

22. Zakon o ratifikaciji Okvirnega sporazuma o obsežnem partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Socialistično republiko Vietnam na drugi strani (MOPSEUVN)

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z

o razglasitvi Zakona o ratifikaciji Okvirnega sporazuma o obsežnem partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Socialistično republiko Vietnam na drugi strani (MOPSEUVN)

Razglašam Zakon o ratifikaciji Okvirnega sporazuma o obsežnem partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Socialistično republiko Vietnam na drugi strani (MOPSEUVN), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 3. marca 2015.

Št. 003-02-2/2015-10
Ljubljana, dne 11. marca 2015

Borut Pahor l.r.
Predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI OKVIRNEGA SPORAZUMA O OBSEŽNEM PARTNERSTVU IN SODELOVANJU MED EVROPSKO UNIJO IN NJENIMI DRŽAVAMI ČLANICAMI NA ENI STRANI TER SOCIALISTIČNO REPUBLIKO VIETNAM NA DRUGI STRANI (MOPSEUVN)

1. člen

Ratificira se Okvirni sporazum o obsežnem partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Socialistično republiko Vietnam na drugi strani, podpisan v Bruslju 27. junija 2012.

2. člen

Besedilo sporazuma se v izvorniku v slovenskem in angleškem jeziku glasi*:

* Besedilo sporazuma v bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, španskem, švedskem ter vietnamskem jeziku je na vpogled v Sektorju za mednarodno pravo v Ministrstvu za zunanje zadeve Republike Slovenije.

**OKVIRNI SPORAZUM
O OBSEŽNEM PARTNERSTVU
IN SODELOVANJU MED EVROPSKO UNIJO
IN NJENIMI DRŽAVAMI ČLANICAMI NA ENI
STRANI TER SOCIALISTIČNO REPUBLIKO
VIETNAM NA DRUGI STRANI**

EVROPSKA UNIJA

(v nadaljnjem besedilu: Unija)

in

KRALJEVINA BELGIJA,

REPUBLIKA BOLGARIJA,

ČEŠKA REPUBLIKA,

KRALJEVINA DANSKA,

ZVEZNA REPUBLIKA NEMČIJA,

REPUBLIKA ESTONIJA,

IRSKA,

HELENSKA REPUBLIKA,

KRALJEVINA ŠPANIJA,

FRANCOSKA REPUBLIKA,

ITALIJANSKA REPUBLIKA,

REPUBLIKA CIPER,

REPUBLIKA LATVIJA,

REPUBLIKA LITVA,

VELIKO VOJVODSTVO LUKSEMBURG,

REPUBLIKA MADŽARSKA,

MALTA,

KRALJEVINA NIZOZEMSKA,

REPUBLIKA AVSTRIJA,

REPUBLIKA POLJSKA,

PORTUGALSKA REPUBLIKA,

ROMUNIJA,

REPUBLIKA SLOVENIJA,

SLOVAŠKA REPUBLIKA,

REPUBLIKA FINSKA,

KRALJEVINA ŠVEDSKA,

ZDRUŽENO KRALJESTVO VELIKA BRITANIJA IN SE-
VERNA IRSKA,

pogodbence Pogodbe o Evropski uniji in Pogodbe o delovanju Evropske unije (v nadaljnjem besedilu: države članice),

na eni strani ter

SOCIALISTIČNA REPUBLIKA VIETNAM (v nadaljnjem besedilu Vietnam)

na drugi strani

(v nadaljnjem besedilu: pogodbenici) –

OB UPOŠTEVANJU tradicionalnih prijateljskih vezi med pogodbenicama ter tesnih zgodovinskih, političnih in gospodarskih povezav med njima,

KER pogodbenici namenjata poseben pomen celovitemu značaju medsebojnih odnosov, kar je med drugim razvidno iz vietnamskega »Generalnega načrta za odnose med Vietnamom in Evropsko unijo do leta 2010 ter smernic do leta 2015« iz leta 2005 ter na tej podlagi opravljenih razprav med pogodbenicama,

KER pogodbenici menita, da je ta sporazum del širšega in skladnega odnosa med njima, ki se gradi prek sporazumov, katerih pogodbenici sta obe strani skupaj,

OB PONOVI POTRĐITVI zavezanosti splošnim načelom mednarodnega prava, namenu in načelom Ustanovne listine Združenih narodov ter spoštovanju demokratičnih načel in človekovih pravic,

**FRAMEWORK AGREEMENT
ON COMPREHENSIVE PARTNERSHIP
AND COOPERATION BETWEEN THE
EUROPEAN UNION AND ITS MEMBER STATES,
OF THE ONE PART, AND THE SOCIALIST
REPUBLIC OF VIET NAM, OF THE OTHER PART**

THE EUROPEAN UNION,

hereinafter referred to as "the Union"

and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as the "Member States",

of the one part, and

THE SOCIALIST REPUBLIC OF VIET NAM, hereinafter referred to as "Viet Nam",

of the other part,

Hereinafter jointly referred to as "the Parties",

CONSIDERING the traditional links of friendship between the Parties and the close historical, political and economic ties which unite them,

WHEREAS the Parties attach particular importance to the comprehensive nature of their mutual relationship, as demonstrated, *inter alia*, by the Vietnamese "Master Plan for relations between Viet Nam and the European Union until 2010 and orientations towards 2015" of 2005 and the ensuing discussions between the Parties,

WHEREAS the Parties consider that this Agreement forms part of a wider and coherent relationship between them through agreements to which both sides are parties together,

REAFFIRMING their commitment to the general principles of the international law and the purposes and principles of Charter of the United Nations, and the respect for democratic principles and human rights,

OB PONOVI POTRDI TVI spoštovanja neodvisnosti, suverenosti, ozemeljske celovitosti in nacionalne enotnosti Socialistične republike Vietnam,

OB PONOVI POTRDI TVI zavezanosti načelom dobrega upravljanja in boju proti korupciji,

OB PONOVI POTRDI TVI njune želje po spodbujanju gospodarskega in družbenega napredka njihovih narodov, ob upoštevanju načela trajnostnega razvoja in zahtev varstva okolja,

OB UPOŠTEVANJU dejstva, da je Mednarodno kazensko sodišče pomembno za razvoj miru in mednarodne pravice, njegov cilj pa je učinkovito preganjanje najhujših kaznivih dejanj, ki zadevajo mednarodno skupnost,

KER se pogodbenici strinjata, da širjenje orožja za množično uničevanje zelo ogroža mednarodno varnost, ter želita okrepiti njun dialog in sodelovanje na tem področju. Soglasno sprejetje Resolucije Varnostnega sveta Združenih narodov (VS ZN) 1540 je temelj zavezanosti celotne mednarodne skupnosti boju proti širjenju orožja za množično uničevanje,

OB PRIZNAVANJU potrebe po krepitvi razorožitve ter zavez na podlagi mednarodnih obveznosti glede neširjenja orožja za množično uničevanje, ki veljajo za pogodbenici,

OB POUČENJANJU njune polne zavezanosti boju proti vsem oblikam terorizma v skladu z mednarodnim pravom, vključno s pravom človekovih pravic in humanitarnim pravom, in oblikovanju učinkovitega mednarodnega sodelovanja ter instrumentov, namenjenih njihovemu izkoreninjenju, pri čemer se sklicuje na ustrezne resolucije VS ZN,

OB PRIZNAVANJU pomembne vloge Sporazuma o sodelovanju z dne 7. marca 1980 med Evropsko gospodarsko skupnostjo ter Indonezijo, Malezijo, Filipini, Singapurjem in Tajsko – državami članicami Združenja držav jugovzhodne Azije (ASEAN) – ki se je leta 1999 razširil še na Vietnam, ter Sporazuma o sodelovanju med Evropsko skupnostjo in Socialistično republiko Vietnam z dne 17. julija 1995,

OB PRIZNAVANJU pomembne vloge krepitve obstoječih odnosov med pogodbenicama, da bi povečali medsebojno sodelovanje, ter njune skupne volje za krepitev, poglobitev in razvezanje njihovih odnosov na področjih skupnega interesa na podlagi suverenosti, enakosti, nediskriminacije, spoštovanja naravnega okolja in vzajemne koristi,

OB PRIZNAVANJU statusa Vietnama kot države v razvoju in ob upoštevanju ustrezne stopnje razvoja pogodbenic,

OB PRIZNAVANJU velikega pomena razvojnega sodelovanja za države v razvoju, zlasti za države v razvoju z nizkimi in z nižjimi srednjimi dohodki, za njihovo trajno gospodarsko rast, trajni razvoj ter pravočasno in celovito izvedbo mednarodno dogovorjenih razvojnih ciljev, vključno z razvojnimi cilji tisočletja Združenih narodov,

OB PRIZNAVANJU napredka Vietnama pri doseganju razvojnih ciljev tisočletja, izvajanju lastne strategije za socialnoekonomski razvoj in doseganju trenutne razvojne stopnje kot država v razvoju z nizkimi dohodki,

KER pogodbenici poseben pomen pripisujeta načelom in pravilom, ki urejajo mednarodno trgovino in jih vsebuje Sporazum o ustanovitvi Svetovne trgovinske organizacije (STO), ter potrebi po pregledni in nediskriminatorni uporabi teh načel in pravil,

OB PRIZNAVANJU dejstva, da ima trgovina pri razvoju bistveno vlogo, pomembni pa so tudi trgovinski preferencialni programi,

REAFFIRMING their respect for the independence, sovereignty, territorial integrity and national unity of the Socialist Republic of Viet Nam,

REAFFIRMING their attachment to the principle of good governance and the fight against corruption,

REAFFIRMING their desire to promote economic and social progress for their peoples, taking into account the principle of sustainable development and environmental protection requirements,

CONSIDERING that the International Criminal Court constitutes an important development for peace and international justice, which aims at the effective prosecution of the most serious crimes of concern to the international community,

WHEREAS the Parties share the view that the proliferation of weapons of mass destruction (WMD) poses a major threat to international security and wish to strengthen their dialogue and cooperation in this area. The adoption by consensus of United Nations Security Council (UNSC) Resolution 1540 underlies the commitment of the whole international community to fight against the proliferation of weapons of mass destruction,

RECOGNISING the need to strengthen disarmament as well as non-proliferation commitments under international obligations applicable to the Parties,

EXPRESSING their full commitment to fighting all forms of terrorism in conformity with international law, including human rights law and humanitarian law, and to establishing effective international cooperation and instruments to ensure their eradication, and recalling the relevant UNSC Resolutions,

RECOGNISING the importance of the Cooperation Agreement of 7 March 1980 between the European Economic Community and Indonesia, Malaysia, the Philippines, Singapore and Thailand – member countries of the Association of South-East Asian Nations (ASEAN) – and which was extended to Viet Nam in 1999, as well as the Cooperation Agreement between the European Community and the Socialist Republic of Viet Nam of 17 July 1995,

RECOGNISING the importance of strengthening the existing relationship between the Parties with a view to enhancing cooperation between them, and their common will to consolidate, deepen and diversify their relations in areas of mutual interest on the basis of sovereignty, equality, non-discrimination, respect for the natural environment and mutual benefit,

RECOGNISING Viet Nam's status as a developing country and taking account of the Parties' respective levels of development,

RECOGNISING the significant importance of development cooperation to developing countries, especially the low-income and lower middle-income developing countries, for their sustained economic growth, sustainable development and timely and full realisation of the internationally agreed development goals, including the United Nations' Millennium Development Goals,

RECOGNISING the progress made by Viet Nam towards achieving the Millennium Development Goals and in the implementation of its Strategy for Socio-Economic Development, as well as its current level of development as a low income developing country,

WHEREAS the Parties attach particular importance to the principles and rules which govern international trade contained in the Agreement establishing the World Trade Organization (WTO), and the need to apply them in a transparent and non-discriminatory manner,

RECOGNISING that trade plays a significant role in development and the importance of trade preferential programmes,

OB POU DARJANJU njune celovite zavezanosti k spodbujanju trajnostnega razvoja v vseh njegovih razsežnostih, vključno z varstvom okolja in učinkovitim sodelovanjem pri boju proti podnebnim spremembam ter učinkovitim spodbujanjem in izvajanjem mednarodno priznanih standardov dela, ki sta jih pogodbenici ratificirali,

OB POU DARJANJU pomembnosti sodelovanja na področju migracij,

OB POTR DITVI njune želje po krepitvi sodelovanja med pogodbenicama, ki temelji na skupnih vrednotah in vzajemni koristi ter je v celoti v skladu z dejavnostmi iz regionalnega okvira,

OB UGOTAVLJANJU, da so določbe tega sporazuma, ki spadajo v okvir naslova V, tretjega dela Pogodbe o delovanju Evropske unije, zavezujoče za Združeno kraljestvo in Irsko kot ločeni pogodbenici ali kot del Evropske unije v skladu s Protokolom (št. 21) o stališču Združenega kraljestva in Irske glede območja svobode, varnosti in pravice, ki je priložen k Pogodbi o Evropski uniji in Pogodbi o delovanju Evropske unije. Enako velja za Dansko v skladu s Protokolom (št. 22) o stališču Danske, ki je priložen k temu sporazumu –

SO SE DOGOVORILI:

NASLOV 1 NARAVA IN PODROČJE UPORABE

ČLEN 1 Splošna načela

1. Pogodbenici potrjujeta svojo zavezanost splošnim načelom mednarodnega prava, kakor so bili opredeljeni v namenu in načelih Ustanovne listine Združenih narodov, ponovno potrjeni v Deklaraciji Generalne skupščine ZN o načelih mednarodnega prava, ki se nanašajo na prijateljske odnose in sodelovanje med državami v skladu z Ustanovno listino Združenih narodov, z dne 24. oktobra 1970, in navedeni v drugih ustreznih mednarodnih pogodbah, ki med drugim poudarjajo pravno državo in načelo *pacta sunt servanda*; ter spoštovanju demokratičnih načel in človekovih pravic, kot so določeni v Splošni deklaraciji o človekovih pravicah Generalne skupščine ZN in drugih ustreznih mednarodnih instrumentih o človekovih pravicah, h katerim sta pristopili pogodbenici, poleg tega pa so ta načela in človekove pravice temelj notranjih in mednarodnih politik obeh pogodbenic ter pomenijo bistven element tega sporazuma.

2. Pogodbenici potrjujeta svojo zavezanost nadaljnjemu sodelovanju pri celotni izpolnitvi mednarodno dogovorjenih razvojnih ciljev, vključno z razvojnimi cilji tisočletja, kar bosta dosegli z izpolnjevanjem obstoječih medsebojnih mednarodnih obveznosti, ki veljajo za pogodbenici. To je bistveni element tega sporazuma. Pogodbenici tudi potrjujeta svoje zaveze v zvezi z Evropskim soglasjem o razvoju iz leta 2005, Pariško deklaracijo o učinkovitosti pomoči, dogovorjeno na Forumu na visoki ravni o učinkovitosti pomoči leta 2005, Agendo za ukrepanje iz Akre, dogovorjeno na tretjem forumu na visoki ravni o učinkovitosti pomoči, Hanojsko izjavo o učinkovitosti pomoči, dogovorjeno leta 2006 z namenom nadalje izboljšati razvojno sodelovanje, vključno z napredkom glede odpravljanja pogojev pri zagotavljanju pomoči ter doseganju predvidljivejših mehanizmov pomoči.

3. Pogodbenici potrjujeta svojo zavezanost spodbujanju trajnostnega razvoja v vseh njegovih razsežnostih, sodelovanju pri obravnavi izzivov podnebnih sprememb in globalizacije ter prispevanju k uresničevanju mednarodno dogovorjenih razvojnih ciljev, vključno z razvojnimi cilji tisočletja.

4. Pogodbenici se strinjata, da se bodo pri izvajanju vseh dejavnosti sodelovanja v okviru tega sporazuma upoštevale razvojna stopnja, potrebe in zmogljivosti vsake od njiju.

EXPRESSING their full commitment to promoting sustainable development in all its dimensions, including environmental protection and effective cooperation to combat climate change as well as effective promotion and implementation of internationally recognised labour standards ratified by the Parties,

UNDERLINING the importance of cooperation on migration,

CONFIRMING their desire to enhance, fully in accordance with activities undertaken in a regional framework, the cooperation between the Parties based on shared values and mutual benefit,

NOTING that the provisions of this Agreement that fall within the scope of Part Three, Title V, of the Treaty on the Functioning of the European Union bind the United Kingdom and Ireland as separate Contracting Parties or, alternatively, as part of the European Union, in accordance with the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union. The same applies to Denmark, in accordance with the Protocol (No 22) on the position of Denmark annexed to those Treaties,

HAVE AGREED AS FOLLOWS:

TITLE I NATURE AND SCOPE

ARTICLE 1 General Principles

1. The Parties confirm their commitment to the general principles of international law as defined in the purposes and principles of the Charter of the United Nations, reaffirmed in the UN General Assembly Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, of 24 October 1970, and in other relevant international treaties, expressing *inter alia* the rule of law, and the principle of *pacta sunt servanda*; and to the respect for democratic principles and human rights, as laid down in the UN General Assembly Universal Declaration of Human Rights and other relevant international human rights instruments to which the Parties are Contracting Parties, which underpin the internal and international policies of both Parties and which constitute an essential element of this Agreement.

2. The Parties confirm their commitment to further cooperate towards the full achievement of internationally agreed development goals, including the Millennium Development Goals, through compliance with the existing mutual international obligations which are applicable to the Parties. This constitutes an essential element of this Agreement. They also confirm their respective commitments to the European Consensus on Development of 2005, the Paris Declaration on Aid Effectiveness agreed at the High Level Forum on Aid Effectiveness in 2005, the Accra Agenda for Action agreed at the Third High-level Forum on Aid Effectiveness, and the Hanoi Core Statement on Aid Effectiveness agreed in 2006 with a view to further improving development cooperation performance, including progress on untangling aid and achieving more predictable aid mechanisms.

3. The Parties confirm their commitment to promoting sustainable development in all its dimensions, cooperating to address the challenges of climate change as well as globalisation and contributing to the internationally agreed development goals, including those contained in the Millennium Development Goals.

4. The Parties agree that the implementation of all cooperation activities under this Agreement shall take into account their respective levels of development, needs and capacity.

5. Pogodbenici potrjujeta, da je trgovina znatnega pomena za razvoj in da trgovinski preferencialni programi pomagajo spodbujati razvoj držav v razvoju, vključno z Vietnamom.

6. Pogodbenici se strinjata, da bo sodelovanje v okviru tega sporazuma potekalo v skladu z njuno nacionalno zakonodajo, pravili in predpisi.

ČLEN 2

Cilji sodelovanja

Z namenom krepitev dvostranskih odnosov se pogodbenici zavežeta, da bosta vzdrževali celovit dialog in spodbujali nadaljnje medsebojno sodelovanje na vseh področjih vzajemnega interesa. Njuna prizadevanja bodo usmerjena zlasti v:

(a) vzpostavitev dvostranskega sodelovanja ter sodelovanja na vseh pomembnih regionalnih in mednarodnih forumih in organizacijah;

(b) razvoj trgovine in naložb med pogodbenicama v njuno vzajemno korist;

(c) vzpostavitev sodelovanja na vseh področjih vzajemnega interesa, povezanih s trgovino in naložbami, za pospešitev trajnih trgovinskih in naložbenih tokov ter preprečitev in odpravo trgovinskih in naložbenih ovir na dosleden in dopolnjujoč način v zvezi s tekočimi in prihodnjimi regionalnimi pobudami EU-ASEAN;

(d) razvojno sodelovanje, in sicer z namenom izkoreninjenja revščine, spodbujanja trajnostnega razvoja, boja proti prihajajočim izzivom, kot so podnebne spremembe in nalezljive bolezni, poglobljanja gospodarskih reform in vključevanja v svetovno gospodarstvo;

(e) vzpostavitev sodelovanja na področju pravosodja in varnosti, vključno s pravno državo in pravnim sodelovanjem, varstva podatkov, migracij, boja proti organiziranemu kriminalu, pranju denarja ter prepovedanim drogam;

(f) spodbujanje sodelovanja na vseh drugih področjih vzajemnega interesa, vključno s človekovimi pravicami; ekonomsko politiko; finančnimi storitvami; obdavčenjem; industrijsko politiko ter malimi in srednjimi podjetji; informacijskimi in komunikacijskimi tehnologijami; znanostjo in tehnologijo; energetiko; prometom; urbanističnim in regionalnim načrtovanjem in razvojem; turizmom; izobraževanjem in usposabljanjem; kulturo; podnebnimi spremembami; okoljem in naravnimi viri; kmetijstvom, gozdarstvom, rejo živali, ribištvom in razvojem podeželja; zdravstvom; statistiko; delom, zaposlovanjem in socialnimi zadevami; reformo javne uprave; združenji in nevladnimi organizacijami (NVO); preprečevanjem in ublažitvijo naravnih nesreč; enakostjo spolov;

(g) krepitev obstoječih programov sodelovanja in spodbujanje vključevanja obeh pogodbenic v podregionalne in regionalne programe sodelovanja, odprte za sodelovanje druge pogodbenice;

(h) vzpostavitev sodelovanja pri preprečevanju širjenja orožja za množično uničevanje in njegovih nosilcev; boj proti vsem vidikom nezakonitega trgovanja z osebnim in lahkim orožjem; odstranitev ostankov vojne;

(i) vzpostavitev sodelovanja v boju proti terorizmu;

(j) povečanje vloge in prepoznavnosti pogodbenic v njihovih regijah z različnimi sredstvi, vključno s kulturnimi izmenjavami, uporabo informacijske tehnologije in izobraževanjem;

(k) spodbujanje medosebnega razumevanja, med drugim s sodelovanjem subjektov, kot so možganski trusti, akademiki, podjetja in mediji, v obliki seminarjev, konferenc, mladinskega sodelovanja in drugih dejavnosti.

ČLEN 3

Sodelovanje v regionalnih in mednarodnih organizacijah

1. Pogodbenici se zavežujeta, da si bosta izmenjevali mnenja in sodelovali v regionalnih in mednarodnih forumih in organizacijah, vključno v okviru Združenih narodov ter njihovih agencij in organizacij, dialoga ASEAN-EU, regionalnega foruma ASEAN (ARF), azijsko-evropskega srečanja (ASEM) in Svetovne trgovinske organizacije (STO).

5. The Parties confirm that trade plays a significant role in development and that trade preferential programmes help to promote the development of developing countries, including Viet Nam.

6. The Parties agree that cooperation under this Agreement will be in accordance with their respective legislation, rules and regulations.

ARTICLE 2

Aims of Cooperation

With a view to strengthening their bilateral relationship, the Parties undertake to hold a comprehensive dialogue and promote further cooperation between them on all sectors of mutual interest. Their efforts will in particular be aimed at:

(a) establishing cooperation bilaterally and in all relevant regional and international *fora* and organisations;

(b) developing trade and investment between the Parties to their mutual advantage;

(c) establishing cooperation in all trade and investment-related areas of mutual interest, in order to facilitate sustainable trade and investment flows and to prevent and remove obstacles to trade and investment, in a consistent and complementary manner with respect to ongoing and future regional EU-ASEAN initiatives;

(d) working through development cooperation towards eradicating poverty, promoting sustainable development, combating emerging challenges such as climate change and communicable diseases, deepening economic reform and integrating into the world economy;

(e) establishing cooperation in the area of justice and security, including the rule of law and legal cooperation, data protection, migration, combating organised crime, money laundering and illicit drugs;

(f) fostering cooperation in all other sectors of mutual interest, including human rights; economic policy; financial services; taxation; industrial policy and small and medium-sized enterprises; information and communication technologies; science and technology; energy; transport; urban and regional planning and development; tourism; education and training; culture; climate change; environment and natural resources; agriculture, forestry, livestock, fisheries and rural development; health; statistics; labour, employment and social affairs; reform of public administration; associations and non-governmental organisations (NGOs); natural disaster prevention and mitigation; gender equality;

(g) enhancing existing and encourage new participation of both Parties within sub-regional and regional cooperation programmes open to the participation of the other Party;

(h) establishing cooperation on countering the proliferation of weapons of mass destruction and their means of delivery; combating illicit trade in small arms and light weapons in all its aspects; remnants of war;

(i) establishing cooperation on combating terrorism;

(j) raising the roles and profiles of the Parties in each others' regions through various means, including cultural exchanges, use of information technology and education;

(k) promoting people-to-people understanding *inter alia* through cooperation among entities such as think tanks, academics, business and the media in the form of seminars, conferences, youth interaction and other activities.

ARTICLE 3

Cooperation in Regional and International Organisations

1. The Parties undertake to exchange views and cooperate in regional and international *fora* and organisations, including the United Nations and its agencies and organisations, the ASEAN-EU dialogue, ASEAN Regional Forum (ARF), the Asia-Europe Meeting (ASEM), and the World Trade Organization (WTO).

2. Pogodbenici se strinjata tudi, da bosta spodbujali sodelovanje na teh področjih med možganskimi trusti, akademiki, NVO, podjetji in mediji, in sicer z organizacijo seminarjev, konferenc in drugih povezanih dejavnosti, pod pogojem, da takšno sodelovanje temelji na medsebojnem soglasju.

ČLEN 4

Dvostransko in regionalno sodelovanje

1. Pogodbenici se strinjata, da bosta na vsakem področju dialoga in sodelovanja v okviru tega sporazuma in ob ustreznem poudarku na zadevah dvostranskega sodelovanja povezane dejavnosti izvajali na dvostranski ali regionalni ravni ali s kombinacijo obeh okvirov. Pri izbiri ustreznega okvira si bosta pogodbenici prizadevali, da se kar najbolje izkoristi učinek in okrepi sodelovanje vseh zainteresiranih strani, hkrati pa bosta zagotavljali najboljšo možno uporabo razpoložljivih sredstev ob upoštevanju politične in institucionalne izvedljivosti ter zagotavljanju skladnosti z drugimi dejavnostmi, ki vključujejo Unijo in ASEAN. V sodelovanje sta lahko po potrebi vključena tudi podpora za povezovanje in razvoj skupnosti ASEAN.

2. Pogodbenici se lahko po potrebi odločita, da v skladu s svojimi finančnimi postopki in viri razširita finančno podporo na dejavnosti sodelovanja na področjih, ki jih obravnava sporazum ali ki so povezana z njim. To sodelovanje lahko zlasti podpira izvajanje socialnoekonomskih reform v Vietnamu in lahko vključuje ukrepe gradnje zmogljivosti, kot so organizacija izobraževalnih programov, delavnic in seminarjev, izmenjave strokovnjakov, študije in druge dejavnosti, o katerih se dogovorita pogodbenici v skladu s strategijami donatorjev, ki se nanašajo na razvojno pomoč.

NASLOV II RAZVOJNO SODELOVANJE

ČLEN 5

Splošna načela

1. Glavni cilji razvojnega sodelovanja so doseganje razvojnih ciljev tisočletja ter izkoreninjenje revščine, doseganje trajnostnega razvoja in vključevanje v svetovno gospodarstvo. Cilji razvojnega sodelovanja upoštevajo socialnoekonomske razvojne strategije in programe Vietnama. Pogodbenici priznavata, da je razvojno sodelovanje med njima ključnega pomena za reševanje razvojnih izzivov v Vietnamu.

2. Pogodbenici se strinjata, da bosta spodbujali dejavnosti sodelovanja v skladu s svojimi postopki in viri.

ČLEN 6

Cilji sodelovanja

Cilji strategij pogodbenic za razvojno sodelovanje so med drugim:

- (a) doseganje trajne gospodarske rasti;
- (b) spodbujanje človekovega in socialnega razvoja;
- (c) spodbujanje reform institucij in njihovega razvoja;
- (d) spodbujanje okoljske trajnosti, regeneracije in najboljših praks ter ohranjanje naravnih virov;
- (e) preprečevanje in obvladovanje posledic podnebnih sprememb;
- (f) podpiranje politik in instrumentov, katerih cilj je postopno vključevanje v svetovno gospodarstvo in trgovino.

ČLEN 7

Oblike sodelovanja

1. Pogodbenici se strinjata, da bosta na vsakem področju sodelovanja v okviru tega naslova dejavnosti izvajali na dvostranski ali regionalni ravni ali s kombinacijo obeh, vključno s tristranskim sodelovanjem.

2. The Parties also agree to promote cooperation in these fields between think tanks, academics, NGOs, business and the media through the organisation of seminars, conferences and other related activities, provided that such cooperation is based on mutual consent.

ARTICLE 4

Bilateral and Regional Cooperation

1. For each sector of dialogue and cooperation under this Agreement, and while giving due emphasis to matters under bilateral cooperation, the Parties agree to carry out the related activities at either bilateral or regional level or through a combination of both frameworks. In choosing the appropriate framework, the Parties will seek to maximise the impact on, and reinforce the involvement of, all interested parties, while making the best possible use of available resources, taking account of the political and institutional feasibility, and ensuring coherence with other activities involving the Union and ASEAN. Cooperation may, as appropriate, include support for ASEAN integration and community building.

2. The Parties may, as appropriate, decide to extend financial support to cooperation activities in the areas covered by the agreement or in relation to it, in accordance with their respective financial procedures and resources. This cooperation may in particular support the implementation of Viet Nam's socio-economic reforms, and may include capacity-building measures such as the organisation of training schemes, workshops and seminars, the exchange of experts, studies, and other actions agreed by the Parties in accordance with donor development assistance strategies.

TITLE II DEVELOPMENT COOPERATION

ARTICLE 5

General Principles

1. The central objectives of development cooperation are to achieve the Millennium Development Goals as well as poverty eradication, sustainable development and integration into the world economy. The objectives of development cooperation shall take account of Viet Nam's socio-economic development strategies and programmes. The Parties recognise that development cooperation between them is key to addressing Viet Nam's development challenges.

2. The Parties agree to promote cooperation activities in accordance with their respective procedures and resources.

ARTICLE 6

Aims of Cooperation

The development cooperation strategies of the Parties shall aim at, *inter alia*:

- (a) achieving sustained economic growth;
- (b) promoting human and social development;
- (c) promoting institutional reforms and development;
- (d) promoting environmental sustainability, regeneration and best practices, and the preservation of natural resources;
- (e) preventing and tackling the consequences of climate change;
- (f) supporting policies and instruments aimed at the progressive integration into the world economy and trade.

ARTICLE 7

Forms of Cooperation

1. For each sector of cooperation under this Title, the Parties agree to carry out activities at bilateral or regional level or through a combination of both, including through tripartite cooperation.

2. Oblike sodelovanja med pogodbenicama lahko vključujejo:

- (a) razvojno in tehnično pomoč za programe in projekte, o katerih sta se dogovorili pogodbenici;
- (b) gradnjo zmogljivosti preko tečajev usposabljanja, delavnic in seminarjev, izmenjave strokovnjakov, študij ter skupnih raziskav pogodbenic;
- (c) po potrebi proučitev drugih oblik razvojnega financiranja;
- (d) izmenjavo informacij o najboljših praksah glede učinkovitosti pomoči.

NASLOV III MIR IN VARNOST

ČLEN 8

Preprečevanje širjenja orožja za množično uničevanje in njegovih nosilcev

1. Pogodbenici menita, da je širjenje orožja za množično uničevanje in njegovih nosilcev, in sicer tako vladnim kot nevladnim akterjem, ena najresnejših groženj mednarodni stabilnosti in varnosti, po drugi strani pa ponovno potrjujeta zakonite pravice pogodbenic do raziskav, razvoja, uporabe, trgovanja in prenosa v zvezi z biološko, kemično in jedrsko tehnologijo in s tem povezanih materialov v miroljubne namene v skladu s pogodbami in konvencijami, h katerim sta pristopili. Pogodbenici se zato strinjata, da bosta sodelovali in prispevali k preprečevanju širjenja orožja za množično uničevanje in njegovih nosilcev ob celotnem upoštevanju in nacionalnem izvajanju svojih obstoječih obveznosti v skladu z mednarodnimi pogodbami in sporazumi o razoroževanju in neširjenju orožja ter ustreznimi mednarodnimi obveznostmi, ki veljajo za pogodbenici. Pogodbenici se strinjata, da je ta določba bistven element Sporazuma.

2. Pogodbenici se nadalje strinjata, da bosta sodelovali in prispevali k preprečevanju širjenja orožja za množično uničevanje in njegovih nosilcev, tako da bosta:

- (a) po potrebi sprejeli ukrepe za podpis, ratifikacijo ali pristop k vsem drugim ustreznim mednarodnim pogodbam in sporazumom ter v celoti izpolnjevali svoje obveznosti;
- (b) ob upoštevanju zmogljivosti vsake od pogodbenic vzpostavili učinkovit sistem za nadzor nacionalnega izvoza, s katerim se nadzorujeta izvoz in tranzit blaga, povezanega z orožjem za množično uničevanje, vključno z nadzorom končne uporabe tehnologij z dvojno rabo za izdelavo orožja za množično uničevanje, ki bo določal učinkovite sankcije za kršitve nadzora izvoza v skladu z Resolucijo VS ZN 1540, ne da bi vplival na običajen in zakonit potek uvoza in izvoza ter finančnih transakcij. To lahko vključuje zagotavljanje pomoči, vključno z gradnjo zmogljivosti.

3. Pogodbenici se strinjata, da bosta vzdrževali stalen politični dialog, ki bo spremljal in krepil te elemente.

ČLEN 9

Sodelovanje pri boju proti vsem vidikom nezakonitega trgovanja z osebnim in lahkim orožjem

1. Pogodbenici priznavata, da vsi vidiki nezakonite proizvodnje, prenosa in dajanja v obtok osebnega in lahkega orožja, vključno s prekomernim kopičenjem in nenadzorovanim razširjanjem še naprej resno ogrožajo mir in mednarodno varnost, po drugi strani pa ponovno potrjujeta svoje zakonite pravice do proizvodnje, uvoza in posedovanja osebnega in lahkega orožja zaradi samoobrambe in varnosti. Pogodbenici se s tem v zvezi sklicujeta na ustrezne dele resolucij Generalne skupščine ZN 64/50 in 64/51.

2. The forms of cooperation between the Parties may include:

- (a) development and technical assistance to the programmes and projects as agreed by the Parties;
- (b) capacity building through training courses, workshops and seminars, the exchange of experts, studies, and joint research between the Parties;
- (c) consideration of other forms of development financing as appropriate;
- (d) the exchange of information on best practices of aid effectiveness.

TITLE III PEACE AND SECURITY

ARTICLE 8

Countering the Proliferation of Weapons of Mass Destruction and their Means of Delivery

1. The Parties consider that the proliferation of weapons of mass destruction and their means of delivery, both to state and non-state actors, represents one of the most serious threats to international stability and security, while reaffirming the Parties' legitimate rights to research, develop, use, trade and transfer biological, chemical and nuclear technology and related materials for peaceful purposes in accordance with the treaties and conventions to which they are parties. The Parties therefore agree to cooperate in and to contribute to countering the proliferation of weapons of mass destruction and their means of delivery through full compliance with and national implementation of their respective existing obligations under international disarmament and non-proliferation treaties and agreements and relevant international obligations which are applicable to the Parties. The Parties agree that this provision constitutes an essential element of the Agreement.

2. The Parties furthermore agree to cooperate in and to contribute to countering the proliferation of weapons of mass destruction and their means of delivery by:

- (a) taking steps to sign, ratify, or accede to, as appropriate, all other relevant international treaties and agreements, and to fully implement their respective obligations;
- (b) establishing, with due regard to each Party's capacity, an effective system of national export controls, controlling the export and transit of WMD-related goods, including a WMD end-use control on dual use technologies and containing effective sanctions for breaches of export controls in line with UNSC Resolution 1540 without affecting normal and legal import and export activities and financial transactions. This may include the provision of assistance, including capacity building.

3. The Parties agree to pursue a regular political dialogue that will accompany and consolidate these elements.

ARTICLE 9

Cooperation in Combating Illicit Trade in Small Arms and Light Weapons (SALW) in All Its Aspects

1. The Parties recognise that the illicit manufacture, transfer and circulation of small arms and light weapons, in all its aspects, including their excessive accumulation, and uncontrolled spread continue to pose a serious threat to peace and international security, while reaffirming the legitimate rights of the Parties to manufacture, import and retain small arms and light weapons for their self-defence and security needs. In this regard, the Parties recall the relevant contents of UN General Assembly Resolutions 64/50 and 64/51.

2. Pogodbenici se strinjata, da bosta upoštevali in v celoti izvajali svoje obveznosti v zvezi z obravnavanjem vseh vidikov nezakonitega trgovanja z osebnim in lahkim orožjem v skladu z veljavnimi mednarodnimi sporazumi, h katerim sta pogodbenici pristopili, in resolucijami Varnostnega sveta ZN ter svoje zaveze v okviru drugih ustreznih mednarodnih instrumentov, ki se uporabljajo na tem področju, kot je akcijski program ZN za preprečevanje vseh vidikov nezakonitega trgovanja z osebnim in lahkim orožjem, boj proti njemu in njegovo izkoreninjenje.

3. Pogodbenici se zavezujeta, da bosta po potrebi vzpostavili dialog, da bi izmenjevali stališča in informacije ter razvili enotno razumevanje vprašanj in težav, povezanih z nezakonitim trgovanjem z osebnim in lahkim orožjem, ter krepili svojo sposobnost za preprečevanje takšnega trgovanja, boj proti njemu in njegovo izkoreninjenje.

ČLEN 10

Sodelovanje pri boju proti terorizmu

Pogodbenici ponovno potrjujeata pomen boja proti terorizmu ob polnem upoštevanju prava, vključno z Ustanovno listino ZN, pravom človekovih pravic, begunskim pravom in mednarodnim humanitarnim pravom. V tem okviru in v skladu z Globalno strategijo ZN za boj proti terorizmu, ki je vključena v Resolucijo Generalne skupščine ZN 60/288 ter v Skupno deklaracijo EU-ASEAN z dne 28. januarja 2003 o sodelovanju v boju proti terorizmu, se pogodbenici strinjata, da bosta okreplili sodelovanje pri preprečevanju in onemogočanju terorizma.

Pogodbenici to storita predvsem:

(a) v okviru polnega izvajanja Resolucije VS ZN 1373 in drugih ustreznih resolucij ZN ter s sprejetjem ukrepov za ratifikacijo in celovito izvajanje mednarodnih konvencij in instrumentov glede boja proti terorizmu in njegovega preprečevanja;

(b) z rednimi posvetovanji o sodelovanju pri boju proti terorizmu in njegovem preprečevanju v okviru Skupnega odbora;

(c) z izmenjavo informacij o terorističnih skupinah in njihovih podpornih mrežah v skladu z mednarodnim in nacionalnim pravom ter z zagotavljanjem podpore za gradnjo zmogljivosti pri boju proti terorizmu in njegovem preprečevanju v okviru programov in instrumentov pogodbenic;

(d) z izmenjavo stališč o sredstvih in načinih boja proti terorizmu in spodbujanja k terorističnim dejanjem, vključno s tehničnimi področji in usposabljanjem, ter z izmenjavo izkušenj pri preprečevanju terorizma;

(e) s sodelovanjem, ki bo utrdilo mednarodno soglasje o boju proti terorizmu in njegov normativni okvir, ter s prizadevanjem za čim prejšnji dogovor o celoviti konvenciji o mednarodnem terorizmu, ki bo dopolnila veljavne instrumente ZN za boj proti terorizmu;

(f) s spodbujanjem sodelovanja med državami članicami ZN, da bi učinkovito izvajale Globalno strategijo ZN za boj proti terorizmu;

(g) z izmenjavo najboljših praks na področju varstva človekovih pravic v boju proti terorizmu.

ČLEN 11

Pravno sodelovanje

1. Pogodbenici se strinjata, da bosta sodelovali v pravnih zadevah, krepitvi pravne države in institucij na vseh ravneh na področjih delovanja pravosodja in kazenskega pregona.

2. Pogodbenici se strinjata, da bosta sodelovali pri krepitvi sodne usposobljenosti in pravnega sistema na področjih, kot so civilno pravo, civilno procesno pravo, kazensko pravo in kazensko procesno pravo, ter si izmenjevali podatke, ki se nanašajo na pravne sisteme in zakonodajo.

3. Pogodbenici se strinjata tudi, da bosta sodelovali na področju mednarodnega kazenskega pravosodja. Pogodbenici menita, da najhujša kazniva dejanja, ki zadevajo mednarodno skupnost, ne smejo ostati nekaznovana in da je treba njihov učinkovit pregon zagotoviti z ustreznimi ukrepi, sprejetimi na ustrezni ravni.

2. The Parties agree to observe and fully implement their respective obligations to deal with the illicit trade in small arms and light weapons, in all its aspects, under existing international agreements to which the Parties are contracting parties and under UN Security Council resolutions, as well as their commitments within the framework of other relevant international instruments applicable in this area, such as the UN Programme of Action to prevent, combat and eradicate the illicit trade in SALW in all its aspects.

3. The Parties undertake to establish a dialogue, as appropriate, in order to exchange views and information and develop a common understanding of the issues and problems related to illicit trade in small arms and light weapons, and to strengthen the ability of the Parties to prevent, combat and eradicate such trade.

ARTICLE 10

Cooperation in Combating Terrorism

The Parties reaffirm the importance of the fight against terrorism in full respect for the law, including the UN Charter, human rights law, refugee law and international humanitarian law. Within this framework and in accordance with the UN Global Counter-Terrorism Strategy, contained in UN General Assembly Resolution 60/288, and in the EU-ASEAN Joint Declaration of 28 January 2003 on co-operation to combat terrorism, the Parties agree to strengthen cooperation in the prevention and suppression of terrorism.

The Parties shall do so in particular:

(a) in the framework of the full implementation of UNSC Resolution 1373 and other relevant UN resolutions, and taking steps to ratify and fully implement international conventions and instruments on fighting and preventing terrorism;

(b) by establishing under the Joint Committee regular consultations on cooperation on countering and preventing terrorism;

(c) by the exchange of information on terrorist groups and their support networks in accordance with international and national law and, subject to the Parties' programmes and instruments, by providing support for capacity building in countering and preventing terrorism;

(d) by the exchange of views on means and methods used to counter terrorism and incitement of terrorist acts, including in technical fields and training, and by the exchange of experiences in respect of terrorism prevention;

(e) by cooperating so as to deepen the international consensus on the fight against terrorism and its normative framework and by working towards an agreement on the Comprehensive Convention on International Terrorism as soon as possible so as to complement the existing UN counter-terrorism instruments;

(f) by promoting cooperation among UN Member States to effectively implement the UN Global Counter-Terrorism Strategy;

(g) by the exchange of best practices in the area of protection of human rights in the fight against terrorism.

ARTICLE 11

Legal Cooperation

1. The Parties agree to cooperate on legal matters, the strengthening of the rule of law and of institutions at all levels in the areas of administration of justice and law enforcement.

2. The Parties agree to cooperate on the enhancement of the judicial capacity and legal system in such areas as civil law, civil procedural law, criminal law and criminal procedural law, as well as to engage in an exchange of information concerning legal systems and legislation.

3. The Parties also agree to cooperate in the field of international criminal justice. The Parties consider that the most serious crimes of concern to the international community must not go unpunished and that their effective prosecution must be ensured by taking relevant measures at the appropriate level.

4. Pogodbenici menita, da je Mednarodno kazensko sodišče napredna in neodvisna institucija, katere cilj je doseganje mednarodnega miru in pravice. Pogodbenici se strinjata, da bosta sodelovali z namenom krepitev pravnega okvira, namenjenega preprečevanju in kaznovanju najhujših kaznivih dejanj, ki zadevajo mednarodno skupnost, ter proučili možnost pristopa k Rimskemu statutu. Pogodbenici se strinjata, da bi bila dialog in sodelovanje o tej zadevi koristna.

NASLOV IV SODELOVANJE NA PODROČJU TRGOVINE IN NALOŽB

ČLEN 12 Splošna načela

1. Pogodbenici z dialogom o dvostranskih in večstranskih trgovinskih ter s trgovino povezanih vprašanih krepi dvostranske trgovinske odnose in spodbujata večstranski trgovinski sistem.

2. Pogodbenici se zavezujeta, da bosta spodbujali razvoj in razvejanost medsebojne trgovinske menjave na najvišji možni ravni in v njuno vzajemno korist. Zavezujeta se, da bosta z delovanjem v smeri odprave ovir v trgovini dosegli, da bodo pogoji za dostop na trg boljši in predvidljivejši, zlasti s pravočasno odpravo netarifnih ovir in trgovinskih omejitev ter s sprejetjem ukrepov za izboljšanje preglednosti, ob upoštevanju dela, ki ga na tem področju opravljajo mednarodne organizacije, katerih članici sta obe pogodbenici.

3. Ob zavedanju, da ima trgovina ključno vlogo pri razvoju ter da so se preferencialne trgovinske sheme, vključno s splošnim sistemom preferencialov, ter posebna in diferencirana obravnava, kakor jo opredeljuje STO, izkazale za koristne državam v razvoju, si pogodbenici prizadevata okrepiti posvetovanja glede njihovega učinkovitega izvajanja.

4. Pogodbenici pri izvajanju tega naslova upoštevata svojo stopnjo razvitosti.

5. Pogodbenici se medsebojno obveščata o razvoju trgovinskih in s trgovino povezanih politik, kot so kmetijska politika, politika o varnosti hrane, potrošniška ter okoljska politika.

6. Pogodbenici spodbujata dialog in sodelovanje, da bi razvili njune trgovinske in naložbene odnose, vključno z reševanjem trgovinskih težav, zagotavljanjem tehnične pomoči in programi gradnje zmogljivosti, da bi se reševala trgovinska vprašanja, med drugim na področjih, ki so navedena v okviru tega naslova.

7. Da bi razvili svoje potenciale in izkoristili svoje dopolnjevanje na gospodarskem področju, pogodbenici proučujeta in iščeta več priložnosti in rešitev, da bi okrepili svoje trgovinske in naložbene odnose, vključno po potrebi s pogajanjem o prostotrgovinskih in drugih sporazumih, pri katerih obstaja vzajemni interes.

ČLEN 13 Razvoj trgovine

1. Pogodbenici se zavezujeta, da bosta razvijali, razvejali in povečevali medsebojno trgovino ter izboljšali konkurenčnost svojih proizvodov na domačih, regionalnih in mednarodnih trgih. V ta namen si pogodbenici v medsebojnem sodelovanju zlasti prizadevata za krepitev gradnje zmogljivosti na področjih, kot so strategije razvoja trgovine, optimizacija potencialov za trgovino, vključno z ugodnostmi v okviru splošnega sistema preferencialov, konkurenčnost, spodbujanje prenosa tehnologij med podjetji, preglednost politik, zakoni in drugi predpisi, podatki o trgih, institucionalni razvoj ter regionalno povezovanje v mreže.

2. Pogodbenici v celoti izkoriščata pomoč trgovini in druge dodatne programe pomoči, da bi okrepili medsebojno trgovino in naložbe.

4. The Parties consider that the International Criminal Court is a progressive and independent institution operating for the purpose of international peace and justice. The Parties agree to cooperate with a view to strengthening the legal framework aimed at preventing and punishing the most serious crimes of concern to the international community and to consider the possibility of adherence to the Rome Statute. The Parties agree that dialogue and cooperation on this matter would be beneficial.

TITLE IV COOPERATION ON TRADE AND INVESTMENT ISSUES

ARTICLE 12 General Principles

1. The Parties shall engage in a dialogue on bilateral and multilateral trade and trade-related issues with a view to strengthening bilateral trade relations and advancing the multilateral trade system.

2. The Parties undertake to promote the development and diversification of their commercial exchanges to the highest possible level and to their mutual benefit. They undertake to achieve enhanced and predictable market access conditions by working towards the elimination of barriers to trade, in particular through the timely removal of non-tariff barriers and restrictions to trade, and by taking measures to improve transparency, having regard to the work carried out in this field by international organisations of which both Parties are members.

3. Recognising that trade plays an indispensable role in development, and that trade preferences schemes, including the Generalised System of Preferences (GSP), and the special and differential treatment as specified by WTO have proven beneficial to developing countries, the Parties shall endeavour to strengthen consultations on their effective implementation.

4. The Parties shall take into consideration their respective levels of development for the implementation of this Title.

5. The Parties shall keep each other informed concerning the development of trade and trade-related policies such as agricultural policy, food safety policy, consumer policy and environmental policy.

6. The Parties shall encourage dialogue and cooperation to develop their trade and investment relations, including the solution of commercial problems and the provision of technical assistance and capacity-building programmes to address trade issues in, *inter alia*, the areas referred to under this Title.

7. With a view to unleashing their potentials and utilising their economic complementarity, the Parties endeavour to explore and seek more opportunities and solutions to strengthen their trade and investment relations, including, where appropriate, negotiation of free trade and other agreements of mutual interest.

ARTICLE 13 Trade Development

1. The Parties undertake to develop, diversify and increase trade between them and to improve the competitiveness of their products on domestic, regional and international markets. Cooperation between the Parties towards this end shall aim at in particular strengthening capacity building in areas such as trade development strategies, optimisation of the potential for trade, including GSP preferences, competitiveness, promotion of technology transfer between enterprises, transparency of policies, laws and regulations, market information, institutional development as well as regional networking.

2. The Parties shall make full use of the Aid for Trade and other supplementary assistance programmes for the purposes of enhancement of trade and investment between them.

ČLEN 14

Sanitarna in fitosanitarna vprašanja
ter vprašanja dobrega počutja živali

1. Pogodbenici ponovno potrjujeta svoje obstoječe pravice in obveznosti v okviru Sporazuma STO o sanitarnih in fitosanitarnih ukrepih.

2. Pogodbenici krepiata sodelovanje in izmenjujeta informacije o zakonodaji in postopkih na področju izvajanja, certificiranja, inšpekcij in nadzora glede sanitarnih in fitosanitarnih zadev pri trgovini med njima v okviru Sporazuma STO o sanitarnih in fitosanitarnih ukrepih, Mednarodne konvencije o varstvu rastlin (IPPC), *Office International des Épizooties* (OIE) ter *Codex Alimentarius*.

3. Pogodbenici se nadalje strinjata, da bosta sodelovali v zadevah na področju sanitarnih in fitosanitarnih ukrepov in spodbujali medsebojno sodelovanje na tem področju, in sicer prek gradnje zmogljivosti in tehnične pomoči, ki je prilagojena potrebam posamezne pogodbenice in jima pomaga, da upoštevatva pravni okvir druga druge, vključno z varnostjo hrane, zdravja rastlin in živali ter uporabo mednarodnih standardov.

4. Pogodbenici se strinjata, da bosta po potrebi sodelovali glede vprašanj dobrega počutja živali, vključno s tehnično pomočjo in gradnjo zmogljivosti za razvoj standardov dobrega počutja živali.

5. Pogodbenici določita kontaktne točke za komunikacijo o vprašanjih iz tega člena.

ČLEN 15

Tehnične ovire v trgovini

1. Pogodbenici spodbujata uporabo mednarodnih standardov ter sodelujeta in si izmenjujeta informacije o standardih, tehničnih predpisih in postopkih ugotavljanja skladnosti, zlasti v okviru Sporazuma STO o tehničnih ovirah v trgovini.

2. Pogodbenici si prizadevata izmenjevati informacije že v zgodnjih fazah oblikovanja nove zakonodaje na področju tehničnih ovir v trgovini. V ta namen pogodbenici spodbujata vse ukrepe, katerih cilj je premoščanje vrzeli med njima pri ugotavljanju skladnosti in standardizaciji ter večje zблиževanje in združljivost med zadevnimi sistemi pogodbenic na tem področju. Pogodbenici se strinjata, da si bosta izmenjevali stališča o certificiranju tretjih strani in proučili možnost njegove uporabe, da bi se pospešili medsebojni trgovinski tokovi.

3. Sodelovanje v zvezi s tehničnimi ovirami v trgovini se med drugim izvaja z dialogom po ustreznih poteh, skupnimi projekti, tehnično pomočjo in programi gradnje zmogljivosti. Pogodbenici po potrebi določita kontaktne točke za komunikacijo o vprašanjih iz tega člena.

ČLEN 16

Sodelovanje v carinskih zadevah in olajševanje trgovine

1. Pogodbenici:

(a) si izmenjujeta izkušnje in najboljše prakse ter proučujeta možnosti za poenostavitev uvoznih, izvoznih in drugih carinskih postopkov;

(b) zagotavljata preglednost carinskih predpisov in predpisov za olajševanje trgovine;

(c) razvijata sodelovanje v carinskih zadevah in učinkovite vzajemne mehanizme upravne pomoči;

(d) si prizadevata za usklajevanje stališč in skupne dejavnosti v okviru ustreznih mednarodnih pobud, ki vključujejo olajševanje trgovine.

2. Pogodbenici bosta posebno pozornost med drugim namenjali:

(a) večji varnosti in zaščiti mednarodne trgovine;

(b) zagotavljanju učinkovitejšega in uspešnejšega uveljavljanja pravic intelektualne lastnine s strani carinskih organov;

ARTICLE 14

Sanitary and Phytosanitary
and Animal Welfare Issues

1. The Parties reaffirm their existing rights and obligations under the WTO Agreement on Sanitary and Phytosanitary measures (SPS).

2. The Parties shall strengthen cooperation and exchange information on legislation, implementation, certification, inspection and surveillance procedures on SPS in trade between the Parties within the framework of the WTO Agreement on Sanitary and Phytosanitary measures, the International Plant Protection Convention (IPPC), the Office International des Épizooties (OIE) and the CODEX Alimentarius.

3. The Parties further agree to cooperate on SPS matters and to promote cooperation in this field between the Parties, through capacity building and technical assistance, which shall be specific to the needs of each Party and aimed at assisting them to comply with each others' legal framework including food safety, plant and animal health and the use of international standards.

4. The Parties agree to cooperate on animal welfare as necessary, including technical assistance and capacity building for the development of animal welfare standards.

5. The Parties shall designate contact points for communication on issues under this Article.

ARTICLE 15

Technical Barriers to Trade

1. The Parties shall promote the use of international standards and cooperate and exchange information on standards, technical regulations, and conformity assessment procedures, especially within the framework of the WTO Agreement on Technical Barriers to Trade (TBT).

2. The Parties endeavour to exchange information from early stages of formulating new legislation in the TBT field. To this end, the Parties shall encourage any measures aiming at bridging the gaps between them in the area of conformity assessment and standardisation and improving the convergence and compatibility between the respective systems of the Parties in this area. The Parties agree to exchange views on, and to explore the possibility to apply, third party certification with a view to facilitate the flows of trade between them.

3. Cooperation in technical barriers to trade shall be undertaken, *inter alia*, through dialogue in appropriate channels, joint projects, technical assistance and capacity-building programmes. The Parties shall designate, when necessary, contact points for communication on issues under this Article.

ARTICLE 16

Cooperation on Customs Matters and Trade Facilitation

1. The Parties shall:

(a) share experience and best practices in and examine possibilities for simplifying import, export and other customs procedures;

(b) ensure the transparency of customs and trade facilitation regulations;

(c) develop cooperation on customs matters, and effective mutual administrative assistance mechanisms;

(d) seek convergence of views and joint action in the context of relevant international initiatives including trade facilitation.

2. The Parties will pay special attention to, *inter alia*:

(a) increasing the security and safety dimension of international trade;

(b) ensuring a more effective and efficient customs enforcement of intellectual property rights;

(c) zagotavljanju usklajenega pristopa med olajševanjem trgovine ter bojem proti goljufijam in nepravilnostim.

3. Brez poseganja v druge oblike sodelovanja iz tega sporazuma pogodbenici izražata svoj interes, da bosta v prihodnosti proučili možnost sklenitve protokolov o carinskem sodelovanju in vzajemni upravni pomoči v institucionalnem okviru iz tega sporazuma.

4. Pogodbenici si prizadevata uporabljati vire tehnične pomoči, da bi podprli izvajanje sodelovanja v carinskih zadevah in predpisov za olajševanje trgovine v skladu s tem sporazumom.

ČLEN 17

Naložbe

Pogodbenici z razvojem privlačnega in stabilnega okolja za naložbe spodbujata večje naložbene tokove prek stalnega dialoga, namenjenega spodbujanju razumevanja in sodelovanja pri investicijskih vprašanjih, raziskovanju upravnih mehanizmov za olajševanje investicijskih tokov ter spodbujanju stabilnih, preglednih in odprtih pravil ter zagotavljanja enakih pogojev za vlagatelje pogodbenic.

ČLEN 18

Politika konkurence

1. Pogodbenici ohranita zakone in druge predpise o konkurenci ter organe, pristojne za konkurenco. Te zakone uveljavljata na učinkovit, nediskriminatoren in pregleden način, da bi spodbujali pravno varnost na svojih ozemljih.

2. Pogodbenici bosta v ta namen lahko izvajali dejavnosti gradnje zmogljivosti in druge dejavnosti sodelovanja na področju razvoja in izvajanja zakonov in drugih predpisov o konkurenci, pri čemer bosta upoštevali razpoložljivost sredstev v okviru instrumentov in programov sodelovanja pogodbenic.

ČLEN 19

Storitve

Pogodbenici vzpostavita redni dialog, ki bo usmerjen zlasti v izmenjavo informacij o njihovih zakonodajnih okoljih, da bi se opredelile najboljše prakse ter da bi se spodbujali medsebojni dostop do trgov, vključno z e-trgovanjem, dostop do kapitalskih in tehnoloških virov ter trgovina in storitve med obema regijama ter na trgih tretjih držav.

ČLEN 20

Varstvo pravic intelektualne lastnine

1. Pogodbenici ponovno potrjujeta, da je varstvo pravic intelektualne lastnine in celovito izvajanje mednarodnih zavez glede varstva pravic intelektualne lastnine velikega pomena, da se zagotovi primerna in učinkovita zaščita teh pravic v skladu z ustreznimi mednarodnimi standardi/sporazumi, kot sta Sporazum o trgovinskih vidikih pravic intelektualne lastnine (TRIPS) in Mednarodna konvencija za varstvo novih rastijskih sort (UPOV), vključno z učinkovitim izvrševanjem.

2. Pogodbenici se strinjata, da bosta izboljšali sodelovanje glede varstva intelektualne lastnine in izvrševanja, vključno glede ustreznih načinov olajšanja zaščite in registracije geografskih označb druge pogodbenice na svojem ozemlju ob upoštevanju mednarodnih pravil, praks in razvoja na tem področju ter svoje zmogljivosti.

3. Sodelovanje se izvaja v oblikah, o katerih sta se dogovorili pogodbenici, vključno z izmenjavo informacij in izkušenj o zadevah, kot so izvajanje, spodbujanje, razširjanje, racionalizacija, upravljanje, usklajevanje, varstvo, izvrševanje in učinkovito uveljavljanje pravic intelektualne lastnine, preprečevanje zlorab teh pravic ter boj proti ponarejanju in piratstvu, vključno z ustanavljanjem in krepitevijo organizacij za nadzor in zaščito teh pravic.

(c) ensuring a balanced approach between trade facilitation and the fight against fraud and irregularities.

3. Without prejudice to other forms of cooperation, provided for under this Agreement, the Parties state their interest in considering, in the future, the conclusion of protocols on customs cooperation and mutual administrative assistance, within the institutional framework laid down in this Agreement.

4. The Parties shall endeavour to mobilise technical assistance resources to support the implementation of cooperation on customs matters and of trade facilitation regulations under this Agreement.

ARTICLE 17

Investment

The Parties shall encourage a greater flow of investment through the development of an attractive and stable environment for investment through a consistent dialogue aimed at enhancing understanding and cooperation on investment issues, exploring administrative mechanisms to facilitate investment flows, and promoting stable, transparent, open rules and a level playing field for the Parties' investors.

ARTICLE 18

Competition policy

1. The Parties shall maintain competition laws and regulations and authorities. They will apply these laws in an effective, non-discriminatory and transparent way in order to foster legal certainty in their respective territories.

2. To this end, the Parties may engage in capacity building and other cooperation activities in the development and implementation of competition laws and regulations, subject to the availability of funding under the Parties' cooperation instruments and programmes.

ARTICLE 19

Services

The Parties shall establish a regular dialogue notably aimed at exchanging information on their respective regulatory environments with a view to identify best practices, promoting access to each other's markets, including e-commerce, promoting access to sources of capital and technology, and promoting trade in services between both regions and in third countries' markets.

ARTICLE 20

Protection of Intellectual Property Rights

1. The Parties reaffirm the great importance they attach to the protection of intellectual property rights (IPR) and the full implementation of international commitments on protection of IPR, with a view to ensuring adequate and effective protection of such rights, in accordance with the relevant international standards/agreements, such as the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS) and the International Convention for the Protection of New Varieties of Plants (UPOV), including effective means of enforcement.

2. The Parties agree to enhance cooperation on intellectual property protection and enforcement, including on appropriate means to facilitate protection and registration of the other party's geographical indications in their respective territories, taking into account international rules, practices and developments in this area and their respective capacity.

3. The cooperation shall be implemented in the forms agreed by the Parties, including the exchange of information and experiences on issues such as the practice, promotion, dissemination, streamlining, management, harmonisation, protection, enforcement and effective application of intellectual property rights, the prevention of abuses of such rights, and the fight against counterfeiting and piracy, including the establishment and strengthening of organisations for the control and protection of such rights.

ČLEN 21

Krepitev sodelovanja gospodarskih akterjev

1. Pogodbenici spodbujata in lajšata delovanje gospodarskih in industrijskih zbornic ter sodelovanje med poklicnimi združenji pogodbenic, da bi spodbudili trgovino in naložbe na področjih, ki so v interesu obeh pogodbenic.

2. Pogodbenici spodbujata dialog med svojimi regulativnimi organi in akterji zasebnega sektorja, da bi razpravljali o nedavnem razvoju trgovinskega in naložbenega okolja, proučili razvojne potrebe zasebnega sektorja in si izmenjali stališča o okvirih politik za krepitev konkurenčnosti podjetij.

ČLEN 22

Posvetovanja

Da se zagotovi varen in predvidljiv dvostranski trgovinski odnos, se pogodbenici strinjata, da se bosta med sabo na zahtevo ene pogodbenice takoj, ko je to mogoče, posvetovali glede kakršnih koli različnih stališč, ki jih lahko zavzmeta v zvezi s trgovino ali trgovinskimi zadevami iz tega naslova.

NASLOV V
SODELOVANJE NA PODROČJU PRAVOSODJA

ČLEN 23

Boj proti organiziranemu kriminalu

Pogodbenici se strinjata, da bosta sodelovali pri boju proti organiziranemu, gospodarskemu in finančnemu kriminalu ter korupciji. Cilj takega sodelovanja je zlasti izvajanje in spodbujanje ustreznih mednarodnih standardov in instrumentov, kot so Konvencija ZN proti mednarodnemu organiziranemu kriminalu in njeni dopolnilni protokoli ter Konvencija ZN proti korupciji, če je primerno.

ČLEN 24

Sodelovanje na področju boja proti pranju denarja in financiranju terorizma

1. Pogodbenici se strinjata, da je treba sodelovati na področju preprečevanja tveganja, da bi bili njihovi finančni sistemi zlorabljeni za pranje prihodkov iz kakršnih koli hujših kriminalnih dejavnosti, kakor priporoča Projektna skupina za finančno ukrepanje (FATF).

2. Pogodbenici se strinjata, da bosta spodbujali usposabljanje in tehnično pomoč, ki sta namenjena razvoju in izvajanju predpisov ter učinkovitemu delovanju mehanizmov za boj proti pranju denarja in financiranju terorizma. Sodelovanje omogoča zlasti izmenjavo ustreznih informacij med pristojnimi organi pogodbenic v okviru njihovih zakonodaj na podlagi ustreznih standardov za boj proti pranju denarja in financiranju terorizma, enakovrednih standardom, ki so jih sprejeli pogodbenici in mednarodni organi, dejavni na tem področju, kot je Projektna skupina za finančno ukrepanje (FATF).

ČLEN 25

Sodelovanje v boju proti prepovedanim drogam

1. Pogodbenici sodelujeta, da zagotovita celosten in usklajen pristop z učinkovitim delovanjem in usklajevanjem pristojnih organov, vključno s področij pregona, carine, zdravstva, pravosodja in notranjih zadev ter drugih pomembnih področij, da bi zmanjšali dobavo (vključno s prepovedanim gojenjem maka ter proizvodnjo sintetičnih drog), trgovanje s prepovedanimi drogami in povpraševanje po njih, pa tudi njihov vpliv na uživalce drog in družbo kot celoto, ter da bi dosegli učinkovitejši nadzor nad predhodnimi sestavinami za prepovedane droge.

ARTICLE 21

Enhanced Participation of Economic Actors

1. The Parties shall encourage and facilitate the operation of Chambers of Commerce and Industry as well as cooperation among professional associations of the Parties with a view to promoting trade and investment in areas of interest to both Parties.

2. The Parties shall encourage a dialogue between their respective regulatory bodies and private sector actors with a view to discussing recent developments in the trade and investment environment, exploring development needs of the private sector and exchanging views on policy frameworks for strengthening corporate competitiveness.

ARTICLE 22

Consultations

With a view to ensuring security and predictability in their bilateral trade relationship, the Parties agree to consult each other expeditiously and as quickly as possible, upon request by a Party, concerning any matters of difference which may arise in connection with trade or trade related matters under this Title.

TITLE V
COOPERATION IN THE AREA OF JUSTICE

ARTICLE 23

Combating Organised Crime

The Parties agree to cooperate combating organised, economic and financial crime as well as corruption. Such cooperation aims in particular at implementing and promoting relevant international standards and instruments, such as the UN Convention against Transnational Organised Crime and its supplementing Protocols and the UN Convention against Corruption, where applicable.

ARTICLE 24

Cooperation in Combating Money Laundering and Terrorism Financing

1. The Parties agree on the need to work towards and to cooperate on preventing the risk that their financial systems are abused and that the proceeds of any serious criminal activities are laundered, as recommended by the Financial Action Task Force (FATF).

2. Both Parties agree to promote training and technical assistance aimed at the development and implementation of regulations and the efficient functioning of mechanisms to combat money laundering and terrorism financing. In particular, cooperation shall allow for the exchange of relevant information between the competent authorities of the Parties within the framework of their respective legislation on the basis of appropriate standards to combat money laundering and the financing of terrorism equivalent to those adopted by the Parties and the international bodies active in this area, such as the Financial Action Task Force (FATF).

ARTICLE 25

Cooperation against Illicit Drugs

1. The Parties shall cooperate to ensure a comprehensive and balanced approach, through effective action and coordination between the competent authorities, including from the law enforcement, customs, health, justice and interior sectors and other relevant sectors, with the aim of reducing the supply (including illicit cultivation of opium poppies and production of synthetic drugs) and trafficking of, and demand for, illicit drugs as well as their impact on drug users and society at large, and to achieve more effective precursors control.

2. Pogodbenici se dogovorita o načinih sodelovanja za dosego teh ciljev. Ukrepi temeljijo na skupno dogovorjenih načelih v skladu z ustreznimi mednarodnimi konvencijami, katerih pogodbenici sta, s politično deklaracijo in deklaracijo o vodilnih načelih zmanjšanja povpraševanja po drogah ter ukrepih za izboljšanje mednarodnega sodelovanja pri boju proti svetovnemu problemu drog, ki jih je junija 1998 na posebnem 20. zasedanju o drogah sprejela Generalna skupščina ZN, ter politično deklaracijo in akcijskim načrtom, sprejetim na 52. zasedanju Komisije ZN za droge marca 2009.

3. Sodelovanje med pogodbenicama vključuje tehnično in upravno pomoč, zlasti na naslednjih področjih: priprava nacionalne zakonodaje in politik; ustanovitev nacionalnih ustanov ter informacijskih središč in središč za spremljanje; usposabljanje osebja; raziskave v zvezi z drogami; prizadevanje za zmanjšanje povpraševanja po drogah ter škode, ki jo povzročajo; pravosodno in policijsko sodelovanje; ter učinkovit nadzor nad predhodnimi sestavinami za prepovedane droge, ki se uporabljajo za nezakonito proizvodnjo narkotičnih drog in psihotropnih snovi. Pogodbenici se lahko dogovorita o vključitvi drugih področij.

ČLEN 26

Varstvo osebnih podatkov

1. Pogodbenici se strinjata, da bosta ustrezno sodelovali z namenom izboljšanja ravni varstva osebnih podatkov v skladu z najvišjimi mednarodnimi standardi, kot so standardi, ki jih vsebujejo mednarodni instrumenti, če veljajo za pogodbenici.

2. Sodelovanje pri varstvu osebnih podatkov lahko med drugim vključuje tehnično pomoč v obliki izmenjave informacij ter strokovnega znanja in izkušenj.

NASLOV VI

SOCIALNOEKONOMSKI RAZVOJ IN DRUGA PODROČJA SODELOVANJA

ČLEN 27

Sodelovanje na področju migracij

1. Pogodbenici ponovno potrjujeta pomembno vlogo skupnih prizadevanj pri upravljanju migracijskih tokov med njunima ozemljema. Da bi okrepili sodelovanje, pogodbenici vzpostavita poglobljen dialog o vseh vprašanih v zvezi z migracijami. Skrbi v zvezi z migracijami se vključijo v nacionalne strategije za ekonomski in socialni razvoj držav izvora migrantov, tranzitnih držav in namembnih držav migrantov.

2. Sodelovanje med pogodbenicama temelji na posebnem ovrednotenju potreb, ki se izvede v vzajemnem posvetovanju med pogodbenicama in se izvaja v skladu z ustrezno veljavno zakonodajo Unije in nacionalno zakonodajo. Sodelovanje bo med drugim usmerjeno v:

- (a) obravnavo glavnih vzrokov migracij;
- (b) vzpostavitev celostnega dialoga o zakonitih migracijah, na podlagi katerega bi pogodbenici soglasno vzpostavili mehanizem za spodbujanje možnosti za zakonite migracije;
- (c) izmenjavo izkušenj in praks glede pristopa k in izvajanju določb Konvencije o statusu beguncev, podpisane 28. julija 1951, in njenega protokola, podpisanega 31. januarja 1967, zlasti načel »nevračanja« in »prostovoljne vrnitve«;

(d) pravila o sprejemu, pa tudi na pravice in status sprejetih oseb, pošteno obravnavo in vključevanje oseb, ki niso državljani države, v kateri zakonito prebivajo, izobraževanje in usposabljanje, ukrepe proti rasizmu in ksenofobiji;

(e) izvajanje učinkovite in preventivne politike proti nezakonitemu priseljivanju, tihotapljenju migrantov in trgovanju z ljudmi, vključno z načini boja proti tihotapskim in preprodajal-skim omrežjem ter zaščite žrtev takšnega trgovanja;

2. The Parties shall agree on means of cooperation to attain these objectives. Actions shall be based on commonly agreed principles along the lines of the relevant international conventions to which they are parties; the Political Declaration, the Declaration on the Guiding Principles of Drug Demand Reduction, and the Measures to Enhance International Cooperation to Counter the World Drug Problem, adopted by the 20th UN General Assembly Special Session on Drugs in June 1998; and the Political Declaration and the Plan of Action adopted at the 52nd session of the UN Commission on Narcotic Drugs in March 2009.

3. The cooperation between the Parties shall comprise technical and administrative assistance in particular in the following areas: drafting of national legislation and policies; establishment of national institutions and information and monitoring centres; training of personnel; drug related research; efforts to reduce the demand for, and the harm from, drugs; and judicial and police cooperation; and effective precursors control as it relates to the illicit manufacture of narcotic drugs and psychotropic substances. The Parties may agree to include other areas.

ARTICLE 26

Protection of Personal Data

1. The Parties agree to cooperate in order to improve the level of protection of personal data to the highest international standards, as appropriate, such as those contained in international instruments, in so far as they apply to the Parties.

2. Cooperation on protection of personal data may include, inter alia, technical assistance in the form of an exchange of information and expertise.

TITLE VI

SOCIO-ECONOMIC DEVELOPMENT AND OTHER AREAS OF COOPERATION

ARTICLE 27

Cooperation on Migration

1. The Parties reaffirm the importance of joint efforts to manage migratory flows between their territories. With a view to strengthening cooperation, the Parties shall establish a comprehensive dialogue on all migration-related issues. Migration concerns shall be included in the national strategies for economic and social development of countries of origin, transit and destination of migrants.

2. Cooperation between the Parties shall be based on a specific needs-assessment conducted in mutual consultation between the Parties and be implemented in accordance with the relevant Union and national legislation in force. Cooperation will focus, *inter alia*, on:

- (a) addressing the root causes of migration;
- (b) engaging in a comprehensive dialogue on legal migration, aiming at, as mutually agreed, the setting up of mechanisms for promoting legal migration opportunities;
- (c) exchanging experiences and practices regarding the adherence to and implementation of the provisions of the Convention relating to the Status of Refugees, signed on 28 July 1951, and the Protocol thereto, signed on 31 January 1967, especially the principles of "non refoulement" and "voluntary repatriation";

(d) admission rules, as well as the rights and status of persons admitted, fair treatment and integration of lawfully residing non-nationals, education and training, measures against racism and xenophobia;

(e) the establishment of an effective and preventive policy against illegal immigration, smuggling of migrants and trafficking in human beings, including ways to combat networks of smugglers and traffickers and protect the victims of such trafficking;

(f) vrnitve oseb v humanih in dostojanstvenih pogojih, ki prebivajo nezakonito, vključno s spodbujanjem njihove prostovoljne vrnitve, ter ponovni sprejem takih oseb v skladu z odstavkom 3;

(g) vprašanja vzajemnega interesa na področju vizumov in varnosti potnih listin;

(h) vprašanja vzajemnega interesa na področju mejnega nadzora;

(i) gradnjo tehničnih in človeških zmogljivosti.

3. V okviru sodelovanja za preprečevanje in nadzor nezakonitega priseljevanja in brez poseganja v potrebo po zaščiti žrtev trgovanja z ljudmi se pogodbenici nadalje strinjata o naslednjem:

(a) ko pristojni organi Vietnama v skladu z nacionalnimi zakonodajami ali ustreznimi veljavnimi sporazumi ugotovijo, da ima oseba, ki naj bi bila ponovno sprejeta, vietnamsko državljanstvo, Viet Nam ponovno sprejme vse svoje državljane, ki se nezakonito zadržujejo na ozemlju države članice, in sicer na podlagi zahteve pristojnega organa zadevne države članice in brez nepotrebnega odlašanja;

(b) ko pristojni organi zadevne države članice v skladu z nacionalnimi zakonodajami ali ustreznimi veljavnimi sporazumi ugotovijo, katero državljanstvo ima oseba, ki naj bi bila ponovno sprejeta, vsaka država članica ponovno sprejme vse svoje državljane, ki se nezakonito zadržujejo na ozemlju Vietnama, in sicer na podlagi zahteve pristojnega vietnamskega organa in brez nepotrebnega odlašanja.

Pogodbenici svojim državljanom v ta namen zagotovita ustrezne osebne dokumente. Če oseba, ki naj bi bila ponovno sprejeta, nima nobenih dokumentov ali drugih dokazil o državljanstvu, pristojni organi zadevne države članice ali Vietnama na zahtevo Vietnama ali zadevne države članice organizirajo razgovor z osebo, da bi ugotovili, katero državljanstvo ima.

4. Pogodbenici bosta ob upoštevanju svojih zakonov in postopkov okrepili sodelovanje na področju ponovnega sprejema, da se na zahtevo katere koli pogodbenice in v skladu z vzajemnim dogovorom organizirajo pogajanja o sporazumu med EU in Vietnatom o ponovnem sprejemu njunih državljanov.

ČLEN 28

Izobraževanje in usposabljanje

1. Pogodbenici se strinjata, da bosta spodbujali sodelovanje na področju izobraževanja in usposabljanja, ki spoštuje njuno raznovrstnost, da bi okrepili vzajemno razumevanje, ter da bosta spodbujali ozaveščenost o možnostih izobraževanja v EU in v Vietnamu.

2. Pogodbenici poleg tega pozornost namenita ukrepom v zvezi z ustvarjanjem vezi med njunimi visokošolskimi inštitucijami in strokovnimi agencijami in s spodbujanjem izmenjave informacij, strokovnega znanja in izkušenj, študentov, strokovnjakov in tehničnih virov, in sicer z izkoriščanjem infrastrukture, ki jo ponujajo programi Unije v jugovzhodni Aziji na področju izobraževanja in usposabljanja, ter izkušenj, ki sta jih pogodbenici pridobili na tem področju.

3. Obe strani se tudi strinjata, da bosta spodbujali izvajanje ustreznih programov za visokošolsko izobraževanje, kot so program Erasmus Mundus in programi usposabljanja za konferenčno tolmačenje, in podpirali sodelovanje izobraževalnih ustanov v EU in v Vietnamu na področju skupnih študijskih in raziskovalnih programov, da bi se spodbujala akademsko sodelovanje in mobilnost.

4. Pogodbenici se strinjata tudi, da bosta vzpostavili dialog o vprašanih vzajemnega interesa, ki se nanašajo na modernizacijo visokošolskega izobraževalnega sistema ter tehničnega in poklicnega sistema usposabljanja, v katerega bi lahko vključili zlasti ukrepe tehnične pomoči, s katerimi bi med drugim izboljšali ogrodje kvalifikacij in zagotavljanje kakovosti.

(f) the return, under humane and dignified conditions, of persons residing illegally including the promotion of their voluntary return, and the readmission of such persons in accordance with paragraph 3;

(g) issues identified as being of mutual interest in the field of visas and security of travel documents;

(h) issues identified as being of mutual interest in the field of border controls;

(i) technical and human capacity building.

3. Within the framework of the cooperation to prevent and control illegal immigration and without prejudice to the need for protection of victims of human trafficking, the Parties further agree that:

(a) once the Vietnamese nationality of a person to be readmitted has been established by the competent authorities of Viet Nam in accordance with national legislations or relevant existing agreements, Viet Nam shall readmit any of its nationals illegally present on the territory of a Member State, upon request by the competent authorities of the latter and without undue delay;

(b) once the nationality of a person to be readmitted has been established by the competent authorities of the Member State concerned in accordance with national legislations or relevant existing agreements, each Member State shall readmit any of its nationals illegally present on the territory of Viet Nam, upon request by the competent authorities of the latter and without undue delay.

The Parties will provide their nationals with appropriate identity documents for such purposes. When the person to be readmitted does not possess any documents or other proofs of nationality, the competent authorities of the Member State concerned or Viet Nam shall, upon request by Viet Nam or the Member State concerned, make arrangements to interview the person in order to establish nationality.

4. Subject to their respective laws and procedures, the Parties will enhance their cooperation on readmission issues, aiming, upon request by either Party, and as mutually agreed, at the negotiation of an agreement between the EU and Viet Nam on the readmission of their respective citizens.

ARTICLE 28

Education and Training

1. The Parties agree to promote cooperation in education and training that duly respects their diversity in order to strengthen mutual understanding and agree to raise awareness about education opportunities in the EU and in Viet Nam.

2. The Parties shall furthermore place emphasis on measures designed to create links between their respective higher education institutions and specialist agencies and to encourage the exchange of information, know-how, students, experts and technical resources, taking advantage of the facilities offered by Union programmes in Southeast Asia in the area of education and training as well as the experience that both Parties have acquired in this area.

3. Both sides also agree to promote the implementation of relevant programmes for higher education such as the Erasmus Mundus programme and conference interpreter training programmes and encourage educational institutions in the EU and in Viet Nam to cooperate in joint degree and research programmes with a view to encouraging academic cooperation and mobility.

4. The Parties further agree to start a dialogue on matters of mutual interest relating to the modernisation of higher education and technical and vocational training system, which could notably include measures for technical assistance, aimed at, *inter alia*, improving the qualification framework and quality assurance.

ČLEN 29

Zdravstvo

1. Pogodbenici se strinjata, da bosta sodelovali na zdravstvenem področju, da bi izboljšali zdravstvene razmere in socialno varnost, zlasti z okrepitevijo zdravstvenega sistema, vključno z zdravstvenim varstvom in zdravstvenim zavarovanjem.

2. Sodelovanje zajema predvsem:

(a) programe s ciljem okrepiti zdravstveni sektor, vključno z izboljšanjem zdravstvenih sistemov, storitev in razmer ter socialne varnosti;

(b) skupne dejavnosti v zvezi z epidemiologijo, vključno s sodelovanjem pri zgodnjem preprečevanju in nadzoru nad epidemijami, kot sta aviarna in pandemična influenza, ter drugimi glavnimi nalezljivimi boleznimi;

(c) mednarodne sporazume na zdravstvenem področju, zlasti Okvirno konvencijo za nadzor nad tobakom in Mednarodni zdravstveni pravilnik;

(d) standarde glede varnosti hrane, vključno z avtomatsko nadzorno mrežo za uvoz hrane, kakor je navedeno v členu 14;

(e) izmenjavo informacij, izkušenj o politikah in predpisih, ki se nanašajo na farmacevtsko in medicinsko opremo, v skladu z vzajemnim dogovorom;

(f) preprečevanje in nadzor nenalezljivih bolezni z izmenjavo informacij in dobrih praks, spodbujanjem zdravega življenjskega sloga, obravnavanjem glavnih dejavnikov zdravja ter nadzorom in upravljanjem teh bolezni.

3. Pogodbenici priznavata pomembnost nadaljnje posodobitve zdravstvenega sektorja in se strinjata, da bosta okrepili gradnjo kapacitet in tehnično pomoč v zdravstvenem sektorju.

ČLEN 30

Okolje in naravni viri

1. Pogodbenici se strinjata glede potrebe po trajnostni ohranitvi in upravljanju naravnih virov ter biotske raznolikosti kot osnovi za razvoj sedanjih in prihodnjih generacij.

2. Pogodbenici se strinjata, da mora sodelovanje na tem področju spodbujati ohranjanje in izboljšanje okolja, da se doseže trajnostni razvoj. Pri vseh dejavnostih, ki jih izvajata pogodbenici v skladu s tem sporazumom, se upoštevajo zaključki svetovnega vrha o trajnostnem razvoju.

3. Pogodbenici se strinjata, da bosta sodelovali z namenom povečanja medsebojne podpore pri okoljskih politikah ter vključevanja okoljskih vidikov v vsa področja sodelovanja.

4. Pogodbenici si prizadevata za nadaljevanje in okrepitev njunega sodelovanja zlasti v zvezi z naslednjim:

(a) spodbujanje dejavnega sodelovanja pogodbenic pri izvajanju večstranskih okoljskih sporazumov, h katerim sta pristopili, vključno z Baselsko, Stockholmsko in Rotterdamsko konvencijo;

(b) spodbujanje okoljske ozaveščenosti in krepitev lokalnega sodelovanja, vključno s sodelovanjem domorodnih in lokalnih skupnosti pri prizadevanjih za varstvo okolja in trajnostni razvoj;

(c) spodbujanje in uvajanje okoljskih tehnologij, proizvodov in storitev, vključno preko uporabe regulativnih in tržnih instrumentov;

(d) preprečevanje nezakonitega čezmejnega premeščanja odpadkov, vključno z nevarnimi odpadki in ozonu škodljivimi snovmi;

(e) izboljšanje kakovosti zunanega zraka, okolju neškodljivo ravnanje z odpadki, kemijska varnost, trajnostno integrirano gospodarjenje z vodnimi viri in spodbujanje trajnostne porabe in proizvodnje;

ARTICLE 29

Health

1. The Parties agree to cooperate in the health sector with a view to improving health conditions and social welfare, in particular strengthening the health system, including health care and health insurance.

2. Cooperation shall take place mainly on:

(a) programmes aiming at strengthening the health sector, including the improvement of health systems, health services and health conditions as well as social welfare;

(b) joint activities on epidemiology, including collaboration in the early prevention and control of epidemics such as avian and pandemic influenza and other major communicable diseases;

(c) international agreements in health, in particular the Framework Convention on Tobacco Control and the International Health Regulations;

(d) food safety standards, including automatic control network for food imports, as covered by Article 14;

(e) the exchange of information, experience on pharmaceutical and medical equipment policies and regulations, as mutually agreed;

(f) the prevention and control of non-communicable diseases through the exchange of information and good practices, promoting a healthy lifestyle, addressing major health determinants as well as surveillance and management of these diseases.

3. The Parties recognise the importance of further modernisation of the health sector and agree to strengthen capacity building and technical assistance in the health sector.

ARTICLE 30

Environment and natural resources

1. The Parties agree on the need to conserve and manage in a sustainable manner natural resources and biological diversity as a basis for the development of current and future generations.

2. The Parties agree that cooperation in this area shall promote the conservation and improvement of the environment in pursuit of sustainable development. The outcome of the World Summit on Sustainable Development shall be taken into account in all activities undertaken by the Parties under this Agreement.

3. The Parties agree to cooperate with a view to enhancing the mutual supportiveness of environmental policies and the integration of environmental considerations into all sectors of cooperation.

4. The Parties undertake to continue and strengthen their cooperation specifically as regards:

(a) promoting the active participation of the Parties in the implementation of multilateral environment agreements to which they are parties, including the Basel Convention, the Stockholm Convention and the Rotterdam Convention;

(b) promoting environmental awareness and enhancing local participation, including the participation of indigenous and local communities in environmental protection and sustainable development efforts;

(c) promoting and deploying environmental technologies, products and services, including through the use of regulatory and market-based instruments;

(d) preventing illegal transboundary movements of waste, including hazardous waste and ozone-depleting substances;

(e) improving ambient air quality, environmentally sound management of waste, chemicals safety, sustainable integrated water resource management and promoting sustainable consumption and production;

(f) trajnostni razvoj in zaščita gozdov, vključno s spodbujanjem trajnostnega upravljanja gozdov, certificiranja gozdov, ukrepov za boj proti nezakoniti sečnji in z njo povezani trgovini, ter vključevanja razvoja gozdarstva v razvoj lokalne skupnosti;

(g) učinkovito upravljanje nacionalnih parkov ter priznavanje in varstvo območij z biotsko raznovrstnostjo in občutljivih ekosistemov, pri čemer ustrezno upoštevata lokalne in domorodne skupnosti, ki živijo na teh območjih ali blizu njih;

(h) zaščita in ohranjanje obalnega in pomorskega okolja ter spodbujanje učinkovitega upravljanja morskih virov, da se doseže trajnostni pomorski razvoj;

(i) zaščita tal, ohranjanje funkcij tal ter trajnostno upravljanje zemljišč;

(j) krepitev zmogljivosti upravljanja zemljišč, pregledna ekonomika zemljišč in dobro delovanje nepremičninskega trga, ki temelji na načelu trajnostnega upravljanja zemljišč, ter ustrezne pravice za zainteresirane strani, da bi lahko pri uvajanju trajnostnega razvoja zagotovili učinkovito uporabo in okoljsko zaščito.

5. Pogodbenici si v ta namen prizadevata okrepite sodelovanje prek dvostranskih in večstranskih okvirov, vključno s programi tehnične pomoči, da bi spodbujale razvoj, prenos in uporabo okolju prijaznih tehnologij, ter prek pobud in partnerskih dogovorov, ki temeljijo na načelu vzajemne koristi za zgodnjo uresničitev razvojnih ciljev tisočletja.

ČLEN 31

Sodelovanje na področju podnebnih sprememb

1. Pogodbenici se strinjata, da bosta sodelovali za pospešitev boja proti podnebnim spremembam ter njihovem vplivu na poslabševanje okolja in revščino, spodbujali politike za ublažitev podnebnih sprememb in prilagajanje na njihove negativne učinke, zlasti na dvigovanje morske gladine, ter svoja gospodarstva vodili v smeri trajnostne nizkoogljične rasti.

2. Cilji sodelovanja so:

(a) boj proti podnebnim spremembam s splošnim ciljem prehoda na nizkoogljično gospodarstvo, ki je varno in trajnostno naravnano, in sicer prek konkretnih ukrepov ublažitve podnebnih sprememb v skladu z načeli Okvirne konvencije Združenih narodov o spremembi podnebja (UNFCCC);

(b) izboljšanje energetske izkoristka gospodarstev pogodbenic s spodbujanjem energetske učinkovitosti, ohranjanja energije in uporabe varne in trajnostne obnovljive energije ter prehod na okolju prijazno proizvodnjo energije, ki prispeva k ustvarjanju temeljev za zeleno energetske revolucije;

(c) spodbujanje vzorcev trajnostne porabe in proizvodnje v gospodarstvih pogodbenic, s čimer se prispeva k čim večjemu zmanjšanju pritiskov na ekosisteme, vključno s tlemi in podnebjem;

(d) prilagajanje na neizogibne in škodljive vplive podnebnih sprememb, vključno z vključitvijo ukrepov za prilagajanje v strategije rasti in razvoja pogodbenic ter v načrtovanje na vseh področjih in na vseh ravneh.

3. Da bi dosegli cilje iz odstavka 2, pogodbenici:

(a) okrepi dialog in sodelovanje v zvezi s politikami na tehnični ravni;

(b) spodbujata sodelovanje glede dejavnosti raziskav in razvoja (R&R) in tehnologij z nizkimi emisijami;

(c) okrepi sodelovanje glede ustreznih ukrepov ublažitve podnebnih sprememb na nacionalni ravni, načrtov za nizkoogljično rast, nacionalnih programov za prilagajanje na podnebne spremembe ter zmanjšanja tveganja naravnih nesreč;

(d) okrepi gradnjo zmogljivosti in ustanove, da bi se spopadli z izzivi, ki nastajajo zaradi podnebnih sprememb;

(f) sustainable development and protection of forests, including the promotion of sustainable forest management, forest certification, measures to combat illegal logging and its associated trade, and the integration of forestry development into local community development;

(g) effective management of national parks and recognition and conservation of biodiversity areas and vulnerable ecosystems, with due regards for local and indigenous communities living in or near these areas;

(h) protecting and preserving coastal and marine environment and promoting the efficient management of marine resources in order to achieve a sustainable marine development;

(i) protecting soil and preserving soil functions and sustainable land management;

(j) enhancing land management capacity, transparent land economics and sound operation of the real estate market, based on the principle of Sustainable Land Management and equitable rights for stakeholders, in order to ensure both effective use and environmental protection for sustainable development.

5. To these ends, the Parties shall aim at strengthening cooperation, through bilateral and multilateral frameworks, including technical assistance programmes with a view to promoting the development, transfer and utilisation of environment-friendly technologies, as well as initiatives and partnership arrangements based on the principle of mutual benefit for an early realisation of the Millennium Development Goals.

ARTICLE 31

Cooperation on Climate Change

1. The Parties agree to cooperate to accelerate the fight against climate change and its impact on environmental degradation and poverty, promote policies to help mitigate climate change and adapt to the negative effects of climate change, especially the rise of sea level, and to set their economies on sustainable low-carbon growth paths.

2. The objectives of the cooperation shall be to:

(a) combat climate change, with the overall goal of a transition to low-carbon economies that are safe and sustainable, through concrete mitigation actions in accordance with the principles of the United Nations Framework Convention on Climate Change (UNFCCC);

(b) improve the energy performances of their economies, by promoting energy efficiency, energy conservation, and the use of safe and sustainable renewable energy, and to move to climate-friendly generation that contributes to laying the foundation for a green energy revolution;

(c) promote Sustainable Consumption and Production (SCP) patterns in their economies, contributing to minimising pressures on the eco-systems, including soils and climate;

(d) adapt to the inevitable and adverse impact of climate change, including the integration of adaptation measures into the Parties' growth and development strategies and planning in all sectors and at all levels.

3. In order to achieve the objectives set out in paragraph 2, the Parties shall:

(a) intensify policy dialogue and cooperation at the technical level;

(b) promote cooperation on Research and Development (R&D) activities and low-emission technologies;

(c) strengthen cooperation on nationally appropriate mitigation actions, low carbon growth plans, national programmes for adaptation to climate change and on Disasters Risks Reduction;

(d) enhance capacity building and strengthen institutions to address climate change challenges;

(e) spodbujata ozaveščanje, zlasti najranjivejšega prebivalstva in tistih, ki živijo na občutljivih območjih, ter pospešujeta sodelovanje lokalnih skupnosti pri odzivanju na podnebne spremembe.

ČLEN 32

Kmetijstvo, gozdarstvo, reja živali, ribištvo
in razvoj podeželja

1. Pogodbenici se strinjata, da bosta okrepili sodelovanje, vključno preko okrepljenega dialoga in izmenjave izkušenj, na področju kmetijstva, gozdarstva, reje živali, ribištva in razvoja podeželja, še zlasti pa na naslednjih področjih:

(a) kmetijska politika in mednarodna kmetijska predvidevanja na splošno;

(b) pospeševanje trgovine z rastlinami in živalmi ter njihovimi proizvodi med pogodbenicama ter razvoj in spodbujanje trga;

(c) razvojna politika na podeželju;

(d) politika kakovosti rastlin, živali, proizvodov vodnih živali in rastlin ter zlasti zaščitene geografske označbe in ekološka pridelava; trženje kakovostnih proizvodov, zlasti ekoloških proizvodov in proizvodov z geografskimi označbami (označevanje, certificiranje in nadzor);

(e) dobro počutje živali;

(f) razvoj trajnostnega in okolju prijaznega kmetijstva ter prenos biotehnologij;

(g) podpora trajnostni in odgovorni dolgoročni pomorski in ribiški politiki, vključno z ohranjanjem in upravljanjem obalnih in morskih virov;

(h) spodbujanje prizadevanj za preprečevanje in boj proti nezakonitim, neprijavljenim in nereguliranim ribolovnim praksam ter nezakoniti sečnji in trgovini z gozdarskimi proizvodi z izvrševanjem zakonodaje, upravljanjem in trgovanjem na področju gozdov (FLEGT) ter sporazumom o prostovoljnem partnerstvu;

(i) raziskovanje dednosti, izbor živalskih pasem in rastlinskih sort, vključno z izboljšanjem kakovosti rejnih živali, ter raziskovanje krme in prehrane za kopenske in vodne živali;

(j) ublažitev negativnih učinkov podnebnih sprememb na kmetijsko proizvodnjo ter zmanjševanje revščine v oddaljenih območjih in na podeželju;

(k) podpiranje in spodbujanje trajnostnega upravljanja gozdov, vključno s prilagajanjem na podnebne razmere in ublažitvijo njihovih negativnih učinkov.

2. Pogodbenici se strinjata, da bosta proučili možnosti za tehnično pomoč v rastlinski pridelavi in živalski proizvodnji, vključno vendar ne le z izboljšanjem produktivnosti živali in rastlin ter kakovostjo proizvodov, ter se nadalje strinjata, da bosta proučili programe gradnje zmogljivosti, ki imajo cilj vzpostaviti zmogljivost upravljanja na tem področju.

ČLEN 33

Sodelovanje na področju enakosti spolov

1. Pogodbenici sodelujeta pri krepitevi politik in programov, povezanih z enakostjo spolov, ter institucionalne in upravne zmogljivosti ter pri podpiranju izvajanja nacionalnih strategij glede enakosti spolov, vključno s pravicami žensk in krepitevijo njihove vloge, da bi zagotovili pravično udeležbo moških in žensk na vseh področjih gospodarskega, kulturnega, političnega in družbenega življenja. Sodelovanje se zlasti osredotoča na izboljšanje dostopa žensk do potrebnih virov, da bi lahko v celoti uresničevale njihove temeljne pravice.

2. Pogodbenici spodbujata ustvarjanje ustreznega okvira za:

(a) zagotovitev, da se vprašanja, povezana z enakostjo spolov, ustrezno vključijo v vse razvojne strategije, politike in programe;

(b) izmenjavo izkušenj in modelov za spodbujanje enakosti spolov ter spodbujanje sprejetja pozitivnih ukrepov v korist žensk.

(e) promote awareness raising, especially for the most vulnerable populations and those living in vulnerable areas, and facilitate the participation of local communities in response to climate change.

ARTICLE 32

Agriculture, Forestry, Livestock, Fisheries
and Rural Development

1. The Parties agree to enhance cooperation, including through strengthened dialogue and the exchange of experience, in agriculture, forestry, livestock, fisheries and rural development, in particular in the following areas:

(a) agricultural policy and international agricultural outlook in general;

(b) facilitation of trade between the Parties in plants and animals and their products, and market development and promotion;

(c) development policy in rural areas;

(d) quality policy for plants, animals and aquatic products, and in particular Protected Geographical Indications and organic production; marketing of quality products, notably organic and geographical indication products (labelling, certification and control);

(e) animal welfare;

(f) development of sustainable and environmentally-friendly agriculture and on the transfer of bio-technologies;

(g) supporting sustainable and responsible long-term marine and fisheries policy including conservation and management of coastal and marine resources;

(h) promoting efforts to prevent and combat illegal, unreported and unregulated fishing practices and illegal logging and trade in forestry products through Forest Law Enforcement, Governance and Trade (FLEGT) and Volunteer Partnership Agreement (VPA);

(i) heredity research, variety selection of animals and plants, including high-quality livestock improvement, and research on feed and nutrition for terrestrial and aquatic animals;

(j) mitigation of negative effects of climate change on agricultural production and poverty reduction in remote and rural areas;

(k) supporting and promoting sustainable forest management, including climate change adaptation and mitigation of negative effects.

2. The Parties agree to examine possibilities for technical assistance in plant and animal productions, including but not limited to improvement of animal and plant productivity and product quality, and further agree to consider capacity-building programmes aimed at building managerial capability in this field.

ARTICLE 33

Cooperation Related to Gender Equality

1. The Parties shall cooperate in strengthening gender-related policies and programmes, as well as institutional and administrative capacity building and supporting the implementation of national strategies on gender equality, including women's rights and empowerment, in order to ensure the equitable participation of men and women in all sectors of economic, cultural, political and social life. In particular, the cooperation shall focus on improving women's access to necessary resources for the full exercise of their fundamental rights.

2. The Parties shall promote the creation of an adequate framework to:

(a) ensure that gender-related issues are duly incorporated into all development strategies, policies and programmes;

(b) exchange experiences and models in promoting gender equality, and promote the adoption of positive measures in favour of women.

ČLEN 34

Sodelovanje na področju odstranjevanja ostankov vojne

Pogodbenici priznavata pomembnost sodelovanja na področju čiščenja min, bomb in drugih neeksplozivnih sredstev ter spoštovanja mednarodnih pogodb, h katerim sta pristopili, ob upoštevanju drugih ustreznih mednarodnih instrumentov. Pogodbenici se zato strinjata, da bosta sodelovali:

(a) z izmenjavo izkušenj in dialogom, krepitvijo zmogljivosti upravljanja in usposabljanjem strokovnjakov, raziskovalcev in specializiranih strokovnjakov, vključno s pomočjo pri gradnji zmogljivosti, ob upoštevanju njihovih domačih postopkov za reševanje zgoraj navedenih vprašanj;

(b) z obveščanjem in izobraževanjem glede preprečevanja nesreč, ki jih povzročajo bombe in mine, rehabilitacijo in ponovnim vključevanjem žrtev bomb in min v skupnost.

ČLEN 35

Sodelovanje na področju človekovih pravic

1. Pogodbenici se strinjata, da bosta sodelovali pri spodbujanju in varstvu človekovih pravic, vključno z izvajanjem mednarodnih instrumentov o človekovih pravicah, h katerim sta pristopili.

V ta namen bo zagotovljena tehnična pomoč.

2. Tako sodelovanje lahko vključuje:

(a) spodbujanje človekovih pravic in izobraževanje o njih;

(b) krepitev institucij, povezanih s človekovimi pravicami;

(c) krepitev obstoječega dialoga o človekovih pravicah;

(d) krepitev sodelovanja v institucijah ZN, povezanih s človekovimi pravicami.

ČLEN 36

Reforma javne uprave

Pogodbenici se na podlagi posebne ocene potreb, izvedene z medsebojnim posvetovanjem, strinjata o sodelovanju, namenjenem preoblikovanju in izboljšanju učinkovitosti njihovih javnih uprav, med drugim:

(a) z izboljšanjem organizacijske učinkovitosti, vključno z decentralizacijo;

(b) s povečanjem uspešnosti institucij pri zagotavljanju storitev;

(c) z izboljšanjem upravljanja javnih financ in izpolnjevanja odgovornosti v skladu z zakoni in drugimi predpisi pogodbenic;

(d) z izboljšanjem pravnega in institucionalnega okvira;

(e) z gradnjo zmogljivosti na področju načrtovanja in izvajanja politik (zagotavljanje javnih storitev, sestava proračuna in njegovo izvrševanje, boj proti korupciji);

(f) z gradnjo zmogljivosti mehanizmov in agencij organov pregona;

(g) z reformo državne uprave, agencij in upravnih postopkov;

(h) z gradnjo zmogljivosti za posodobitev javne uprave.

ČLEN 37

Združenja in nevladne organizacije

1. Pogodbenici priznavata vlogo in možen prispevek združenj in NVO, vključno s socialnimi partnerji, v procesu sodelovanja v okviru tega sporazuma.

2. V skladu z demokratičnimi načeli ter pravnimi in upravnimi določbami vsake pogodbenice lahko organizirana združenja in NVO:

(a) sodelujejo pri odločanju;

(b) dobivajo informacije o in sodelujejo pri posvetovanjih o strategijah razvoja in sodelovanja ter sektorskih politikah, zlasti na področjih, ki jih zadevajo, vključno z vsemi stopnjami razvojnega procesa;

ARTICLE 34

Cooperation on Addressing Remnants of War

The Parties recognise the importance of cooperation in the clearance of mines, bombs and other unexploded ordnances and observing international treaties to which they are parties, taking into account other relevant international instruments. The Parties therefore agree to cooperate through:

(a) experience sharing and dialogue, management capacity enhancement, and training of experts, researchers, and specialised experts, including capacity-building assistance subject to their domestic procedures to address the issues noted above;

(b) communication and education on the prevention of accidents caused by bombs and mines, rehabilitation and community reintegration for the victims of bombs and mines.

ARTICLE 35

Cooperation on Human Rights

1. The Parties agree to cooperate in the promotion and protection of human rights, including with regard to the implementation of international human rights instruments to which they are parties.

Technical assistance will be provided to this end.

2. Such cooperation may include:

(a) human rights promotion and education;

(b) strengthening of human rights-related institutions;

(c) strengthening the existing human rights dialogue;

(d) strengthening of cooperation within the human rights-related institutions of the UN.

ARTICLE 36

Reform of Public Administration

The Parties, based upon specific needs-assessment conducted through mutual consultation, agree to cooperate with a view to restructuring and improving the effectiveness of their public administration, *inter alia* by:

(a) improving organisational efficiency, including decentralisation;

(b) increasing institutions' effectiveness in service delivery;

(c) improving the management of public finance and accountability in accordance with the Parties' respective laws and regulations;

(d) improving the legal and institutional framework;

(e) building capacities for policy design and implementation (public service delivery, budget composition and execution, anti-corruption);

(f) building capacity of law enforcement mechanisms and agencies;

(g) reforming the public service, agencies and administrative procedures;

(h) capacity building for modernisation of the public administration.

ARTICLE 37

Associations and Non-governmental Organisations

1. The Parties recognise the role and potential contribution of associations and NGOs, including the social partners, in the cooperation process under this Agreement.

2. In accordance with democratic principles and legal and administrative provisions of each Party, organised associations and NGOs may:

(a) participate in the policy-making process;

(b) be informed of and participate in consultations on development and cooperation strategies and sectoral policies, particularly in areas concerning them, including all stages of the development process;

(c) prejemajo finančna sredstva, če to dovoljujejo notranja pravila vsake pogodbenice, in podporo za gradnjo zmogljivosti na kritičnih področjih;

(d) sodelujejo pri izvajanju programov sodelovanja na področjih, ki jih zadevajo.

ČLEN 38

Kultura

1. Pogodbenici se strinjata, da bosta spodbujali večstransko sodelovanje na področju kulture, ki ustrezno spoštuje njuno raznovrstnost, da bi okrepili vzajemno razumevanje in poznavanje njunih kultur.

2. Pogodbenici si prizadevata sprejeti ustrezne ukrepe za spodbujanje kulturnih izmenjav in izvajanje skupnih pobud na različnih kulturnih področjih, vključno s sodelovanjem pri ohranjanju kulturne dediščine ob upoštevanju kulturne raznolikosti. Pogodbenici se zato strinjata, da bosta še naprej sodelovali v okviru azijsko-evropskega srečanja (ASEM) in podpirali dejavnosti Azijsko-evropske fundacije (ASEF). Pogodbenici v ta namen podpirata in spodbujata dejavnosti dolgoročnega partnerstva in sodelovanja med njunimi kulturnimi institucijami.

3. Pogodbenici se strinjata, da se bosta posvetovali in sodelovali v ustreznih mednarodnih forumih, kot je UNESCO, da bi uresničili skupne cilje ter spodbujali kulturno raznolikost in varstvo kulturne dediščine. V zvezi s tem se pogodbenici strinjata, da bosta spodbujali ratifikacijo in okrepili sodelovanje pri izvajanju Konvencije UNESCO o varovanju in spodbujanju raznolikosti kulturnih izrazov, ki je bila sprejeta 20. oktobra 2005, in posebno pozornost namenili političnemu dialogu, vključevanju kulture v trajnostni razvoj in zmanjšanju revščine, da se s podporo razvoja kulturne industrije spodbudi nastanek dinamičnega kulturnega sektorja. Pogodbenici si še naprej prizadevata spodbuditi še druge države, da bi ratificirale navedeno konvencijo.

ČLEN 39

Znanstveno in tehnološko sodelovanje

1. Pogodbenici se strinjata, da bosta okrepili znanstveno in tehnološko sodelovanje na področjih vzajemnega interesa, vključno s področji industrije, energetike, prometa, okolja, zlasti podnebnih sprememb in gospodarjenja z naravnimi viri (npr. ribištva, gozdarstva in razvoja podeželja), kmetijstva in varnosti preskrbe s hrano, biotehnologij ter človekovega zdravja in zdravja živali, ob upoštevanju svojih politik in programov sodelovanja.

2. Cilji takšnega sodelovanja so med drugim:

(a) spodbujanje izmenjave informacij in znanja ter izkušenj o znanosti in tehnologiji, vključno z izmenjavo o izvajanju politik in programov;

(b) spodbujanje trajnih odnosov in raziskovalnih partnerstev med znanstvenimi skupnostmi, raziskovalnimi centri, univerzami in industrijo;

(c) spodbujanje usposabljanja človeških virov na področju znanosti in tehnologije;

(d) okrepitev uporabe znanstvenih in tehnoloških raziskav za spodbujanje trajnostnega razvoja in izboljšanje kakovosti življenja.

3. Sodelovanje poteka v naslednjih oblikah:

(a) skupni projekti in programi R&R;

(b) izmenjava informacij, znanja in izkušenj s skupno organizacijo znanstvenih seminarjev in delavnic, srečanj, simpozijev in konferenc;

(c) usposabljanje in izmenjava znanstvenikov, nižjih raziskovalcev prek mednarodnih shem mobilnosti in programov izmenjav, s čimer se zagotavlja največje možno razširjanje rezultatov raziskav, učenja in najboljših praks;

(d) druge oblike, o katerih sta se skupno dogovorili pogodbenici.

(c) receive financial resources, insofar as the internal rules of each Party so allow, and capacity-building support in critical areas;

(d) participate in the implementation of cooperation programmes in the areas that concern them.

ARTICLE 38

Culture

1. The Parties agree to promote multi-faceted cultural cooperation that duly respects their diversity in order to increase mutual understanding and the knowledge of their respective cultures.

2. The Parties endeavour to take appropriate measures to promote cultural exchanges and carry out joint initiatives in various cultural spheres including cooperation in heritage conservation with respect to cultural diversity. In this regard, the Parties agree to continue cooperating within the framework of the Asia-Europe Meeting (ASEM) supporting the activities of the Asia-Europe Foundation (ASEF). To this end, the Parties shall support and promote long-term partnership and cooperation activities between their cultural institutions.

3. The Parties agree to consult and cooperate in relevant international *fora*, such as UNESCO, in order to pursue common objectives and promote cultural diversity as well as the protection of cultural heritage. In this regard, the Parties agree to promote the ratification and strengthen cooperation in the implementation of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which was adopted on 20 October 2005, placing emphasis on policy dialogue, integrating culture into sustainable development and poverty reduction, with a view to fostering the emergence of a dynamic cultural sector by facilitating the development of cultural industries. The Parties shall continue efforts to encourage other states to ratify that Convention.

ARTICLE 39

Scientific and Technological Cooperation

1. The Parties agree to strengthen scientific and technological cooperation in areas of mutual interest, including industry, energy, transport, environment, in particular climate change and natural resources management (e.g. fishery, forestry and rural development), agriculture and food security, biotechnologies, and human and animal health, taking account of their respective policies and cooperation programmes.

2. The aims of such cooperation shall be, *inter alia*, to:

(a) encourage the exchange of scientific and technological information and know-how, including on the implementation of policies and programmes;

(b) promote enduring relations and research partnerships between scientific communities, research centres, universities and industries;

(c) promote human resources training in science and technology;

(d) strengthen the application of scientific and technological research for promoting sustainable development and improving the quality of life.

3. Cooperation shall take the following forms:

(a) joint R&D projects and programmes;

(b) the exchange of information, knowledge and experience through joint organisation of scientific seminars and workshops, meetings, symposia and conferences;

(c) the training and exchange of scientists, junior researchers through international mobility schemes and exchange programmes, providing for the maximum dissemination of the results of research, learning and best practices;

(d) other forms as mutually agreed upon by the Parties.

4. Pri tem sodelovanju pogodbenici dajeta prednost udeležbi njunih visokošolskih ustanov, raziskovalnih centrov in proizvodnih sektorjev, zlasti malih in srednjih podjetij. Dejavnosti sodelovanja bi morale temeljiti na načelih vzajemnosti, pravične obravnave in vzajemnih koristi ter zagotoviti ustrezno varovanje intelektualne lastnine.

5. Med drugim imajo pri sodelovanju posebno prednost naslednja področja:

(a) spodbujanje in pospeševanje dostopa do določenih raziskovalnih ustanov za izmenjavo in usposabljanje raziskovalcev;

(b) spodbujanje vključevanja R&R v naložbene programe/projekte ter programe/projekte uradne razvojne pomoči.

6. Pogodbenici si prizadevata po svojih zmožnostih zagotoviti finančne vire za podporo izvajanja dejavnosti znanstvenega in tehnološkega sodelovanja v okviru tega sporazuma.

7. Pogodbenici se strinjata, da si bosta kar najbolj prizadevali povečati ozaveščenost javnosti glede možnosti, ki jih nudijo njuni programi za znanstveno in tehnološko sodelovanje.

4. In this cooperation, the Parties shall favour the participation of their respective higher education institutions, research centres and productive sectors, in particular small and medium-sized enterprises. The cooperation activities should be based on the principles of reciprocity, fair treatment and mutual benefits, and ensure an adequate protection of intellectual property.

5. Specific priorities of cooperation shall be accorded to *inter alia* the following areas:

(a) the promotion and facilitation of access to designated research facilities for the exchange and training of researchers;

(b) encourage the integration of R&D in investment and official development assistance programmes/projects.

6. The Parties shall endeavor to mobilise financial sources to support the implementation of scientific and technological cooperation activities under this Agreement within their capacities.

7. The Parties agree to make all efforts to increase public awareness about possibilities offered by their respective programmes for science and technology cooperation.

ČLEN 40

Sodelovanje na področju informacijskih in komunikacijskih tehnologij

1. Ob priznavanju, da so informacijske in komunikacijske tehnologije (IKT) ključni elementi sodobnega življenja ter bistvenega pomena za gospodarski in družbeni razvoj, se pogodbenici strinjata, da si bosta izmenjavali stališča o svojih politikah na tem področju, da bi spodbudili ekonomski in socialni razvoj.

2. Sodelovanje na tem področju je med drugim osredotočeno na:

(a) olajševanje dialoga o različnih vidikih razvoja IKT;

(b) gradnjo zmogljivosti na področju IKT, vključno z razvojem človeških virov;

(c) medsebojno povezanost in interoperabilnost omrežij in storitev pogodbenic ter jugovzhodne Azije;

(d) standardizacijo in širjenje novih IKT;

(e) spodbujanje sodelovanja R&R med pogodbenicama na področju IKT;

(f) varnostna vprašanja/vidike IKT ter boj proti kibernetiki kriminaliteti;

(g) ugotavljanje skladnosti telekomunikacij, vključno z radijsko opremo;

(h) sodelovanje ter izmenjavo izkušenj in najboljših praks na področju uvajanja informacijske tehnologije v celotni družbi in javni upravi;

(i) pospeševanje sodelovanja med ustreznimi institucijami in zastopniki pogodbenic na področjih avdiovizualnega in medijskega sektorja;

(j) spodbujanje nadaljnjega sodelovanja med podjetji IKT pogodbenic, vključno s prenosom tehnologije.

ČLEN 41

Promet

1. Pogodbenici se strinjata, da bosta nadalje okrepili njuno sodelovanje na ustreznih področjih prometne politike, da bi izboljšali in povečali priložnosti za naložbe, izboljšali pretok blaga in potnikov, spodbujali pomorsko in letalsko varnost in zaščito, še zlasti iskanje in reševanje, boj proti piratstvu in širše zblíževanje predpisov, zmanjšali okoljske vplive prometa ter povečali učinkovitost njunih prometnih sistemov.

2. Cilj sodelovanja pogodbenic na tem področju je spodbujanje:

(a) izmenjave informacij o njunih prometnih politikah in praksah, zlasti v zvezi z mestnim, podeželskim, morskim in letalskim prometom, načrtovanjem mestnega prometa, prometno logistiko, razvojem javnega prometa ter povezanostjo in interoperabilnostjo večmodalnih prometnih mrež;

ARTICLE 40

Cooperation on Information and Communication Technologies

1. Recognising that information and communication technologies (ICT) are key elements of modern life and of vital importance to economic and social development, the Parties agree to exchange views on the respective policies in this field with a view to promoting economic and social development.

2. Cooperation in this area shall, *inter alia*, focus on:

(a) facilitating dialogue on different aspects of ICT development;

(b) ICT capacity building including human resource development;

(c) interconnection and interoperability of the Parties' and Southeast Asian networks and services;

(d) standardisation and dissemination of new ICT;

(e) promotion of R&D cooperation between the Parties in the area of ICT;

(f) security issues/aspects of ICT as well as fighting cyber crime;

(g) conformity assessment of telecommunications, including radio equipment;

(h) cooperation and sharing experiences and best practices on introduction of information technology to the whole society and public administration;

(i) facilitating cooperation between their relevant institutions and agents in areas of audio-visual and media sectors;

(j) encouraging further cooperation between the Parties' ICT enterprises including technology transfer.

ARTICLE 41

Transport

1. The Parties agree to further reinforce their cooperation in relevant areas of transport policy with a view to enhancing and expanding investment opportunities, improving the movement of goods and passengers, promoting maritime and aviation safety and security, more particularly search and rescue, combating piracy, and broader regulatory convergence, reducing environmental impacts of transport, and increasing the efficiency of their transport systems.

2. Cooperation between the Parties in this area shall aim to promote:

(a) the exchange of information on their respective transport policies and practices, especially regarding urban, rural, maritime and air transport, urban transport planning, transport logistics, public transport development and the interconnection and interoperability of multimodal transport networks;

(b) izmenjave informacij o evropskem globalnem satelitskem navigacijskem sistemu (Galileo) z uporabo ustreznih dvostranskih instrumentov in s poudarkom na regulativnih, industrijskih in tržnih razvojnih vprašanih vzajemnega interesa;

(c) skupnih ukrepov na področju storitev letalskih prevozov, med drugim z izvajanjem obstoječih sporazumov, s proučitvijo možnosti nadaljnega razvoja odnosov ter tehničnega in regulativnega sodelovanja na področjih, kot so letalska varnost, letalska zaščita in upravljanje zračnega prometa, da se podpre regulativna konvergenca in odstranjevanje ovir za sklepanje poslov. Pogodbenici bosta na tej podlagi proučili možnosti za okrepljeno sodelovanje na področju civilnega letalstva;

(d) dialoga na področju storitev pomorskih prevozov, ki so usmerjeni v neomejen dostop do mednarodnih pomorskih trgov in trgovine na tržni osnovi, v zaveze za postopno ukinitve obstoječih shem za rezervacije tovora, v vzdržnost pri uvajanju klavzul o delitvi tovora, v vzpostavitev v okviru storitev pomorskih prevozov, vključno s pomožnimi storitvami, klavzule nacionalne obravnave in klavzulo o državah z največjimi ugodnostmi v zvezi z dostopom do pomožnih in pristaniških storitev za plovila, ki jih upravljajo državljani ali podjetja druge pogodbenice, ter vprašanja, povezana s prevoznimi storitvami od vrat do vrat;

(e) izvajanje zaščitnih in varnostnih standardov ter standardov za preprečevanje onesnaževanja, zlasti v zvezi s pomorskimi in z letalskim prevozom, skupaj z ustreznimi mednarodnimi konvencijami, vključno s sodelovanjem na ustreznih mednarodnih forumih, zato da bi zagotovili boljše izvajanje mednarodnih predpisov. Pogodbenici bosta v ta namen spodbujali tehnično sodelovanje in pomoč pri vprašanih, povezanih z varstvom pri prevozih, vključno z iskanjem in reševanjem, preiskavami žrtev in nesreč.

ČLEN 42 Energetika

1. Pogodbenici se strinjata, da bosta okreplili sodelovanje na energetskega področju, da bi:

(a) zagotovili razvejanost oskrbe z energijo, da bi povečali varnost preskrbe z energijo in razvili nove inovativne in obnovljive oblike energije, vključno s trajnostno energijo iz biogoriv in biomase v skladu s pogoji v posameznih državah, vetrno in sončno energijo, ter proizvodnjo energije v hidroelektrarnah, ter podprli razvoj ustreznih političnih okvirov za ustvarjanje ugodnih pogojev za naložbe in enakih konkurenčnih pogojev za obnovljivo energijo in njeno vključitev v ustrezna področja politik;

(b) dosegli racionalno rabo energije, k čemur se prispeva na straneh oskrbe in povpraševanja s spodbujanjem energetske učinkovitosti pri proizvodnji, prenosu, distribuciji in končni rabi energije;

(c) podprli prenos tehnologij, namenjenih trajnostni proizvodnji in rabi energije;

(d) okreplili gradnjo zmogljivosti in pospešili naložbe na tem področju na podlagi preglednih in nediskriminatornih trgovskih pravil;

(e) proučili povezave med cenovno ugodnim dostopom do energetskega storitev in trajnostnim razvojem.

2. Zato se pogodbenici strinjata, da bosta spodbujali stike in skupno raziskovanje ter okreplili projekte tehnične pomoči in gradnje zmogljivosti prek ustreznih regionalnih forumov o čisti proizvodnji in okoljski zaščiti v vzajemno korist pogodbenic. Obe strani bosta proučili nadaljnje možnosti za okrepljeno sodelovanje na področju jedrske varnosti in zaščite v okviru svojega obstoječega pravnega okvira in politik.

(b) the exchange of information on the European global satellite navigation system (Galileo) by using appropriate bilateral instruments, with a focus on regulatory, industrial and market development issues of mutual interest;

(c) joint actions in the field of air transport services through, *inter alia*, the implementation of existing agreements, the examination of possibilities for the further development of relations, as well as technical and regulatory cooperation in areas such as aviation safety, aviation security, and air traffic management with a view to supporting regulatory convergence and to the removal of obstacles to doing business. On this basis, the Parties will explore the possible scope for enhanced cooperation in the area of civil aviation;

(d) a dialogue in the field of maritime transport services aiming at unrestricted access to the international maritime markets and trades on a commercial basis, commitments for the phasing out of existing cargo reservation schemes, the abstention from introducing cargo sharing clauses, the establishment within maritime transport of services including auxiliary services, national treatment and MFN clauses regarding access for auxiliary services and port services for vessels operated by nationals or companies of the other Party, and issues related to door-to-door transport services;

(e) the implementation of security, safety and pollution prevention standards, notably as regards maritime and air transport, in line with the relevant international conventions, including cooperation in the appropriate international *fora* aiming to ensure better enforcement of international regulations. To this end, the Parties will promote technical cooperation and assistance on issues related to transport safety, including search and rescue, investigation into casualties and accidents.

ARTICLE 42 Energy

1. The Parties agree to enhance cooperation in the energy sector with a view to:

(a) diversifying energy supplies in order to improve energy security, and develop new innovative and renewable forms of energy, including sustainable biofuels and biomass in conformity with country-specific conditions, wind and solar energy, as well as hydro power generation, and supporting the development of appropriate policy frameworks to create favourable conditions for investment and a level playing field for renewable energy and the integration into relevant policy areas;

(b) achieving rational use of energy with contributions from both supply and demand sides by promoting energy efficiency in energy production, transportation, distribution and end-use;

(c) fostering the transfer of technology aimed at sustainable energy production and use;

(d) enhancing capacity-building and facilitation of investment in the field based on transparent and non-discriminatory commercial rules;

(e) addressing the links between affordable access to energy services and sustainable development.

2. To these ends, the Parties agree to promote contacts and joint research as well as enhance technical assistance and capacity-building projects through appropriate regional *fora* on clean production and environmental protection to the mutual benefit of the Parties. Both sides will explore further possibilities for enhanced cooperation in nuclear safety and security within their existing legal framework and policies.

ČLEN 43

Turizem

1. Ob upoštevanju globalnega etičnega kodeksa v turizmu Svetovne turistične organizacije in trajnostnih načel iz »procesa lokalne agende 21« je cilj pogodbenic izboljšati izmenjavo informacij in oblikovati najboljšo prakso, da bi zagotovili uravnotežen in trajnosten razvoj turizma.

2. Pogodbenici se strinjata, da bosta razvili sodelovanje med drugim glede:

(a) varovanja in največjega povečanja potenciala naravne in kulturne dediščine;

(b) zmanjševanja negativnih učinkov turizma;

(c) povečanja pozitivnega prispevka turistične dejavnosti k trajnostnemu razvoju lokalnih skupnosti, med drugim z razvojem ekološkega in kulturnega turizma, pri čemer bosta upoštevali celovitost in interese lokalnih in avtohtonih skupnosti;

(d) tehnične pomoči in gradnje zmogljivosti, vključno s programi usposabljanja za oblikovalce politik in vodilne delavce v turizmu;

(e) spodbujanja turistične industrije, vključno z organizatorji potovanj in turističnimi agencijami v obeh pogodbenicah, da bi nadalje razvila dvostransko sodelovanje, vključno z usposabljanjem.

ČLEN 44

Industrijska politika in sodelovanje malih in srednjih podjetij

Pogodbenici se ob upoštevanju njunih gospodarskih politik in ciljev strinjata, da bosta spodbujali sodelovanje na vseh področjih industrijske politike, ki jih štejeta za ustrezna, da bi izboljšali konkurenčnost malih in srednjih podjetij, med drugim:

(a) z izmenjavo informacij in izkušenj v zvezi z vzpostavitvijo pravnega okvira in drugih pogojev za mala in srednja podjetja za izboljšanje njihove konkurenčnosti;

(b) s pospeševanjem stikov in izmenjav med gospodarskimi subjekti, s spodbujanjem skupnih naložb in z ustanavljanjem skupnih vlaganj ter informacijskih mrež prek obstoječih horizontalnih programov Unije, zlasti s spodbujanjem prenosa strojne in programske tehnologije med partnerji, vključno z novimi in naprednimi tehnologijami;

(c) z zagotavljanjem informacij, spodbujanjem inovacij in izmenjavo dobrih praks o dostopu do financiranja in trgov, vključno z revizijskimi in računovodskimi storitvami zlasti za mikropodjetja in mala podjetja;

(d) z olajševanjem in podporo ustreznih dejavnosti, ki so jih začeli izvajati v zasebnem sektorju in poslovnih združenjih pogodbenic;

(e) s spodbujanjem socialne odgovornosti podjetij in odgovornih poslovnih praks, vključno s trajnostno porabo in proizvodnjo. To sodelovanje je dopolnjeno tudi z vidika potrošnika glede informacij o proizvodih in vloge potrošnika na trgu;

(f) z izvajanjem skupnih raziskovalnih projektov, tehnične pomoči in s sodelovanjem v zvezi s standardi, tehničnimi predpisi in postopki ugotavljanja skladnosti v izbranih industrijskih panogah v skladu z medsebojnim dogovorom.

ČLEN 45

Dialog o gospodarski politiki

Pogodbenici se strinjata, da bosta sodelovali pri spodbujanju izmenjave informacij o njunih gospodarskih gibanjih in politikah ter pri izmenjavi izkušenj pri usklajevanju gospodarskih politik v okviru regionalnega gospodarskega sodelovanja in povezovanja prek obstoječih dvostranskih in večstranskih mehanizmov na področjih vzajemnega interesa, vključno z izmenjavo informacij o postopkih reform in kapitalizacijah državnih podjetij v skladu z zakoni in drugimi predpisi pogodbenic.

ARTICLE 43

Tourism

1. Guided by the World Tourism Organization's Global Code of Ethics for Tourism and by the sustainability principles based on the "Local Agenda 21 process", the Parties shall aim to improve the exchange of information and establish best practice in order to ensure a balanced and sustainable development of tourism.

2. The Parties agree to develop cooperation on, *inter alia*:

(a) safeguarding and maximising the potential of natural and cultural heritage;

(b) mitigating the negative impacts of tourism;

(c) enhancing the positive contribution of the tourism business to the sustainable development of local communities, *inter alia*, by developing eco-tourism and cultural tourism, while respecting the integrity and interests of local and indigenous communities;

(d) technical assistance and capacity-building, including training programmes for policy makers and tourism managers;

(e) encouraging the tourism industry including tour operators and travel agents of both Parties to further develop bilateral cooperation including training.

ARTICLE 44

Industrial Policy and SME cooperation

The Parties, taking into account their respective economic policies and objectives, agree to promote industrial policy cooperation in all fields deemed suitable, with a view to improving the competitiveness of small and medium-sized enterprises, *inter alia* through:

(a) exchanging information and experiences on creating the legal framework and other conditions for small and medium-sized enterprises to improve their competitiveness;

(b) promoting contacts and exchanges between economic operators, encouraging joint investments and establishing joint ventures and information networks notably through existing Union horizontal programmes, stimulating in particular transfers of soft and hard technology between partners, including new and advanced technologies;

(c) providing information and stimulating innovation and exchanging good practices on access to finance and market, including auditing and accounting services particularly for micro- and small enterprises;

(d) facilitating and supporting the relevant activities established by the private sectors and business associations of the Parties;

(e) promoting corporate social responsibility and accountability and encouraging responsible business practices, including sustainable consumption and production. This cooperation shall be complemented by a consumer perspective such as on product information and the consumer's role in the market;

(f) conducting joint research projects, technical assistance and cooperation on standards, technical regulations and conformity assessment procedures in selected industrial areas, as mutually agreed.

ARTICLE 45

Economic Policy Dialogue

The Parties agree to cooperate on promoting the exchange of information on their respective economic trends and policies, and the sharing of experiences with the coordination of economic policies in the context of regional economic cooperation and integration through existing bilateral and multilateral mechanisms in areas of mutual interest, including the sharing of information on the process of reform and equitisation of state-owned enterprises in conformity with the Parties' laws and regulations.

ČLEN 46

Sodelovanje na področju obdavčenja

1. Pogodbenici sta zavezani dobremu upravljanju na davčnem področju ter bosta uveljavili načela preglednosti in izmenjave informacij v okviru dvostranskih davčnih sporazumov med državami članicami in Vietnamom, da bi okrepili in razvili gospodarske dejavnosti, pri čemer upoštevata potrebo po razvoju ustreznega regulativnega in upravnega okvira. Pogodbenici se nadalje strinjata, da bosta okrepili njuno izmenjavo izkušenj, dialog in sodelovanje pri boju proti davčnim utajam in drugim škodljivim davčnim praksam.

2. Pogodbenici se strinjata, da bosta okrepili sodelovanje na davčnem področju, da bi okrepili svojo regulativno in upravno zmogljivost, med drugim prek izmenjave izkušenj in tehnične pomoči.

3. Pogodbenici bosta spodbujali učinkovito izvajanje dvostranskih davčnih sporazumov med državami članicami in Vietnamom ter podpirali proučitev o možnostih sklenitve novih takih sporazumov v prihodnosti.

ČLEN 47

Sodelovanje na področju finančnih storitev

Pogodbenici se strinjata, da bosta vzpostavili dialog, namenjen zlasti izmenjavi informacij in izkušenj glede njihovih regulativnih okolij, in okrepili sodelovanje, da bi izboljšali računovodske, revizijske, nadzorniške in regulativne sisteme bančništva, zavarovalništva ter drugih področij finančnega sektorja, vključno s programi gradnje zmogljivosti na področjih vzajemnega interesa.

ČLEN 48

Sodelovanje na področju preprečevanja in ublažitve naravnih nesreč

1. Pogodbenici se strinjata, da bosta sodelovali pri preprečevanju naravnih nesreč in učinkovitem odzivanju nanje, da bi kar najbolj zmanjšali izgube življenj, lastnine, naravnih virov, okolja in kulture dediščine ter vključili zmanjšanje tveganja naravnih nesreč v splošne politike v vse sektorje in področja ukrepanja na nacionalni in lokalni ravni.

2. Pogodbenici se na tej podlagi strinjata, da:

(a) si bosta izmenjavali informacije o spremljanju, ocenjevanju, napovedih in zgodnjem obveščanju v zvezi z naravnimi nesrečami;

(b) bosta okrepili zmogljivost z izmenjavo izkušenj in najboljših praks pri preprečevanju naravnih nesreč in njihovi ublažitvi;

(c) se bosta medsebojno podpirali na področju tehnologije, specializirane opreme in materialov, potrebnih za obvladovanje naravnih nesreč in nujne ukrepe;

(d) bosta okrepili dialog med organi pogodbenic, pristojnimi za obvladovanje naravnih nesreč in nujne ukrepe, da bi spodbudili in okrepili sodelovanje na tem področju.

ČLEN 49

Urbanistično in regionalno načrtovanje in razvoj

1. Pogodbenici se strinjata, da bosta spodbujali sodelovanje in partnerstvo na tem področju, ob priznavanju pomembne vloge urbanističnega in regionalnega načrtovanja in razvoja pri spodbujanju gospodarske rasti, zmanjševanju revščine in trajnostnega razvoja.

2. Sodelovanje na področju urbanističnega in regionalnega načrtovanja in razvoja lahko poteka v naslednjih oblikah:

(a) z izmenjavo izkušenj pri reševanju vprašanj, ki se nanašajo na trajnostno urbanistično in regionalno načrtovanje in razvoj, vključno:

– s politikami, ki se ukvarjajo z urbanističnim načrtovanjem in povezano infrastrukturo, regionalnim načrtovanjem in širjenjem mestnih območij, ohranjanjem in razvojem zgodovinskih mest;

ARTICLE 46

Cooperation on Taxation

1. With a view to strengthening and developing economic activities while taking into account the need to develop appropriate regulatory and administrative frameworks, the Parties are committed to good governance in the tax area and will implement the principles of transparency and the exchange of information within the framework of bilateral tax agreements between Member States and Viet Nam. The Parties further agree to strengthen their exchange of experience, dialogue and cooperation to fight against tax evasion and other harmful tax practices.

2. The Parties agree to strengthen cooperation in the tax area with a view to enhancing their regulatory and administrative capacity through, *inter alia*, the exchange of experience and technical assistance.

3. The Parties will encourage the effective implementation of bilateral tax agreements between Member States and Viet Nam and support the consideration of new such agreements in the future.

ARTICLE 47

Cooperation on Financial Services

The Parties agree to hold a dialogue notably aimed at exchanging information and experiences on their respective regulatory environments, and strengthen cooperation with a view to improving accounting, auditing, supervisory and regulatory systems of banking, insurance and other parts of the financial sector including through capacity-building programmes in areas of mutual interest.

ARTICLE 48

Cooperation on Natural Disaster Prevention and Mitigation

1. The Parties agree to cooperate in preventing and responding effectively to natural disasters to minimise the losses of life, property, natural resources, environment and cultural heritage, and to mainstream disaster risk reduction in all sectors and areas of intervention at national and local levels.

2. On that basis, the Parties agree to:

(a) share information on monitoring, assessing, forecasting and providing early warning on natural disasters;

(b) enhance capacity through the sharing of experience, best practices in natural disaster prevention and mitigation;

(c) support each other in technology, specialised equipment and materials needed for disaster management and emergency response;

(d) enhance dialogue between the Parties' authorities in charge of natural disaster management and emergency response to support and strengthen cooperation in this area.

ARTICLE 49

Urban and Regional Planning and Development

1. The Parties agree to promote cooperation and partnership in this field, in recognition of the important role of urban and regional planning and development in the pursuit of economic growth, poverty reduction and sustainable development.

2. Cooperation in urban and regional planning and development may take the following forms:

(a) the exchange of experience in addressing issues related to sustainable urban and regional planning and development, including:

– policies dealing with urban planning and related infrastructure, regional planning and urban expansion, conservation and development of historic townships;

– z vzpostavitvijo mestnih mrež z udeležbo centralne in lokalne uprave, vključno z občinami, združenji in NVO, agencijami, pogodbenimi izvajalci in poklicnimi združenji;

– z upravljanjem arhitekturnih vidikov, načrtovanja in širjenja mestnega prostora z uporabo orodij geografskega informacijskega sistema;

– z načrtovanjem in razvojem obnove urbanih in mestnih središč ter ekološko urbanistično načrtovanje;

– z odnosi med mesti in podeželjem;

– z razvojem mestne tehnične infrastrukture, vključno z obnovo in izboljšanjem sistemov oskrbe z vodo v mestih, izgradnjo kanalizacijskih sistemov in sistemov za obdelavo trdnih odpadkov, varstvom okolja in mestne pokrajine;

(b) s podporo pri usposabljanju in gradnji zmogljivosti za vodilne delavce na centralni, regionalni in lokalni ravni na področju regionalnega in urbanističnega načrtovanja, upravljanja arhitekturnih vidikov in stavbne dediščine;

(c) s sodelovanjem v okviru ustreznih mednarodnih organizacij, kot sta HABITAT ZN in Svetovni mestni forum, prek skupnih raziskovalnih programov in organizacije delavnic in seminarjev za izmenjavo informacij in izkušenj v urbanističnem načrtovanju in razvoju, vključno s širjenjem mestnih območij, urbanističnim projektiranjem, prostorskim razvojem in razvojem tehnične infrastrukture.

3. Pogodbenici se strinjata, da bosta okrepili sodelovanje, si izmenjevali izkušnje in informacije na ravni njunih regionalnih organov in organov, pristojnih za urbanizem, da bi rešili zapletene urbanistične probleme s spodbujanjem trajnostnega razvoja.

ČLEN 50

Delo, zaposlovanje in socialne zadeve

1. Pogodbenici se strinjata, da bosta okrepili sodelovanje na področju dela, zaposlovanja in socialnih zadev, vključno s sodelovanjem v zvezi z delom, regionalno in socialno kohezijo, zdravstvom in varnostjo pri delu, enakostjo spolov, vseživljenjskim razvojem znanja in spretnosti, razvojem človeških virov, mednarodnimi migracijami in dostojnim delom ter socialno varnostjo, da bi okrepili socialno razsežnost globalizacije.

2. Pogodbenici ponovno potrjujeta potrebo po podpiranju procesa globalizacije, ki je koristen za vse, ter spodbujanju polne in produktivne zaposlenosti ter dostojnega dela kot ključnega elementa trajnostnega razvoja in zmanjšanja revščine, kot to potrjujeta Resolucija Generalne skupščine ZN 60/1 in ministrska deklaracija Ekonomsko-socialnega sveta ZN na visoki ravni iz julija 2006. Sodelovanje med pogodbenicama poteka skladno z ter upošteva značilnosti in raznolikost gospodarskih in socialnih razmer.

3. Pogodbenici ponovno potrjujeta, da sta zavezani k spoštovanju, spodbujanju in uresničevanju mednarodno priznanih standardov dela, kot so določeni v konvencijah Mednarodne organizacije dela (MOD), h katerima sta pristopili, in na katere se sklicuje deklaracija MOD o temeljnih načelih in pravicah pri delu. Pogodbenici se strinjata, da bosta sodelovali in zagotavljali tehnično pomoč, da bi ustrezno spodbujali ratifikacijo mednarodno priznanih standardov dela in učinkovito izvajali standarde dela, ki sta jih pogodbenici ratificirali.

4. Pogodbenici si v skladu z zakoni, pogoji in postopki, ki veljajo v državi gostiteljici in so navedeni v ustreznih mednarodnih pogodbah in konvencijah, h katerim sta pristopili, prizadevata zagotoviti, da državljani druge pogodbenice, zakonito zaposleni na ozemlju države gostiteljice, niso predmet kakršne koli diskriminacije na podlagi državljanstva, ki bi se med drugim nanašala na pogoje dela, prejemke ali odpuščenje, v primerjavi s pogoji, ki veljajo za druge državljane tretjih držav.

– establishment of urban networks with the participation of central and local management including municipalities, associations and NGOs, agencies, contractors and professional associations;

– management of architecture, planning and urban space expansion with the employment of Geographic Information System (GIS) tools;

– planning and development of urban centres and city centres renewal and urban environmental planning;

– urban-rural relations;

– development of urban technical infrastructure, including rehabilitation and improvement of urban water supply systems, construction of sewerage and solid waste treatment systems, protection of the environment and urban landscape;

(b) support in training and capacity building for central, regional and local level managers in regional and urban planning, architecture management and architectural heritage;

(c) cooperation in the framework of relevant international organisations such as the UN-HABITAT and the World Urban Forum through joint research programmes and organisation of workshops and seminars to exchange information and experience in urban planning and development, including urban expansion, urban design, land development and technical infrastructure development.

3. The Parties agree to enhance cooperation, share experience and information among their regional and urban authorities to solve complex urban problems by promoting sustainable development.

ARTICLE 50

Labour, Employment and Social Affairs

1. The Parties agree to enhance cooperation in the field of labour, employment and social affairs, including cooperation on labour, regional and social cohesion, health and safety in the workplace, gender equality, lifelong skills development, human resource development, international migration and decent work, social security with a view to strengthening the social dimension of globalisation.

2. The Parties reaffirm the need to support the process of globalisation which is beneficial to all and to promote full and productive employment and decent work as a key element of sustainable development and poverty reduction, as endorsed by UN General Assembly Resolution 60/1 and the Ministerial Declaration of the high level segment of the UN Economic and Social Council of July 2006. Cooperation between the two Parties shall be compatible with and take into account the respective characteristics and diverse nature of the economic and social situations.

3. The Parties reaffirm their commitments to respect, promote and realise internationally recognised labour standards, as laid down in International Labour Organisation (ILO) conventions to which they are parties referred to in the Declaration on Fundamental Rights and Principles at Work of the ILO. The Parties agree to cooperate and provide technical assistance with a view to promote the ratification of internationally recognised labour standards as appropriate and effectively implement labour standards ratified by the Parties.

4. Subject to laws, conditions and procedures applicable in the host country and relevant international treaties and conventions to which they are parties, the Parties shall aim to ensure that the treatment accorded to nationals of the other Party, legally employed in the territory of the host country, shall be free from any discrimination based on nationality, as regards, *inter alia*, working conditions, remuneration or dismissal as compared to the conditions applied to other third country nationals.

5. Oblike sodelovanja lahko vključujejo posebne programe in projekte na podlagi vzajemnega dogovora ter gradnjo zmogljivosti, izmenjavo mnenj glede politik in pobude o temah skupnega interesa na dvostranski in večstranski ravni, kot je raven ASEM, EU-ASEAN in MOD.

ČLEN 51

Statistika

1. Pogodbenici se strinjata, da bosta spodbujali sodelovanje pri usklajevanju in razvijanju statističnih metod, vključno z zbiranjem, obdelavo, analizo in razširjanjem statističnih podatkov.

2. Pogodbenici se v ta namen strinjata, da bosta okrepili sodelovanje, vključno prek regionalnih in mednarodnih forumov, z gradnjo zmogljivosti in drugimi projekti tehnične pomoči, vključno z zagotavljanjem sodobne statistične programske opreme, da bi okrepili kakovost statistike.

NASLOV VII
INSTITUCIONALNI OKVIR

ČLEN 52

Skupni odbor

1. Pogodbenici se strinjata, da se ustanovi Skupni odbor, ki ga sestavljajo predstavniki obeh strani na najvišji možni ravni in katerega naloge so:

(a) zagotavljati pravilno delovanje in izvajanje tega sporazuma;

(b) določati prednostne naloge glede na cilje tega sporazuma;

(c) spremljati razvoj obsežnega partnerstva med pogodbenicama in dajati priporočila o spodbujanju ciljev tega sporazuma;

(d) ustrezno zahtevati informacije od odborov in drugih organov, ustanovljenih v skladu z drugimi sporazumi, sklenjenimi med pogodbenicama, ter proučiti kakršna koli poročila, ki jih ti predložijo;

(e) izmenjevati mnenja in dajati predloge o kakršnem koli vprašanju v skupnega interesa, vključno s prihodnjimi ukrepi in viri, ki so na voljo za njihovo izvajanje;

(f) reševati razlike, ki bi izhajale iz uporabe ali razlage tega sporazuma;

(g) proučiti vse informacije, ki jih predloži ena od pogodbenic glede izpolnjevanja obveznosti, in se posvetovati z drugo pogodbenico z namenom najti rešitev, sprejemljivo za obe pogodbenici v skladu s členom 57.

2. Skupni odbor se praviloma sestaja letno, izmenično v Hanoju in Bruslju, na sporazumno določen datum. Po dogovoru med pogodbenicama se lahko skličejo tudi izredna zasedanja Skupnega odbora. Skupnemu odboru pogodbenici predsedujeta izmenično. Dnevni red zasedanj Skupnega odbora pogodbenici določita sporazumno.

3. Skupni odbor ustanovi pododbore in posebne delovne skupine, ki mu pomagajo pri izvajanju njegovih nalog. Ti podbori in delovne skupine o svojih dejavnostih podrobno poročajo Skupnemu odboru na vsakem njegovem zasedanju.

4. Pogodbenici se strinjata, da je naloga Skupnega odbora tudi zagotavljati pravilno delovanje vseh sektorskih sporazumov ali protokolov, ki so bili sklenjeni ali bodo sklenjeni med pogodbenicama.

5. Skupni odbor sprejme svoj poslovnik.

5. The forms of cooperation may include specific programmes and projects, as mutually agreed, as well as capacity building, policy exchange and initiatives on topics of common interest at bilateral or multilateral level, such as at ASEM, EU-ASEAN and ILO level.

ARTICLE 51

Statistics

1. The Parties agree to promote cooperation in harmonising and developing statistical methods including statistical collecting, processing, analysing, and disseminating.

2. To this end, the Parties agree to strengthen cooperation, including through regional and international *fora*, by capacity building and other technical assistance projects, including the provision of modern statistical software, with a view to enhancing the quality of statistics.

TITLE VII
INSTITUTIONAL FRAMEWORK

ARTICLE 52

Joint Committee

1. The Parties agree to establish a Joint Committee, composed of representatives of both sides at the highest possible level, whose tasks shall be to:

(a) ensure the proper functioning and implementation of this Agreement;

(b) set priorities in relation to the aims of this Agreement;

(c) monitor the development of the comprehensive relationship between the Parties and make recommendations for promoting the objectives of this Agreement;

(d) request, as appropriate, information from committees or other bodies established under other agreements between the Parties and consider any reports submitted by them;

(e) exchange opinions and make suggestions on any issue of common interest, including future actions and the resources available to carry them out;

(f) resolve differences arising from the application or interpretation of this Agreement;

(g) examine all the information presented by a Party regarding the fulfilment of obligations and hold consultations with the other Party to seek a solution acceptable to both Parties in accordance with Article 57.

2. The Joint Committee shall normally meet annually in Hanoi and Brussels alternately, on a date to be fixed by mutual agreement. Extraordinary meetings of the Joint Committee may also be convened by agreement between the Parties. The Joint Committee shall be chaired alternately by each of the Parties. The agenda for meetings of the Joint Committee shall be determined by agreement between the Parties.

3. The Joint Committee shall set up sub-committees and specialised working groups in order to assist it in the performance of its tasks. These sub-committees and working groups shall make detailed reports of their activities to the Joint Committee at each of its meetings.

4. The Parties agree that it shall also be the task of the Joint Committee to ensure the proper functioning of any sectoral agreement or protocol concluded or to be concluded between the Parties.

5. The Joint Committee shall adopt its own rules of procedure.

NASLOV VIII
KONČNE DOLOČBE

ČLEN 53

Sredstva za sodelovanje

1. Pogodbenici se strinjata, da bosta, v kolikor to omogočajo njuna sredstva in predpisi, zagotovili ustrezna sredstva, vključno s finančnimi sredstvi, da bi izpolnili cilje sodelovanja iz tega sporazuma.

2. Pogodbenici spodbujata Evropsko investicijsko banko, da v skladu s svojimi postopki in finančnimi merili nadaljuje svoje delovanje v Vietnamu.

ČLEN 54

Evolutivna klavzula

1. Pogodbenici lahko s skupnim dogovorom razširita področje uporabe tega sporazuma, da bi okrepili raven sodelovanja, vključno z njegovo dopolnitvijo s sporazumi ali protokoli glede določenih področij ali dejavnosti. Taki posebni sporazumi so sestavni del celotnih dvostranskih odnosov, kot jih ureja ta sporazum, in del skupnega institucionalnega okvira.

2. V okviru izvajanja tega sporazuma lahko vsaka pogodbenica oblikuje predloge za razširitev obsega sodelovanja, pri čemer upošteva izkušnje, pridobljene z izvajanjem tega sporazuma.

ČLEN 55

Drugi sporazumi

1. Brez poseganja v ustrezne določbe Pogodbe o Evropski uniji in Pogodbe o delovanju Evropske unije niti ta sporazum niti ukrepi, sprejeti v skladu z njim, ne vplivajo na pristojnosti držav članic, da izvajajo dvostranske dejavnosti sodelovanja z Vietnamom ali da sklepajo, kadar je to ustrezno, nove sporazume o partnerstvu in sodelovanju z Vietnamom.

2. Ta sporazum ne vpliva na uporabo ali izvajanje zavez, ki jih imata pogodbenici v zvezi s tretjimi stranmi.

3. Obstoječi sporazumi, ki se nanašajo na posebna področja sodelovanja, ki spadajo v področje uporabe tega sporazuma, veljajo za del celotnih dvostranskih odnosov, kot jih ureja ta sporazum, in so del skupnega institucionalnega okvira.

ČLEN 56

Uporaba in razlaga Sporazuma

1. Vsaka pogodbenica lahko na Skupni odbor naslovi kakršno koli razhajanje glede uporabe ali razlage tega sporazuma.

2. Skupni odbor lahko takšno razhajanje razreši s priporočilom.

ČLEN 57

Izpolnjevanje obveznosti

1. Pogodbenici sprejmeta vse splošne ali posebne ukrepe, ki so potrebni za izpolnjevanje njihovih obveznosti iz tega sporazuma, in zagotovita, da so ti ukrepi skladni s cilji in nameni iz tega sporazuma.

2. Če katera od pogodbenic meni, da druga pogodbenica ni izpolnila njenih obveznosti iz tega sporazuma, lahko sprejme ustrezne ukrepe.

3. Preden pogodbenica to stori, predloži Skupnemu odboru, razen v primerih bistvenih kršitev Sporazuma, vse ustrezne informacije, potrebne za temeljito proučitev primera, da bi naši rešitev, sprejemljivo za pogodbenici.

TITLE VIII
FINAL PROVISIONS

ARTICLE 53

Resources for Cooperation

1. The Parties agree to make available the appropriate resources, including financial means, insofar as their respective resources and regulations allow, in order to fulfil the cooperation objectives set out in this Agreement.

2. The Parties shall encourage the European Investment Bank to continue its operations in Viet Nam, in accordance with its procedures and financing criteria.

ARTICLE 54

Future Developments Clause

1. The Parties may by mutual consent expand the scope of this Agreement with a view to enhancing the level of cooperation, including by supplementing it by means of agreements or protocols on specific sectors or activities. Such specific agreements shall constitute an integral part of the overall bilateral relations as governed by this Agreement and shall form part of a common institutional framework.

2. With regard to the implementation of this Agreement, either of the Parties may put forward suggestions for widening the scope of cooperation, taking into account the experience gained in its application.

ARTICLE 55

Other Agreements

1. Without prejudice to the relevant provisions of the Treaty on European Union and the Treaty on the Functioning of the European Union, neither this Agreement nor action taken hereunder shall affect the powers of the Member States to undertake bilateral cooperation activities with Viet Nam or to conclude, where appropriate, new partnership and cooperation agreements with Viet Nam.

2. This Agreement shall not affect the application or implementation of commitments undertaken by the respective Parties in relations with third parties.

3. Existing agreements relating to specific areas of cooperation falling within the scope of this Agreement shall be considered part of the overall bilateral relations as governed by this Agreement and as forming part of a common institutional framework.

ARTICLE 56

Application and Interpretation of the Agreement

1. Each Party may refer to the Joint Committee any divergence in the application or interpretation of this Agreement.

2. The Joint Committee may settle the issue by means of a recommendation.

ARTICLE 57

Fulfilment of Obligations

1. The Parties shall take any general or specific measures required to fulfil their obligations under this Agreement and shall ensure that they comply with the objectives and purposes laid down in this Agreement.

2. If either Party considers that the other Party has failed to fulfil any of its obligations under this Agreement it may take appropriate measures.

3. Before doing so, except in cases of a material breach of the Agreement, it shall present to the Joint Committee all the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

4. Pogodbenici se strinjata, da za namene pravilne razlage in praktične uporabe tega sporazuma pojem »ustrezni ukrepi« iz člena 57(2) pomeni ukrepe, ki so sprejeti v skladu z mednarodnim pravom in so sorazmerni neizpolnitvi obveznosti iz tega sporazuma. Pri izbiri teh ukrepov morajo imeti prednost tisti, ki najmanj motijo delovanje tega sporazuma. O teh ukrepih se takoj uradno obvesti drugo pogodbenico, pri čemer se na zahtevo druge pogodbenice o njih posvetuje Skupni odbor.

ČLEN 58
Sredstva

Za lažje sodelovanje v okviru tega sporazuma se pogodbenici strinjata, da bosta uradnikom in strokovnjakom, vključenim v izvajanje sodelovanja, v skladu z notranjimi pravili in predpisi pogodbenic zagotovili sredstva, potrebna za izvajanje njihovih nalog.

ČLEN 59
Izjave

Izjave k temu sporazumu so sestavni del tega sporazuma.

ČLEN 60
Ozemeljska uporaba

Ta sporazum se po eni strani uporablja na ozemlju, na katerem se uporablja Pogodba o Evropski uniji pod pogoji iz navedene pogodbe, in po drugi strani na ozemlju Socialistične republike Vietnam.

ČLEN 61
Opredelitev pogodbenic

Za namene tega sporazuma »pogodbenici« po eni strani pomeni Unijo ali njene države članice ali Unijo in njene države članice v skladu z njihovimi pooblastili ter po drugi strani Socialistično republiko Vietnam.

ČLEN 62
Nacionalna varnost in razkritje informacij

Nič v tem sporazumu se ne razlaga v smislu, da bi morala katera od pogodbenic predložiti kakršne koli informacije, za razkritje katerih meni, da so v nasprotju z njenimi bistvenimi varnostnimi interesi.

ČLEN 63
Začetek veljavnosti in trajanje

1. Ta sporazum začne veljati prvi dan v mesecu po dnevu, ko zadnja pogodbenica uradno obvesti drugo pogodbenico, da so končani pravni postopki, potrebni v ta namen.

2. Ta sporazum velja za obdobje petih let. Njegova veljavnost se samodejno podaljšuje za nadaljnja obdobja enega leta, razen če ena od pogodbenic drugo pogodbenico šest mesecev pred iztekom katerega koli nadaljnjega obdobja enega leta pisno uradno obvesti o svoji nameri, da tega sporazuma ne podaljša.

3. Kakršne koli spremembe tega sporazuma se opravijo z dogovorom med pogodbenicama. Kakršne koli spremembe začnejo veljati šele potem, ko druga pogodbenica uradno obvesti prvo pogodbenico, da so končani vsi potrebni uradni postopki.

4. Ta sporazum lahko odpove katera koli pogodbenica s pisnim obvestilom o odpovedi, ki ga pošlje drugi pogodbenici. Odpoved začne veljati šest mesecev po tem, ko druga pogodbenica uradno obvestilo prejme.

4. The Parties agree that for the purpose of the correct interpretation and practical application of this Agreement, the term "appropriate measures" as referred to in Article 57(2) means measures taken in accordance with international law which are proportionate to the failure to implement obligations under this Agreement. In the selection of these measures, priority must be given to those which least disturb the functioning of this Agreement. These measures shall be notified immediately to the other Party and shall be the subject of consultations within the Joint Committee if the other Party so requests.

ARTICLE 58
Facilities

To facilitate cooperation in the framework of this Agreement, both Parties agree to grant necessary facilities to officials and experts involved in implementing cooperation for the performance of their functions, in accordance with internal rules and regulations of both Parties.

ARTICLE 59
Declarations

The Declarations to this Agreement shall form an integral part of this Agreement.

ARTICLE 60
Territorial Application

This Agreement shall apply to the territory in which the Treaty on European Union is applied under the conditions laid down in that Treaty, on the one hand, and to the territory of the Socialist Republic of Viet Nam, on the other.

ARTICLE 61
Definition of the Parties

For the purposes of this Agreement, "the Parties" shall mean the Union or its Member States, or the Union and its Member States, in accordance with their respective powers, on the one hand, and the Socialist Republic of Viet Nam, on the other.

ARTICLE 62
National Security and Disclosure of Information

Nothing in this Agreement shall be construed to require any Party to provide any information, the disclosure of which it considers contrary to its essential security interests.

ARTICLE 63
Entry into Force and Duration

1. This Agreement shall enter into force on the first day of the month following the date on which the last Party has notified the other of the completion of the legal procedures necessary for this purpose.

2. This Agreement is valid for a period of five years. It shall be automatically extended for further successive periods of one year, unless either Party notifies the other Party in writing of its intention not to extend this Agreement six months prior to the end of any subsequent one-year period.

3. Any amendments to this Agreement shall be made by agreement between the Parties. Any amendments shall become effective only after the latter Party has notified the other that all necessary formalities have been completed.

4. This Agreement may be terminated by either Party by written notice of denunciation given to the other Party. The termination shall take effect six months after receipt of notification by the other Party.

ČLEN 64

Uradna obvestila

Uradna obvestila v skladu s členom 63 se predložijo generalnemu sekretariatu Sveta Evropske unije oziroma ministrstvu za zunanje zadeve Vietnama.

ČLEN 65

Verodostojna besedila

Ta sporazum je sestavljen v angleškem, bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, irskem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, slovenskem, španskem, švedskem in vietnamskem jeziku, pri čemer so besedila v vseh teh jezikih enako verodostojna.

ARTICLE 64

Notifications

Notifications made in accordance with Article 63 shall be made to the General Secretariat of the Council of the European Union and the Ministry of Foreign Affairs of Viet Nam, respectively.

ARTICLE 65

Authentic Text

This Agreement shall be drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Vietnamese languages, each of these texts being equally authentic.

PRILOGA

ANNEX

SKUPNA IZJAVA
O STATUSU TRŽNEGA GOSPODARSTVA

Pogodbenici okrepiata sodelovanje z namenom, da bi v skladu z ustreznimi postopki čim prej dosegli zgodnje priznanje statusa tržnega gospodarstva Vietnama.

ENOSTRANSKA IZJAVA EVROPSKE UNIJE
O SPLOŠNEM SISTEMU PREFERENCIALOV

Evropska unija priznava velik pomen splošnega sistema preferencialov za razvoj trgovine in bo nadaljevala sodelovanje, med drugim na podlagi dialoga, izmenjav in dejavnosti gradnje zmogljivosti, da bi zagotovila optimalno uporabo sistema s strani Vietnama v skladu z ustreznimi postopki pogodbenic in razvijajočo se trgovinsko politiko EU.

SKUPNA IZJAVA GLEDE ČLENA 24
(SODELOVANJE NA PODROČJU BOJA PROTI PRANJU
DENARJA IN FINANCIRANJU TERORIZMA)

Pogodbenici se strinjata, da bo Skupni odbor pripravil seznam pristojnih organov za izmenjavo ustreznih informacij iz tega člena.

SKUPNA IZJAVA GLEDE ČLENA 57
(IZPOLNITEV OBVEZNOSTI)

Pogodbenici se strinjata, da za namene pravilne razlage in praktične uporabe tega sporazuma pojem »bistvenih kršitev Sporazuma« iz člena 57(3) v skladu s členom 60(3) Dunajske konvencije o pogodbenem pravu iz leta 1969 (v nadaljnjem besedilu: Dunajska konvencija) pomeni:

(a) zavrnitev sporazuma, ki je Dunajska konvencija ne dovoljuje, ali

(b) kršenje bistvenega elementa Sporazuma, kot je opisano v členu 1(1) in (2) in členu 8.

V primerih bistvenih kršitev Sporazuma se o ukrepu nemudoma uradno obvesti drugo pogodbenico. Skupni odbor na zahtevo druge pogodbenice opravi nujna posvetovanja v obdobju do 30 dni, s katerimi temeljito prouči vse vidike ali podlago za ukrep, da bi se našla rešitev, sprejemljiva za pogodbenici.

JOINT DECLARATION
ON MARKET ECONOMY STATUS

The Parties shall enhance cooperation on moving towards the early recognition of Viet Nam's market economy status as soon as possible, subject to the relevant procedures.

UNILATERAL DECLARATION BY THE EUROPEAN UNION
ON THE GENERALISED SYSTEM
OF PREFERENCES (GSP)

The European Union recognises the significant importance of the GSP to trade development and shall further cooperate through, *inter alia*, dialogue, exchanges and capacity-building activities, with a view to ensuring optimal use of the scheme by Viet Nam in accordance with the relevant procedures of the Parties and evolving EU trade policy.

JOINT DECLARATION ON ARTICLE 24
(COOPERATION IN COMBATING MONEY LAUNDERING
AND TERRORISM FINANCING)

The Parties agree that the Joint Committee will establish a list of the competent authorities responsible for the exchange of relevant information under this Article.

JOINT DECLARATION ON ARTICLE 57
(FULFILMENT OF OBLIGATIONS)

The Parties agree that, for the purposes of the correct interpretation and practical application of this Agreement, the term "material breach of the Agreement" in Article 57(3), in line with Article 60 (3) of the Vienna Convention on the Law of Treaties of 1969 ("Vienna Convention"), consists of:

(a) repudiation of the agreement not sanctioned by the Vienna Convention; or

(b) violation of an essential element of the Agreement, as described in Article 1(1) and (2) and Article 8.

In cases of a material breach of the Agreement, the measure shall be notified immediately to the other Party. At the request of the other Party, the Joint Committee shall hold urgent consultations within a period of up to 30 days for a thorough examination of any aspect of, or the basis for, the measure with a view to seeking a solution acceptable to the Parties.

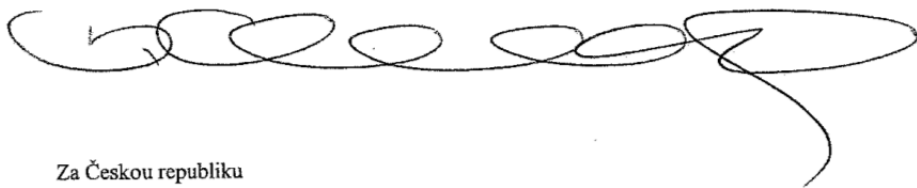
Съставено в Брюксел на двадесет и седми юни две хиляди и дванадесета година.
Hecho en Bruselas, el veintisiete de junio de dos mil doce.
V Bruselu dne dvacátého sedmého června dva tisíce dvanáct.
Udfærdiget i Bruxelles den syvogtyvende juni to tusind og tolv.
Geschehen zu Brüssel am siebenundzwanzigsten Juni zweitausendzwoölf.
Kahe tuhande kaheteistkümnenda aasta juunikuu kahekümne seitsmendal päeval Brüsselis.
Έγινε στις Βρυξέλλες, στις είκοσι επτά Ιουνίου δύο χιλιάδες δώδεκα.
Done at Brussels on the twenty-seventh day of June in the year two thousand and twelve.
Fait à Bruxelles, le vingt-sept juin deux mille douze.
Fatto a Bruxelles, addì ventisette giugno duemiladodici.
Briselē, divi tūkstoši divpadsmitā gada divdesmit septītajā jūnijā.
Priimta du tūkstančiai dvyliktų metų birželio dvidešimt septintą dieną Briuselyje.
Kelt Brüsszelben, a kétézer-tizenkettedik év június havának huszonhetedik napján.
Magħmul fi Brussell, fis-sebġha u għoxrin jum ta' Ġunju tas-sena elfejn u tnax.
Gedaan te Brussel, de zevenentwintigste juni tweeduizend twaalf.
Sporządzono w Brukseli dnia dwudziestego siódmego czerwca roku dwa tysiące dwunastego.
Feito em Bruxelas, em vinte e sete de junho de dois mil e doze.
Întocmit la Bruxelles la douăzeci și șapte iunie două mii doisprezece.
V Bruseli dňa dvadsiateho siedmeho júna dvetisícdvanásť.
V Bruslju, dne sedemindvajsetega junija leta dva tisoč dvanajst.
Tehty Brysselissä kahdentenkymmenentenäseitsemäntenä päivänä kesäkuuta vuonna kaksituhattakaksitoista.
Som skedde i Bryssel den tjugosjunde juni tjugohundratolv.
Làm tại B^rúc-xen, ngày hai mươi bảy tháng Sáu năm hai nghìn mười hai.

Voor het Koninkrijk België
Pour le Royaume de Belgique
Für das Königreich Belgien

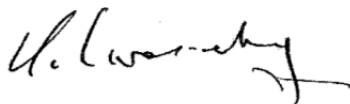


Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.
Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.
Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

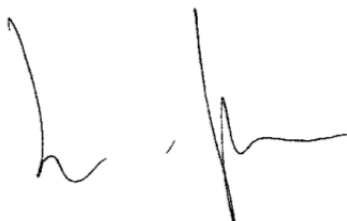
За Република България



Za Českou republiku



For Kongeriget Danmark



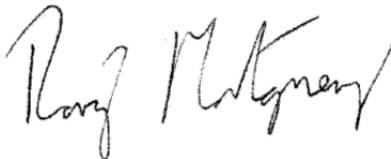
Für die Bundesrepublik Deutschland



Eesti Vabariigi nimel



Thar cheann Na hÉireann
For Ireland



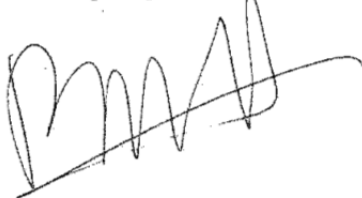
Για την Ελληνική Δημοκρατία



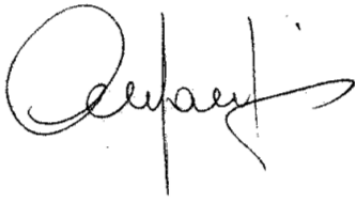
Por el Reino de España

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Pour la République française

A handwritten signature in black ink, featuring a series of connected, rounded loops and a long, horizontal tail stroke.

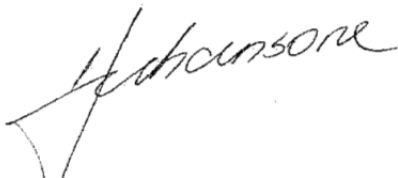
Per la Repubblica italiana

A handwritten signature in black ink, starting with a large, circular loop followed by several vertical and diagonal strokes.

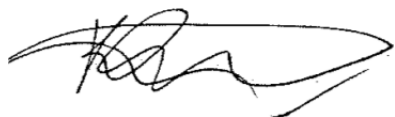
Για την Κυπριακή Δημοκρατία

A handwritten signature in black ink, characterized by a large, sweeping initial stroke that curves under the rest of the signature.

Latvijas Republikas vārdā –

A handwritten signature in black ink, written in a cursive style with a prominent, sweeping initial stroke.

Lietuvos Respublikos vardu



Pour le Grand-Duché de Luxembourg



A Magyar Köztársaság részéről



Għal Malta



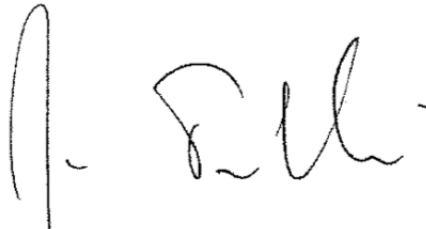
Voor het Koninkrijk der Nederlanden



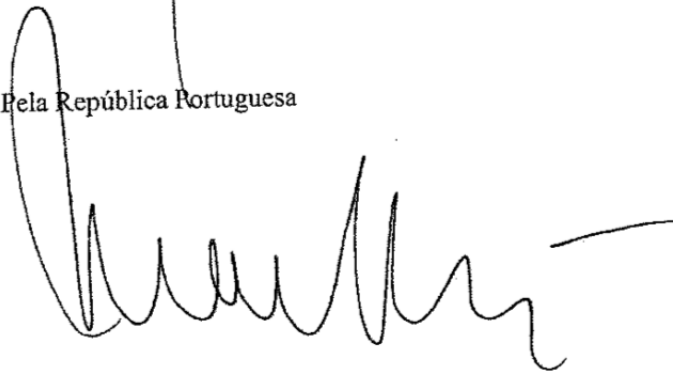
Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



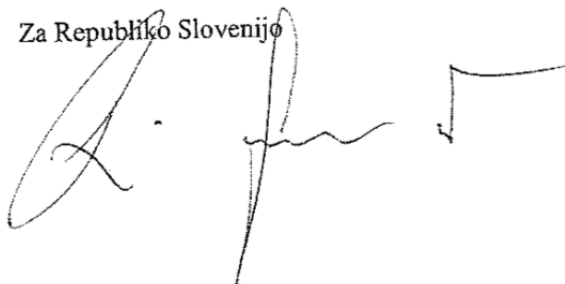
Pela República Portuguesa



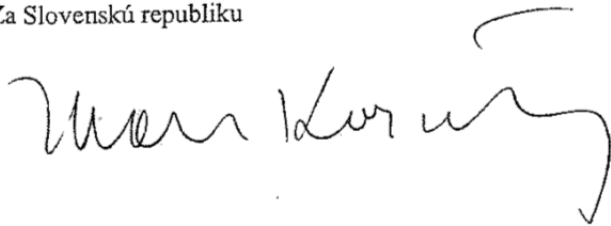
Pentru România



Za Republiko Slovenijo



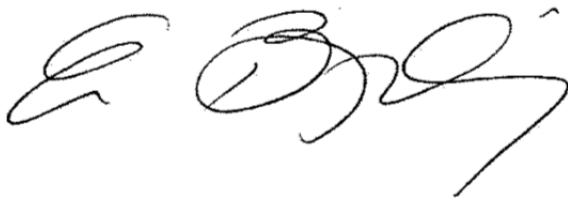
Za Slovenskú republiku



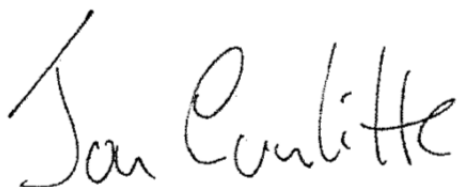
Suomen tasavallan puolesta
För Republiken Finland



För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



Za Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen

Car. H. Arb.

Thay mặt nước Cộng hòa xã hội chủ nghĩa Việt Nam



3. člen

Za izvajanje sporazuma skrbi Vlada Republike Slovenije.

4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 007-02/15-2/10
Ljubljana, dne 3. marca 2015
EPA 337-VII

Državni zbor
Republike Slovenije
dr. Milan Brglez l.r.
Predsednik

23. Zakon o ratifikaciji Okvirnega sporazuma o partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Republiko Filipini na drugi strani (MPSEUPH)

Na podlagi druge alinee prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z**o razglasitvi Zakona o ratifikaciji Okvirnega sporazuma o partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Republiko Filipini na drugi strani (MPSEUPH)**

Razglašam Zakon o ratifikaciji Okvirnega sporazuma o partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Republiko Filipini na drugi strani (MPSEUPH), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 3. marca 2015.

Št. 003-02-2/2015-11

Ljubljana, dne 11. marca 2015

Borut Pahor l.r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI OKVIRNEGA SPORAZUMA O PARTNERSTVU IN SODELOVANJU
MED EVROPSKO UNIJO IN NJENIMI DRŽAVAMI ČLANICAMI NA ENI STRANI
TER REPUBLIKO FILIPINI NA DRUGI STRANI (MPSEUPH)**

1. člen

Ratificira se Okvirni sporazum o partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Republiko Filipini na drugi strani, podpisan v Phnom Penhu 11. julija 2012.

2. člen

Besedilo sporazuma se v izvorniku v slovenskem in angleškem jeziku glasi*:

* Besedilo sporazuma v bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, španskem in švedskem jeziku je na vpogled v Sektorju za mednarodno pravo v Ministrstvu za zunanje zadeve Republike Slovenije.

**O K V I R N I S P O R A Z U M
O PARTNERSTVU IN SODELOVANJU
MED EVROPSKO UNIJO IN NJENIMI DRŽAVAMI
ČLANICAMI NA ENI STRANI
TER REPUBLIKO FILIPINI
NA DRUGI STRANI**

EVROPSKA UNIJA,
v nadaljnjem besedilu: Unija
in

KRALJEVINA BELGIJA,
REPUBLIKA BOLGARIJA,
ČEŠKA REPUBLIKA,
KRALJEVINA DANSKA,
ZVEZNA REPUBLIKA NEMČIJA,
REPUBLIKA ESTONIJA,
IRSKA,
HELENSKA REPUBLIKA,
KRALJEVINA ŠPANIJA,
FRANCOSKA REPUBLIKA,
ITALIJANSKA REPUBLIKA,
REPUBLIKA CIPER,
REPUBLIKA LATVIJA,
REPUBLIKA LITVA,

VELIKO VOJVODSTVO LUKSEMBURG,
REPUBLIKA MADŽARSKA,
MALTA,

KRALJEVINA NIZOZEMSKA,
REPUBLIKA AVSTRIJA,
REPUBLIKA POLJSKA,
PORTUGALSKA REPUBLIKA,
ROMUNIJA,

REPUBLIKA SLOVENIJA,
SLOVAŠKA REPUBLIKA,
REPUBLIKA FINSKA,
KRALJEVINA ŠVEDSKA,

ZDRUŽENO KRALJESTVO VELIKA BRITANIJA IN SE-
VERNA IRSKA,

pogodbence Pogodbe o Evropski Uniji, v nadaljnjem
besedilu: države članice,

na eni strani ter
REPUBLIKA FILIPINI, v nadaljnjem besedilu: Filipini,

na drugi strani,

v nadaljnjem besedilu: pogodbenici –

OB UPOŠTEVANJU tradicionalnih prijateljskih vezi med
pogodbencema ter tesnih zgodovinskih, političnih in gospodar-
skih povezav med njima,

KER pogodbenici namenjata poseben pomen celovitemu
značaju njunih medsebojnih odnosov,

KER pogodbenici menita, da je ta sporazum del širšega
odnosa med njima in med drugim njunih odnosov prek spora-
zumov, katerih pogodbenici sta obe,

OB PONOVI POTRĐITVI zavezanosti pogodbenic spo-
štovanju demokratičnih načel in človekovih pravic, kot so do-
ločene v Splošni deklaraciji Združenih narodov o človekovih
pravica in drugih pomembnih mednarodnih instrumentih o
človekovih pravicah, h katerim sta pristopili,

OB PONOVI POTRĐITVI njune zavezanosti načel-
lom pravne države in dobrega upravljanja ter njune želje po
spodbujanju gospodarskega in socialnega napredka njunih
narodov,

**F R A M E W O R K A G R E E M E N T
ON PARTNERSHIP AND COOPERATION
BETWEEN THE EUROPEAN UNION AND ITS
MEMBER STATES, OF THE ONE PART,
AND THE REPUBLIC OF THE PHILIPPINES,
OF THE OTHER PART**

THE EUROPEAN UNION,
hereinafter referred to as "the Union"
and

THE KINGDOM OF BELGIUM,
THE REPUBLIC OF BULGARIA,
THE CZECH REPUBLIC,
THE KINGDOM OF DENMARK,
THE FEDERAL REPUBLIC OF GERMANY,
THE REPUBLIC OF ESTONIA,
IRELAND,
THE HELLENIC REPUBLIC,
THE KINGDOM OF SPAIN,
THE FRENCH REPUBLIC,
THE ITALIAN REPUBLIC,
THE REPUBLIC OF CYPRUS,
THE REPUBLIC OF LATVIA,
THE REPUBLIC OF LITHUANIA,
THE GRAND DUCHY OF LUXEMBOURG,
THE REPUBLIC OF HUNGARY,
MALTA,

THE KINGDOM OF THE NETHERLANDS,
THE REPUBLIC OF AUSTRIA,
THE REPUBLIC OF POLAND,
THE PORTUGUESE REPUBLIC,
ROMANIA,

THE REPUBLIC OF SLOVENIA,
THE SLOVAK REPUBLIC,
THE REPUBLIC OF FINLAND,
THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,

Contracting Parties to the Treaty on European Union,
hereinafter referred to as the "Member States",

of the one part, and
THE REPUBLIC OF THE PHILIPPINES, hereinafter re-
ferred to as "the Philippines",

of the other part,

Hereinafter jointly referred to as "the Parties",

CONSIDERING the traditional links of friendship between
the Parties and the close historical, political and economic ties
which unite them,

WHEREAS the Parties attach particular importance to the
comprehensive nature of their mutual relationship,

WHEREAS the Parties consider that this Agreement
forms part of a wider relationship between them and through,
among others, agreements to which both sides are parties
together,

REAFFIRMING the attachment of the Parties to the re-
spect of democratic principles and human rights as laid down
in the United Nations Universal Declaration of Human Rights
and other relevant international human rights instruments to
which they are parties,

REAFFIRMING their attachment to the principles of the
rule of law and of good governance, and their desire to promote
economic and social progress for their peoples,

OB PONOVI POTRDI TVI njune želje po večjem sodelovanju na področju mednarodne stabilnosti, pravičnosti in varnosti, da bi spodbujali trajnostni socialni in gospodarski razvoj, odpravo revščine ter uresničevanje razvojnih ciljev tisočletja,

KER pogodbenici obravnavata terorizem kot grožnjo svetovni varnosti ter želita okrepiti njun dialog in sodelovanje v boju proti terorizmu, pri čemer v celoti upoštevata Globalno strategijo Združenih narodov za boj proti terorizmu ter ustrezne instrumente Varnostnega sveta ZN (VSZN), zlasti Resolucij VSZN 1373, 1267, 1822 in 1904,

OB IZRAŽANJU njune polne zavezanosti preprečevanju vseh oblik terorizma in boju proti njim ter vzpostavitvi učinkovitih mednarodnih instrumentov za zagotovitev njegove odprave,

KER pogodbenici ponovno potrjujeta, da bi se morali učinkoviti ukrepi za boj proti terorizmu in varstvo človekovih pravic med seboj dopolnjevati in krepiti,

OB PRIZNAVANJU potrebe po krepitvi in povečanju sodelovanja pri boju proti zlorabi prepovedanih drog in trgovanju z njimi glede na to, da resno ogrožajo mednarodni mir, varnost, stabilnost in gospodarski razvoj,

OB PRIZNAVANJU, da najhujša kazniva dejanja, ki zadevajo mednarodno skupnost in so povezana s kršenjem mednarodnega humanitarnega prava, genocidom in drugimi kaznivimi dejanji zoper človečnost, ne bi smela ostati nekaznovana in da bi bilo treba zagotoviti pregon teh kaznivih dejanj, da bi okrepili mednarodni mir in pravičnost,

KER se pogodbenici strinjata, da širjenje orožja za množično uničevanje in njegovih nosilcev zelo ogroža mednarodno varnost, ter želita okrepiti njun dialog in sodelovanje na tem področju. Soglasno sprejetje Resolucije VSZN 1540 je temelj zavezanosti celotne mednarodne skupnosti boju proti širjenju orožja za množično uničevanje,

OB PRIZNAVANJU, da nezakonito trgovanje z osebnim in lahkim orožjem, vključno s strelivom zanj, slabo upravljanje, neustrezno zavarovana skladišča ter nenadzorovano razširjanje še naprej resno ogrožajo mednarodni mir, varnost in razvoj,

OB PRIZNAVANJU pomembne vloge Sporazuma o sodelovanju med Evropsko gospodarsko skupnostjo in državami članicami Združenja držav jugovzhodne Azije (ASEAN) z dne 7. marca 1980 ter poznejših pridružitvenih protokolov,

OB PRIZNAVANJU pomembne vloge krepitve sedanjih odnosov med pogodbenicama, da bi povečali medsebojno sodelovanje, ter njune skupne volje za krepitev, poglobitev in razširitev odnosov na področjih skupnega interesa na podlagi enakosti, nediskriminacije, spoštovanja naravnega okolja in vzajemne koristi,

OB PRIZNAVANJU pomembne vloge dialoga in sodelovanja med Združenjem držav jugovzhodne Azije (ASEAN) in Evropsko unijo,

OB IZRAŽANJU njune polne zavezanosti spodbujanju trajnostnega razvoja, vključno z varstvom okolja in učinkovitim sodelovanjem na področju boja proti podnebnim spremembam,

OB POUČENJU pomembne vloge večjega sodelovanja na področju pravosodja in varnosti,

OB PRIZNAVANJU njune zavezanosti obsežnemu dialogu in sodelovanju pri spodbujanju migracij in razvoja ter pri učinkovitem spodbujanju in izvajanju mednarodno priznanih standardov dela in socialnih standardov,

OB UGOTAVLJANJU, da so določbe tega sporazuma, ki spadajo v okvir naslova V, dela III Pogodbe o delovanju Evropske unije, zavezujoče za Združeno kraljestvo in Irsko kot ločeni pogodbenici ali kot del Evropske unije v skladu s Protokolom o stališču Združenega kraljestva in Irske glede območja svobode, varnosti in pravice, ki je priložen k Pogodbi o Evropski uniji in Pogodbi o delovanju Evropske unije. Enako velja za Dansko v skladu s Protokolom o stališču Danske, ki je priložen k temu pogodbama;

REAFFIRMING their desire to enhance cooperation on international stability, justice and security in order to promote sustainable social and economic development, the eradication of poverty and the achievement of the Millennium Development Goals,

WHEREAS the Parties view terrorism as a threat to global security and wish to intensify their dialogue and cooperation in the fight against terrorism, taking fully into account the United Nations Global Counter-Terrorism Strategy and relevant UN Security Council (UNSC) instruments, particularly UNSC Resolutions 1373, 1267, 1822 and 1904,

EXPRESSING their full commitment to preventing and combating all forms of terrorism and to establishing effective international instruments to ensure its eradication,

WHEREAS the Parties reaffirm that effective counter-terrorism measures and the protection of human rights should be complementary and mutually reinforcing,

RECOGNISING the need to strengthen and enhance cooperation in combating illegal drug abuse and trafficking activities in view of the serious threats that they pose to international peace, security, stability and economic development,

RECOGNISING that the most serious crimes of international concern relating to international humanitarian law, genocide and other crimes against humanity should not go unpunished and that prosecution of these crimes should be ensured in order to enhance international peace and justice,

WHEREAS the Parties share the view that the proliferation of weapons of mass destruction and their means of delivery pose a major threat to international security and wish to strengthen their dialogue and cooperation in this area. The adoption by consensus of UNSC Resolution 1540 underlies the commitment of the whole international community to fight against the proliferation of weapons of mass destruction,

RECOGNISING that the illicit trade in small arms and light weapons, including their ammunition, poor management, inadequately secured stockpiles and uncontrolled spread continue to pose a serious threat to international peace, security and development,

RECOGNISING the importance of the Cooperation Agreement between the European Economic Community and member countries of the Association of South-East Asian Nations of 7 March 1980 and subsequent accession protocols,

RECOGNISING the importance of strengthening the existing relationship between the Parties with a view to enhancing cooperation between them, and their common will to consolidate, deepen and diversify their relations in areas of mutual interest on the basis of equality, non-discrimination, respect for the natural environment and mutual benefit,

RECOGNISING the importance of dialogue and cooperation between the Association of Southeast Asian Nations (ASEAN) and the European Union,

EXPRESSING their full commitment to promoting sustainable development, including environmental protection and effective cooperation to combat climate change,

UNDERLINING the importance of enhanced cooperation in the field of justice and security,

RECOGNISING their commitment to a comprehensive dialogue and to cooperation in promoting migration and development, as well as to the effective promotion and implementation of internationally recognised labour and social standards,

NOTING that the provisions of this Agreement that fall within the scope of Part III, Title V of the Treaty on the Functioning of the European Union bind the United Kingdom and Ireland as separate Contracting Parties, or alternatively, as part of the European Union, in accordance with the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union. The same applies to Denmark, in accordance with the Protocol annexed to those Treaties on the position of Denmark,

OB PRIZNAVANJU pomembne vloge, ki jo pogodbenici pripisujeta načelom in pravilom, ki urejajo mednarodno trgovino, zlasti tistim iz Sporazuma o ustanovitvi Svetovne trgovinske organizacije (STO), ter potrebi po pregledni in nediskriminatorni uporabi teh načel in pravil,

OB POTRDITVI njune želje po krepitvi sodelovanja med pogodbenicama, ki temelji na skupnih vrednotah in vzajemni koristi ter je v celoti v skladu z dejavnostmi iz regionalnega okvira –

STA SE DOGOVORILI O NASLEDNJEM:

NASLOV I NARAVA IN PODROČJE UPORABE

ČLEN 1

Splošna načela

1. Spoštovanje demokratičnih načel in človekovih pravic, kot so določene v Splošni deklaraciji o človekovih pravicah in drugih pomembnih mednarodnih instrumentih o človekovih pravicah, h katerim sta pristopili pogodbenici, ter načela pravne države je temelj notranjih in mednarodnih politik pogodbenic in pomeni bistven element tega sporazuma.

2. Pogodbenici potrjujeta svoje skupne vrednote, kot so navedene v Ustanovni listini Združenih narodov.

3. Pogodbenici potrjujeta svojo zavezanost spodbujanju trajnostnega razvoja, sodelovanju pri obravnavi izzivov podnebnih sprememb in prispevanju k uresničevanju mednarodno dogovorjenih razvojnih ciljev, vključno z razvojnimi cilji tisočletja.

4. Pogodbenici ponovno potrjujeta svojo zavezanost načelu dobrega javnega upravljanja.

5. Pogodbenici se strinjata, da bo sodelovanje v okviru tega sporazuma potekalo v skladu z njunimi nacionalnimi zakoni, pravili in predpisi.

ČLEN 2

Cilji sodelovanja

Zaradi krepitve njunih dvostranskih odnosov se pogodbenici zavezuje, da bosta vzdrževali celovit dialog in spodbujali nadaljnje medsebojno sodelovanje na vseh področjih skupnega interesa v skladu s tem sporazumom. Njuna prizadevanja bodo usmerjena zlasti v:

(a) vzpostavitev sodelovanja na področju političnih, socialnih in gospodarskih vprašanj v okviru vseh zadevnih regionalnih in mednarodnih *forumov* in organizacij;

(b) vzpostavitev sodelovanja v boju proti terorizmu in mednarodnemu kriminalu;

(c) vzpostavitev sodelovanja na področju človekovih pravic in dialoga o boju proti hudim kaznivim dejanjem, ki zadevajo mednarodno skupnost;

(d) vzpostavitev sodelovanja pri preprečevanju širjenja orožja za množično uničevanje, osebne in lahkega orožja ter pri spodbujanju mirovnih procesov in preprečevanja konfliktov;

(e) vzpostavitev sodelovanja na vseh področjih skupnega interesa, povezanih s trgovino in naložbami, da bi pospešili trgovinske in naložbene tokove ter odpravili trgovinske in naložbene ovire v skladu z načeli STO ter sedanji in prihodnji regionalni pobudami EU-ASEAN;

(f) vzpostavitev sodelovanja na področju pravosodja in varnosti, vključno s sodelovanjem glede pravnih vprašanj, prevoženih drog, pranja denarja, boja proti organiziranemu kriminalu in korupciji, varstva podatkov ter beguncev in notranje razseljenih oseb;

(g) vzpostavitev sodelovanja na področju migracij in pomorskega dela;

RECOGNISING the importance attached by the Parties to the principles and rules which govern international trade as contained in particular in the Agreement establishing the World Trade Organization (WTO) and to the need to apply them in a transparent and non-discriminatory manner,

CONFIRMING their desire to enhance, in full accordance with activities undertaken in a regional framework, the cooperation between the Parties based on shared values and mutual benefit,

HAVE AGREED AS FOLLOWS:

TITLE I NATURE AND SCOPE

ARTICLE 1

General Principles

1. Respect for democratic principles and human rights, as laid down in the Universal Declaration of Human Rights, and other relevant international human rights instruments to which the Parties are contracting parties, and for the principle of the rule of law, underpins the internal and international policies of both Parties and constitutes an essential element of this Agreement.

2. The Parties confirm their shared values as expressed in the Charter of the United Nations.

3. The Parties confirm their commitment to promoting sustainable development, cooperating to address the challenges of climate change and to contributing to the internationally agreed development goals, including those contained in the Millennium Development Goals.

4. The Parties reaffirm their attachment to the principle of good governance.

5. The Parties agree that cooperation under this Agreement will be in accordance with their respective domestic laws, rules and regulations.

ARTICLE 2

Aims of Cooperation

With a view to strengthening their bilateral relationship, the Parties undertake to hold a comprehensive dialogue and promote further cooperation between them on all sectors of mutual interest as provided under this Agreement. Their efforts will, in particular, be aimed at:

a) establishing cooperation on political, social, and economic matters in all relevant regional and international fora and organisations;

b) establishing cooperation on combating terrorism and transnational crimes;

c) establishing cooperation on human rights and dialogue on the fight against serious crimes of international concern;

d) establishing cooperation on countering the proliferation of weapons of mass destruction, small arms and light weapons as well as promoting peace processes and conflict prevention;

e) establishing cooperation in all trade and investment areas of mutual interest, in order to facilitate trade and investment flows and to remove obstacles to trade and investment, in a manner consistent with the WTO principles and ongoing and future regional EU-ASEAN initiatives;

f) establishing cooperation in the area of justice and security, including legal cooperation; illicit drugs; money laundering; combating organised crime and corruption; data protection and refugees and internally displaced persons;

g) establishing cooperation in the areas of migration and maritime labour;

(h) vzpostavitev sodelovanja na vseh drugih področjih skupnega interesa, zlasti zaposlovanja in socialnih zadev, razvojnega sodelovanja, ekonomske politike, finančnih storitev, dobrega javnega upravljanja na davčnem področju, industrijske politike ter malih in srednje velikih podjetij (MSP), informacijske in komunikacijske tehnologije (IKT), avdiovizualnih storitev, medijev in večpredstavnosti, znanosti in tehnologije, prometa, turizma, izobraževanja, kulture ter medkulturnega in medverskega dialoga, energetike, okolja in naravnih virov, vključno s podnebnimi spremembami, kmetijstva, ribištva in razvoja podeželja, regionalnega razvoja, zdravja, statistike, obvladovanja tveganja naravnih nesreč, ter javne uprave;

(i) krepitev sodelovanja pogodbenic v podregionalnih in regionalnih programih sodelovanja, v katerih lahko sodeluje druga pogodbenica;

(j) povečevanje vlog ter opaznosti Filipinov in Evropske unije;

(k) spodbujanje razumevanja med ljudmi ter učinkovitega dialoga in povezanosti z organizirano civilno družbo.

ČLEN 3

Sodelovanje v regionalnih in mednarodnih organizacijah

Pogodbenici si bosta še naprej izmenjevali mnenja ter sodelovali v regionalnih in mednarodnih forumih ter organizacijah, kot so Združeni narodi ter ustrezne agencije in organi Združenih narodov, kot so Konferenca Združenih narodov za trgovino in razvoj (UNCTAD), dialog ASEAN-EU, regionalni forum ASEAN (ARF), azijsko-evropsko srečanje (ASEM), STO, Mednarodna organizacija za migracije (IOM) in Svetovna organizacija za intelektualno lastnino (WIPO).

ČLEN 4

Regionalno in dvostransko sodelovanje

Na vseh področjih dialoga in sodelovanja v skladu s tem sporazumom ter ob poudarjanju vprašanj sodelovanja med EU in Filipini lahko obe strani na podlagi medsebojnega dogovora sodelujeta tudi pri dejavnostih na regionalni ravni ali s kombinacijo obeh okvirov, pri čemer upoštevata regionalne postopke odločanja v zadevnih regionalnih skupinah. V zvezi s tem si pogodbenici pri izbiri ustreznega okvira prizadevata, da bi kar najboljše izkoristili učinek in okrepili sodelovanje vseh zainteresiranih strani ter hkrati omogočili najučinkovitejšo uporabo razpoložljivih sredstev in zagotovili skladnost z drugimi dejavnostmi.

NASLOV II POLITIČNI DIALOG IN SODELOVANJE

ČLEN 5

Mirovni proces in preprečevanje konfliktov

Pogodbenici se strinjata, da si bosta še naprej skupaj prizadevali za spodbujanje preprečevanja konfliktov in kulture miru, med drugim z zagovarjanjem miru in programi izobraževanja o miru.

ČLEN 6

Sodelovanje na področju človekovih pravic

1. Pogodbenici se strinjata, da bosta sodelovali pri spodbujanju in učinkovitem varstvu vseh človekovih pravic, tudi v okviru mednarodnih instrumentov o človekovih pravicah, h katerim sta pristopili.

2. Takšno sodelovanje bo potekalo prek dejavnosti, o katerih se vzajemno dogovorita pogodbenici, med drugim pa bo vključevalo:

(a) podporo razvoja in izvajanja nacionalnih akcijskih načrtov o človekovih pravicah;

(b) spodbujanje ozaveščenosti in izobraževanja o človekovih pravicah;

h) establishing cooperation in all other sectors of mutual interest, notably employment and social affairs; development cooperation; economic policy; financial services; good governance in the tax area; industrial policy and SMEs; information and communication technology (ICT); audiovisual, media and multimedia; science and technology; transport; tourism; education, culture, intercultural and interfaith dialogue; energy; environment and natural resources including climate change; agriculture, fisheries and rural development; regional development; health; statistics; disaster risk management (DRM); and public administration;

i) enhancing both Parties' participation in sub-regional and regional cooperation programmes open to the participation of the other Party;

j) raising the roles and profiles of the Philippines and of the European Union;

k) promoting people-to-people understanding and effective dialogue and interaction with organised civil society.

ARTICLE 3

Cooperation in Regional and International Organisations

The Parties will continue to exchange views and cooperate in regional and international fora and organisations such as the United Nations and relevant United Nations agencies and bodies, such as the United Nations Conference on Trade and Development (UNCTAD), the ASEAN-EU dialogue, the ASEAN Regional Forum (ARF), the Asia-Europe Meeting (ASEM), the WTO, the International Organization for Migration (IOM) and the World Intellectual Property Organization (WIPO).

ARTICLE 4

Regional and Bilateral Cooperation

For each sector of dialogue and cooperation under this Agreement, and while giving emphasis to matters under EU-Philippine cooperation, both sides may also, upon mutual agreement, work together through activities at regional level or through a combination of both frameworks, taking into account the regional decision-making processes of the regional grouping concerned. In this regard, in choosing the appropriate framework, the Parties will seek to maximise the impact on, and reinforce the involvement of, all interested parties, while making the most efficient use of available resources, and ensuring coherence of other activities.

TITLE II POLITICAL DIALOGUE AND COOPERATION

ARTICLE 5

Peace Process and Conflict Prevention

The Parties agree to continue collaborative efforts aimed at promoting prevention of conflict and a culture of peace, among others, through peace advocacy and peace education programmes.

ARTICLE 6

Cooperation in Human Rights

1. The Parties agree to cooperate in the promotion and effective protection of all human rights including through international human rights instruments to which they are parties.

2. Such cooperation will be through activities as mutually agreed upon by the Parties including, *inter alia*, the following:

a) supporting the development and implementation of national action plans on human rights;

b) promoting human rights awareness and education;

- (c) krepitev nacionalnih institucij, povezanih s človekovimi pravicami;
- (d) čim večja pomoč pri spodbujanju regionalnih institucij, povezanih s človekovimi pravicami;
- (e) vzpostavitev pomembnega dialoga o človekovih pravicah med pogodbenicama; in
- (f) sodelovanje v institucijah Združenih narodov, povezanih s človekovimi pravicami.

ČLEN 7

Huda kazniva dejanja, ki zadevajo mednarodno skupnost

1. Pogodbenici priznavata, da najhujša kazniva dejanja, ki zadevajo mednarodno skupnost ter so povezana s kršenjem mednarodnega humanitarnega prava, genocidom in drugimi kaznivimi dejanji zoper človečnost, ne bi smela ostati nekažnovana ter da bi bilo treba zagotoviti sodni pregon teh kaznivih dejanj na nacionalni ali mednarodni ravni, po potrebi tudi z vključitvijo Mednarodnega kazenskega sodišča, pri čemer je treba upoštevati zadevne nacionalne zakone pogodbenic.
2. Pogodbenici se strinjata, da bosta vodili koristen dialog o splošni zavezanosti Rimskemu statutu Mednarodnega kazenskega sodišča v skladu z njunimi zadevnimi zakoni, vključno z zagotavljanjem pomoči za krepitev zmogljivosti.

ČLEN 8

Preprečevanje širjenja orožja za množično uničevanje in njegovih nosilcev

1. Pogodbenici menita, da širjenje orožja za množično uničevanje in njegovih nosilcev, ki je namenjeno državnim in nedržavnim subjektom ter ki ga takšni subjekti izvajajo, pomeni eno od najresnejših groženj mednarodni stabilnosti in varnosti.
 2. Pogodbenici se zato strinjata, da bosta sodelovali in prispevali k preprečevanju širjenja orožja za množično uničevanje in njegovih nosilcev, tako da bosta popolnoma upoštevali svoje veljavne obveznosti v okviru mednarodnih pogodb in sporazumov o razoroževanju in neširjenju orožja ter drugih zadevnih mednarodnih obveznosti, kot so določene v Resoluciji VSZN 1540, in jih izvajali na nacionalni ravni. Pogodbenici se strinjata, da je ta določba bistveni element tega sporazuma.
 3. Poleg tega se pogodbenici strinjata, da bosta:
 - a) sprejeli ustrezne ukrepe za podpis, in si ob popolnem upoštevanju ratifikacijskih postopkov pogodbenic prizadevali, da bosta ratificirali druge ustrezne mednarodne instrumente ali pristopili k njim, če je to primerno, ter izvajali zadevne obveznosti pogodbenic, ki bodo izhajale iz drugih ustreznih mednarodnih instrumentov, vključno z ustreznimi resolucijami VSZN;
 - b) vzpostavili učinkovit sistem za nadzor nacionalnega izvoza, s katerim se nadzorujeta izvoz in tranzit blaga, povezanega z orožjem za množično uničevanje, vključno z nadzorom končne uporabe tehnologij z dvojno rabo za izdelavo orožja za množično uničevanje, in katerega del so tudi učinkovite sankcije za kršitve nadzora izvoza.
- Pogodbenici priznavata, da izvajanje nadzora izvoza ne bi smelo ovirati mednarodnega sodelovanja v zvezi z materiali, opremo in tehnologijo v miroljubne namene, medtem ko se cilji miroljubne uporabe ne bi smeli uporabljati kot pretveza za širjenje orožja.
4. Pogodbenici se strinjata, da bosta vzpostavili stalen politični dialog, ki bo spremljal in kreplil te elemente. Pogodbenici bi si lahko prizadevali tudi za dialog na regionalni ravni.

ČLEN 9

Osebnost in lahko orožje

1. Pogodbenici priznavata, da nezakonito trgovanje z osebnimi in lahkim orožjem (SALW), vključno s strelivom, ter njegovo prekomerno kopičenje, slabo upravljanje, neustrezno zavarovana skladišča in nenadzorovano razširjanje še naprej resno ogrožajo mir in mednarodno varnost.

- (c) strengthening national human rights-related institutions;
- (d) as far as possible, helping to promote regional human rights-related institutions;
- (e) establishing a meaningful human rights dialogue between the Parties; and
- (f) cooperating within the human rights-related institutions of the United Nations.

ARTICLE 7

Serious Crimes of International Concern

1. The Parties recognise that the most serious crimes of international concern relating to international humanitarian law, genocide and other crimes against humanity should not go unpunished and that prosecution of these crimes should be ensured by taking measures at either national or international level, as appropriate, including through the International Criminal Court, in accordance with the Parties' respective domestic laws.
2. The Parties agree to conduct a beneficial dialogue on the universal adherence to the Rome Statute of the International Criminal Court in accordance with their respective laws, including the provision of assistance for capacity-building.

ARTICLE 8

Countering the Proliferation of Weapons of Mass Destruction and their Means of Delivery

1. The Parties consider that the proliferation of weapons of mass destruction and their means of delivery, to and by state and non-state actors, constitutes one of the most serious threats to international stability and security.
2. The Parties therefore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction and their means of delivery through full compliance with, and national implementation of, their existing obligations under international disarmament and non-proliferation treaties and agreements and other relevant international obligations such as UNSC Resolution 1540. The Parties agree that this provision constitutes an essential element of this Agreement.
3. The Parties furthermore agree to:
 - a) take the appropriate steps towards signing and in full respect of the Parties' ratification procedures endeavouring to ratify, or accede to, as appropriate, and to implement the Parties' respective obligations that will arise from other relevant international instruments, including relevant UNSC Resolutions;
 - b) establish an effective system of national export controls, controlling the export and transit of WMD-related goods, including a WMD end-use control on dual use technologies and containing effective sanctions for breaches of export controls.

The Parties recognise that implementation of export controls should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while goals of peaceful utilisation should not be used as a cover for proliferation.

4. The Parties agree to establish a regular political dialogue that will accompany and consolidate these elements. The Parties could also work towards having the dialogue at a regional level.

ARTICLE 9

Small Arms and Light Weapons

1. The Parties recognise that the illicit trade in small arms and light weapons (SALW) including their ammunition, and their excessive accumulation, poor management, inadequately secured stockpiles and uncontrolled spread continue to pose a serious threat to peace and international security.

2. Pogodbenici se strinjata, da bosta upoštevali in v celoti izvajali zadevne obveznosti v zvezi z obravnavanjem vseh vidikov nezakonitega trgovanja s SALW v skladu z veljavnimi mednarodnimi sporazumi in resolucijami VSZN ter svoje zaveze v okviru drugih mednarodnih instrumentov, ki se uporabljajo na tem področju, kot je akcijski program ZN za preprečevanje, boj in odpravljanje nedovoljene trgovine z osebnim in lahkim strelnim orožjem v vseh oblikah.

3. Pogodbenici se zavezujeta, da bosta vzpostavili stalen politični dialog, da bi izmenjevali stališča in informacije ter razvili enotno razumevanje vprašanj in težav, povezanih z nezakonitim trgovanjem s SALW, ter krepili svojo sposobnost za preprečevanje takšnega trgovanja, boj proti njemu in njegovo odpravljanje.

ČLEN 10

Sodelovanje v boju proti terorizmu

1. Pogodbenici ponovno potrjujeta pomembno vlogo preprečevanja terorizma in boja proti njemu v skladu s svojima zakonodajama in predpisi ter ob upoštevanju pravne države, mednarodnega prava, zlasti Ustanovne listine ZN in ustreznih resolucij VS ZN, prava o človekovih pravicah, prava o beguncih in mednarodnega humanitarnega prava ter mednarodnih konvencij, katerih pogodbenici sta, Globalne strategije ZN za boj proti terorizmu, vključene v Resolucijo Generalne skupščine ZN 60/28 z dne 8. septembra 2006, in Skupne deklaracije EU-ASEAN o sodelovanju v boju proti terorizmu z dne 28. januarja 2003.

2. Pogodbenici se zato strinjata, da bosta sodelovali na naslednji način:

(a) s spodbujanjem izvajanja ustreznih resolucij VSZN, kot so resolucije VSZN 1373, 1267, 1822 in 1904, ter ustreznih mednarodnih konvencij in instrumentov;

(b) s spodbujanjem sodelovanja med državami članicami ZN, da bi učinkovito izvajali Globalno strategijo ZN za boj proti terorizmu;

(c) z izmenjavo informacij ter krepitvijo sodelovanja in usklajevanja pri izvrševanju zakonodaje z vzpostavljenimi nacionalnimi centralnimi biroji Interpola prek Interpolovega globalnega policijskega komunikacijskega sistema (I-24/7);

(d) z izmenjavo informacij o terorističnih skupinah in njihovih podpornih mrežah v skladu z mednarodnim in nacionalnim pravom;

(e) z izmenjavo stališč o uporabljenih sredstvih in načinih boja proti terorizmu, vključno s tehničnimi področji in usposabljanjem, ter z izmenjavo izkušenj pri preprečevanju terorizma in odpravi njegove radikalizacije;

(f) s sodelovanjem, da se utrdi mednarodno soglasje o boju proti terorizmu in financiranju teroristov, ter s prizadevanjem za čim prejšnji dogovor o splošni konvenciji o mednarodnem terorizmu, ki bo dopolnila veljavne instrumente ZN za boj proti terorizmu;

(g) z izmenjavo najboljših praks na področju varstva človekovih pravic v boju proti terorizmu;

(h) s spodbujanjem izvajanja ukrepov in večjega sodelovanja v boju proti terorizmu v okviru ASEM in EU-ASEAN.

ČLEN 11

Sodelovanje v javni upravi

Pogodbenici se strinjata, da bosta sodelovali pri povečanju zmogljivosti na področju javne uprave. Sodelovanje na tem področju lahko vključuje izmenjavo stališč o najboljših praksah v zvezi z načini upravljanja, opravljanjem storitev, krepitvijo institucionalne zmogljivosti in vprašanji preglednosti.

2. The Parties agree to observe and fully implement their respective obligations to deal with the illicit trade in SALW in all its aspects, under existing international agreements and UNSC Resolutions, as well as their commitments within the framework of other international instruments applicable in this area, such as the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

3. The Parties undertake to establish a regular political dialogue in order to exchange views and information and develop a common understanding of the issues and problems related to illicit trade in SALW and to strengthen the ability of the Parties to prevent, combat and eradicate such trade.

ARTICLE 10

Cooperation in Combating Terrorism

1. The Parties reaffirm the importance of preventing and countering terrorism in accordance with their respective legislation and regulations, and with respect for the rule of law, international law, in particular the UN Charter and relevant UNSC Resolutions, human rights law, refugee law and international humanitarian law and international conventions to which they are parties, the UN Global Counter-Terrorism Strategy, contained in UN General Assembly Resolution 60/28 of 8 September 2006 as well as the EU-ASEAN Joint Declaration on Cooperation to Combat Terrorism of 28 January 2003.

2. Toward this end, the Parties agree to cooperate as follows:

a) by promoting the implementation of relevant UNSC Resolutions, such as 1373, 1267, 1822 and 1904, and of relevant international conventions and instruments;

b) by promoting cooperation among UN Member States to effectively implement the UN Global Counter-Terrorism Strategy;

c) by exchanging information and strengthening law enforcement cooperation and coordination using the existing Interpol National Central Bureaus through the Interpol Global Police Communications System (I-24/7);

d) by exchanging information on terrorist groups and their support networks in accordance with international and national law;

e) by exchanging views on means and methods used to counter terrorism, including in technical fields and training, and by sharing experiences in terrorism prevention and deradicalisation;

f) by cooperating so as to deepen the international consensus on the fight against terrorism and terrorist financing and by working towards an early agreement on the Comprehensive Convention on International Terrorism so as to complement the existing UN counter-terrorism instruments;

g) by exchanging best practices in the area of protection of human rights in the fight against terrorism;

h) by promoting implementation and enhanced cooperation on counter-terrorism within the ASEM and EU-ASEAN context.

ARTICLE 11

Cooperation in Public Administration

The Parties agree to cooperate with a view to enhancing capacity-building in the field of public administration. Cooperation in this area may include the exchange of views on best practices in management methods, service delivery, reinforcing institutional capacity and transparency issues.

NASLOV III
TRGOVINA IN NALOŽBE

ČLEN 12
Splošna načela

1. Pogodbenici z dialogom o dvostranskih in večstranskih trgovinskih ter s trgovino povezanih vprašanih krepita dvostranske trgovinske odnose ter povečujeta vlogo večstranskega trgovinskega sistema pri spodbujanju gospodarske rasti in razvoja.

2. Pogodbenici se zavezujeata, da bosta spodbujali razvoj in razvejanost njune medsebojne trgovinske menjave na najvišji mogoči ravni ter v njuno vzajemno korist. Zavezujeata se, da bosta s prizadevanjem za odpravo trgovinskih ovir, zlasti netarifnih ovir, in s sprejetjem ukrepov za večjo preglednost izboljšali pogoje za dostop na trg, pri čemer bosta upoštevali delo, ki ga na tem področju opravljajo mednarodne organizacije.

3. Ob priznavanju, da ima trgovina ključno vlogo pri razvoju in da je pomoč v obliki shem trgovinskih preferencialov pripomogla k razvoju držav v razvoju, ki so prejemnice pomoči, si bosta pogodbenici prizadevali okrepiti svoja posvetovanja o takšni pomoči, ki je v celoti v skladu s STO.

4. Pogodbenici se medsebojno obveščata o razvoju trgovinskih in s trgovino povezanih politik, kot so področje kmetijstva, varnost hrane, varstvo potrošnikov in okolje, vključno z ravnanjem z odpadki.

5. Pogodbenici spodbujata dialog in sodelovanje za razvoj njunih trgovinskih in naložbenih odnosov ter si prizadevata za rešitev trgovinskih težav in obravnavanjem drugih vprašanj v zvezi s trgovino na področjih, navedenih v členih 13 do 19.

ČLEN 13

Sanitarna in fitosanitarna vprašanja

1. Pogodbenici sodelujeta na področju varnosti hrane ter sanitarnih in fitosanitarnih vprašanj z namenom varstva človeškega, živalskega ali rastlinskega življenja ali zdravja na ozemlju pogodbenic.

2. Pogodbenici razpravljata in izmenjujeta informacije o njihovih zadevnih ukrepih, kot jih opredeljuje Sporazum STO o uporabi sanitarnih in fitosanitarnih ukrepov, Mednarodna konvencija o varstvu rastlin (IPPC), Mednarodna organizacija za živalske kužne bolezni (OIE) in Komisija za Codex Alimentarius, pri čemer ti vključujejo zakonodajo, pravila in predpise, certificiranje, inšpekcijske preglede in nadzorne postopke, vključno s postopki za potrditev uvedbe in izvajanja načel določanja območij.

3. Pogodbenici se strinjata, da bosta sodelovali pri krepitevi zmogljivosti v zvezi s sanitarnimi in fitosanitarnimi vprašanji ter po potrebi v zvezi z dobrim počutjem živali.

4. Pogodbenici vzpostavita pravočasen dialog o sanitarnih in fitosanitarnih vprašanih na zahtevo ene od pogodbenic, da bi obravnavali zadeve v zvezi s sanitarnimi in fitosanitarnimi vprašanji ter drugimi povezanimi nujnimi vprašanji iz tega člena.

5. Pogodbenici določita kontaktne točke za komunikacijo o zadevah iz tega člena.

ČLEN 14

Tehnične ovire v trgovini

1. Pogodbenici se strinjata, da je sodelovanje na področju standardov, tehničnih predpisov in ugotavljanja skladnosti ključen cilj za razvoj trgovine.

2. Pogodbenici spodbujata uporabo mednarodnih standardov ter sodelujeta in izmenjujeta informacije o standardih, postopkih ugotavljanja skladnosti in tehničnih predpisih, zlasti v okviru Sporazuma STO o tehničnih ovirah v trgovini (TBT). Pogodbenici se zato strinjata, da bosta v ustreznem času vzpostavili dialog o vprašanih tehničnih ovir v trgovini na zahtevo ene od pogodbenic in določili kontaktne točke za sporočanje v zvezi z zadevami iz tega člena.

TITLE III
TRADE AND INVESTMENT

ARTICLE 12
General Principles

1. The Parties shall engage in a dialogue on bilateral and multilateral trade and trade-related issues with a view to strengthening bilateral trade relations and advancing the role of the multilateral trade system in promoting growth and development.

2. The Parties undertake to promote the development and diversification of their reciprocal commercial exchanges to the highest possible level and to their mutual benefit. They undertake to achieve improved market access conditions by working towards removing obstacles to trade, in particular non-tariff barriers, and by taking measures to improve transparency, having regard to the work carried out by international organisations in this field.

3. Recognising that trade plays an indispensable role in development, and that assistance in the form of trade preferences schemes assisted in the development of recipient developing countries, the Parties endeavour to strengthen their consultation on such assistance in full compliance with the WTO.

4. The Parties shall keep each other informed concerning the development of trade and trade-related policies such as in agriculture, food safety, consumer protection, and the environment, including waste management.

5. The Parties shall encourage dialogue and cooperation to develop their trade and investment relations and to work towards solving commercial problems, and to address other trade-related concerns in the areas referred to in Articles 13 to 19.

ARTICLE 13

Sanitary and Phytosanitary Issues

1. The Parties shall cooperate on food safety and on sanitary and phytosanitary (SPS) issues to protect human, animal or plant life or health in the territory of the Parties.

2. The Parties shall discuss and exchange information on their respective measures as defined in the WTO Agreement on the Application of Sanitary and Phytosanitary Measures, the International Plant Protection Convention (IPPC), the World Organization for Animal Health (OIE) and the Codex Alimentarius Commission (Codex), such as legislation, rules and regulations, certification, inspection, and surveillance procedures, including the procedures to approve the establishment and implementation of zoning principles.

3. The Parties agree to undertake capacity-building cooperation on SPS issues and, where it is requested, on animal welfare.

4. The Parties shall establish a timely dialogue on SPS issues upon request of either Party to consider matters relating to SPS and other urgent related issues under this Article.

5. The Parties shall designate contact points for communication on matters under this Article.

ARTICLE 14

Technical Barriers to Trade

1. The Parties agree that cooperation on standards, technical regulations and conformity assessments is a key objective for the development of trade.

2. The Parties shall promote the use of international standards and cooperate and exchange information on standards, conformity assessment procedures and technical regulations, especially within the framework of the WTO Agreement on Technical Barriers to Trade (TBT). To this end, the Parties agree to establish a timely dialogue on TBT issues upon request of either Party and designate contact points for communication on matters under this Article.

3. Sodelovanje v zvezi s tehničnimi ovirami v trgovini se lahko med drugim izvaja z dialogom, skupnimi projekti, tehnično pomočjo in programi krepitve zmogljivosti.

ČLEN 15

Carina in olajševanje trgovine

1. Pogodbenici si izmenjujeta izkušnje ter proučujeta možnosti za poenostavitev uvoznih, izvoznih in drugih carinskih postopkov, zagotavljata preglednost carinskih in trgovinskih predpisov, razvijata carinsko sodelovanje in učinkovite vzajemne mehanizme upravne pomoči ter si prizadevata uskladiti stališča in skupne ukrepe v okviru ustreznih mednarodnih pobud, ki vključujejo olajševanje trgovine. Pogodbenici bosta namenili posebno pozornost večji varnosti in zaščiti mednarodne trgovine, zagotavljanju učinkovitega in uspešnega uveljavljanja pravic intelektualne lastnine s strani carinskih organov ter zagotavljanju uravnoveženega pristopa med olajševanjem trgovine ter bojem proti goljufijam in nepravilnostim.

2. Brez poseganja v druge oblike sodelovanja iz tega sporazuma pogodbenici izražata svoj interes, da bosta proučili možnost sklenitve protokola o carinskem sodelovanju in vzajemni pomoči v institucionalnem okviru iz tega sporazuma.

3. Pogodbenici še naprej uporabljata vire tehnične pomoči, da bi podprli sodelovanje v carinskih zadevah in olajševanje trgovine v skladu s tem sporazumom, na način, o katerem se vzajemno dogovorita.

ČLEN 16

Naložbe

Pogodbenici spodbujata večje naložbene tokove z razvojem privlačnega in stabilnega okolja za vzajemne naložbe s stalnim dialogom, katerega cilj so stabilna, pregledna, odprta in nediskriminaturna pravila za vlagatelje ter s katerim bosta proučevali upravne mehanizme za spodbujanje naložbenih tokov v skladu z nacionalnimi zakoni in predpisi pogodbenic.

ČLEN 17

Politika konkurence

1. Pogodbenici spodbujata vzpostavitev in ohranjanje pravih konkurence ter organov za njihovo izvajanje. Spodbujata učinkovito, nediskriminatorno in pregledno uporabo teh pravil, da bi podprli pravno varnost na svojih ozemljih.

2. Pogodbenici bosta zato izvajali dejavnosti krepitve zmogljivosti na področju politike konkurence, ob upoštevanju razpoložljivosti sredstev za takšne dejavnosti v okviru instrumentov in programov sodelovanja pogodbenic.

ČLEN 18

Storitve

1. Pogodbenici se strinjata o stalnem dialogu, ki je usmerjen zlasti v izmenjavo informacij o njihovih zadevnih zakonodajnih okoljih, spodbujanje medsebojnega dostopa do njihovih trgov, vključno z elektronskim poslovanjem, spodbujanje dostopa do kapitalskih in tehnoloških virov ter spodbujanje trgovine in storitev med pogodbenicama ter na trgih tretjih držav.

2. Ker se pogodbenici zavedata konkurenčnosti svojih storitvenih sektorjev, bosta razpravljali o izkoriščanju priložnosti na področju trgovine s storitvami na njihovih trgih.

ČLEN 19

Pravice intelektualne lastnine

1. Pogodbenici ponovno potrjujeta pomembno vlogo varstva pravic intelektualne lastnine ter se zavezujeta, da bosta uvedli ustrezne ukrepe, s katerimi bosta zagotovili primerno in učinkovito varstvo ter izvajanje pravic intelektualne lastnine, ter hkrati zagotovili, da bodo takšni ukrepi v skladu z najboljšimi praksami in mednarodnimi standardi, ki sta se jim zavezali.

3. Cooperation on TBT may be undertaken, *inter alia*, through dialogue, joint projects, technical assistance and capacity-building programmes.

ARTICLE 15

Customs and Trade Facilitation

1. The Parties shall share experiences and examine possibilities for simplifying import, export and other customs procedures, ensure transparency of customs and trade regulations, develop customs cooperation and effective mutual administrative assistance mechanisms, and also seek convergence of views and joint action in the context of relevant international initiatives including trade facilitation. The Parties will pay special attention to increasing the security and safety dimension of international trade, to ensuring an effective and efficient customs enforcement of intellectual property rights, and to ensuring a balanced approach between trade facilitation, and the fight against fraud and irregularities.

2. Without prejudice to other forms of cooperation provided for under this Agreement, the Parties state their interest in considering the conclusion of protocols on customs cooperation, and on mutual assistance, within the institutional framework laid down in this Agreement.

3. The Parties shall continue to mobilise technical assistance resources to support the implementation of cooperation in customs matters and of trade facilitation under this Agreement, as mutually agreed.

ARTICLE 16

Investment

The Parties shall encourage a greater flow of investment by promoting an attractive and stable reciprocal investment climate through a consistent dialogue aimed at stable, transparent, open and non-discriminatory rules for investors, exploring administrative mechanisms to facilitate investment flows, in accordance with the Parties' domestic laws and regulations.

ARTICLE 17

Competition Policy

1. The Parties shall promote the establishment and maintenance of competition rules and authorities to implement them. They shall promote the application of these rules in an effective, non-discriminatory and transparent way in order to foster legal certainty in their respective territories.

2. To this end, the Parties will engage in capacity-building activities in the area of competition policy subject to the availability of funding for such activities under the Parties' cooperation instruments and programmes.

ARTICLE 18

Services

1. The Parties agree to have a consistent dialogue notably aimed at exchanging information on their respective regulatory environments, promoting access to each other's markets, including e-commerce, promoting access to sources of capital and technology, and promoting trade in services between the Parties and in third country markets.

2. Acknowledging the competitiveness of their respective services sector, the Parties shall undertake discussions on exploiting opportunities in trade in services of each others' markets.

ARTICLE 19

Intellectual Property Rights

1. The Parties reaffirm the great importance they attach to the protection of intellectual property rights and undertake to establish appropriate measures with a view to ensuring the adequate and effective protection and enforcement of intellectual property rights while ensuring that such measures are in accordance with the best practices and international standards to which the Parties are committed.

2. Pogodbenici si bosta pomagali pri opredelitvi in izva-
janju programov, povezanih z intelektualno lastnino, ki bodo
prispevali k spodbujanju tehnoloških inovacij ter prostovoljnemu
prenosu tehnologije in usposabljanju človeških virov, ter
sodelovali pri izvajanju razvojne agende Svetovne organizacije
za intelektualno lastnino (WIPO).

3. Pogodbenici se strinjata, da bosta okrepili sodelovanje
na področju geografskih označb, vključno z njihovo zaščito, in
na področju varstva rastlinskih sort, pri čemer bosta po potrebi
med drugim upoštevali vlogo Mednarodne zveze za varstvo
novih rastlinskih sort (UPOV).

4. Pogodbenici si izmenjujeta informacije in izkušnje v
zvezi s praksami na področju intelektualne lastnine, preprečevan-
jem kršitev pravic intelektualne lastnine, zlasti bojem proti
ponarejanju in piratstvu, predvsem s carinskim sodelovanjem
in drugimi ustreznimi oblikami sodelovanja, ter ustanovijo in
krepitvijo organizacij za nadzor in varstvo takšnih pravic.

NASLOV IV SODELOVANJE NA PODROČJU PRAVOSODJA IN VARNOSTI

ČLEN 20

Pravno sodelovanje

1. Pogodbenici priznavata poseben pomen pravne države
in krepitve vseh ustreznih institucij.

2. Sodelovanje med pogodbenicama lahko vključuje tudi
medsebojno izmenjavo informacij v zvezi z najboljšimi praksami
na področju pravnih sistemov in zakonodaje.

ČLEN 21

Sodelovanje na področju boja proti prepovedanim drogam

1. Pogodbenici sodelujeta, da bi zagotovili uravnotežen
pristop z učinkovitim usklajevanjem pristojnih organov, vključno
z organi glavne agencije za boj proti drogam, organi s področja
zdravja, pravosodja, izobraževanja, mladih in socialne varnosti,
ter sektorjev carine, notranjih zadev in drugih zadevnih sektor-
jev ter drugih vključenih zainteresiranih strani, z namenom
zmanjšanja ponudbe prepovedanih drog in povpraševanja po
njih ter njihovega vpliva na uporabnike drog, njihove družine
in družbo na splošno, ter da bi dosegli učinkovitejši nadzor
predhodnih sestavin.

2. Pogodbenici se dogovorita o načinih sodelovanja za
dosego teh ciljev. Ukrepi temeljijo na skupno dogovorjenih
načelih v skladu z ustreznimi mednarodnimi konvencijami, ka-
terih pogodbenici sta, s politično deklaracijo in deklaracijo o
smernicah za zmanjševanje povpraševanja po drogah, ki jo
je junija 1998 na posebnem 20. zasedanju o drogah sprejela
Generalna skupščina ZN, ter politično deklaracijo in akcijskim
načrtom o mednarodnem sodelovanju pri oblikovanju celovite
in uravnotežene strategije za reševanje svetovne problematike
drog, sprejetim na visoki ravni 52. zasedanja Komisije za droge
marca 2009.

3. Sodelovanje med pogodbenicama vključuje tehnično in
upravno pomoč, zlasti na naslednjih področjih:

- (a) priprava nacionalne zakonodaje in politik;
- (b) ustanovitev nacionalnih institucij in informacijskih cen-
trov;
- (c) podpora prizadevanju civilne družbe na področju drog
in zmanjšanja povpraševanja po njih ter škode, ki jo povzročajo
droge;
- (d) usposabljanje osebja,
- (e) krepitev izvajanja in izmenjave informacij v skladu z
nacionalno zakonodajo;
- (f) raziskave v zvezi z drogami;

2. The Parties shall assist each other in identifying and
implementing IP-related programmes that will contribute to
the promotion of technological innovation and to the voluntary
technology transfer and human resource training, and shall
cooperate in the implementation of the Development Agenda of
the World Intellectual Property Organization (WIPO).

3. The Parties agree to enhance cooperation on Geo-
graphical Indications, including on their protection, and in the
area of protection of plant varieties, bearing in mind among oth-
ers, and where appropriate, the role of the International Union
for the Protection of New Varieties of Plants (UPOV).

4. The Parties shall exchange information and experience
on intellectual property practices, the prevention of infringements
of IP rights – in particular the fight against counterfeiting
and piracy – namely through customs cooperation and other
appropriate forms of cooperation, and the establishment and
strengthening of organisations for the control and protection
of such rights.

TITLE IV JUSTICE AND SECURITY COOPERATION

ARTICLE 20

Legal Cooperation

1. The Parties recognise the particular importance of rule
of law and the reinforcement of all relevant institutions.

2. Cooperation between the Parties may also include
mutual exchange of information concerning best practices on
legal systems and legislation.

ARTICLE 21

Cooperation in Combating Illicit Drugs

1. The Parties shall cooperate to ensure a balanced ap-
proach through effective coordination between the competent
authorities including from the lead drug enforcement agency,
health, justice, education, youth, social welfare, customs and
interior sectors, and other relevant sectors and other affected
stakeholders, with the aim of reducing the supply of and de-
mand for illicit drugs, as well as their impact on drug users and
their families and society at large, and to achieve more effective
precursor control.

2. The Parties shall agree on the means of cooperation
to attain these objectives. Actions shall be based on commonly
agreed principles along the lines of the relevant international
conventions to which they are parties, the Political Declaration
and the Declaration on the guiding principles of drug demand
reduction, adopted by the 20th UN General Assembly Special
Session on Drugs in June 1998 and the Political Declaration
and Plan of Action on International Cooperation towards an
Integrated and Balanced Strategy to Counter the World Drug
Problem adopted at the High Level Segment of the 52nd ses-
sion of the Commission on Narcotic Drugs in March 2009.

3. The cooperation between the Parties shall comprise
technical and administrative assistance in particular in the fol-
lowing areas:

- a) the drafting of national legislation and policies;
- b) the establishment of national institutions and informa-
tion centres;
- c) support for civil society efforts in the area of drugs and
efforts to reduce demand for, and the harm from drugs;
- d) the training of personnel;
- e) the strengthening of enforcement and information ex-
change in accordance with domestic legislation;
- f) drug-related research;

(g) profiliranje drog ter preprečevanje proizvodnje nevarnih drog/mamil in preusmerjanje predhodnih sestavin, zlasti snovi, ki so bistvene za proizvodnjo prepovedanih drog;

(h) druga področja, o katerih se vzajemno dogovorita pogodbenici.

ČLEN 22

Sodelovanje na področju boja proti pranju denarja in financiranju terorizma

1. Pogodbenici se strinjata, da je treba delovati in sodelovati na področju preprečevanja pranja prihodkov iz kriminalnih dejavnosti, kot sta tihotapljenje drog in korupcija.

2. Pogodbenici se strinjata, da bosta spodbujali pravno, tehnično in upravno pomoč, ki je namenjena oblikovanju in izvajanju predpisov ter učinkovitemu delovanju mehanizmov za boj proti pranju denarja in financiranju terorizma. Sodelovanje omogoča zlasti izmenjavo ustreznih informacij v okviru zadevnih zakonodaj ter sprejetje ustreznih standardov za boj proti pranju denarja in financiranju terorizma, enakovrednih standardom, ki so jih sprejeli Unija in mednarodni organi, dejavni na tem področju, kot je Projektna skupina za finančno ukrepanje (FATF).

3. Pogodbenici spodbujata sodelovanje na področju boja proti pranju denarja in financiranju terorizma, na primer z izvajanjem projektov krepitve zmogljivosti.

ČLEN 23

Boj proti organiziranemu kriminalu in korupciji

1. Pogodbenici se strinjata, da bosta sodelovali v boju proti organiziranemu kriminalu in korupciji, kot sta opredeljena v Konvenciji ZN proti mednarodnemu organiziranemu kriminalu in njenima dopolnilnima protokoloma ter Konvenciji ZN proti korupciji. Cilj takšnega sodelovanja je spodbujanje in izvajanje navedenih konvencij in drugih veljavnih instrumentov, h katerim sta pristopili pogodbenici.

2. To sodelovanje glede na razpoložljive vire vključuje ukrepe in projekte za krepitev zmogljivosti.

3. Pogodbenici se strinjata o sodelovanju med organi, agencijami in službami kazenskega pregona ter o prispevanju k razkrivanju in odpravi groženj mednarodnega kriminala, skupnih pogodbencama, v skladu z njunima zakonodajama. Sodelovanje med organi, agencijami in službami kazenskega pregona lahko poteka v obliki vzajemne pomoči pri preiskavah, izmenjave preiskovalnih tehnik, skupnega izobraževanja in usposabljanja osebja kazenskega pregona ter kakršnih koli drugih vrst skupnih dejavnosti in pomoči, vključno z vzpostavljenimi nacionalnimi centralnimi biroji Interpola prek Interpolovega globalnega policijskega komunikacijskega sistema (I-24/7) ali podobnega sistema za izmenjavo informacij, o katerem se lahko pogodbenici vzajemno dogovorita.

ČLEN 24

Varstvo osebnih podatkov

1. Pogodbenici se strinjata, da bosta sodelovali z namenom izboljšanja ravni varstva osebnih podatkov v skladu z najvišjimi mednarodnimi standardi, kot so standardi, med drugim vključeni v Smernice za urejanje računalniških osebnih datotek, sprejete z Resolucijo Generalne skupščine ZN št. 45/95 z dne 14. decembra 1990.

2. Povečanje varstva podatkov s krepitvijo sodelovanja pri varstvu osebnih podatkov lahko med drugim vključuje tehnično pomoč v obliki izmenjave informacij ter strokovnega znanja in izkušenj, ki lahko med drugim vključujejo, vendar se ne omejujejo zgolj na:

(a) izmenjavo informacij, študij, raziskav, politik, postopkov in najboljših praks v zvezi z varstvom podatkov;

g) drug profiling and the prevention of the manufacture of dangerous/narcotic drugs and the diversion of controlled precursors, in particular substances that are essential for illicit drug manufacture;

h) other areas as may be mutually agreed by the Parties.

ARTICLE 22

Cooperation in Combating Money Laundering and Terrorism Financing

1. The Parties agree on the need to work towards, and to cooperate in, the prevention of the laundering of proceeds from criminal activities such as drug trafficking and corruption.

2. Both Parties agree to promote legal, technical and administrative assistance aimed at the development and implementation of regulations and the efficient functioning of mechanisms to combat money laundering and terrorism financing. In particular, cooperation shall allow exchanges of relevant information within the framework of respective legislations and the adoption of appropriate standards to combat money laundering and the financing of terrorism equivalent to those adopted by the Union and the international bodies active in this area, such as the Financial Action Task Force (FATF).

3. Both Parties shall promote cooperation in combating money laundering and the financing of terrorism, e.g. through the conduct of capacity-building projects.

ARTICLE 23

Combating Organised Crime and Corruption

1. The Parties agree to cooperate in combating organised crime and corruption as defined in the UN Convention against Transnational Organized Crime and its supplementary Protocols and the UN Convention against Corruption. Such cooperation aims to promote and implement these conventions and other applicable instruments to which they are party.

2. Subject to available resources, this cooperation shall include capacity-building measures and projects.

3. The Parties agree to cooperate among law enforcement authorities, agencies and services and to contribute to disrupting and dismantling transnational crime threats common to the Parties within the framework of their respective legislations. The cooperation among law enforcement authorities, agencies and services may take the form of mutual assistance in investigations, the sharing of investigational techniques, joint education and training of law enforcement personnel and any other type of joint activities and assistance, including the existing Interpol National Central Bureaus through the Interpol Global Police Communications System (I-24/7) or a similar system for information exchange, as may be mutually agreed by the Parties.

ARTICLE 24

Protection of Personal Data

1. The Parties agree to cooperate in order to improve the level of protection of personal data to the highest international standards, such as those contained, *inter alia*, in the Guidelines for the Regulation of Computerized Personal Data Files adopted by UN General Assembly Resolution 45/95 of 14 December 1990.

2. Strengthening data protection by intensifying cooperation on the protection of personal data may include, *inter alia*, technical assistance in the form of exchange of information and expertise which may include, but not be limited to the following:

a) the sharing and exchange of information, surveys, research, policies, procedures and best practices related to data protection;

(b) izvajanje in/ali obiskovanje skupnih programov usposabljanja in izobraževanja, dialogov ter konferenc, ki bodo okrepili ozaveščenost o varstvu podatkov obeh pogodbenic;

(c) izmenjavo poklicnih strokovnjakov in strokovnjakov, ki bodo proučili politike varstva podatkov.

ČLEN 25

Begunci in notranje razseljene osebe

Pogodbenici si po potrebi prizadevata za nadaljnje sodelovanje pri vprašanih v zvezi z dobrim počutjem beguncev in notranje razseljenih oseb, pri čemer upoštevata delo in pomoč, ki sta že bila zagotovljena, vključno z iskanjem trajnih rešitev.

NASLOV V SODELOVANJE NA PODROČJU MIGRACIJ IN POMORSKEGA DELA

ČLEN 26

Sodelovanje na področju migracij in razvoja

1. Pogodbenici ponovno potrjujejo pomembno vlogo skupnega upravljanja migracijskih tokov med njunima ozemljema. Da bi pogodbenici okrepili sodelovanje, vzpostavita mehanizem za izčrpen dialog in posvetovanja o vseh vprašanih v zvezi z migracijami. Vprašanja migracij se vključijo v nacionalne strategije/nacionalni razvojni okvir za gospodarski in socialni razvoj izvornih, tranzitnih in namembnih držav migrantov.

2. Sodelovanje pogodbenic temelji na ovrednotenju posebnih potreb, ki se izvede z medsebojnim posvetovanjem in dogovorom med pogodbenicama, pri čemer se izvaja v skladu z ustrezno veljavno zakonodajo Unije in nacionalno zakonodajo. Osredotočeno bo zlasti na:

(a) dejavnike odbijanja in privlačevanja pri migraciji;

(b) razvoj in izvajanje nacionalne zakonodaje in praks v zvezi z varstvom in pravicami migrantov, da bi se izpolnile določbe veljavnih mednarodnih instrumentov, ki zagotavljajo spoštovanje pravic migrantov;

(c) pripravo in izvajanje nacionalne zakonodaje in praks na področju mednarodnega varstva, da bi se izpolnile določbe Konvencije o statusu beguncev, podpisane 28. julija 1951 in njenega protokola, podpisanega 31. januarja 1967 in drugih ustreznih mednarodnih instrumentov ter da bi se zagotovilo spoštovanje načela »nevračanja«;

(d) pravila o dovolitvi sprejema ter pravice in status sprejetih oseb, zagotavljanje pravičnega obravnavanja in možnosti za vključevanje priseljencev, ki zakonito prebivajo v državi, izobraževanje in usposabljanje ter ukrepe za boj proti rasizmu, diskriminaciji in ksenofobiji;

(e) vzpostavitev učinkovite in preventivne politike za obravnavanje prisotnosti državljanov druge pogodbenice, ki ne izpolnjujejo (več) pogojev za vstop, bivanje ali stalno prebivališče na ozemlju zadevne pogodbenice, na njenem ozemlju, tihotapljenja oseb in trgovine z ljudmi, vključno z načini za boj proti mrežam tihotapcev in trgovcev z ljudmi ter za zaščito žrtev takšnih dejavnosti;

(f) vrnitev oseb v skladu s točko (e) odstavka 2 tega člena pod humanimi in dostojanstvenimi pogoji, vključno s spodbujanjem njihove prostovoljne in trajne vrnitve v izvorne države, ter njihov sprejem/ponoven sprejem v skladu z odstavkom 3 tega člena. Pri vrnitvi takšnih oseb je treba ustrezno upoštevati pravice pogodbenic glede izdaje dovoljenj za bivanje ali odobritve bivanja iz sočutnih in človekoljubnih razlogov ter načelo nevračanja;

(g) vprašanja, ki veljajo za vprašanja skupnega interesa na področju vizumov in varnosti potnih listin, ter upravljanje meja;

b) the conduct and/or attendance to joint trainings and educational programmes, dialogues and conferences that will enhance the awareness on data protection of both Parties;

c) the exchange of professionals and experts that will study data protection policies.

ARTICLE 25

Refugees and Internally Displaced Persons

The Parties endeavour to continue cooperating, where appropriate, on issues concerning the well-being of refugees and internally displaced persons, taking account of the work and assistance already provided, including the search for lasting solutions.

TITLE V COOPERATION ON MIGRATION AND MARITIME LABOUR

ARTICLE 26

Cooperation on Migration and Development

1. The Parties reaffirm the importance of the joint management of migratory flows between their territories. With a view to strengthening cooperation, the Parties shall establish a mechanism for comprehensive dialogue and consultation on all migration-related issues. Migration concerns shall be included in the national strategies/national development framework for economic and social development of countries of origin, transit and destination of migrants.

2. Cooperation between the Parties shall be based on a specific needs-assessment conducted in mutual consultation and agreement between the Parties and be implemented in accordance with the relevant Union and national legislation in force. It will, in particular, focus on:

a) the push-pull factors of migration;

b) the development and implementation of national legislation and practices with regard to protection and rights of migrants, with a view to satisfying the provisions of applicable international instruments that guarantee respect for the rights of migrants;

c) the development and implementation of national legislation and practices with regard to international protection with a view to satisfying the provisions of the Convention Relating to the Status of Refugees signed on 28 July 1951 and the Protocol thereto, signed on 31 January 1967, and other relevant international instruments, and to ensure respect for the principle of non-refoulement;

d) admission rules, as well as the rights and status of persons admitted, the provision of fair treatment and avenues for integration of lawfully residing non-nationals, education and training and measures against racism, discrimination, and xenophobia;

e) the establishment of an effective and preventive policy to address the presence on their territory of a national of the other Party who does not fulfil, or no longer fulfils, the conditions of entry, stay or residence in the territory of the Party concerned; the smuggling of persons, and trafficking in human beings, including ways to combat networks of smugglers of persons and traffickers and to protect the victims of such activities;

f) the return of persons as defined under paragraph 2, point e) of this Article, under humane and dignified conditions, including the promotion of their voluntary and sustainable return to the countries of origin, and their admission/readmission in accordance with paragraph 3 of this Article. The return of such persons shall be with due regard to the Parties' right to grant residence permits or authorisations to stay for compassionate and humanitarian reasons and the principle of non-refoulement;

g) issues identified as being of mutual interest in the field of visas and security of travel documents, as well as border management;

(h) vprašanja migracij in razvoja, vključno z razvojem človeških virov, socialnim varstvom, čim večjimi koristmi zaradi migracij, spola in razvoja, etičnim zaposlovanjem in krožnimi migracijami ter vključevanjem migrantov.

3. V okviru sodelovanja na tem področju in brez poseganja v potrebo po zaščiti žrtev trgovine z ljudmi se pogodbenici dogovorita tudi, da:

(a) v skladu s točko (e) odstavka 2 tega člena Filipini ponovno sprejmejo vse svoje državljane, ki se zadržujejo na ozemlju države članice, na zahtevo te države članice in brez nepotrebne odlašanja, potem ko je bilo ugotovljeno državljanstvo in izveden ustrezen postopek v državi članici;

(b) v skladu s točko (e) odstavka 2 tega člena vsaka država članica ponovno sprejme vse svoje državljane, ki se zadržujejo na ozemlju Filipinov, na zahtevo Filipinov in brez nepotrebne odlašanja, potem ko je bilo ugotovljeno državljanstvo in izveden ustrezen postopek na Filipinih;

(c) države članice in Filipini bodo svojim državljanom zagotovili dokumente, potrebne za takšne namene. Vsak zahtevek za sprejem ali ponovni sprejem posreduje država prosilka pristojnemu organu zaprosene države.

Kadar zadevna oseba nima ustreznih identifikacijskih dokumentov ali drugih dokazil o svojem državljanstvu, Filipini ali država članica nemudoma zaprosi zadevno pristojno diplomatsko ali konzularno predstavništvo, da potrdi državljanstvo te osebe, po potrebi s pogovorom; ko je državljanstvo Filipinov ali države članice potrjeno, pristojni organi Filipinov ali države članice izdajo ustrezne dokumente.

4. Pogodbenici se strinjata, da bosta čim prej sklenili sporazum o sprejemu/ponovnem sprejemu svojih državljanov, vključno z določbo o ponovnem sprejemu državljanov drugih držav in oseb brez državljanstva.

ČLEN 27

Pomorsko delo, izobraževanje in usposabljanje

1. Pogodbenici se strinjata, da bosta sodelovali na področju pomorskega dela, da bi spodbudili in ohranili dostojne življenjske in delovne pogoje za pomorščake, osebno varnost in zaščito pomorščakov ter politike in programe varnosti in zdravja pri delu.

2. Poleg tega se pogodbenici strinjata, da bosta sodelovali na področju pomorskega izobraževanja, usposabljanja in certificiranja pomorščakov, da bi zagotovili varno in učinkovito pomorsko delovanje ter preprečili škodo v okolju; vključno z izboljšanjem usposobljenosti posadke za prilagajanje spremenjajočim se zahtevam sektorja pomorskih prevozov in tehnološkemu napredku.

3. Pogodbenici bosta spoštovali in upoštevali načela in določbe Konvencije Združenih narodov o pomorskem mednarodnem pravu iz leta 1982, zlasti glede dolžnosti in obveznosti posamezne pogodbenice v zvezi s pogoji dela, zaposlovanjem posadke in socialnimi zadevami na plovilih, ki plovejo pod njeno zastavo; Mednarodno konvencijo o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov (Konvencija STCW), kakor je bila spremenjena, v zvezi z usposabljanjem pomorščakov in zahtevami glede njihove usposobljenosti; ter načela in določbe ustreznih mednarodnih instrumentov, h katerim sta pristopili.

4. Sodelovanje na tem področju temelji na vzajemnem posvetovanju in dialogu pogodbenic, med drugim s poudarkom na:

- (a) pomorskem izobraževanju in usposabljanju;
- (b) izmenjavi informacij in podpori dejavnostim, povezanim s pomorstvom;
- (c) uporabljenih učnih metodah in najboljših praksah v zvezi z usposabljanjem;
- (d) programih, ki obravnavajo piratstvo in terorizem na morju;

h) migration and development issues including human resources development, social protection, maximising benefits from migration, gender and development, ethical recruitment and circular migration, and the integration of migrants.

3. Within the framework of cooperation in this area and without prejudice to the need to protect victims of human trafficking, the Parties further agree that:

a) The Philippines shall admit back any of its nationals as defined under paragraph 2, point e) of this Article present in the territory of a Member State upon request by the latter, without undue delay once nationality has been established and due process in the Member State carried out.

b) Each Member State shall readmit any of its nationals as defined under paragraph 2, point e) of this Article present in the territory of the Philippines upon request by the latter, without undue delay once nationality has been established and due process in the Philippines carried out.

c) The Member States and the Philippines will provide their nationals with required documents for such purposes. Any request for admission or readmission shall be transmitted by the requesting state to the competent authority of the requested state.

Where the person concerned does not possess any appropriate identity documents or other proof of his/her nationality, the competent diplomatic or consular representation concerned shall be immediately requested by the Philippines or Member State to ascertain his/her nationality, if needed by means of an interview; and once ascertained to be a national of the Philippines or Member State, appropriate documents shall be issued by the competent Philippine or Member State authorities.

4. The Parties agree to conclude as soon as possible an agreement for the admission/readmission of their nationals, including a provision on the readmission of nationals of other countries and stateless persons.

ARTICLE 27

Maritime Labour, Education and Training

1. The Parties agree to cooperate in the field of maritime labour to promote and uphold decent living and working conditions for seafarers, seafarers' personal safety and protection, occupational safety and health policies and programmes.

2. The Parties furthermore agree to cooperate in the field of maritime education, training and certification of seafarers in order to ensure safe and efficient maritime operations and prevention of damage to the environment; including upgrading crew competences to adapt to the changing requirements of the shipping industry and technological progress.

3. The Parties shall respect and observe the principles and provisions stipulated in the 1982 United Nations Convention on the Law of the Sea particularly referring to the duties and obligations of each Party with regard to labour conditions, crewing and social matters on ships that fly its flag; the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention), as amended, with regard to seafarer training and competency requirements; and principles and provisions provided in relevant international instruments to which they are parties.

4. Cooperation in this area shall be based on mutual consultation and dialogue between the Parties, with a focus, *inter alia*, on:

- a) maritime education and training;
- b) information sharing and support on maritime related activities;
- c) applied learning methods and best practices on training;
- d) programmes to address piracy and terrorism at sea;

(e) pravici pomorščakov do varnega in zanesljivega delovnega mesta, dostojnih delovnih in življenjskih pogojev na ladjah ter varovanja zdravja, zdravstvene oskrbe, ukrepov za dobro počutje in drugih oblik socialnega varstva.

NASLOV VI
GOSPODARSKO IN RAZVOJNO SODELOVANJE
TER DRUGI SEKTORJI

ČLEN 28

Zaposlovanje in socialne zadeve

1. Pogodbenici se strinjata, da bosta okreplili sodelovanje na področju zaposlovanja in socialnih zadev, vključno s sodelovanjem pri regionalni in socialni koheziji, ob upoštevanju člena 26(2)(b), zdravja in varnosti pri delu, razvoja znanja in spretnosti, enakosti spolov in dostojnega dela, da bi okreplili socialno razsežnost globalizacije.

2. Pogodbenici ponovno potrjujeta potrebo po podpiranju procesa globalizacije, ki je koristna za vse, ter spodbujanju polne in produktivne zaposlenosti ter dostojnega dela kot ključnega elementa trajnostnega razvoja in zmanjšanja revščine, kot potrjujeta Resolucija Generalne skupščine ZN 60/1 z dne 24. oktobra 2005 (sklepi svetovnega vrha 2005) in ministrska deklaracija zasedanja na visoki ravni Ekonomsko-socialnega sveta ZN julija 2006 (Ekonomsko-socialni svet ZN E/2006/L.8 z dne 5. julija 2006). Pogodbenici upoštevata značilnosti in raznolikost svojih gospodarskih in socialnih razmer.

3. Pogodbenici se ob ponovni potrditvi svojih zavez do spoštovanja, spodbujanja in uresničevanja mednarodno priznanih delovnih in socialnih standardov, kot so določeni zlasti v Deklaraciji Mednarodne organizacije dela (ILO) o temeljnih pravicah in načelih iz dela ter konvencijah ILO, h katerim sta pristopili, strinjata, da bosta sodelovali pri posebnih programih in projektih tehnične pomoči, kot se medsebojno dogovorita. Prav tako se pogodbenici strinjata, da se bosta zavezali k dialogu, sodelovanju in pobudam v zvezi s temami skupnega interesa na dvostranski ali večstranski ravni, kot na primer v okviru ZN, IOM, ILO, ASEM in EU-ASEAN.

ČLEN 29

Razvojno sodelovanje

1. Glavni cilj razvojnega sodelovanja je spodbujanje trajnostnega razvoja, ki bo prispeval k zmanjšanju revščine in uresničevanju mednarodno dogovorjenih razvojnih ciljev, vključno s razvojnimi cilji tisočletja. Pogodbenici vzpostavita stalen dialog o razvojnem sodelovanju v skladu s svojimi prednostnimi nalogami in področji skupnega interesa.

2. Cilji dialoga o razvojnem sodelovanju so med drugim:

- (a) spodbujanje človekovega in socialnega razvoja;
- (b) prizadevanje za trajnostno vključujočo gospodarsko rast;
- (c) spodbujanje okoljske trajnosti in preudarnega gospodarjenja z naravnimi viri, vključno s spodbujanjem najboljših praks;
- (d) zmanjšanje vpliva podnebnih sprememb in obvladovanje njihovih posledic;
- (e) povečanje zmogljivosti za izvajanje intenzivnejšega vključevanja v svetovno gospodarstvo in mednarodni trgovinski sistem;
- (f) spodbujanje reforme javnega sektorja, zlasti na področju upravljanja javnih financ, za izboljšanje opravljanja socialnih storitev;
- (g) vzpostavitev postopkov v skladu z načeli Pariške deklaracije o učinkovitosti pomoči, akcijskega načrta iz Akre in drugih mednarodnih zavez za izboljšanje izvajanja in učinkovitosti pomoči.

e) seafarers' right to a safe and secure workplace; decent working and living conditions on board ship; and health protection, medical care, welfare measures and other forms of social protection.

TITLE VI
ECONOMIC AND DEVELOPMENT COOPERATION,
AND OTHER SECTORS

ARTICLE 28

Employment and Social Affairs

1. The Parties agree to enhance cooperation in the field of employment and social affairs, including cooperation in regional and social cohesion, with reference to Article 26(2)(b), health and safety at the workplace, skills development, gender equality and decent work, with a view to strengthening the social dimension of globalisation.

2. The Parties reaffirm the need to support the process of globalisation which is beneficial to all and to promote full and productive employment and decent work as a key element of sustainable development and poverty reduction, as endorsed by UN General Assembly Resolution 60/1 of 24 October 2005 (2005 World Summit Outcome) and the Ministerial Declaration of the high-level segment of the UN Economic and Social Council of July 2006 (UN Economic and Social Council E/2006/L.8 of 5 July 2006). The Parties shall take into account the respective characteristics and diverse nature of their economic and social situations.

3. Reaffirming their commitments to respect, promote and realise internationally recognised labour and social standards, as referred to in particular in the Declaration on Fundamental Principles and Rights at Work of the International Labour Organisation (ILO) and the ILO conventions to which they are party, the Parties agree to cooperate on specific technical assistance programmes and projects, as mutually agreed. The Parties likewise agree to undertake dialogue, cooperation and initiatives on topics of common interest at bilateral or multilateral level, such as at UN, IOM, ILO, ASEM and EU-ASEAN level.

ARTICLE 29

Development Cooperation

1. The primary goal of development cooperation is to encourage sustainable development that will contribute to the reduction of poverty and to the attainment of internationally agreed development goals including the Millennium Development Goals. The Parties shall engage in regular dialogue on development cooperation in line with their respective priorities and areas of mutual interest.

2. The development cooperation dialogue shall aim at, *inter alia*:

- a) promoting human and social development;
- b) pursuing sustained inclusive economic growth;
- c) promoting environmental sustainability and sound management of natural resources including promotion of best practices;
- d) reducing the impact, and managing the consequences of, climate change;
- e) enhancing capacity to implement deeper integration into the world economy and international trading system;
- f) promoting public sector reform particularly in the area of public finance management to improve the delivery of social services;
- g) establishing processes adhering to the principles of the Paris Declaration on Aid Effectiveness, the Accra Agenda for Action, and other international commitments aimed at improving the delivery and effectiveness of aid.

ČLEN 30

Dialog o gospodarski politiki

1. Pogodbenici se strinjata, da bosta sodelovali pri spodbujanju izmenjave informacij o svojih gospodarskih gibanjih in politikah ter pri izmenjavi izkušenj z usklajevanjem gospodarskih politik v okviru regionalnega gospodarskega sodelovanja in povezovanja.

2. Pogodbenici si prizadevata za poglobitev dialoga med svojimi organi o gospodarskih zadevah, o katerih se pogodbenici dogovorita, med drugim na področjih, kot so monetarna politika, fiskalna politika, vključno z obdavčevanjem podjetij, javne finance, makroekonomska stabilizacija in zunanji dolg.

ČLEN 31

Civilna družba

Pogodbenici priznavata vlogo in možen prispevek organizirane civilne družbe pri demokratičnem upravljanju ter se strinjata, da bosta spodbujali učinkovit dialog in vzajemno delovanje s civilno družbo v skladu z veljavnimi nacionalnimi zakoni pogodbenic.

ČLEN 32

Obvladovanje tveganja naravnih nesreč

1. Pogodbenici se strinjata, da bosta povečali sodelovanje na področju obvladovanja tveganja naravnih nesreč s stalnim razvojem in izvajanjem ukrepov za zmanjšanje tveganja za skupnosti in obvladovanje posledic naravnih nesreč na vseh ravneh družbe. Poudarek bi moral biti na preventivnih ukrepih in proaktivnem pristopu k obravnavanju tveganj in nevarnosti z zmanjšanjem tveganj ali šibkih točk za naravne nesreče.

2. Pogodbenici sodelujeta, da bi obvladovanje tveganja naravnih nesreč postalo sestavni del razvojnih načrtov in procesov oblikovanja politike, povezane s pojavi naravnih nesreč.

3. Sodelovanje na tem področju je osredotočeno na naslednje točke programa:

(a) zmanjšanje ali preprečevanje tveganja naravnih nesreč in njihova ublažitev;

(b) upravljanje znanja, inovacije, raziskave in izobraževanje za vzpostavitev kulture varnosti in prilagodljivosti na vseh ravneh;

(c) pripravljenost na naravne nesreče;

(d) politiko, institucionalno zmogljivost in doseganje soglasja za obvladovanje naravnih nesreč;

(e) odziv na naravne nesreče;

(f) oceno in spremljanje tveganja naravnih nesreč;

(g) načrtovanje obnove in sanacije po naravni nesreči;

(h) prilagoditev na podnebne spremembe in njihovo ublažitev.

ČLEN 33

Energetika

1. Pogodbenici si prizadevata za krepitev sodelovanja v energetskem sektorju, da bi:

(a) ustvarili ugodnejše pogoje za naložbe, predvsem v infrastrukturo, in enake konkurenčne pogoje za obnovljivo energijo;

(b) zagotovili raznovrstnost oskrbe z energijo, da bi povečali varnost preskrbe z energijo, vključno z razvojem novih, trajnostnih, inovativnih in obnovljivih oblik energije, ter podprli institucionalizacijo ustreznih političnih okvirov za ustvarjanje enakih konkurenčnih pogojev za obnovljivo energijo in njeno vključitev v ustrezna področja politik;

(c) razvili čim bolj skladne energetske standarde, zlasti za biogorivo in druge vrste alternativnega goriva ter z njimi povezane zmogljivosti in prakse;

(d) dosegli racionalno porabo energije s spodbujanjem energetske učinkovitosti in varčevanja energije pri proizvodnji, prevozu, distribuciji in končni uporabi;

ARTICLE 30

Economic Policy Dialogue

1. The Parties agree to cooperate in promoting the exchange of information on their respective economic trends and policies, and the sharing of experience in coordinating economic policies in the context of regional economic cooperation and integration.

2. The Parties endeavour to deepen the dialogue between their authorities on economic matters which, as agreed by the Parties, may include areas such as monetary policy, fiscal policy, including business taxation, public finance, and macro-economic stabilisation and external debt.

ARTICLE 31

Civil Society

The Parties recognise the role and potential contribution of organised civil society in democratic governance and agree to promote effective dialogue and interaction with civil society, in accordance with the applicable domestic laws of the Parties.

ARTICLE 32

Disaster Risk Management

1. The Parties agree to increase cooperation on Disaster Risk Management (DRM) in the continuous development and implementation of measures to reduce the risk to communities and manage the consequences of natural disasters across all levels of society. Emphasis should be placed on preventive action and proactive approaches to deal with hazards and risks and to reduce risks or vulnerabilities to natural disasters.

2. The Parties shall work together to make DRM an integral part of development plans and policy-making processes relative to natural disaster events.

3. Cooperation in this area shall focus on the following programme elements:

a) disaster risk reduction or prevention and mitigation;

b) knowledge management, innovation, research, and education to build a culture of safety and resilience at all levels;

c) disaster preparedness;

d) policy, institutional capacity and consensus building for disaster management;

e) disaster response;

f) disaster risks assessment and monitoring;

g) post-disaster recovery and rehabilitation planning;

h) climate change adaptation and mitigation.

ARTICLE 33

Energy

1. The Parties shall endeavour to enhance cooperation in the energy sector with a view to:

a) creating favourable conditions for investment, notably in infrastructures and a level playing field for renewable energy;

b) diversifying energy supplies to enhance energy security including developing new, sustainable, innovative and renewable forms of energy, and supporting the institutionalisation of appropriate policy frameworks to create a level playing field for renewable energy and its integration into relevant policy areas;

c) developing converging energy standards especially for biofuels and other alternative fuels, related facilities and practices;

d) achieving a rational use of energy by promoting energy efficiency and conservation in energy production, transportation, distribution and end-use;

(e) podpri prenos tehnologije med podjetji pogodbenic s ciljem trajnostne proizvodnje in uporabe energije. To bi se lahko izvedlo z ustreznim sodelovanjem, zlasti na področjih reforme energetskega sektorja, razvoja energetskih virov, zmogljivosti nadaljnje proizvodnje in razvoja biogoriva;

(f) okrepi zmogljivost na vseh področjih, zajetih v tem členu ter spodbudili ugodne in privlačne vzajemne naložbe s stalnim dialogom, katerega cilj so trdna, pregledna, odprta in nediskriminacijska pravila za vlagatelje ter s katerim bosta proučevali upravne mehanizme za spodbujanje naložbenih tokov v skladu z nacionalnimi zakoni in predpisi pogodbenic.

2. Pogodbenici se v ta namen strinjata, da bosta spodbujali stike in skupne raziskave v medsebojno korist pogodbenic, zlasti v ustreznih regionalnih in mednarodnih okvirih. Ob upoštevanju člena 34 in sklepov svetovnega vrha o trajnostnem razvoju, ki je potekal leta 2002 v Johannesburgu, pogodbenici poudarjata, da je treba razpravljati o povezavah med cenovno sprejemljivim dostopom do energetskih storitev in trajnostnim razvojem. Te dejavnosti se lahko spodbujajo skupaj z Energetsko pobudo Evropske unije, ki je bila predstavljena na svetovnem vrhu o trajnostnem razvoju.

3. Pogodbenici se v skladu s svojimi zavezami v zvezi z obravnavanjem podnebnih sprememb, ki jih imata kot pogodbenici Okvirne konvencije ZN o podnebnih spremembah, strinjata, da bosta spodbujali tehnično sodelovanje in zasebna partnerstva pri projektih trajnostne in obnovljive energije, zamenjave goriva in energetske učinkovitosti s prilagodljivimi tržnimi mehanizmi, kot je mehanizem trga ogljika.

ČLEN 34

Okolje in naravni viri

1. Pogodbenici se strinjata, da je treba na tem področju sodelovati, da bi ohranili in izboljšali okolje ter tako dosegli trajnostni razvoj. Pri vseh dejavnostih, ki sta se jim pogodbenici zavezali v skladu s tem sporazumom, je treba upoštevati izvajanje sklepov svetovnega vrha o trajnostnem razvoju in ustreznih večstranskih okoljskih sporazumov, katerih pogodbenici sta.

2. Pogodbenici se strinjata glede potrebe po trajnostnem ohranjanju in upravljanju naravnih virov ter biotske raznovrstnosti v korist vseh generacij, pri čemer upoštevata njune razvojne potrebe.

3. Pogodbenici se strinjata, da bosta sodelovali z namenom povečanja medsebojne podpore pri trgovinskih in okoljskih politikah ter vključevanja okoljskih vidikov v vsa področja sodelovanja.

4. Pogodbenici si prizadevata za nadaljevanje in krepitev njunega sodelovanja v regionalnih programih o varstvu okolja, ki zadevajo:

(a) krepitev okoljske ozaveščenosti in lokalnega sodelovanja pri prizadevanjih za varstvo okolja in trajnostni razvoj, vključno z udeležbo domorodnih kulturnih skupnosti/domorodnega prebivalstva in lokalnih skupnosti;

(b) krepitev zmogljivosti na področju prilagajanja podnebnim spremembam in njihove ublažitve ter energetske učinkovitosti;

(c) krepitev zmogljivosti za sodelovanje pri večstranskih okoljskih sporazumih, med drugim tudi v zvezi z biotsko raznovrstnostjo in biološko varnostjo, in njihovo izvajanje;

(d) spodbujanje okolju prijaznih tehnologij, izdelkov in storitev, vključno z regulativnimi in tržnimi instrumenti;

(e) izboljšanje naravnih virov, vključno z upravljanjem gozdov ter bojem proti nezakoniti sečnji in z njo povezani trgovini, ter spodbujanje trajnostnih naravnih virov, vključno z gospodarjenjem z gozdovi;

e) fostering the transfer of technology between the Parties' enterprises aimed at sustainable energy production and use. This could be done through appropriate cooperation especially in the areas of power sector reforms, energy resources development, downstream facilities and biofuels development;

f) enhancing capacity-building in all fields covered by this Article and promoting favourable and attractive reciprocal investments through a consistent dialogue aimed at stable, transparent, open and non-discriminatory rules for investors, exploring administrative mechanisms to facilitate investment flows, in accordance with the Parties' domestic laws and regulations.

2. To these ends, the Parties agree to promote contacts and joint research for the mutual benefit of the Parties, particularly through relevant regional and international frameworks. With reference to Article 34 and the conclusions of the World Summit on Sustainable Development (WSSD), which took place in Johannesburg in 2002, the Parties underscore the need to address the links between affordable access to energy services and sustainable development. These activities can be promoted in cooperation with the European Union Energy Initiative, launched at the WSSD.

3. The Parties, in keeping with their commitments as parties to the UN Framework Convention on Climate Change to address climate change, agree to promote technical cooperation and private-partnerships, in sustainable and renewable energy, fuel-switch and energy efficiency projects through flexible market-based mechanisms, such as the carbon market mechanism.

ARTICLE 34

Environment and Natural Resources

1. The Parties agree that cooperation in this area shall promote the conservation and improvement of the environment in pursuit of sustainable development. The implementation of the outcome of the WSSD and of relevant multilateral environmental agreements to which they are parties shall be taken into account in all activities undertaken by the Parties under this Agreement.

2. The Parties agree on the need to conserve and manage in a sustainable manner natural resources and biological diversity for the benefit of all generations taking into account their developmental needs.

3. The Parties agree to cooperate with a view to enhancing the mutual support for trade and environment policies, and the integration of environmental considerations into all sectors of cooperation.

4. The Parties endeavour to continue and strengthen their cooperation in regional programmes on protection of the environment, as regards:

a) enhancing environmental awareness and local participation in environmental protection and sustainable development efforts, including participation of indigenous cultural communities/indigenous peoples and local communities;

b) capacity-building on climate change adaptation and mitigation and energy efficiency;

c) capacity-building for participating and implementing multilateral environment agreements including but not limited to biodiversity and biosafety;

d) promoting environmentally friendly technologies, products and services, including through the use of regulatory and market-based instruments;

e) improving natural resources including forest governance and combating illegal logging and associated trade, and promoting sustainable natural resources including forest management;

(f) učinkovito upravljanje nacionalnih parkov in zavarovanih območij ter razglasitev in varstvo območij z biotsko raznovrstnostjo in občutljivimi ekosistemi, pri čemer ustrezno upoštevata lokalne in domorodne skupnosti, ki živijo na teh območjih ali blizu njih;

(g) preprečevanje nezakonitega čezmejnega premeščanja trdnih in nevarnih ter drugih vrst odpadkov;

(h) varstvo obalnega in pomorskega okolja ter učinkovito gospodarjenje z vodnimi viri;

(i) varstvo in ohranjanje tal ter trajnostno upravljanje zemljišč, vključno s sanacijo izčrpanih/opuščenih rudnikov;

(j) spodbujanje krepitve zmogljivosti za ravnanje v primeru naravnih nesreč in obvladovanje tveganja;

(k) spodbujanje vzorcev trajnostne potrošnje in proizvodnje v njihovih gospodarstvih.

5. Pogodbenici spodbujata vzajemen dostop do njihovih programov na tem področju v skladu s posebnimi pogoji takšnih programov.

ČLEN 35

Kmetijstvo, ribištvo in razvoj podeželja

Pogodbenici se strinjata, da bosta spodbujali dialog in sodelovanje za trajnostni razvoj na področju kmetijstva, ribištva in razvoja podeželja. Področja dialoga lahko vključujejo:

(a) kmetijsko politiko in mednarodna kmetijska predvidevanja na splošno;

(b) možnosti za olajševanje trgovine z rastlinami, živalmi in vodnimi živalmi ter njihovimi proizvodi, pri čemer se upoštevajo ustrezni mednarodni dogovori, kot so med drugim IPPC in OIE, h katerim sta pristopili pogodbenici;

(c) dobro počutje živali;

(d) razvojno politiko na podeželju;

(e) politiko kakovosti rastlin, živali, proizvodov vodnih živali in rastlin ter zlasti geografskih označb;

(f) razvoj trajnostnega in okolju prijaznega kmetijstva, živilskopredelovalne industrije, biogoriva in prenosa biotehnologij;

(g) varstvo rastlinskih sort, semensko tehnologijo, izboljšanje produktivnosti pridelkov, alternativne tehnologije za pridelke, vključno z biotehnologijo v kmetijstvu;

(h) razvoj zbirke podatkov o kmetijstvu, ribištvu in razvoju podeželja;

(i) krepitev človeških virov na področju kmetijstva, veterinarstva in ribištva;

(j) podpiranje trajnostne in odgovorne dolgoročne pomorske in ribiške politike, vključno z ribiški tehnologijami ter ohranjanjem in upravljanjem morskih virov ob obali in na odprtem morju;

(k) podporo prizadevanjem za preprečevanje nezakonitih, neprijavljenih in neurejenih ribolovnih praks in z njimi povezane trgovine ter boj proti njim;

(l) ukrepe v zvezi z izmenjavo izkušenj in partnerstvi, razvojem skupnih podjetij in omrežij sodelovanja med lokalnimi zastopniki ali gospodarskimi subjekti, vključno z ukrepi za izboljšanje dostopa do financiranja na področjih, kot so raziskave in prenos tehnologije;

(m) krepitev vloge združenj proizvajalcev in dejavnosti za spodbujanje trgovine.

ČLEN 36

Regionalni razvoj in sodelovanje

1. Pogodbenici spodbujata medsebojno razumevanje in dvostransko sodelovanje na področju regionalne politike.

2. Pogodbenici tudi spodbujata in krepiata izmenjavo informacij ter sodelovanje na področju regionalne politike, s posebnim poudarkom na razvoju področij z neugodnim položajem, povezav med mesti in podeželjem ter razvoju podeželja.

3. Sodelovanje na področju regionalne politike lahko zajema:

f) effective management of national parks and protected areas and the designation and protection of areas of biodiversity and fragile ecosystems, with due regard for local and indigenous communities living in or near these areas;

g) prevention of illegal transboundary movement of solid and hazardous wastes and other forms of wastes;

h) protection of coastal and marine environment and effective water resources management;

i) protection and conservation of soils and sustainable land management, including rehabilitation of mined-out/abandoned mines;

j) promoting capacity building in disaster and risk management;

k) promoting Sustainable Consumption and Production patterns in their economies.

5. The Parties shall encourage mutual access to their programmes in this field, in accordance with the specific terms of such programmes.

ARTICLE 35

Agriculture, Fisheries and Rural Development

The Parties agree to encourage dialogue and promote cooperation towards sustainable development in agriculture, fisheries and rural development. Areas of dialogue may include:

a) agricultural policy and international agricultural outlook in general;

b) the possibilities for facilitating trade in plants, animals, aquatic animals and their products taking into account relevant international conventions such as IPPC and OIE, among others, to which they are parties;

c) animal welfare;

d) development policy in rural areas;

e) quality policy for plants, animal and aquatic products, and in particular Geographical Indications;

f) the development of sustainable and environmentally-friendly agriculture, agro-industry, biofuels, and the transfer of biotechnologies;

g) plant variety protection, seed technology, improving crop productivity, alternative crop technologies including agricultural biotechnology;

h) the development of databases on agriculture, fisheries and rural development;

i) strengthening human resources in the area of agriculture, veterinary affairs and fisheries;

j) supporting sustainable and responsible long-term marine and fisheries policy including fisheries technologies, conservation and management of coastal and high-seas marine resources;

k) promoting efforts to prevent and combat illegal, unreported, and unregulated fishing practices and associated trade;

l) measures relating to exchange of experience and partnerships, development of joint ventures and cooperation networks between local agents or economic operators including measures to improve access to finance in areas such as research and technology transfer;

m) strengthening producers associations and trade promotion activities.

ARTICLE 36

Regional Development and Cooperation

1. The Parties shall promote mutual understanding and bilateral cooperation in the field of regional policy.

2. The Parties shall encourage and strengthen the exchange of information and cooperation on regional policy, with special emphasis on the development of disadvantaged areas, urban-rural linkages and rural development.

3. Cooperation in regional policy may take the following forms:

- (a) načine oblikovanja in izvajanja regionalnih politik;
- (b) upravljanje in partnerstvo na več ravneh;
- (c) odnose med mesti in podeželjem;
- (d) razvoj podeželja, vključno s pobudami za izboljšanje dostopa do financiranja in trajnostnega razvoja;
- (e) statistiko.

ČLEN 37

Industrijska politika ter sodelovanje malih in srednje velikih podjetij

Pogodbenici se ob upoštevanju gospodarskih politik in ciljev strinjata, da bosta spodbujali sodelovanje na vseh ustreznih področjih industrijske politike, da bi ustvarili okolje, koristno za gospodarski razvoj, ter izboljšali konkurenčnost industrije, zlasti malih in srednje velikih podjetij (MSP), pri čemer to sodelovanje med drugim vključuje:

- (a) spodbujanje mrežnega povezovanja gospodarskih subjektov, zlasti MSP, z namenom izmenjave informacij in izkušenj, opredelitve priložnosti na področjih skupnega interesa, prenosa tehnologije ter spodbujanja trgovine in naložb;
- (b) izmenjavo informacij in izkušenj v zvezi z ustvarjanjem okvirnih pogojev, ki bi podjetjem, zlasti MSP, omogočili okolje, v katerem bi lahko izboljšala konkurenčnost;
- (c) spodbujanje sodelovanja pogodbenic v pilotnih projektih in posebnih programih v skladu z njihovimi posebnimi pogoji;
- (d) spodbujanje naložb in skupnih podjetij za pospeševanje prenosa tehnologije, inovacij, posodobitve, diverzifikacije in pobud v zvezi s kakovostjo;
- (e) zagotavljanje informacij, spodbujanje inovacij in izmenjavo dobrih praks pri dostopu do financ, zlasti za mala podjetja in mikropodjetja;
- (f) spodbujanje družbene odgovornosti in obveznosti podjetij ter spodbujanje odgovornih poslovnih praks, vključno s trajnostno potrošnjo in proizvodnjo;
- (g) razvoj skupnih raziskovalnih projektov na izbranih industrijskih področjih ter sodelovanje pri projektih krepitev zmogljivosti, vključno s standardi in postopki ugotavljanja skladnosti ter tehničnimi predpisi, kot se vzajemno dogovorita.

ČLEN 38

Promet

1. Pogodbenici se strinjata, da bosta sodelovali na ustreznih področjih prometne politike, da bi izboljšali priložnosti za naložbe ter pretok blaga in potnikov, spodbujali pomorsko in letalsko varnost in zaščito, obravnavali okoljski vpliv prometa ter povečali učinkovitost svojih prometnih sistemov.

2. Cilj sodelovanja pogodbenic na tem področju je spodbujanje:

- (a) izmenjave informacij o njihovih prometnih politikah, predpisih in praksah, zlasti v zvezi s prometom v mestih, na podeželju in po morju, letalskimi prevozi, prometno logistiko ter povezljivostjo in interoperabilnostjo večmodalnih prometnih mrež, ter v zvezi z upravljanjem cest, železnic, pristanišč in letališč;
- (b) izmenjave stališč o evropskih satelitskih navigacijskih sistemih (zlasti sistemu Galileo) s poudarkom na regulativnih, industrijskih in tržnih razvojnih vprašanjih vzajemne koristi;
- (c) nadaljevanja dialoga na področju storitev letalskih prevozov, da bi zagotovili pravno varnost brez kakršnega koli nepotrebnega odloga veljavnih dvostranskih sporazumov o storitvah zračnih prevozov med posameznimi državami članicami in Filipini;

- a) methods of formulation and implementation of regional policies;
- b) multi-level governance and partnership;
- c) urban-rural relations;
- d) rural development, including initiatives to improve access to finance and sustainable development;
- e) statistics.

ARTICLE 37

Industrial Policy and SME Cooperation

The Parties, taking into account their respective economic policies and objectives, agree to promote industrial policy cooperation in all fields deemed suitable, with a view to creating a climate conducive to economic development and improving the competitiveness of industries, especially small and medium-sized enterprises (SMEs), *inter alia*, through:

- a) promoting networking among economic operators, especially SMEs, with the aim of exchanging information and experiences, identifying opportunities in sectors of mutual interest, transfer of technology and boosting trade and investment;
- b) exchanging information and experience on creating framework conditions leading to an environment for businesses, especially SMEs, to improve their competitiveness;
- c) promoting the participation of both Parties in pilot projects and in special programmes according to their specific terms;
- d) promoting investments and joint ventures to stimulate transfer of technology, innovation, modernisation, diversification, and quality initiatives;
- e) providing information and stimulating innovation and exchanging good practices on access to finance, particularly for small and micro-enterprises;
- f) promoting corporate social responsibility and accountability and encouraging responsible business practices, including sustainable consumption and production;
- g) developing joint research projects in selected industrial areas and cooperating in capacity-building projects including in standards and conformity assessment procedures and technical regulations, as mutually agreed.

ARTICLE 38

Transport

1. The Parties agree to cooperate in relevant areas of transport policy with a view to improving investment opportunities and the movement of goods and passengers, promoting maritime and aviation safety and security, addressing the environmental impact of transport and increasing the efficiency of their transport systems.

2. Cooperation between the Parties in this area shall aim to promote:

- a) the exchange of information on their respective transport policies, regulations and practices, especially regarding urban and rural transport, maritime transport, air transport, transport logistics, and the interconnection and interoperability of multimodal transport networks as well as the management of roads, railways, ports, and airports;
- b) the exchange of views on the European Satellite Navigation Systems (in particular Galileo) with a focus on regulatory, industrial, and market development issues of mutual benefit;
- c) continuing the dialogue in the field of air transport services with a view to ensuring legal certainty without any undue delay to the existing bilateral air services agreements between individual Member States and the Philippines;

(d) nadaljevanja dialoga o krepitevi infrastrukturnih omrežij in dejavnosti letalskih prevozov za hiter, učinkovit, trajno-osten, varen ter zanesljiv pretok blaga in potnikov ter spodbujanje uporabe konkurenčnega prava in gospodarske ureditve letalskega sektorja, da bi podprli zблиževanje zakonodaje in okrepili poslovanje ter proučili možnosti za poglobitev odnosov na področju letalskih prevozov. Še naprej je treba spodbujati projekte sodelovanja skupnega interesa na področju letalskih prevozov;

(e) dialoga na področju politike in storitev pomorskega prometa, ki je usmerjen zlasti k spodbujanju razvoja dejavnosti pomorskega prometa, med drugim vključno z:

i) izmenjavo informacij o zakonodaji in predpisih v zvezi s pomorskim prometom in pristanišči;

ii) spodbujanjem neomejenega dostopa do mednarodnih pomorskih trgov in trgovine na tržni osnovi, vzdržnostjo pri uvajanju klavzul o delitvi tovora, dodelitvijo klavzule nacionalne obravnave in klavzule o državah z največjimi ugodnostmi (MFN) za plovila, ki jih upravljajo državljani ali podjetja druge pogodbenice, ter zadevnimi vprašanji, povezanimi s prometnimi storitvami od vrat do vrat, ki vključujejo pomorski del prevozne verige ob upoštevanju nacionalnih zakonov pogodbenic;

iii) učinkovitim upravljanjem pristanišč in učinkovitostjo storitev pomorskega prometa; in

iv) spodbujanjem sodelovanja skupnega interesa na področju pomorskega prevoza ter področja pomorskega dela, izobraževanja in usposabljanja v skladu s členom 27.

(f) dialoga o učinkovitem izvajanju standardov na področju varstva, varnosti in preprečevanja onesnaževanja v prometu, zlasti v zvezi s pomorskim prometom, ki vključuje zlasti boj proti piratstvu, in letalskimi prevozi, v skladu z ustreznimi mednarodnimi konvencijami, katerih pogodbenici sta, ter standardi, vključno s sodelovanjem na ustreznih mednarodnih forumih, da bi zagotovili boljše izvajanje mednarodnih predpisov. Pogodbenici bosta zato spodbujali tehnično sodelovanje in pomoč pri vprašanih, povezanih z varstvom, varnostjo in okoljskimi vidiki v prometu, med drugim tudi z izobraževanjem in usposabljanjem, iskanjem in reševanjem ter preiskovanjem nesreč in incidentov na področju pomorstva in letalstva. Pogodbenici se bosta osredotočili tudi na spodbujanje okolju prijaznih načinov prevoza.

ČLEN 39

Znanstveno in tehnološko sodelovanje

1. Pogodbenici se strinjata, da bosta sodelovali na področju znanosti in tehnologije, pri čemer bosta upoštevali cilje svojih politik.

2. Cilji takšnega sodelovanja so:

(a) spodbujanje izmenjave informacij ter znanja in izkušenj o znanosti in tehnologiji, zlasti o izvajanju politik in programov, ter pravicah intelektualne lastnine za posege na področju raziskav in razvoja;

(b) spodbujanje trajnih odnosov in raziskovalnih partnerstev med znanstvenimi skupnostmi, raziskovalnimi centri, univerzami in industrijo pogodbenic;

(c) spodbujanje usposabljanja človeških virov ter krepitev tehnoloških in raziskovalnih zmogljivosti.

3. Sodelovanje poteka v obliki skupnih raziskovalnih projektov in izmenjav, srečanj ter usposabljanja raziskovalcev prek mednarodnih programov usposabljanja, mobilnosti in izmenjav, s čimer se zagotavlja največje možno razširjanje rezultatov raziskav, učenja in najboljših praks. O drugih načinih sodelovanja se je mogoče vzajemno dogovoriti.

d) continuing the dialogue on enhancing air transport infrastructure networks and operations for the fast, efficient, sustainable, safe and secure movement of people and goods, and promoting the application of competition law and economic regulation of the air industry, with a view to supporting regulatory convergence and enhancing doing business, and to examine possibilities for the further development of relations in the field of air transport. Air transport cooperation projects of mutual interest should be further promoted;

e) dialogue in the field of maritime transport policy and services aiming in particular at promoting the development of the maritime transport industry including but not limited to:

i) the exchange of information on legislation and regulations concerning maritime transport and ports;

ii) the promotion of unrestricted access to the international maritime markets and trades on a commercial basis, the abstention from introducing cargo sharing clauses, the granting of national treatment and Most Favoured Nation (MFN) clauses for vessels operated by nationals or companies of the other Party and relevant issues related to door-to-door transport services involving the sea leg, taking into account the domestic laws of the Parties;

iii) the effective administration of ports and the efficiency of maritime transport services; and

iv) the promotion of maritime transport cooperation of mutual interest and of the area of maritime labour, education and training pursuant to Article 27.

f) a dialogue on the effective implementation of transport security, safety and pollution prevention standards, notably as regards maritime transport, particularly including combating piracy, and air transport, in line with the relevant international conventions to which they are parties, and standards, including cooperation in the appropriate international fora aiming to ensure better enforcement of international regulations. To this end, the Parties will promote technical cooperation and assistance on issues related to transport safety, security and environmental consideration including but not limited to maritime and aviation education and training, search and rescue, and accidents and incidents investigation. The Parties will also focus on the promotion of environmentally-friendly modes of transport.

ARTICLE 39

Scientific and Technological Cooperation

1. The Parties agree to cooperate in the field of science and technology taking into account their respective policy objectives.

2. The aims of such cooperation shall be to:

a) encourage the exchange of information and sharing of know-how on science and technology, especially on the implementation of policies and programmes as well as intellectual property rights for research and development interventions;

b) promote enduring relations and research partnerships between the Parties' scientific communities, research centres, universities and industry;

c) promote human resources training and technological and research capacity building.

3. Cooperation shall take the form of joint research projects and exchanges, meetings and training of researchers through international training and mobility schemes and exchange programmes, providing for the maximum dissemination of the results of research, learning and best practices. Other modes of cooperation may be mutually agreed upon.

4. Te dejavnosti sodelovanja bi morale temeljiti na načelih vzajemnosti, pravične obravnave in vzajemnih koristi ter zagotoviti ustrezno varovanje intelektualne lastnine. Kakršna koli vprašanja glede pravic intelektualne lastnine, ki se lahko porodijo v okviru sodelovanja v skladu s tem sporazumom, so po potrebi lahko predmet pogajanj med ustreznimi agencijami ali skupino, ki je sodelovala pred začetkom dejavnosti sodelovanja, ter lahko vključujejo vprašanja avtorskih pravic, blagovne znamke in patentov, pri čemer se upoštevajo njuni zakoni in predpisi.

5. Pogodbenici spodbujata udeležbo svojih visokošolskih ustanov, raziskovalnih centrov in proizvodnih sektorjev, vključno z MSP.

6. Pogodbenici se strinjata, da si bosta po svojih najboljših močeh prizadevali povečati ozaveščenost javnosti o možnostih njihovih programov za znanstveno in tehnološko sodelovanje.

ČLEN 40

Sodelovanje na področju informacijske in komunikacijske tehnologije

1. Pogodbenici si ob priznavanju, da je informacijska in komunikacijska tehnologija (IKT) ključni element sodobnega življenja ter da je bistvenega pomena za gospodarski in družbeni razvoj, prizadevata izmenjati stališča o njihovih politikah na tem področju, da bi spodbudili gospodarski razvoj.

2. Sodelovanje na tem področju je med drugim osredotočeno na:

(a) sodelovanje v celovitem regionalnem dialogu o različnih vidikih informacijske družbe, zlasti v zvezi s politikami in predpisi o elektronskih komunikacijah, vključno z univerzalnimi storitvami, izdajanjem licenc in splošnimi odobritvami, ter neodvisnosti in učinkovitosti regulativnega organa, e-uprave, raziskovanja in storitev, ki temeljijo na IKT;

(b) medsebojno povezanost in interoperabilnost omrežij (kot je TEIN) in storitev pogodbenic in jugovzhodne Azije;

(c) standardizacijo in širjenje novih in uveljavljajočih se tehnologij na področju IKT;

(d) spodbujanje raziskovalnega sodelovanja na področju IKT v zvezi s temami skupnega interesa pogodbenic;

(e) izmenjavo najboljših praks v okviru prizadevanja za premostitev digitalne ločnice;

(f) razvoj in izvajanje strategij in mehanizmov v zvezi z varnostnimi vidiki IKT in bojem proti kibernetiki kriminaliteti;

(g) izmenjavo izkušenj v zvezi z uvajanjem digitalne televizije ter regulativnimi vidiki, upravljanjem spektra in raziskovanjem;

(h) spodbujanje prizadevanj in izmenjavo izkušenj v zvezi z razvojem človeških virov na področju IKT.

ČLEN 41

Avdiovizualne storitve, mediji in večpredstavnost

Pogodbenici bosta spodbujali, podpirali in lajšali izmenjavo, sodelovanje ter dialog med njunimi ustreznimi institucijami in zastopniki na področjih avdiovizualnih storitev, medijev in večpredstavnosti. Strinjata se, da bosta na teh področjih vzpostavili stalen politični dialog.

ČLEN 42

Sodelovanje na področju turizma

1. Ob upoštevanju globalnega etičnega kodeksa v turizmu Svetovne turistične organizacije in trajnostnih načel, ki so temelj procesa lokalne Agende 21, je cilj pogodbenic izboljšati izmenjavo informacij in oblikovati najboljšo prakso, da bi zagotovili uravnotežen in trajnosten razvoj turizma.

4. These cooperation activities should be based on the principles of reciprocity, fair treatment and mutual benefits and ensure an adequate protection of intellectual property. Any intellectual property rights issues that may arise in the context of cooperation under this Agreement may, where necessary, be the subject of negotiations between the relevant agencies or groups involved prior to the commencement of cooperative activities and may include issues of copyright, trademark and patents in consideration of the Parties' respective laws and regulations.

5. The Parties shall encourage the participation of their respective higher education institutions, research centres, and productive sectors including SMEs.

6. The Parties agree to make all efforts to increase public awareness about possibilities offered by their respective programmes for science and technology cooperation.

ARTICLE 40

Cooperation on Information and Communication Technology

1. Recognising that Information and Communication Technology (ICT) is a key element of modern life and of vital importance to economic and social development, the Parties endeavour to exchange views on their respective policies in this field with a view to promoting economic development.

2. Cooperation in this area shall, *inter alia*, focus on:

a) participation in the comprehensive regional dialogue on the different aspects of the information society, in particular electronic communications policies and regulation including universal service, licensing and general authorisations, and the independence and efficiency of the regulatory authority, e-governance, research, and ICT-enabled services;

b) interconnection and interoperability of the Parties' and Southeast Asian networks (such as TEIN) and services;

c) standardisation and dissemination of new and emerging technologies in the field of ICT;

d) promotion of research cooperation in the area of ICT on topics of mutual interest to the Parties;

e) the sharing of best practices in an effort to bridge the digital divide;

f) development and implementation of strategies and mechanisms on security aspects of ICT and on fighting cyber crime;

g) the sharing of experiences on deployment of digital television, as well as on regulatory aspects, spectrum management and research;

h) promoting efforts and the sharing of experience on human resources development in the area of ICT.

ARTICLE 41

Audiovisual, Media and Multimedia

The Parties will encourage, support and facilitate exchanges, cooperation and dialogue between their relevant institutions and agents in the areas of audiovisual, media and multimedia. They agree to establish a regular policy dialogue in these areas.

ARTICLE 42

Cooperation on Tourism

1. Guided by the World Tourism Organization's Global Code of Ethics for Tourism and by the sustainability principles which are at the basis of the Local Agenda 21 process, the Parties shall aim to improve the exchange of information and establish best practice in order to ensure a balanced and sustainable development of tourism.

2. Obe pogodbenici se strinjata, da se bosta zavezali k dialogu, da bi olajšali sodelovanje, vključno s tehnično pomočjo, na področju usposabljanja človeških virov in razvoja nove tehnologije v zvezi s cilji v skladu s trajnostnimi načeli turizma.

3. Pogodbenici se strinjata, da bosta razvili sodelovanje pri varovanju in čim večjem povečanju potenciala naravne in kulturne dediščine, blažitvi kakršnih koli negativnih vplivov turizma in povečanju pozitivnega prispevka turistične dejavnosti k trajnostnemu razvoju lokalnih skupnosti, med drugim z razvojem ekološkega turizma, pri čemer bosta upoštevali celovitost in interese lokalnih in avtohtonih skupnosti, ter z izboljšanjem usposabljanja v turističnem sektorju.

ČLEN 43

Sodelovanje na področju finančnih storitev

1. Pogodbenici se strinjata, da bosta okrepili sodelovanje, da bi uskladili skupna pravila in standarde ter izboljšali področje računovodstva, revizije, nadzora ter regulativnih sistemov bančništva, zavarovalništva in drugih področij finančnega sektorja.

2. V zvezi s tem pogodbenici priznavata, da so tehnična pomoč in ukrepi krepitev zmogljivosti pomembni.

ČLEN 44

Dobro javno upravljanje na davčnem področju

1. Pogodbenici priznavata načela dobrega javnega upravljanja na davčnem področju in jih bosta izvajali, da bi okrepili in razvili gospodarske dejavnosti, pri čemer upoštevata potrebo po razvoju ustreznega regulativnega okvira. Pogodbenici bosta zato v skladu s svojimi pristojnostmi izboljšali mednarodno sodelovanje na davčnem področju, olajšali pobiranje zakonitih davčnih prihodkov in razvili ukrepe za učinkovito izvajanje zgoraj navedenih načel.

2. Pogodbenici se strinjata, da izvajanje teh načel poteka zlasti v okviru veljavnih ali prihodnjih dvostranskih davčnih sporazumov med Filipini in državami članicami.

ČLEN 45

Zdravje

1. Pogodbenici priznavata in potrjujeta, da je zdravje zelo pomembno. Zato se pogodbenici strinjata, da bosta sodelovali v zdravstvenem sektorju, kar zajema področja, kot so reforma zdravstvenega sistema, glavne nalezljive bolezni in druge grožnje za zdravje, nenalezljive bolezni ter mednarodni zdravstveni sporazumi za izboljšanje zdravja in trajnostni razvoj zdravstvenega sektorja na podlagi vzajemnih koristi.

2. Sodelovanje poteka v obliki:

(a) programov, ki zajemajo področja, navedena v odstavku 1 tega člena, vključno z izboljšanjem zdravstvenih sistemov, zagotavljanjem zdravstvenih storitev, storitvami na področju reproduktivnega zdravja revnih in ranljivih žensk in skupnosti, javnim upravljanjem zdravstva, ki vključuje boljše upravljanje javnih financ, financiranje zdravstvenega varstva, zdravstveno infrastrukturo in informacijske sisteme, ter upravljanjem zdravja;

(b) skupnih dejavnosti v zvezi z epidemiologijo in nadzorom, vključno z izmenjavo informacij in sodelovanjem pri zgodnjem preprečevanju groženj za zdravje, kot so aviarna in pandemična influenza ter druge glavne nalezljive bolezni;

(c) preprečevanja in nadzora nenalezljivih bolezni z izmenjavo informacij in dobrih praks, spodbujanjem zdravega življenjskega sloga, obravnavanjem glavnih dejavnikov zdravja, kot so prehrana, odvisnost od drog, alkohola in tobaka ter razvoj raziskovalnih programov, povezanih z zdravjem, kot določajo člen 39 in programi za spodbujanje zdravja;

2. Both Parties agree to undertake a dialogue with the aim of facilitating cooperation, including technical assistance, in the areas of human resources training and development of new technology for destinations in accordance with sustainable tourism principles.

3. The Parties agree to develop cooperation on safeguarding and maximising the potential of natural and cultural heritage, mitigating any adverse impact of tourism and enhancing the positive contribution of the tourism business to the sustainable development of local communities, *inter alia*, by developing eco-tourism, while respecting the integrity and interests of local and indigenous communities, and improving training in the tourism industry.

ARTICLE 43

Cooperation on Financial Services

1. The Parties agree to strengthen cooperation with a view to achieving closer common rules and standards, and improving accounting, auditing, supervisory, and regulatory systems of banking, insurance, and other areas of the financial sector.

2. The Parties recognise the importance of technical assistance and capacity-building measures to this end.

ARTICLE 44

Good Governance in the Tax Area

1. With a view to strengthening and developing economic activities while taking into account the need to develop an appropriate regulatory framework, the Parties recognise and will implement the principles of good governance in the tax area. To that effect, and in accordance with their respective competences, the Parties will improve international cooperation in the tax area, facilitate the collection of legitimate tax revenues, and develop measures for the effective implementation of the abovementioned principles.

2. The Parties agree that the implementation of these principles takes place notably within the framework of existing or future bilateral tax agreements between the Philippines and Member States.

ARTICLE 45

Health

1. The Parties recognise and affirm the utmost importance of health. Therefore, the Parties agree to cooperate in the health sector covering areas such as health system reform, major communicable diseases and other health threats, non-communicable diseases, and international health agreements towards the improvement of health and the sustainable development of the health sector on the basis of mutual benefits.

2. Cooperation shall take place through:

a) programmes covering the areas listed in paragraph 1 of this Article, including the improvement of health systems, health services delivery, reproductive health services of the poor and vulnerable women and communities, health governance including improved public finance management, health care financing, health infrastructure and information systems and health management;

b) joint activities on epidemiology and surveillance, including the exchange of information as well as collaboration in the early prevention of health threats such as avian and pandemic influenza and other major communicable diseases;

c) prevention and control of non-communicable diseases through the exchange of information and good practices, promoting a healthy lifestyle, addressing major health determinants such as nutrition, addiction to drugs, alcohol and tobacco and development of health-related research programmes, as foreseen in Article 39, and health promotion schemes;

(d) spodbujanja izvajanja mednarodnih sporazumov, kot so Okvirna konvencija za nadzor nad tobakom in mednarodni zdravstveni predpisi, katerih pogodbenici sta;

(e) drugih programov in projektov za izboljšanje zdravstvenih storitev ter krepitev človeških virov v zvezi z zdravstvenimi sistemi in zdravstvenimi razmerami, kot se o njih medsebojno dogovorita.

ČLEN 46

Izobraževanje, kultura ter medkulturni in medverski dialog

1. Pogodbenici se strinjata, da bosta spodbujali sodelovanje na področju izobraževanja, športa, kulture in verstev, pri čemer se ustrezno spoštuje njuno raznolikost, da bi povečali vzajemno razumevanje in poznavanje njunih kultur. Pogodbenici bosta zato podprli in spodbujali dejavnosti njunih kulturnih institucij.

2. Pogodbenici se strinjata tudi, da bosta vzpostavili dialog o vprašanih skupnega interesa v zvezi s posodobitvijo izobraževalnih sistemov, vključno z vprašanji glavnih pristojnosti in razvoja instrumentov za ocenjevanje, ki se primerjajo z evropskimi standardi.

3. Pogodbenici si prizadevata sprejeti ustrezne ukrepe za spodbujanje stikov med ljudmi na področju izobraževanja, športa in kulture ter medverskih in medkulturnih dialogov ter izvajati skupne pobude na različnih družbeno-kulturnih področjih, vključno s sodelovanjem pri ohranjanju kulturne dediščine ob upoštevanju kulturne raznolikosti. V zvezi s tem se pogodbenici strinjata tudi, da bosta še naprej podpirali dejavnosti Azijsko-evropske fundacije in medverski dialog ASEM.

4. Pogodbenici se strinjata, da se bosta posvetovali in sodelovali v okviru ustreznih mednarodnih forumov ali organizacij, kot je UNESCO, da bi uresničili skupne cilje ter spodbujali večje razumevanje in spoštovanje kulturne raznolikosti. V zvezi s tem se pogodbenici strinjata tudi, da bosta spodbujali ratifikacijo in izvajanje Konvencije UNESCO o varovanju in spodbujanju raznolikosti kulturnih izrazov, ki je bila sprejeta 20. oktobra 2005.

5. Poleg tega pogodbenici poudarjata ukrepe, uvedene zaradi krepitev vezi med njunimi zadevnimi agencijami, ki spodbujajo izmenjavo informacij ter znanja in izkušenj med strokovnjaki, mladimi in mladinskimi delavci (v šoli in zunaj nje), ter izkoriščanje prednosti njunih programov, kot je ERASMUS Mundus, na področju izobraževanja in kulture ter izkušenj, ki sta jih obe pogodbenici pridobili na teh področjih.

ČLEN 47

Statistika

Pogodbenici se strinjata, da bosta v skladu s svojimi sedanjimi dejavnostmi sodelovanja na področju statistike med Evropsko unijo in ASEAN spodbujali krepitev statističnih zmogljivosti, usklajevanje statističnih metod in praks, vključno z zbiranjem in razširjanjem statističnih podatkov, kar jima bo na vzajemno sprejemljivi podlagi omogočalo uporabo statističnih podatkov o, med drugim, sistemu nacionalnih računov, neposrednih tujih naložbah, informacijskih komunikacijah in tehnologiji, trgovini z blagom in storitvami, ter bolj splošno o katerem koli drugem področju, ki ga zajema ta sporazum, ki omogoča statistično obdelavo, kot so zbiranje, analiza in razširjanje.

NASLOV VII INSTITUCIONALNI OKVIR

ČLEN 48

Skupni odbor

1. Pogodbenici se strinjata, da v skladu s tem sporazumom ustanovita Skupni odbor, ki ga sestavljajo predstavniki obeh strani na ravni visokih uradnikov in ki bo pristojen za:

(a) pravilno delovanje in izvajanje tega sporazuma;

d) promoting the implementation of international agreements, such as the Framework Convention on Tobacco Control and the International Health Regulations, to which they are parties;

e) other programmes and projects to improve health services and strengthen human resources for health systems and health conditions, as mutually agreed.

ARTICLE 46

Education, Culture, Intercultural and Interfaith Dialogue

1. The Parties agree to promote education, sports, cultural and interfaith cooperation that duly respects their diversity in order to increase mutual understanding and the knowledge of their respective cultures. To this end, the Parties will support and promote the activities of their cultural institutes.

2. The Parties further agree to start a dialogue on matters of mutual interest relating to the modernisation of education systems, including matters pertaining to core competencies and development of assessment instruments benchmarked with European standards.

3. The Parties endeavour to take appropriate measures to promote people-to-people contacts in the area of education, sports and cultural exchanges, and interfaith and intercultural dialogues and carry out joint initiatives in various socio-cultural spheres, including cooperation in heritage conservation with respect to cultural diversity. In this regard, the Parties also agree to continue supporting the activities of the Asia-Europe Foundation, as well as the ASEM Interfaith Dialogue.

4. The Parties agree to consult and cooperate in relevant international *fora* or organisations, such as UNESCO, in order to pursue common objectives and promote greater understanding and respect for cultural diversity. In this regard, the Parties also agree to promote the ratification and implementation of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions adopted on 20 October 2005.

5. The Parties shall furthermore place emphasis on adopting measures designed to strengthen links between their respective relevant agencies promoting the exchange of information and know-how among experts, youth and youth workers (in and out-of-school), and taking advantage of their respective programmes such as ERASMUS Mundus in the areas of education and culture as well as the experiences that both Parties have acquired in these areas.

ARTICLE 47

Statistics

The Parties agree to promote, in accordance with their existing activities of statistical cooperation between the European Union and ASEAN, statistical capacity-building, the harmonisation of statistical methods and practice including the gathering and dissemination of statistics, thus enabling them to use, on a mutually acceptable basis, statistics on, *inter alia*, national accounts, foreign direct investments, information communications and technology trade in goods and services and, more generally, on any other area covered by this Agreement which lends itself to statistical processing collection, analysis and dissemination.

TITLE VII INSTITUTIONAL FRAMEWORK

ARTICLE 48

Joint Committee

1. The Parties agree to establish under this Agreement a Joint Committee, composed of representatives of both sides at senior official level, charged with:

a) the proper functioning and implementation of this Agreement;

(b) določitev prednostnih nalog v zvezi s cilji tega sporazuma;

(c) pripravo priporočil za spodbujanje ciljev tega sporazuma.

2. Skupni odbor se običajno sestane najmanj vsaki dve leti izmenično na Filipinih in v Evropski uniji na dan, ki se določi sporazumno. Po dogovoru med pogodbenicama se lahko skličejo tudi izredni sestanki Skupnega odbora. Skupnemu odboru pogodbenici predsedujeta izmenično. Dnevni red sestankov Skupnega odbora pogodbenici določita sporazumno.

3. Skupni odbor ustanovi posebne pododbore za obravnavanje vseh področij, zajetih v tem sporazumu, da bi mu pomagali pri izvajanju njegovih nalog. Ti pododbori o svojih dejavnostih podrobno poročajo Skupnemu odboru na vsakem sestanku.

4. Pogodbenici se strinjata, da je naloga Skupnega odbora tudi nadzorovati ustrezno delovanje kakršnih koli sektorskih sporazumov ali protokolov, ki so bili sklenjeni ali bodo sklenjeni med pogodbenicama.

5. Skupni odbor sprejme svoj poslovnik.

b) the setting of priorities in relation to the aims of this Agreement;

c) making recommendations for promoting the objectives of this Agreement.

2. The Joint Committee shall normally meet not less than every two years in the Philippines and the European Union alternately on a date to be fixed by mutual agreement. Extraordinary meetings of the Joint Committee may also be convened by agreement between the Parties. The Joint Committee shall be chaired alternately by each of the Parties. The agenda for meetings of the Joint Committee shall be determined by agreement between the Parties.

3. The Joint Committee shall establish specialised subcommittees to deal with all areas covered by this Agreement in order to assist it in the performance of its tasks. These subcommittees shall make detailed reports on their activities to the Joint Committee at each of its meetings.

4. The Parties agree that it shall also be the task of the Joint Committee to oversee the proper functioning of any sectoral agreement or protocol concluded or to be concluded between the Parties.

5. The Joint Committee shall adopt its own rules of procedure.

NASLOV VIII KONČNE DOLOČBE

ČLEN 49

Evolutivna klavzula

1. Pogodbenici lahko soglasno in po priporočilu Skupnega odbora razširita ta sporazum, da bi izboljšali raven sodelovanja, med drugim ga lahko dopolnita s sporazumi ali protokoli o določenih področjih ali dejavnostih.

2. V okviru izvajanja tega sporazuma lahko vsaka pogodbenica predloži predloge za razširitev obsega sodelovanja, pri čemer upošteva izkušnje, pridobljene z uporabo Sporazuma.

ČLEN 50

Sredstva za sodelovanje

1. Pogodbenici se strinjata, da bosta, v kolikor to omogočajo njuna sredstva in predpisi, zagotovili ustrezna sredstva, vključno s finančnimi sredstvi, da bi izpolnili cilje sodelovanja iz tega sporazuma.

2. Pogodbenici izvajata finančno pomoč v skladu z načeli dobrega finančnega poslovanja in sodelujeta pri zaščiti svojih finančnih interesov. Pogodbenici v skladu s svojimi zakoni in predpisi sprejemata učinkovite ukrepe za preprečevanje goljufij, korupcije in kakršnih koli drugih nezakonitih dejavnosti ter boj proti njim, med drugim s sredstvi vzajemne pomoči na področjih, ki jih zajema ta sporazum. Kakršen koli dodaten sporazum ali finančni instrument, ki ga bosta sprejeli pogodbenici, vključuje posebne klavzule o finančnem sodelovanju, ki zajemajo preglede na kraju samem, inšpekcijske preglede, kontrole in ukrepe proti goljufijam, med drugim tudi ukrepe, ki jih izvajajo Evropski urad za boj proti goljufijam (OLAF) in ustrezni filipinski preiskovalni organi.

3. Pogodbenici spodbujata Evropsko investicijsko banko (EIB), da v skladu z njenimi postopki in finančnimi merili, okvirnim sporazumom, podpisanim med EIB in Filipini, ter nacionalnimi zakoni Filipinov nadaljuje svoje dejavnosti na Filipinih.

TITLE VIII FINAL PROVISIONS

ARTICLE 49

Future Developments Clause

1. The Parties may, by mutual consent and on recommendation of the Joint Committee, expand this Agreement with a view to enhancing the level of cooperation, including by supplementing it by means of agreements or protocols on specific sectors or activities.

2. With regard to the implementation of this Agreement, either of the Parties may put forward suggestions for widening the scope of cooperation, taking into account the experience gained in its application.

ARTICLE 50

Resources for Cooperation

1. The Parties agree to make available the appropriate resources, including financial means, insofar as their respective resources and regulations allow, in order to fulfil the cooperation objectives set out in this Agreement.

2. The Parties shall implement financial assistance in accordance with the principles of sound financial management and cooperate in the protection of their financial interests. The Parties shall take effective measures to prevent and fight fraud, corruption and any other illegal activities, *inter alia*, by means of mutual assistance in the fields covered by this Agreement in accordance with their respective laws and regulations. Any further agreement or financing instrument to be concluded between the Parties shall provide for specific financial cooperation clauses covering on-the-spot checks, inspections, controls, and anti-fraud measures, including, *inter alia*, those conducted by the European Anti-fraud Office (OLAF) and the relevant Philippine investigative authorities.

3. The Parties shall encourage the European Investment Bank (EIB) to continue its operations in the Philippines in accordance with its procedures and financing criteria, the framework agreement signed between the EIB and the Philippines and with Philippine domestic laws.

4. Pogodbenici se lahko v skladu s svojimi finančnimi postopki in viri odločita, da finančno podporo razširita na dejavnosti sodelovanja na področjih, ki jih zajema ta sporazum ali ki so z njim povezana. Te dejavnosti sodelovanja lahko med drugim po potrebi vključujejo krepitev zmogljivosti in pobude za tehnično sodelovanje, izmenjavo strokovnjakov, izvajanje študij, vzpostavitev pravnih, izvedbenih in regulativnih okvirov, ki spodbujajo preglednost in odgovornost, ter druge dejavnosti, o katerih se dogovorita pogodbenici.

ČLEN 51

Infrastruktura

Da bi olajšali sodelovanje v okviru tega sporazuma, se pogodbenici strinjata, da bosta uradnikom in strokovnjakom, vključenim v izvajanje sodelovanja, za izvajanje njihovih nalog, v skladu z nacionalnim pravom ter internimi pravili in predpisi obeh pogodbenc, zagotovili potrebno infrastrukturo.

ČLEN 52

Drugi sporazumi

1. Brez poseganja v ustrezne določbe Pogodbe o Evropski uniji in Pogodbe o delovanju Evropske unije niti ta sporazum niti ukrepi, sprejeti v skladu z njim, ne vplivajo na pristojnosti pogodbenic, da se zavežejo k dvostranskemu sodelovanju ali da po potrebi sklepajo nove sporazume o partnerstvu in sodelovanju, vključno med Filipini in posameznimi državami članicami.

2. Ta sporazum ne vpliva na uporabo ali izvajanje obveznosti, h katerim sta se ali se bosta zavezali pogodbenici v zvezi s tretjimi stranmi.

ČLEN 53

Izpolnitev obveznosti

1. Pogodbenici sprejmeta vse splošne ali posebne ukrepe, ki so potrebni za izpolnjevanje njihovih obveznosti v skladu s tem sporazumom. Poskrbita, da se dosežejo cilji, določeni s tem sporazumom.

2. Vsaka pogodbenica lahko na Skupni odbor naslovi kakršno koli razhajanje glede uporabe ali razlage tega sporazuma.

3. Če katera od pogodbenc meni, da druga pogodbenica ni izpolnila katere koli od svojih obveznosti v skladu s tem sporazumom, lahko sprejme ustrezne ukrepe. Preden to stori, Skupnemu odboru, razen v primerih posebne nujnosti v skladu z odstavkom 5 tega člena, predloži vse ustrezne informacije, ki so potrebne za temeljito proučitev položaja, da bi tako poiskal rešitev, sprejemljivo za pogodbenici.

4. Pri izbiri ukrepov je treba dati prednost tistim, ki najmanj motijo delovanje tega sporazuma. O teh ukrepih se takoj uradno obvesti druga pogodbenica, pri čemer se na zahtevo druge pogodbenice o njih posvetuje Skupni odbor.

5. Pogodbenici se strinjata, da za namene pravilne razlage in praktične uporabe tega sporazuma izraz »primeri posebne nujnosti« v odstavku 3 tega člena pomeni primer, v katerem ena od pogodbenc vsebinsko krši Sporazum. Vsebinska kršitev Sporazuma je:

(a) zavračanje izvajanja Sporazuma, ki ni sankcionirano s splošnimi pravili mednarodnega prava, ali

(b) kršenje bistvenih elementov Sporazuma, namreč členov 1(1) in člena 8(2).

Pred uporabo ukrepov v primerih posebne nujnosti lahko vsaka pogodbenica zahteva, da se skliče nujni sestanek pogodbenic. V primeru takšne zahteve se v 15 dneh, razen če se pogodbenici dogovorita o drugem časovnem obdobju, ki ne presega 21 dni, skliče sestanek, da se temeljito prouči položaj in nato poišče rešitev, ki je sprejemljiva za pogodbenici.

4. The Parties may decide to extend financial support to cooperation activities in the areas covered by this Agreement or in relation to it in accordance with their respective financial procedures and resources. These cooperation activities may include, as appropriate, but not be limited to, capacity-building and technical cooperation initiatives, the exchange of experts, the conduct of studies, the establishment of legal, enforcement and regulatory frameworks that promote transparency and accountability, and other activities agreed by the Parties.

ARTICLE 51

Facilities

To facilitate cooperation in the framework of this Agreement, both Parties agree to grant necessary facilities to officials and experts involved in implementing cooperation for the performance of their functions in accordance with national/domestic law and the internal rules and regulations of both Parties.

ARTICLE 52

Other Agreements

1. Without prejudice to the relevant provisions of the Treaty on European Union and the Treaty on the Functioning of the European Union, neither this Agreement nor action taken hereunder shall affect the powers of the Parties to undertake bilateral cooperation activities or to conclude, where appropriate, new partnership and cooperation agreements including between the Philippines and the individual Member States.

2. This Agreement shall not affect the application or implementation of commitments undertaken or to be undertaken by the respective Parties in relations with third parties.

ARTICLE 53

Fulfilment of Obligations

1. The Parties shall take any general or specific measures required to fulfil their obligations under this Agreement. They shall see to it that the objectives set out in the Agreement are attained.

2. Each Party may refer to the Joint Committee any divergence in the application or interpretation of this Agreement.

3. If either Party considers that the other Party has failed to fulfil any of its obligations under this Agreement, it may take appropriate measures. Before doing so, except in cases of special urgency in accordance with paragraph 5 of this Article, it shall present to the Joint Committee all the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

4. In the selection of measures, priority must be given to those which least disturb the functioning of this Agreement. These measures shall be notified immediately to the other Party and shall be the subject of consultations within the Joint Committee if the other Party so requests.

5. The Parties agree, for the purposes of the correct interpretation and practical application of this Agreement, that the term "cases of special urgency" in paragraph 3 of this Article means a case of a material breach of this Agreement by one of the Parties. A material breach of this Agreement consists of:

(a) repudiation of this Agreement not sanctioned by the general rules of international law; or

(b) violation of essential elements of this Agreement, namely Articles 1(1) and 8(2).

Prior to the application of measures in the cases of special urgency, either Party may request that an urgent meeting be called to bring the Parties together. In the event of such a request and within 15 days, unless the Parties agree on another time period not exceeding 21 days, a meeting shall be held to examine thoroughly the situation with a view to seeking a solution acceptable to the Parties.

ČLEN 54

Opredelitev pogodbenic

Za namene tega sporazuma izraz »pogodbenici« pomeni Unijo ali njene države članice ali Unijo in njene države članice, v skladu z njihovimi pooblastili, na eni strani ter Republiko Filipini na drugi strani.

ČLEN 55

Ozemlje uporabe

Ta sporazum velja na ozemlju, za katerega se uporablja Pogodba o Evropski uniji pod pogoji, določenimi v navedeni pogodbi, na eni strani in na ozemlju Filipinov na drugi strani.

ČLEN 56

Uradna obvestila

Uradna obvestila v skladu s členom 57 se po diplomatski poti predložijo generalnemu sekretarju Sveta Evropske unije in ministrstvu za zunanje zadeve Filipinov.

ČLEN 57

Začetek veljavnosti in trajanje

1. Ta sporazum začne veljati prvi dan v mesecu po dnevu, ko zadnja pogodbenica uradno obvesti drugo pogodbenico, da so končani pravni postopki, potrebni v ta namen.

2. Ta sporazum velja za obdobje petih let. Njegova veljavnost se samodejno podaljšuje za nadaljnja obdobja enega leta, razen če ena od pogodbenic drugo pogodbenico šest mesecev pred iztekom katerega koli nadaljnjega obdobja enega leta pisno uradno obvesti o svoji nameri, da tega sporazuma ne podaljša.

3. Kakršne koli spremembe tega sporazuma se opravijo s soglasjem pogodbenic. Kakršne koli spremembe tega sporazuma začnejo veljati v skladu z odstavkom 1 tega člena po tem, ko zadnja pogodbenica uradno obvesti drugo pogodbenico, da so končani vsi potrebni uradni postopki.

4. Ta sporazum lahko pogodbenica odpove s pisnim obvestilom o svoji nameri o odpovedi tega sporazuma, ki ga pošlje drugi pogodbenici. Odpoved začne učinkovati šest mesecev po tem, ko je druga pogodbenica prejela uradno obvestilo. Odpoved ne vpliva na sprejete ali tekoče projekte, ki so se začeli v skladu s tem sporazumom pred odpovedjo.

ČLEN 58

Verodostojno besedilo

1. Ta sporazum je sestavljen v dveh izvodih v angleškem, bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, slovenskem, španskem in švedskem jeziku, pri čemer so besedila v vseh teh jezikih enako verodostojna.

2. Sporazum je bil izpogajan v angleškem jeziku. Kakršno koli jezikovno odstopanje v besedilih se sporoči Skupnemu odboru.

ARTICLE 54

Definition of the Parties

For the purposes of this Agreement, "the Parties" shall mean the Union or its Member States or the Union and its Member States, in accordance with their respective powers, on the one hand, and the Republic of the Philippines, on the other.

ARTICLE 55

Territorial Application

This Agreement shall apply to the territory in which the Treaty on European Union is applied under the conditions laid down in that Treaty, on the one hand, and to the territory of the Philippines, on the other.

ARTICLE 56

Notifications

Notifications made in accordance with Article 57 shall be made to the Secretary-General of the Council of the European Union and the Department of Foreign Affairs of the Philippines, respectively, through diplomatic channels.

ARTICLE 57

Entry into Force and Duration

1. This Agreement shall enter into force on the first day of the month following the date on which the last Party has notified the other of the completion of the legal procedures necessary for this purpose.

2. This Agreement is valid for a period of five years. It shall be automatically extended for further successive periods of one year, unless either Party notifies the other Party in writing of its intention not to extend this Agreement six months prior to the end of any subsequent one-year period.

3. Any amendments to this Agreement shall be made by agreement between the Parties. Any amendments shall enter into force according to paragraph 1 of this Article only after the last Party has notified the other that all necessary formalities have been completed.

4. This Agreement may be terminated by one Party by written notice of its desire to terminate this Agreement given to the other Party. The termination shall take effect six months after receipt of notification by the other Party. Termination shall not affect agreed or ongoing projects commenced under this Agreement prior to termination.

ARTICLE 58

Authentic Text

1. This Agreement shall be drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish and Swedish languages, each of these texts being equally authentic.

2. The Agreement was negotiated in English. Any linguistic divergence in the texts shall be referred to the Joint Committee.

Съставено в Пном Пен на единадесети юли две хиляди и дванадесета година.

Hecho en Phnom Penh el día once de julio del año dos mil doce.

V Phnompenhu dne jedenáctého července dva tisíce dvanáct.

Udfærdiget i Phnom Penh, den ellefte juli to tusind og tolv.

Geschehen zu Phnom Penh am elften Juli zweitausendzwoölf.

Kahe tuhande kaheteistkümnenda aasta juulikuu üheteistkümnendal päeval Phnom Penhis.

Έγινε στην Πνομ Πενχ την ενδεκάτη Ιουλίου του έτους δύο χιλιάδες δώδεκα.

Done at Phnom Penh on the eleventh day of July in the year two thousand and twelve.

Fait à Phnom Penh le onze juillet deux mille douze.

Fatto a Phnom Penh addì undici luglio duemiladodici.

Pnompeṅṅā, divi tūkstoši divpadsmitā gada vienpadsmitajā jūlijā.

Priimta Pnompenyje du tūkstančiai dvyliktų metų liepos vienuoliktą dieną.

Kelt Phnom Penh-ben, a kétezertizenkettedik év július havának tizenegyedik napján.

Magħmul fi Phnom Penh fil-ħdax-il jum ta' Lulju fis-sena elfejn u tnax.

Gedaan te Phnom-Penh, elf juli tweeduizend twaalf.

Sporządzono w Phnom Penh dnia jedenastego lipca roku dwa tysiące dwunastego.

Feito em Pnom Pene, aos onze dias do mês de julho de dois mil e doze.

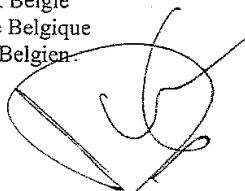
Întocmit la Phnom Penh la data de unsprezece iulie a anului două mii doisprezece.

V Phnom Penh jedenásteho júla dvetisícdivanásť.

V Phnom Penhu, enajstega julija leta dva tisoč dvanajst.

Tehty Phnom Penhissä yhdentenätoista päivänä heinäkuuta vuonna kaksituhattakaksitoista.
Utfärdat i Phnom Penh den elfte juli tjugohundratolv.

Voor het Koninkrijk België
Pour le Royaume de Belgique
Für das Königreich Belgien

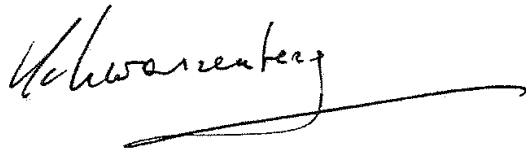


Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.
Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.
Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

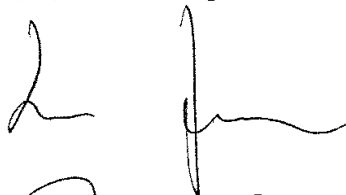
За Република България



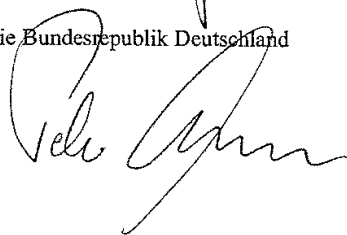
Za Českou republiku




På Kongeriget Danmarks vegne



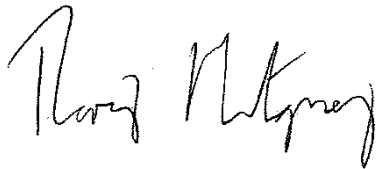
Für die Bundesrepublik Deutschland



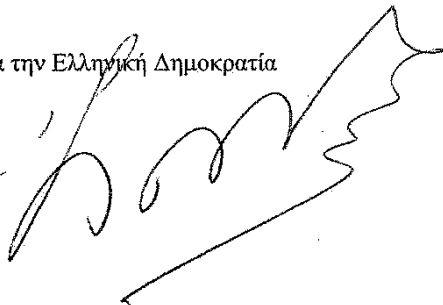
Eesti Vabariigi nimel



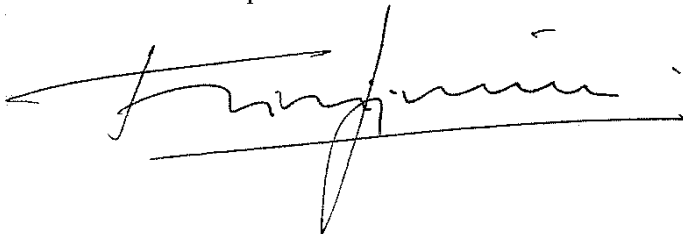
Thar cheann Na hÉireann
For Ireland




Για την Ελληνική Δημοκρατία



Por el Reino de España



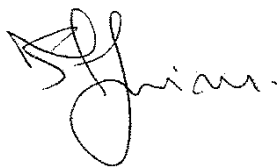
Pour la République française



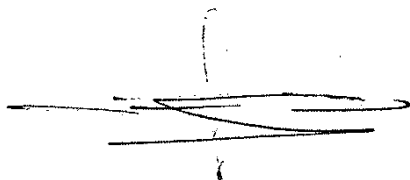
Per la Repubblica italiana



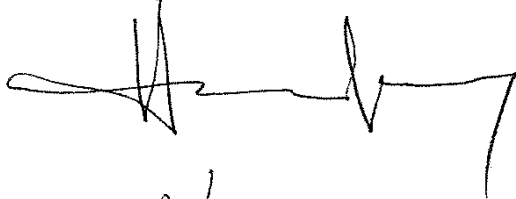
Για την Κυπριακή Δημοκρατία



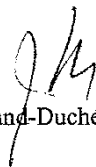
Latvijas Republikas vārdā –



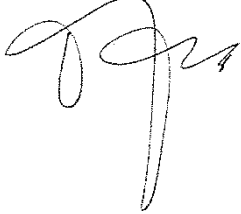
Lietuvos Respublikos vardu




Pour le Grand-Duché de Luxembourg



A Magyar Köztársaság részéről



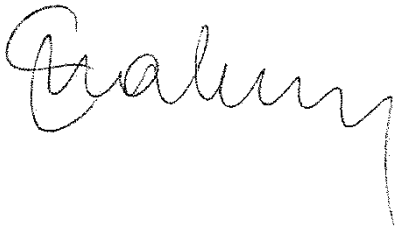
Għali Malta



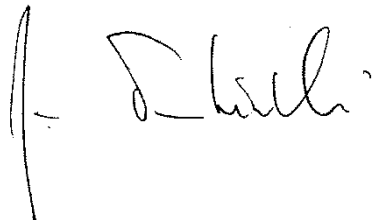
Voor het Koninkrijk der Nederlanden



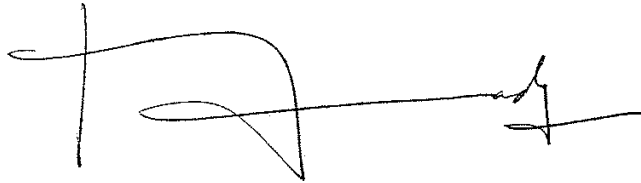
Für die Republik Österreich



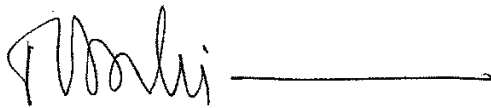
W imieniu Rzeczypospolitej Polskiej



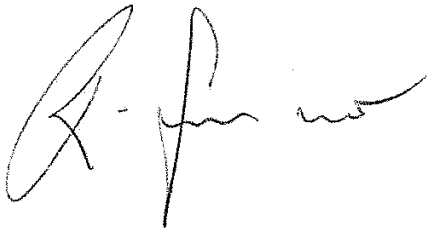
Pela República Portuguesa



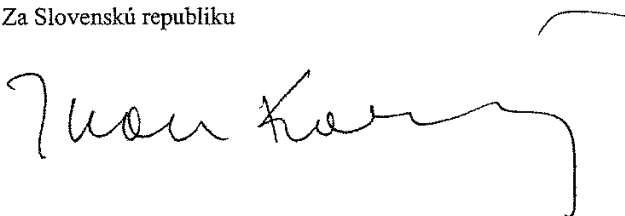
Pentru România



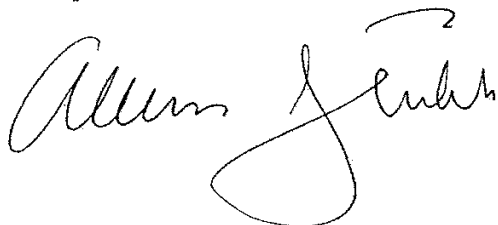
Za Republiko Slovenijo



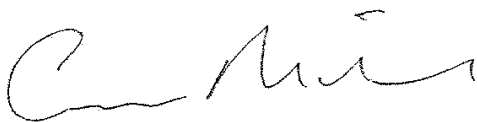
Za Slovenskú republiku



Suomen tasavallan puolesta
För Republiken Finland



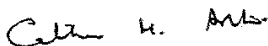
För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsku unijo
Euroopan unionin puolesta
För Europeiska unionen



For the Republic of the Philippines



3. člen

Za izvajanje sporazuma skrbi Vlada Republike Slovenije.

4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 007-02/15-3/10
Ljubljana, dne 3. marca 2015
EPA 338-VII

Državni zbor
Republike Slovenije
dr. Milan Brglez l.r.
Predsednik

24. Zakon o ratifikaciji Sporazuma o sodelovanju med Evropsko unijo in njenimi državami članicami ter Kraljevino Norveško na področju satelitske navigacije (MSNEUNO)

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z

o razglasitvi Zakona o ratifikaciji Sporazuma o sodelovanju med Evropsko unijo in njenimi državami članicami ter Kraljevino Norveško na področju satelitske navigacije (MSNEUNO)

Razglasjam Zakon o ratifikaciji Sporazuma o sodelovanju med Evropsko unijo in njenimi državami članicami ter Kraljevino Norveško na področju satelitske navigacije (MSNEUNO), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 3. marca 2015.

Št. 003-02-2/2015-7

Ljubljana, dne 11. marca 2015

Borut Pahor l.r.
Predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI SPORAZUMA O SODELOVANJU MED EVROPSKO UNIJO IN NJENIMI DRŽAVAMI ČLANICAMI TER KRALJEVINO NORVEŠKO NA PODROČJU SATELITSKE NAVIGACIJE (MSNEUNO)

1. člen

Ratificira se Sporazum o sodelovanju med Evropsko unijo in njenimi državami članicami ter Kraljevino Norveško na področju satelitske navigacije, podpisan 22. septembra 2010 v Bruslju.

2. člen

Besedilo sporazuma se v izvirniku v slovenskem in angleškem jeziku glasi¹:

¹ Besedilo sporazuma v bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, španskem, švedskem in norveškem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve Republike Slovenije.

S P O R A Z U M
O SODELOVANJU MED EVROPSKO UNIJO
IN NJENIMI DRŽAVAMI ČLANICAMI
TER KRALJEVINO NORVEŠKO NA PODROČJU
SATELITSKE NAVIGACIJE

EVROPSKA UNIJA

[v nadaljnjem besedilu tudi: Unija],
 IN

KRALJEVINA BELGIJA,
 REPUBLIKA BOLGARIJA,
 ČEŠKA REPUBLIKA,
 KRALJEVINA DANSKA,
 ZVEZNA REPUBLIKA NEMČIJA,
 REPUBLIKA ESTONIJA,
 HELENSKA REPUBLIKA,
 KRALJEVINA ŠPANIJA,
 FRANCOŠKA REPUBLIKA,
 IRSKA,
 ITALIJANSKA REPUBLIKA,
 REPUBLIKA CIPER,
 REPUBLIKA LATVIJA,
 REPUBLIKA LITVA,
 VELIKO VOJVODSTVO LUKSEMBURG,
 REPUBLIKA MADŽARSKA,
 MALTA,
 KRALJEVINA NIZOZEMSKA,
 REPUBLIKA AVSTRIJA,
 REPUBLIKA POLJSKA,
 PORTUGALSKA REPUBLIKA,
 ROMUNIJA,
 REPUBLIKA SLOVENIJA,
 SLOVAŠKA REPUBLIKA,
 REPUBLIKA FINSKA,
 KRALJEVINA ŠVEDSKA,
 ZDRUŽENO KRALJESTVO VELIKE BRITANIJE IN SE-
 VERNE IRSKE,

pogodbence Pogodbe o delovanju Evropske unije (v nadaljnjem besedilu: države članice)

na eni strani

IN KRALJEVINA NORVEŠKA
 [v nadaljnjem besedilu: Norveška]

na drugi strani

Evropska unija, države članice in Norveška (v nadaljnjem besedilu: pogodbenice)

OB PRIZNAVANJU tesnega sodelovanja Norveške v programih Galileo in EGNOS vse od opredelitvenih faz navedenih programov,

ZAVEDAJOČ SE napredka pri upravljanju, lastništvu in financiranju evropskih programov GNSS na podlagi Uredbe Sveta (ES) št. 1321/2004 z dne 12. julija 2004 o vzpostavitvi upravljaljskih struktur Evropskega satelitskega radio-navigacijskega sistema¹, njenih sprememb ter Uredbe (ES) št. 683/2008 Evropskega parlamenta in Sveta z dne 9. julija 2008 o nadaljevanju izvajanja evropskih satelitskih navigacijskih programov (EGNOS in Galileo)²,

C O O P E R A T I O N A G R E E M E N T
ON SATELLITE NAVIGATION BETWEEN
THE EUROPEAN UNION
AND ITS MEMBER STATES
AND THE KINGDOM OF NORWAY

THE EUROPEAN UNION,

hereinafter also referred to as the "Union",
 and

THE KINGDOM OF BELGIUM,
 THE REPUBLIC OF BULGARIA,
 THE CZECH REPUBLIC,
 THE KINGDOM OF DENMARK,
 THE FEDERAL REPUBLIC OF GERMANY,
 THE REPUBLIC OF ESTONIA,
 THE HELLENIC REPUBLIC,
 THE KINGDOM OF SPAIN,
 THE FRENCH REPUBLIC,
 IRELAND,
 THE ITALIAN REPUBLIC,
 THE REPUBLIC OF CYPRUS,
 THE REPUBLIC OF LATVIA,
 THE REPUBLIC OF LITHUANIA,
 THE GRAND DUCHY OF LUXEMBOURG,
 THE REPUBLIC OF HUNGARY,
 MALTA,
 THE KINGDOM OF THE NETHERLANDS,
 THE REPUBLIC OF AUSTRIA,
 THE REPUBLIC OF POLAND,
 THE PORTUGUESE REPUBLIC,
 ROMANIA,
 THE REPUBLIC OF SLOVENIA,
 THE SLOVAK REPUBLIC,
 THE REPUBLIC OF FINLAND,
 THE KINGDOM OF SWEDEN,
 THE UNITED KINGDOM OF GREAT BRITAIN AND
 NORTHERN IRELAND,

the Contracting parties to the Treaty on the Functioning of the European Union, hereinafter referred to as "Member States",

of the one part, and

THE KINGDOM OF NORWAY,
 hereinafter referred to as "Norway",

of the other part,

the European Union, the Member States and Norway hereinafter jointly referred to as "the Parties",

RECOGNISING Norway's close participation in the Galileo and EGNOS programmes since the definition phases of those programmes,

CONSCIOUS of the evolution in the governance, ownership and financing of the European GNSS programs by virtue of Council Regulation (EC) No 1321/2004 of 12 July 2004 on the establishment of structures for the management of the European satellite radio-navigation programmes¹, its amendments and Regulation (EC) No 683/2008 of the European Parliament and of the Council of 9 July 2008 on the further implementation of the European satellite navigation programmes (EGNOS and Galileo)²,

¹ UL L 246, 20.7.2004, str. 1.

² UL L 196, 24.7.2008, str. 1.

¹ OJ L 246, 20.7.2004, p. 1.

² OJ L 196, 24.7.2008, p. 1.

OB PRIZNAVANJU koristi enakovredne stopnje zaščite evropskih programov GNSS in pripadajočih storitev na ozemlju pogodbenic,

OB POTRDITVI namere Norveške, da v svojo zakonodajo pravočasno uvede ukrepe za enako stopnjo varnosti in zaščite, kot velja v Evropski uniji, in jih uveljavi,

OB PRIZAVANJU obveznosti pogodbenic v okviru mednarodnega prava,

OB PRIZNAVANJU interesa Norveške za vse storitve programa GALILEO, vključno glede javne regulirane storitve (PRS),

OB UPOŠTEVANJU sporazuma med Norveško in Evropsko unijo o varnostnih postopkih za izmenjavo zaupnih informacij,

V ŽELJI, da formalno vzpostavijo tesno sodelovanje v vseh vidikih evropskih programov GNSS,

OB UPOŠTEVANJU, da je Sporazum o Evropskem gospodarskem prostoru (v nadaljnjem besedilu: Sporazum EGP) primerna pravna in institucionalna podlaga za razvoj sodelovanja med Evropsko unijo in Norveško na področju satelitske navigacije,

V ŽELJI, da določbe Sporazuma EGP dopolnijo z bilateralnim sporazumom o satelitski navigaciji, ki bi obsegal zadeve, ki so posebno pomembne za Norveško, Unijo in države članice,

SO SE DOGOVORILI O NASLEDNJEM:

ČLEN 1

Cilj Sporazuma

Glavni cilj tega sporazuma je nadaljnja krepitev sodelovanja med pogodbenicami z dopolnitvijo določb Sporazuma EGP, ki veljajo za satelitsko navigacijo.

ČLEN 2

Opredelitev pojmov

Za namene tega sporazuma:

(a) »Evropski globalni navigacijski sistem (GNSS)« vključuje sistem Galileo in skupno evropsko geostacionarno navigacijsko storitev (EGNOS);

(b) »Razširjena storitev« pomeni regionalne mehanizme, kot je EGNOS. Navedeni mehanizmi uporabnikom GNSS omogočajo boljše rezultate, na primer večjo natančnost, razpoložljivost, celovitost in zanesljivost;

(c) »Galileo« pomeni avtonomni civilni evropski globalni satelitski sistem za navigacijo in določanje točnega časa pod civilnim nadzorom ter zagotavljanje storitev GNSS, ki so ga oblikovale in razvile Unija in njene države članice. Upravljanje sistema Galileo se lahko prenese na zasebnika.

Galileo predvideva javno dostopne storitve, komercialne storitve, storitve za varstvo človeškega življenja, iskanje in reševanje ter zavarovane PRS z omejenim dostopom, ki so zasnovane za potrebe pooblaščenih uporabnikov iz javnega sektorja;

(d) »Ureditveni ukrep« pomeni vsak zakon, pravilnik, smernico, pravilo, postopek, sklep ali podoben upravni ukrep pogodbenice;

(e) »Zaupni podatki« so podatki v kakršni koli obliki, ki jih je treba zaščititi pred nepooblaščenim razkritjem, ki bi lahko v različni meri škodovalo osnovnim interesom pogodbenic ali posamezne države članice, vključno z interesom državne varnosti. Razvrstitev teh podatkov je označena z razvrstitvenimi oznakami. Pogodbenice podatke, ki morajo biti zaščiteni pred vsako izgubo zaupnosti, celovitosti in dostopnosti, razvrstijo v skladu z veljavnimi zakoni in predpisi.

CONSIDERING the benefits of an equivalent level of protection of European GNSS and their services in the territories of the Parties,

RECOGNISING Norway's intention to timely adopt and enforce within its jurisdiction measures providing an equivalent degree of security and safety as those applicable in the European Union,

RECOGNISING the obligations of the Parties under international law,

RECOGNISING Norway's interest in all Galileo services, including the public regulated service (PRS),

RECOGNISING the Agreement between Norway and the European Union on security procedures for the exchange of classified information,

DESIRING to formally establish close collaboration in all aspects of European GNSS Programmes,

CONSIDERING the Agreement on the European Economic Area (hereinafter referred to as "the EEA Agreement") as an appropriate legal and institutional basis to develop cooperation between the European Union and Norway in satellite navigation,

DESIRING to complement the provisions of the EEA Agreement through a bilateral agreement on satellite navigation in matters of specific relevance to Norway, the Union and its Member States,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Objective of the Agreement

The main objective of this Agreement is to further strengthen the cooperation between the Parties by complementing the provisions of the EEA Agreement applicable to satellite navigation.

ARTICLE 2

Definitions

For the purposes of this Agreement:

(a) "European Global navigation satellite systems (GNSS)" include the Galileo system and the European Geostationary Navigation Overlay System (EGNOS);

(b) "Augmentation" means regional mechanisms such as EGNOS. Those mechanisms enable users of GNSS to obtain enhanced performance, such as increased accuracy, availability, integrity and reliability;

(c) "Galileo" means an autonomous civil European global satellite navigation and timing system under civil control, for the provision of GNSS services designed and developed by the Union and its Member States. The operation of Galileo may be transferred to a private party.

Galileo envisages open, commercial, safety-of-life and search and rescue services in addition to a secured PRS with restricted access to meet the needs of authorised public sector users;

(d) "Regulatory measure" means any law, regulation, policy, rule, procedure, decision or similar administrative action by a Party;

(e) "Classified information" means information, in any form, that requires protection against unauthorised disclosure, which could harm in various degrees the essential interests, including national security, of the Parties or of individual Member States. Its classification is indicated by a classification marking. Such information is classified by the Parties in accordance with applicable laws and regulations and must be protected against any loss of confidentiality, integrity and availability.

ČLEN 3

Načela sodelovanja

(1) Pogodbenice soglašajo glede uporabe naslednjih načel pri dejavnostih sodelovanja iz tega sporazuma:

(a) Sporazum EGP je podlaga za sodelovanje med pogodbenicami na področju satelitske navigacije;

(b) pravica do opravljanja storitev satelitske navigacije na območjih pogodbenic;

(c) pravica do uporabe vseh storitev sistemov Galileo in EGNOS, vključno s PRS, pri čemer morajo biti izpolnjeni pogoji glede njihove uporabe;

(d) tesno sodelovanje pri varnostnih vprašanih programov GNSS s sprejetjem in uveljavitvijo enakovrednih varnostnih ukrepov v zvezi s programi GNSS tako v Uniji kot na Norveškem;

(e) ustrezno upoštevanje mednarodnih obveznosti pogodbenic glede zemeljskih zmogljivosti evropskih programov GNSS.

(2) Ta sporazum ne vpliva na institucionalno strukturo, določeno z zakonodajo Evropske unije za namen delovanja programa Galileo. Sporazum tudi ne vpliva na veljavne regulativne ukrepe, s katerimi se izvajajo obveznosti o neširjenju in nadzor uvoza, nadzor nematerialnega prenosa tehnologije ali nacionalni varnostni ukrepi.

ČLEN 4

Radijski spekter

(1) Pogodbenice sodelujejo pri vprašanih radijskega spektra, ki zadevajo evropske satelitske navigacijske sisteme v okviru Mednarodne telekomunikacijske zveze (ITU), pri čemer upoštevajo »Memorandum o soglasju glede vodenja postopkov v zvezi sistemom radijskih navigacijskih satelitskih storitev Galileo pri Mednarodni telekomunikacijski zvezi«, podpisan 5. novembra 2004.

(2) V tem okviru pogodbenice zaščitijo ustrezno dodeljene frekvence za evropske satelitske navigacijske sisteme, da bi uporabnikom zagotovile dostop do storitev teh sistemov.

(3) Poleg tega pogodbenice priznavajo pomen zaščite navigacije prek radijskega spektra pred oviranjem in motnjami. V ta namen opredelijo vire motenj in iščejo obojestransko sprejemljive rešitve za boj proti takim motnjam.

(4) Nobena določba tega sporazuma se ne razlaga tako, kot da odstopa od veljavnih določb ITU, vključno s Pravilnikom o radiokomunikacijah ITU.

ČLEN 5

Zemeljske zmogljivosti evropskih programov GNSS

(1) Norveška sprejme vse izvedljive ukrepe za čim lažjo namestitve, vzdrževanje in obnovitev zemeljskih zmogljivosti evropskih programov GNSS (»zemeljske zmogljivosti«) na ozemljih pod svojo pristojnostjo.

(2) Norveška sprejme vse izvedljive ukrepe za zaščito ter trajno in nemoteno delovanje zemeljskih zmogljivosti na svojih ozemljih, vključno z uporabo organov kazenskega pregona, kadar je to potrebno. Norveška obenem uporabi vsa praktična sredstva, da navedene zmogljivosti zaščiti pred lokalnimi radijskimi motnjami, računalniškimi vdori in poskusi prisluškovanja.

(3) O pogodbenih razmerjih glede zemeljskih zmogljivosti se dogovorita Evropska komisija in imetnik lastninskih pravic. Norveški organi bodo v celoti upoštevali poseben status zemeljskih zmogljivosti in se, če je le mogoče, pred vsakim ukrepanjem v zvezi z zemeljskimi zmogljivostmi predhodno dogovorili z Evropsko komisijo.

ARTICLE 3

Principles of the cooperation

1. The Parties agree to apply the following principles to cooperation activities covered by this Agreement:

(a) the EEA Agreement shall be the basis for cooperation in satellite navigation between the Parties;

(b) freedom to provide satellite navigation services in the territories of the Parties;

(c) freedom to use all the Galileo and EGNOS services, including PRS, subject to fulfilling the conditions governing their use;

(d) close cooperation in GNSS security matters through the adoption and enforcement of equivalent GNSS security measures both in the Union and Norway;

(e) due respect of the international obligations of the Parties in respect of ground facilities of European GNSS.

2. This Agreement shall not affect the institutional structure established by European Union law for the purpose of the operations of the Galileo programme. Nor does this Agreement affect the applicable regulatory measures implementing non-proliferation commitments and export control, controls of intangible transfers of technology, or national security measures.

ARTICLE 4

Radio spectrum

1. The Parties agree to cooperate on radio-spectrum issues concerning European satellite navigation systems in the International Telecommunication Union (ITU), taking account of the Memorandum of Understanding on the Management of ITU filings of the Galileo radio-navigation satellite service system signed on 5 November 2004.

2. In this context the Parties shall protect adequate frequency allocations for European satellite navigation systems in order to ensure the availability of the services of these systems for the benefit of users.

3. Moreover, the Parties recognise the importance of protecting radio navigation spectrum from disruption and interference. To this end they shall identify sources of interference and seek mutually acceptable solutions to combat such interference.

4. Nothing in this Agreement shall be construed so as to derogate from the applicable provisions of the ITU, including the ITU Radio Regulations.

ARTICLE 5

Ground facilities of European GNSS

1. Norway shall take all practicable measures to facilitate the deployment, maintenance and replacement of ground facilities of European GNSS ("ground facilities") in the territories under its jurisdiction.

2. Norway shall take all practicable measures to ensure the protection and the continuous and undisturbed operation of ground facilities in its territories, including, where appropriate, by mobilising its law enforcement authorities. Norway shall take all means practicable to maintain the facilities free from local radio interference, hacking and eavesdropping attempts.

3. The contractual relationships regarding the ground facilities will be agreed upon between the European Commission and the holder of the property rights. The Norwegian authorities will fully respect the special status of the ground facilities and seek prior agreement with the European Commission, whenever possible, before any action concerning ground facilities is taken.

(4) Norveška vsem osebam, ki jih imenuje ali kako drugače pooblasti Evropska unija, omogoči trajen in neoviran dostop do zemeljskih zmogljivosti. Norveška v ta namen vzpostavi kontaktno točko, ki sprejema podatke o osebah, ki potujejo do zemeljskih zmogljivosti, in omogoča čim lažje gibanje in delovanje teh oseb v praksi.

(5) Carinski organi ali policija ne preverjajo arhivov in opreme zemeljskih zmogljivosti ter dokumentov v tranzitu, ne glede na to, v kakšni obliki so in ali imajo uradni žig ali oznako.

(6) Če sta varnost zemeljskih zmogljivosti ali njihovo delovanje ogrožena, Norveška in Evropska komisija nemudoma obvestita druga drugo o dogodku in ukrepih za ureditev razmer. Evropska komisija lahko za izmenjavo takšnih informacij dodatno imenuje zanesljivo pravno ali fizično osebo kot kontaktno osebo z Norveško.

(7) Pogodbenice se o podrobnejših postopkih v zvezi z vprašanji iz odstavkov 1 do 6 dogovorijo v ločenem sporazumu. Takšni postopki morajo med drugim vsebovati pojasnila v zvezi s pregledi, obveznostmi kontaktnih točk, zahtevami glede kurirjev in o ukrepih v primeru lokalnih radijskih motenj in sovražnih dejanj.

ČLEN 6

Zaščita

(1) Pogodbenice so prepričane, da je treba globalne satelitske navigacijske sisteme zaščititi pred grožnjami, kot so zloraba, interferenca, motnje in sovražna dejanja. Pogodbenice zato sprejmejo vse praktične ukrepe, vključno, kadar je to primerno, z ločenimi sporazumi za zagotovitev kontinuitete, varnosti in zaščite storitev satelitske navigacije ter z njimi povezane infrastrukture in ključnih zmogljivosti na svojih ozemljih.

Evropska Komisija namerava določiti ukrepe za nadzor in upravljanje občutljivih zmogljivosti, informacij in tehnologij evropskih programov GNSS ter za njihovo zaščito pred tovrstnimi grožnjami in neželenim širjenjem.

(2) Norveška v tem okviru potrjuje svojo namero, da v svojo zakonodajo pravočasno uvede ukrepe za enako stopnjo varnosti in zaščite, kot velja v Evropski uniji, in jih uveljavi.

Zaradi vsega naštetega bodo pogodbenice obravnavale varnostna vprašanja v zvezi s programi GNSS, vključno z akreditacijo strukture upravljanja evropskih programov GNSS v ustreznih odborih. Praktične rešitve in postopki se opredelijo v poslovnih ustreznih odborov, pri čemer se upošteva okvir Sporazuma EGP.

(3) Če ni mogoče zagotoviti enakovredne stopnje varnosti in zaščite, se pogodbenice medsebojno posvetujejo, z namenom da uredijo razmere. Po potrebi se obseg sodelovanja na tem področju ustrezno prilagodi.

ČLEN 7

Izmenjava zaupnih informacij

(1) Izmenjava in zaščita tajnih podatkov Unije poteka v skladu s »Sporazumom med Kraljevino Norveško in Evropsko unijo o varnostnih postopkih za izmenjavo tajnih podatkov, podpisanim 22. novembra 2004, ter dogovori o izvajanju navedenega Varnostnega sporazuma.

(2) Norveška lahko zaupne informacije z oznako nacionalne stopnje tajnosti o Galileo izmenja s tistimi državami članicami, s katerimi je za ta namen sklenila bilateralne sporazume.

(3) Pogodbenice skušajo vzpostaviti celovit in skladen pravni okvir za izmenjavo zaupnih informacij o programu Galileo med sabo.

4. Norway shall allow continuous and unhindered access to the ground facilities to all persons designated or otherwise authorized by the European Union. For this purpose, Norway shall establish a contact point that shall receive information on persons travelling to the ground facilities and otherwise facilitate the movements and operations of such persons in practice.

5. The archives and equipment of the ground facilities and documents in transit, whatever their form, under official seal or marking shall not be subject to inspections by customs or police.

6. In the case of a threat or compromise against the security of ground facilities or their operation, Norway and the European Commission shall, without delay, inform each other of the event and steps to remedy the situation. The European Commission may designate another trusted entity to act as the contact point with Norway for such information.

7. The Parties will establish more detailed procedures concerning the issues in paragraphs 1 to 6 in a separate arrangement. Such procedures should cover, *inter alia*, clarifications concerning inspections, duties of the contact points, requirements for couriers and on measures against local radio frequency interference and hostile attempts.

ARTICLE 6

Security

1. The Parties are convinced of the need to protect Global Navigation Satellite Systems against threats such as misuse, interference, disruption and hostile acts. Consequently, the Parties shall take all practicable steps including, where appropriate, separate agreements, to ensure the continuity, safety and security of the satellite navigation services and the related infrastructure and critical assets in their territories.

The European Commission intends to develop measures to protect, control and manage sensitive assets, information and technologies of the European GNSS Programmes against such threats and undesired proliferation.

2. In this context Norway confirms its intention to timely adopt and enforce, within its jurisdiction, measures providing an equivalent degree of security and safety as those applicable in the European Union.

In recognition of this, the Parties will address GNSS security issues including accreditation in the relevant committees of the governance structure of European GNSS. The practical arrangements and procedures are to be defined in the rules of procedures of the relevant committees taking also into account the framework of the EEA Agreement.

3. Should an event occur where such an equivalent degree of security and safety cannot be achieved the Parties shall hold consultations with a view to remedy the situation. Where appropriate, the scope of cooperation in this sector could be adjusted accordingly.

ARTICLE 7

Exchanges of classified information

1. Exchange and protection of Union's classified information shall be in accordance with the Agreement between the Kingdom of Norway and the European Union on security procedures for the exchange of classified information³ signed on 22 November 2004, as well as the Implementing arrangements of that Agreement.

2. Norway may exchange classified information with national classification marking on Galileo with those Member States with which it has concluded bilateral agreements to that effect.

3. The Parties shall seek to establish a comprehensive and coherent legal framework allowing exchanges between them of classified information concerning the Galileo programme.

³ OJ L 362, 9.12.2004, p. 29.

ČLEN 8

Nadzor izvoza

(1) Da bi med pogodbenicami zagotovila enotno politiko nadzora izvoza in neširjenja v zvezi z Galileo, Norveška potrjuje svojo namero, da v svojo zakonodajo pravočasno uvede ukrepe za enakovredno stopnjo nadzora izvoza in neširjenja tehnologij Galileo, podatkov in predmetov, kot velja v Uniji in njenih državah članicah, ter jih uveljavi.

(2) Če ni mogoče zagotoviti enakovredne stopnje nadzora izvoza in neširjenja, se pogodbenice posvetujejo, z namenom da uredijo razmere. Po potrebi se obseg sodelovanja na tem področju ustrezno prilagodi.

ČLEN 9

Javna regulirana storitev

Norveška je izrazila svoj interes za PRS v okviru programa Galileo, saj meni, da gre za pomemben del njenega sodelovanja v evropskih programih GNSS. Pogodbenice sklenejo, da bodo to vprašanje obravnavale, takoj ko bodo opredeljene politike in operativni sporazumi o dostopu do PRS.

ČLEN 10

Mednarodno sodelovanje

(1) Pogodbenice priznavajo pomen usklajevanja pristopov na mednarodnih forumih za standardizacijo in homologacijo glede globalnih storitev satelitske navigacije. Predvsem bodo pogodbenice skupno podpirale razvoj standardov Galileo in spodbujale njihovo uporabo po vsem svetu ter poudarjale interoperabilnost z drugimi programi GNSS.

(2) Da bi spodbujale in izvajale cilje tega sporazuma, bodo pogodbenice po potrebi sodelovale pri vseh vprašanjih glede programov GNSS, ki se pojavijo predvsem v Mednarodni organizaciji za civilni letalski promet, Mednarodni pomorski organizaciji in ITU.

ČLEN 11

Posvetovanje in reševanje sporov

Pogodbenice se na zahtevo katere koli od njih nemudoma posvetujejo o vsakem vprašanju, ki se pojavi pri razlagi ali uporabi tega sporazuma. Vsi spori glede razlage ali uporabe tega sporazuma se rešujejo s posvetovanji med pogodbenicami.

ČLEN 12

Začetek veljavnosti in prenehanje

(1) Ta sporazum začne veljati prvi dan v mesecu, ki sledi tistemu, v katerem sta se pogodbenici medsebojno uradno obvestili o dokončanju postopkov, potrebnih za ta namen.

Uradna obvestila se pošljejo Generalnemu sekretariatu Sveta, ki je depozitar tega sporazuma.

(2) Zapadlost ali prenehanje tega sporazuma ne vpliva na veljavnost ali trajanje katere koli ureditve v okviru tega sporazuma ali katerih koli posebnih pravic in obveznosti na področju pravic intelektualne lastnine.

(3) Ta sporazum se lahko spremeni z vzajemnim pisnim dogovorom pogodbenic. Vsaka sprememba začne veljati z datumom prejetja zadnjega diplomatskega pisma, s katerim je druga pogodbenica obveščena, da so ustrezni notranji postopki, potrebni za začetek veljavnosti, končani.

(4) Ne glede na odstavek 1 Norveška in Evropska unija glede zadev, ki spadajo v njeno pristojnost, soglašata, da se ta sporazum začasno uporablja od prvega dne meseca, ki sledi datumu, ko druga drugo uradno obvestita o zaključku za ta namen potrebnih postopkov.

ARTICLE 8

Export control

1. In order to ensure the application of a uniform policy of export controls and non-proliferation concerning Galileo between the Parties, Norway confirms its intention to timely adopt and enforce, within its jurisdiction, measures providing an equivalent degree of export control and a non-proliferation of Galileo technologies, data and items as those applicable in the Union and its Member States.

2. Should an event occur where such an equivalent degree of export control and a non-proliferation cannot be achieved, the Parties shall hold consultations with a view to remedy the situation. Where appropriate, the scope of cooperation in this sector could be adjusted accordingly.

ARTICLE 9

Public regulated service

Norway has expressed its interest in the Galileo PRS, considering it an important element of its participation in the European GNSS Programs. The Parties agree to address this issue once the policies and operational arrangements governing access to the PRS have been defined.

ARTICLE 10

International cooperation

1. The Parties recognise the value of coordinating approaches in international standardisation and certification fora concerning global satellite navigation services. In particular, the Parties will jointly support the development of Galileo standards and promote their application worldwide, emphasising interoperability with other GNSS.

2. Consequently, in order to promote and implement the objectives of this Agreement, the Parties shall, as appropriate, cooperate on all GNSS matters that arise, notably in the International Civil Aviation Organisation, the International Maritime Organisation and the ITU.

ARTICLE 11

Consultation and dispute resolution

The Parties shall promptly consult, at the request of any of them, on any question arising out of the interpretation or application of this Agreement. Any disputes concerning the interpretation or application of this Agreement shall be settled through consultation between the Parties.

ARTICLE 12

Entry into force and termination

1. This Agreement shall enter into force the first day of the month following that in which the Parties have notified each other of the completion of the procedures necessary for this purpose.

Notifications shall be sent to the General Secretariat of the Council which shall be the depository of this Agreement.

2. The expiration or termination of this Agreement shall not affect the validity or duration of any arrangements made under it or any specific rights and obligations that have accrued in the field of intellectual property rights.

3. This Agreement may be amended by mutual agreement of the Parties in writing. Any amendment shall enter into force on the date of receiving the last diplomatic note informing the other Party that their respective internal procedures necessary for its entry into force have been completed.

4. Notwithstanding paragraph 1, Norway and the European Union, as regards elements falling within its competence, agree to apply provisionally this Agreement from the first day of the month following the date on which they have notified each other of the completion of the procedures necessary for this purpose.

(5) Vsaka pogodbenica lahko odpove ta sporazum, če o tem pisno obvesti ostale pogodbenice s šestmesečnim odpovednim rokom.

Ta sporazum je sestavljen v dveh izvodih v angleškem, bolgarskem, češkem, danskem, estonskem, finskem, francoskem, grškem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nemškem, nizozemskem, poljskem, portugalskem, romunskem, slovaškem, slovenskem, španskem, švedskem in norveškem jeziku, pri čemer so besedila v vseh teh jezikih enako verodostojna.

V Bruslju, 22. septembra 2010.

5. Either Party may, by giving six months notice to the other in writing, terminate this Agreement.

This Agreement is drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovakian, Slovenian, Spanish, Swedish and Norwegian languages, all texts being equally authentic.

Done at Brussels, 22 September 2010.

Съставено в Брюксел, 22 септември 2010 г.
Hecho en Bruselas, el 22 de septiembre de 2010.
V Bruselu dne 22. září 2010.
Udfærdiget i Bruxelles, den 22. september 2010.
Geschehen zu Brüssel am 22. September 2010.
Brüsselis, 22. september 2010.
Έγινε στις Βρυξέλλες, 22 Σεπτεμβρίου 2010.
Done at Brussels, 22 September 2010.
Fait à Bruxelles, le 22 septembre 2010.
Fatto a Bruxelles, addì 22 settembre 2010.
Briselē, 2010. gada 22. septembrī.
Priimta Briuselyje, 2010 m. rugsėjo 22 d.
Kelt Brüsszelben, 2010. szeptember 22.-én.
Magħmul fi Brussell, 22 ta' Settembru 2010.
Gedaan te Brussel, 22 september 2010.
Sporządzono w Brukseli, dnia 22 września 2010 r.
Feito em Bruxelas, em 22 de Setembro de 2010.
Întocmit la Bruxelles, 22 septembrie 2010.
V Bruseli 22. septembra 2010.
V Bruslju, 22. septembra 2010.
Tehty Brysselissä, 22. syyskuuta 2010.
Som skedde i Bryssel den 22 september 2010.
Utferdiget i Brussel, 22. september 2010.

Voor het Koninkrijk België
Pour le Royaume de Belgique
Für das Königreich Belgien



За Република България



Za Českou republiku



På Kongeriget Danmarks vegne



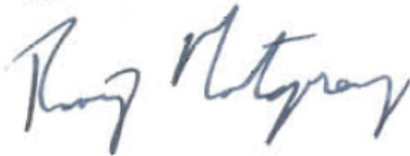
Für die Bundesrepublik Deutschland



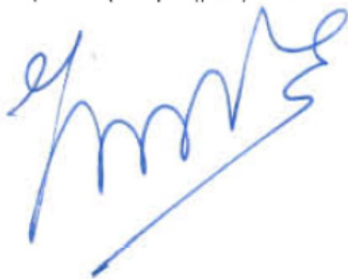
Eesti Vabariigi nimel



Thar cheann Na hÉireann
For Ireland



Για την Ελληνική Δημοκρατία



Por el Reino de España



Pour la République française



Per la Repubblica italiana



Για την Κυπριακή Δημοκρατία



Latvijas Republikas vārdā –



Lietuvos Respublikos vardu



Pour le Grand-Duché de Luxembourg



A Magyar Köztársaság részéről



Ghal Maita



Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



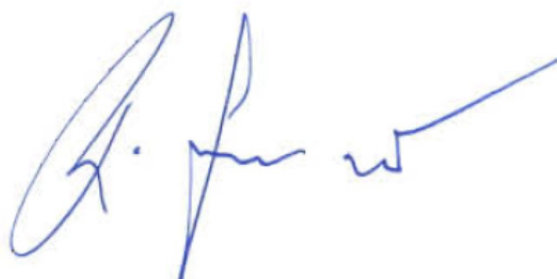
Pela República Portuguesa



Pentru România



Za Republiko Slovenijo



Za Slovenskú republiku



Suomen tasavallan puolesta
För Republiken Finland



För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen



For Kongeriket Norge



3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za promet.

4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 630-02/15-2/11
Ljubljana, dne 3. marca 2015
EPA 318-VII

Državni zbor
Republike Slovenije
dr. Milan Brglez l.r.
Predsednik

25. Zakon o ratifikaciji Poroštvene pogodbe med Republiko Slovenijo in Evropsko investicijsko banko (EKO SKLAD III) (MPEIBES)

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z**o razglasitvi Zakona o ratifikaciji Poroštvene pogodbe med Republiko Slovenijo in Evropsko investicijsko banko (EKO SKLAD III) (MPEIBES)**

Razlašam Zakon o ratifikaciji Poroštvene pogodbe med Republiko Slovenijo in Evropsko investicijsko banko (EKO SKLAD III) (MPEIBES), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 25. marca 2015.

Št. 003-02-2/2015-31
Ljubljana, dne 2. aprila 2015

Borut Pahor l.r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI POROŠTVENE POGODBE MED REPUBLIKO SLOVENIJO IN EVROPSKO INVESTICIJSKO BANKO (EKO SKLAD III) (MPEIBES)**

1. člen

Ratificira se Poroštvena pogodba med Republiko Slovenijo in Evropsko investicijsko banko (EKO SKLAD III), sklenjena v Ljubljani 14. maja 2014.

2. člen

Poroštvena pogodba se v izvorniku v angleškem jeziku in prevodu v slovenskem jeziku glasi*:

FI No. 26.118 (SI)
Serapis No. 2009-0793

FI št. 26.118 (SI)
Serapis št. 2009-0793

ECO FUND III**Guarantee Agreement between the Republic of Slovenia and the European Investment Bank**

Luxembourg, 19 March 2014
Ljubljana, 14 May 2014

THIS AGREEMENT IS MADE BETWEEN:

The Republic of Slovenia, acting through the Ministry of Finance, represented by the Minister of Finance, Mr. Uroš Čufer,

hereinafter called: the **"Guarantor"**

of the first part, and

European Investment Bank having its Head Office at 100, Boulevard Konrad Adenauer, Luxembourg – Kirchberg, Grand Duchy of Luxembourg, represented by the Head of Division, Mr Dominique Courbin, and the Head of Division, Mr Massimo Novo,

hereinafter called: the **"Bank"**

of the second part.

EKO SKLAD III**Poroštvena pogodba med Republiko Slovenijo in Evropsko investicijsko banko**

Luxembourg, 19. marec 2014
Ljubljana, 14. maj 2014

TA POGODBA JE SKLENJENA MED:

Republiko Slovenijo, ki nastopa prek Ministrstva za finance, ki ga zastopa minister za finance g. Uroš Čufer,

v nadaljevanju: **»porok«,**

na eni strani in

Evropsko investicijsko banko s sedežem na 100, Boulevard Konrad Adenauer, Luxembourg – Kirchberg, Veliko vojvodstvo Luksemburg, ki jo zastopata vodji oddelkov g. Dominique Courbin in g. Massimo Novo,

v nadaljevanju: **»banka«,**

na drugi strani.

* Prilogi I in II sta na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve ter Sektorju za mednarodne finančne odnose Ministrstva za finance.

WHEREAS:

– By an agreement (hereinafter called the "**Finance Contract**") signed in Ljubljana on 19 May 2011 between the Bank and Eko sklad, Slovenski okoljski javni sklad (Eco Fund), hereinafter called the "**Borrower**", the Bank has agreed to establish in favour of the Borrower a credit in a principal amount of EUR 50,000,000.00 (fifty million euros) to be used to co-finance a number of small and medium sized environmental investments carried out in Slovenia by municipalities, public and private companies and individual households (hereinafter called the "**Projects**" or individually the "**Project**"). The supported Projects will focus mainly on energy efficiency and renewable energy and will moreover target water conservation/recycling, water supply and wastewater collection and treatment, and waste management, as more particularly described in the Technical Description set out in Schedule A.1 of the Finance Contract.

– The obligations of the Bank under the Finance Contract are conditional upon the execution, delivery by the Guarantor and continuing operation of a guarantee of performance by the Borrower of its financial obligations under the Finance Contract (hereinafter this "**Guarantee Agreement**") and the delivery of a favourable legal opinion thereon.

– Execution of this Guarantee Agreement has been authorised by the Parliament of the Republic of Slovenia and a certified English translation of the relevant provisions of the relevant law is attached hereto as Annex I.

– A duly authorised officer of the Attorney General's Office of the Guarantor will issue a legal opinion on this Guarantee Agreement in the form and substance satisfactory to the Bank as set out in Annex II, as a condition to disbursement by the Bank under the Finance Contract.

NOW THEREFORE it is hereby agreed as follows:

ARTICLE 1
Finance Contract

The Guarantor declares that it is well acquainted with the terms, conditions and clauses of the Finance Contract, a copy of which, as signed by the parties thereto, has been delivered to the Guarantor by the Bank.

ARTICLE 2
Undertakings by the Guarantor

- 2.01** The Guarantor, as primary obligor and not merely as surety, guarantees entirely the full, punctual and irrevocable performance of all the monetary obligations of the Borrower to the Bank under the Finance Contract, including all payments of interest without any limitation, commissions, incidental charges and other expenses and all the sums being due by the Borrower to the Bank under any provision of the Finance Contract.
- 2.02** No payment or discharge which may be avoided under any enactment relating to insolvency, no payment or discharge made or given which is subsequently avoided and no release, cancellation or discharge of this Guarantee Agreement given or made on the faith of any such payment shall constitute discharge of the Guarantor under this Guarantee Agreement or prejudice or affect the Bank's right to serve a Demand hereunder and to recover from the Guarantor to the full extent of this Guarantee Agreement.
- 2.03** The Guarantor undertakes to promptly furnish information to the Bank on legislation or the regulatory framework affecting the Borrower, which may have an impact on the implementation of the Finance Contract.

GLEDE NA TO, DA

– s pogodbo (v nadaljevanju »**finančna pogodba**«), podpisano 19. maja 2011 v Ljubljani med banko in Eko skladom – slovenskim okoljskim javnim skladom (Eko sklad, v nadaljevanju »**kreditojemalec**«), banka soglaša, da bo kreditojemalcu dala kredit v vrednosti 50.000.000,00 EUR (petdeset milijonov evrov) za sofinanciranje več majhnih in srednje velikih okoljskih naložb občin, javnih in zasebnih podjetij ter posameznih gospodinjstev (v nadaljevanju »**projekti**« oziroma »**projekt**«). Podprti projekti bodo usmerjeni predvsem v energetsko učinkovitost in obnovljive vire, pa tudi v varčevanje z vodo/recikliranje vode, oskrbo z vodo, odvajanje in čiščenje odpadnih voda ter ravnanje z odpadki, kot je podrobneje opisano v tehničnem opisu v prilogi A.1 finančne pogodbe;

– so obveznosti banke po finančni pogodbi pogojene s tem, da porok podpiše in izda poročstvo ter neprekinjeno jamči za izpolnjevanje finančnih obveznosti kreditojemalca iz finančne pogodbe (v nadaljevanju »**poroštvna pogodba**«), ter s predložitvijo ugodnega pravnega mnenja o tem;

– je podpis te poroštvne pogodbe odobril Državni zbor Republike Slovenije, v prilogi I pa je overjen prevod ustreznih določb zadevnega zakona v angleški jezik;

– bo pravilno pooblaščen uradna oseba iz urada porokovega državnega pravobranilstva izdala pravno mnenje o tej poroštvni pogodbi v obliki in z vsebino, ki sta sprejemljivi za banko, kot je navedeno v prilogi II, kar je pogoj za izplačilo kredita banke po finančni pogodbi,

je dogovorjeno:

1. ČLEN
Finančna pogodba

Porok izjavlja, da je dobro seznanjen s pogoji in določili finančne pogodbe, ki sta jo podpisala pogodbenika in katere kopijo mu je poslala banka.

2. ČLEN
Obveznosti poroka

- 2.01** Porok kot prvi zavezanec in ne le kot porok v celoti jamči za popolno, pravočasno in nepreklicno izpolnjevanje vseh denarnih obveznosti kreditojemalca do banke po finančni pogodbi skupaj z vsemi plačili obresti brez vsakršnih omejitev, provizijami, nepredvidenimi stroški in drugimi izdatki ter vsemi zneski, ki jih kreditojemalec dolguje banki na podlagi določb finančne pogodbe.
- 2.02** Nobeno plačilo ali poplačilo, ki bi se mu bilo mogoče izogniti zaradi postopkov plačilne nesposobnosti, nobeno plačilo ali poplačilo, ki pozneje ni opravljeno, in nobena oprostitev, preklic ali poplačilo po tej poroštvni pogodbi, ki je bilo dano v zvezi z omenjenimi plačili, ne pomenijo izpolnitve obveznosti poroka po tej poroštvni pogodbi oziroma ne posegajo v pravico banke, da od poroka zahteva in izterja celotno poplačilo po tej poroštvni pogodbi, oziroma na to pravico ne vplivajo.
- 2.03** Porok se obvezuje, da bo banki nemudoma prikrbel informacije o zakonodaji ali pravnem okviru, ki zadeva kreditojemalca in bi lahko vplival na izvajanje finančne pogodbe.

ARTICLE 3**Enforcement of guarantee**

- 3.01** Demand may be made under this Guarantee Agreement as soon as the Borrower has not performed all or part of the obligations guaranteed pursuant to Article 2.01 of this Guarantee Agreement.
- 3.02** The Guarantor hereby waives irrevocably any objection or exception in law to the total or partial enforcement of this Guarantee Agreement. It undertakes to perform its obligations upon first written demand by the Bank whenever such demand is made and to pay the sums due without any limitation, retention or condition, without the Bank having to furnish any special evidence in support of its request other than the reason for the demand under this Guarantee Agreement. In particular, the Bank is not bound to prove that it has taken any action against the Borrower; it is not obliged, prior to the enforcement of this Guarantee Agreement, to realise securities or to enforce any other security that the Borrower or a third party may have constituted.
- 3.03** The payment by the Guarantor shall fall due on the tenth (10th) Business Day following that on which demand is made.
For the purpose of this Guarantee Agreement "Business Day" means a day on which banks are open for business in Luxembourg and Ljubljana.
- 3.04** In the event of the Bank making a demand, the Guarantor shall have the right to discharge immediately, under the conditions set out in the Finance Contract, all the monetary obligations of the Borrower under the Finance Contract which are still outstanding at the time of such discharge (including the indemnity under article 10 of the Finance Contract).

ARTICLE 4**Subrogation**

When the Guarantor has made a payment to the Bank and provided the Guarantor has exercised its rights under Article 3.04, it is subrogated, to the extent of such payment, to the rights and actions relating to the said payment that the Bank has against the Borrower; this right of subrogation shall not be invoked to the detriment of the Bank.

ARTICLE 5**Information**

- 5.01** The Guarantor shall inform the Bank forthwith of any fact or event likely to affect the performance of its obligations under this Guarantee Agreement.
- 5.02** The Guarantor shall notify the Bank of the completion of the procedures necessary in the Republic of Slovenia for the entry into force of the Guarantee Agreement.

ARTICLE 6**Modification of the Finance Contract**

- 6.01** The Bank may agree to and shall notify the Guarantor of amendments made to the Finance Contract which do not increase the amounts payable by the Borrower thereunder.

3. ČLEN**Uveljavitev poročstva**

- 3.01** Zahtevo na podlagi te poročstvene pogodbe je mogoče dati, takoj ko kreditojemalec ne izpolni vseh obveznosti ali dela obveznosti, za katere velja poročstvo v skladu s prvim odstavkom 2. člena te poročstvene pogodbe.
- 3.02** Porok se nepreklicno odreka kakršnemu koli ugovoru ali zakonskim izjemam v zvezi s popolnim ali delnim izvajanjem te poročstvene pogodbe. Zavezuje se, da bo na prvi pisni poziv banke izpolnil svoje obveznosti ob vsaki taki zahtevi in plačal zapadle zneske brez kakršnih koli omejitev, zadrževanja ali pogojev, ne da bi bilo treba banki priskrbeti kakršna koli posebna dokazila v podporo njeni zahtevi, razen razloga za zahtevo po tej poročstveni pogodbi. Predvsem pa banki ni treba dokazovati, da je sprožila kakršen koli postopek proti kreditojemalcu; pred uveljavitvijo poročstva po tej pogodbi ji ni treba unovčiti vrednostnih papirjev ali uveljaviti kakršnega koli drugega jamstva, ki ga je predložil kreditojemalec ali tretja oseba.
- 3.03** Porokova obveznost plačila zapade deseti (10.) delovni dan po datumu zahteve.

V tej poročstveni pogodbi »delovni dan« pomeni dan, ko banke v Luxembourg in Ljubljani poslujejo.

- 3.04** Če banka da zahtevo, ima porok pravico pod pogoji, navedenimi v finančni pogodbi, takoj poravnati vse denarne obveznosti kreditojemalca iz finančne pogodbe, ki so ob taki poravnavi še neplačane (vključno z odškodnino iz 10. člena finančne pogodbe).

4. ČLEN**Subrogacija (prehod pravic)**

Ko porok opravi plačilo banki in uveljavi svoje pravice v skladu s četrnim odstavkom 3. člena, nanj preidejo pravice in terjatve, ki jih ima banka do kreditojemalca v zvezi s tem plačilom; na pravico do prehoda pravic se ni mogoče sklicevati v škodo banke.

5. ČLEN**Obveščanje**

- 5.01** Porok takoj obvesti banko o vsakem dejstvu ali dogodku, ki bi lahko vplival na izpolnjevanje njegovih obveznosti iz te poročstvene pogodbe.
- 5.02** Porok uradno obvesti banko o dokončanju postopkov, ki so v Republiki Sloveniji potrebni za začetek veljavnosti poročstvene pogodbe.

6. ČLEN**Spremembe finančne pogodbe**

- 6.01** Banka lahko soglaša s spremembami finančne pogodbe, s katerimi se ne povečujejo zneski, ki jih mora kreditojemalec plačati na njeni podlagi, in o teh spremembah uradno obvesti poroka.

- 6.02** The Bank may grant the Borrower extensions of time of up to three (3) months in respect of each repayment of principal or payment of interest and any other incidental expenses as it sees fit. Any such extension of time shall be notified to the Guarantor.
- 6.03** Any modifications in the Finance Contract other than those referred to in the previous two paragraphs of this Article 6 shall be submitted for approval to the Guarantor. The latter may refuse its approval only if the proposed modifications are likely to be prejudicial to it in its capacity as Guarantor.

ARTICLE 7

Taxes, Charges and Expenses

Taxes or fiscal charges, legal costs and other expenses incurred in the execution or implementation of this Guarantee Agreement shall be borne by the Guarantor. The Guarantor shall make payments hereunder without withholding or deduction on account of tax or fiscal charges.

ARTICLE 8

Legal regime of this Guarantee Agreement

- 8.01** The legal relations between the parties to this Guarantee Agreement, its formation and validity shall be governed by the laws of the Grand Duchy of Luxembourg.
- 8.02** The place of performance of this Guarantee Agreement is the head office of the Bank.
- 8.03** The parties hereto submit to the exclusive jurisdiction of the Court of Justice of the European Union and all disputes concerning the Guarantee Agreement shall be submitted to such court.
The decision of the Court of Justice of the European Union shall be conclusive and shall be accepted as such by the parties without restriction or reservation.
- 8.04** The parties hereto agree that this Guarantee Agreement is of a commercial nature and hereby undertake to waive any immunities, which they may now or hereafter enjoy in any country from the jurisdiction of the Court of Justice of the European Union.
- 8.05** In any legal action arising out of this Guarantee Agreement the certificate of the Bank as to any amount due to the Bank under this Guarantee Agreement shall be prima facie evidence of such amount.
- 8.06** This Guarantee Agreement shall enter into force on the date when the Bank issues a written notice to the Guarantor confirming that the Bank has received a written notice pursuant to Article 5.02 of this Guarantee Agreement and a legal opinion issued by a duly authorised officer of the Attorney General's Office of the Guarantor in the form and substance satisfactory to the Bank as set out in Annex II.

ARTICLE 9

Final Clauses

- 9.01** Notices and other communications given hereunder shall be sent to the respective address set out below:

- 6.02** Banka lahko, kot se ji zdi primerno, kreditojemalcu odobri podaljšanje roka do treh (3) mesecev za vsako odplačilo glavnice ali plačilo obresti in katerih koli drugih nepredvidenih izdatkov. O vsakem takem podaljšanju mora biti porok uradno obveščen.
- 6.03** Razen sprememb iz zgornjih dveh odstavkov tega člena je treba vse druge spremembe finančne pogodbe predložiti v odobritev poroku. Ta lahko predlagane spremembe zavrne samo, če bi bile zanj kot poroka škodljive.

7. ČLEN

Davki, druge dajatve in stroški

Davki ali druge dajatve, sodni in drugi stroški, ki nastanejo pri sklepanju ali izvajanju te poroštvene pogodbe, bremenijo poroka. Porok bo plačila po tej pogodbi opravljal brez vsakršnega odbitka ali zmanjšanja zaradi davkov ali drugih dajatev.

8. ČLEN

Pravni režim te poroštvene pogodbe

- 8.01** Pravna razmerja med pogodbenicama te poroštvene pogodbe, njeno sestavo in veljavnost ureja zakonodaja Velikega vojvodstva Luksemburg.
- 8.02** Kraj izpolnitve te poroštvene pogodbe je sedež banke.
- 8.03** Pogodbenici se podrejata izključni pristojnosti Sodišča Evropske unije in vsi spori v zvezi s poroštveno pogodbo se predložijo temu sodišču.
Odločitev Sodišča Evropske unije je dokončna in jo pogodbenici kot tako sprejmeta brez omejitev ali pridržkov.
- 8.04** Pogodbenici soglašata, da je ta poroštvena pogodba komercialna, in se zavezuje, da se bosta odpovedali vsem morebitnim imunitetam, ki jih uživata zdaj ali bi jih lahko uživali v prihodnje v kateri koli državi v zvezi s sodno pristojnostjo Sodišča Evropske unije.
- 8.05** Pri katerem koli pravnem dejanju na podlagi te poroštvene pogodbe je potrdilo banke o kakršnem koli znesku, dolgovanem banki po tej poroštveni pogodbi, dokaz prima facie o takem znesku.
- 8.06** Ta poroštvena pogodba začne veljati z dnem, ko banka izda poroku pisno obvestilo, s katerim potrdi, da je prejela pisno obvestilo v skladu z drugim odstavkom 5. člena te poroštvene pogodbe in pravno mnenje, ki ga je izdala pravilno pooblaščen uradna oseba iz urada porokovega državnega pravobranilstva v obliki in v vsebino, ki sta za banko sprejemljivi, kakor je določeno v prilogi II.

9. ČLEN

Končne določbe

- 9.01** Obvestila in druga sporočila po tej pogodbi se pošljejo na naslova:

– for the Guarantor: Ministry of Finance
Župančičeva 3
1502 Ljubljana
Slovenia

– za poroka: Ministrstvo za finance
Župančičeva 3
1502 Ljubljana
Slovenija

– for the Bank: 100 Boulevard Konrad Adenauer
L-2950 Luxembourg
Grand Duchy of Luxembourg.

– za banko: 100 Boulevard Konrad Adenauer
L-2950 Luxembourg
Veliko vojvodstvo Luksemburg

Each party may, by notice to the other, change its addresses as set out above.

9.02 Notices and other communications, for which fixed periods are laid down in this Guarantee Agreement or which themselves fix periods binding on the addressee, shall be served by hand delivery, registered letter, telegram, telex, confirmed fax or any other means of transmission which affords evidence of receipt by the addressee. The date of registration or, as the case may be, the stated date of receipt of transmission shall be conclusive for the determination of a period.

9.03 The Recitals forms part of this Guarantee Agreement.

The following Annex is attached hereto:

Annex I Certified English translation of the relevant provisions of the Slovenian Law on the guarantee.

Annex II Template of legal opinion of a duly authorised officer of the Attorney General's Office of the Guarantor on this Guarantee Agreement

Vsaka pogodbenica lahko z obvestilom drugi spremeni navedeni naslov.

9.02 Obvestila in druga sporočila, za katera so v tej poroštveni pogodbi določeni stalni roki ali v katerih so določeni za naslovnika zavezujoči roki, se vročijo osebno ali pošljejo s priporočenim pismom, telegramom, teleksom, potrjenim telefaksom ali na kakršen koli drug način, ki dokazuje, da je naslovnik obvestilo prejel. Rok se določi glede na datum potrdila o oddaji priporočenega obvestila ali v nekaterih primerih glede na navedeni datum prejema oddanega obvestila.

9.03 Uvodne navedbe so sestavni del te poroštvene pogodbe.

Pogodbi sta priloženi:

priloga I Overjen angleški prevod zadevnih določb slovenskega zakona o poroštvu,

priloga II Vzorec pravnega mnenja pravilno pooblaščne uradne osebe iz urada porokovega državnega pravobranilstva o tej poroštveni pogodbi.

IN WITNESS WHEREOF the parties hereto have caused this Guarantee Agreement to be executed in 3 (three) originals in the English language.

V POTRDITEV TEGA sta pogodbenici podpisali to poroštveno pogodbo v 3 (treh) izvornikih v angleškem jeziku.

This Guarantee Agreement has been initialled on behalf of the Guarantor by Mateja Dolinar, Head of International Finance Department, and on behalf of the Bank by Edmondo Perrone, Legal Counsel.

To poroštveno pogodbo sta parafirala v imenu poroka Mateja Dolinar, vodja Sektorja za mednarodne finančne odnose, in v imenu banke Edmondo Perrone, pravni svetovalec.

Ljubljana, 14 May 2014

Luxembourg, 19 March 2014

Ljubljana, 14. maj 2014

Luxembourg, 19. marec 2014

Signed for and on behalf of
REPUBLIC
OF SLOVENIA

Signed for and on behalf of
EUROPEAN
INVESTMENT BANK

Podpisal za
REPUBLIKO SLOVENIJO
in v njenem imenu

Podpisala za
EVROPSKO
INVESTICIJSKO BANKO
in v njenem imenu

The Minister
of Finance
Uroš Čufer (s)

The Head
of Division
**Dominique
Courbin** (s)

The Head
of Division
**Massimo
Novo** (s)

Minister
za finance
Uroš Čufer l.r.

vodja oddelka
**Dominique
Courbin** l.r.

vodja oddelka
**Massimo
Novo** l.r.

3. člen

Za izvajanje poroštvene pogodbe skrbi ministrstvo, pristojno za finance.

4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 450-07/10-13/13
Ljubljana, dne 25. marca 2015
EPA 1329-V

Državni zbor
Republike Slovenije
dr. Milan Brglez l.r.
Predsednik

26. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Črne gore o izmenjavi in medsebojnem varovanju tajnih podatkov (BMNIMVTP)

Na podlagi druge alinee prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z**o razglasitvi Zakona o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Črne gore o izmenjavi in medsebojnem varovanju tajnih podatkov (BMNIMVTP)**

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Črne gore o izmenjavi in medsebojnem varovanju tajnih podatkov (BMNIMVTP), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 25. marca 2015.

Št. 003-02-2/2015-32
Ljubljana, dne 2. aprila 2015

Borut Pahor l.r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO ČRNE GORE O IZMENJAVI IN MEDSEBOJNEM VAROVANJU TAJNIH PODATKOV (BMNIMVTP)**

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Črne gore o izmenjavi in medsebojnem varovanju tajnih podatkov, sklenjen 27. novembra 2014 v Ljubljani.

2. člen

Besedilo sporazuma se v izvirniku v slovenskem in angleškem jeziku glasi¹:

S P O R A Z U M**med Vlado Republike Slovenije
in Vlado Črne gore o izmenjavi
in medsebojnem varovanju tajnih podatkov**

Vlada Republike Slovenije in Vlada Črne gore, v nadaljevanju »pogodbenci«, sta se

v želji, da bi zagotovili varovanje tajnih podatkov, izmenjanih med njima ali med javnimi in zasebnimi subjekti pod njuno jurisdikcijo,

ob upoštevanju interesov in varnosti držav pogodbenic

dogovorili:

1. ČLEN**CILJ**

Pogodbenci v skladu s svojo zakonodajo sprejmeta vse ustrezne ukrepe, da bi zagotovili varovanje tajnih podatkov, ki se prenesejo ali nastanejo po tem sporazumu.

2. ČLEN**POMEN IZRAZOV**

V tem sporazumu izrazi pomenijo:

tajni podatek: podatek, ki se ne glede na obliko prenese ali nastane med pogodbenicama po notranji zakonodaji pogodbenic in v interesu nacionalne varnosti zahteva varovanje pred nepooblaščenim razkritjem ali drugim ogrožanjem ter ga je pogodbenica za takega določila in ustrezno označila;

A G R E E M E N T**Between the Government of the Republic
of Slovenia and the Government of Montenegro
on the Exchange and Mutual Protection
of Classified Information**

The Government of the Republic of Slovenia and the Government of Montenegro, hereinafter referred to as the "Parties",

Wishing to ensure the protection of Classified Information exchanged between the Parties or between public and private entities under their jurisdiction,

In respect of the national interests and security of the Contracting States,

Have agreed as follows:

ARTICLE 1**OBJECTIVE**

The Parties shall, in accordance with their respective laws and regulations, take all appropriate measures to ensure the protection of Classified Information which is transmitted or generated under this Agreement.

ARTICLE 2**DEFINITIONS**

For the purposes of this Agreement, the following definitions shall apply:

Classified Information: any information, regardless of its form, which is transmitted or generated between the Parties under the national laws and regulations of either Party, and which, in the interests of national security, requires protection against unauthorised disclosure or other compromise, and is designated as such and marked appropriately;

¹ Besedilo sporazuma v črnogorskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

pogodbena izvora: pogodbenica, vključno z javnimi ali zasebnimi subjekti pod njeno jurisdikcijo, ki daje tajne podatke pogodbenici prejemnici;

pogodbena prejemnica: pogodbenica, vključno z javnimi ali zasebnimi subjekti pod njeno jurisdikcijo, ki prejema tajne podatke od pogodbenice izvora;

potreba po seznanitvi: načelo, po katerem se posamezniku lahko dovoli dostop do tajnih podatkov le za opravljanje njegovih uradnih dolžnosti ali nalog;

dovoljenje za dostop do tajnih podatkov: odločitev po varnostnem preverjanju v skladu z notranjo zakonodajo, na podlagi katere je posameznik pooblaščen za dostop do tajnih podatkov stopnje tajnosti, ki je navedena na dovoljenju, in za ravnanje z njimi;

varnostno dovoljenje organizacije: odločitev po varnostnem preverjanju, da izvajalec, ki je pravna oseba, izpolnjuje pogoje za ravnanje s tajnimi podatki v skladu z notranjo zakonodajo pogodbenice;

izvajalec: posameznik ali pravna oseba s sposobnostjo za sklepanje pogodb;

pogodba s tajnimi podatki: pogodba ali podizvajalska pogodba, vključno s pogajanjem pred sklenitvijo pogodbe, ki vsebuje tajne podatke ali vključuje dostop do njih;

tretja stran: država, vključno z javnimi ali zasebnimi subjekti pod njeno jurisdikcijo, ali mednarodna organizacija, ki ni pogodbenica tega sporazuma.

3. ČLEN

PRISTOJNA VARNOSTNA ORGANA

(1) Nacionalna varnostna organa, ki sta ju pogodbenici imenovali za odgovorna za splošno izvajanje tega sporazuma, sta:

v Republiki Sloveniji:

Urad Vlade Republike Slovenije za varovanje tajnih podatkov,

v Črni gori:

Direktorat Črne gore za varovanje tajnih podatkov.

(2) Pogodbenici se po diplomatski poti obveščata o vseh poznejših spremembah nacionalnih varnostnih organov.

4. ČLEN

STOPNJE TAJNOSTI

(1) Tajni podatki, dani na podlagi tega sporazuma, so označeni z ustrežno stopnjo tajnosti v skladu z notranjo zakonodajo pogodbenic.

(2) Enakovredne oznake stopnje tajnosti so:

v Republiki Sloveniji	v Črni gori	v angleškem jeziku
STROGO TAJNO	STROGO TAJNO	TOP SECRET
TAJNO	TAJNO	SECRET
ZAUPNO	POVJERLJIVO	CONFIDENTIAL
INTERNO	INTERNO	RESTRICTED

5. ČLEN

DOSTOP DO TAJNIH PODATKOV

(1) Dostop do tajnih podatkov je dovoljen samo tistim posameznikom, ki imajo potrebo po seznanitvi, so bili poučeni o ravnanju s tajnimi podatki in njihovem varovanju ter so za to pravilno pooblašteni v skladu z notranjo zakonodajo.

(2) Pogodbenici medsebojno priznavata dovoljenja za dostop do tajnih podatkov in varnostna dovoljenja organizacij. Pri tem se uporablja drugi odstavek 4. člena.

Originating Party: the Party, including any public or private entities under its jurisdiction, which releases Classified Information to the Recipient Party;

Recipient Party: the Party, including any public or private entities under its jurisdiction, which receives Classified Information from the Originating Party;

Need-to-Know: a principle by which access to Classified Information may be granted to an individual only in connection with his/her official duties or tasks;

Personnel Security Clearance: a determination, following a security clearance process in accordance with national laws and regulations, on the basis of which an individual is authorised to access to and handle Classified Information up to the level defined in the clearance;

Facility Security Clearance: a determination following a security clearance process certifying that a contractor which is a legal entity fulfils the conditions to handle Classified Information in accordance with the national laws and regulations of the respective Party;

Contractor: an individual or legal entity possessing the legal capacity to conclude contracts;

Classified Contract: a contract or a subcontract, including pre-contractual negotiations, which contains Classified Information or involves access to such information;

Third Party: any state, including any public or private entities under its jurisdiction, or an international organisation that is not a Party to this Agreement.

ARTICLE 3

COMPETENT SECURITY AUTHORITIES

(1) The National Security Authorities designated by the Parties as responsible for the general implementation of this Agreement are:

In the Republic of Slovenia:

Office of the Government of the Republic of Slovenia for the Protection of Classified Information,

In Montenegro:

Directorate for Protection of Classified Information of Montenegro.

(2) The Parties shall notify each other, through diplomatic channels, of any subsequent changes to their respective National Security Authorities.

ARTICLE 4

SECURITY CLASSIFICATION LEVELS

(1) Any Classified Information released under this Agreement shall be marked with the appropriate security classification level according to the national laws and regulations of the Parties.

(2) The following security classification levels shall be equivalent:

In the Republic of Slovenia	In Montenegro	Equivalent in the English language
STROGO TAJNO	STROGO TAJNO	TOP SECRET
TAJNO	TAJNO	SECRET
ZAUPNO	POVJERLJIVO	CONFIDENTIAL
INTERNO	INTERNO	RESTRICTED

ARTICLE 5

ACCESS TO CLASSIFIED INFORMATION

(1) Access to Classified Information shall be limited to individuals who have a Need-to-Know, who have been briefed on handling and protecting Classified Information, and who are duly authorised thereto in accordance with national laws and regulations.

(2) The Parties shall mutually recognise their Personnel Security Clearances and Facility Security Clearances. The second paragraph of Article 4 shall apply accordingly.

6. ČLEN**VAROVANJE TAJNIH PODATKOV**

(1) Pogodbenici zagotavljata tajnim podatkom iz tega sporazuma enako varovanje kot svojim tajnim podatkom enakovredne stopnje tajnosti.

(2) Pristojni varnostni organ pogodbenice izvora:

a) zagotovi, da so tajni podatki označeni z ustrezno oznako stopnje tajnosti v skladu z njegovo notranjo zakonodajo, in

b) obvesti pogodbenico prejemnico o vseh pogojih za dajanje tajnih podatkov ali omejitvah njihove uporabe in o vseh poznejših spremembah stopnje tajnosti.

(3) Pristojni varnostni organ pogodbenice prejemnice:

a) zagotovi, da so tajni podatki označeni z enakovrednimi oznakami stopnje tajnosti v skladu z drugim odstavkom 4. člena, in

b) zagotovi, da se stopnja tajnosti ne spremeni, razen s pisnim dovoljenjem pogodbenice izvora.

(4) Pogodbenica zagotovi, da se izvajajo ustrezni ukrepi za varovanje tajnih podatkov, ki se obdelujejo, hranijo ali prenašajo v komunikacijsko-informacijskih sistemih. S temi ukrepi se zagotovijo zaupnost, celovitost, razpoložljivost, in kadar je primerno, nezatajlivost in verodostojnost tajnih podatkov ter ustrezna raven odgovornosti in sledljivosti dejanj, povezanih s takimi podatki.

7. ČLEN**OMEJITEV UPORABE TAJNIH PODATKOV**

(1) Pogodbenica prejemnica tajne podatke uporabi izključno za namen, za katerega so ji bili dani, in z omejitvami, ki jih je navedla pogodbenica izvora.

(2) Pogodbenica prejemnica ne daje tajnih podatkov tretji strani brez pisnega soglasja pogodbenice izvora.

8. ČLEN**PRENOS TAJNIH PODATKOV**

(1) Prenos tajnih podatkov med pogodbenicama poteka po diplomatski poti ali po drugih varnih poteh, ki jih obojestransko odobrita njuna nacionalna varnostna organa v skladu z notranjo zakonodajo.

(2) Prenos tajnih podatkov stopnje INTERNO/RESTRICTED lahko poteka tudi po pošti ali prek druge dostavne službe v skladu z notranjo zakonodajo.

9. ČLEN**RAZMNOŽEVANJE, PREVAJANJE IN UNIČEVANJE TAJNIH PODATKOV**

(1) Vsi izvodi in prevodi imajo ustrezno oznako stopnje tajnosti ter se varujejo kot tajni podatki izvornika. Prevodi in število izvodov so omejeni na najmanjšo količino, ki je potrebna za uradne namene.

(2) Vsak prevod se označi z ustrezno stopnjo tajnosti in vsebuje ustrezno navedbo v jeziku prevoda, da prevod vsebuje tajne podatke pogodbenice izvora.

(3) Tajni podatki izvornika in prevoda z oznako STROGO TAJNO/TOP SECRET se razmnožujejo izključno s pisnim dovoljenjem pogodbenice izvora.

(4) Tajni podatki z oznako STROGO TAJNO/TOP SECRET se ne smejo uničiti. Ko niso več potrebni, se vrnejo pogodbenici izvora.

ARTICLE 6**PROTECTION OF CLASSIFIED INFORMATION**

(1) The Parties shall afford to Classified Information under this Agreement the same protection as to their own Classified Information with the corresponding security classification level.

(2) The competent security authority of the Originating Party shall:

a) ensure that Classified Information is marked with an appropriate security classification level in accordance with its national laws and regulations, and

b) inform the Recipient Party of any conditions of release or limitations on the use of Classified Information, and of any subsequent changes in security classification level.

(3) The competent security authority of the Recipient Party shall:

a) ensure that Classified Information is marked with an equivalent level of security classification in accordance with the second paragraph of Article 4, and

b) ensure that the security classification level is not changed without authorisation in writing by the Originating Party.

(4) Each Party shall ensure that appropriate measures are taken to protect Classified Information processed, stored or transmitted in communication and information systems. Such measures shall ensure the confidentiality, integrity, availability and, where applicable, non-repudiation and authenticity of Classified Information, as well as an appropriate level of accountability and traceability of actions in relation to that information.

ARTICLE 7**RESTRICTION ON THE USE OF CLASSIFIED INFORMATION**

(1) The Recipient Party shall use Classified Information solely for the purpose for which it has been delivered and within the limitations stated by the Originating Party.

(2) The Recipient Party shall not release Classified Information to a Third Party without written consent from the Originating Party.

ARTICLE 8**TRANSMISSION OF CLASSIFIED INFORMATION**

(1) Classified Information shall be transmitted between the Parties through diplomatic channels or through other secure channels mutually approved by their National Security Authorities in accordance with national laws and regulations.

(2) Classified Information at the INTERNO/RESTRICTED level may also be transmitted by post or another delivery service in accordance with national laws and regulations.

ARTICLE 9**REPRODUCTION, TRANSLATION AND DESTRUCTION OF CLASSIFIED INFORMATION**

(1) All reproductions and translations shall bear appropriate security classification levels and shall be protected in the same way as the original Classified Information. Translations and the number of reproductions shall be limited to the minimum amount required for official purposes.

(2) All translations shall be marked with the appropriate security classification level, and shall contain suitable annotation in the language of translation indicating that they contain Classified Information of the Originating Party.

(3) Classified Information marked STROGO TAJNO/TOP SECRET, both the originals and translations, shall be reproduced only upon the written permission of the Originating Party.

(4) Classified Information marked STROGO TAJNO/TOP SECRET shall not be destroyed. When no longer required, it shall be returned to the Originating Party.

(5) Tajne podatke stopnje tajnosti TAJNO/SECRET ali nižje stopnje pogodbenica prejemnica, ko jih ne potrebuje več, uniči v skladu z notranjo zakonodajo.

(6) Če v kriznih razmerah tajnih podatkov, ki se prene-sejo ali nastanejo po tem sporazumu, ni mogoče varovati ali vrniti, se takoj uničijo. O njihovem uničenju pogodbenica prejemnica čim prej obvesti nacionalni varnostni organ pogodbenice izvora.

10. ČLEN

POGODBE S TAJNIMI PODATKI

(1) Preden se tajni podatki v zvezi s pogodbo s tajnimi podatki dajo izvajalcem, podizvajalcem ali morebitnim izvajalcem, nacionalni varnostni organ pogodbenice prejemnice:

a) zagotovi, da so izvajalec, podizvajalec ali morebitni izvajalec in njegove organizacije zmožni podatke ustrezno varovati;

b) izda organizaciji ustrezno varnostno dovoljenje;

c) izda ustrezno dovoljenje za dostop do tajnih podatkov osebam, ki opravljajo naloge, pri katerih je potreben dostop do tajnih podatkov.

(2) Pogodbenica prejemnica zagotovi, da so vse osebe, ki imajo dostop do tajnih podatkov, obveščene o svoji odgovornosti in obveznosti glede varovanja tajnih podatkov v skladu z notranjo zakonodajo.

(3) Nacionalni varnostni organ pogodbenice izvora lahko zahteva inšpekcijski pregled varovanja tajnih podatkov v organizaciji, da se zagotovi stalno izpolnjevanje varnostnih standardov v skladu z notranjo zakonodajo.

(4) Pogodba s tajnimi podatki vsebuje določbe o varnostnih zahtevah in stopnji tajnosti vsakega njenega vidika ali dela. Izvod takega dokumenta se predloži nacionalnima varnostnima organoma pogodbenic.

(5) Podatki, ki se zagotovijo po tem členu, se uporabljajo za doseganje ciljev tega sporazuma.

11. ČLEN

OBISKI

(1) Obiski, pri katerih je potreben dostop do tajnih podatkov, se odobrijo na podlagi predhodnega dovoljenja nacionalnega varnostnega organa pogodbenice gostiteljice.

(2) Zaposilo za obisk se predloži ustreznemu nacionalnemu varnostnemu organu vsaj 20 dni pred začetkom obiska. Vsebuje te podatke, ki se uporabljajo izključno za namen obiska:

a) ime in priimek obiskovalca, datum in kraj rojstva, državljanstvo in številko osebne izkaznice ali potnega lista;

b) položaj obiskovalca s podatki o delodajalcu, ki ga obiskovalec zastopa;

c) podatke o projektu, pri katerem obiskovalec sodeluje;

d) veljavnost in stopnjo tajnosti obiskovalčevega dovoljenja za dostop do tajnih podatkov, če je potrebno;

e) ime, naslov, telefonsko številko, številko telefaksa, elektronski naslov organizacije, v kateri bo obisk, in osebo za stike v organizaciji;

f) namen obiska, vključno z najvišjo stopnjo tajnosti obravnavanih tajnih podatkov;

g) datum in trajanje obiska; pri večkratnih obiskih se navede celotno obdobje, v katerem bodo potekali;

h) datum in podpis nacionalnega varnostnega organa pošiljatelja.

(5) Classified Information at the TAJNO/SECRET security classification level or below shall be destroyed when it is no longer considered necessary by the Recipient Party, in accordance with national laws and regulations.

(6) If a crisis situation makes it impossible to protect or return Classified Information transmitted or generated under this Agreement, the Classified Information shall be destroyed immediately. The Recipient Party shall notify the National Security Authority of the Originating Party of its destruction as soon as possible.

ARTICLE 10

CLASSIFIED CONTRACTS

(1) Before providing Classified Information related to a Classified Contract to Contractors, sub-contractors or prospective contractors, the National Security Authority of the Recipient Party shall:

a) ensure that the Contractor, subcontractor or prospective contractor and its facilities are able to provide suitable protection for the Classified Information;

b) issue the facility an appropriate Facility Security Clearance;

c) issue an appropriate Personnel Security Clearance to persons who perform functions which require access to Classified Information.

(2) The Recipient Party shall ensure that all persons having access to Classified Information are informed of their responsibilities and obligation to protect the Classified Information in accordance with national laws and regulations.

(3) The National Security Authority of the Originating Party may request that a security inspection regarding the protection of Classified Information be undertaken at a facility to ensure continuing compliance with security standards in accordance with national laws and regulations.

(4) A Classified Contract shall contain provisions on the security requirements and on the security classification level of each aspect or element of the Classified Contract. A copy of such document shall be submitted to the National Security Authorities of the Parties.

(5) Data provided under this Article shall be used for achieving the objectives of this Agreement.

ARTICLE 11

VISITS

(1) Visits requiring access to Classified Information shall be subject to the prior authorisation of the National Security Authority of the host Party.

(2) A request for visit shall be submitted to the relevant National Security Authority at least 20 days prior to the commencement of the visit. The request for visit shall include the following information, which shall be used only for the purpose of the visit:

a) first and last name of the visitor, date and place of birth, nationality and identity card/passport number;

b) position of the visitor, with a specification of the employer that the visitor represents;

c) a specification of the project in which the visitor is a participant;

d) the validity and classification level of the visitor's Personnel Security Clearance, if required;

e) name, address, phone/fax number, e-mail address and point of contact of the facility to be visited;

f) the purpose of the visit, including the highest security classification level of Classified Information to be involved;

g) the date and duration of the visit. In the case of recurring visits, the total period covered by the visits shall be stated;

h) the date and signature of the sending National Security Authority.

(3) V nujnih primerih se lahko nacionalna varnostna organa dogovorita o krajšem obdobju za predložitev zaprosila za obisk.

(4) Nacionalna varnostna organa se lahko dogovorita o seznamu obiskovalcev, ki imajo pravico do večkratnih obiskov. Seznam velja za začetno obdobje, ki ni daljše od 12 mesecev in se lahko podaljša za največ 12 mesecev. Zaposilo za večkratne obiske se predloži v skladu z drugim odstavkom tega člena. Ko je seznam potrjen, se lahko sodelujoče organizacije o obiskih dogovarjajo neposredno.

(5) Pogodbenica zagotavlja varstvo osebnih podatkov obiskovalcev v skladu z notranjo zakonodajo.

(6) Vsi tajni podatki, ki jih pridobi obiskovalec, veljajo za tajne podatke po tem sporazumu.

12. ČLEN

SODELOVANJE PRI VAROVANJU TAJNIH PODATKOV

(1) Zaradi doseganja in ohranjanja primerljivih varnostnih standardov si nacionalna varnostna organa na zaprosilo zagotovita informacije o svojih nacionalnih varnostnih standardih, postopkih in praksah za varovanje tajnih podatkov. V ta namen se lahko nacionalna varnostna organa obiskujeta.

(2) Pristojna varnostna organa se obveščata o izjemnih varnostnih tveganjih, ki lahko ogrozijo dane tajne podatke ali sisteme za varovanje tajnih podatkov.

(3) Nacionalna varnostna organa si na zaprosilo pomagata pri izvajanju postopkov varnostnega preverjanja. Izmenjata si podatke o varnostnih zadržkih, pomembnih v postopku varnostnega preverjanja.

(4) Nacionalna varnostna organa se takoj obvestita o vsaki spremembi pri medsebojno priznanih dovoljenjih za dostop do tajnih podatkov in varnostnih dovoljenjih organizacij.

13. ČLEN

KRŠITEV VAROVANJA TAJNOSTI

(1) Ob kršitvi varovanja tajnosti, katere posledica je nepooblaščen razkritje, odtujitev ali izguba tajnih podatkov, ali sumu take kršitve nacionalni varnostni organ pogodbenice prejemnice o tem takoj pisno obvesti nacionalni varnostni organ pogodbenice izvora.

(2) Pristojni organi pogodbenice prejemnice sprejmejo vse ustrezne ukrepe v skladu z notranjo zakonodajo, da omejijo posledice kršitve iz prvega odstavka tega člena in preprečijo nadaljnje kršitve. Na zaprosilo druga pogodbenica zagotovi ustrezno pomoč ter je obveščena o izidu postopkov in ukrepih, sprejetih zaradi kršitve.

(3) Ob kršitvi varovanja tajnosti v tretji strani nacionalni varnostni organ pogodbenice pošiljateljice nemudoma sprejme ukrepe iz drugega odstavka tega člena.

14. ČLEN

STROŠKI

Vsaka pogodbenica krije svoje stroške, ki nastanejo pri izvajanju tega sporazuma.

15. ČLEN

Reševanje sporov

Spore zaradi razlage ali uporabe tega sporazuma pogodbenici rešujeta z medsebojnimi posvetovanji in pogajanjem ter jih ne predložita v reševanje mednarodnemu sodišču ali tretji strani.

(3) In urgent cases, the National Security Authorities may agree on a shorter period for the submission of a request for visit.

(4) The National Security Authorities may agree on a list of visitors entitled to recurring visits. The list shall be valid for an initial period not exceeding 12 months and may be extended for a further period not exceeding 12 months. The request for recurring visits shall be submitted in accordance with the second paragraph of this Article. Once a list has been approved, visits may be arranged directly between the facilities involved.

(5) Each Party shall guarantee the protection of personal data of visitors in accordance with national laws and regulations.

(6) Any Classified Information acquired by a visitor shall be considered as Classified Information under this Agreement.

ARTICLE 12

CO-OPERATION ON THE PROTECTION OF CLASSIFIED INFORMATION

(1) In order to achieve and maintain comparable standards of security, the National Security Authorities shall, on request, provide each other with information about their national security standards, procedures and practices for the protection of Classified Information. For this purpose, the National Security Authorities may visit each other.

(2) The competent security authorities shall inform each other of exceptional security risks that may endanger released Classified Information or Classified Information protection systems.

(3) On request, the National Security Authorities shall assist each other in carrying out a security clearance process. They shall exchange information on security concerns that are of importance in the security clearance process.

(4) The National Security Authorities shall promptly inform each other about any changes in mutually recognised Personnel and Facility Security Clearances.

ARTICLE 13

BREACH OF SECURITY

(1) In the event of a security breach resulting in the unauthorised disclosure, misappropriation or loss of Classified Information or suspicion of such a breach, the National Security Authority of the Recipient Party shall immediately inform the National Security Authority of the Originating Party thereof in writing.

(2) The competent authorities of the Recipient Party shall take all appropriate measures under its national laws and regulations to limit the consequences of the breach referred to in the first paragraph of this Article and to prevent further breaches. On request, the other Party shall provide appropriate assistance and shall be informed of the outcome of the proceedings and measures taken due to the breach.

(3) When a breach of security has occurred in a Third Party, the National Security Authority of the sending Party shall take the measures referred to in the second paragraph of this Article without delay.

ARTICLE 14

EXPENSES

Each Contracting Party shall bear its own costs incurred in the course of implementing this Agreement.

ARTICLE 15

RESOLUTION OF DISPUTES

Any dispute regarding the interpretation or application of this Agreement shall be resolved by consultation and negotiation between the Parties and shall not be referred to any international tribunal or Third Party for settlement.

16. ČLEN**Končne določbe**

(1) Sporazum začne veljati prvi dan drugega meseca po prejemu zadnjega uradnega obvestila, s katerim se pogodbenici po diplomatski poti obvestita, da so izpolnjene njune notranjepravne zahteve za začetek njegove veljavnosti.

(2) Sporazum se lahko spremeni z medsebojnim pisnim soglasjem pogodbenic. Spremembe začnejo veljati v skladu s prvim odstavkom tega člena.

(3) Sporazum se sklene za nedoločen čas. Pogodbenica ga lahko odpove s pisnim obvestilom, poslanim po diplomatski poti drugi pogodbenici. V tem primeru sporazum preneha veljati šest mesecev po dnevu, ko druga pogodbenica prejme obvestilo o odpovedi.

(4) Ob prenehanju veljavnosti tega sporazuma se vsi tajni podatki, izmenjani v skladu s tem sporazumom, še naprej varujejo v skladu z njegovimi določbami in se na zaprosilo vrnejo pogodbenici izvora.

(5) Za izvajanje tega sporazuma se lahko sklenejo dodatni dogovori.

V potrditev tega sta podpisana, ki sta bila za to pravilno pooblaščenca, podpisala ta sporazum.

Sklenjeno v Ljubljani, 27. novembra 2014 v dveh izvirnikih v slovenskem, črnogorskem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. Pri različni razlagi prevlada angleško besedilo.

Za Vlado
Republike Slovenije
Boris Mohar l.r.

Za Vlado
Črne gore
Savo Vučinić l.r.

For the Government
of the Republic of Slovenia
Boris Mohar (s)

For the Government
Of Montenegro
Savo Vučinić (s)

3. člen

Za izvajanje sporazuma skrbi Urad Vlade Republike Slovenije za varovanje tajnih podatkov.

4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 040-05/14-16/11
Ljubljana, dne 25. marca 2015
EPA 84-VII

Državni zbor
Republike Slovenije
dr. Milan Brglez l.r.
Predsednik

ARTICLE 16**FINAL PROVISIONS**

(1) This Agreement shall enter into force on the first day of the second month following the receipt of the last notification with which the Parties inform each other, through diplomatic channels, that all the internal legal requirements for its entry into force have been fulfilled.

(2) This Agreement may be amended by the mutual, written consent of the Parties. Agreed amendments shall enter into force in accordance with the first paragraph of this Article.

(3) This Agreement shall be concluded for an indefinite period. Either Party may terminate this Agreement by written notification delivered to the other Party through diplomatic channels. In such a case, the validity of this Agreement shall expire six months after the day on which the other Party received notice of termination.

(4) In the event of termination of this Agreement, any Classified Information exchanged pursuant to this Agreement shall continue to be protected in accordance with the provisions set forth herein and, upon request, returned to the Originating Party.

(5) Additional arrangements may be concluded for the implementation of this Agreement.

In witness whereof, the undersigned, duly authorised to this effect, have signed this Agreement.

Done at Ljubljana, on 27 November 2014 in two originals in the Slovenian, Montenegrin and English languages, each text being equally authentic. In the case of different interpretations of the text, the English version shall prevail.

27. Uredba o ratifikaciji Protokola med Vlado Republike Slovenije in Vlado Republike Moldove o izvajanju Sporazuma med Evropsko skupnostjo in Republiko Moldovo o ponovnem sprejemu oseb, ki prebivajo brez dovoljenja

Na podlagi petega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09, 80/10 – ZUTD) izdaja Vlada Republike Slovenije

U R E D B O

o ratifikaciji Protokola med Vlado Republike Slovenije in Vlado Republike Moldove o izvajanju Sporazuma med Evropsko skupnostjo in Republiko Moldovo o ponovnem sprejemu oseb, ki prebivajo brez dovoljenja

1. člen

Ratificira se Protokol med Vlado Republike Slovenije in Vlado Republike Moldove o izvajanju Sporazuma med Evropsko skupnostjo in Republiko Moldovo o ponovnem sprejemu oseb, ki prebivajo brez dovoljenja, sklenjen 11. novembra 2014 na Brdu pri Kranju.

2. člen

Besedilo protokola se v izvorniku v slovenskem in angleškem jeziku glasi¹:

**Protokol
med Vlado Republike Slovenije
in Vlado Republike Moldove
o izvajanju Sporazuma med Evropsko
skupnostjo in Republiko Moldovo
o ponovnem sprejemu oseb,
ki prebivajo brez dovoljenja**

Vlada Republike Slovenije in Vlada Republike Moldove (v nadaljnjem besedilu: pogodbenici) sta se

v želji, da bi olajšali izvajanje Sporazuma med Evropsko skupnostjo in Republiko Moldovo o ponovnem sprejemu oseb, ki prebivajo brez dovoljenja, podpisanega v Bruslju 10. oktobra 2007 (v nadaljnjem besedilu: Sporazum o ponovnem sprejemu), na podlagi njegovega 19. člena dogovorili:

1. člen

Imenovanje pristojnih organov

Pogodbenici sta v skladu s točko (l) 1. člena in točko (a) prvega odstavka 19. člena Sporazuma o ponovnem sprejemu imenovali naslednja pristojna organa za sprejem, pošiljanje in obravnavo prošenj za ponovni sprejem in za tranzit:

za Republiko Slovenijo:
Ministrstvo za notranje zadeve
Policija
Generalna policijska uprava
Uprava uniformirane policije
Sektor mejne policije
naslov: Štefanova ulica 2, SI-1501 Ljubljana
telefon: +386 1 428 4322
telefaks: +386 1 428 4779
e-pošta: smp@policija.si;

za Republiko Moldovo:
Ministrstvo za notranje zadeve
Urad za migracije in azil
124 Ștefan cel Mare Blv.
telefon/telefaks +373 22 265618
telefon/telefaks +373 22 272203
e-pošta: readmission@bma.gov.md.

**Protocol
between the Government of the Republic
of Slovenia and the Government of the Republic
of Moldova on the implementation
of the Agreement between the European
Community and the Republic of Moldova
on the readmission of persons residing
without authorisation**

The Government of the Republic of Slovenia and the Government of the Republic of Moldova, hereinafter referred to as "the Parties",

desiring to facilitate the implementation of the Agreement between the European Community and the Republic of Moldova on the readmission of persons residing without authorisation done at Brussels on 10 October 2007 (hereinafter referred to as "Readmission Agreement") on the basis of its Article 19, have agreed as follows:

Article 1

Designation of Competent Authorities

Pursuant to Article 1, lit. I and Article 19, paragraph 1, lit. a of the Readmission Agreement, the Parties have designated the following competent authorities for the receipt, submission and processing of readmission applications and transit applications:

For the Republic of Slovenia:
The Ministry of the Interior
Police
General Police Directorate
Uniformed Police Directorate
Border Police Division
Address: Ștefanova ulica 2, SI-1501 Ljubljana
Phone: +386 1 428 4322
Fax: +386 1 428 4779
e-mail: smp@policija.si

For the Republic of Moldova:
Ministry of Internal Affairs
Bureau for Migration and Asylum
124, Ștefan cel Mare Bvd.
tel/fax. +373 22 265618,
tel/ fax. +373 22 272203,
e-mail: readmission@bma.gov.md

¹ Besedilo protokola v romunskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

2. člen**Mejni prehodi**

V skladu s točko (a) prvega odstavka 19. člena Sporazuma o ponovnem sprejemu lahko ponovni sprejem in tranzit potekata na naslednjih mejnih prehodih:

v Republiki Sloveniji:
Mejni prehod za mednarodni zračni promet Ljubljana Brnik na letališču Jožeta Pučnika Ljubljana, Mednarodni mejni prehod Obrežje in Mednarodni mejni prehod Gruškovje;

v Republiki Moldovi:
Mednarodno letališče Kišinjev in
Mejni prehod Leușeni-Albița.

3. člen**Dokazna sredstva o državljanstvu**

Pristojna organa pogodbenic si v skladu s prvim odstavkom 8. člena in točko (d) prvega odstavka 19. člena Sporazuma o ponovnem sprejemu lahko kot dodatno dokazno sredstvo o državljanstvu sporočita biometrične in druge podatke osebe, ki jo je treba ponovno sprejeti.

4. člen**Pošiljanje prošelj za ponovni sprejem in za tranzit ter odgovori nanje**

(1) Pristojna organa pogodbenic za pošiljanje in sprejem prošnje za ponovni sprejem in za tranzit ter odgovor nanjo uporabljata telefaks ali uradno elektronsko pošto.

(2) Kot dokaz o pošiljanju ali sprejemu prošnje za ponovni sprejem in za tranzit ter odgovoru nanjo se upošteva poročilo o pošiljanju, v primeru uporabe uradne elektronske pošte pa elektronsko potrdilo.

(3) Prošnja za tranzit se pošlje najmanj 8 delovnih dni pred načrtovanim tranzitom.

5. člen**Premestitev osebe, ki jo je treba ponovno sprejeti**

(1) Premestitev osebe, ki jo je treba ponovno sprejeti, poteka v času in na kraju, o katerem se pisno dogovorita pristojna organa pogodbenic.

(2) Če se je čas premestitve zaradi pravnih ali dejanskih ovir podaljšal, pristojni organ pogodbenice prosilke obvesti pristojni organ zaprosene pogodbenice o ovirah takoj, ko se pojavijo, in navede predvideni kraj in čas premestitve.

6. člen**Ponovni sprejem po pospešenem postopku**

Pristojna organa pogodbenic se dogovorita o izvajanju ponovnega sprejema po pospešenem postopku ob upoštevanju zahtev iz tretjega odstavka 6. člena in drugega odstavka 10. člena Sporazuma o ponovnem sprejemu. Premestitev po pospešenem postopku pogodbenici izvedeta v najkrajšem možnem času.

7. člen**Pogoji za premestitev s spremstvom**

V skladu s točko (c) prvega odstavka 19. člena Sporazuma o ponovnem sprejemu se pogodbenici dogovorita o naslednjih pogojih za premestitev ali tranzit s spremstvom na njunih ozemljih:

– spremljevalci so odgovorni za spremljanje oseb, ki jih je treba ponovno sprejeti, in za njihovo premestitev do pooblaščenih oseb pristojnega organa namembne države;

Article 2**Border Crossing Points**

Pursuant to Article 19, paragraph 1 lit. a of the Readmission Agreement, readmission and transit may take place at the following border crossing points:

In the Republic of Slovenia:
Border Crossing Point for International Air Traffic Ljubljana – Brnik at the Ljubljana Jože Pučnik Airport, International Border Crossing Point Obrežje and International Border Crossing Point Gruškovje

In the Republic of Moldova
International Airport Chișinău and
Border crossing point Leușeni-Albița.

Article 3**Evidence Regarding Nationality**

Pursuant to Article 8, paragraph 1 and Article 19, paragraph 1 lit. d of the Readmission Agreement, the competent authorities of the Parties may communicate to each other the biometrical data and other data of the person to be readmitted as further means of evidence regarding nationality.

Article 4**Submission and Reply to Readmission Applications and Transit Applications**

(1) The competent authorities of the parties shall use fax or official electronic mail for the submission, receipt of and reply to the readmission application and transit application.

(2) The transmission report or electronic receipt, if official electronic mail is used, shall serve as proof of submission, receipt of or reply to the readmission application and transit application.

(3) Transit application shall be transmitted at least 8 working days prior to the planned transit.

Article 5**Transfer of the Person to be Readmitted**

(1) Transfer of the person to be readmitted shall take place at the time and location agreed upon in writing by the competent authorities of the Parties.

(2) If the term of transfer was extended due to any legal or practical impediments, the competent authority of the requesting Party shall immediately notify the competent authority of the requested Party of the impediments as it occurs and shall indicate the envisaged location and time of transfer.

Article 6**Readmission under the Accelerated Procedure**

The competent authorities of the Parties mutually agree to perform readmission under the accelerated procedure subject to the requirements of Article 6, paragraph 3 and Article 10, paragraph 2 of the Readmission Agreement. The Parties shall carry out the transfer under the accelerated procedure within the shortest possible time.

Article 7**Conditions for Escorted Transfers**

Pursuant to Article 19, paragraph 1 lit. c of the Readmission Agreement, the Parties agree to the following conditions relating to escorted transfers or transit in their respective territories:

– The escort shall be responsible for escorting the persons to be readmitted and transferring these persons to an authorised person of the competent authority of the State of destination.

– spremljevalci svoje naloge opravljajo neoboroženi in v civilnih oblačilih ter imajo pri sebi dokumente, ki dokazujejo odobritev ponovnega sprejema ali tranzita, poleg tega pa lahko dokažejo svojo identiteto in uradno pooblastilo;

– zaprosena pogodbenica spremljevalcem v času opravljanja njihovih nalog zagotovi podobno zaščito in pomoč kot svojim uslužbencem, ki so pooblašteni za opravljanje enakih nalog;

– za spremljevalce v vseh primerih velja zakonodaja zaprosene pogodbenice. Pooblastila spremljevalcev so med spremljanjem osebe, ki jo je treba ponovno sprejeti, ali med tranzitom omejena na samoobrambo. Spremljevalci lahko v primeru, da uslužbenci zaprosene pogodbenice, ki so pooblašteni za izvajanje potrebnih aktivnosti, niso na voljo, ali za podporo tem uslužbencem ob neposredni in resni nevarnosti izvedejo primerne in sorazmerne ukrepe, s katerimi preprečijo, da bi oseba, ki jo je treba ponovno sprejeti, pobegnila, poškodovala sebe ali tretje osebe ali povzročila materialno škodo;

– spremljevalci imajo pri sebi potno listino in druga potrebna potrdila ali osebne podatke osebe, ki jo je treba ponovno sprejeti, in jih izročijo predstavniku pristojnega organa namembne države. Spremljevalci ne smejo zapustiti dogovorjenega kraja premestitve, dokler se premestitev osebe, ki jo treba ponovno sprejeti, ne zaključijo;

– pristojni organi pogodbenice prosilke spremljevalcem zagotovijo vstopne vizume za državo tranzita in namembno državo, če je potrebno.

8. člen

Podrobnosti tranzita in pomoč pri tranzitu

(1) V skladu s 13. in 14. členom Sporazuma o ponovnem sprejemu se pogodbenici dogovorita o naslednjih praktičnih podrobnostih tranzita:

– prošnja za tranzit (v skladu s Prilogo 6 Sporazuma o ponovnem sprejemu) se po telefaksu ali v elektronski obliki pošlje pristojnemu organu zaprosene pogodbenice najmanj 4 delovne dni pred načrtovanim tranzitom;

– pristojni organ zaprosene pogodbenice po telefaksu ali v elektronski obliki v 4 delovnih dneh po sprejemu vloge za tranzit sporoči, ali soglaša s tranzitom in predvidenim časom tranzita, določenim mejnim prehodom, načinom prevoza in uporabo spremljevalcev;

– če pogodbenica prosilka meni, da je pri konkretni aktivnosti tranzita treba za pomoč zaprositi pristojni organ zaprosene pogodbenice, to navede v obrazcu prošnje za tranzit (Priloga 6 Sporazuma o ponovnem sprejemu). Pristojni organ zaprosene pogodbenice v svojem odgovoru na prošnjo za tranzit sporoči, ali lahko zagotovi potrebno pomoč;

– če prevoz osebe, ki jo je treba ponovno sprejeti, poteka po zraku in s spremstvom, pristojni organ zaprosene pogodbenice organizira varovanje in vkrcanje osebe, ki jo je treba ponovno sprejeti, na svojem ozemlju s pomočjo druge pogodbenice, kolikor je to mogoče.

(2) Pogodbenica prosilka soglaša, da bo v skladu s četrtem odstavkom 13. člena Sporazuma o ponovnem sprejemu nemudoma sprejela nazaj osebo, ki jo je treba ponovno sprejeti, če:

– je bil tranzit zavrnjen ali preklican v skladu s tretjim odstavkom 13. člena Sporazuma o ponovnem sprejemu;

– je oseba, ki jo je treba ponovno sprejeti, med tranzitom nezakonito vstopila na ozemlje zaprosene pogodbenice;

– do premestitve osebe, ki jo je treba ponovno sprejeti, v drugo državo tranzita ali namembno državo ni prišlo ali

– tranzit ni mogoč iz drugih razlogov v skladu s točko (c) tretjega odstavka 13. člena Sporazuma o ponovnem sprejemu.

– The escort shall perform his or her duties unarmed and in civilian clothing, and shall carry documents proving that readmission or transit has been approved, and shall be able at all times to prove his or her identity and official authorisation.

– The requested Party shall ensure similar protection and assistance to the escort during the performance of his or her duties as it ensures to its own officials authorised to perform such duties.

– The escort shall in all cases be subject to the legislation of the requested Party. The powers of the escort while escorting a person to be readmitted or during transit shall be limited to self-defence. In the case of unavailability of officials of the requested Party authorised to carry out the necessary activities or in order to support such officials in situations of immediate and serious danger, the escort may take reasonable and commensurate measures to prevent the person to be readmitted from escaping, injuring himself or herself or any third persons, or causing damage to property.

– The escort shall carry the travel document and other required certificates or personal data of the person to be readmitted, and shall hand them over to the representative of the competent authority of the State of destination. The escort must not leave the agreed location of transfer before the transfer of the person to be readmitted is completed.

– The competent authorities of the requesting Party shall ensure that the escort possesses the entry visas to the State(s) of transit and destination if required.

Article 8

Modalities and Assistance for Transit

(1) In accordance with Articles 13 and 14 of the Readmission Agreement, the Parties agree to the following practical modalities for transit:

– A transit application (in accordance with Annex 6 to the Readmission Agreement) shall be submitted by fax or in an electronic format to the competent authority of the requested Party at least 4 working days prior to the planned transit.

– The competent authority of the requested Party shall reply by fax or in an electronic format within 4 working days after the receipt of the application for transit, notifying whether it consents to the transit and the envisaged time of transit, designated border crossing point, method of transport and use of escorts.

– If the requesting Party considers it necessary to request assistance from the competent authority of the requested Party for a particular transit operation, this shall be indicated on the transit application form (Annex 6 to the Readmission Agreement). The competent authority of the requested Party shall notify whether it is able to provide the requested assistance in its reply to the transit application.

– If the person to be readmitted is transported by air and with escort, the competent authority of the requested Party shall organise guarding and boarding of the person to be readmitted on its territory, and as far as possible with the assistance of another Party.

(2) The requesting Party agrees to take back a person to be readmitted pursuant to Article 13, paragraph 4 of the Readmission Agreement without delay, if:

– consent to transit was refused or withdrawn pursuant to Article 13, paragraph 3 of the Readmission Agreement;

– the person to be readmitted illegally entered the territory of the requested Party during transit;

– transfer of the person to be readmitted to another State of transit or destination failed; or

– transit is impossible due to other reasons in accordance with Article 13, paragraph 3 lit. c of the Readmission Agreement.

9. člen**Ponovni sprejem v zmoti**

Pogodbenici soglašata, da pogodbenica prosilka na ustrezno utemeljeno zahtevo zaprosene pogodbenice sprejme nazaj osebo, če se pozneje ugotovi, da zahteve za ponovni sprejem niso bile izpolnjene. V primeru ponovnega sprejema v zmoti se vsi dokumenti v zvezi z osebo v izvorniku vrnejo pristojnim organom pogodbenice prosilke.

10. člen**Stroški**

Stroške prevoza in dodatne stroške v zvezi s ponovnim sprejemom in tranzitom v skladu s 15. členom Sporazuma o ponovnem sprejemu poravna v evrih pogodbenica prosilka v 30 dneh po predložitvi dokazil o stroških.

11. člen**Sestanki strokovnjakov**

Pristojna organa pogodbenic po potrebi organizirata sestanke strokovnjakov, zlasti glede izvajanja Sporazuma o ponovnem sprejemu in tega protokola. O času in kraju se dogovorita.

12. člen**Jezik sporazumevanja**

Pogodbenici v postopkih, ki jih izvajata po Sporazumu o ponovnem sprejemu in tem protokolu, uporabljata angleški jezik.

13. člen**Obveznost obveščanja**

Pogodbenici se po diplomatski poti obveščata o spremembah podatkov za stike pristojnih organov iz 1. člena in mejnih prehodov iz 2. člena tega protokola.

14. člen**Razmerje do drugih sporazumov**

Ta protokol ne vpliva na obveznosti pogodbenic, ki izhajajo iz drugih mednarodnih sporazumov.

15. člen**Reševanje sporov**

(1) Spori glede razlage ali uporabe tega protokola se rešujejo na sestankih strokovnjakov v skladu z 11. členom tega protokola.

(2) Če spora ni mogoče rešiti v skladu s prvim odstavkom tega člena, ga pogodbenici rešujeta po diplomatski poti.

16. člen**Začetek veljavnosti, prenehanje in spremembe**

(1) Ta protokol se sklene za nedoločen čas.

(2) Ta protokol je predmet ratifikacije, sprejema, odobritve ali drugega postopka po notranji zakonodaji. Po prejemu zadnjega uradnega obvestila o končanih notranjopravnih postopkih, potrebnih za njegovo uveljavitev, pristojni organ slovenske pogodbenice o tem uradno obvesti Skupni odbor za ponovni sprejem iz 18. člena Sporazuma o ponovnem sprejemu.

(3) Protokol začne veljati, ko Skupni odbor za ponovni sprejem potrdi prejem uradnega obvestila, o čemer slovenska pogodbenica takoj obvesti moldovsko pogodbenico.

(4) Pogodbenici lahko ta protokol sporazumno spremenita. Spremembe začnejo veljati skladno s tretjim odstavkom tega člena.

Article 9**Readmission in Error**

The Parties agree that the requesting Party shall take back any person upon the duly motivated request by the requested Party if it is established subsequently that the readmission requirements were not met. In cases of readmission in error all documents concerning the person shall be returned in the original to the competent authorities of the requesting Party.

Article 10**Costs**

Transportation and additional costs relating to readmission and transit shall be borne in euro by the requesting Party pursuant to Article 15 of the Readmission Agreement within 30 days after submission of the evidence of costs.

Article 11**Meetings of Experts**

The competent authorities of both Parties shall arrange meetings of experts as necessary, particularly regarding the implementation of the Readmission Agreement and this Protocol. The time and location of such consultations shall be decided upon by mutual agreement.

Article 12**Language in Communication**

The Parties shall use the English language in the procedures carried out under the Readmission Agreement and this Protocol.

Article 13**Duty of Notification**

The Parties shall notify each other through diplomatic channels of any changes in the contact details of the competent authorities referred to in Article 1 and the border crossing points referred to in Article 2 of this Protocol.

Article 14**Relation to Other Agreements**

This Protocol shall not affect any obligations of the Parties resulting from other international agreements.

Article 15**Settlement of Disputes**

(1) Any disputes arising from the interpretation or application of this Protocol shall be settled by meetings of experts pursuant to Article 11 of this Protocol.

(2) If disputes can not be settled in accordance with paragraph 1 of this Article, they shall be settled by the Parties through diplomatic channels.

Article 16**Entry into Force, Termination and Amendments**

(1) This Protocol is concluded for an indefinite period of time.

(2) This protocol shall be subject to ratification, acceptance, approval or other required internal procedure. Following the receipt of the last notification of the completion of internal legal procedures required for its entry into force, the competent authority of the Slovenian Party shall notify the Joint Readmission Committee referred to in Article 18 of the Readmission Agreement.

(3) The Protocol shall enter into force when the Joint Readmission Committee acknowledges the receipt of the notification, and the Slovenian Party shall immediately inform the Moldovan Party thereof.

(4) Both Parties may modify and amend this Protocol by mutual agreement. Modifications and amendments shall enter into force in accordance with paragraph 3 of this Article.

(5) Vsaka pogodbenica lahko ta protokol pisno odpove po diplomatski poti. V tem primeru se protokol preneha uporabljati šest mesecev po datumu prejema pisnega uradnega obvestila.

(6) Ta protokol preneha veljati hkrati s Sporazumom o ponovnem sprejemu.

Sklenjeno na Brdu pri Kranju, 11. 11. 2014 v dveh izvornikih v slovenskem, romunskem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. Pri razlikah v razlagi prevlada angleško besedilo.

Za Vlado
Republike Slovenije
Vesna Györkös Žnidar l.r.

Za Vlado
Republike Moldove
Serghei Diaconu l.r.

(5) Each Party may denounce this Protocol in writing through diplomatic channels. In this case the Protocol shall cease to apply six months after the date of receipt of the written notification.

(6) This Protocol shall cease to apply at the same time as the Readmission Agreement.

Done at Brdo pri Kranju, 11 November 2014 in duplicate in the Slovenian, Romanian and English languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

For the Government
of the Republic of Slovenia
Vesna Györkös Žnidar (s)

For the Government
of the Republic of Moldova
Serghei Diaconu (s)

3. člen

Za izvajanje protokola skrbi ministrstvo, pristojno za notranje zadeve.

4. člen

Ta uredba začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 00724-17/2015
Ljubljana, dne 26. marca 2015
EVA 2015-1811-0006

Vlada Republike Slovenije

dr. Miroslav Cerar l.r.
Predsednik

Obvestilo o začetku oziroma prenehanju veljavnosti mednarodnih pogodb

28. Obvestilo o začetku veljavnosti Okvirnega sporazuma o obsežnem partnerstvu in sodelovanju med Evropsko skupnostjo in njenimi državami članicami na eni strani ter Republiko Indonezijo na drugi strani s sklepno listino

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09 in 80/10 – ZUTD) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 1. maja 2014 začel veljati Okvirni sporazum o obsežnem partnerstvu in sodelovanju med Evropsko skupnostjo in njenimi državami članicami na eni strani ter Republiko Indonezijo na drugi strani s sklepno listino, podpisan v Džakarti 9. novembra 2009 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 22/10 (Uradni list Republike Slovenije, št. 109/10).

Ljubljana, dne 27. marca 2015

Ministrstvo za zunanje zadeve
Republike Slovenije

29. Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Evropsko banko za obnovo in razvoj o ustanovitvi in dejavnostih rezidenčne pisarne Evropske banke za obnovo in razvoj v Republiki Sloveniji

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09 in 80/10 – ZUTD) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 5. februarja 2015 začel veljati Sporazum med Vlado Republike Slovenije in Evropsko banko za obnovo in razvoj o ustanovitvi in dejavnostih rezidenčne pisarne Evropske banke za obnovo in razvoj v Republiki Sloveniji, sklenjen z izmenjavo pisem 23. julija 2014 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 2/15 (Uradni list Republike Slovenije, št. 5/15).

Ljubljana, dne 27. marca 2015

Ministrstvo za zunanje zadeve
Republike Slovenije

VSEBINA

22.	Zakon o ratifikaciji Okvirnega sporazuma o obsežnem partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Socialistično republiko Vietnam na drugi strani (MOPSEUVN)	217
23.	Zakon o ratifikaciji Okvirnega sporazuma o partnerstvu in sodelovanju med Evropsko unijo in njenimi državami članicami na eni strani ter Republiko Filipini na drugi strani (MPSEUPH)	253
24.	Zakon o ratifikaciji Sporazuma o sodelovanju med Evropsko unijo in njenimi državami članicami ter Kraljevino Norveško na področju satelitske navigacije (MSNEUNO)	285
25.	Zakon o ratifikaciji Poroštvene pogodbe med Republiko Slovenijo in Evropsko investicijsko banko (EKO SKLAD III) (MPEIBES)	299
26.	Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Črne gore o izmenjavi in medsebojnem varovanju tajnih podatkov (BMNIMVTP)	304
27.	Uredba o ratifikaciji Protokola med Vlado Republike Slovenije in Vlado Republike Moldove o izvajanju Sporazuma med Evropsko skupnostjo in Republiko Moldovo o ponovnem sprejemu oseb, ki prebivajo brez dovoljenja	310
	<i>Obvestilo o začetku oziroma prenehanju veljavnosti mednarodnih pogodb</i>	
28.	Obvestilo o začetku veljavnosti Okvirnega sporazuma o obsežnem partnerstvu in sodelovanju med Evropsko skupnostjo in njenimi državami članicami na eni strani ter Republiko Indonezijo na drugi strani s sklepno listino	315
29.	Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Evropsko banko za obnovo in razvoj o ustanovitvi in dejavnostih rezidenčne pisarne Evropske banke za obnovo in razvoj v Republiki Sloveniji	315

