals."

No	Name	Birthdate	Position	Course	Course Duration	Depart Date	Return Date	Telephone
1.	Nosirov, Isroil Babaevich	[redacted]	Deputy Chairman of the State Property Committee for the RT	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	21 16 10 w
2.	Negmatova, Mouborakkhon Abdoustarovna	[redacted]	Chairman of Khudjand city State Property Committee	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	37922 [redacted] 6-55-72 w
3.	Kholiknazarova, Khairidjon	[redacted]	Chairman of Badakhshan Oblast Property Committee	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	(336000) [redacted] 62-01 w
4.	Soulaimonov, Khairoullo	[redacted]	Director of Republican Center for Evaluation of State Property	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	21-71-04 w
5.	Salimov, Shokhin Badargaevich	[redacted]	Chairman of Kulyab City Property Committee	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	(213) [redacted] 2-62-63 w
6.	Mirzoev, Tokhir Khairulloevich	[redacted]	Senior Advisor for the Committee on economics and budget, Majlisi Oli	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	[redacted] 21-11-44 w
7.	Nazarov, Dmitriy Talbakovich	[redacted]	Deputy Director of the Institute for World Economy, Academy of Science	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	[redacted] 23-27-32 w
8.	Mousoev, Sherali Safarovich	[redacted]	Deputy Head of the Privatization Board, State property Committee	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	[redacted] 21-15-33 w
9.	Radjabekov, Roustam Mastibekovich	[redacted]	Deputy Head of the Board for Organization and Coordination of the External Economic Relations, Ministry of the Economy	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	[redacted] 27-38-03 w
10.	Rashidov, Takhir	[redacted]	Deputy Chairman of the State Committee on oil and gas	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	[redacted] 33-36-51 w
11.	Aliev, Saimoukhuddin	[redacted]	Vice-president of Company "Khizmat"	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	[redacted] 21-34-13 w
12.	Zaripov, Saidakhmad Asrorovich	[redacted]	Deputy chairman of Central Stock Exchange for the Republic of Tajikistan	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	[redacted] 27-92-61 w 27-92-00 w
13.	Tilloev, Vais Burievich	[redacted]	Chairman of the Board for State Property, Kofarnihon city Khukumat	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	(236)2-64-40h [redacted] 2-66-59 w

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14.	Beknazarov, Kishvar Sokhibnazarovich	[redacted]	Deputy Chaiman of Dushanbe City State property Committee	Tajikistan Privatization I	June 29 - July 21, 1996	June 27	July 30	[redacted] 21-88-60 w
15.	Kossimov, Roustam Mamasharipovich	[redacted]	Chairman of the State Property Committee for Tursunzade City Hukumat	Tajikistan Privatization I	June 29- July 21, 1996	June 27	July 30	(230) [redacted] 2-17-75 w
16.	Moussoev, Amonnillo Negmatulloevich	[redacted]	Chairman of the Board of State Property Committee for Isfara City Hukumat	Tajikistan Privatization I	June 29- July 21, 1996	June 27	July 30	(37962) 2-14-96 w
17.	Soatov, Yakhyokoul Orzoumourodovich	[redacted]	Chairman of the Board of State Property Committee for Kurgan-Tube City Hukumat	Tajikistan Privatization I	June 29- July 21, 1996	June 27	July 30	(244) [redacted] 2-57-34 w
18.	Nozimov, Ioussoufdjon	[redacted]	Deputy Director of Joint Tajik-German Enterprise "Khuroson ltd."	Tajikistan Privatization I	June 29- July 21, 1996	June 27	July 30	[redacted] 24-53-45 w 24-86-49 f

No	Name	Birthdate	Position	Course	Course Duration	Depart Date	Return Date	Telephone
1.	Grishina, Lubov	[redacted]	Chief specialist for Dushanbe city State Property Committee	Tajikistan Privatization II	August 31 - Sept. 28, 1996	Aug. 29		[redacted] 21-88-60 w
2.	Charifov, Abdulmadjit	[redacted]	Chairman of the State Property Committee for Khatlon Oblast Hukumat	Tajikistan Privatization II	August 31 - Sept. 28, 1996			[redacted] (244)2-31-86 w
3.	Bobiev, Mourodbek	[redacted]	Head of the Dept. for State Property Management, Lenin District Hukumat	Tajikistan Privatization II	August 31 - Sept. 28, 1996			[redacted] (237)22-2-82 w
4.	Moukhamadieva, Ilmira	[redacted]	Chief Specialist for the Dept. of External Economic Relations, President's office	Tajikistan Privatization II	August 31 - Sept. 28, 1996			[redacted] 21 55 84 w
5.	Rakhimova Shahodat	[redacted]	Deputy Director of Dushanbe auto-transport organization	Tajikistan Privatization II	August 31 - Sept. 28, 1996			[redacted] 24 68 31 w
6.	Radjabova Manizha	[redacted]	Leading Speclaist for State Property Committee	Tajikistan Privatization II	August 31 - Sept. 28, 1996			[redacted] 21 16 14 w
7.	Zabirov, Safar	[redacted]	Chief Specilaist for State Property Committee for RT	Tajikistan Privatization II	August 31 - Sept. 28, 1996			21 16 14 w
8.	Mirzoev, Saidakhmad	[redacted]	Head of the Dept. on trade, transport & everyday services,	Tajikistan Privatization II	August 31 - Sept. 28, 1996			[redacted]

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			Republican Center on Evaluation of State Property					21 71 04 w
9.	Nozimov, Makhmadsharif	[redacted]	Head of the Dept. on Bankruptcy, State Property Committee for RT	Tajikistan Privatization II	August 31 - Sept. 28, 1996			21 15 73 w 21 84 87 w
10.	Norhaev, Iskandarjon	[redacted]	Chairman of the State Property Committee, Hukumat of Leninabad Oblast	Tajikistan Privatization II	August 31 - Sept. 28, 1996			(37922) [redacted] 4 33 91 W
11.	Niyazov, Yormalik	[redacted]	Director of Real Estate Stock Exchange for Leninabad Oblast	Tajikistan Privatization II	August 31 - Sept. 28, 1996			37922 [redacted] 6 75 67 w
12.	Khodjamalikov, Khodjamalik	[redacted]	Head of the Tax Inspection, Tax Committee for Kairakum	Tajikistan Privatization II	August 31 - Sept. 28, 1996			37922 [redacted] 2-12 52 w
13.	Salimov, Ikbolsho	[redacted]	Deputy Chairman of the State Property Committee for the RT	Tajikistan Privatization II	August 31 - Sept. 28, 1996			[redacted] 21 47 43 w
14.	Najmiddinov, Anvar	[redacted]	Head of the Board of Methodology, State Property Committee for RT	Tajikistan Privatization II	August 31 - Sept. 28, 1996			21 81 16 w

ANNEX 18:

Tajik Film Original Script (English/Russian)

10.9.1996
Tajikfilm

1. Rahimov Sadullo, Director of Tajikfilm
2. Galina Elbao, Author of Script

I. Privatization -- The script of the documented videofilm.

The spring is at its height.

There is a luxuriant range of colors of trees in blossom and bushes, flowerbeds and bunches of flowers are for sale.

The streets of Dushanbe are overcrowded by the people. Bright colors of the clothes, modish (stylish) fashions. Even the old buildings of the first half of xx century washed by the spring rains are bright and new. The ground floors of the buildings are gay with signboards and shop windows with many languages of the world.

The sabath of bad taste with the rare dissemination of good style.

There are a lot of kiosks, stalls, trade stalls roughly painted "shops." There are people on the streets, selling the goods. There is an impression that all the population was divided into the groups of buyers and sellers. That is the outward appearance of the capital of Tajikistan. So it is the result of the first step (wave) of privatization, the transition to a market economy.

The principle changes are not so visible, but nevertheless the end of the century has radical changes in the life of the country and people. Each individual was affected by the political, economical, and social reforms.

Someone became the loser and someone became the winner.

The most effective and appreciable step towards the development of market relations is privatization.

II. Caption - title "Privatization"

We continue going around the spring city. Small cafes on the open air and smoke of shashkiks. The opened doors of shops, hairdressing salons, services.

The first step is the small-scale business. Mainly it is for trade and service.

This is a privatized "hair salon." It is clean and comfortable. The owners and the clients feel comfortable there. Let's take a short interview from the owner and a pretty young client who came to get a haircut. The owner tells us about the advantages of a privatized enterprise. We have a question to the client: "Is it rather expensive here?"

"Yes," she said, "it's expensive." But she can afford it. Since the enterprise where she works was privatized, her salary is higher and she is paid on time.

Question: Where does she work?

Answer: She works at the plant, "Tajikcement." "Tajikcement" is not the largest one, but very significant. There, for a second time we met our acquaintance at her workplace.

As in any large enterprise it took quite a lot of time for the collective and management staff to look closely, make some measures and get accustomed to the privatization. The production was decreasing, people were leaving their work, the salary was decreasing.

The business was coming to an end, right up to half of production or even bankruptcy. They decided to take a risk and they did not miscalculate. Within the dialogues with workers of the plant we will see that: What are the changes? How did they become the owners of the enterprise? The range of questions is wide enough: Were new jobs created and how many? How did the privatization affect the salary (earnings)? Are there any positive steps in the social sphere? Is it supposed to put the investments into production? What are the overall objectives (perspectives) of the enterprise and its workers?

You see that banks and foreign investors will not give credit resources to unprofitable state-owned enterprises.

Basically the short dialogues of workers will take the time of the film, i.e. namely for those people the privatization is done.

We know that in comparison one thing is better than another, that is why after visiting the plant, "Tajikcement," we are going to visit the enterprise of another form of ownership, a state-owned enterprise. It will be the plant, "TajikHydroagregat," a huge enterprise. In the past it had a Soviet Union significance, but now it doesn't produce.

Production and economical ties were lost, they lost the markets, the jobs were decreased to a minimum, the unique equipment which costs millions of rubles does not operate. The huge productive capacity of the enterprise is underutilized. Let's talk to the workers here: What do they do? What are their salaries? Are they paid regularly? The viewer will come to the conclusion that the workers of this plant cannot afford to go to expensive hair salons or to shop at expensive privatized shops.

There is one of the best shops on Rudeki prospect. There is a large range of quality goods. The buyers, i.e. the men of property are coming here all the time. It's a pity, but the prices for the goods and products are inaccessible for a large part of the population. During the interview with the owner of the shop or with the seller, we will try to define who are the usual buyers and think: what does the rest of the population have, i.e., the majority of the population. What shops are available to them?

Let's visit one of the state-owned shops. The shelves or shop windows are either empty or full canned cabbage and tomato past of years of remoteness. Sometimes there are porridges packed in cans eaten away with rust. By the way, the prices are not cheaper, but sometimes more expensive than in a commercial shop. Is it absurdity? Or is there something deeper? There is no trace of comparatively cheap products of local industry. Why? Because most of them are in a position like "TajikHydroagregat," making measurement, sizing the privatization up.

That is why the process is so slow now or gathering speed slowly. The consumer's ability is so low. The market is not provided by the local production. The workers are given the sack and as a consequence there are no earnings.

Privatization is the first and very important step towards market relations.

Its importance was outlined by the action of The World Bank which gave a loan of 5.5 million dollars on favorable terms, for accelerating the process of privatization and economical reforms in Tajikistan. It is the starting point where Tajiks must start looking for its future.

The collectives and the directors of unprivatized enterprises have to think about the future if they hope to buy a ticket on the last train. They can lose their chance because the train may leave.

The objective of the videofilm is to give the society full information about the process of privatization. So the text of the film will be based on this kind of educational information.

The development of the private sector and objective of privatization is to create the competitiveness which makes a large selection of goods, improve the quality of goods, and decrease the prices.

Privatization and development of private sector creates new jobs and increases the living standard of the population. Privatization reduces the government control on the producer. We can see from the world experience that the development of a private sector improves the living standards of population. It provides the initiative of the people who produce and sell the goods for consumer. Recently the delegation of government of Tajikistan had negotiations with The World Bank. The negotiations were successful and there are all required prerequisites for starting the implementation of the privatization and deep economical reforms in the Republic of Tajikistan.

"УТВЕРЖДАЮ"
ЗАМ.ПОСТОЯННОГО ПРЕДСТАВИТЕЛЯ
ТРСОН
_____Б.ЛИСОВИЧ
"____"_____1996 г.

П Р И В А Т И З А Ц И Я

Сценарий документального видеофильма.

"Таджикфильм" - 1996 г.

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Весна в разгаре. Буйство красок цветущих деревьев и кустарников, ухоженных клумб, букетов цветов на продажу. Улицы Душанбе переполнены людьми. Яркие расцветки одежды, смелые фасоны. Даже старые здания постройки первой половины XX века, умытые весенними дождями, сияют свежестью и новизной. Первые этажи домов пестрят вывесками и витринами на многих языках мира. Шабаш безвкусицы с редкими вкраплениями вкуса. Многочисленные, выстроившиеся рядами киоски, палатки, будки торговых точек - аляповато оформленные "шопы". Разложившие товар прямо на тротуарах торгующие граждане. Такое впечатление, что весь люд поделился на продающих и покупающих. Такова нынче внешняя картина столицы Таджикистана. Таков итог первой волны приватизации, перехода к рыночной экономике.

Главные перемены не столь броски. И тем не менее, столетие заканчивается коренными переменами в жизни страны и народа. Политические, экономические и социальные реформы коснулись каждого человека. Кого-то обожгли, кого-то вознесли.

И самый действенный, самый ощутимый шаг в становлении рыночных отношений - это приватизация.

Титр- название: П Р И В А Т И З А Ц И Я

Продолжаем проезд по весеннему городу. Небольшие кафе на открытом воздухе, дымки шашлычных мангалов. Распахнутые двери магазинов, парикмахерских, салонов бытового обслуживания. Начало приватизации за малым бизнесом. В основном, это сферы торговли и бытового обслуживания.

Приватизированный "Салон-парикмахерская". Чисто, уютно, удобно. И мастера и клиенты чувствуют себя здесь комфортно. Возьмем короткое интервью у мастера и молодой симпатичной

клиентки, пришедшей сделать прическу. Мастер рассказывает о преимуществах работы в приватизированном заведении. К клиентке вопрос: не дорого ли? Да, отвечает, здесь подороже. Но она теперь может себе это позволить. С тех пор, как их предприятие приватизировали, заработки стали выше и выплачиваются своевременно. Где работает? На заводе "Таджикцемент".

"Таджикцемент". Предприятие не самое крупное, но очень важное. Здесь мы вторично встречаемся с нашей знакомой на ее рабочем месте. Как и на большинстве крупных предприятий, коллектив и руководство довольно долго присматривались, примерялись к приватизации. Падало производство, редел коллектив, таяли заработки. Дело шло к краху, вплоть до остановки, банкротства. Решили рискнуть. И не прогадали.

В диалогах с работниками завода выясним, что изменилось с тех пор, как они стали хозяевами предприятия. Диапазон вопросов достаточно широк: созданы ли новые рабочие места и сколько? как отразилась приватизация на заработках? есть ли позитивные сдвиги в социальной сфере? предполагается ли инвестиции в производство? каковы перспективы предприятия в целом и его работников?

Ведь банки и иностранные инвесторы не дадут ограниченные кредитные ресурсы убыточному государственному предприятию.

Основное экранное время займут короткие высказывания работающих, то есть именно тех людей, во имя которых и проводится приватизация.

Все познается в сравнении. Поэтому сразу же после "Таджикцемента" посетим предприятие иной формы собственности - государственной. Скорее всего, это будет завод "Таджикгидроагрегат" - гигантское предприятие, в прошлом союзного значения.

которое на протяжении последних лет практически бездействует. Утеряны производственно-экономические связи, лишились рынков сбыта, сокращены до минимума рабочие места, простаивает уникальное многомиллионное оборудование. Громадный потенциал используется на ничтожный процент.

Побеседуем и здесь с рабочими: какова их занятость? каковы заработки? регулярны ли они, стабильны?

Зритель сам придет к выводу, что рабочие этого завода не могут позволить себе посещения ни дорогих парикмахерских, ни, тем более, дорогих приватизированных магазинов. .

Один из лучших приватизированных магазинов на проспекте Рудаки. Здесь всегда широкий ассортимент качественных товаров. Сюда постоянно стремятся располагающие средствами покупатели. К сожалению, цены на продукты питания и товары первой необходимости недоступны для основной массы населения. В интервью с владельцем магазина или одним из продавцов попытаемся определить, кто же составляет основной состав покупателей.

И задумаемся: а что же остается остальным, т.е. большинству населения. Где доступные для них торговые точки?

Посетим один из магазинов госторговли. Полки и витрины либо пусты, либо заставлены батареями банок с консервированной капустой и томат-пастой многолетней давности. Изредка - каши в проржавевших жестяных банках. Кстати, цены не ниже, а подчас и выше коммерческих. Абсурд? Или что-то иное, более глубокое? И в помине нет сравнительно недорогих продуктов местной промышленности. Почему? Да потому что большинство из них в позиции, подобной "Таджикгидроагрегату". Все еще примеряются, присматриваются к приватизации. Потому-то этот процесс

медленно пока набирает обороты. Отсюда так низка потребительская способность населения. Рынок не насыщается продукцией собственного производства. Сокращаются рабочие места, и, следовательно, заработки.

Приватизация - первый и очень важный шаг в рыночные отношения. Его значимость подчеркивает недавняя акция Всемирного банка, выделившего льготный кредит в 5,5 млн.долларов на ускорение процесса приватизации и экономической реформы в Республике Таджикистан. Именно на этом пути таджикистанцы должны начинать искать свое будущее.

Пусть коллективы и руководители еще не приватизированных предприятий подумают о дне завтрашнем. Если они рассчитывают попасть в последний вагон, то рискуют не успеть - поезд может уйти.

Цель картины - дать обществу полную информацию о процессе приватизации. Поэтому дикторский текст будет строиться на таких образовательных сведениях.

Развитие частного сектора и цель приватизации - создать конкуренцию, которая увеличивает выбор товаров, повышает их качество, снижает цены. Приватизация и развитие частного сектора создает новые рабочие места и поднимает уровень жизни населения. Она ослабляет правительственный контроль над производителем. Мировой опыт показывает, что развитие частного сектора и приватизация улучшает жизнь населения. Она обеспечивает инициативу людей, которые активнее выпускают и реализуют товары высокопотребительского спроса.

Недавно делегация правительства Таджикистана вернулась с переговоров со Всемирным Банком. Переговоры прошли успешно, и есть все предпосылки осуществлять приватизацию и глубокие экономические реформы в Республике.

ANNEX 19:

Tajikistan Agriculture Sector

consultants' time and other costs. Toal budgeted costs amount to $75,000.

The Government and UNDP approved on August 6, 1996 the membership of the EDB. Some of the members are listed below :

Yahyo Azimov - *the Prime Minister of RT*
Odil Jabbarov - *Deputy Head of the Department of Economics of the Office of the President of RT*
Matlubhon Davlatov - *Chairman of the State Committee for Government Property*
Isroil Mahmudov - *First Deputy to the Minister of Economy and Foreign Economic Relations of RT*
Nina Maksimovna Pak - *Chief Editor, Business & Politika*
Rustam Mirzoev - Chairman, Council of Productive Resources

The IMF delegation in Dushanbe

The mission of the International Monetary Fund headed by the Deputy Director of the 2nd European Department of the IMF Mr. Peter Keller visited Tajikistan. In the course of the meetings of the delegation with the Tajik leadership the parties discussed the progress of economic reforms in the republic, the issue of preparation and conducting of the meeting of the consultative group in Tokyo in October. At the meeting in Tokyo, the donors will discuss the issues of providing assistance to RT. The parties exchanged views on preparation of the new economic program for 1997. At the meeting with the press, Mr. P. Keller noted that he is satisfied with the cooperation between the IMF and Tajikistan, and promised assistance on behalf of the IMF at the discussion by the Board of Directors of the World Bank on September 12 of the issue of providing to Tajikistan of the rehabilitation loan in the amount of $50 mln.

Agriculture

In Tajikistan, there is only 0.11 hectares of land per capita for population. In such conditions, only efficient agriculture, based on intensive methods, would be able to provide normal production of food, cotton, other agricultural products. Until recently, kolkhoses and sovkhoses would provide the bulk of the agricultural product of the country. By the data from the Ministry of Agriculture of the country, the 600 collective and state farms had over 90% of cultivated land, which yield only 70% of production of agroculture. Several hudred thousand of private plots of land with total area of 77,000 hectares provide the rest of production. In the last years, the level of production in agriculture is falling. For example, in 1989 310,000 hectares of land yielded 900,000 tons of cotton, while in 1995 416,000 tons were harvested from 228,000 hectares. In 1996, the expected harvest of cotton is still lower (only 200,000 hectares were planted). In 1995, production of this basic Tajik crop made 26% of the total agricultural product (in 1988 - 93%). The productivity dropped from 3.0 to 1.8 tons per hectare. At the same time, cotton takes 40% of all irrigated lands.

Production of wheat also reduced (191,000 tons in 1989, 159,000 in 1993, while productivity dropped by 35%). We already informed of the situation in livestock. The statistics for the first six months (see the previous issue) demonstrate the deterioration of agriculture. Certainly, there are many objective reasons to that, but the need for reorganization of the agriculture of the country is obvious. The legislative base for it has been created. There are decrees of the President of RT, the State Commission for reorganization of agricultural enterprises was established, there is the support and recommendations from international organizations, and there are the first private farms. As the first deputy to the Minister of Agriculture Azizbek Sharipov informed our reporter, 3493 entities existed in the country by June 1, 1996, 354 of them - kolkhoses, 216 - state farms, 2912 - private farms, and 11 cooperatives.

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TAJIKISTAN: MINISTRY OF AGRICULTURE

STRATEGY AND PLANNING ADVISORY UNIT - SPAU

WORKING PAPER ON

INSTITUTIONAL BUILDING

DUSHANBE, APRIL 1996

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1 Executive Summary

The basic assumption in this paper is that there is a generally accepted aim in Tajikistan to join the market economy and to improve self sufficiency and competitiveness especially in the food sector. Although there is an almost total absence of the inputs needed in production and processing of food, other reasons can also be claimed for the disruption of production. It is here believed that simplifying administration, improving advisory services, introducing modern marketing practices, reconstruction of farms, establishment of farmers' organisations and all the changes which increase the motivation of people to work are needed to obtain the goals of improvement.

Administration has little value as such unless it is geared to provide services which are needed in order to improve people's social and economical well-being. The aims of the government must be based on the prevailing needs of the people. It is, therefore, necessary that administration on all levels is transparent and well informed about the prevailing situation. This is possible only if the structures are simple enough for any layman to understand how they function.

The role of the ministry responsible for agricultural development, should be seen as a high level institution, the main task of which is the creation of the framework within which agricultural production can develop. In order to have the rules of behaviour for the farmers, the Ministry of Agriculture should prepare legislative frames and agree on strategies to achieve the set goals and aims.

The Ministry of Agriculture should be developed as a co-ordinating institution which fulfils the political will of the government, but which is well informed about the problems and challenges of the farmers brought about by the prevailing or planned politics.

The recommendations of this paper suggest, among others, the establishment of new institutions and changes in the administrative patterns. Before any concrete changes in the policies are carried out, it is necessary to start a profound discussion among the civil servants about the mission different ministries have or should have while dealing with agriculture and food production. It has to be kept in mind that working papers like this can at best make recommendations, and the adoption of the actual policies, approaches and structures are matters of government and ministries.

The proposals made are expected to form a basis of these discussions. Depending on the readiness to make changes, the next step would be to further elaborate them. The main recommendations are:

- withdrawal of the Ministry of Agriculture from active involvement in producing and processing, and a substantial move from management and execution towards strategic and policy formulation
- establishing a Board of Agriculture in subordination to the Ministry to execute the laws and to co-ordinate the use of state funds between the regions
- defining the role of various ministries in relation to agriculture and food production
- further co-ordination or even amalgamation of the Ministries for Agriculture, Irrigation and Grain & Bread Production to become Ministry of Agriculture and Food

- subordinating where feasible the state committees to the Ministry of Agriculture
- clarification of the distribution of labour between ministries, PM's office and the state committees
- selection of the strategic enterprises to be retained in state ownership and deciding upon the speed that could be sustained
- release of state control in its prevailing forms
- establishment of a co-ordination unit for international co-operation in the Ministry of Agriculture (Aid co-ordination and management unit)
- establishment of effective agricultural advisory and training services
- allocation of funds to provide the necessary skills and re-education to the employees
- introducing sustainable methods of farming
- establishment of an autonomous reform division in the Ministry of Agriculture to manage the state assets and prepare them for privatisation
- encouraging the establishment of private contractors which increase competition in the markets
- all regulations which prevent private enterpreneurship from being developed should be carefully studied and removed where possible
- establishment of co-operatives, whether for production, marketing, credit or other services based on co-operative law
- to prioritise the tasks to be taken care of during the first years of existence of the Farmers' Associations
- review of the constitution of Farmers' Associations
- establishment of organisation structures in order to manage the business, advisory and trade union requirements of the farming community

2 Introduction

This report has been written during the first six weeks visit of the SPAU short term institutional building expert to Tajikistan. It is based upon available World Bank, TACIS and other reports about the Tajikistan economy and food production as well as several interviews with governmental and other officials and visits to state and collective farms, the so called Dehkan farms and private plots of the collective workers. The expert also attended the meeting of Lenin district farmers' association, farmers' markets and the traditional „bushcashi". The unstable security situation in the south and east of Dushanbe limited the travelling, unfortunately, only to limited areas of the Republic of Tajikistan.

The present report is one of the SPAU working papers, which studies the complexity of the administration related to agriculture. The suggestions made are quite tentative and they are presented in order to activate the discussion about the need and direction of the institutional building in Tajikistan. The ideas presented are based upon the assumption that there is a generally accepted aim in Tajikistan to join the market economy in its deepest sense. The author has full awareness of the fact that changes are in general objected to and that some of the ideas presented in this paper are for many people difficult to understand and to accept. It is, however, believed that changing the economic environment cannot take place without changes in administration and management of the economy.

It is not possible to separate the development of agriculture or the entire food production from the changes in the rest of economy or social life. This is certainly true in Tajikistan, where the economy has severely contracted during the past years and where agriculture plays a very central role in the national economy. Agriculture cannot be transferred in isolation to function in accordance to the rules of marketing economy. That is why any institutional building in the administration and management of food production has to be seen in its economic and social context in the society.

The recent investigations of the country suggest many reasons which have contributed to the contraction of the economy in Tajikistan. The most important among those are as follows:

- Disruption of the former CIS trade and the accumulation of payment arrears for imports. Tajikistan presents today large deficits of most primary food commodities and relies heavily on imports of wheat, sugar and meat.
- The interruption of the supply of raw materials and energy inputs for agriculture and industrial activities. Tajikistan possesses the largest water resources amongst the Central Asian States. The water usage criteria is, however, claimed to be inefective.
- Civil strife. Tajikistan is at the moment rather instable as far as political, social and economical situations are considered.
- Two consecutive floods in 1992 and 1993. The floods have caused extensive damage to cultivated land.

If the only reasons behind the prevailing difficulties were the floods and civil strife, one might be optimistic about the future. The disruption of the former CIS trade and the interruption of the supply of raw materials and energy inputs for agriculture and industrial activities are likely to require a complete change in organising the national and local patterns of administration and management of food production. In practical terms this means adoption of a market economy. The change from markets which have mainly been controlled by means

of administration to free and transparent markets is enormous and certainly extremely time consuming.

A self evident aim in Tajikistan should be the improvement of the self sufficiency and competitiveness. That would require several changes and reforms to take place in the coming years. The lack of resources suggest that one should start solving some acute and specific problems. There is, however, a danger that the partial solutions fail unless the wider prerequisites are taken care of. That means that there should be at least some degree of consensus about the priorities of development. In addition to that it is necessary to stabilise the fiscal and monetary situation, liberalise prices and gradually encourage the private sector to take control over the business sector in the Tajikistan society.

Reorganising administration, production, processing and trade at central, regional (Oblast) or district (Rayon) level has little sense unless it results in more effectiveness and productivity . The „State Orders" system was totally different from the intended free market system. Thus the former administrative and productive organisational patterns to execute and implement the will of the government or to reflect the expectations of the various entities in the food production chain are ineffective. That is why there is considerable scope for fruitful institutional building in Tajikistan. The aim should be to create an effective and democratic administration.

The severity of the problems facing Tajikistan were recognised explicitly in the „Programme for Economic Reforms for Tajikistan, 1995-2000" issued by the Government in September 1995.

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3 The Existing Situation

3.1 Agricultural Production

Tajikistan's agriculture was seriously effected by the agricultural reforms, and enforced collectivisation about 70 years ago. Then the traditional patterns of land tenure and usage, as well as diverse systems of agriculture and livestock husbandry were changed in the interest of a more specialised production system and also central control. Now, after the sudden collapse of the Sovkhoz and Kolkhoz farming the first steps are taken to privatise agriculture again. Most of the individual farming is, however, based on traditional methods of agriculture, due to the small size of the plots, lack of suitable farming equipment, as well as lack of almost any supply needed to improve the production. The production of all crops on any type of farms is seriously hampered by the almost total absence of basic inputs: good seed, fertilisers, agro-chemicals, fuel and lubricants, and spare parts as well as machinery itself.

There is a general feature in Tajikistan agriculture, that one has to bear in mind when any efforts are made to improve it. More than one half of her territory lies more than 3000 meters above the sea level. It is, therefore, clear that weather conditions are very different than those in many areas on same latitudes. Variations between different parts of the country are great and so are lines of production as well as farming practises. Grazing and also some cultivation takes place on the mountain slopes, which in turn presents a need to have special skills and equipment as well as a danger of further erosion. The question prevails; what is the optimal use of land? And now this question must be raised not only from the production aspects, but also the markets have to be taken into consideration.

As a result of the past political and economical developments, the unavailability and lack of cash funds to procure almost all essential agricultural inputs as well as the lack of an effective agricultural technical advisory and training service must be considered.

There has been a general trend of declining agricultural production during the last five years. The evident increase of productivity and yields on individual farms, especially Dehkan farms has not yet any significant influence on national production. A social concern is evident in the case of restructuring state and collective farms, because more than 40% of the nation's labour force is engaged in agricultural production.

The lack of fertilisers has increased interest in sustainable cultivation by means of plant rotation. This would decrease the need for nitrogen and improve soil quality. This seems to be one of the areas where advice is needed.

3.1.1 Cotton

Cotton production has for a long time been quite dominant in Tajikistan and was produced mainly for inter-republican trade in the form of raw or ginned cotton. It has been cultivated almost to the exclusion of all other crops. The collapse of the support, distribution and supply systems are having a serious effect on the production of the country's most valuable crop. Much of the seed used in the spring of 1996 for planting is of very poor quality.

Many of those who are in favour of maintaining the level of cotton cultivation believe that the revenues from cotton sales are high enough to cover the necessary imports of wheat, which is why they are not enthustiastic for the increase of the cultivation of wheat. They also seem to believe in increase of demand and prices of cotton. Cotton production has many

benefits to farms as well as industrial enterprises. The production provides fibres for textile industries, seeds for animal feed and heating energy for households.

3.1.2 Cereals

The country has come to a situation where there is a severe shortfall in staple food grains. It is, therefore, understood that there is need to increase domestic grain production. The main cereal grown in Tajikistan is wheat, but also some barley, rye and oats are cultivated, although these are not of any major importance. The ending of guaranteed provision of grain from elsewhere in the FSU means that there is a serious shortfall of wheat.

The extent of land being cultivated for rainfed wheat is rapidly expanding as individual families are cultivating upland pastures that have traditionally been reserved as grazing land. In fact people are allowed to cultivate their own wheat utilising whatever spare and unoccupied land that they can find outside permanent pastures.

Due to the poor economic and social situation in Tajikistan, agriculture has moved towards subsistence forms of production. This tendency has also been likely to increase the production of wheat in the dry areas, where the yields obtained are very low, usually in the range of 1000 kilos per hectare or even less.

Although in Tajikistan much of the wheat crop is rainfed, a major constraint on production is the breakdown in the management and maintenance of irrigation systems and the collapse and ineffectiveness of the local seed industry, leading to the almost total absence of locally produced, high quality varieties.

3.1.3 Livestock Production

Much of the uplands and mountain country is suitable for extensive, though largely seasonal grazing for livestock (sheep, cattle and goats). More than 2 million sheep and goats are grazed in more elevated areas. There is, however, some concern that the areas suitable for grazing are decreasing due to increasing wheat cultivation and increasing erosion. The number of cattle has been, however, continuously declining, which is likely to affect the need of pastures negatively. The sharpest decrease has taken place in pork and poultry production.

Livestock production takes place either on state farms, kolkhozes, some of the Dehkan farms or on farm worker's private plots. It is, therefore, difficult to have a clear picture of the total production. On all farms visited cows were milked by hand. Production per cow is low, even on a specialist livestock farm yields have fallen as low as 1900 liters. Most of the production comes from the private plots, but it is mainly consumed by the families of the workers and based on feeding stuffs bought or made available from the collective farms.

3.1.4 Other farm production

For their livelihood the people in rural areas supplement their income from the sale of fruit and vegetables. The gardens, orchards, vineyards as well as areas planted with mulberry trees or subtropical citrus provide important products for households and markets. Rural people also gather fruit, wild herbs and nuts from the mountains and forests.

3.2 Farm Structures

There are altogether 14.254.500 hectares of land area in Tajikistan out of which 9,5 mill. hectares belong to the Ministry of Agriculture, including about one million hectares of forests and 4,2 mill. hectares of land reserves. Another 4,1 mill. hectares of reserve land belong to the government. Some of it is used as pastures and about 0,5 million hectares is

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forest land, which belongs to forest organisations. The other land categories consist of 193.800 hectares of land allocated for transport and infrastructure, 39.500 hectares of land are construction area for cities, villages, etc., 34.000 hectares are covered by hydrotechniques and 3000 hectares are environmental land.

Out of the land, which belongs to the Ministry of Agriculture about 4,3 mill. hectares are used for agriculture. Land which is used for agriculture consists of 635.000 hectares of irrigated land, 290.000 hectares of dry cropland and 3,3 mill. hectares of pastures, some of which are under permanent pastures. Irrigated land is mainly cultivated by the state farms and kolkhozes, but it is estimated that as much as 200.000 hectares of it have deteriorated.

Land in Tajikistan is state property. Its individual use is now encouraged, but without immediate aim of privatisation. It is believed that many aspects of collectivisation are worth while maintaining in the future. There may, for instance, be groups of farmers, who can make use of the services of the collective centres, or farmers' societies, but who have freedom to decide their own production lines. In the prevailing situation it is considered important that government has some control of how the land is used in order to guarantee sufficient levels of production. The present government is not in favour of distributing much more land to the individual farmers. Also the idea of giving land to the Farmers' Societies is not widely accepted.

The following tables give information of the availability of land under agricultural production on the farms as of January 1, 1966. The figures are drawn from data provided by the Department of Land Organisation and Reform in the Ministry of Agriculture.

Table 1: The use of land under agricultural production

	Hatlon	Leninabad	Rebublicansub ordination	Gorno-Badahshan	Total
Ploughed land	382925	269289	127199	16722	796135
- irrigated	280093	181271	71914	15591	548869
Permanent plants	27006	53568	24960	2151	107685
- irrigated	13023	53542	12063	2151	80779
Abandoned land	3241	13926	1175	203	18545
- irrigated	1646	893	51	0	2590
Hay making area	7578	1106	2225	7830	18739
- irrigated	0	98	42	632	772
Pastures	1166867	756846	105623	681961	3339363
- irrigated	168	307	62	1710	2185
Total agric. land	**1587617**	**1094735**	**889248**	**708867**	**4280467**
- irrigated	294930	236111	84070	20084	635195

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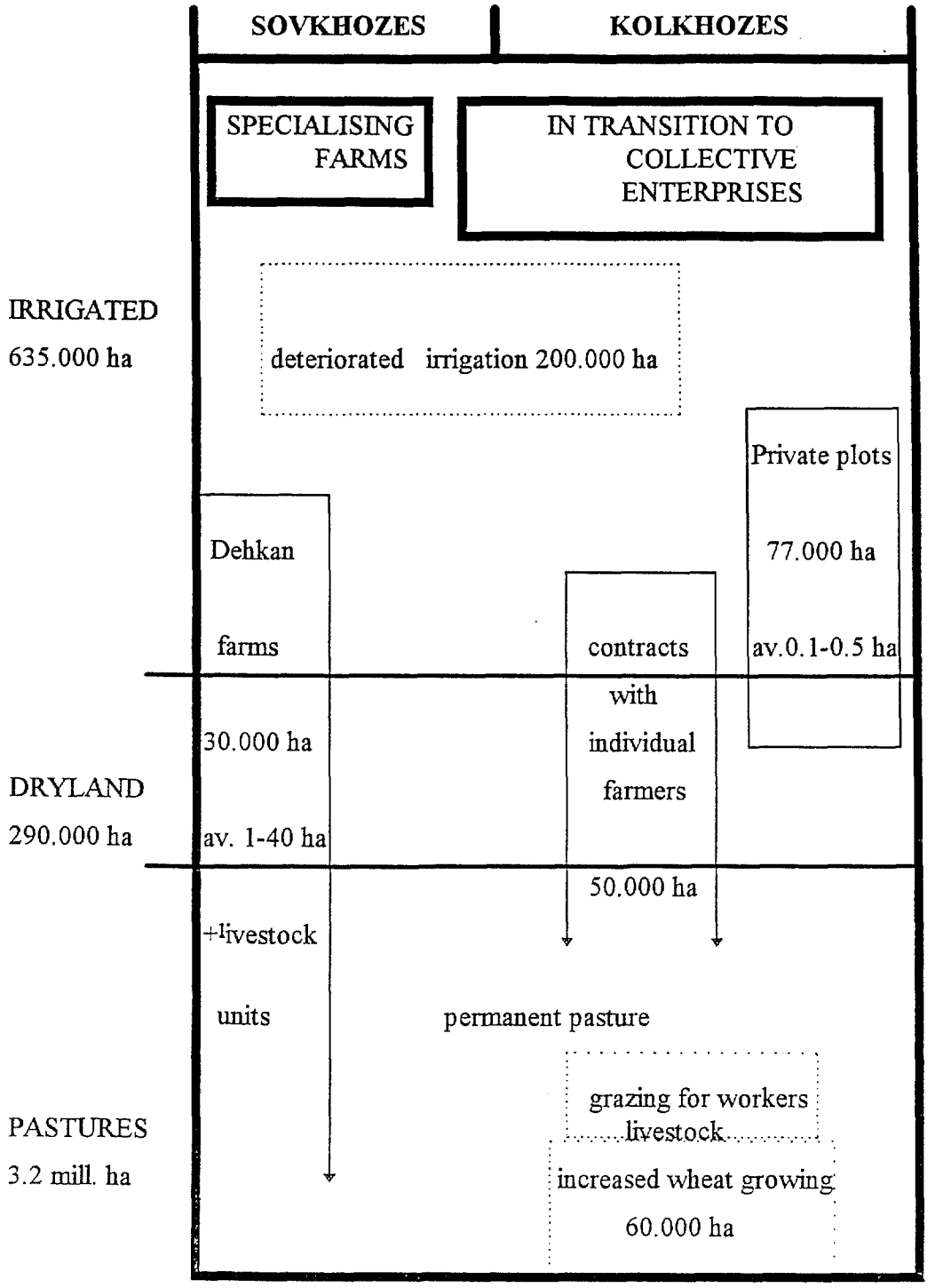
The permanent planting includes 59.000 hectares of orchards and garddens, 37.000 hectares of vineyards, 8.500 hectares of mulberry trees, 600 hectares of subtropical citrus, and 1.800 hectares of other permanent planting. The agricultural land as a whole consists mainly of pasture. Only the ploughed areas and land planted with permanent plants are to a great extent irrigated. The percentage distribution is illustrated in the table below.

Table 2: The distribution of agricultural land in percentage and the share of irrigation

	% of total land use	% irrigated
Ploughed land	18,6	68,9
Permanent plants	2,5	75,0
Abandoned land	0,4	14,0
Hay making area	0,4	4,1
Pastures	78,0	0,1
Total	= 100 %	= 14,8 %

The following picture (Figure 1) tries to illustrate the present patterns of land use. No land is in private ownership, but increasingly more is being allocated to private production.

Figure 1: Illustration of the present land use patterns



3.2.1 Statefarms and Kolkhozes

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There are about 380 Kolkhozes and 220 State f
also desire to reconstruct the usually very large m
Increasing share of the agricultural land is allocated t
has, however, just started. In the livestock and v
production is considerable, exceeding that of State and

Due to the way the production is organise
motivation of the workers is quite low. This is one reason for the low
farms employ high numbers of people, frequently in the proportion of one worker to one hectare of irrigated land. If one counts also the family members, these farms are responsible to take care of the daily needs of as many as 15 people per one hectare. Reconstruction would mean that many of the farm workers would have to find their living outside of farm production.

The existing farms are likely to become more specialised, more market oriented and perhaps they will also concentrate in production only, leaving the processing and marketing in the hands of co-operatives or other specialised private enterprises. In the course of a few coming years it is probable that several State farms will be collectivised or the land will be allocated directly to individual farmers. Kolkhozes are seeking ways to become collective enterprises. Some of the State farms are changed into highly specialised units for instance in vegetable production. Those farms could function as research, experimentation and / or extension information units, which could make use of the laboratory and other sophisticated equipment and people with university degrees.

Even if agricultural land would in future be allocated to individual farmers, farmers' societies or other forms of more private use, some state land use is strategically advisable. The optimal thinking is that it should be limited to the areas of:

- breeding pure-bred cattle
- plant breeding / seed production
- research fields and
- fields for experimentation and teaching purposes

3.2.2 Private Production

There are perhaps several hundreds of thousands of traditional private plots, which cover an area of 77.000 hectares, 59.000 hectares of which is irrigated. 53.400 hectares of private plots are used for orchards and 23.600 hectares are planted with trees. The average area of these plots is very small, on average 0,1 - 0.5 hectares. In accordance with the presidential decree of Oct. 9, 1995 (no 343) some 50.000 hectares of land are allocated in plots of 1500 m² to about 240 000 individual farmers (48.000 hectares out of which has already been distributed). On these areas the farmer is allowed to grow wheat and other plants, but no trees or construction are allowed. The plots are partly situated on irrigated lands. The private plots have been given to farm workers for an indefinite period, as are the previously mentioned 50.000 hectares, but the plots from this last mentioned area can be taken back to the government if not properly taken care of. Private plots are registered by the village councils, which function as legislative organs at local level.

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In addition to the above mentioned individual farms there are about 4.000 so called Dehkan farms, which cover an area of 30.000 hectares. These farms will be registered. So far 700 of them have a „land passport". These farms cover an area of 21.700 hectares, which means that the average size is around 30 hectares. A total of 4.000 hectares of this area is irrigated and 17.000 hectares dry land. The unregistered Dehkan farms are much smaller, in average only about 2,5 hectares.

Due to increased need for grain production, farmers are allowed to grow wheat where ever they like outside permanent pastures, on areas which are not considered as arable land. It is estimated that the area of wheat cultivation on these areas is about 60.000 hectares. This type of production is not optimal due to heavy erosion. *Urgent legislation is, therefore, required to control erosion due to cultivation of slopes.*

The district level agricultural authorities are very much interested in helping the Dehkan farms in the first stages of their development.

Even if the number of individual farms increases, *many of the collective functions are needed.* This is true for instance in the case of mechanisation. The private or individual farms cannot be self-sufficient in the same sense as the large state farms or collective farms are, but they have to seek many services and advice from existing or to be established institutions. It is, however, preferable that *private contractors which increase competition in the markets, should be encouraged to be established in due course of time.*

3.3 Processing Industries

The marketing and distribution has in Tajikistan been treated as a purely administrative function so that the commercial or financial considerations have not been important. It has, however, for some time been evident, that to maintain the compulsory system of the state procurement of commodities is not any more possible. The Ministry of Grain and Grain Products has a dominant role in flour milling and bakeries as well as imports of wheat. The State Committee for the Cotton Industry controls 90 percent of the processing and marketing infrastructure.

The agency responsible for the state procurement of meat and milk and which also controlled the related plants used to control the market. Now it has difficulties to compete with the private sector. The losing of markets is also true in the case of the State Committee for Fruit and Vegetables.

Most of the livestock production is processed outside any state control. The cattle owners from the private plots, for instance, process some of the milk into butter or cheese, and slaughter the animals and sell part of the products in the local market. Also a major share of the bread is home made.

There is a need to develop co-operative or other forms of industries to process the local farm production into high quality food products.

3.4 Extension Services

No consultancy or advisory services for the individual farmers exist. There is also no experience about how the extension / advisory services should be organised. *A well trained and equipped agricultural advisory and training service is, however, needed* to assist the agricultural community at this critical stage of change and transition. This is, therefore, one

area where international advice is needed. In principle it is the question of diffusing the available information and experience to the farmers and providing them with the information they need in relation to their economical, social, technical or other problems. Foreign experts can provide the models on how one should establish the required organisations and how the costs should be covered.

The perceived need of advisory services reflects the prevailing situation, where the university background and long experience of the farm managers are considered to be enough to manage the production on the farms. It seems that in many cases there is not any real understanding at the farm level what new information is needed in the new situation. Restructuring, specialisation, modern means of management and finance accounting, marketing, pricing, environment, etc. are some of the questions where the perhaps outdated information from the universities or long experience in centrally planned production are not sufficient or appropriate.

3.5 Farmers' Associations

Individual farmers have established associations, so that every district (53) is supposed to have its own farmers' association. Only part of those are under the consultation of the Department of New Forms of Management in the Ministry of Agriculture. The intention is to form a national body of the associations. Advice is already received from (negotiated with) TACIS, German experts, and the US programme „Farmer to Farmer".

In accordance to the „Constitution of the Association of Dehkan Farms and Agricultural Co-operatives" the main aim of the Association is a co-operative - commercial activity, protection of civil, political, economical, social and cultural rights and freedom of farmers. The Association is also to make contribution to economic development and widening of international relations. The Associations are supposed to function as voluntary bases to unite the farms and to maintain the rights of the farmers.

Each farm joins or leaves the Association voluntarily and the decisions made by the association are of an advisory nature. There are multiple tasks the Associations are supposed to take care off. Some of those are:

- protection of the rights of the members
- participation in land reform
- distribution of finance and subsidies
- providing credit and material resources
- organising investment processes
- arrangement of inputs for farm production
- organising the logistics from production to retail sales
- carrying out construction work
- transportation services
- carrying out research, advice and analyses
- mediation services, commodity exchange
- import - export activities
- import, sale and servicing farm machinery
- documentation and undertaking of negotiations
- creation of legal consultancy services
- publishing and printing activities
- training and re-training of specialists

This list of tasks shows, that Associations should be involved in a wide variety of many different activities. To do all this to the full satisfaction of the membership would necessitate a high degree of man-power and resources. It would, therefore, be advisable to *prioritise the tasks to be taken care of during the first years of existence of the Associations.* It would also be important to *distinguish between the business, advisory and trade union types of activities. All of these require their own organisation structure.* The interests of all farmers, in spite of the form of the production unit they are working with, should be co-ordinated. This suggests close co-operation between farmers' associations and farmers' societies, which are established on newly reconstructed collective farms.

The meetings of the Associations are provided with documents prepared in the Ministry of Agriculture. The representation of the department is compulsory in the meetings! It was, however, assured that associations work on democratic principles.

The best established Association is located in Lenin district. It consists of 700 farms with 5 to 10 hectares of land. Some of them even bigger. It is supposed to function as a model association. In this district all land of the state and collective farms is allocated to the Dehkan farms. The Association had its membership meeting in the beginning of April 1996. It was attended by 135 representatives of Dehkan farms. In this meeting the foundation of the association was accepted and the members of the board were elected. The Association is now in the process of collecting available documents and information, because it is in their interest to know how to get supplies to the farmers. The Kolkhoz farmers cannot become members of the Association, they get their services from the Kolkhozes.

3.6 Farmers' co-operatives

The definitions of co-operative institutions are varied as are the tasks of co-operatives. Some understand co-operatives as a means of government to procure under state control food for citizens, some want to develop collective forms of production based on co-operation of members and finally co-operatives are seen as enterprises owned by farmers and established to provide them services such as marketing, supply of farming inputs and credit. In the market economies the last mentioned definition is accepted, and the co-operatives are seen as permanent economic organisations which are established and maintained by members to benefit the interests of the members. The modern co-operative idea includes providing commercial, financial and other services in a competitive manner. These functions must be based on a sound co-operative law.

There is hardly any experience with the above mentioned co-operatives in Tajikistan. It seems, however, likely that there is a compelling need of finding better ways of marketing and providing services to the farmers. The idea of developing the Kolkhozes as collective production co-operatives does also exist. It is, *therefore, quite evident that some kind of co-operatives, whether for production, marketing, credit or other services will be established.* The time might not yet be ripe for the western type of co-operatives. A growing awareness and interest seems to exist among the authorities. This is important because the establishment of new types of co-operatives requires understanding, support and initiative especially from high level administrators.

3.7 Administrative organisations

In order to illustrate the complexity of the administrative system in Tajikistan, the following list of the most important decision making bodies is presented. It is evident *that the number of administrative levels from farmer to the highest level of government is too high. The number of different ministries, departments, institutions and committees dealing alone with agricultural questions are also excessive.* In addition to the over elaborate levels of administration, the responsibilities at different levels of administration are not always the right ones.

It is not possible or even advisable to suggest any major changes here, but to present a base for discussions with and within the structures of administration.

Parliament has 281 members

President. The office of the President has several councillors representing different areas of administration. The total number of State Councillors is 7, in addition to that there are 14 Councillors. President's apparat consists of 3 persons and the press centre of 5 persons.

Prime Minister's Cabinet includes 1. deputy and 5 other deputies and their assistants. There are 17 departments in his office dealing with questions of security, economics, finance, agriculture, etc. PM also has 4 councillors and a secretariat of 3 persons.

State Committees. There are 20 State Committees responsible for the preparation and execution of legal statutes. Many of these committees are closely related with decision making that affects agriculture: for instance committees on agriculture, food and food processing, cotton industry, fruit and vegetables, agrarian reform, meat and milk, state property, industry, contracts and trade, etc.

Ministries. The 17 existing ministries are as follows:

- Security
- Economic and foreign relations
- Foreign affairs
- Irrigation
- Education
- Transport
- Agriculture
- Grain and bread production
- Labour
- Interior
- Health
- Culture and Information
- Defence
- Protection of Environment
- Communication
- Social Security
- Justice

The need for any institutional building is evident. There are problems for instance with more direct contacts with the government. It is hoped that the national co-ordination of the farmers' associations in the future might mean more power to influence the government decisions.

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4 Proposals

4.1 Aims of development

The aim must be to ensure growth and income from agriculture, because this sector dominates Tajikistan's economy. The state, however, dominates prices, input distribution and production of key crops. Tajikistan will be dependent upon the agricultural sector to provide food, fibre and raw materials to the rest of economy for many years to come. Also the government aims at reaching a fair level of self sufficiency in the main food items. There is also the intention to produce an exportable surplus of selected food commodities and industrial crops.

4.2 Administration

4.2.1 Western experience

In the western market economies the structure and the problems of the ministries and offices / institutions subordinated to those are very different from that in FSU countries. This implies that changes should be introduced in the administration systems of Tajikistan during the processes of further democratisation and privatisation of the economy. The role of the ministries responsible for agricultural development, should be seen as a high level institution, the main task of which is the creation of the framework within which the agricultural production can develop. The Ministry of Agriculture should prepare legislative frames and agree on strategies to achieve the set goals and aims. This ministry is also responsible to safeguard that there is a fair share in the governments budget which can be used as subsidies, incentives and other means which are considered helpful in agricultural development.

In a way, Ministries of Agriculture are co-ordinating institutions which fulfil the political will of the government, but which have to be well informed about the problems and challenges of the farmers brought about by the prevailing or planned politics. This means that the administrative structure must be such that information flows from top to bottom but also vice versa. Farmers should, of course be well represented in the parliament, but in addition to that the Ministry should work closely together with farmers' organisations such as farmers' associations and unions. Farmers should also be provided with all the information they might need in developing their farming structures or production. These are widely accepted principles in western countries.

4.2.2 Implications for Tajikistan

It has to be kept in mind that working papers like this or other documents prepared by international consults can at best make recommendations, but the adoption of actual policies, approaches and structures are matters of government and ministries.

Before any concrete changes in the policies are carried out, it would be highly advisable to start a profound discussion among the civil servants about the mission of the Ministries of Agriculture, Irrigation and Grain & Bread Production. What are the aims, objectives and means of the Tajik food production? What strategies are most helpful to gain the chosen objectives, etc? It is only after you know what you are aiming at, that you can find the right solutions and ways to work.

One of the main recommendations, or at least, topic for further discussion in Tajikistan is that the ministries dealing with food production should withdraw from active involvement in producing and processing. There must be a substantial move from

management and execution towards strategic and policy formulation in the Ministry of Agriculture. This, however, raises a question of how much of the know-how and decision making power should be concentrated in the Ministry of Agriculture itself, and what would then be the division of labour on one hand between the Prime Minister's Cabinet and Ministry of Agriculture and on the other hand between the Ministries of Irrigation, Grain and Bread Production and that of Agriculture.

It should also be decided which ministries work in the field of agriculture. Is it necessary to have the separate Ministries of Agriculture, Irrigation and Grain & Bread Production? Also one should give a profound consideration to the question; what support agriculture may get from other ministries like those of Trade, Industry, Education, Environment, etc? Even if the Ministry of Education exists, it might be worth while that the vocational education in the field, as well as agricultural university and research, remain subordinated to the Ministry of Agriculture. This is due to the relative importance of the agriculture section in Tajikistan as well as the special problems involved in the development of agriculture.

It is widely believed in former centrally planned countries, that private ownership is the best approach in future and also the most reliable way to achieve transition to a more effective economic system. This is, however, a process, which should be carefully planned and which takes considerable time. Much consideration should be given to the question; what are the strategic enterprises to be retained in state ownership and what is the speed that could be sustained?

Even if the release of control in its prevailing forms is advisable, it still means that the ministries have to be well aware of the use of government funds and also of any effects the policies have on the economic and social well being of farmers and their families.

When asked about the structure and responsibilities of agricultural administration the clear answer was that the role of the ministry should not be supervision but co-ordination, the responsibilities should be left to the farmers. Farmers are now in the process of organising themselves into associations in order to co-ordinate and defend their rights.

It is probable that the number of people employed by the ministries will decline, when the organisation is changed to meet the needs of agriculture. Major organisational changes present a re-education task, and some funds should be allocated to provide the necessary skills to the employees.

The Ministry of Agriculture could have an autonomous reform division, which would have the following responsibilities:

- stewardship, management and improvement of state assets and enterprises (whilst they are still owned by state)
- preparation of state assets for privatisation
- withdrawal of the state from inappropriate activities and
- the actual process of privatisation.

The following chart (Figure 2) tries to illustrate how the agricultural administration could be organised. The main emphasis is to point out that the task of the Prime Minister / Government level is to prepare the state budget with the help of other ministries, to co-ordinate the functions of the ministries and to see that the aims of government policy are fulfilled. The Ministries' main responsibilities are to design the policies which relate to their

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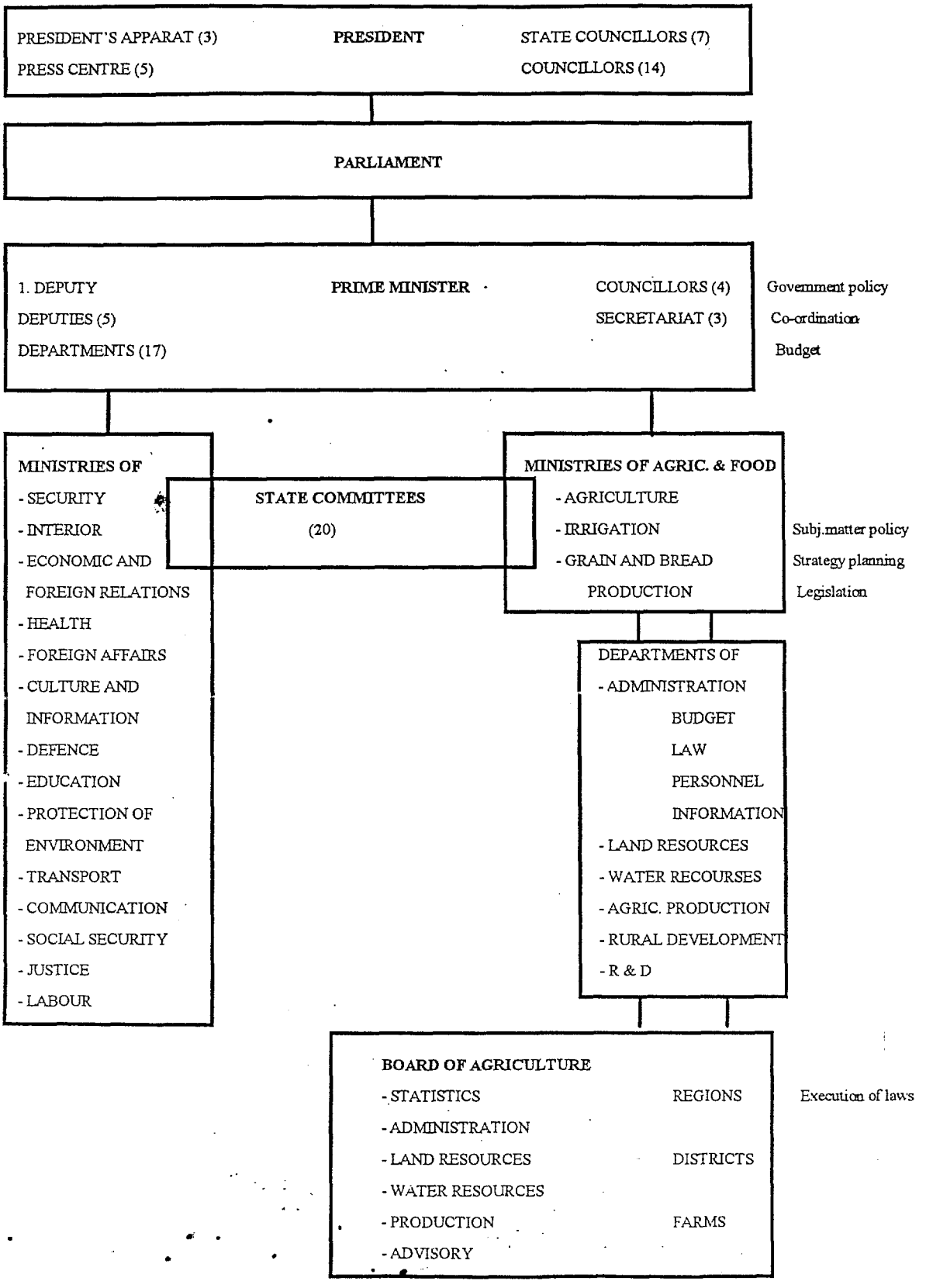
special area of responsibility (agriculture, environment, health etc.), to prepare pertinent legislation and to find out the strategies how best to achieve the set goals.

The departments in the Ministry of Agriculture could be quite different in comparison with today's situation, especially in the case of amalgamation of the Ministries of Agriculture, Irrigation and Grain and Bread Production. The ones presented in the chart are quite tentative and there is a need for „brain storming" before any solutions can be made. It is quite important that there is a unit which is co-ordinating the activities of aid programmes.

There is a widely accepted principle of subsidiarity, which means that decisions should be kept as close as possible to the grass-root level. It is, therefore, important that the Ministry is not directly involved in the execution of laws, which should be delegated to the lower levels of administration. It is possible to establish a „board of agriculture" subordinated to the Ministry to instruct the Oblast and Rayon level authorities about the execution of laws, carry on statistical work, to co-ordinate the use of money allocated to agriculture and to provide the Ministry with information about the situation in the food producing sector.

Figure 2: An example of the organisation for an agricultural administration



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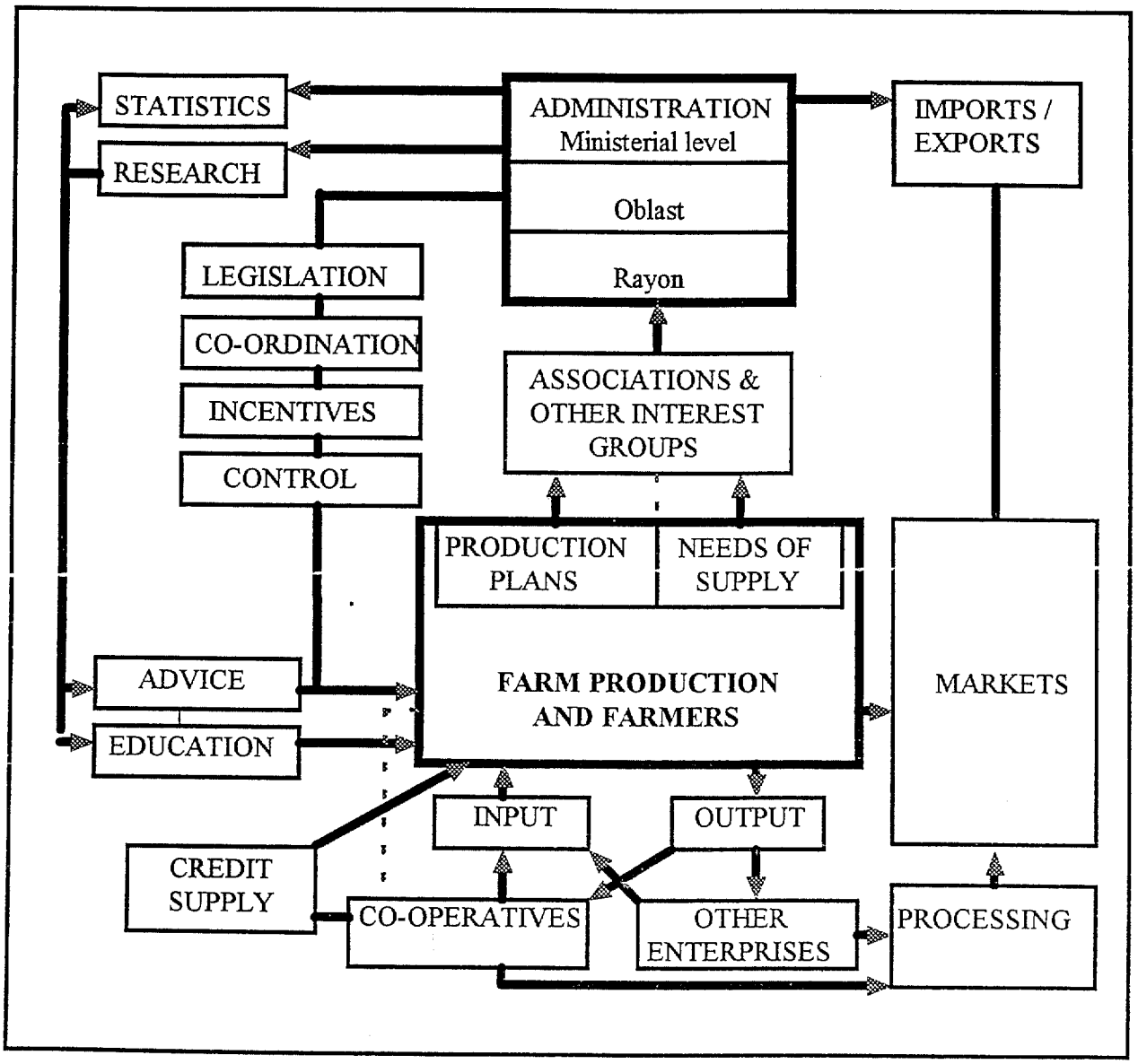
4.3 Extension and advisory services

Due to the lack of organised extension services which could be used by individual farmers, some systems have to be developed where the results of research and experimentation can be distributed to those who are in need of information either in relation to farming practices or new problems which stem from the requirements presented by marketing economy. The following chart (Figure 3) is again a very tentative illustration of the relation between agricultural production and the services which farmers need.

Figure 3: The flow chart of services to farmers



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The chart emphasises the central role of the farm production and the needs of the farmers. Administration, agricultural research, advisory services, education facilities, co-operative as well as other enterprises are intended to provide services to the farmers to help them produce raw materials for further processing or food stuffs for immediate consumption. Farm production must be geared to reflect the demand of the markets and it must be competitive with imports. The role of administration is to see that the resources available are applied optimally and to provide the economic and legal environment in which agriculture and the related up stream and down stream activities can develop and prosper. Government should also be in a position to regulate foreign trade and give incentives and protect the domestic production, processing and markets in order to guarantee the maximal use of human and physical resources of the nation. The interests of the farmers are co-ordinated and conveyed further by farmers' associations and other interest groups. These institutions also help in establishing new services for the farmers and collection of farm information and plans in order to help government and others to be aware of the prevailing and future requirements. Production decisions should be left to the farmers, but these could be influenced by means of incentives and marketing regulations.

ANNEX 20:

Tajikistan Economist Intelligence Unit Country Profile, 1995 - 1996

Tajikistan

Political background

Before 1924 Tajikistan did not exist as a state or as a homeland for an ethnic group. Most of it was part of the Bukharan emirate, a protectorate of Tsarist Russia since 1876. In 1923, after having overthrown the emir and set up a puppet republic, the Bolsheviks annexed the area and in 1924 it became an autonomous republic in the Uzbek SSR. This arrangement was shortlived, and in 1929 Tajikistan became a fully fledged republic in the Soviet Union.

In the same year the present borders were set. The Khojand (then Leninabad) area in the Uzbek SSR was attached to the Tajik SSR. This increased the number of Uzbeks, who speak a Turkic language, in a republic which until then had been composed mainly of Tajik-speakers, a dialect of Persian. The Bolsheviks tried to use the language distinction to create new nationalities in the area: Turkic speakers became Uzbeks and speakers of Persian dialects were described as Tajiks. The artificiality of these distinctions has led to problems within Tajikistan between the Tajiks, who do not feel particularly united, and between Tajikistan and Uzbekistan about minority rights.

Before the Soviet era the main distinction made in the area of Central Asia that is now Tajikistan and Uzbekistan had been between nomadic and sedentary populations. Broadly speaking, the sedentary urban dwellers, frequently bilingual in Persian and Turkic languages, were often called "Sart". To the Turkic nomads in the area, all sedentary Persian-speakers were "Tajiks". "Uzbek" was the name of a medieval khanate. The two language groups were often closely intermingled, especially in the great urban Islamic centres of Samarkand and Bukhara. There were no national distinctions worth speaking of.

The creation within the Soviet Union of the two countries initially led to much confusion. Many Tajiks in Uzbekistan declared themselves to be Uzbeks, unaware of the choice that they were making. Worse still, the creation of inter-republican borders led to anomalies. The Khojand region of Tajikistan is largely inhabited by those who declared themselves to be Uzbeks. Yet the cities of Samarkand and Bukhara, regarded as centres of Persian culture, were included in Uzbekistan. It would be wrong to conclude that this was a deliberate policy of divide and rule. Giving the central Asians national groups to belong to was seen by the Bolsheviks as part of the process of modernising the area and crushing religion.

The result of the 1924 boundary drawing in central Asia, the "national delimitation", was lasting tension between Tajikistan and Uzbekistan. This tension is, however, defused by a sense of closeness because of their shared Islamic past, particularly the pride at the great centres of learning that

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Samarkand and Bukhara were. The intimacy and rivalry is well illustrated in recent political tensions. Opponents of the former president and Communist Party leader of Tajikistan, Rakhmon Nabiev, alleged that he was in fact an Uzbek. In Uzbekistan the enemies of the president, Islam Karimov, claim that he is in fact a Tajik. But such alleged deception would not be possible if the two peoples were not so close.

Few in Moscow can ever have seriously believed in Tajikistan's commitment to the Soviet Union's Marxist ideals. In the immediate aftermath of the revolution, the local inhabitants, who are overwhelmingly Sunni Muslims, resisted the Bolsheviks. The Basmachi, who fought against the Red Army, continued operations into the 1930s and often operated from the shelter of a sympathetic Afghanistan. The remoteness of much of the mountainous countryside meant that the penetration of the ideas of Marxism-Leninism and of Tajik nationhood were at best skin-deep. Islam survived in the countryside to a greater extent than elsewhere in central Asia. Tajikistan suffered badly during collectivisation and the purges, although the number of Tajik communists involved was extremely small.

Tajikistan was finally run by Tajik communists only after the Second World War. A brief experiment under Nikita Khrushchev, with regional planning, gave Tajikistan no more economic policy autonomy than before and was in any case quickly abandoned. During the Brezhnev years (1964-82) Tajikistan suffered the same problems as its central Asian neighbours: neglect and rampant corruption. The Tajik Communist Party under Dzhabar Rasulov (1961-82) was a solid bastion of Brezhnevite orthodoxy, ever loyal to the centre, unlike the independent-minded Transcaucasian and Western republics. The reward was an informal autonomy which lasted until 1985.

The reforms carried out by the Soviet president, Mikhail Gorbachev, which began in 1985, threatened to reverse the gains made by the party elite in Tajikistan. Mr Gorbachev started with an anti-corruption drive which hit all the republics. But in Tajikistan, as elsewhere in central Asia, the Communist Party elite portrayed Mr Gorbachev as trying to use corruption to reimpose ethnic Russian control. Political liberalisation was also opposed.

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The successful thwarting of both the political and economic reforms of the Gorbachev era by the first secretary of the Tajik Communist Party, Kakhar Makhkamov, has contributed to today's instability in Tajikistan. The local elite found dissent difficult to comprehend. Indeed, so tight was political control that it was not until the late 1980s that non-state societies were allowed to be formed. Even then, only apolitical ones were tolerated, with one of the first being Haverim (Friends), founded to foster the distinct culture of Persian-speaking central Asian Jewry. An attempt to set up a branch of the all-Soviet Union Islamic Renaissance Party in 1990 was prevented by the authorities and the movement was banned.

The result of this political repression was an explosion of violence. In February 1990 there were riots in Dushanbe. Although these disturbances were sparked off by rumours that Armenian refugees would receive priority housing before Tajiks, the root cause was the government's lack of openness. The response was

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yet more repression. Finally, a more diverse opposition emerged after the failed Moscow coup in August 1991.

The anti-communist groups in Tajikistan clustered around three causes: Islam, secularism and minority rights. The Islamic Renaissance Party (IRP), which encompasses a range of opinions, emerged as a powerful force, but included a large moderate traditionalist wing as well as outright Sunni fundamentalists. The Democratic Party stood for a form of secularist democracy that was less anti-communist than the IRP's stand. Finally, the political movement Lali Badakhshan campaigned for the rights of the Pamiri minority and their home region, the Gorno-Badakhshan Autonomous Oblast (GBAO).

After demonstrations in the wake of the coup, Mr Makhamov was replaced by Mr Nabiev, the Communist Party head between 1982 and 1986. He then held presidential elections in November 1991 in which he won two-thirds of the popular vote, beating the opposition candidate, the film-maker Davlat Khodonazarov.

Mr Nabiev saw his election as a mandate to restore old-fashioned communist rule; by the end of 1991 Tajikistan was one of the few Soviet successor states with a ruling Communist Party. But by the end of March 1992 the opposition groups felt confident enough to renew their pressure for a share in the government and for the resignation of the president. In early May Mr Nabiev agreed to give a third of the seats in the government to members of the opposition.

Mr Nabiev's agreement with the opposition was rejected in his home region of Khojand (Leninabad) and in the southern region of Kulyab. Fighting broke out in Dushanbe and in the southern part of the country between supporters and opponents of Mr Nabiev. On September 7, 1992, members of a Dushanbe youth organisation forced Mr Nabiev to resign, but the fighting continued. On October 24 pro-Nabiev forces seized the centre of Dushanbe but were ejected two days later with considerable loss of life. At the end of October the Tajik government claimed that 18,500 people had been killed in the fighting since the end of May and that at least 300,000 were refugees.

In November the Islamic and secular democratic coalition which had overthrown Mr Nabiev in September agreed to step aside to end the fighting. A special session of the Tajik parliament in Khojand abolished the presidency and appointed a former state farm manager linked to the communists, Imamali Rakhmonov, as speaker of parliament and effective head of state. Mr Rakhmonov retained the prime minister of the September-November Islamic and secular democrat government, Abdumalik Abdulajanov, in an attempt at reconciliation. However, hardline Islamists refused to accept the new government and Mr Rakhmonov was forced to fight his way into Dushanbe.

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In late 1992 and early 1993 the Rakhmonov government carried out a bloody purge of those who had supported the September-November 1992 Islamic-democratic alliance administration. A large number of people "disappeared". Attacks were carried out on the Pamiri population who were suspected of supporting the opposition. In addition, the government began the reconquest of the countryside where many of the Islamic-democratic opposition groups were holed up. There was considerable bloodshed as old scores were settled.

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During 1993 the government kept control of most of Tajikistan proper with the support of the Soviet 201st motor rifle division and its ethnic Tajik commander General Moheldin Ashurov. Kyrgyzstan (now the Kyrgyz Republic), Kazakstan and Uzbekistan sent former Soviet border troops under their control to engage in so-called peacekeeping; in reality they supported the Rakhmonov regime. Most of the opposition moved to bases in Afghanistan, where the Kabul government is weak and where the IRP found plenty of sympathy. Others escaped into the GBAO, from which government forces were excluded in a special deal with the GBAO authorities. They undertook to disarm all militia on their territory in return for government troops keeping out. Occasional government incursions into the GBAO were designed to frighten the GBAO authorities and to prevent them from becoming too independent.

There were bloody crossborder raids and Russian air and artillery reprisals across the Afghan border during the summer of 1993, and the opposition continued to launch low level attacks on the border region. These died down in the winter, but the warmer weather in the spring of 1994 prompted a new wave of fighting. By the summer the opposition had stepped up its attacks, as larger groups of fighters began to infiltrate the republic. In mid-summer opposition forces overran the central region of Tavil Dara, although by the autumn government forces had successfully seized back part of the territory.

This upsurge in fighting went hand in hand with a political shift. During most of 1993 Mr Rakhmonov had adamantly refused to negotiate with the opposition. But by the spring of 1994 Russian pressure had resulted in the tentative opening of negotiations. In early spring preliminary discussions were held between the two sides in Tehran. These were followed by further talks in Moscow in April, under UN guidance, and then another round in Tehran in August which yielded a tentative agreement on the framework for a ceasefire. A fourth round of talks took place in Islamabad in October, to draw up the mechanism for implementing the ceasefire. But both sides effectively ignored any ceasefire, and crossborder skirmishes continued. Neither side appeared willing to reach a political solution, not least because neither side had conceded military defeat.

Further rounds of talks then took place in 1995 at a variety of locations. During the summer it briefly looked as if the two sides were moving towards a compromise; fighting died down around the border, and Mr Rakhmonov and the leader of the IRP, Abdullah Nuri, began to temper their criticism of each other in public. However, in the autumn the situation began to deteriorate again, and with peace talks postponed until mid-January 1996 there is still little sign of a serious peace settlement.

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How far Mr Rakhmonov is committed to negotiations is unclear, given that his position within Tajikistan has strengthened over the past year. In November 1994 he was elected president, defeating his only rival, Mr Abdulajanov. The election excluded the opposition and antagonised it even further. However, in the spring of 1995 Mr Rakhmonov's power base was strengthened further through parliamentary elections, which, unsurprisingly, yielded a loyal parliament. By the end of 1995 the Tajik government nominally controlled most

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regions of the country, with the exception of the GBAO and some pockets such as the higher regions of the Garm valley.

This shift means that an air of normality has returned to most parts of the country, particularly the north. Nevertheless, violence and corruption remain endemic in many regions. Meanwhile, the government remains dogged by splits. Tensions remain high, for example, between a political clique from the northern region of Leninabad and the ruling Kulyab-based clique. Indeed, the geographical isolation of the Leninabad region has left it acting as an increasingly independent economic unit. There are also bitter rivalries between different factions of the Tajik armed forces; one such rivalry between two groups in the south, for example, resulted in an outbreak of fighting between two brigades during the autumn of 1995. This left 200 dead and highlighted the fragile nature of the present stability.

Defence

Tajikistan's army is fragmented and disorganised. There is a rag-bag of militia which the new minister of defence, Major-General Aleksandr Shishlyannikov, an ethnic Russian, is trying to turn into proper armed forces. After the dissolution of the Commonwealth of Independent States (CIS) joint command in mid-1993 the 201st motor rifle division came under Russian command. (Before then command had supposedly been shared by Tajikistan and the CIS.) The division is supposed to withdraw in 1999 and hand over its weapons to the Tajik army. However, comments by senior Russian military personnel suggest that the Russian army considers that its duties are likely to extend beyond this period.

According to the International Institute for Strategic Studies, the equipment of the 8,500-man Russian 201st motor rifle division, reinforced since 1992, included 200 tanks, 420 armoured combat vehicles, 200 artillery pieces and mortars. All of this equipment is obsolete.

In addition to these troops, there are also Russian troops guarding the border with Afghanistan. These troops, estimated to number at least 10,000, are supposedly operating under the authority of a peacekeeping mandate established in Tashkent in 1993, and then renewed again in 1994 and 1996. Under this agreement, Russia, Kazakstan, Uzbekistan, Kyrgyzstan and Tajikistan have joint responsibility for guarding the border. Some Uzbek and Kyrgyz battalions have been posted to the border. However these are small in number, and the Russian army dominates.

A small group of UN observers have been posted to the country to observe the progress towards peace and monitor the behaviour of the CIS peacekeepers. Their presence has not prevented violations of the peacekeeping code and their status within the country is uncertain. In the autumn one peacekeeper was shot dead attempting to mediate between armed factions of the Tajik army who were fighting each other in the south (a mission for which the UN did not have a mandate). The European Union (EU) has since threatened to withdraw observers unless more progress is made in the peace negotiations.

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Population and society

Demographic trends

The World Bank estimated Tajikistan's population in mid-1992 at 5,554,800. Between 1985 and 1990 the population rose at a rate of 2.93% per year. Thi rate would have been even faster had it not been for increasing emigration mainly by Russians, Belarusians and Ukrainians. Excluding net migration the population was rising at 3.48% per year. There seems to be no reason to doub the general accuracy of these statistics, although they could eventually b revealed to have an upward bias.

According to the 1989 census Tajiks comprise 58% of the population, Uzbek 23% and Russians 8%. Most Uzbeks lived in Khojand in the north and Kulyal in the south, but many fled into Uzbekistan to escape the fighting of summer 1992 or gathered for protection on Russian military bases after the ousting o the president, Rathman Nabiev, in September 1992. Despite reports and ru mours, it appears there was no element of Tajik-Uzbek tensions in the 1992 civil war, and Uzbek fears seem not to have been confirmed. However, ther were reports of members of the minority Pamiri population living outside o their region of origin either being killed or expelled.

Russians have been leaving Tajikistan for some time. Since 1989 up to 400,00 are reported to have left. The Russians, 90% of whom lived in urban areas began to leave en masse when the fighting which led to the civil war began in the summer of 1992; few have stayed. The Jews of Tajikistan have also beer leaving because of the economic collapse, the civil war and anti-Semitisn arising from the return to Islam. By early 1993 it was estimated that 10,000 of the 15,000-strong community had left, a damaging blow to the economy giver that Soviet Jews were the most educated and skilled section of the population with 424 scientific workers per 10,000 population compared with 12 per 10,000 for ethnic Tajiks.

The Pamiris of Gorno-Badakhshan regard themselves as a separate nationality. They speak a variety of related Iranian dialects that are different from Tajik. The Pamiris are not recognised by the census as a separate nationality, although th Gorno-Badakhshan Oblast which they inhabit has autonomy, partly because o its remoteness. Lali Badakhshan, the political movement of Gorno-Badakhshan, briefly declared the area's sovereignty in 1992 and joined the opposition in Ma 1992. As a result, Tajiks targeted Pamiris outside Gorno-Badakhshan during th score-settling and atrocities of the civil war.

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Social conditions

Since 1990 the gap between the richest and poorest sections of the populatio has widened dramatically, partly due to the civil war, and partly due to the broader economic collapse. A programme of Western emergency relief in th south of the country during 1993 and 1994 has helped to stave off starvatio and serious epidemics. However, the recent economic reforms have exacerbated the poverty. Although a social safety net still exists on paper, most benefits have not been paid.

Medical provision was far below the average for the former Soviet Union, with 105 hospital beds per 10,000 of the population in 1989, compared with a

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average of 133. Infant mortality rates were the highest in the Soviet Union, at 43.2 per 1,000 live births in 1989 against an average of 22.7 that year.

It should be remembered that the definition of infant mortality in the former Soviet Union differed from that used by the World Health Organisation (WHO). In the Soviet Union babies born prematurely (before 30 weeks) who died in less than one week were classified as miscarriages, not as infant deaths. The WHO-defined infant mortality rate for Tajikistan is therefore probably much higher and is probably rising. Indeed, in the last 20 or so years there has been no sustained improvement in the infant mortality rate.

Infant mortality rates
(deaths per 1,000 live births)

1970	1980	1985	1989
45.9	58.1	46.8	43.2

Source: B A Anderson & B D Silver, "Trends in Infant Mortality", *Soviet Economy*, Volume 6, July-September 1990.

Currency

The national currency is the Tajik rouble. This was introduced in May 1995, in fairly inauspicious circumstances.

Unlike most other former Soviet republics, Tajikistan wished, until recently, to remain part of the Russian rouble zone. In late 1993 a provisional agreement was signed between Russia and Tajikistan to allow the latter to receive the new Russian roubles. However, Russia refused to supply the republic with sufficient quantities of the new roubles, and by early 1995 it had become clear to the Tajik leadership that the agreement was proving unworkable. The Tajik government then approached the IMF, hoping to receive support for the introduction of a new currency. However, the IMF insisted that support would not be forthcoming unless the government introduced a sweeping range of economic reforms. In mounting desperation the government introduced the currency in May, without IMF support, and then followed this up with a package of IMF-recommended reforms. By the end of 1995 this was sufficient to persuade the IMF to agree to a $22m loan, and it is expected that this will be formally approved by the IMF board at the end of 1995.

The fate of the currency so far has been mixed. Although it was initially introduced at about TR55:$1, it had slumped to TR140:$1 by the autumn in the currency auctions held by the National Bank of Tajikistan (the central bank). These auctions are used to determine the official, government rate of the currency, although private banks are free to set their own rates (invariably higher). This fall in value is not surprising, given that the government has minimal hard-currency reserves and is running a large budget deficit, and inflation is high. Indeed, the only thing that appears to have checked the decline of the currency so far is the fact that the government has implemented a relatively tight monetary policy and credit squeeze, in accordance with IMF recommendations.

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The economy

Tajikistan's economy is primarily agricultural. Its single most important crop has been cotton, which accounted for 11% of the Soviet Union's production The country has deposits of non-ferrous metals, but these remain largely undeveloped. The economy has been in a state of near-collapse as a result of the cutting of trade and of fuel supplies by Russia in 1991, the civil war of 1992 and the floods of 1993, although there is some anecdotal evidence that the sharp decline is now slowing down. Cotton production averaged 880,000 tons/year (t/y) in 1987-91. In 1992 and 1993 it slumped to around two-thirds of that level. The country's small manufacturing base, which is dependent on energy supplies from the outside, is often hampered by obsolete plant and lack of spares, and has lost traditional markets to recession and increased external competition.

In the early 1980s the Tajik economy stagnated before recovering in 1983, according to figures from the International Comparisons Project (ICP). From 1981 to 1985 annual GNP growth averaged 3.1%. However, as the population was rising at a similar pace, living standards failed to rise. Between 1985 and 1990 the ICP figures imply annual GNP growth for Tajikistan of 2.8%. Again, the rapidly rising population at that time, growing at an average of 2.93% per year, meant that income per head was at best stagnant. By 1991 income per head, measured as net material product (NMP) per head, was one-sixth less than in 1986. The collapse in inter-enterprise trade and the internal Soviet recession caused GNP to fall by 4.4% in 1989, before a slight recovery of 1.6% in 1990. Then the Tajik economy entered its current nosedive.

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According to Soviet statistics, Tajikistan was the poorest republic of the Soviet Union in terms of income per head. The rural population was growing faster than the urban sector, putting severe pressure on scarce land and water resources, and unemployment was officially acknowledged to be a serious problem even before the advent of *glasnost*. In 1993 the World Bank classified Tajikistan as a developing country, giving it access to the soft loans of the International Development Association (IDA), a part of the World Bank. The country is also a member of the European Bank for Reconstruction and Development (EBRD) and the Islamic Development Bank (IDB).

The EBRD estimates that the total output of Tajikistan fell by 29% in 1992, 11% in 1993 and 21% in 1994.

A series of laws was adopted in the spring of 1992 intended to lay the basis for the introduction of a market economy, but the first priority was the creation of conditions favourable to foreign investment. Plans for economic reform, however, became the victim of the Tajik civil war.

Since early 1995, however, the government has been in a position to turn its attention to the economy again. In the late summer it published a five-year plan which aims to create a market-based economy by the year 2000. This envisages that agriculture and industry will be largely privatised, trade liberalised, and prices and distribution networks taken out of state control.

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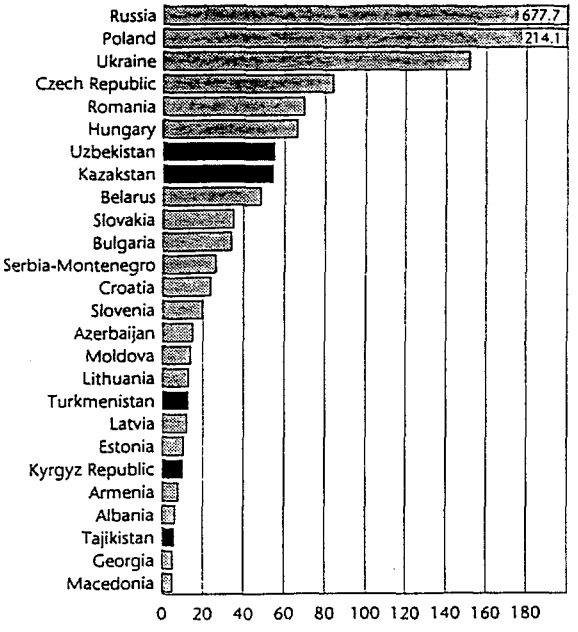
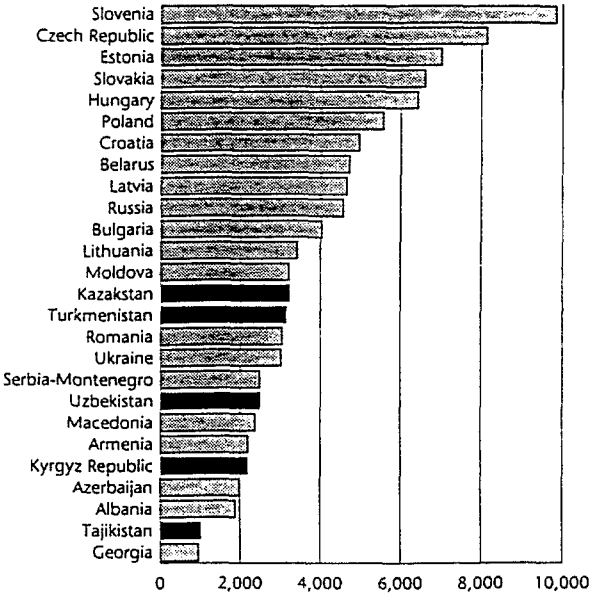
Eastern Europe in 1994

Gross domestic product (a)
$ bn



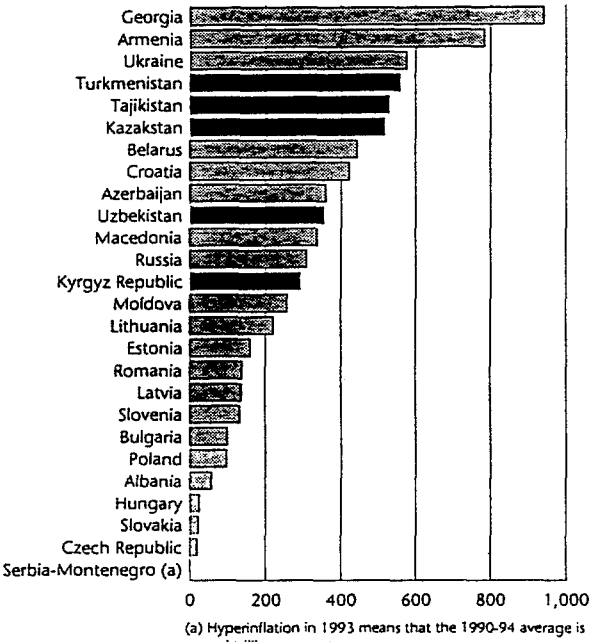
(a) At purchasing power parities.
Sources: EIU estimates; national sources.

Gross domestic product per head (a)
$



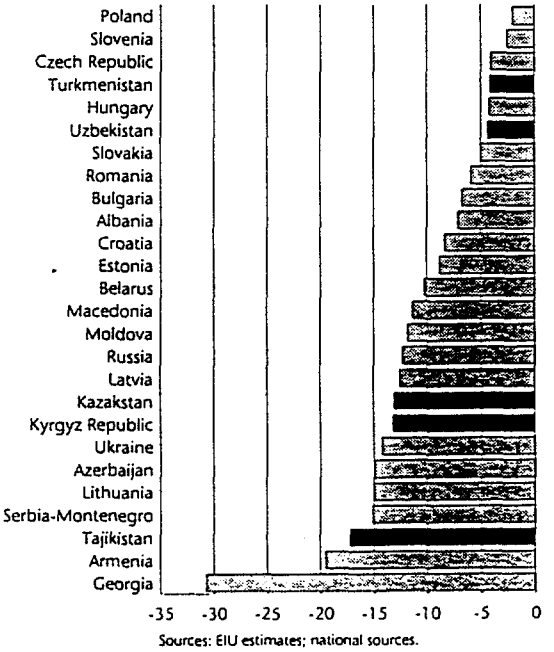
(a) At purchasing power parities.
Sources: EIU estimates; national sources.

Consumer prices
annual average % change, 1990-94



(a) Hyperinflation in 1993 means that the 1990-94 average is several trillion per cent.
Sources: EIU estimates; national sources.

Gross domestic product
annual average % change, 1990-94



Sources: EIU estimates; national sources.

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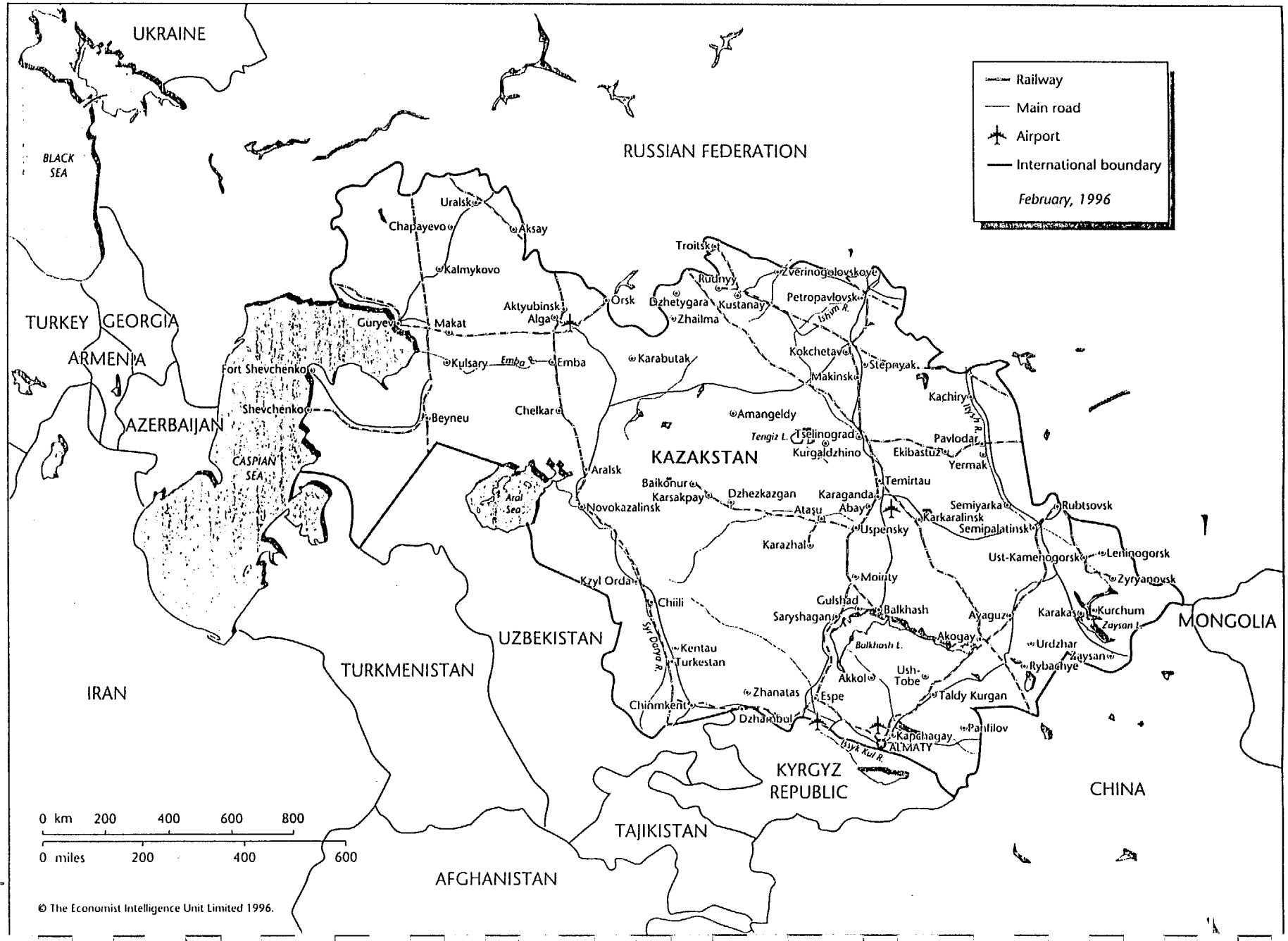
Kazakstan



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Some progress in this direction has been made: over the summer the prices of all consumer goods were freed; a growing proportion of industrial and agricultural prices are also being liberalised; the proportion of output that enterprises are required to surrender to the state is falling; private retail outlets are emerging; and trade has been partly liberalised. However, privatisation remains very slow, and the state continues to control many areas of the economy. Vested interests and entrenched attitudes seem likely to hamper progress for some time.

Gross domestic product

	1990	1991	1992	1993	1994	1995
Total (Rb m) at current prices	5,490	10,540	64,760	631,162	1,717,974	n/a
Real GDP growth	–1.6	–7.1	–28.9	–11.1	–21.4[a]	–12[a]

[a] EBRD projection.

Source: European Bank for Reconstruction and Development (EBRD), *Transition Report, 1995.*

Sectoral origins of net material product at current prices
(% of total)

	1990	1991	1992	1993
Agriculture	36.7	43.9	15.4	5.2
Industry	27.4	30.6	60.0	66.6
Construction	14.1	12.8	11.3	16.4
Other	21.8	12.7	13.3	11.8
NMP	**100.0**	**100.0**	**100.0**	**100.0**

Source: World Bank.

Growth in net material product by sector
(% annual real change)

	1987	1990	1991	1992
Agriculture	–6.4	–9.1	–9.9	–27.8
Industry	4.6	9.0	–3.4	–19.9
Construction	–1.6	–9.0	11.5	–73.3
NMP	**–1.4**	**0.2**	**–9.7**	**–33.7**

Source: World Bank.

The large net exports and losses item in the table below indicates the resource gap which has, in the past, been financed by transfers from the Soviet Union (mainly through investment in infrastructure). Such transfers had been declining since 1989, and in 1991 over two-thirds of planned investment had to be suspended because of the marked reduction in funds from Moscow.

Although Tajikistan has lost subsidies since the collapse of the Soviet Union, Russia still provides it with subsidised energy supplies and rouble loans on concessional terms. Some of Tajikistan's Central Asian neighbours have also provided such financing to alleviate the worst effects of the civil war, although they have become increasingly reluctant to do this in recent months.

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Expenditure on net material product
(at current prices)

	1985		1990	
	Rb m	% of total	Rb m	% of total
Private consumption	3,479	78.5	4,591	87.3
Public consumption	424	9.6	557	10.6
Productive accumulation	329	7.4	228	4.3
Non-productive accumulation	218	4.9	274	5.2
Increase in stocks	765	17.3	377	7.2
Net exports & losses	–783	–17.7	–767	–14.6
NMP	**4,433**	**100.0**	**5,261**	**100.0**

Source: IMF, *Economic Review: Tajikistan.*

Growth in NMP by expenditure
(% annual real change)

	1986	1987	1988	1989	1990
Private consumption	6.4	1.6	5.0	3.6	0.8
Public consumption	4.9	6.5	2.4	6.1	1.8
Accumulation	–18.3	–3.7	13.2	–6.6	–31.5

Source: IMF, *Economic Review: Tajikistan.*

Employment

There are few credible figures for employment in Tajikistan. There is clearly considerable underemployment as the reported rate of unemployment in 1992 was a mere 0.3%, rising to 0.6% by mid-1993. As many state employees received virtually no wages in 1994 and early 1995, and as there are many staff on short-time working or indefinite unpaid leave, a sectoral breakdown of employment means very little. In practice many people have second jobs which provide more gainful employment than their officially registered jobs. Figures from the OECD indicate that the sectoral share of employment has barely changed since 1990, which serves to corroborate the above suspicions.

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Employment by sector, 1991

	'000	% of total
Agriculture	881	44.7
Industry	257	13.0
Construction	148	7.5
Transport & communications	64	3.3
Trade, supply & others	141	7.2
Education etc	197	10.0
Medical care & social security	106	5.4
Government	41	2.1
Total incl others	**1,969**	**100.0**

Source: IMF, *Economic Review: Tajikistan.*

In the years before the end of Soviet rule the share of employment in agriculture stayed steady, never falling below the 41.8% registered in 1987. The share of industry in total employment actually fell from 14.3% in 1985 to 13.4% in 1990

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Wages and prices

In 1992 and 1993 prices surged, as a result of the civil war, general economic collapse and the broader uncertainties that dogged the Russian rouble zone. The decision by Uzbekistan and Kyrgyzstan to introduce their own currencies caused a flood of Russian roubles to come across the borders, further fuelling inflation. Consumer price inflation was estimated by the European Bank for Reconstruction and Development (EBRD) to be running at 1,157% in 1992 and 2,195% in 1993. However, in 1994 the reluctance of the Russian central bank to supply the new roubles to the republic partly halted this trend. In early 1994 the official inflation data actually showed a temporary monthly fall in prices, and state enterprises became unable to pay their workers; some isolated regions of the republic were reported to be operating almost without cash.

By early 1995, however, inflation was surging again, and since the introduction of the new currency the government has faced a difficult battle to contain it. During the summer the prices of consumer goods were liberalised, resulting in a fivefold increase in the price of bread alone. Although data are highly unreliable, some estimates suggest that consumer prices were rising by 80% per month by the autumn. However, most Western observers expect this to fall back soon, not least because the government has maintained a relatively tight policy of credit control.

This tight policy, coupled with the liberalisation of prices, has caused considerable hardship for much of the population. Wages have not kept pace with inflation, according to the official data. Over the past three years the government has sporadically sought to correct this by raising the official minimum wage and other benefits. However, this meant little in practice, since the shortage of roubles left most state employees without wages during much of 1994 and 1995. The government recognises that it will not be able to pay these wages without causing an explosion in the money supply. Instead, it hopes to compensate the population at a future date by issuing privatisation vouchers.

Consumer prices
(annual average % increase)

	1990	1991	1992	1993	1994	1995
Consumer price inflation	4	112	1,157	2,195	341	120[a]

[a] Projection.

Source: EBRD, *Transition Report, 1995.*

Agriculture

Agriculture dominates the economy, accounting for 44% of NMP and 45% of employment in 1991. Production relies heavily on irrigation, which covers about three quarters of arable land; cotton, the principal crop, is grown on irrigated land in the north and south-west. Livestock raising and fruit and vegetable production are also important.

After the downturn in 1991 there was a collapse in cotton cultivation in 1992 because of the civil war. Figures for the level of cotton production in 1992 are

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inconsistent. The Tajikistan State Statistical Office (Goskomstat) claims that only 360,000 tons were produced, 61% down on 1991, whereas the World Bank estimated cotton cultivation that year at 515,000 tons. However, the Tajik legation in Moscow reported that the fall was actually 49% to 420,000 tons. The Vakhsh valley was particularly badly affected and lint cotton production there fell by 92% in 1992.

Official figures on the cotton harvest in 1993 indicate 580,000 tons were picked, 19% below the 720,000-ton target, and 18.6% below the 1986-91 average. Although disappointing, that was still a considerable improvement on the disastrous harvest of 1992. The 1994 and 1995 harvests have been roughly in line with the 1993 outturn. World Bank estimates put the 1993 crop at 650,000 tons. The state agricultural sector has continued to decline, while private household agriculture has expanded.

The government now hopes to increase production by introducing market reforms into the sector. Most procurement prices have been raised, farmers have been given the right to export a small part of their cotton, and the government says it hopes fully to privatise land by the year 2000, by both dividing up land to create private farmers and creating large, joint-stock farming enterprises. However, practical reform has been fairly limited; although many farms now allow individuals to lease small plots, this tends to be poor quality land, and there has been little attempt to divide up the better quality farming land. Private farmers would face, in any case, difficult conditions, since the distribution of agricultural inputs, and purchase of items such as raw cotton, tends to be state-controlled.

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Production of major crops
('000 tons)

	1990	1991	1992	1993
Cotton (raw)	842	826	515	650
Wheat	136	134	133	135
Corn	85	60	32	79
Barley	40	37	22	38
Potatoes	207	181	167	n/a
Vegetables	528	628	543	n/a
Fruit	410	298	483	n/a

Source: World Bank, *Statistical Handbook: States of the Former USSR, 1994.*

Energy

Major hydroelectric installations were built on the River Vakhsh in central Tajikistan in the 1970s and 1980s, and they supply about half of the country's fuel and energy demand. Plans to seek foreign investment to develop hydroelectric power further on the Vakhsh and other mountain rivers have been derailed by the civil war. In the summer of 1994 part of the Vakhsh dam was washed away in heavy floods. Urgent maintenance work is now needed. Meanwhile the country continues to depend on imports of gas and oil, which have been severely disrupted.

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Manufacturing

The biggest manufacturing plant is the 517,000 tons/year (t/y) aluminium smelter at Turanzade, west of the capital Dushanbe, on the Uzbek border. The smelter, which used to account for 15% of Soviet aluminium capacity, imports alumina. In 1992 production fell to 360,000-390,000 tons, which fed through to an overall fall in industrial production of 30.3%, according to local sources. By 1994 the plant was only working at 40% of its 1990 capacity. At the end of 1993 the government announced that it would sell at least 40% of the plant to foreign investors. But although some reports suggest several Western companies have expressed an interest in the plant, it appears no firm agreement has been concluded. The Tajik government says that $150m-200m would be needed for renovation at the plant. Along with other former Soviet republics, Tajikistan has been accused of dumping low-price aluminium on world markets. The World Bank has recommended that the plant be shut down, unless a foreign partner can be found.

Efforts are being made to develop Tajikistan's gold mining sector. A UK-Tajik joint venture is developing gold mines in the Pendjikent district. Some $60m is already invested, and the European Bank for Reconstruction and Development (EBRD) is ready to provide further backing, so the project represents Tajikistan's largest investment project to date. A mining code is being drawn up for foreign investors, and some other Western groups have expressed interest.

Other manufacturing activity tends to be concentrated in agribusiness. The processing of local agricultural output has been an effective way of absorbing local excess labour and taking advantage of the cheap electricity provided by the Nurek dam on the Vakhsh river valley. Although most of the products of these enterprises were exported to the former Soviet Union, a market that has dried up, the fruit, tobacco, cotton and leather produced in Tajikistan is now increasingly used in barter trade with Pakistan and China.

Enterprises tend to be large and unwieldy, and most have been subject neither to proper privatisation nor to hard budget constraints. Most managers and workers in industrial-sector enterprises have tended historically to be non-Tajiks. The bulk of these, however, appear to have fled the fighting of 1992, leaving the country with a severe shortage of skills.

Plans are now being drawn up to privatise most state firms within the next five years. But although some large enterprises have been turned into joint-stock companies (in which the government owns 40% of the shares, the workers 30% and investors 30%), progress remains slow.

Transport and communications

Most transport is by road or air. High mountain ranges cross the country from east to west, making road travel very difficult in winter. There is a 480-km railway line from Uzbekistan to Dushanbe, Kurgan-Tyube and Kulyab. Some 90% of Tajikistan's 13,400-km road network is paved, but it is in a poor state of repair.

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Although, as a result of opposition pressure, there was some liberalisation of the media in 1992 this ended with the restored neo-communist regime. Durin the reconquest of Dushanbe by government forces a number of writers and broadcasters were reportedly extra-judicially executed. Since then the media have been placed under tight government control. Journalists and other write have been killed, have disappeared or have been held without trial. Sporadic government threats against any possible expressions of dissent are now common in Tajikistan.

Finance

Public finance

The civil war of 1992 and the need to keep the country going in the face of severe shortages of fuel and food led to a spiralling budget deficit. The loss of direct Soviet Union transfers, 46.6% of revenue in 1991, the last year they wei received, has caused a disastrous situation on the revenue side. Government data suggest that the budget deficit was 30%, 25% and 6% of GDP in 1992, 1993 and 1994 respectively. Corruption and war have also hit revenue by depressir the economy and discouraging tax compliance.

Under IMF pressure the government is now making efforts to reform its syster of revenue collection, and to make its hitherto opaque system of nation accounts more transparent. However, progress has been slow, and a radical reform of the budgetary position is unlikely while the country remains plague by instability; the prime minister, Dzhamshid Karimov, estimates that defenc and security-related institutions account for one-quarter of government spending at present.

Budget revenue and expenditure
(Rb m)

	1991 Actual	1992 Budget
Total revenue & grants	**5,457**	**16,875**
of which:		
value-added tax	0	5,140
excises	0	5,070
enterprise profits tax	604	1,821
revaluation of enterprise stocks	393	2,263
turnover tax	955	0
sales tax	219	0
personal income tax	333	522
union transfers	2,543	0
Total expenditure	**5,020**	**17,978**
of which:		
social & cultural account	3,138	9,737
law enforcement	49	4,159
economy	1,315	1,326
Balance	**437**	**–1,103**

Source: IMF, *Economic Review: Tajikistan.*

Money and credit

Until May 1995 the government had no control over the money supply, and little effective influence over the level of credit. However, since the introduction of its new currency, the government has made some efforts to curtail tl

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money supply, under IMF pressure. The National Bank of Tajikistan (NBT), the central bank, has set a target for broad money (running at TR4.2bn at the end of the summer) and the benchmark interest rate has been raised to 250%. Bank accounts have been largely frozen. Credits to industry and agriculture have been tightened. This policy has convinced the IMF to extend support. However, it is too early to tell how successfully this credit squeeze will be maintained in the longer term.

Money and credit
(Rb m; end-period)

	1990	1991	% change 1991/90
Currency in circulation	1,588	1,715	8.0
Deposits[a]	3,584	6,945	93.8
Money (M2)	**5,172**	**8,660**	**67.4**
Credit to government (net)	–278	–779	280
Credit to the economy	3,008	6,557	118.0
Net domestic assets (incl other)	**2,946**	**5,733**	**94.6**

[a] Sight and time deposits.

Source: IMF, *Economic Review: Tajikistan.*

Banking

The banking system is headed by the NBT, formally established as the central bank in 1991. Other banks are the savings bank, the Bank for Foreign Trade Affairs, three commercial banks which owe their origins to specialised state banks, and three recently established commercial banks which are branches of Russian banks, affiliated with industrial groups. The Law on Banks and Banking Activities, adopted in February 1991, allows banks to compete for resources freely (including the setting of deposit rates) and lifts specialisation boundaries. However, competition is very limited. Under IMF pressure the Tajik government is now seeking to introduce tighter regulation over the banking sector.

Foreign trade and payments

Before independence Tajikistan's trade was dominated by transactions with the former Soviet Union, which accounted for 80-90% of exports and imports. However, the republic was heavily dependent on imports of fuel, grain and other equipment; between 1985 and 1990 the IMF estimates that the republic had current-account deficits of about 20% of GDP.

Following independence, and the economic collapse, a dire shortage of hard currency sharply reduced imports. However, this has not been enough to prevent the republic from recording trade deficits in most years since 1990. The civil war and widespread smuggling mean that no reliable trade data are available. However, trade appears to have diversified somewhat. Nevertheless, by 1994 Commonwealth of Independent States (CIS) countries received about 80% of Tajik exports, and accounted for about half of Tajikistan's imports. Although the republic ran a small surplus on its trade with non-CIS countries, probably reflecting the acute shortage of hard currency, it appeared to run a large deficit on trade with CIS countries, resulting in an overall trade deficit.

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These figures, however, need to be treated with caution, since converting rou ble values to dollars is often difficult.

Foreign trade
(Rb m; fob)

	1987	1988	1989	1990	1991
Exports	**2,264**	**2,359**	**2,385**	**1,980**	**4,328**
to the former Soviet Union	1,970	2,025	2,040	1,672	3,945
to other countries	294	334	345	308	383
Imports	**3,261**	**3,300**	**3,460**	**2,936**	**3,816**
from the former Soviet Union	2,908	2,856	2,891	2,212	3,466
from other countries	353	444	569	725	350
Balance	**-997**	**-941**	**-1,075**	**-957**	**512**
with the former Soviet Union	-938	-831	-851	-540	479
with other countries	-59	-110	-224	-417	33

Source: IMF, *Economic Review: Tajikistan.*

The broad commodity structure of Tajikistan's foreign trade is shown in the table below. The intermediate goods (primary and manufactured) which domi nate its exports are mainly aluminium, raw cotton and textiles products. Intermediates are also significant on the import side, where capital goods are the principal category, followed by energy, all of which has in the past beei supplied by the union.

Composition of foreign trade, 1990
(Rb m; at foreign trade prices)

	Intra-union	Total
Exports		
Primary goods	502	783
Manufactured intermediate goods	505	575
Capital goods	233	236
Food	171	173
Other consumer goods	102	102
Imports		
Capital goods	829	903
Energy	743	743
Manufactured intermediate goods	574	679
Primary goods	417	466
Food	247	353
Other consumer goods	272	320

Source: World Bank, *Statistical Handbook: States of the Former USSR, 1994.*

In the relatively small share of foreign trade that is outside the union, Europ is the dominant partner.

Recognising that the country should reduce its dependence on trade with other republics of the former Soviet Union, the government is giving priority t developing trade links with neighbouring countries outside the rouble area, in particular Iran, Pakistan, Afghanistan and China. However, so far trade with these countries has been paltry; in 1994 it accounted for less than $5m.

The government is now hoping to stimulate output and trade in the country by introducing a more liberal trade regime. Export quotas for most goods have, in theory, now been removed, and tariffs reduced. Enterprises currently have th right to export about 30% of their cotton crop, followed by 100% in 1996.

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However, small-scale traders who wish to import or export still face major logistical hurdles in doing so, not least because of Tajikistan's geographical isolation.

Direction of foreign trade outside the former Soviet Union, 1994
(% of total)

Exports to:		Imports from:	
Netherlands	38.7	Switzerland	32.9
Switzerland	11.8	UK	22.8
Belgium	8.0	USA	10.7
UK	8.0	Netherlands	5.5
USA	7.1	Norway	2.2

Source: World Bank, *Statistical Handbook: States of the Former USSR, 1994.*

External debt

The monetary confusion during 1993 and 1994, coupled with an explosion in barter trade, left the republic's debt with other former Soviet republics soaring. Dzhamshid Karimov, the prime minister, now estimates that the republic's debt is $731m, of which $400m is owed to Russia. He says that he has now succeeded in rescheduling this, leaving $400m to be paid in 1995 and 1996. However, this rescheduling has not been enough to please all the country's debtors; Uzbekistan has repeatedly cut off its gas supply to the republic in the past year, citing non-payment of previous gas debts.

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ANNEX 21:

Commercial Overview of Tajikistan

BISNIS

Business Information Service for the Newly Independent States (BISNIS)
U.S. Department of Commerce - International Trade Administration

Commercial Overview of TAJIKISTAN

For BISNIS Assistance
Call: (202) 482-4655 or Fax: (202) 482-2293
Room H-7413
U.S. Department of Commerce
14th Street and Constitution Avenue, NW
Washington, D.C. 20230
Internet: BISNIS1@USITA.GOV

October 21, 1994

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TAJIKISTAN
Economic & Trade Overview

Geography: Tajikistan covers 134,000 square kilometers or 0.6% of the former USSR, and is slightly smaller than Wisconsin in size. High mountains make up 93 percent of the country's land mass. The population is highly concentrated in the Western half of the country as the Eastern half consists of the Pamir mountain range, the foothills of the Himalayas. The central region around the capital, Dushanbe, has diversified agriculture and some industry. The northern region, Leninabad Oblast, is Tajikistan's most industrialized and developed area and includes its second largest city, Khojand. It is separated by two mountain ranges from the capital, occupies a slice of the intensely developed Fergana Valley, and is closely integrated with Uzbekistan which surrounds it on three sides. The rugged terrain along with the political and religious differences in the country have created a strong sense of local identity and rivalry.

Population: 5.6 million (1994): 65 percent Tajik; 24 percent Uzbek; 3.5 percent Russian (including Russian-speaking nationalities). The European population of Tajikistan has declined by about five percent since the 1989 census. Tajikistan is the most Islamic--over 80 percent of the population is Muslim--and one of the least "Sovietized" of the Central Asian states. Approximately 70 percent of the population lives in rural areas, making Tajikistan the least urban of the former Soviet republics. The annual average population growth rate in Tajikistan during the 1980s was at three percent compared to 0.7 percent for the Former USSR as a whole--which means that half of the population is now under 20. The official language is Tajik, a dialect of Persian similar to Farsi and Dari, but approximately 36 percent of the population speaks Russian.

Political Developments: Tajikistan is a nation undergoing profound political and economic change. It is a newly independent nation still in the process of stabilizing its internal political situation as well as its relations with neighboring states. The 1992 civil war, which was caused by regional economic and political differences, largely subsided by March 1993. The Northern region of Leninabad, the site of much of the Western business focus in Tajikistan, was immune from the civil/communal fighting. The current government is led by the coalition of regional forces which came to power in November 1992. The chief of state since 1992, Chairman of the Supreme Soviet Emomili Rakhmanov, is the third head of state since Tajikistan's independence in September 1991.

Economic Overview: Tajikistan was the poorest and one of the least economically developed of the former Soviet republics even before the country's civil war deepened its economic decline. It has the greatest percentage of rural population, the lowest per capita income, the lowest education level and the highest infant mortality rate of the former republics. Livestock herding is widespread in this mountainous country and only a very small portion of the land is arable. Approximately 40 percent of the

employed population is in the agricultural sector, the highest of any former Soviet republic, a large portion of which remains state-owned collective farms. Cotton is the country's main agricultural crop and the source of most of its foreign exchange earnings--Tajikistan is the world's tenth largest producer. The country also produces barley, rice and wheat, although most of Tajikistan continues to import almost all of its wheat for domestic consumption, fruits and vegetables.

Aluminum is Tajikistan's primary industrial product. Until the war, Tajikistan was a major producer of aluminum, which was the country's second most important source of foreign exchange earnings. The republic is home to what once was the fourth largest aluminum plant in the world. The plant's productive capacity has sharply eroded, however, and the government has had difficulty obtaining the necessary raw materials to maintain production. Tajikistan was the primary regional producer of refrigerators but a shortage of raw materials has all but halted production. Within the Soviet system, Tajikistan was a provider of raw materials and never developed a significant industrial base.

Tajikistan possess a number of mineral deposits including 14 percent of the world's uranium reserves. Seventy years of Soviet central planning, however, left Tajikistan's natural resources vastly underdeveloped. The Republic has deposits of a number of rare mineral elements such as radium, arsenic and bismuth. Small quantities of potassium salts, sulphur, lead, antimony, fluorite, tungsten, and zinc can also be found. There are also gold and silver deposits. As 93 percent of the country is mountainous, Tajikistan ranks just behind Russia in terms of hydroelectric potential. Tajikistan has no major deposits of oil and gas exploited at present, but the government is seeking to exploit large oil deposits which are located at depths of 6-7 kilometers. There are also large deposits of coal which are located in difficult to access mountain regions. Copper, zinc, tin, molybdenum and a number of rare metals have also been produced in the past. In the next few years, the government plans to expand gold and silver production; there are large undeveloped deposits of silver that can be exploited.

Economic Performance and the Status of Economic Reform: Despite the end of the civil war and return of relative political tranquility, Tajikistan's economy continues to decline. Tajikistan's Gross Domestic Product has fallen to half of its 1990 level. Its economy was severely weakened by the loss of subsidies and markets for its products with the breakup of the USSR, and it then suffered further disruption and severe physical damage as a result of the fighting in 1992-93 and two years of disastrous floods. Most state enterprises are unprofitable and without the provision of extensive government subsidies most would be bankrupt. Shortages of raw materials have become acute as Russia and neighboring states have become reluctant to provide more credits and periodically block transportation routes into Tajikistan in order to extract repayment. Overall, industrial production declined 20.3 percent in the first eleven months of 1993. Certain industries have been particularly hard hit. Despite the need for widespread reconstruction of homes and buildings in the civil-war ravaged south, 43 percent of the construction sector is bankrupt, production of

cement has declined 46 percent, brick and pipes 42 percent and roofing materials 59 percent.

The financial situation is extremely unstable.. In the first nine months of 1993, the budget deficit exceeded 54 billion roubles - a figure which excludes Tajikistan's foreign debt. Debt as a percentage of GNP is estimated at close to 100 percent. Tajikistan's currency crisis all but halted inter-republic payments, resulting in virtually all trade being conducted on a barter or countertrade basis.

Inflation averaged 45 percent a month in 1993 as the government pursued expansionary budgets expenditures and credits while budget revenues dried up. Russia's decision to bring an end to the ruble zone and to limit trade credits heightened the economic crisis and has brought about a severe currency shortage.

Several pieces of privatization legislation were passed between December 1991 and March 1992, but the government's preoccupation with the country's internal strife was such that there was no real effort at implementation. Some de facto privatization efforts took place at the grassroots level in the retail trade, trucking, and agricultural harvesting industries. The legal prohibition against private land ownership still stands, but 9,000 "lease farms" have been created.

Foreign Investment Environment: The Tajik Government welcomes foreign investment, and Tajikistan offers many opportunities for those willing to assume a great deal of risk. The legal environment for foreign investment, however, remains largely undeveloped, and most legislation already passed is under a constant state of revision.

The greatest business potential probably lies in the country's agricultural sector, minerals, and hydroelectric resources. For example, Tajikistan has substantial resources of gold, silver and non-ferrous metals, as well as high-value gem stones and marble. Tajikistan has stated its intention to seek foreign partners to rapidly develop its gold deposits and has silver and gem deposits that may be of interest. The government wishes to sell 40 percent of its aluminum plant to a foreign buyer. Another government priority is the expansion of hydroelectric energy generation especially the completion of the 3600 megawatt Rogun Dam. Business opportunities are likely to expand in food processing and agricultural support sectors as the government privatizes and rehabilitates the agricultural sector of the economy. If international development aid eventually becomes available, infrastructure projects of all types will also provide many opportunities. Even the manufacturing sectors offer opportunities in areas such as chemicals, fertilizers, machine tools, household appliances, carpets, textiles, and porcelain.

Foreign Investment Regulations: The status of all Tajikistan's foreign investment laws are uncertain given the two changes of government since most of the laws were passed.

Tajikistan
International boundary
Oblast boundary
Autonomous oblast (AO) boundary
National capital
Oblast center
Autonomous oblast (AO) center
Railroad
Road
An oblast is named only when its name differs from that of its administrative center.
0 75 Kilometers
0 75 Miles
Lambert Conformal Conic Projection SP 12N38N
KAZAKHSTAN
KYRGYZSTAN
UZBEKISTAN
CHINA
AFGHANISTAN
PAKISTAN
LENINABADSKAYA OBLAST'
Gorno-Badakhshanskaya A.O.
Areas with no oblast-level administrative divisions.
Boundary representation is not necessarily authoritative.
Talas
Chimkent
Ays'
Syr-Dar'ya
Chirchik
Tashkent
Chardara
Chardarinskoye Vodokhranilishche
Gagarin
Gulistan
Dzhizak
Angren
Akhangaran
Khudzhand (Leninabad)
Sukhakta
Ura-Tyube
Pendzhikent
Ayni
Kokand
Fergana
Andizhan
Namangan
Uchkurgan
Naryn
Kara-Kul'
Toktogul'skoye Vodokhranilishche
Chatkal
Kyzyl-Kiya
Osh
Kyzyl-Suu
Kashi
Ozero Karakul'
Surkhob
Dushanbe
Ordzhonikidzeabad
Nurek
Tursunzade
Danau
Shurchi
Kalinabad
Kurgan-Tyube
Kulyab
Dzhaldzhurgan
Termez
Khorog
Feyzabad
Kondoz
Khojm
Baghlan
Lasht
Gilgit
Taxkorgan
Darya Pyanj
Darya Vakhsh
Darya Kunduz
Darya Kokcha
Darya Bartang
Darya Gunt
Darya Indus
Darya Kunar
Darya Gilgit
Darya Shyok
Darya Tarim
Darya Ob'
Darya Irtysh
Darya Ili
Darya Chu
Darya Amu
Darya Zeravshan
Darya Murgab
Darya Kokshaal
Darya Ak-Su
Darya Kara-Kul'
Darya Kyzyl-Suu
Darya Vakhsh
Darya Kalininabad
Darya Surkhob
Darya Syr-Dar'ya
Darya Chirchik
Darya Chatkal
Darya Naryn
Darya Chu
Darya Ili
Darya Irtysh
Darya Ob'
Darya Tarim
Darya Indus
Darya Gilgit
Darya Shyok
Darya Kunar

ANNEX 22:

Recommended Reading

ANNEX 22
Recommended Reading

1. Tajikistan: Human Development Report 1996, UNDP.
2. Republic of Tajikistan: Recent Economic Developments, International Monetary Fund, April 23, 1996.
3. Technical Annex, Republic of Tajikistan, Institution Building Technical Assistance Project, The World Bank, April 16, 1996.
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6. Tajikistan, Surveying the Household and Bazaar Economies, Save the Children/US, Robert M. Birkenz, January 1996, UNHCR Contract No. 95/TF/CRA/CS/450.