

- 92.** Uredba o ratifikaciji Sporazuma o drugi spremembi Sporazuma o partnerstvu med članicami skupine afriških, karibskih in pacifiških držav na eni strani ter Evropsko skupnostjo in njenimi državami članicami na drugi strani, podpisanega v Cotonouju dne 23. junija 2000, kakor je bil prvič spremenjen v Luxembourgju 25. junija 2005

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 in 80/10 – ZUTD) izdaja Vlada Republike Slovenije

U R E D B O

o ratifikaciji Sporazuma o drugi spremembi Sporazuma o partnerstvu med članicami skupine afriških, karibskih in pacifiških držav na eni strani ter Evropsko skupnostjo in njenimi državami članicami na drugi strani, podpisanega v Cotonouju dne 23. junija 2000, kakor je bil prvič spremenjen v Luxembourgju 25. junija 2005

1. člen

Ratificira se Sporazum o drugi spremembi Sporazuma o partnerstvu med članicami skupine afriških, karibskih in pacifiških držav na eni strani ter Evropsko skupnostjo in njenimi državami članicami na drugi strani, podpisanega v Cotonouju dne 23. junija 2000, kakor je bil prvič spremenjen v Luxembourgju 25. junija 2005, ki je bil podpisan v Ouagadougouju dne 22. junija 2010 s sklepno listino.

2. člen

Besedilo sporazuma s sklepno listino se v izvirniku v slovenskem in angleškem jeziku glasi:¹

¹ 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 Ministrstva za zunanje zadeve Republike Slovenije.

СПОРАЗУМЕНИЕ
ЗА ВТОРО ИЗМЕНЕНИЕ НА СПОРАЗУМЕНИЕТО ЗА ПАРТНЬОРСТВО
МЕЖДУ ЧЛЕНОВЕТЕ НА ГРУПАТА ДЪРЖАВИ ОТ АФРИКА,
КАРИБИТЕ И ТИХООКЕАНСКИЯ БАСЕЙН,
ОТ ЕДНА СТРАНА, И ЕВРОПЕЙСКАТА ОБЩНОСТ
И НЕЙНИТЕ ДЪРЖАВИ-ЧЛЕНКИ, ОТ ДРУГА СТРАНА,
ПОДПИСАНО В КОТОНУ НА 23 ЮНИ 2000 Г. И
ИЗМЕНЕНО ЗА ПЪРВИ ПЪТ В ЛЮКСЕМБУРГ НА 25 ЮНИ 2005 Г.

ACUERDO
POR EL QUE SE MODIFICA POR SEGUNDA VEZ EL ACUERDO DE ASOCIACIÓN
ENTRE LOS ESTADOS DE ÁFRICA, DEL CARIBE
Y DEL PACÍFICO, POR UNA PARTE,
Y LA COMUNIDAD EUROPEA
Y SUS ESTADOS MIEMBROS, POR OTRA,
FIRMADO EN COTONÚ EL 23 DE JUNIO DE 2000
Y MODIFICADO POR PRIMERA VEZ EN LUXEMBURGO EL 25 DE JUNIO DE 2005

DOHODA,
KTEROU SE PODRUHÉ MĚNÍ DOHODA O PARTNERSTVÍ
MEZI ČLENY SKUPINY AFRICKÝCH, KARIBSKÝCH
A TICHOMOŘSKÝCH STÁTŮ NA JEDNÉ STRANĚ
A EVROPSKÝM SPOLEČENSTVÍM A JEHO
ČLENSKÝMI STÁTY NA STRANĚ DRUHÉ,
PODEPSANÁ V COTONOU DNE 23. ČERVNA 2000
A POPRVÉ POZMĚNĚNÁ V LUCEMBURKU DNE 25. ČERVNA 2005.

AFTALE
OM ÆNDRING FOR ANDEN GANG AF PARTNERSKABSFTALEN
MELLEM PÅ DEN ENE SIDE MEDLEMMERNE AF GRUPPEN AF
STATER I AFRIKA, VESTINDIEN OG STILLEHAVET
OG PÅ DEN ANDEN SIDE DET EUROPÆISKE FÆLLESSKAB
OG DETS MEDLEMSSTATER,
UNDERTEGNET I COTONOU DEN 23. JUNI 2000,
SOM ÆNDRET FØRSTE GANG I LUXEMBOURG DEN 25. JUNI 2005

ABKOMMEN
ZUR ZWEITEN ÄNDERUNG DES PARTNERSCHAFTSABKOMMENS
ZWISCHEN DEN MITGLIEDERN DER GRUPPE DER STAATEN IN AFRIKA,
IM KARIBISCHEN RAUM UND IM PAZIFISCHEN OZEAN EINERSEITS
UND DER EUROPÄISCHEN GEMEINSCHAFT
UND IHREN MITGLIEDSTAATEN ANDERERSEITS,
UNTERZEICHNET IN COTONOU AM 23. JUNI 2000
UND ERSTMALS GEÄNDERT IN LUXEMBURG AM 25. JUNI 2005

LEPING,
MILLEGA MUUDETAKSE TEIST KORDA PARTNERLUSLEPINGUT
ÜHELT POOLT AAFRIKA, KARIIBI MERE
JA VAIKSE OOKEANI PIIRKONNA RIIKIDE RÜHMA NING
TEISELT POOLT EUROOPA ÜHENDUSE
JA SELLE LIKMESRIIKIDE VAHEL,
MILLELE ON ALLA KIRJUTATUD 23. JUUNIL 2000 COTONOUS
JA MIDA ON MUUDETUD ESIMEST KORDA 25. JUUNIL 2005 LUXEMBOURGIS

ΣΥΜΦΩΝΙΑ
ΓΙΑ ΤΗΝ ΤΡΟΠΟΠΟΙΗΣΗ ΓΙΑ ΔΕΥΤΕΡΗ ΦΟΡΑ ΤΗΣ ΣΥΜΦΩΝΙΑΣ ΕΤΑΙΡΙΚΗΣ ΣΧΕΣΗΣ
ΜΕΤΑΞΥ ΤΩΝ ΜΕΛΩΝ ΤΗΣ ΟΜΑΔΑΣ ΚΡΑΤΩΝ ΤΗΣ ΑΦΡΙΚΗΣ, ΤΗΣ ΚΑΡΑΪΒΙΚΗΣ
ΚΑΙ ΤΟΥ ΕΙΡΗΝΙΚΟΥ, ΑΦΕΝΟΣ,
ΚΑΙ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΚΟΙΝΟΤΗΤΑΣ
ΚΑΙ ΤΩΝ ΜΕΛΩΝ ΤΗΣ, ΑΦΕΤΕΡΟΥ,
Η ΟΠΟΙΑ ΥΠΕΓΡΑΦΗ ΣΤΟ ΚΟΤΟΝΟΥ ΣΤΙΣ 23 ΙΟΥΝΙΟΥ 2000,
ΟΠΩΣ ΤΡΟΠΟΠΟΙΗΘΗΚΕ ΓΙΑ ΠΡΩΤΗ ΦΟΡΑ ΣΤΟ ΛΟΥΞΕΜΒΟΥΡΓΟ ΣΤΙΣ 25 ΙΟΥΝΙΟΥ 2005

AGREEMENT
AMENDING FOR THE SECOND TIME THE PARTNERSHIP AGREEMENT
BETWEEN THE MEMBERS OF THE AFRICAN, CARIBBEAN
AND PACIFIC GROUP OF STATES, OF THE ONE PART,
AND THE EUROPEAN COMMUNITY
AND ITS MEMBER STATES, OF THE OTHER PART,
SIGNED IN COTONOU ON 23 JUNE 2000,
AS FIRST AMENDED IN LUXEMBOURG ON 25 JUNE 2005

ACCORD
MODIFIANT, POUR LA DEUXIÈME FOIS, L'ACCORD DE PARTENARIAT
ENTRE LES MEMBRES DU GROUPE DES ÉTATS D'AFRIQUE,
DES CARAÏBES ET DU PACIFIQUE, D'UNE PART,
ET LA COMMUNAUTÉ EUROPÉENNE
ET SES ÉTATS MEMBRES, D'AUTRE PART,
SIGNÉ À COTONOU LE 23 JUIN 2000
ET MODIFIÉ UNE PREMIÈRE FOIS À LUXEMBOURG LE 25 JUIN 2005

ACCORDO
CHE MODIFICA PER LA SECONDA VOLTA L'ACCORDO DI PARTENARIATO
TRA I MEMBRI DEL GRUPPO DEGLI STATI DELL'AFRICA, DEI CARAIBI
E DEL PACIFICO, DA UN LATO,
E LA COMUNITÀ EUROPEA
E I SUOI STATI MEMBRI DALL'ALTRO,
FIRMATO A COTONOU IL 23 GIUGNO 2000,
MODIFICATO PER LA PRIMA VOLTA A LUSSEMBURGO IL 25 GIUGNO 2005

NOLĪGUMS,
AR KURU OTRO REIZI GROZA PARTNERATTIECĪBU NOLĪGUMU
STARP ĀFRIKAS, KARĪBU JŪRAS REĢIONA UN KLUSĀ
OKEĀNA VALSTU GRUPAS LOCEKĻIEM, NO VIENAS PUSES,
UN EIROPAS KOPIENU
UN TĀS DALĪBVALSTĪM, NO OTRAS PUSES,
KAS PARAKSTĪTS KOTONŪ 2000. GADA 23. JŪNIJĀ UN
PIRMO REIZI GROZĪTS LUKSEMBURGĀ 2005. GADA 25. JŪNIJĀ

SUSITARIMAS,
KURIUO ANTRĄ KARTĄ IŠ DALIES KEIČIAMAS
2000 M. BIRŽELIO 23 D. KOTONU PASIRAŠYTAS IR
2005 M. BIRŽELIO 25 D. LIUKSEMBURGE PIRMĄ KARTĄ
IŠ DALIES PAKEISTAS AFRIKOS, KARIBŲ JŪROS BEI
RAMIOJO VANDENYNŲ GRUPĖS VALSTYBIŲ IR
EUROPOS BENDRIJOS BEI JOS VALSTYBIŲ NARIŲ
PARTNERYSTĖS SUSITARIMAS

MEGÁLLAPODÁS
A COTONOUBAN 2000. JÚNIUS 23-ÁN,
EGYRÉSZRŐL AZ AFRIKAI, KARIBI
ÉS CSENDES-ÓCEÁNI ÁLLAMOK CSOPORTJÁNAK TAGJAI,
MÁS RÉSZRŐL AZ EURÓPAI KÖZÖSSÉG ÉS
TAGÁLLAMAI KÖZÖTT ALÁÍRT ÉS
LUXEMBOURGBAN 2005. JÚNIUS 25-ÉN ELSŐ ALKALOMMAL MÓDOSÍTOTT PARTNERSÉGI
MEGÁLLAPODÁS MÁSODIK ALKALOMMAL TÖRTÉNŐ MÓDOSÍTÁSARÓL

FTEHIM
LI JEMENDA GHAT-TIENI DARBA L-FTEHIM TA' SHUBIJA
BEJN IL-MEMBRI TAL-GRUPP TA' STATI AFRIKANI, TAL-KARIBEW
U TAL-PAČIFIKU, MINN NAHA WAHDA,
U L-KOMUNITÀ EWROPEA
U L-ISTATI MEMBRI TAGHHA MIN-NAHA L-OHRA,
IFFIRMAT F'COTONOU FIT-23 TA' ĠUNJU 2000,
KIF EMENDAT GHALL-EWWEL DARBA FIL-LUSSEMBURGU FIL-25 TA' ĠUNJU 2005

OVEREENKOMST
TOT TWEDE WIJZIGING VAN DE PARTNERSCHAPSOVEREENKOMST
TUSSEN DE LEDEN VAN DE GROEP VAN STATEN IN AFRIKA,
HET CARIBISCHE GEBIED EN DE STILLE OCEAAN, ENERZIJD,
EN DE EUROPESE GEMEENSCHAP
EN HAAR LIDSTATEN, ANDERZIJD,
ONDERTEKEND TE COTONOU OP 23 JUNI 2000
EN VOOR DE EERSTE MAAL GEWIJZIGD TE LUXEMBURG OP 25 JUNI 2005

UMOWA
ZMIENIAJĄCA PO RAZ DRUGI UMOWĘ O PARTNERSTWIE
MIĘDZY CZŁONKAMI GRUPY PAŃSTW AFRYKI, KARAIBÓW
I PACYFIKU Z JEDNEJ STRONY,
A WSPÓLNOTĄ EUROPEJSKĄ
I JEJ PAŃSTWAMI CZŁONKOWSKIMI Z DRUGIEJ STRONY,
PODPISANĄ W KOTONU DNIA 23 CZERWCA 2000 ROKU,
ZMIENIONĄ PO RAZ PIERWSZY W LUKSEMBURGU DNIA 25 CZERWCA 2005 ROKU

ACORDO
QUE ALTERA PELA SEGUNDA VEZ O ACORDO DE PARCERIA
ENTRE OS ESTADOS DE ÁFRICA, DAS CARAÍBAS
E DO PACÍFICO
E A COMUNIDADE EUROPEIA
E OS SEUS ESTADOS-MEMBROS,
ASSINADO EM COTONU, EM 23 DE JUNHO DE 2000,
E ALTERADO PELA PRIMEIRA VEZ NO LUXEMBURGO EM 25 DE JUNHO DE 2005

ACORD
DE MODIFICARE PENTRU A DOUA OARĂ A ACORDULUI DE PARTENERIAT
ÎNTRE MEMBRII GRUPULUI STATELOR DIN AFRICA,
ZONA CARAIBELOR ȘI PACIFIC, PE DE O PARTE,
ȘI COMUNITATEA EUROPEANĂ
ȘI STATELE MEMBRE ALE ACESTEIA, PE DE ALTĂ PARTE,
SEMNAT LA COTONOU LA 23 Iunie 2000, ASTFEL CUM A FOST
MODIFICAT PENTRU PRIMA DATĂ LA LUXEMBURG LA 25 Iunie 2005.

DOHODA,
KTOROU SA PO DRUHÝKRAT MENI A DOPLŇA DOHODA
O PARTNERSTVE MEDZI CLENMI SKUPINY AFRICKÝCH, KARIBSKÝCH
A TICHOMORSKÝCH STATOV NA JEDNEJ STRANE
A EUROPSKÝM SPOLOCENSTVOM
A JEHO CLENSKÝMI STATMI NA STRANE DRUHEJ,
PODPISANA V COTONOU 23. JUNA 2000
A PO PRVÝKRAT ZMENENA A DOPLNENA V LUXEMBURGU 25. JUNA 2005

SPORAZUM
O DRUGI SPREMEMBI SPORAZUMA O PARTNERSTVU
MED ČLANICAMI SKUPINE AFRIŠKIH, KARIBSKIH
IN PACIFIŠKIH DRŽAV NA ENI STRANI
TER EVROPSKO SKUPNOSTJO
IN NJENIMI DRŽAVAMI ČLANICAMI NA DRUGI,
PODPISANEGA V COTONOUJU DNE 23. JUNIJA 2000,
KAKOR JE BIL PRVIČ SPREMENJEN V LUXEMBOURGU 25. JUNIJA 2005

SOPIMUS
AFRIKAN, KARIBIAN JA TYYNENMEREN VALTIOIDEN
RYHMÄN JÄSENTEN SEKÄ EUROOPAN YHTEISÖN
JA SEN JÄSENVALTIOIDEN VÄLILLÄ
COTONOUSSA 23 PÄIVÄNÄ KESÄKUUTA 2000
ALLEKIRJOITETUN JA ENSIMMÄISEN KERRAN
LUXEMBURGISSA 25 PÄIVÄNÄ KESÄKUUTA 2005
MUUTETUN KUMPPANUUSSOPIMUKSEN MUUTTAMISESTA

AVTAL
OM ÄNDRING FÖR ANDRA GÅNGEN AV PARTNERSKAPSAVTALET
MELLAN MEDLEMMARNA I GRUPPEN AV STATER I AFRIKA,
VÄSTINDIEN OCH STILLAHAVSOMRÅDET,
Å ENA SIDAN, OCH EUROPEISKA GEMENSKAPEN OCH
DESS MEDLEMSSTATER, Å ANDRA SIDAN,
UNDERTECKNAT I COTONOU DEN 23 JUNI 2000
OCH ÄNDRAT FÖRSTA GÅNGEN I LUXEMBURG DEN 25 JUNI 2005

S P O R A Z U M
O DRUGI SPREMEMBI
SPORAZUMA O PARTNERSTVU MED
ČLANICAMI SKUPINE AFRIŠKIH, KARIBSKIH
IN PACIFIŠKIH DRŽAV NA ENI STRANI
TER EVROPSKO SKUPNOSTJO
IN NJENIMI DRŽAVAMI ČLANICAMI NA DRUGI,
PODPISANEGA V COTONOUJU DNE
23. JUNIJA 2000,
KAKOR JE BIL PRVIČ SPREMENJEN
V LUXEMBOURGU 25. JUNIJA 2005

NJEGOVO VELIČANSTVO KRALJ BELGIJCEV,
PREDSEDNIK REPUBLIKE BOLGARIJE,
PREDSEDNIK ČEŠKE REPUBLIKE,
NJENO VELIČANSTVO KRALJICA DANSKE,
PREDSEDNIK ZVEZNE REPUBLIKE NEMČIJE,

PREDSEDNIK REPUBLIKE ESTONIJE,
PREDSEDNICA IRSKE,
PREDSEDNIK HELENSKE REPUBLIKE,
NJEGOVO VELIČANSTVO KRALJ ŠPANIJE,
PREDSEDNIK FRANCOSKE REPUBLIKE,
PREDSEDNIK ITALIJANSKE REPUBLIKE,
PREDSEDNIK REPUBLIKE CIPER,
PREDSEDNIK REPUBLIKE LATVIJE,
PREDSEDNICA REPUBLIKE LITVE,
NJEGOVA KRALJEVA VISOKOST VELIKI VOJVODA
LUKSEMBURŠKI,
PREDSEDNIK REPUBLIKE MADŽARSKE,
PREDSEDNIK MALTE,
NJENO VELIČANSTVO KRALJICA NIZOZEMSKJE,
ZVEZNI PREDSEDNIK REPUBLIKE AVSTRIJE,

PREDSEDNIK REPUBLIKE POLJSKE,
PREDSEDNIK PORTUGALSKE REPUBLIKE,
PREDSEDNIK ROMUNIJE,
PREDSEDNIK REPUBLIKE SLOVENIJE,
PREDSEDNIK SLOVAŠKE REPUBLIKE,
PREDSEDNICA REPUBLIKE FINSKE,
VLADA KRALJEVINE ŠVEDSKE,
NJENO VELIČANSTVO KRALJICA ZDRUŽENEGA
KRALJESTVA VELIKA BRITANIJA IN SEVERNA IRSKA,

AGREEMENT
AMENDING FOR THE SECOND TIME
THE PARTNERSHIP AGREEMENT
BETWEEN THE MEMBERS OF THE AFRICAN,
CARIBBEAN AND PACIFIC GROUP OF STATES,
OF THE ONE PART, AND THE EUROPEAN
COMMUNITY AND ITS MEMBER STATES,
OF THE OTHER PART, SIGNED IN COTONOU
ON 23 JUNE 2000,
AS FIRST AMENDED
IN LUXEMBOURG ON 25 JUNE 2005

HIS MAJESTY THE KING OF THE BELGIANS,
THE PRESIDENT OF THE REPUBLIC OF BULGARIA,
THE PRESIDENT OF THE CZECH REPUBLIC,
HER MAJESTY THE QUEEN OF DENMARK,
THE PRESIDENT OF THE FEDERAL REPUBLIC OF
GERMANY,

THE PRESIDENT OF THE REPUBLIC OF ESTONIA,
THE PRESIDENT OF IRELAND,
THE PRESIDENT OF THE HELLENIC REPUBLIC,
HIS MAJESTY THE KING OF SPAIN,
THE PRESIDENT OF THE FRENCH REPUBLIC,
THE PRESIDENT OF THE ITALIAN REPUBLIC,
THE PRESIDENT OF THE REPUBLIC OF CYPRUS,
THE PRESIDENT OF THE REPUBLIC OF LATVIA,
THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,
HIS ROYAL HIGHNESS THE GRAND DUKE OF
LUXEMBOURG,
THE PRESIDENT OF THE REPUBLIC OF HUNGARY,
THE PRESIDENT OF MALTA,
HER MAJESTY THE QUEEN OF THE NETHERLANDS,
THE FEDERAL PRESIDENT OF THE REPUBLIC OF
AUSTRIA,

THE PRESIDENT OF THE REPUBLIC OF POLAND,
THE PRESIDENT OF THE PORTUGUESE REPUBLIC,
THE PRESIDENT OF ROMANIA,
THE PRESIDENT OF THE REPUBLIC OF SLOVENIA,
THE PRESIDENT OF THE SLOVAK REPUBLIC,
THE PRESIDENT OF THE REPUBLIC OF FINLAND,
THE GOVERNMENT OF THE KINGDOM OF SWEDEN,
HER MAJESTY THE QUEEN OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND,

pogodbenice Pogodbe o Evropski uniji in Pogodbe o delovanju Evropske unije, v nadaljnjem besedilu: države članice,

in

EVROPSKA UNIJA, v nadaljnjem besedilu: Unija ali EU,

na eni strani ter

PREDSEDNIK REPUBLIKE ANGOLE,

NJENO VELIČANSTVO KRALJICA ANTIGVE IN BARBUDE,

VODITELJ DRŽAVE ZVEZE BAHAMOV,

VODITELJ DRŽAVE BARBADOS,

NJENO VELIČANSTVO KRALJICA BELIZEJA,

PREDSEDNIK REPUBLIKE BENIN,

PREDSEDNIK REPUBLIKE BOCVANE,

PREDSEDNIK BURKINE FASO,

PREDSEDNIK REPUBLIKE BURUNDI,

PREDSEDNIK REPUBLIKE KAMERUN,

PREDSEDNIK REPUBLIKE ZELENOTRSKIH OTOKOV,

PREDSEDNIK SREDNJEAFRIŠKE REPUBLIKE,

PREDSEDNIK UNIJE KOMORI,

PREDSEDNIK DEMOKRATIČNE REPUBLIKE KONGO,

PREDSEDNIK REPUBLIKE KONGO,

VLADA COOKOVH OTOKOV,

PREDSEDNIK REPUBLIKE SLONOKOŠČENE OBALE,

PREDSEDNIK REPUBLIKE DŽIBUTI,

VLADA ZVEZE DOMINIKA,

PREDSEDNIK DOMINIKANSKE REPUBLIKE,

PREDSEDNIK DRŽAVE ERITREJE,

PREDSEDNIK ZVEZNE DEMOKRATIČNE REPUBLIKE ETIOPIJE,

PREDSEDNIK REPUBLIKE OTOKOV FIDŽI,

PREDSEDNIK GABONSKE REPUBLIKE,

PREDSEDNIK IN VODITELJ DRŽAVE REPUBLIKE GAMBIJE,

PREDSEDNIK REPUBLIKE GANE,

NJENO VELIČANSTVO KRALJICA GRENADA,

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",

and

THE EUROPEAN UNION, hereinafter referred to as "the Union" or "the EU",

of the one part, and

THE PRESIDENT OF THE REPUBLIC OF ANGOLA,

HER MAJESTY THE QUEEN OF ANTIGUA AND BARBUDA,

THE HEAD OF STATE OF THE COMMONWEALTH OF THE BAHAMAS,

THE HEAD OF STATE OF BARBADOS,

HER MAJESTY THE QUEEN OF BELIZE,

THE PRESIDENT OF THE REPUBLIC OF BENIN,

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,

THE PRESIDENT OF BURKINA FASO,

THE PRESIDENT OF THE REPUBLIC OF BURUNDI,

THE PRESIDENT OF THE REPUBLIC OF CAMEROON,

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,

THE PRESIDENT OF THE UNION OF THE COMOROS,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF CONGO,

THE PRESIDENT OF THE REPUBLIC OF CONGO,

THE GOVERNMENT OF THE COOK ISLANDS,

THE PRESIDENT OF THE REPUBLIC OF CÔTE D'IVOIRE,

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,

THE GOVERNMENT OF THE COMMONWEALTH OF DOMINICA,

THE PRESIDENT OF THE DOMINICAN REPUBLIC,

THE PRESIDENT OF THE STATE OF ERITREA,

THE PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA,

THE PRESIDENT OF THE REPUBLIC OF THE FIJI ISLANDS,

THE PRESIDENT OF THE GABONESE REPUBLIC,

THE PRESIDENT AND HEAD OF STATE OF THE REPUBLIC OF THE GAMBIA,

THE PRESIDENT OF THE REPUBLIC OF GHANA,

HER MAJESTY THE QUEEN OF GRENADA,

PREDSEDNIK REPUBLIKE GVINEJE,	THE PRESIDENT OF THE REPUBLIC OF GUINEA,
PREDSEDNIK REPUBLIKE GVINEJE BISSAU,	THE PRESIDENT OF THE REPUBLIC OF GUINEA-BISSAU,
PREDSEDNIK KOOPERATIVNE REPUBLIKE GVAJANE,	THE PRESIDENT OF THE CO-OPERATIVE REPUBLIC OF GUYANA,
PREDSEDNIK REPUBLIKE HAITI,	THE PRESIDENT OF THE REPUBLIC OF HAITI,
VODITELJ DRŽAVE JAMAJKE,	THE HEAD OF STATE OF JAMAICA,
PREDSEDNIK REPUBLIKE KENIJE,	THE PRESIDENT OF THE REPUBLIC OF KENYA,
PREDSEDNIK REPUBLIKE KIRIBATI,	THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,
NJEGOVO VELIČANSTVO KRALJ KRALJEVINE LESOTO,	HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO,
PREDSEDNICA REPUBLIKE LIBERIJE,	THE PRESIDENT OF THE REPUBLIC OF LIBERIA,
PREDSEDNIK REPUBLIKE MADAGASKAR,	THE PRESIDENT OF THE REPUBLIC OF MADAGASCAR,
PREDSEDNIK REPUBLIKE MALAVI,	THE PRESIDENT OF THE REPUBLIC OF MALAWI,
PREDSEDNIK REPUBLIKE MALI,	THE PRESIDENT OF THE REPUBLIC OF MALI,
VLADA REPUBLIKE MARSHALLOVI OTOKI,	THE GOVERNMENT OF THE REPUBLIC OF THE MARSHALL ISLANDS,
PREDSEDNIK ISLAMSKRE REPUBLIKE MAVRETANIJE,	THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA,
PREDSEDNIK REPUBLIKE MAURITIUS,	THE PRESIDENT OF THE REPUBLIC OF MAURITIUS,
VLADA FEDERATIVNIH DRŽAV MIKRONEZIJE,	THE GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA,
PREDSEDNIK REPUBLIKE MOZAMBIK,	THE PRESIDENT OF THE REPUBLIC OF MOZAMBIQUE,
PREDSEDNIK REPUBLIKE NAMIBIJE,	THE PRESIDENT OF THE REPUBLIC OF NAMIBIA,
VLADA REPUBLIKE NAURU,	THE GOVERNMENT OF THE REPUBLIC OF NAURU,
PREDSEDNIK REPUBLIKE NIGER,	THE PRESIDENT OF THE REPUBLIC OF NIGER,
PREDSEDNIK ZVEZNE REPUBLIKE NIGERIJE,	THE PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA,
VLADA NIUE,	THE GOVERNMENT OF NIUE,
VLADA REPUBLIKE PALAU,	THE GOVERNMENT OF THE REPUBLIC OF PALAU,
NJENO VELIČANSTVO KRALJICA NEODVISNE DRŽAVE PAPUA NOVA GVINEJA,	HER MAJESTY THE QUEEN OF THE INDEPENDENT STATE OF PAPUA NEW GUINEA,
PREDSEDNIK RUANDSKE REPUBLIKE,	THE PRESIDENT OF THE REPUBLIC OF RWANDA,
NJENO VELIČANSTVO KRALJICA SAINT KITTS IN NEVIS,	HER MAJESTY THE QUEEN OF SAINT KITTS AND NEVIS,
NJENO VELIČANSTVO KRALJICA SVETE LUCIJE,	HER MAJESTY THE QUEEN OF SAINT LUCIA,
NJENO VELIČANSTVO KRALJICA SAINT VINCENT IN GRENADINES,	HER MAJESTY THE QUEEN OF SAINT VINCENT AND THE GRENADINES,
VODITELJ DRŽAVE NEODVISNE DRŽAVE SAMOA,	THE HEAD OF STATE OF THE INDEPENDENT STATE OF SAMOA,
PREDSEDNIK DEMOKRATIČNE REPUBLIKE SÃO TOMÉ IN PRÍNCIPE,	THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SÃO TOMÉ AND PRÍNCIPE,
PREDSEDNIK REPUBLIKE SENEGAL,	THE PRESIDENT OF THE REPUBLIC OF SENEGAL,

PREDSEDNIK REPUBLIKE SEJŠELI,
PREDSEDNIK REPUBLIKE SIERRA LEONE,
NJENO VELIČANSTVO KRALJICA SALOMONOVIH
OTOKOV,
PREDSEDNIK REPUBLIKE JUŽNA AFRIKA,
PREDSEDNIK REPUBLIKE SURINAM,
NJEGOVO VELIČANSTVO KRALJ KRALJEVINE SVAZI,
PREDSEDNIK ZDRUŽENE REPUBLIKE TANZANIJE,
PREDSEDNIK REPUBLIKE ČAD,
PREDSEDNIK DEMOKRATIČNE REPUBLIKE VZHODNI
TIMOR,
PREDSEDNIK TOGOŠKE REPUBLIKE,
NJEGOVO VELIČANSTVO KRALJ TONGE,
PREDSEDNIK REPUBLIKE TRINIDAD IN TOBAGO,
NJENO VELIČANSTVO KRALJICA TUVALUJA,
PREDSEDNIK REPUBLIKE UGANDE,
VLADA REPUBLIKE VANUATU,
PREDSEDNIK REPUBLIKE ZAMBIJE,
VLADA REPUBLIKE ZIMBABVE,
katerih države so v nadaljnjem besedilu imenovane: države AKP,
na drugi strani,

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES,
THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,
HER MAJESTY THE QUEEN OF SOLOMON ISLANDS,
THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA,
THE PRESIDENT OF THE REPUBLIC OF SURINAME,
HIS MAJESTY THE KING OF THE KINGDOM OF
SWAZILAND,
THE PRESIDENT OF THE UNITED REPUBLIC OF
TANZANIA,
THE PRESIDENT OF THE REPUBLIC OF CHAD,
THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF
TIMOR-LESTE,
THE PRESIDENT OF THE TOGOLESE REPUBLIC,
HIS MAJESTY THE KING OF TONGA,
THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND
TOBAGO,
HER MAJESTY THE QUEEN OF TUVALU,
THE PRESIDENT OF THE REPUBLIC OF UGANDA,
THE GOVERNMENT OF THE REPUBLIC OF VANUATU,
THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,
THE GOVERNMENT OF THE REPUBLIC OF ZIMBABWE,
which States are hereinafter referred to as "ACP States",
of the other part,

OB UPOŠTEVANJU Pogodbe o delovanju Evropske unije
na eni strani in Georgetownskega sporazuma o ustanovitvi
skupine afriških, karibskih in pacifiških držav (AKP) na drugi;

HAVING REGARD to the Treaty on the Functioning of the
European Union, on the one hand, and the Georgetown Agree-
ment establishing the Group of African, Caribbean and Pacific
States (ACP), on the other;

ob upoštevanju Sporazuma o partnerstvu med članicami
skupine afriških, karibskih in pacifiških držav na eni strani ter
Evropsko skupnostjo in njenimi državami članicami na drugi,
podpisanega v Cotonouju dne 23. junija 2000 (v nadaljnjem
besedilu: Sporazum iz Cotonouja), kakor je bil spremenjen v
Luxembourgju 25. junija 2005;

HAVING REGARD to the Partnership Agreement between
the members of the African, Caribbean and Pacific Group of
States, of the one part, and the European Community and its
Member States, of the other part, signed in Cotonou on 23
June 2000, as first amended in Luxembourg on 25 June 2005,
(hereinafter referred to as "the Cotonou Agreement");

KER člen 95(1) Sporazuma iz Cotonouja določa, da se
Sporazum sklene za obdobje dvajsetih let in začne veljati
1. marca 2000;

CONSIDERING that Article 95(1) of the Cotonou Agree-
ment lays down that the duration of the Agreement shall be 20
years, commencing on 1 March 2000;

KER je bil Sporazum o prvi spremembi Sporazuma iz
Cotonouja podpisan v Luxembourgju dne 25. junija 2005 in je
začel veljati 1. julija 2008,

CONSIDERING that the Agreement amending the Coto-
nou Agreement for the first time was signed in Luxembourg on
25 June 2005 and entered into force on 1 July 2008;

SO SE ODLOČILI, da podpišejo ta Sporazum o drugi
spremembi Sporazuma iz Cotonouja, in so v ta namen imeno-
vali svoje pooblaščenice:

HAVE DECIDED to sign this Agreement amending the
Cotonou Agreement for the second time and to this end have
designated as their Plenipotentiaries:

ZA NJEGOVO VELIČANSTVO KRALJA BELGIJCEV,
Adrien THEATRE
veleposlanik v Burkini Faso

FOR HIS MAJESTY THE KING OF THE BELGIANS,
Adrien THEATRE
Ambassador to Burkina Faso

ZA PREDSEDNIKA REPUBLIKE BOLGARIJE,
Milen LUYTSKANOV
namestnik ministra za zunanje zadeve

FOR THE PRESIDENT OF THE REPUBLIC OF BULGARIA,
Milen LUYTSKANOV
Deputy Minister of Foreign Affairs

ZA PREDSEDNIKA ČEŠKE REPUBLIKE,
Miloslav MACHÁLEK
veleposlanik v Burkini Faso

FOR THE PRESIDENT OF THE CZECH REPUBLIC,
Miloslav MACHÁLEK
Ambassador to Burkina Faso

ZA NJENO VELIČANSTVO KRALJICO DANSKE,
Ulla NÆSBY TAWIAH
odpravnica poslov a.i. v Burkini Faso

FOR HER MAJESTY THE QUEEN OF DENMARK,
Ulla NÆSBY TAWIAH
Chargée d'Affaires a.i. to Burkina Faso

ZA PREDSEDNIKA ZVEZNE REPUBLIKE NEMČIJE,

Ulrich HOCHSCHILD
veleposlanik v Burkini Faso

FOR THE PRESIDENT OF THE FEDERAL REPUBLIC OF
GERMANY,
Ulrich HOCHSCHILD
Ambassador to Burkina Faso

ZA PREDSEDNIKA REPUBLIKE ESTONIJE,
Raul MÄLK
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF THE REPUBLIC OF ESTONIA,
Raul MÄLK
Ambassador, Permanent Representative to the European
Union

ZA PREDSEDNICO IRSKE,
Kyle O'SULLIVAN
veleposlanik v Nigeriji

FOR THE PRESIDENT OF IRELAND,
Kyle O'SULLIVAN
Ambassador to Nigeria

ZA PREDSEDNIKA HELENSKE REPUBLIKE,
Theodoros N. SOTIROPOULOS
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF THE HELLENIC REPUBLIC,
Theodoros N. SOTIROPOULOS
Ambassador, Permanent Representative to the European
Union

ZA NJEGOVO VELIČANSTVO KRALJA ŠPANIJE,
Soraya RODRÍGUEZ RAMOS
državna sekretarka za mednarodno sodelovanje

FOR HIS MAJESTY THE KING OF SPAIN,
Soraya RODRÍGUEZ RAMOS
Secretary of State for International Cooperation

ZA PREDSEDNIKA FRANCOSKE REPUBLIKE,
François GOLDBLATT
veleposlanik v Burkini Faso

FOR THE PRESIDENT OF THE FRENCH REPUBLIC,
François GOLDBLATT
Ambassador to Burkina Faso

ZA PREDSEDNIKA ITALIJANSKE REPUBLIKE,
Giancarlo IZZO
veleposlanik v Slonokoščeni obali, Burkini Faso, Liberiji,
Nigru, Sierri Leone

FOR THE PRESIDENT OF THE ITALIAN REPUBLIC,
Giancarlo IZZO
Ambassador to Côte d'Ivoire, Burkina Faso, Liberia, Niger,
Sierra Leone

ZA PREDSEDNIKA REPUBLIKE CIPER,
Charalambos HADJISAVVAS
veleposlanik v Libiji

FOR THE PRESIDENT OF THE REPUBLIC OF CYPRUS,
Charalambos HADJISAVVAS
Ambassador to Libya

ZA PREDSEDNIKA REPUBLIKE LATVIJE,
Normunds POPENS
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF THE REPUBLIC OF LATVIA,
Normunds POPENS
Ambassador, Permanent Representative to the European
Union

ZA PREDSEDNIKA REPUBLIKE LITVE,
Rytis MARTIKONIS
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,
Rytis MARTIKONIS
Ambassador, Permanent Representative to the European
Union

ZA NJEGOVO KRALJEVO VISOKOST VELIKEGA
VOJVODO LUKSEMBURGA,
Christian BRAUN
veleposlanik, stalni predstavnik pri Evropski uniji

FOR HIS ROYAL HIGHNESS THE GRAND DUKE OF
LUXEMBOURG,
Christian BRAUN
Ambassador, Permanent Representative to the European
Union

ZA PREDSEDNIKA REPUBLIKE MADŽARSKE,
Gábor IVÁN
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF THE REPUBLIC OF HUNGARY,
Gábor IVÁN
Ambassador, Permanent Representative to the European
Union

ZA PREDSEDNIKA MALTE,
Joseph CASSAR
veleposlanik v Portugalski republiki

FOR THE PRESIDENT OF MALTA,
Joseph CASSAR
Ambassador to the Portuguese Republic

ZA NJENO VELIČANSTVO KRALJICO NIZOZEMSKÉ,
Gerard DUIJFJES
veleposlanik v Burkini Faso

FOR HER MAJESTY THE QUEEN OF THE NETHERLANDS,
Gerard DUIJFJES
Ambassador to Burkina Faso

ZA ZVEZNEGA PREDSEDNIKA REPUBLIKE AVSTRIJE,

Gerhard DOUJAK
veleposlanik v Republiki Senegal

FOR THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA,
Gerhard DOUJAK
Ambassador to the Republic of Senegal

ZA PREDSEDNIKA REPUBLIKE POLJSKE,
Jan TOMBINSKI
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF THE REPUBLIC OF POLAND,
Jan TOMBINSKI
Ambassador, Permanent Representative to the European Union

ZA PREDSEDNIKA PORTUGALSKE REPUBLIKE,
Maria Inês DE CARVALHO ROSA
podpredsednica Portugalskega instituta za razvojno pomoč

FOR THE PRESIDENT OF THE PORTUGUESE REPUBLIC,
Maria Inês DE CARVALHO ROSA
Vice-President of the Portuguese Institute for Development Assistance

ZA PREDSEDNIKA ROMUNIJE,
Mihnea MOTOC
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF ROMANIA,
Mihnea MOTOC
Ambassador, Permanent Representative to the European Union

ZA PREDSEDNIKA REPUBLIKE SLOVENIJE,
Igor SENČAR
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF THE REPUBLIC OF SLOVENIA,
Igor SENČAR
Ambassador, Permanent Representative to the European Union

ZA PREDSEDNIKA SLOVAŠKE REPUBLIKE,
Ivan KORČOK
veleposlanik, stalni predstavnik pri Evropski uniji

FOR THE PRESIDENT OF THE SLOVAK REPUBLIC,
Ivan KORČOK
Ambassador, Permanent Representative to the European Union

ZA PREDSEDNICO REPUBLIKE FINSKE,
Claus-Jerker LINDROOS
svetovalec

FOR THE PRESIDENT OF THE REPUBLIC OF FINLAND,
Claus-Jerker LINDROOS
Counsellor

ZA VLADO KRALJEVINE ŠVEDSKE,
Klas MARKENSTEN
državni direktor vid Styrelsen för internationellt
udvecklingssamarbete (Sida)

FOR THE GOVERNMENT OF THE KINGDOM OF SWEDEN,
Klas MARKENSTEN
Country Director at the Swedish International Development Cooperation Agency (Sida)

ZA NJENO VELIČANSTVO KRALJICO ZDRUŽENEGA
KRALJESTVA VELIKA BRITANIJA IN SEVERNA IRSKA,
Nicolas WESTCOTT
visoki komisar v Akri

FOR HER MAJESTY THE QUEEN OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,
Nicolas WESTCOTT
High Commissioner at Accra

ZA EVROPSKO UNIJO,
Soraya RODRÍGUEZ RAMOS
državna sekretarka za mednarodno sodelovanje za Kraljevino
Španijo,
predsednica Sveta Evropske unije

FOR THE EUROPEAN UNION,
Soraya RODRÍGUEZ RAMOS
Secretary of State for International Cooperation for the
Kingdom of Spain,
President-in-Office of the Council of the European Union

Andris PIEBALGS
član Evropske komisije, pristojen za razvoj

Andris PIEBALGS
Member of the European Commission with responsibility for
Development

ZA PREDSEDNIKA REPUBLIKE ANGOLE,
Ana AFONSO DIAS LOURENÇO
ministrica za načrtovanje

FOR THE PRESIDENT OF THE REPUBLIC OF ANGOLA,
Ana AFONSO DIAS LOURENÇO
Minister of Planning

ZA NJENO VELIČANSTVO KRALJICO ANTIGVE IN
BARBUDE,
Carl B.W. ROBERTS
visoki komisar

FOR HER MAJESTY THE QUEEN OF ANTIGUA AND
BARBUDA,
Carl B.W. ROBERTS
High Commissioner

ZA VODITELJA DRŽAVE ZVEZE BAHAMI, Paul FARQUHARSON visoki komisar	FOR THE HEAD OF STATE OF THE COMMONWEALTH OF THE BAHAMAS, Paul FARQUHARSON High Commissioner
ZA VODITELJA DRŽAVE BARBADOS, Maxine McCLEAN ministrica za zunanje zadeve in zunanjo trgovino	FOR THE HEAD OF STATE OF BARBADOS, Maxine McCLEAN Minister of Foreign Affairs and Foreign Trade
ZA NJENO VELIČANSTVO KRALJICO BELIZEJA, Audrey Joy GRANT veleposlanica	FOR HER MAJESTY THE QUEEN OF BELIZE, Audrey Joy GRANT Ambassador
ZA PREDSEDNIKA REPUBLIKE BENIN, Christine A. I. Nougbodé OUINSAVI ministrica za trgovino	FOR THE PRESIDENT OF THE REPUBLIC OF BENIN, Christine A. I. Nougbodé OUINSAVI Minister for Trade
ZA PREDSEDNIKA REPUBLIKE BOCVANE, Phandu Tombola Chaha SKELEMANI minister za zunanje zadeve in mednarodno sodelovanje	FOR THE PRESIDENT OF THE REPUBLIC OF BOTSWANA, Phandu Tombola Chaha SKELEMANI Minister of Foreign Affairs and International Cooperation
ZA PREDSEDNIKA BURKINE FASO, Lucien Marie Noël BEMBAMBA minister za gospodarstvo in finance	FOR THE PRESIDENT OF BURKINA FASO, Lucien Marie Noël BEMBAMBA Minister for Economic Affairs and Finance
ZA PREDSEDNIKA REPUBLIKE BURUNDI, Joseph NDAYIKEZA vodja kabineta na ministrstvu za finance	FOR THE PRESIDENT OF THE REPUBLIC OF BURUNDI, Joseph NDAYIKEZA Head of Cabinet at the Ministry of Finance
ZA PREDSEDNIKA REPUBLIKE KAMERUN, Luc Magloire MBARGA ATANGANA minister za trgovino	FOR THE PRESIDENT OF THE REPUBLIC OF CAMEROON, Luc Magloire MBARGA ATANGANA Minister for Trade
ZA PREDSEDNIKA REPUBLIKE ZELENORTSKIH OTOKOV, Maria de Jesus Veiga Miranda MASCARENHAS veleposlanica	FOR THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE, Maria de Jesus Veiga Miranda MASCARENHAS Ambassador
ZA PREDSEDNIKA SREDNJEAFRIŠKE REPUBLIKE, Abel SABONO odpravnik poslov	FOR THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC, Abel SABONO Chargé d'Affaires
ZA PREDSEDNIKA UNIJE KOMORI, Sultan CHOUZOUR veleposlanik	FOR THE PRESIDENT OF THE UNION OF THE COMOROS, Sultan CHOUZOUR Ambassador
ZA PREDSEDNIKA DEMOKRATIČNE REPUBLIKE KONGO, Joas MBITSO NGEDZA namestnik ministra za finance	FOR THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF CONGO, Joas MBITSO NGEDZA Deputy Minister for Finance
ZA PREDSEDNIKA REPUBLIKE KONGO, Pierre MOUSSA državni minister, koordinator za gospodarsko strukturo, minister za gospodarstvo, načrtovanje, urejanje prostora in integracijo	FOR THE PRESIDENT OF THE REPUBLIC OF CONGO, Pierre MOUSSA Minister of State, Coordinator of the Economic Structure, Minister for Economic Affairs, Planning, Land Use and Integration
ZA VLADO COOKOVIH OTOKOV, Wilkie RASMUSSEN minister za finance in gospodarsko upravljanje	FOR THE GOVERNMENT OF THE COOK ISLANDS, Wilkie RASMUSSEN Minister of Finance and Economic Management
ZA PREDSEDNIKA REPUBLIKE SLONOKOŠČENE OBALE, Jean-Marie KACOU GERVAIS minister za zunanje zadeve in afriško integracijo	FOR THE PRESIDENT OF THE REPUBLIC OF CÔTE D'IVOIRE, Jean-Marie KACOU GERVAIS Minister for Foreign Affairs and African Integration

ZA PREDSEDNIKA REPUBLIKE DŽIBUTI,
Mohamed MOUSSA CHEHEM
veleposlanik

FOR THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,
Mohamed MOUSSA CHEHEM
Ambassador

ZA VLADO ZVEZE DOMINIKA,

Shirley SKERRITT-ANDREW
veleposlanica

FOR THE GOVERNMENT OF THE COMMONWEALTH OF
DOMINICA,
Shirley SKERRITT-ANDREW
Ambassador

ZA PREDSEDNIKA DOMINIKANSKE REPUBLIKE,
Domingo JIMÉNEZ
državni sekretar in nacionalni odredbodajalec EDF

FOR THE PRESIDENT OF THE DOMINICAN REPUBLIC,
Domingo JIMÉNEZ
Secretary of State and National Authorizing officer of the EDF

ZA PREDSEDNIKA DRŽAVE ERITREJE,
Girma Asmerom TESFAY
veleposlanik

FOR THE PRESIDENT OF THE STATE OF ERITREA,
Girma Asmerom TESFAY
Ambassador

ZA PREDSEDNIKA ZVEZNE DEMOKRATIČNE REPUBLIKE
ETIOPIJE,
Ahmed SHIDE
državni minister za finance in gospodarski razvoj

FOR THE PRESIDENT OF THE FEDERAL DEMOCRATIC
REPUBLIC OF ETHIOPIA,
Ahmed SHIDE
State Minister of Finance and Economic Development

ZA PREDSEDNIKA REPUBLIKE OTOKOV FIDŽI,

Peceli Vuniwaqa VOCEA
veleposlanik

FOR THE PRESIDENT OF THE REPUBLIC OF THE FIJI
ISLANDS,
Peceli Vuniwaqa VOCEA
Ambassador

ZA PREDSEDNIKA GABONSKE REPUBLIKE,
Paul BUNDUKU-LATHA
minister na ministrstvu za gospodarstvo, trgovino, industrijo
in turizem

FOR THE PRESIDENT OF THE GABONESE REPUBLIC,
Paul BUNDUKU-LATHA
Minister Delegate attached to the Minister for Economic
Affairs, Trade, Industry and Tourism

ZA PREDSEDNIKA IN VODITELJA DRŽAVE REPUBLIKE
GAMBIJE,
Mamour A. JAGNE
veleposlanik

FOR THE PRESIDENT AND HEAD OF STATE OF THE
REPUBLIC OF THE GAMBIA,
Mamour A. JAGNE
Ambassador

ZA PREDSEDNIKA REPUBLIKE GANE,
Kwabena DUFFUOR
minister za finance in gospodarsko načrtovanje

FOR THE PRESIDENT OF THE REPUBLIC OF GHANA,
Kwabena DUFFUOR
Minister for Finance and Economic Planning

ZA NJENO VELIČANSTVO KRALJICO GRENADA,
Stephen FLETCHER
veleposlanik

FOR HER MAJESTY THE QUEEN OF GRENADA,
Stephen FLETCHER
Ambassador

ZA PREDSEDNIKA REPUBLIKE GVINEJE,
Bakary FOFANA
državni minister, pristojen za zunanje zadeve, afriško
integracijo in frankofonijo

FOR THE PRESIDENT OF THE REPUBLIC OF GUINEA,
Bakary FOFANA
Minister of State, responsible for Foreign Affairs, African
Integration and the French-speaking World

ZA PREDSEDNIKA REPUBLIKE GVINEJE BISSAU,

Adelino MANO QUETA
minister za zunanje zadeve

FOR THE PRESIDENT OF THE REPUBLIC OF GUINEA-
BISSAU,
Adelino MANO QUETA
Minister for Foreign Affairs

ZA PREDSEDNIKA KOOPERATIVNE REPUBLIKE
GVAJANE,
Carolyn RODRIGUES-BIRKETT
ministrica za zunanje zadeve

FOR THE PRESIDENT OF THE CO-OPERATIVE REPUBLIC
OF GUYANA,
Carolyn RODRIGUES-BIRKETT
Minister of Foreign Affairs

ZA PREDSEDNIKA REPUBLIKE HAITI,
Price PADY
nacionalni odredbodajalec FED

FOR THE PRESIDENT OF THE REPUBLIC OF HAITI,
Price PADY
EDF National Authorising Officer

ZA VODITELJA DRŽAVE JAMAJKE,
Marcia Yvette GILBERT-ROBERTS
veleposlanica

FOR THE HEAD OF STATE OF JAMAICA,
Marcia Yvette GILBERT-ROBERTS
Ambassador

ZA PREDSEDNIKA REPUBLIKE KENIJE,
Wycliffe AMBETSA OPARANYAH
državni minister za načrtovanje, nacionalni razvoj in
Vision 2030

ZA PREDSEDNIKA REPUBLIKE KIRIBATI,
Karl KOCH
častni konzul

ZA NJEGOVO VELIČANSTVO KRALJA KRALJEVINE
LESOTO,
Mamoruti A. TIHELI
veleposlanik

ZA PREDSEDNICO REPUBLIKE LIBERIJE,
Comfort SWENGBE
odpravnik poslov

ZA PREDSEDNIKA REPUBLIKE MADAGASKAR,

Solofo Andrianjatovo RAZAFITRIMO
generalni sekretar na ministrstvu za zunanje zadeve

ZA PREDSEDNIKA REPUBLIKE MALAVI,
Brave Rona NDISALE
veleposlanik

ZA PREDSEDNIKA REPUBLIKE MALI,
Moctar OUANE
minister za zunanje zadeve in mednarodno sodelovanje

ZA VLADO REPUBLIKE MARSHALLOVI OTOKI,

Fabian S. NIMEA
direktor Urada za statistiko, proračun, čezmorski razvoj in
kompaktno upravljanje, FSM

ZA PREDSEDNIKA ISLAMSKRE REPUBLIKE MAVRETANIJE,

Mohamed Abdellahi Ould OUDAÂ
minister za industrijo in rudarstvo

ZA PREDSEDNIKA REPUBLIKE MAURITIUS,
Arvin BOOLELL
minister za zunanje zadeve

ZA VLADO FEDERATIVNIH DRŽAV MIKRONEZIJE,

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ZA PREDSEDNIKA REPUBLIKE MOZAMBIK,

Henrique BANZE
namestnik ministra za zunanje zadeve in sodelovanje

ZA PREDSEDNIKA REPUBLIKE NAMIBIJE,
Hanno Burkhard RUMPF
veleposlanik

ZA VLADO REPUBLIKE NAURU,
Karl KOCH
častni konzul

ZA PREDSEDNIKA REPUBLIKE NIGER,
Mamane MALAM ANNOU
minister za gospodarstvo in finance

FOR THE PRESIDENT OF THE REPUBLIC OF KENYA,
Wycliffe AMBETSA OPARANYAH
Minister of State for Planning, National Development and
Vision 2030

FOR THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,
Karl KOCH
Honorary Consul

FOR HIS MAJESTY THE KING OF THE KINGDOM OF
LESOTHO,
Mamoruti A. TIHELI
Ambassador

FOR THE PRESIDENT OF THE REPUBLIC OF LIBERIA,
Comfort SWENGBE
Chargé d'Affaires

FOR THE PRESIDENT OF THE REPUBLIC OF
MADAGASCAR,
Solofo Andrianjatovo RAZAFITRIMO
General Secretary of the Ministry of Foreign Affairs

FOR THE PRESIDENT OF THE REPUBLIC OF MALAWI,
Brave Rona NDISALE
Ambassador

FOR THE PRESIDENT OF THE REPUBLIC OF MALI,
Moctar OUANE
Minister for Foreign Affairs and International Cooperation

FOR THE GOVERNMENT OF THE REPUBLIC OF THE
MARSHALL ISLANDS,
Fabian S. NIMEA
Director of the Office of Statistics, Budget, Overseas
Development, and Compact Management, FSM

FOR THE PRESIDENT OF THE ISLAMIC REPUBLIC OF
MAURITANIA,
Mohamed Abdellahi Ould OUDAÂ
Minister for Industry and Mines

FOR THE PRESIDENT OF THE REPUBLIC OF MAURITIUS,
Arvin BOOLELL
Minister of Foreign Affairs

FOR THE GOVERNMENT OF THE FEDERATED STATES
OF MICRONESIA,
Fabian S. NIMEA
Director of the Office of Statistics, Budget, Overseas
Development, and Compact Management, FSM

FOR THE PRESIDENT OF THE REPUBLIC OF
MOZAMBIQUE,
Henrique BANZE
Deputy Minister of Foreign Affairs and Cooperation

FOR THE PRESIDENT OF THE REPUBLIC OF NAMIBIA,
Hanno Burkhard RUMPF
Ambassador

FOR THE GOVERNMENT OF THE REPUBLIC OF NAURU,
Karl KOCH
Honorary Consul

FOR THE PRESIDENT OF THE REPUBLIC OF NIGER,
Mamane MALAM ANNOU
Minister for Economic Affairs and Finance

ZA PREDSEDNIKA ZVEZNE REPUBLIKE NIGERIJE,

Sylvester MONYE
sekretar, Nacionalni odbor za načrtovanje

ZA VLADO NIUE,

Fabian S. NIMEA
direktor Urada za statistiko, proračun, čezmorski razvoj in
kompaktno upravljanje, FSM

ZA VLADO REPUBLIKE PALAU,

Faustina REHUHER-MARUGG
ministrica za skupnost in kulturne zadeve

ZA NJENO VELIČANSTVO KRALJICO NEODVISNE

DRŽAVE PAPUA NOVA GVINEJA,
Peter Pulkiye MAGINDE
veleposlanik

ZA PREDSEDNIKA RUANDSKE REPUBLIKE,

Gérard NTWARI
veleposlanik

ZA NJENO VELIČANSTVO KRALJICO SAINT KITTS IN

NEVIS-a,
Shirley SKERRITT-ANDREW
veleposlanica

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ZA VODITELJA DRŽAVE NEODVISNE DRŽAVE SAMOA,

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ZA PREDSEDNIKA REPUBLIKE SENEGAL,

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FOR HER MAJESTY THE QUEEN OF SAINT KITTS AND

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FOR HER MAJESTY THE QUEEN OF SAINT LUCIA,

Shirley SKERRITT-ANDREW
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Shirley SKERRITT-ANDREW
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FOR THE HEAD OF STATE OF THE INDEPENDENT STATE
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minister za zunanje zadeve

FOR THE PRESIDENT OF THE DEMOCRATIC REPUBLIC
OF TIMOR-LESTE,
Zacarias Albano da COSTA
Minister for Foreign Affairs

ZA PREDSEDNIKA TOGOŠKE REPUBLIKE,
Dede AHOEFA EKOUE
minister pri predsedniku republike, pristojen za načrtovanje,
razvoj in upravljanje prostora

FOR THE PRESIDENT OF THE TOGOLESE REPUBLIC,
Dede AHOEFA EKOUE
Minister attached to the President of the Republic,
responsible for Planning, Development and Land Use
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ZA NJEGOVO VELIČANSTVO KRALJA TONGE,
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FOR THE PRESIDENT OF THE REPUBLIC OF UGANDA,
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Minister of State for Finance

ZA VLADO REPUBLIKE VANUATU,

Joe NATUMAN
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FOR THE GOVERNMENT OF THE REPUBLIC OF
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Joe NATUMAN
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FOR THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,
Lwipa PUMA
Deputy Minister of Commerce, Trade and Industry

ZA VLADO REPUBLIKE ZIMBABVE,

Michael C. BIMHA
namestnik ministra za industrijo in trgovino

FOR THE GOVERNMENT OF THE REPUBLIC OF
ZIMBABWE,
Michael C. BIMHA
Deputy Minister of Industry and Commerce

KI SO SE po izmenjavi pooblastil v pravilni in predpisani
obliki

WHO, having exchanged their Full Powers, found in good
and due form,

DOGOVORILI O NASLEDNJEM:

HAVE AGREED AS FOLLOWS:

EDINI ČLEN

Na podlagi postopka iz člena 95 Sporazuma se Sporazum iz Cotonouja spremeni:

A. PREAMBULA

1. Enajsta uvodna izjava, ki se začne z "OB SKLICEVANJU na Librevillško in Santodominško deklaracijo ..." se nadomesti z naslednjim:

"OB SKLICEVANJU na deklaracije zaporednih vrhov voditeljev držav in vlad držav AKP;"

2. Dvanajsta uvodna izjava, ki se začne z "OB UPOŠTEVANJU, da razvojni cilji novega tisočletja ..." se nadomesti z naslednjim:

"OB UPOŠTEVANJU, da razvojni cilji novega tisočletja, ki izhajajo iz Milenijske deklaracije, sprejete na Generalni skupščini Združenih narodov leta 2000, zlasti izkoreninjene skrajne revščine in lakote, skupaj z razvojnimi cilji in načeli, dogovorjenimi na konferencah Združenih narodov leta 2000, zlasti izkoreninjenje skrajne revščine in lakote, skupaj z razvojnimi cilji in načeli, dogovorjenimi na konferencah Združenih narodov, predstavljajo jasno vizijo in morajo predstavljati podlago za sodelovanje med AKP in EU v okviru tega sporazuma. Ob priznavanju, da si morajo države EU in AKP skupaj prizadevati za pospeševanje napredka pri doseganju razvojnih ciljev novega tisočletja;"

3. Za dvanajsto uvodno izjavo, ki se začne z "OB UPOŠTEVANJU, da razvojni cilji novega tisočletja ..." se vstavi naslednja uvodna izjava:

"S SPREJEMOM agende o učinkovitosti pomoči, ki se je začela v Rimu, nadaljevala v Parizu in nadalje oblikovala v agendi za ukrepanje iz Akre;"

4. Trinajsta uvodna izjava, ki se začne z "OB POSVEČANJU posebne pozornosti zaobljubam ..." se nadomesti z naslednjim:

"OB POSVEČANJU posebne pozornosti zaobljubam in dogovorjenim ciljem na glavnih konferencah ZN in drugih mednarodnih konferencah ter ob priznavanju potrebe po sprejetju nadaljnjih ukrepov za doseganje ciljev in izvajanje delovnih programov, sestavljenih na teh forumih;"

5. Za trinajsto uvodno izjavo, ki se začne z "OB POSVEČANJU posebne pozornosti zaobljubam ..." se vstavi naslednja uvodna izjava:

"OB ZAVEDANJU resnega svetovnega okoljskega izziva, ki ga predstavljajo podnebne spremembe, in ob globoki zaskrbljenosti, da najbolj ranljive skupine prebivalstva živijo v državah v razvoju, zlasti v najmanj razvitih državah in majhnih otoških državah AKP, kjer s podnebjem povezani pojavi, kot so dvig morske gladine, obalna erozija, poplave, suše in širjenje puščav, ogrožajo preživetje in trajnostni razvoj;"

B. BESEDILO ČLENOV SPORAZUMA IZ COTONOUJA

1. Člen 1 se spremeni:

(a) tretji odstavek se nadomesti z naslednjim:

"Ti cilji in mednarodne zaveze pogodbenic, vključno z razvojnimi cilji novega tisočletja, se upoštevajo v vseh razvojnih strategijah in se uresničujejo s celovitim pristopom ob sočasnem upoštevanju političnih, gospodarskih, družbenih, kulturnih in okoljskih vidikov razvoja. Partnerstvo zagotavlja enoten okvir podpore za razvojne strategije, ki jih sprejme posamezna država AKP;"

SOLE ARTICLE

In accordance with the procedure laid down in Article 95 thereof, the Cotonou Agreement is hereby amended as follows:

A. PREAMBLE

1. The eleventh recital, commencing "RECALLING the Libreville and Santo Domingo declarations ...", is replaced by the following:

"RECALLING the declarations of the successive Summits of the Heads of State and Government of ACP States;"

2. The twelfth recital, commencing "CONSIDERING that the Millennium Development Goals ...", is replaced by the following:

"CONSIDERING that the Millennium Development Goals emanating from the Millennium Declaration adopted by the United Nations General Assembly in 2000, in particular the eradication of extreme poverty and hunger, as well as the development targets and principles agreed in the United Nations Conferences, provide for a clear vision and must underpin ACP-EU cooperation within this Agreement; acknowledging that the EU and the ACP States need to make a concerted effort to accelerate progress towards attaining the Millennium Development Goals;"

3. After the twelfth recital, commencing "CONSIDERING that the Millennium Development Goals ...", the following recital is inserted:

"SUBSCRIBING to the aid effectiveness agenda started in Rome, pursued in Paris and further developed in the Accra Agenda for Action;"

4. The thirteenth recital, commencing "PAYING particular attention to the pledges ...", is replaced by the following:

"PAYING particular attention to the pledges made and objectives agreed at major UN and other international conferences and acknowledging the need for further action to be taken in order to achieve the goals and implement the action programmes which have been drawn up in those fora;"

5. After the thirteenth recital, commencing "PAYING particular attention to the pledges ...", the following recital is inserted:

"AWARE of the serious global environmental challenge posed by climate change, and deeply concerned that the most vulnerable populations live in developing countries, in particular in Least Developed Countries and Small Island ACP States, where climate-related phenomena such as sea level rise, coastal erosion, flooding, droughts and desertification are threatening their livelihoods and sustainable development;"

B. TEXT OF THE ARTICLES OF THE COTONOU AGREEMENT

1. Article 1 is amended as follows:

(a) the third paragraph is replaced by the following:

"These objectives and the Parties' international commitments, including the Millennium Development Goals, shall inform all development strategies and shall be tackled through an integrated approach taking account at the same time of the political, economic, social, cultural and environmental aspects of development. The partnership shall provide a coherent support framework for the development strategies adopted by each ACP State;"

(b) četrty odstavek se nadomesti z naslednjim:

"V ta okvir sodijo trajnostna gospodarska rast, razvoj zasebnega sektorja, povečanje zaposlenosti in izboljšanje dostop do proizvodnih virov. Podpirajo se spoštovanje pravic posameznika in zadovoljevanje osnovnih potreb, pospeševanje socialnega razvoja in pogojev za pravično porazdelitev sadov rasti. Spodbujajo in podpirajo se procesi regionalnega in podregionalnega povezovanja, ki pospešujejo vključevanje držav AKP v svetovno gospodarstvo v zvezi s trgovinskimi in zasebnimi investicijami. Pristop vključuje usposabljanje nosilcev razvoja in izboljševanje institucionalnega okvira, potrebne za socialno kohezijo, za delovanje demokratične družbe in tržne ekonomije ter za nastanek aktivne in organizirane civilne družbe. Sistematično se upoštevajo položaj žensk in vprašanja spolov na vseh področjih – političnem, gospodarskem in socialnem. Načela trajnostnega upravljanja z naravnimi bogastvi in okoljem, vključno s podnebnimi spremembami, se uporabljajo in so sestavni del partnerstva na vseh ravneh."

2. Člen 2 se nadomesti z naslednjim:

"Člen 2

Temeljna načela

Sodelovanje držav AKP in ES, podprto s pravno zavezujočim sistemom in obstojem skupnih institucij, temelji na mednarodno dogovorjeni agendi o učinkovitosti pomoči v zvezi z lastništvom, prilagajanjem, usklajevanjem, k rezultatom usmerjenim upravljanjem pomoči in vzajemno odgovornostjo, se izvaja na podlagi naslednjih temeljnih načel:

- enakost med partnerji in lastništvo nad razvojnimi strategijami: zaradi izpolnjevanja ciljev partnerstva države AKP opredelijo razvojne strategije svojih gospodarstev in družb popolnoma suvereno in ob upoštevanju bistvenih ter temeljnih elementov iz člena 9; partnerstvo spodbuja lastništvo zadevnih držav in prebivalcev nad razvojnimi strategijami; razvojni partnerji EU svoje programe prilagodijo tem strategijam,

- udeležba: poleg centralne vlade kot glavnega partnerja je partnerstvo odprto tudi za parlamente držav AKP in lokalne organe v državah AKP ter različne vrste drugih nosilcev, da bi spodbudili vključevanje vseh delov družbe, vključno z zasebnim sektorjem in organizacijami civilne družbe, v glavni tok političnega, gospodarskega in družbenega življenja,

- osrednja vloga dialoga in izpolnjevanje medsebojnih obveznosti ter odgovornost: obveznosti, ki jih pogodbenice prevzamejo v okviru njihovega dialoga, imajo pri njihovem partnerstvu in sodelovanju osrednji pomen; pogodbenice pri določanju in izvajanju potrebnih postopkov prilagajanja in usklajevanja vlagateljev tesno sodelujejo, da se zagotovi ključna vloga držav AKP v teh postopkih,

- diferenciacija in regionalizacija: ureditve in prednostne naloge sodelovanja se razlikujejo glede na razvojno stopnjo partnerja, njegove potrebe, uspešnost in dolgoročno razvojno strategijo. Najmanj razvite države so deležne posebne obravnave. Upošteva se ranljivost neobalnih in otoških držav. Posebna pozornost se nameni regionalnemu povezovanju, tudi na ravni celine."

(b) the fourth paragraph is replaced by the following:

"Sustained economic growth, developing the private sector, increasing employment and improving access to productive resources shall all be part of this framework. Support shall be given to the respect of the rights of the individual and meeting basic needs, the promotion of social development and the conditions for an equitable distribution of the fruits of growth. Regional and sub-regional integration processes which foster the integration of the ACP countries into the world economy in terms of trade and private investment shall be encouraged and supported. Building the capacity of the actors in development and improving the institutional framework necessary for social cohesion, for the functioning of a democratic society and market economy, and for the emergence of an active and organised civil society shall be integral to the approach. Systematic account shall be taken of the situation of women and gender issues in all areas - political, economic and social. The principles of sustainable management of natural resources and the environment, including climate change, shall be applied and integrated at every level of the partnership."

2. Article 2 is replaced by the following:

"Article 2

Fundamental principles

ACP-EC cooperation, underpinned by a legally binding system and the existence of joint institutions, shall be guided by the internationally agreed aid effectiveness agenda regarding ownership, alignment, harmonisation, results-oriented aid management and mutual accountability, exercised on the basis of the following fundamental principles:

- equality of the partners and ownership of the development strategies: for the purposes of implementing the objectives of the partnership, the ACP States shall determine the development strategies for their economies and societies in all sovereignty and with due regard for the essential and fundamental elements described in Article 9; the partnership shall encourage ownership of the development strategies by the countries and populations concerned; EU development partners shall align their programmes with these strategies;

- participation: apart from central government as the main partner, the partnership shall be open to ACP parliaments, and local authorities in ACP States and different kinds of other actors in order to encourage the integration of all sections of society, including the private sector and civil society organisations, into the mainstream of political, economic and social life;

- the pivotal role of dialogue and the fulfilment of mutual obligations and accountability: the obligations assumed by the Parties in the framework of their dialogue shall be central to their partnership and cooperation relations; the Parties shall work closely together in determining and implementing the necessary processes of donor alignment and harmonisation, with a view to securing a key role for ACP States in these processes;

- differentiation and regionalisation: cooperation arrangements and priorities shall vary according to a partner's level of development, its needs, its performance and its long-term development strategy. Special treatment shall be given to the least-developed countries. The vulnerability of landlocked and island countries shall be taken into account. Particular emphasis shall be put on regional integration, including at continental level."

3. Člen 4 se nadomesti z naslednjim:

"Člen 4

Splošni pristop

Države AKP določijo razvojna načela, strategije ter modele svojih gospodarstev in družb popolnoma suvereno. S Skupnostjo vzpostavijo programe sodelovanja, predvidene v tem sporazumu. Vendar pogodbenice priznavajo dopolnilno vlogo in možnost prispevanja nedržavnih nosilcev, nacionalnih parlamentov držav AKP in lokalnih decentraliziranih organov k razvojnemu procesu, zlasti na nacionalnih in regionalnih ravneh. V ta namen so nedržavni nosilci, nacionalni parlamenti držav AKP in lokalni decentralizirani organi pod pogoji iz tega sporazuma po potrebi:

– obveščeni in vključeni v posvetovanje o politikah in strategijah sodelovanja, prednostnih nalogah sodelovanja zlasti na področjih, ki jih zadevajo ali nanje neposredno vplivajo, ter političnem dialogu,

– oskrbljeni s podporo pri usposabljanju na kritičnih področjih, da bi povečali usposobljenost teh nosilcev, zlasti v zvezi z organizacijo in zastopanjem, ter vzpostavitev posvetovalnih mehanizmov, vključno s potmi komunikacije in dialoga, ter pospešili strateško povezovanje.

Nedržavni nosilci in lokalni decentralizirani organi so po potrebi:

– oskrbljeni s finančnimi viri pod pogoji iz tega sporazuma, da bi podprli lokalne razvojne procese,

– vključeni in izvajanje projekta in programov sodelovanja na področjih, ki jih zadevajo ali na katerih imajo ti nosilci komparativno prednost."

4. Člen 6 se spremeni:

(a) Odstavek 1 se nadomesti z naslednjim:

"1. Nosilci sodelovanja bodo vključevali:

(a) državne nosilce (lokalne, regionalne in nacionalne), vključno z nacionalnimi parlamenti držav AKP;

(b) regionalne organizacije držav AKP in Afriško unijo. V tem sporazumu pojem regionalnih organizacij ali ravni vključuje tudi podregionalne organizacije ali ravni;

(c) nedržavne nosilce:

– zasebni sektor,

– gospodarske in socialne partnerje, vključno s sindikati,

– civilno družbo v vseh svojih oblikah glede na nacionalne značilnosti."

(b) v odstavku 2 se besedi "nevladnih nosilcev" nadomesti z besedama "nedržavnih nosilcev".

5. Člen 8 se nadomesti z naslednjim:

"Člen 8

Politični dialog

1. Pogodbenice redno sodelujejo v celovitem, uravnoteženem in temeljitim političnem dialogu, ki vodi k obveznostim na obeh straneh.

2. Cilj tega dialoga je izmenjava informacij, pospeševanje medsebojnega razumevanja in lajšanje vzpostavitve dogovorjenih prednostnih nalog in skupnih načrtov, zlasti s priznavanjem obstoječih vezi med različnimi vidiki odnosov med pogodbenicami in raznimi področji sodelovanja iz tega sporazuma. Dialog lajša posvetovanja in krepi sodelovanje med pogodbenicami v okviru mednarodnih forumov ter pospešuje in ohranja sistem učinkovitega večstranskega sodelovanja. Cilji dialoga vključujejo tudi preprečevanje položajev, v katerih bi ena pogodbenica imela za potrebno sklicevati sena klavzulo o neizvajanju.

3. Article 4 is replaced by the following:

"Article 4

General approach

The ACP States shall determine the development principles, strategies and models of their economies and societies in all sovereignty. They shall establish, with the Community, the cooperation programmes provided for under this Agreement. However, the parties recognise the complementary role of and potential for contributions by non-State actors, ACP national parliaments and local decentralised authorities to the development process, particularly at the national and regional levels. To this end, under the conditions laid down in this Agreement, non-State actors, ACP national parliaments and local decentralised authorities, shall, where appropriate:

– be informed and involved in consultation on cooperation policies and strategies, on priorities for cooperation especially in areas that concern or directly affect them, and on the political dialogue;

– be provided with capacity-building support in critical areas in order to reinforce the capabilities of these actors, particularly as regards organisation and representation, and the establishment of consultation mechanisms including channels of communication and dialogue, and to promote strategic alliances.

Non-State actors and local decentralised authorities shall, where appropriate:

– be provided with financial resources, under the conditions laid down in this Agreement in order to support local development processes;

– be involved in the implementation of cooperation projects and programmes in areas that concern them or where these actors have a comparative advantage."

4. Article 6 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. The actors of cooperation will include:

(a) State (local, regional and national), including ACP national parliaments;

(b) ACP regional organisations and the African Union. For the purpose of this Agreement the notion of regional organisations or levels shall also include sub-regional organisations or levels;

(c) non-State:

– private sector;

– economic and social partners, including trade union organisations;

– civil society in all its forms according to national characteristics."

(b) in paragraph 2 the words "non-governmental actors" are replaced by "non-State actors".

5. Article 8 is replaced by the following:

"Article 8

Political dialogue

1. The Parties shall regularly engage in a comprehensive, balanced and deep political dialogue leading to commitments on both sides.

2. The objective of this dialogue shall be to exchange information, to foster mutual understanding and to facilitate the establishment of agreed priorities and shared agendas, in particular by recognising existing links between the different aspects of the relations between the Parties and the various areas of cooperation as laid down in this Agreement. The dialogue shall facilitate consultations and strengthen cooperation between the Parties within international fora as well as promote and sustain a system of effective multilateralism. The objectives of the dialogue shall also include preventing situations arising in which one Party might deem it necessary to have recourse to the consultation procedures envisaged in Articles 96 and 97.

3. Dialog obsega vse namene in cilje iz tega sporazuma ter vsa vprašanja skupnega, splošnega ali regionalnega interesa, vključno z vprašanji, ki zadevajo regionalno in celinsko povezovanje. Prek dialoga pogodbenice prispevajo k miru, varnosti in stabilnosti ter uveljavljajo stabilno in demokratično politično okolje. Dialog zajema strategije sodelovanja, vključno z načrti o učinkovitosti pomoči, pa tudi globalne in sektorske politike, vključno z okoljem, podnebnimi spremembami, spolom, migracijo in vprašanji, povezanimi s kulturno dediščino. Prav tako obravnava globalne in sektorske politike obeh pogodbenic, ki bi lahko vplivale na uresničevanje ciljev razvojnega sodelovanja.

4. Dialog se med drugim osredotoči na določena politična vprašanja, ki so v obojestranskem interesu ali splošnega pomena za doseganje ciljev tega sporazuma, kot so trgovanje z orožjem, preveliki izdatki za vojsko, droge, organiziran kriminal ali delo otrok, ali kakršna koli diskriminacija, na primer na podlagi rase, barve kože, spola, jezika, vere, političnega ali drugega mnenja, nacionalnega ali družbenega porekla, premoženja, rojstva ali drugega statusa. Dialog zajema tudi redno ocenjevanje razvoja v zvezi s spoštovanjem človekovih pravic, demokratičnih načel, pravne države in odgovornega vodenja.

5. Pomembno vlogo v tem dialogu imajo široko zasnovane politike spodbujanja miru ter preprečevanja, obvladovanja in reševanja konfliktov, v katerih je prisotno nasilje, pri opredelitvi prednostnih področij sodelovanja pa tudi potreba po celovitem upoštevanju cilja miru in demokratične stabilnosti. V dialogu v tem smislu po potrebi v celoti sodelujejo zadevne regionalne organizacije držav AKP in Afriška unija.

6. Dialog se izvaja na prožen način. Dialog je glede na potrebe formalen ali neformalen ter se izvaja znotraj in izven institucionalnega okvira, vključno s Skupino AKP, Skupno parlamentarno skupščino AKP-EU, v ustrezni obliki in na ustrezni ravni, vključujoč nacionalno, regionalno, celinsko ravno ali vso AKP raven.

7. Regionalne organizacije in predstavniki organizacij civilne družbe ter po potrebi nacionalni parlamenti držav AKP so vključeni v ta dialog.

8. Kjer je primerno in da se prepreči nastanek položajev, v katerih bi ena pogodbenica smatrala za potrebno, da se sklicuje na posvetovalni postopek, ki je predviden v členu 96, je dialog o bistvenih elementih sistematičen in formaliziran v skladu s pravili iz Priloge VII."

6. Člen 9 se spremeni:

(a) V odstavku 3 se drugi pododstavek nadomesti z naslednjim:

"Odgovorno vodenje, na katerem temelji partnerstvo med državami AKP in EU, podpira domače in mednarodne politike pogodbenic ter predstavlja temeljni element tega sporazuma. Pogodbenice soglašajo, da samo hudi primeri korupcije, vključno s podkupovanjem, ki vodi k taki korupciji, kot je navedeno v členu 97, predstavljajo kršitev tega elementa.";

(b) Odstavku 4 se doda naslednji pododstavek:

"Načela, ki so podlaga bistvenih in temeljnih elementov, kakor so opredeljeni v tem členu, veljajo enako za države AKP na eni strani ter za Evropsko unijo in njene države članice na drugi strani."

7. Člen 10 se spremeni:

(a) v odstavku 1 se druga alineja nadomesti z naslednjim:

"– večje vključevanje nacionalnih parlamentov AKP, lokalnih decentraliziranih organov, kadar je to ustrezno, ter dejavne in organizirane civilne družbe in zasebnega sektorja.";

(b) v odstavku 2 se besedi "tržnega gospodarstva" nadomesti z besedami "socialnega tržnega gospodarstva".

3. The dialogue shall cover all the aims and objectives laid down in this Agreement as well as all questions of common, general or regional interest, including issues pertaining to regional and continental integration. Through dialogue, the Parties shall contribute to peace, security and stability and promote a stable and democratic political environment. It shall encompass cooperation strategies, including the aid effectiveness agenda, as well as global and sectoral policies, including environment, climate change, gender, migration and questions related to the cultural heritage. It shall also address global and sectoral policies of both Parties that might affect the achievement of the objectives of development cooperation.

4. The dialogue shall focus, inter alia, on specific political issues of mutual concern or of general significance for the attainment of the objectives of this Agreement, such as the arms trade, excessive military expenditure, drugs, organised crime or child labour, or discrimination of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The dialogue shall also encompass a regular assessment of the developments concerning the respect for human rights, democratic principles, the rule of law and good governance.

5. Broadly based policies to promote peace and to prevent, manage and resolve violent conflicts shall play a prominent role in this dialogue, as shall the need to take full account of the objective of peace and democratic stability in the definition of priority areas of cooperation. The dialogue in this context shall fully involve the relevant ACP regional organisations and the African Union, where appropriate.

6. The dialogue shall be conducted in a flexible manner. The dialogue shall be formal or informal according to the need, and conducted within and outside the institutional framework, including the ACP Group, the Joint Parliamentary Assembly, in the appropriate format and at the appropriate level, including national, regional, continental or all-ACP level.

7. Regional organisations and representatives of civil society organisations shall be associated with this dialogue, as well as ACP national parliaments, where appropriate.

8. Where appropriate, and in order to prevent situations arising in which one Party might deem it necessary to have recourse to the consultation procedure foreseen in Article 96, dialogue covering the essential elements shall be systematic and formalised in accordance with the modalities set out in Annex VII."

6. Article 9 is amended as follows:

(a) in paragraph 3, the second subparagraph is replaced by the following:

"Good governance, which underpins the ACP-EU Partnership, shall underpin the domestic and international policies of the Parties, and constitute a fundamental element of this Agreement. The parties agree that serious cases of corruption, including acts of bribery leading to such corruption, as referred to in Article 97 constitute a violation of that element.";

(b) in paragraph 4, the following subparagraph is added:

"The principles underlying the essential and fundamental elements as defined in this Article shall apply equally to the ACP States on the one hand, and to the European Union and its Member States, on the other hand."

7. Article 10 is amended as follows:

(a) in paragraph 1, the second indent is replaced by the following:

"– greater involvement of ACP national parliaments, local decentralised authorities, where appropriate, and of an active and organised civil society and the private sector.";

(b) in paragraph 2, the words "market economy" are replaced by "social market economy".

8. Člen 11 se spremeni:

"Člen 11

Politike vzpostavljanja miru, preprečevanje in reševanje konfliktov, odziv na občutljive razmere

1. Pogodbenice priznavajo, da brez razvoja in zmanjšanja revščine ne bo trajnega miru in varnosti, brez miru in varnosti pa ni mogoč trajnostni razvoj. Pogodbenice izvajajo v okviru partnerstva aktivno, celovito in enotno politiko vzpostavljanja miru ter preprečevanja in reševanja konfliktov, varnosti ljudi in obravnavajo občutljive razmere. Ta politika temelji na načelu lastništva in se osredotoči zlasti na nacionalno, regionalno in celinsko usposabljanje ter na zgodnje preprečevanje konfliktov, v katerih je prisotno nasilje, z namenskim odpravljanjem njihovih vzrokov, vključno z revščino, in ustrezno kombinacijo vseh razpoložljivih instrumentov.

Pogodbenice priznavajo, da je treba odpraviti nove ali vse bolj razširjene varnostne grožnje, kot so organizirani kriminal, piratstvo ter trgovina zlasti z ljudmi, prepovedanimi drogami in orožjem. Prav tako je treba upoštevati vplive globalnih izzivov, kot so pretresi na mednarodnih finančnih trgih, podnebne spremembe in pandemije.

Pogodbenice poudarjajo pomembno vlogo regionalnih organizacij pri vzpostavljanju miru in preprečevanju in reševanju konfliktov ter pri odpravljanju novih ali vse bolj razširjenih varnostnih groženj v Afriki, kar je ključna odgovornost Afriške unije.

2. Na podlagi medsebojne odvisnosti varnosti in razvoja se oblikujejo ukrepi na področju vzpostavljanja miru ter preprečevanja in reševanja konfliktov, ki združujejo kratkoročne in dolgoročne pristope, ki obsegajo in presegajo krizno upravljanje. Ukrepi odpravljanja novih ali vse bolj razširjenih varnostnih groženj med drugim zagotavljajo kazenski pregon, vključno s sodelovanjem na področju kontrole na mejah, krepitvijo varnosti mednarodne dobavne verige ter izboljšanjem zaščitnih ukrepov zračnega, morskega in cestnega prevoza.

Ukrepi na področju vzpostavljanja miru ter preprečevanja in reševanja konfliktov zajemajo zlasti podporo uravnoteženju političnih, gospodarskih, socialnih in kulturnih priložnosti med vsemi deli družbe, krepitvi demokratične legitimnosti in učinkovitosti vodenja, vzpostavitvi učinkovitih mehanizmov za mirno spravo med interesnimi skupinami, aktivnemu vključevanju žensk, premostitvi ločnic med različnimi deli družbe, pa tudi podporo dejavni in organizirani civilni družbi. V zvezi s tem se posebna pozornost nameni razvoju sistemov zgodnjega opozarjanja in mehanizmov vzpostavljanja miru, ki bi prispevali k preprečevanju konfliktov.

3. Zadevni ukrepi med drugim vključujejo tudi podporo posredovanju, pogajanjem in prizadevanjem za pomiritev, učinkovitemu regionalnemu upravljanju s skupnimi, nezadostnimi naravnimi viri, demobilizaciji in ponovnemu vključevanju bivših udeležencev vojne v družbo, reševanju problemov otrok vojakov ter nasilja nad ženskami in otroki. Sprejmejo se ustrezni ukrepi za odgovorno omejitev izdatkov za vojsko in trgovino z orožjem, vključno s podporo spodbujanju in uporabi dogovorjenih standardov in pravil o obnašanju, ter tudi za boj proti dejavnostim, ki zaostrujejo konflikte.

3a. Poudarek je zlasti na boju zoper protipehotne mine in eksplozivne ostanke vojne ter preprečevanju nedovoljene proizvodnje, prenosa, kroženja in zbiranja majhnega in lahkega orožja ter streliva zanj, vključno z neustrezno zavarovanimi in slabo upravljanimi zalogami in rezervami ter nenadzorovanim širjenjem.

Pogodbenice se dogovorijo, da bodo usklajevale, upoštevale in v celoti izvajale svoje obveznosti v okviru vseh ustreznih mednarodnih konvencij in instrumentov, in se v ta namen zavezujejo k sodelovanju na nacionalni, regionalni in celinski ravni.

8. Article 11 is replaced by the following:

"Article 11

Peace-building policies, conflict prevention and resolution, response to situations of fragility

1. The Parties acknowledge that without development and poverty reduction there will be no sustainable peace and security, and that without peace and security there can be no sustainable development. The Parties shall pursue an active, comprehensive and integrated policy of peace building and conflict prevention and resolution, and human security, and shall address situations of fragility within the framework of the Partnership. This policy shall be based on the principle of ownership and shall in particular focus on building national, regional and continental capacities, and on preventing violent conflicts at an early stage by addressing their root-causes, including poverty, in a targeted manner, and with an adequate combination of all available instruments.

The Parties acknowledge that new or expanding security threats need to be addressed, such as organised crime, piracy and trafficking of, notably, people, drugs and weapons. The impacts of global challenges like international financial market shocks, climate change and pandemics also need to be taken into account.

The Parties emphasize the important role of regional organisations in peace building and conflict prevention and resolution and in tackling new or expanding security threats with, in Africa, a key responsibility for the African Union.

2. The interdependence between security and development shall inform the activities in the field of peace building, conflict prevention and resolution which shall combine short and long-term approaches, which encompass and go beyond crisis management. Activities to tackle new or expanding security threats shall, inter alia, support law enforcement, including cooperating on border controls, enhancing the security of the international supply chain, and improving air, maritime and road transport safeguards.

Activities in the field of peace building, conflict prevention and resolution shall in particular include support for balancing political, economic, social and cultural opportunities among all segments of society, for strengthening the democratic legitimacy and effectiveness of governance, for establishing effective mechanisms for the peaceful conciliation of group interests, for active involvement of women, for bridging dividing lines among different segments of society as well as support for an active and organised civil society. In this respect, particular attention shall be paid to developing early warning systems and peace-building mechanisms that would contribute to the prevention of conflicts.

3. Relevant activities shall also include, inter alia, support for mediation, negotiation and reconciliation efforts, for effective regional management of shared, scarce natural resources, for demobilisation and reintegration of former combatants into the society, for addressing the problems of child soldiers and of violence against women and children. Suitable action shall be taken to set responsible limits to military expenditure and arms trade, including through support for the promotion and application of agreed standards and codes of conduct, as well as to combat activities that fuel conflict.

3a. Particular emphasis shall be given to the fight against anti-personnel landmines and explosive remnants of war as well as to addressing the illicit manufacture, transfer, circulation and accumulation of small arms and light weapons and their ammunition, including inadequately secured and poorly managed stocks and stockpiles and their uncontrolled spread.

The Parties agree to coordinate, observe and fully implement their respective obligations under all relevant international conventions and instruments, and, to this end, they undertake to cooperate at the national, regional and continental levels.

3b. Pogodbenice se tudi zavezujejo, da bodo sodelovale pri preprečevanju aktivnosti plačancev v skladu s svojimi obveznostmi v okviru vseh ustreznih mednarodnih konvencij in instrumentov ter lastnih zakonov in drugih predpisov.

4. Za strateško in učinkovito obravnavanje občutljivih razmer si pogodbenice izmenjujejo informacije in omogočajo preprečevalne odzive, ki skladno združujejo orodja diplomacije, varnosti in razvojnega sodelovanja. Pogodbenice se dogovorijo o najboljšem načinu okrepitve zmogljivosti držav pri izpolnjevanju njihovih glavnih nalog in spodbujanja politične volje za reforme ob upoštevanju načela lastništva. V občutljivih razmerah je zlasti pomemben politični dialog, ki se še naprej razvija in krepi.

5. V primeru konflikta, v katerem je prisotno nasilje, pogodbenice sprejmejo vse ustrezne ukrepe za preprečitev stopnjevanja nasilja, za omejitev njegovega ozemelskega širjenja in za lajšanje mirnega reševanja obstoječih sporov. Posebna pozornost se posveča zagotavljanju, da se finančna sredstva za sodelovanje uporabijo v skladu z načeli in cilji partnerstva, in preprečevanju preusmeritve sredstev za namene vojskovanja.

6. Po rešitvi konflikta pogodbenice sprejmejo vse primerne ukrepe za stabilizacijo razmer v prehodnem obdobju za lajšanje ponovne vzpostavitve nenasilnih, stabilnih in demokratičnih razmer. Pogodbenice poskrbijo za vzpostavitev potrebnih povezav med izrednimi ukrepi, rehabilitacijo in razvojnim sodelovanjem.

7. Pri spodbujanju krepitve miru in mednarodne pravice pogodbenice ponovno potrjujejo svojo odločenost za:

- medsebojno izmenjavo izkušenj v zvezi s sprejemanjem pravnih prilagoditev, ki so potrebne za ratifikacijo in izvajanje Rimskega statuta Mednarodnega kazenskega sodišča, in
- boj proti mednarodnemu kriminalu v skladu z mednarodnim pravom z upoštevanjem Rimskega statuta.

Pogodbenice si prizadevajo za ratifikacijo in izvajanje Rimskega statuta ter povezanih instrumentov."

9. Člen 12 se nadomesti z naslednjim:

"Člen 12

Skladnost politik Skupnosti in njihov vpliv na izvajanje tega sporazuma

Pogodbenice se zavezujejo k obravnavanju usklajenosti politik za razvoj, ki je ciljno, strateško in k partnerstvu usmerjeno, vključno s krepitvijo dialoga o vprašanih usklajenosti politik za razvoj. Unija priznava, da lahko politike Unije, razen razvojne politike, podpirajo prednostne naloge razvoja držav AKP v skladu s cilji iz tega sporazuma. Na podlagi tega bo Unija okrepila usklajenost navedenih politik z namenom uresničevanja ciljev iz tega sporazuma.

Če Skupnost namerava v okviru uresničevanja svojih pooblastil sprejeti ukrep, ki bi lahko vplival na interese držav AKP v smislu ciljev tega sporazuma, mora brez poseganja v člen 96 o svoji nameri pravočasno obvestiti skupino AKP. V ta namen Komisija redno obvešča Sekretariat skupine AKP o načrtovanih predlogih in istočasno predloži svoj predlog takih ukrepov. Po potrebi lahko pobudo za predlog po informiranju dajo tudi države AKP.

Da bi se lahko upoštevali njihovi pomisleki glede vpliva teh ukrepov, se na njihov predlog nemudoma opravijo posvetovanja pred sprejetjem končne odločitve.

Poleg tega lahko države AKP in skupina AKP po takih posvetovanjih Skupnosti čim prej pisno sporočijo svoje pomisleke in predložijo predloge za spremembe, v katerih nakažejo način upoštevanja njihovih pomislekov.

Če se Skupnost ne strinja s predlogi držav AKP, jih o tem čim prej obvesti, pri čemer navede svoje razloge.

Skupini AKP se sporočijo tudi ustrezne informacije o začetku veljavnosti takih odločitev, po možnosti vnaprej."

3b. The Parties also undertake to cooperate in the prevention of mercenary activities in accordance with their obligations under all relevant international conventions and instruments, and their respective legislation and regulations.

4. In order to address situations of fragility in a strategic and effective manner, the Parties shall share information and facilitate preventive responses combining diplomatic, security and development cooperation tools in a coherent way. They shall agree on the best way to strengthen capabilities of States to fulfil their core functions and to stimulate political will for reform while respecting the principle of ownership. In situations of fragility, political dialogue is especially important and shall be further developed and reinforced.

5. In situations of violent conflict the Parties shall take all suitable action to prevent an intensification of violence, to limit its territorial spread, and to facilitate a peaceful settlement of the existing disputes. Particular attention shall be paid to ensuring that financial resources for cooperation are used in accordance with the principles and objectives of the Partnership, and to preventing a diversion of funds for belligerent purposes.

6. In post-conflict situations, the Parties shall take all suitable action to stabilise the situation during the transition in order to facilitate the return to a non-violent, stable and democratic situation. The Parties shall ensure the creation of the necessary links between emergency measures, rehabilitation and development cooperation.

7. In promoting the strengthening of peace and international justice, the Parties reaffirm their determination to:

- share experience in the adoption of legal adjustments required to allow for the ratification and implementation of the Rome Statute of the International Criminal Court; and
- fight against international crime in accordance with international law, giving due regard to the Rome Statute.

The Parties shall seek to take steps towards ratifying and implementing the Rome Statute and related instruments."

9. Article 12 is replaced by the following:

"Article 12

Coherence of Community policies and their impact on the implementation of this Agreement

The Parties are committed to addressing policy coherence for development in a targeted, strategic and partnership-oriented way, including strengthening dialogue on issues of policy coherence for development. The Union acknowledges that Union policies, other than development policy, can support the development priorities of ACP States in line with the objectives of this Agreement. On this basis the Union will enhance the coherence of those policies with a view to attaining the objectives of this Agreement.

Without prejudice to Article 96, where the Community intends, in the exercise of its powers, to take a measure which might affect the interests of the ACP States, as far as this Agreement's objectives are concerned, it shall inform in good time the ACP Group of its intentions. To this end, the Commission shall regularly inform the Secretariat of the ACP Group of planned proposals and communicate simultaneously its proposal for such measures. Where necessary, a request for information may also take place on the initiative of the ACP States.

At their request, consultations shall be held promptly so that account may be taken of their concerns as to the impact of those measures before any final decision is made.

After such consultations have taken place, the ACP States and the ACP Group may, in addition, transmit their concerns in writing to the Community as soon as possible and submit suggestions for amendments indicating the way their concerns should be met.

If the Community does not accede to the ACP States' submissions, it shall advise them as soon as possible giving its reasons.

The ACP Group shall also be provided with adequate information on the entry into force of such decisions, in advance whenever possible."

10. Člen 14 se nadomesti z naslednjim:

"Člen 14

Skupne institucije

1. Skupne institucije tega sporazuma so Svet ministrov, Odbor veleposlanikov in Skupna parlamentarna skupščina.

2. Skupne institucije in institucije, ki so ustanovljene v skladu s sporazumi o gospodarskem partnerstvu, si brez poseganja v zadevne določbe veljavnih ali prihodnjih sporazumov o gospodarskem partnerstvu prizadevajo za zagotavljanje usklajevanja, skladnosti in dopolnjevanja ter tudi za učinkovit in vzajemni pretok informacij."

11. Doda se naslednji člen:

"Člen 14a

Srečanja voditeljev držav ali vlad

Pogodbenice se v ustrezni obliki sestajajo na ravni voditeljev držav ali vlad na podlagi skupnega dogovora v ustrezni obliki."

12. Člen 15 se spremeni:

(a) v odstavku 1 se tretji pododstavek nadomesti z naslednjim:

"Svet ministrov se praviloma sestane enkrat letno na predsednikovo pobudo in kadar koli se zdi potrebno, v obliki in geografski sestavi, ki sta primerni za zadevna vprašanja. Na takšnih srečanjih potekajo posvetovanja na visoki ravni o vprašanjih, ki posebej zadevajo pogodbenice, s čimer se dopolnjuje delo, ki se izvaja v Skupnem trgovinskem odboru ministrov, kot je določeno v členu 38, in v Odboru držav AKP in ES za sodelovanje pri financiranju razvoja, kot je določeno v členu 83, kar prispeva k rednim letnim srečanjem Sveta ministrov;"

(b) v odstavku 3 se drugi pododstavek nadomesti z naslednjim:

"Med rednimi letnimi srečanji ali s pisnim postopkom lahko sprejema odločitve, ki so zavezujoče za pogodbenice in oblikuje resolucije, priporočila in mnenja. Svet ministrov letno poroča Skupni parlamentarni skupščini o izvajanju sporazuma. Preučuje in presoja resolucije in priporočila, ki jih sprejme Skupna parlamentarna skupščina."

13. Člen 17 se spremeni:

(a) Odstavek 2 se spremeni:

(i) tretja in četrta alineja se nadomestita z naslednjim:

"– razpravljati o vprašanjih v zvezi z razvojem in partnerstvom med AKP in EU, vključno s sporazumi o gospodarskem partnerstvu, drugimi trgovinskimi dogovori, Evropskim razvojnim skladom ter državnimi in regionalnimi strateškimi dokumenti. V ta namen Komisija predloži takšne strateške dokumente v vednost Skupni parlamentarni skupščini,

– razpravljati o letnem poročilu Sveta ministrov o izvajanju tega sporazuma ter sprejemati resolucije in dajati priporočila Svetu ministrov zaradi doseganja ciljev tega sporazuma;"

(ii) doda se naslednja alineja:

"– prizadevati si za institucionalni razvoj in usposabljanje nacionalnih parlamentov v skladu s členom 33(1) tega sporazuma;"

(b) odstavek 3 se nadomesti z naslednjim

"3. Skupna parlamentarna skupščina se sestane dvakrat letno na plenarnem zasedanju, izmenično v Evropski uniji in eni od držav AKP. Zaradi krepitve regionalnega povezovanja in podpore sodelovanju med nacionalnimi parlamenti se srečanja med člani parlamentov EU in AKP organizirajo na regionalni ravni.

Takšna srečanja na regionalni ravni se bodo organizirala v skladu s cilji iz člena 14(2) tega sporazuma."

10. Article 14 is replaced by the following:

"Article 14

The joint institutions

1. The joint institutions of this Agreement are the Council of Ministers, the Committee of Ambassadors and the Joint Parliamentary Assembly.

2. The joint institutions and the institutions set up under the Economic Partnership Agreements, without prejudice to the relevant provisions of existing or future Economic Partnership Agreements, shall endeavour to ensure coordination, coherence and complementarity, as well as an effective and reciprocal flow of information."

11. The following Article is inserted:

"Article 14a

Meetings of Heads of State or Government

The Parties shall meet at the level of Heads of State or Government, upon joint agreement, in an appropriate format."

12. Article 15 is amended as follows:

(a) in paragraph 1, the third subparagraph is replaced by the following:

"The Council of Ministers shall meet as a rule once a year on the initiative of the President and whenever it seems necessary, in a form and a geographical composition appropriate to the issues to be addressed. Such meetings will provide for high-level consultations on matters which are of specific concern to the Parties, complementing the work that is being done in the Joint Ministerial Trade Committee, as set out in Article 38, and in the ACP-EC Development Finance Cooperation Committee, as set out in Article 83, which feed into the annual regular Council of Ministers meetings;"

(b) in paragraph 3, the second subparagraph is replaced by the following:

"It may take decisions that are binding on the Parties and frame resolutions, recommendations and opinions, during the annual regular meeting, or by written procedure. It shall report annually to the Joint Parliamentary Assembly on the implementation of this Agreement. It shall examine and take into consideration resolutions and recommendations adopted by the Joint Parliamentary Assembly."

13. Article 17 is amended as follows:

(a) paragraph 2 is amended as follows:

(i) the third and fourth indents are replaced by the following:

"– discuss issues pertaining to development and the ACP-EU Partnership, including the Economic Partnership Agreements, other trading arrangements, the European Development Fund and Country and Regional Strategy Papers. To this end, the Commission shall transmit such Strategy Papers for information to the Joint Parliamentary Assembly;

– discuss the annual report of the Council of Ministers on the implementation of this Agreement, and adopt resolutions and make recommendations to the Council of Ministers with a view to achieving the objectives of this Agreement;"

(ii) the following indent is added:

"– advocate for institutional development and capacity building of national parliaments in accordance with Article 33(1) of this Agreement;"

(b) paragraph 3 is replaced by the following:

"3. The Joint Parliamentary Assembly shall meet twice a year in plenary session, alternately in the European Union and in an ACP State. With a view to strengthening regional integration and fostering cooperation between national parliaments meetings between EU and ACP members of parliament shall be arranged at regional level.

Such meetings at regional level will be organised in pursuance of the objectives laid down in Article 14(2) of this Agreement."

14. Člen 19(2) se nadomesti z naslednjim:

"2. Sodelovanje se nanaša na sklepe konferenc Združenih narodov ter na cilje in delovne programe, dogovorjene na mednarodni ravni, in na spremljanje njihovega izvajanja kot na temelj razvojnih načel. Sodelovanje se nanaša tudi na mednarodne cilje razvojnega sodelovanja ter posveča posebno pozornost uvedbi kakovostnih in količinskih pokazateljev napredka. Pogodbenice si bodo skupaj prizadevale za pospeševanje napredka pri doseganju razvojnih ciljev novega tisočletja."

15. Člen 20 se spremeni:

(a) odstavek 1 se spremeni:

(i) uvodno besedilo se nadomesti z naslednjim:

"1. Cilji razvojnega sodelovanja AKP-ES se zasledujejo prek celovitih strategij, ki obsegajo gospodarske, socialne, kulturne, okoljske in institucionalne elemente, glede katerih mora biti zagotovljeno lokalno lastništvo. Sodelovanje tako ustvarja enotni okvir omogočanja podpore lastnim razvojnim strategijam AKP, ki zagotavlja dopolnjevanje in medsebojno vplivanje med različnimi elementi, zlasti na nacionalnih in regionalnih ravneh ter med njimi. V tem smislu in v okviru razvojnih politik in reform v državah AKP je namen strategij sodelovanja AKP in ES na nacionalni in, kadar je to ustrezno, na regionalnih ravneh:"

(ii) točka (a) se nadomesti z naslednjim:

"(a) doseganje hitre in trajnostne gospodarske rasti, ki ustvarja delovna mesta, razvijanje zasebnega sektorja, povečevanje zaposlovanja ter izboljšanje dostopa do proizvodnih gospodarskih dejavnosti in virov;"

(iii) doda se naslednja točka:

"(aa) pospeševanje regionalnega sodelovanja in poveževanja;"

(b) odstavek 2 se nadomesti z naslednjim:

"2. Pri vključevanju v vsa področja sodelovanja se sistematično upoštevajo naslednja tematska ali horizontalna vprašanja: človekove pravice, vprašanja spola, demokracija, odgovorno vodenje, okoljska trajnost, podnebne spremembe, nalezljive in nenalezljive bolezni ter institucionalni razvoj in usposabljanje. Ta področja so tudi upravičena do podpore Skupnosti."

16. Člen 21 se spremeni:

(a) v uvodnem delu odstavka 1 se besedi "zasebno investiranje" nadomesti z "investiranje";

(b) v odstavku 3, točka (c), se besedi "s povečevanjem" nadomesti s "s poveževanjem";

(c) odstavek 5 se nadomesti z naslednjim:

"5. Podpora investiranju in razvoju zasebnega sektorja povezuje ukrepe in pobude na makro-, mezo- in mikro gospodarski ravni ter spodbuja iskanje inovativnih finančnih mehanizmov, vključno z mešanjem zasebnih in javnih virov financiranja razvojne pomoči ter vplivanjem nanje;"

(d) doda se naslednji odstavek:

"6. Sodelovanje podpira investicije javnega sektorja v temeljno infrastrukturo, katerih cilj je razvoj zasebnega sektorja, gospodarska rast in izkoreninjenje revščine."

17. V členu 22(1), točka (b), se uvodno besedilo nadomesti z naslednjim:

"(b) strukturnih politik, oblikovanih za krepitev vloge različnih nosilcev, zlasti zasebnega sektorja, in izboljšanja okolja za povečano sprostitev domačih virov ter rast poslovanja, investiranja in zaposlovanja, pa tudi:"

18. Člen 23 se nadomesti z naslednjim:

"Člen 23

Razvoj gospodarskega sektorja

Sodelovanje podpira trajnostno politiko in institucionalne reforme ter investicije, potrebne za pravičen dostop do gospodarskih dejavnosti in proizvodnih virov, zlasti:

14. Article 19(2) is replaced by the following:

"2. Cooperation shall refer to the conclusions of United Nations Conferences and to the objectives, targets and action programmes agreed at international level and to their follow-up as a basis for development principles. Cooperation shall also refer to the international development cooperation targets and shall pay particular attention to putting in place qualitative and quantitative indicators of progress. The Parties will make concerted efforts to accelerate progress towards the attainment of the Millennium Development Goals."

15. Article 20 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) the introductory wording is replaced by the following:

"1. The objectives of ACP-EC development cooperation shall be pursued through integrated strategies that incorporate economic, social, cultural, environmental and institutional elements that must be locally owned. Cooperation shall thus provide a coherent enabling framework of support to the ACP's own development strategies, ensuring complementarity and interaction between the various elements, in particular at, and between, the national and regional levels. In this context and within the framework of development policies and reforms pursued by the ACP States, ACP-EC cooperation strategies at national and, where appropriate, at regional levels shall aim at:"

(ii) point (a) is replaced by the following:

"(a) achieving rapid and sustained job-creating economic growth, developing the private sector, increasing employment, and improving access to productive economic activities and resources;"

(iii) the following point is inserted:

"(aa) fostering regional cooperation and integration;"

(b) paragraph 2 is replaced by the following:

"2. Systematic account shall be taken in mainstreaming into all areas of cooperation the following thematic or cross-cutting themes: human rights, gender issues, democracy, good governance, environmental sustainability, climate change, communicable and non-communicable diseases and institutional development and capacity building. These areas shall also be eligible for Community support."

16. Article 21 is amended as follows:

(a) in the introductory part of paragraph 1, the words "private investment" are replaced by "investment";

(b) in paragraph 3, point (c), the words "enhancement of" are replaced by "enhancing";

(c) paragraph 5 is replaced by the following:

"5. Support for investment and private sector development shall integrate actions and initiatives at macro, meso and micro economic levels and promote the search for innovative financing mechanisms, including the blending and leveraging of private and public sources for development funding;"

(d) the following paragraph is added:

"6. Cooperation shall support investments in basic infrastructure by the public sector aimed at private sector development, economic growth and poverty eradication."

17. In Article 22(1), point (b), the introductory wording is replaced by the following:

"(b) structural policies designed to reinforce the role of the different actors, especially the private sector, and improve the environment for enhanced domestic resource mobilisation and increases in business, investment and employment, as well as:"

18. Article 23 is replaced by the following:

"Article 23

Economic sector development

Cooperation shall support sustainable policy and institutional reforms and the investments necessary for equitable access to economic activities and productive resources, particularly:

(a) razvoj sistemov usposabljanja, ki prispevajo k večji produktivnosti v formalnem in neformalnem sektorju;

(b) kapital, posojila, zemljišča, zlasti lastninske pravice in pravice uporabe;

(c) razvoj podeželskih strategij s ciljem vzpostavitve okvira za decentralizirano načrtovanje, dodeljevanje virov in upravljanje po načelu soudeležbe;

(d) razvoj strategij z namenom okrepitve kmetijske proizvodnje in produktivnosti v državah AKP z zagotavljanjem zlasti nujnega financiranja za kmetijske raziskave, kmetijske dejavnike in storitve, podpirne podeželske infrastrukture ter zmanjšanja in upravljanja tveganja. Podpora vključuje javne in zasebne investicije v kmetijstvo, spodbujanje razvoja kmetijskih politik in strategij, krepitev organizacij kmetov in organizacij v zasebnem sektorju, upravljanje naravnih virov ter razvoj in delovanje kmetijskih trgov. Strategije kmetijske proizvodnje krepijo nacionalne in regionalne politike zanesljivosti oskrbe s hrano ter regionalno povezovanje; V zvezi s tem sodelovanje podpira prizadevanja AKP za okrepitev konkurenčnosti njihovega izvoza blaga in prilagoditev njihovih strategij v zvezi z izvozom blaga glede na spreminjajoče se pogoje trgovanja;

(e) trajnostni razvoj vodnih virov, ki temelji na načelih integriranega upravljanja vodnih virov, z zagotavljanjem pravične in trajnostne porazdelitve skupnih vodnih virov glede na različno uporabo;

(f) trajnostni razvoj ribogojstva in ribolova, ki vključuje ribolov v celinskih vodah in morske vire v izključnih ekonomskih conah držav AKP;

(g) gospodarsko in tehnološko infrastrukturo in storitve, vključno s prevozom, telekomunikacijskimi sistemi, komunikacijskimi storitvami in razvojem informacijske družbe;

(h) razvoj konkurenčnih industrijskih, rudarskih in energetskih sektorjev ob spodbujanju vključevanja in razvijanja zasebnega sektorja;

(i) razvoj trgovine, vključno s spodbujanjem poštenega trgovanja;

(j) razvoj podjetništva, finančnega in bančnega sektorja; ter drugih storitvenih sektorjev;

(k) razvoj turizma;

(l) razvoj znanstvene, tehnološke in raziskovalne infrastrukture in storitev; vključno s izboljšanjem, prenosom in prevzemom novih tehnologij;

(m) krepitev zmogljivosti na proizvodnih področjih, zlasti v javnem in zasebnem sektorju;

(n) spodbujanje tradicionalnih znanj; in

(o) razvoj in izvajanje posebnih strategij prilagajanja za obravnavo vpliva odpravljanja preferencialov, po možnosti z vključitvijo dejavnosti, navedenih v točkah (a) do (n) zgoraj."

19. Vstavi se naslednji člen:

"Člen 23a

Ribištvo

Ker se priznava ključna vloga ribolova in ribogojstva v državah AKP zaradi njunega pozitivnega prispevka k ustvarjanju delovnih mest, ustvarjanju prihodka, zanesljivosti oskrbe s hrano ter preživetju podeželskih in obalnih skupnosti ter s tem k zmanjšanju revščine, je cilj sodelovanja nadaljnji razvoj sektorjev ribogojstva in ribolova v državah AKP, da se trajnostno povečajo s tem povezane socialne in gospodarske koristi.

(a) the development of training systems that help increase productivity in both the formal and the informal sectors;

(b) capital, credit, land, especially as regards property rights and use;

(c) development of rural strategies aimed at establishing a framework for participatory decentralised planning, resource allocation and management;

(d) the development of strategies with a view to enhancing agricultural production and productivity in ACP States by providing, in particular, the necessary financing for agricultural research, agricultural inputs and services, supportive rural infrastructure, and risk reduction and management. Support shall include public and private investments in agriculture, encouragement to develop agricultural policies and strategies, strengthening of farmer and private sector organisations, management of natural resources, and development and functioning of agricultural markets. The agricultural production strategies shall reinforce national and regional food-security policies and regional integration. In this context, cooperation shall support ACP efforts to enhance the competitiveness of their commodity exports and to adapt their commodity export strategies in the light of evolving trade conditions;

(e) sustainable development of water resources, based on integrated water resources management principles, ensuring equitable and sustainable distribution of shared water resources between their different uses;

(f) sustainable development of aquaculture and fisheries which include both inland fisheries and marine resources within the economic exclusive zones of the ACP States;

(g) economic and technological infrastructure and services, including transport, telecommunication systems, communication services and the development of information society;

(h) development of competitive industrial, mining and energy sectors, while encouraging private sector involvement and development;

(i) trade development, including the promotion of fair trade;

(j) development of business, finance and banking; and other service sectors;

(k) tourism development;

(l) development of scientific, technological and research infrastructure and services; including the enhancement, transfer and absorption of new technologies;

(m) the strengthening of capacities in productive areas, especially in public and private sectors;

(n) the promotion of traditional knowledge; and

(o) development and implementation of specific adaptation strategies addressing the impact of preference erosion, possibly including activities mentioned in points (a) to (n) above."

19. The following Article is inserted:

"Article 23a

Fisheries

Recognising the key role that fisheries and aquaculture play in ACP countries through their positive contribution to employment creation, revenue generation, food security, and livelihoods of rural and coastal communities, and hence to poverty reduction, cooperation shall aim at further developing the aquaculture and fisheries sectors of ACP countries in order to increase the associated social and economic benefits in a sustainable manner.

Programi in dejavnosti sodelovanja med drugim podpirajo razvoj in izvajanje strategij trajnostnega razvoja ribogojstva in ribolova ter načrtov upravljanja v državah in regijah AKP; vključevanje ribogojstva in ribolova v nacionalne in regionalne razvojne strategije; razvoj infrastrukture ter tehničnega znanja in izkušenj, ki so potrebni, da se državam AKP omogoči ustvarjanje največje trajne vrednosti ribolova in ribogojstva; usposabljanje držav AKP za premagovanje zunanjih izzivov, zaradi česar ne morejo v celoti izkoristiti svojih ribolovnih virov; ter spodbujanje in razvoj skupnega vlaganja v sektorje ribolova in ribogojstva držav AKP. Vsak sporazum o ribolovu, o katerem lahko potekajo pogajanja med Skupnostjo in državami AKP, ustrezno upošteva skladnost z razvojnimi strategijami na tem območju.

Na podlagi skupnega dogovora se lahko opravijo posvetovanja na visoki ravni, tudi na ministrski ravni, z namenom razvoja, izboljšanja in/ali krepitev razvojnega sodelovanja AKP-EU na področju trajnostnega ribogojstva in ribolova."

20. V členu 25(1) se točki (a) in (b) nadomesti z naslednjim:

"(a) izboljšanje izobraževanja in usposabljanja na vseh ravneh s prizadevanjem za priznavanje kvalifikacij visokošolskega izobraževanja, vzpostavitev sistemov zagotavljanja kakovosti izobraževanja, vključno z izobraževanjem in usposabljanjem prek interneta ali na druge neobičajne načine, ter vzpostavitev tehničnih zmogljivosti in sposobnosti;

(b) izboljšanje zdravstvenih sistemov, zlasti pravičnega dostopa do celovitih in kakovostnih zdravstvenih storitev, in prehrane, odpravljanje lakote in nedohranjenosti, zagotavljanje primerne in zanesljive oskrbe s hrano, vključno s podporo varnostnim mrežam;".

21. Člen 27 se spremeni:

(a) naslov se nadomesti z naslednjim:

"Kultura in razvoj";

(b) točka (c) se nadomesti z naslednjim:

"priznavanje, ohranjanje in spodbujanje vrednosti kulturne dediščine; podpiranje razvoja zmogljivosti v tem sektorju;";

(c) dodata se naslednji točki:

"(e) priznavanje in podpiranje vloge kulturnih nosilcev in kulturnih omrežij ter njihovega prispevka k trajnostnemu razvoju; in

(f) spodbujanje kulturne razsežnosti v izobraževanju in sodelovanje mladine v kulturnih dejavnostih."

22. Členi 28, 29 in 30 se nadomestijo z naslednjim:

"Člen 28

Splošni pristop

1. Sodelovanje med AKP in EU učinkovito pomaga pri doseganju ciljev in prednostnih nalog, ki so si jih države AKP zastavile v okviru regionalnega sodelovanja in povezovanja.

2. V skladu s splošnimi cilji iz členov 1 in 20 je cilj sodelovanja med AKP in EU:

(a) spodbujanje miru in stabilnosti ter preprečevanje in reševanje konfliktov;

(b) povečanje gospodarskega razvoja in gospodarskega sodelovanja z oblikovanjem večjih trgov, prostega pretoka oseb, blaga, storitev, kapitala, delovne sile in tehnologije med državami AKP, pospeševanje diverzifikacije gospodarstev držav AKP, pospeševanje in širjenje trgovine med državami AKP in tretjimi državami ter postopno vključevanje držav AKP v svetovno gospodarstvo;

(c) spodbujanje upravljanja izzivov trajnostnega razvoja z nadnacionalno razsežnostjo, med drugim s koordinacijo in usklajevanjem politik regionalnega sodelovanja.

Cooperation programmes and activities shall support, inter alia, the development and implementation of sustainable aquaculture and fisheries development strategies and management plans in ACP countries and regions; the mainstreaming of aquaculture and fisheries into national and regional development strategies; the development of the infrastructure and technical know-how necessary to enable ACP countries to yield maximum sustainable value from their fisheries and aquaculture; capacity building of ACP countries to overcome external challenges that hinder them from taking full advantage of their fisheries resources; and the promotion and development of joint ventures for investment in the fisheries and aquaculture sectors of ACP countries. Any fishery agreement that may be negotiated between the Community and the ACP States shall give due consideration to consistency with the development strategies in this area.

High-level consultations, including at ministerial level, may be held upon joint agreement with a view to developing, improving and/or strengthening ACP-EU development cooperation in sustainable aquaculture and fisheries."

20. In Article 25(1), points (a) and (b) are replaced by the following:

"(a) improving education and training at all levels, working towards recognition of tertiary education qualifications, establishment of quality assurance systems for education, including education and training delivered on-line or through other non-conventional means, and building technical capacity and skills;

(b) improving health systems, in particular equitable access to comprehensive and quality health care services, and nutrition, eliminating hunger and malnutrition and ensuring adequate food supply and security, including through supporting safety nets;".

21. Article 27 is amended as follows:

(a) the title is replaced by the following:

"Culture and development";

(b) point (c) is replaced by the following:

"(c) recognising, preserving and promoting the value of cultural heritage; supporting the development of capacity in this sector;";

(c) the following points are added:

"(e) recognising and supporting the role of cultural actors and cultural networks, and their contribution to sustainable development; and

(f) promoting the cultural dimension in education and the participation of youth in cultural activities."

22. Articles 28, 29 and 30 are replaced by the following:

"Article 28

General approach

1. ACP-EU cooperation shall provide effective assistance to achieve the objectives and priorities which the ACP States have set themselves in the context of regional cooperation and integration.

2. In conformity with the general objectives set out in Articles 1 and 20, ACP-EU cooperation shall aim to:

(a) promote peace and stability, as well as conflict prevention and resolution;

(b) enhance economic development and economic cooperation through the build-up of larger markets, the free movement of persons, goods, services, capital, labour and technology among ACP countries, the accelerated diversification of the economies of the ACP States, the promotion and expansion of trade among ACP countries and with third countries and the gradual integration of the ACP States into the world economy;

(c) promote the management of sustainable development challenges with a transnational dimension through, inter alia, coordination and harmonisation of regional cooperation policies.

3. Pod pogoji iz člena 58 sodelovanje podpira tudi medregionalno sodelovanje in sodelovanje znotraj AKP, ki vključuje:

- (a) eno ali več regionalnih organizacij AKP, tudi na celinski ravni;
- (b) evropske čezmorske države in ozemlja (ČDO) ter najbolj oddaljene regije;
- (c) države v razvoju, ki niso države AKP.

Člen 29

Sodelovanje med AKP in EU v podporo regionalnemu sodelovanju in povezovanju

1. Na področju stabilnosti, miru in preprečevanja konfliktov, sodelovanje podpira:

(a) spodbujanje in razvoj regionalnega političnega dialoga na področjih preprečevanja in reševanja konfliktov; človekovih pravic in demokratizacije; izmenjave, vzpostavljanja omrežij in spodbujanja mobilnosti med različnimi nosilci razvoja, zlasti v civilni družbi;

(b) spodbujanje regionalnih pobud in politik o vprašanih, povezanih z varnostjo, vključno z nadzorom nad oborožitvijo ter bojem proti drogam, organiziranemu kriminalu, pranju denarja, podkupovanju in korupciji.

2. Na področju regionalnega gospodarskega povezovanja sodelovanje podpira:

(a) sodelovanje najmanj razvitih držav AKP pri vzpostavljanju regionalnih trgov in uporabi njihovega deleža;

(b) izvajanje sektorskih gospodarskih reformnih politik na regionalni ravni;

(c) liberalizacijo trgovine in plačil;

(d) spodbujanje čezmejnih tujih in domačih investicij ter drugih pobud v zvezi regionalnim gospodarskim povezovanjem;

(e) ublažitev učinkov neto prehodnih stroškov regionalnega povezovanja na proračunski prihodek in plačilno bilanco; in

(f) infrastrukturo, zlasti prevoz in komunikacije ter njihovo varnost in storitve, vključno z razvojem regionalnih možnosti na področju informacijskih in komunikacijskih tehnologij.

3. Na področju regionalnih politik za trajnostni razvoj sodelovanje podpira prednostne naloge razvoja regij AKP, zlasti:

(a) okolje in trajnostno upravljanje naravnih virov, vključno z vodnimi viri in energijo, ter obravnavanje podnebni sprememb;

(b) zanesljivost oskrbe s hrano in kmetijstvo;

(c) zdravje, izobraževanje in usposabljanje;

(d) raziskovalni in tehnološki razvoj; in

(e) regionalne pobude za pripravljenost na naravne nesreče in zmanjševanje njihove škode ter tudi obnovo po nesrečah."

Člen 30

Usposabljanje v podporo regionalnemu sodelovanju in povezovanju AKP

Z namenom uresničevanja uspešnosti in učinkovitosti regionalnih politik se s sodelovanjem razvijajo in krepijo zmogljivosti:

(a) institucij in organizacij regionalnega povezovanja, ki jih ustanovijo države AKP, ter institucij in organizacij, v katerih države AKP sodelujejo in ki spodbujajo regionalno sodelovanje in povezovanje;

(b) nacionalnih vlad in parlamentov na področju regionalnega povezovanja; in

(c) nedržavnih nosilcev, vključno z zasebnim sektorjem."

3. Under the conditions set out in Article 58, cooperation shall also support inter-regional and intra-ACP cooperation such as that involving:

(a) one or several ACP regional organisations, including at continental level;

(b) European Overseas Countries and Territories (OCTs) and outermost regions;

(c) non-ACP developing countries.

Article 29

ACP-EU cooperation in support of regional cooperation and integration

1. In the area of stability, peace and conflict prevention, cooperation shall support:

(a) the promotion and development of a regional political dialogue in areas of conflict prevention and resolution; human rights and democratisation; exchange, networking, and promotion of mobility between the different actors of development, in particular in civil society;

(b) the promotion of regional initiatives and policies on security-related issues, including arms control, action against drugs, organised crimes, money laundering, bribery and corruption.

2. In the area of regional economic integration, cooperation shall support:

(a) the participation of Least Developed Countries (LDC) ACP States in the establishment of regional markets and sharing the benefits therefrom;

(b) the implementation of sectoral economic reform policies at regional level;

(c) the liberalisation of trade and payments;

(d) the promotion of cross-border investments both foreign and domestic, and other regional economic integration initiatives;

(e) the mitigation of the effects of net transitional costs of regional integration on budget revenue and balance of payments; and

(f) infrastructure, particularly transport and communications and safety thereof, and services, including the development of regional opportunities in the area of Information and Communication Technologies (ICT).

3. In the area of regional policies for sustainable development, cooperation shall support the priorities of ACP regions and, in particular:

(a) the environment and the sustainable management of natural resources, including water and energy, and addressing climate change;

(b) food security and agriculture;

(c) health, education and training;

(d) research and technological development; and

(e) regional initiatives for disaster preparedness and mitigation as well as post-disaster reconstruction.

Article 30

Capacity building in support of ACP regional cooperation and integration

With a view to realising the effectiveness and efficiency of regional policies, cooperation shall develop and strengthen the capacities of:

(a) regional integration institutions and organisations set up by the ACP States and those with ACP State participation that promote regional cooperation and integration;

(b) national governments and parliaments in matters of regional integration; and

(c) non-State actors, including the private sector."

23. Doda se naslednji člen:

"Člen 31a

HIV/AIDS

V okviru sodelovanja se podpirajo prizadevanja držav AKP za razvoj in krepitev vseh področnih politik ter programov za obravnavanje pandemije HIV/AIDS in preprečevanje, da bi ta ovirala razvoj. Prav tako se podpirajo države AKP pri izboljševanju in ohranjanju splošnega dostopa do preprečevanja, zdravljenja, nege in podpore pri HIV/AIDS, pri čemer je cilj sodelovanja zlasti:

(a) podpora razvoju in izvajanju celostnih večsektorskih strategij in načrtov za HIV/AIDS kot prednostna naloga v nacionalnih in regionalnih razvojnih načrtih;

(b) vključevanje vseh ustreznih sektorjev razvoja v nacionalne odzive na HIV/AIDS in zagotavljanje široke mobilizacije interesnih skupin na vseh ravneh;

(c) krepitev nacionalnih zdravstvenih sistemov in obravnavanje pomanjkanja človeških virov na področju zdravstva kot podlage za zagotavljanje splošnega dostopa do in učinkovitega povezovanja preprečevanja, zdravljenja in nege pri HIV/AIDS ter drugih zdravstvenih storitev;

(d) obravnavanje neenakosti spolov, spolnega nasilja in zlorab kot dejavnikov za pandemijo HIV/AIDS ter krepitev prizadevanj za zaščito pravic žensk in deklic, razvoj učinkovitih programov HIV/AIDS, ki upoštevajo razliko med spoloma, ter storitev za ženske in deklice, vključno s storitvami, povezanimi s spolnim in reproduktivnim zdravjem in pravicami, ter podporo polnemu vključevanju žensk v načrtovanje in odločanje o strategijah in programih, povezanih s HIV/AIDS;

(e) razvoj podpornih pravnih in političnih okvirov ter odpravljanje kaznovanih zakonov, politik, praks, stigme in diskriminacije, ki ogrožajo človekove pravice, povečujejo ranljivost za HIV/AIDS in ovirajo dostop do učinkovitega preprečevanja, zdravljenja, nege in podpore pri HIV/AIDS, vključno z zdravili, izdelki in storitvami za ljudi, ki živijo s HIV/AIDS, in najbolj ogrožene prebivalce;

(f) izboljšanje dostopa do z dokazi podprtega celovitega preprečevanja HIV/AIDS, ki obravnava lokalne dejavnike epidemije ter posebne potrebe žensk, mladine in najbolj ogroženih prebivalcev; in

(g) zagotavljanje splošnega in zanesljivega dostopa do varnih, visokokakovostnih in cenovno dostopnih zdravil ter do zdravstvenih izdelkov, vključno z izdelki na področju spolnega in reproduktivnega zdravja."

24. Doda se naslednji člen:

"Člen 32a

Podnebne spremembe

Pogodbenice priznavajo, da so podnebne spremembe resen svetovni okoljski izziv in ogrožajo doseganje razvojnih ciljev novega tisočletja, zaradi česar je potrebna ustrežna, predvidljiva in pravočasna finančna podpora. Sodelovanje iz teh razlogov ter v skladu z določbami člena 32 in zlasti točke (a) odstavka 2 navedenega člena:

(a) priznava ranljivost držav AKP ter zlasti majhnih otokov in nizkoležečih držav AKP zaradi pojavov, povezanih s podnebjem, kot so obalna erozija, cikloni, poplave in razseljenost zaradi okoljskih dejavnikov, ter zlasti ranljivost najmanj razvitih in kopenskih držav AKP zaradi vse pogostejših poplav, suše, krčenja gozdov in širjenja puščav;

(b) krepi in podpira politike in programe za prilagoditev posledicam in grožnji zaradi podnebnih sprememb ter za njihovo ublažitev, tudi prek institucionalnega razvoja in usposabljanja;

(c) povečuje zmogljivost držav AKP na področju razvoja svetovnega trga ogljika in udeležbe na njem; ter

(d) se osredotoča na naslednje dejavnosti:

(i) vključevanje podnebnih sprememb v razvojne strategije in prizadevanja za zmanjšanje revščine;

23. The following Article is inserted:

"Article 31a

HIV/AIDS

Cooperation shall support the efforts of ACP States to develop and strengthen across all sectors policies and programmes aimed at addressing the HIV/AIDS pandemic and preventing it from hampering development. It shall support ACP States in scaling up towards and sustaining universal access to HIV/AIDS prevention, treatment, care and support and shall in particular aim at:

(a) supporting the development and implementation of comprehensive multi-sectoral strategies and plans for HIV/AIDS as a priority in national and regional development plans;

(b) involving, in national responses to HIV/AIDS, all appropriate development sectors and ensuring a broad mobilisation of stakeholders at all levels;

(c) strengthening national health systems and addressing shortages in human resources for health as the basis for ensuring universal access to, and the effective integration of, HIV/AIDS prevention, treatment and care and other health services;

(d) addressing gender inequality, gender-based violence and abuse, as drivers of the HIV/AIDS pandemic and intensifying efforts to safeguard women's and girls' rights, develop effective gender sensitive HIV/AIDS programmes and services for women and girls, including those related to sexual and reproductive health and rights, and to support the full involvement of women in planning and decision making related to HIV/AIDS strategies and programmes;

(e) developing supportive legal and policy frameworks and removing punitive laws, policies, practices, stigma and discrimination that undermine human rights, increase vulnerability to HIV/AIDS and inhibit access to effective HIV/AIDS prevention, treatment, care and support, including medicines, commodities and services for people living with HIV/AIDS and for the populations most at risk;

(f) scaling up access to evidence-based, comprehensive HIV/AIDS prevention, which address the local drivers of the epidemic and the specific needs of women, young people and the populations most at risk; and

(g) ensuring universal and reliable access to safe, high-quality and affordable medicines, and to health commodities, including sexual and reproductive health commodities."

24. The following Article is inserted:

"Article 32a

Climate change

The Parties acknowledge that climate change is a serious global environmental challenge and a threat to the achievement of the Millennium Development Goals requiring adequate, predictable and timely financial support. For these reasons, and in accordance with the provisions of Article 32, and particularly of point (a) of paragraph 2 thereof, cooperation shall:

(a) recognise the vulnerability of ACP States and in particular of small islands and low-lying ACP States to climate-related phenomena such as coastal erosion, cyclones, flooding and environmentally induced displacements, and in particular of least developed and landlocked ACP States to increasing floods, drought, deforestation and desertification;

(b) strengthen and support policies and programmes to mitigate and adapt to the consequences of, and threat posed by, climate change including through institutional development and capacity building;

(c) enhance the capacity of ACP States in the development of, and the participation in, the global carbon market; and

(d) focus on the following activities:

(i) integrating climate change into development strategies and poverty reduction efforts;

(ii) dviga političnega pomena podnebnih sprememb na področju razvojnega sodelovanja, vključno preko ustreznega političnega dialoga;

(iii) pomoč državam AKP pri prilagajanju podnebnim spremembam v ustreznih sektorjih, kot so kmetijstvo, gospodarjenje z vodami in infrastruktura, vključno s prenosom in sprejetjem ustreznih ter okolju prijaznih tehnologij;

(iv) spodbujanje zmanjševanja tveganja nesreč, kar odraža, da je vedno večji delež nesreč povezanih s podnebnimi spremembami;

(v) zagotavljanje finančne in tehnične podpore za ukrepe ublažitve držav AKP v skladu z njihovimi cilji v zvezi z zmanjšanjem revščine in trajnostnim razvojem, vključno z zmanjšanjem emisij, ki nastajajo zaradi krčenja in degradacije gozdov, in zmanjšanjem emisij v kmetijskem sektorju;

(vi) izboljšanje obveščanja in napovedovanja o vremenu in podnebnju ter sistemov zgodnjega opozarjanja; in

(vii) spodbujanje obnovljivih virov energije in tehnologij z nižjimi emisijami ogljika, ki krepijo trajnostni razvoj."

25. V členu 33(3), se točka (c) nadomesti z naslednjim:

"(c) izboljšanje in krepitev upravljanja javnih financ in fiskalnega upravljanja, da se v državah AKP razvijejo gospodarske dejavnosti in povečajo njihovi davčni prihodki, pri čemer se v celoti spoštuje suverenost držav AKP na tem področju.

Ukrepi lahko vključujejo:

(i) krepitev zmogljivosti za upravljanje z domačimi prihodki, vključno z oblikovanjem učinkovitih, uspešnih in trajnostnih davčnih sistemov;

(ii) spodbujanje sodelovanja v mednarodnih strukturah in postopkih davčnega sodelovanja, da se olajšata nadaljnji razvoj mednarodnih standardov in učinkovito usklajevanje z njimi;

(iii) podporo izvajanju mednarodnih najboljših praks v davčnih zadevah, vključno z načelom preglednosti in izmenjavo informacij, v državah AKP, ki so se tem praksam zavezale;"

28. Člen 34(2) do (4) se nadomesti z naslednjim:

"2. Končni cilj gospodarskega in trgovinskega sodelovanja je državam AKP omogočiti, da so lahko v celoti udeležene v mednarodni trgovini. V tem okviru je posebna pozornost namenjena potrebi držav AKP, da dejavno sodelujejo v večstranskih trgovinskih pogajanjih. Glede na trenutno raven razvoja držav AKP je gospodarsko in trgovinsko sodelovanje usmerjeno k temu, da se državam AKP omogoči obvladovanje izzivov globalizacije in njihova postopna prilagoditev novim pogojem mednarodne trgovine, s čimer se olajša njihov prehod v liberalizirano svetovno gospodarstvo. V zvezi s tem bi bilo treba posebno pozornost nameniti ranljivosti številnih držav AKP zaradi njihove odvisnosti od blaga ali nekaterih ključnih proizvodov, vključno s proizvodi živilskopredelovalne industrije z dodano vrednostjo, in tveganja odpravljanja preferencialov.

3. V ta namen je cilj gospodarskega in trgovinskega sodelovanja s pomočjo nacionalnih in regionalnih razvojnih strategij, kot so opredeljene v naslovu I, povečati proizvodne, dobavne in trgovinske zmogljivosti držav AKP, pa tudi njihovo sposobnost privabljanja investicij. Nadaljnji cilj je tudi oblikovati nove trgovinske dinamike med pogodbenicami, krepiti trgovinske in investicijske politike držav AKP, zmanjšati njihovo odvisnost od blaga, spodbujati večjo raznolikost gospodarstev ter izboljšati sposobnost držav AKP, da obvladujejo vsa vprašanja v zvezi s trgovino.

4. Gospodarsko in trgovinsko sodelovanje se, ob upoštevanju medsebojnih interesov in posameznih razvojnih stopenj pogodbenic, izvaja v popolni skladnosti z določbami Svetovne trgovinske organizacije (STO), vključno s posebnim in različnim obravnavanjem. Prav tako obravnava učinke odpravljanja preferencialov v popolni skladnosti z večstranskimi zavezami."

(ii) raising the political profile of climate change in development cooperation, including through appropriate policy dialogue;

(iii) assisting ACP states to adapt to climate change in relevant sectors such as agriculture, water management and infrastructure, including through transfer and adoption of relevant and environmentally sound technologies;

(iv) promoting disaster risk reduction, reflecting that an increasing proportion of disasters are related to climate change;

(v) providing financial and technical support for mitigation action of ACP states in line with their poverty reduction and sustainable development objectives, including reducing emissions from deforestation and forest degradation and reducing emissions in the agricultural sector;

(vi) improving weather and climate information and forecasting and early warning systems; and

(vii) promoting renewable energy sources, and low-carbon technologies that enhance sustainable development."

25. In Article 33(3), point (c) is replaced by the following:

"(c) improvement and strengthening of public finance and fiscal management with a view to developing economic activities in ACP countries and increasing their tax revenues, whilst fully respecting the sovereignty of the ACP States in this area.

Measures may include:

(i) enhancing capacities for domestic revenue management, including the building of effective, efficient and sustainable tax systems;

(ii) promoting the participation in international tax cooperation structures and processes with a view to facilitating the further development of and effective compliance with international standards;

(iii) supporting implementation of international best practices in tax matters, including the principle of transparency and exchange of information, in those ACP countries that have committed to them;"

26. Article 34(2) to (4) are replaced by the following:

"2. The ultimate objective of economic and trade cooperation is to enable the ACP States to play a full part in international trade. In this context, particular regard shall be had to the need for the ACP States to participate actively in multilateral trade negotiations. Given the current level of development of the ACP countries, economic and trade cooperation shall be directed at enabling the ACP States to manage the challenges of globalisation and to adapt progressively to new conditions of international trade thereby facilitating their transition to the liberalised global economy. In this context, close attention should be paid to many ACP countries' vulnerability resulting from their dependency on commodities or a few key products, including value-added agro-industry products, and the risk of preference erosion.

3. To this end, economic and trade cooperation shall aim, through national and regional development strategies as defined in Title I, at enhancing the production, supply and trading capacity of the ACP countries as well as their capacity to attract investment. It shall further aim at creating a new trading dynamic between the Parties, at strengthening the ACP countries' trade and investment policies, at reducing their dependency on commodities, at promoting more diversified economies and at improving the ACP countries' capacity to handle all issues related to trade.

4. Economic and trade cooperation shall be implemented in full conformity with the provisions of the World Trade Organisation (WTO), including special and differential treatment, taking account of the Parties' mutual interests and their respective levels of development. It shall also address the effects of preference erosion in full conformity with multilateral commitments."

27. Člen 35(1) in (2) se nadomesti z naslednjim:

"1. Gospodarsko in trgovinsko sodelovanje temelji na pristnem, okrepljenem in strateškem partnerstvu. Nadalje temelji na celovitem pristopu, zgrajenem na vztrajnosti in dosežkih prejšnjih sporazumov med AKP in ES.

2. Gospodarsko in trgovinsko sodelovanje se gradi na pobudah držav AKP za regionalno vključevanje. Sodelovanje v podporo regionalnemu sodelovanju in povezovanju, kot je opredeljeno v naslovu I, ter gospodarsko in trgovinsko sodelovanje se medsebojno krepijo. Gospodarsko in trgovinsko sodelovanje obravnava zlasti omejitve na strani ponudbe in povpraševanja, predvsem medsebojno povezanost infrastrukture, gospodarsko raznolikost in ukrepe trgovinskega razvoja kot načina za povečevanje konkurenčnosti držav AKP. Tako se v razvojnih strategijah držav in regij AKP zadosten pomen pripiše ustreznim ukrepom, ki jih Skupnost podpira, zlasti preko zagotavljanja pomoči za trgovino."

28. Člena 36 in 37 se nadomesti z naslednjim:

"Člen 36

Načini

1. Glede na zgornje cilje in načela se pogodbenice dogovorijo o sprejetju vseh potrebnih ukrepov za zagotovitev sklenitve novih sporazumov o gospodarskem partnerstvu, združljivih s STO, ki postopoma odstranjujejo ovire za njihovo medsebojno trgovino in povečujejo sodelovanje na vseh področjih, pomembnih za trgovino.

2. Cilj sporazumov o gospodarskem partnerstvu kot razvojnih instrumentov je spodbujati nemoteno in postopno vključevanje držav AKP v svetovno gospodarstvo, zlasti s polnim izkoriščanjem potenciala regionalnega povezovanja in trgovanja med državami na jugu.

3. Pogodbenice soglašajo, da se ti novi trgovinski dogovori uvedejo postopoma."

Člen 37

Postopki

1. Med pogajanjem o sporazumih o gospodarskem partnerstvu se v skladu z določbami naslova I in člena 35 zagotovi usposabljanje v javnih in zasebnih sektorjih držav AKP, vključno z ukrepi za povečanje konkurenčnosti, za krepitev regionalnih organizacij in podporo pobudam za regionalno trgovinsko povezovanje, po potrebi s pomočjo za proračunsko prilagajanje in fiskalno reformo, pa tudi za nadgrajevanje in razvoj infrastrukture ter spodbujanje investiranja.

2. Pogodbenice bodo redno pregledovale napredek pogajanj, kot je predvideno v členu 38.

3. Pogajanja o sporazumih o gospodarskem partnerstvu se bodo izvajala z državami AKP, ki menijo, da to lahko storijo, in sicer na ravni, ki se jim zdi primerna, in po postopkih, dogovorjenih v skupini AKP ter z namenom da bi se podprli regionalni procesi povezovanja znotraj AKP.

4. Cilj pogajanj o sporazumih o gospodarskem partnerstvu je zlasti vzpostavitev časovnega načrta za postopno odstranjevanje ovir za trgovanje med pogodbenicami v skladu z ustreznimi pravili STO. Na strani Skupnosti liberalizacija trgovine temelji na pravnem redu in ima za cilj izboljšanje trenutnega dostopa držav AKP do trga, med drugim s pregledom pravil o poreklu. Pri pogajanjih se upoštevajo stopnja razvoja in družbeno-gospodarski vpliv trgovinskih ukrepov na države AKP ter njihova zmožnost prilagajanja svojega gospodarstva procesu liberalizacije. Pogajanja bodo zato glede določanja dolžine zadostnega prehodnega obdobja, končnega seznama proizvodov ob upoštevanju občutljivih sektorjev in stopnje asimetrije v časovnem načrtu odpravljanja tarif čim bolj prožna, pri čemer ostajajo v okviru veljavnih pravil STO.

27. Article 35(1) and (2) are replaced by the following:

"1. Economic and trade cooperation shall be based on a true, strengthened and strategic partnership. It shall further be based on a comprehensive approach which builds on the strengths and achievements of the previous ACP-EC Conventions.

2. Economic and trade cooperation shall build on regional integration initiatives of ACP States. Cooperation in support of regional cooperation and integration as defined in Title I and economic and trade cooperation shall be mutually reinforcing. Economic and trade cooperation shall address, in particular, supply and demand side constraints, notably interconnectivity of infrastructure, economic diversification and trade development measures as a means of enhancing ACP States' competitiveness. Appropriate weight shall therefore be given to the corresponding measures in the ACP States' and regions' development strategies, which the Community shall support, in particular through the provision of aid for trade."

28. Articles 36 and 37 are replaced by the following:

"Article 36

Modalities

1. In view of the objectives and principles set out above, the Parties agree to take all the necessary measures to ensure the conclusion of new WTO-compatible Economic Partnership Agreements, removing progressively barriers to trade between them and enhancing cooperation in all areas relevant to trade.

2. The Economic Partnership Agreements, as development instruments, aim to foster smooth and gradual integration of the ACP States into the world economy, especially by making full use of the potential of regional integration and South-South trade.

3. The Parties agree that these new trading arrangements shall be introduced gradually.

Article 37

Procedures

1. During the negotiations of the Economic Partnership Agreements, capacity building shall be provided in accordance with the provisions of Title I and Article 35 to the public and private sectors of ACP countries, including measures to enhance competitiveness, for strengthening of regional organisations and for support to regional trade integration initiatives, where appropriate with assistance to budgetary adjustment and fiscal reform, as well as for infrastructure upgrading and development, and for investment promotion.

2. The Parties will regularly review the progress of negotiations as foreseen in Article 38.

3. Negotiations of the Economic Partnership Agreements will be pursued with ACP countries which consider themselves in a position to do so, at the level they consider appropriate and in accordance with the procedures agreed by the ACP Group and with a view to supporting regional integration processes within the ACP.

4. Negotiations of the Economic Partnership Agreements shall aim notably at establishing the timetable for the progressive removal of barriers to trade between the Parties, in accordance with the relevant WTO rules. On the Community side trade liberalisation shall build on the acquis and shall aim at improving current market access for the ACP countries through, inter alia, a review of the rules of origin. Negotiations shall take account of the level of development and the socio-economic impact of trade measures on ACP countries, and their capacity to adapt and adjust their economies to the liberalisation process. Negotiations will therefore be as flexible as possible in establishing the duration of a sufficient transitional period, the final product coverage, taking into account sensitive sectors, and the degree of asymmetry in terms of timetable for tariff dismantlement, while remaining in conformity with WTO rules then prevailing.

5. Z namenom obrazložitve in utemeljitve doseženih dogovorov pogodbenice v STO tesno sodelujejo, zlasti glede razpoložljive stopnje fleksibilnosti.

6. Pogodbenice nadalje razpravljajo o tem, kako poenostaviti in preučiti pravila o poreklu, vključno z določbami o kumulaciji, ki veljajo za njihov izvoz.

7. Ko države AKP sklenejo sporazum o gospodarskem partnerstvu, lahko države AKP, ki niso pogodbenice takšnega sporazuma, kadar koli zaprosijo za pristop.

8. V okviru sodelovanja med AKP in EU v podporo regionalnemu sodelovanju in povezovanju AKP, kot je določeno v naslovu I, ter v skladu s členom 35 pogodbenice namenijo posebno pozornost potrebam, ki izhajajo iz izvajanja sporazumov o gospodarskem partnerstvu. Uporabljajo se načela iz člena 1 Priloge IV k temu sporazumu. V ta namen se pogodbenice dogovorijo o uporabi obstoječih ali novih mehanizmov regionalnega financiranja, prek katerih bi se lahko usmerjala sredstva iz večletnega finančnega okvira sodelovanja in druga dodatna sredstva."

29. Doda se naslednji člen:

"Člen 37a

Drugi trgovinski dogovori

1. Glede na sedanje trende trgovinske politike, katerih cilj je večja liberalizacija trgovine, lahko EU in države AKP sodelujejo v pogajanjih in izvajanju sporazumov, ki prispevajo k nadaljnji večstranski in dvostranski liberalizaciji trgovine. Takšna liberalizacija lahko povzroči odpravljanje preferencialov, dodeljenih državam AKP, in vpliva na njihov konkurenčni položaj na trgu EU ter na njihova prizadevanja za razvoj, ki jih EU podpira.

2. V skladu s cilji gospodarskega in trgovinskega sodelovanja si EU prizadeva za izvajanje ukrepov za premostitev morebitnih negativnih učinkov liberalizacije, z namenom da se v večstranskem trgovinskem sistemu čim dlje ohrani znaten prednostni dostop za države AKP in se zagotovi čim daljše postopno uvajanje kakršnega koli neizogibnega zmanjšanja preferenciala."

30. Člen 38(2) se nadomesti z naslednjim:

"2. Skupni trgovinski odbor ministrov razpravlja o vseh vprašanjih, povezanih s trgovino, ki zadevajo vse države AKP, ter zlasti redno spremlja pogajanja o sporazumih o gospodarskem partnerstvu in njihovo izvajanje. Posebno pozornost nameni tekočim večstranskim trgovinskim pogajanjem ter preučuje vpliv pobud za širšo liberalizacijo na trgovanje med AKP in ES ter razvoj gospodarstev AKP. Z namenom povečanja ugodnosti trgovinskih dogovorov med AKP in ES poroča in daje ustrezna priporočila Svetu ministrov, vključno s priporočili o kakršnih koli podpornih ukrepih."

31. Doda se naslednji člen:

"Člen 38a

Posvetovanja

1. Kadar lahko novi ukrepi ali ukrepi, določeni v programih, ki jih je sprejela Skupnost za približevanje zakonov in drugih predpisov za olajšanje trgovanja, vplivajo na interese ene ali več držav AKP, Skupnost pred sprejetjem takšnih ukrepov obvesti Sekretariat skupine držav AKP in zadevne države AKP.

2. Da se Skupnosti omogoči upoštevanje interesov skupine AKP, se v skladu z določbami člena 12 tega sporazuma na prošnjo skupine držav AKP opravijo posvetovanja, z namenom da se najde zadovoljliva rešitev.

5. The Parties shall closely cooperate and collaborate in the WTO with a view to explaining and justifying the arrangements reached, in particular with regard to the degree of flexibility available.

6. The Parties shall discuss further how to simplify and review the rules of origin, including cumulation provisions, that apply to their exports.

7. Once ACP States have concluded an Economic Partnership Agreement, those ACP States which are not Parties to such Agreement can seek accession at any time.

8. In the context of ACP-EU cooperation in support of ACP regional cooperation and integration as outlined in Title I, and in accordance with Article 35, the Parties shall pay particular attention to the needs arising from the implementation of the Economic Partnership Agreements. The principles outlined in Article 1 of Annex IV to this Agreement shall apply. To that effect, the Parties agree on the use of existing or new regional financing mechanisms through which resources from the multi-annual financial framework of cooperation and other additional resources could be channelled."

29. The following Article is inserted:

"Article 37a

Other trading arrangements

1. In the context of the current trade policy trends aiming at greater liberalisation of trade the EU and the ACP States may take part in negotiations and implementation of agreements leading to further multilateral and bilateral trade liberalisation. Such liberalisation may lead to the erosion of the preferences granted to the ACP States and affect their competitive position in the EU market, as well as their development efforts, which the EU is concerned to support.

2. In accordance with the objectives of economic and trade cooperation, the EU shall endeavour to pursue measures to overcome possible negative impacts of liberalisation, with a view to maintaining significant preferential access within the multilateral trading system for ACP States for as long as is feasible and to ensure that any unavoidable reduction in preference is phased in over as long a period as possible."

30. Article 38(2) is replaced by the following:

"2. The Ministerial Trade Committee shall discuss any trade-related issue of concern to all ACP States and, in particular, regularly monitor the negotiations and implementation of Economic Partnership Agreements. It shall pay special attention to current multilateral trade negotiations and shall examine the impact of the wider liberalisation initiatives on ACP-EC trade and the development of ACP economies. It shall report and make appropriate recommendations to the Council of Ministers, including on any supportive measures, with a view to enhancing the benefits of the ACP-EC trading arrangements."

31. The following Article is inserted:

"Article 38a

Consultations

1. Where new measures or measures stipulated in programmes adopted by the Community for the approximation of laws and regulations in order to facilitate trade are likely to affect the interests of one or more ACP States, the Community shall, prior to adopting such measures, inform the Secretariat of the ACP Group and the ACP States concerned.

2. In order to enable the Community to take into consideration the interests of the ACP Group, consultations shall be held at the request of the latter in accordance with the provisions of Article 12 of this Agreement, with a view to reaching a satisfactory solution.

3. Kadar veljavna pravila ali predpisi Skupnosti, sprejeti za olajšanje trgovanja, vplivajo na interese ene ali več držav AKP ali če na te interese vpliva razlaga, uporaba ali izvajanje takšnih pravil ali predpisov, se v skladu z določbami člena 12 na prošnjo skupine držav AKP opravijo posvetovanja, da se najde zadovoljliva rešitev.

4. Z namenom da bi se našla zadovoljliva rešitev, lahko pogodbenice v Skupnem trgovinskem odboru ministrov opozorijo tudi na kakršne koli druge težave, povezane s trgovino, ki bi lahko bile posledica ukrepov, ki jih sprejmejo ali predvidijo države članice.

5. Zaradi zagotavljanja učinkovitih posvetovanj se pogodbenice obveščajo o takšnih ukrepih.

6. Pogodbenice se dogovorijo, da se posvetovanja in obveščanje, ki potekajo prek institucij sporazumov o gospodarskem partnerstvu, o zadevah s področja uporabe teh sporazumov, štejejo, da izpolnjujejo tudi določbe tega člena in člena 12 tega sporazuma, pod pogojem, da so vse države AKP, ki bi lahko bile prizadete, podpisnice sporazuma o gospodarskem partnerstvu, v okviru katerega so potekala posvetovanja ali obveščanje."

32. Člen 41(5) se nadomesti z naslednjim:

"5. Skupnost z nacionalnimi in regionalnimi razvojnimi strategijami, kakor so opredeljene v naslovu I in v skladu s členom 35, podpira prizadevanja držav AKP, da bi okrepile svoje zmogljivosti pri dobavi storitev. Posebna pozornost je posvečena storitvam v zvezi z delovno silo, poslovanjem, distribucijo, financami, turizmom, kulturo in gradbeništvo ter povezanimi inženirskimi storitvami z vidika povečanja njihove konkurenčnost in s tem zvišanja vrednosti in obsega njihovega trgovanja z blagom in storitvami."

33. Člen 42(4) se nadomesti z naslednjim:

"4. Skupnost z nacionalnimi in regionalnimi razvojnimi strategijami, kakor so opredeljene v naslovu I in v skladu s členom 35, podpira prizadevanja držav AKP za razvoj in spodbujanje gospodarnih in učinkovitih pomorskih prevoznih storitev v državah AKP z namenom povečanja udeležbe operaterjev AKP v mednarodnih pomorskih storitvah."

34. Člen 43(5) se nadomesti z naslednjim:

"5. Pogodbenice tudi soglašajo, da bodo okrepile medsebojno sodelovanje na področju informacijskih in komunikacijskih tehnologij ter informacijske družbe. To sodelovanje bo, prek nacionalnih in regionalnih razvojnih strategij, kakor so opredeljene v naslovu I in v skladu s členom 35, usmerjeno zlasti k večji združljivosti in usklajenosti komunikacijskih sistemov na nacionalni, regionalni in mednarodni ravni ter k njihovi prilagoditvi novim tehnologijam."

35. Člen 44(2) se nadomesti z naslednjim:

"2. Skupnost z nacionalnimi in regionalnimi razvojnimi strategijami, kakor so opredeljene v naslovu I in v skladu s členom 35, podpira prizadevanja držav AKP za krepitev njihovih zmogljivosti obvladovanja vseh področij povezanih s trgovino, po potrebi vključno z izboljšanjem in podpiranjem institucionalnega okvira."

36. Člen 45(3) se nadomesti z naslednjim:

"3. Pogodbenice tudi soglašajo, da bodo na tem področju okrepile sodelovanje z namenom oblikovanja in podpore učinkoviti konkurenčni politiki pri ustreznih nacionalnih agencijah, zadolženih za vprašanja konkurence, ki v vedno večjem obsegu zagotavljajo učinkovito uveljavljanje pravil o konkurenci s strani zasebnih in državnih podjetij. Sodelovanje na tem področju, preko nacionalnih in regionalnih razvojnih strategij, kakor so opredeljene v naslovu I in v skladu s členom 35 zajema zlasti pomoč pri oblikovanju ustreznega pravnega okvira in njegovo upravno uveljavitev, pri čemer je posebna pozornost namenjena posebnemu položaju najmanj razvitih držav."

3. Where existing Community rules or regulations adopted in order to facilitate trade affect the interests of one or more ACP States or where these interests are affected by the interpretation, application or administration of such rules or regulations, consultations shall be held at the request of the ACP States concerned in accordance with the provisions of Article 12 with a view to reaching a satisfactory solution.

4. With a view to finding a satisfactory solution, the Parties may also bring up within the Joint Ministerial Trade Committee any other problems relating to trade which might result from measures taken or envisaged by the Member States.

5. The Parties shall inform each other of such measures in order to ensure effective consultations.

6. The Parties agree that holding consultations within, and providing information through, the institutions of an Economic Partnership Agreement on matters within the scope of such agreements shall be deemed to also satisfy the provisions of this Article and of Article 12 of this Agreement, provided that the ACP States likely to be affected are all signatories to the Economic Partnership Agreement within which the consultations were held or information was provided."

32. Article 41(5) is replaced by the following:

"5. The Community shall support, through national and regional development strategies as defined in Title I and in conformity with Article 35, the ACP States' efforts to strengthen their capacity in the supply of services. Particular attention shall be paid to services related to labour, business, distribution, finance, tourism, culture and construction and related engineering services with a view to enhancing their competitiveness and thereby increasing the value and the volume of their trade in goods and services."

33. Article 42(4) is replaced by the following:

"4. The Community shall support, through national and regional development strategies as defined in Title I and in conformity with Article 35, the ACP States' efforts to develop and promote cost-effective and efficient maritime transport services in the ACP States with a view to increasing the participation of ACP operators in international shipping services."

34. Article 43(5) is replaced by the following:

"5. The Parties also agree to step up cooperation between them in the area of information and communication technologies, and the Information Society. This cooperation shall, through national and regional development strategies as defined in Title I and in conformity with Article 35, in particular be directed towards greater complementarity and harmonisation of communication systems, at national, regional and international level and their adaptation to new technologies."

35. Article 44(2) is replaced by the following:

"2. The Community shall support the ACP States' efforts, through national and regional development strategies as defined in Title I and in conformity with Article 35, to strengthen their capacity to handle all areas related to trade, including, where necessary, improving and supporting the institutional framework."

36. Article 45(3) is replaced by the following:

"3. The Parties also agree to reinforce cooperation in this area with a view to formulating and supporting effective competition policies with the appropriate national competition agencies that progressively ensure the efficient enforcement of the competition rules by both private and state enterprises. Cooperation in this area shall, in particular, through national and regional development strategies as defined in Title I and in conformity with Article 35, include assistance in the drafting of an appropriate legal framework and its administrative enforcement with particular reference to the special situation of the Least Developed Countries."

37. Člen 46(6) se nadomesti z naslednjim:

"6. Pogodbenice se med drugim strinjajo, da bodo okrepile medsebojno sodelovanje na tem področju. Na pobudo, pod skupno dogovorjenimi pogoji, ter preko nacionalnih in regionalnih razvojnih strategij, kakor so opredeljene v naslovu I in v skladu s členom 35, se sodelovanje med drugim razširi na naslednja področja: priprava zakonov in drugih predpisov o varstvu in uveljavljanju pravic intelektualne lastnine, preprečevanju zlorabe teh pravic s strani upravičencev in kršitve teh pravic s strani konkurence, o ustanovitvi in okrepitvi domačih in regionalnih uradov in drugih agencij, vključno s podporo regionalnim organizacijam intelektualne lastnine, zadolženim za uveljavljanje in varovanje, vključno z usposabljanjem kadrov."

38. V členu 47(2) se uvodno besedilo nadomesti z naslednjim:

"2. Sodelovanje pri standardizaciji in certificiranju je preko nacionalnih in regionalnih razvojnih strategij, kakor so opredeljene v naslovu I in v skladu s členom 35 usmerjeno k spodbujanju združljivih sistemov med pogodbenicami in zajema zlasti:"

39. Člen 48(3) se nadomesti z naslednjim:

"3. Pogodbenice soglašajo, da se sodelovanje okrepi preko nacionalnih in regionalnih razvojnih strategij, kakor so opredeljene v naslovu I in v skladu s členom 35, z namenom povečanja zmogljivosti javnega in zasebnega sektorja držav AKP na tem področju."

40. Člen 49 se spremeni:

(a) odstavek 1 se nadomesti z naslednjim:

"1. Pogodbenice ponovno potrjujejo svojo zavezanost k pospeševanju razvoja mednarodne trgovine na način, s katerim je zagotovljeno trajnostno in zdravo upravljanje okolja, v skladu z mednarodnimi konvencijami in zavezami na tem področju ter ob skrbnem upoštevanju ustrezne ravni razvoja zavez. Strinjata se, da je treba pri oblikovanju in izvajanju okoljskih ukrepov upoštevati posebne potrebe in zahteve držav AKP, tudi v zvezi z določbami člena 32a;"

(b) doda se naslednji odstavek:

"3. Pogodbenice se strinjajo, da se okoljski ukrepi ne bi smeli uporabljati za namene protekcionizma."

41. Člen 50(3) se nadomesti z naslednjim:

"3. Pogodbenice se strinjajo, da se standardov dela ne bi smelo uporabljati za namene protekcionizma."

42. Člen 51(2) se nadomesti z naslednjim:

"2. Sodelovanje je preko nacionalnih in regionalnih razvojnih strategij, kakor so opredeljene v naslovu I in v skladu s členom 35, predvsem usmerjeno k izboljšanju institucionalne in tehnične zmogljivosti na tem področju, vzpostavljanju sistemov hitrega alarmiranja in vzajemnega informiranja o nevarnih proizvodih, izmenjavi informacij in izkušenj o vzpostavitvi in delovanju nadzora nad proizvodi na trgu in varnostjo proizvodov, izboljšanju informiranja potrošnikov o cenah in lastnostih ponujenega blaga in storitev, spodbujanju razvoja neodvisnih združenj potrošnikov in stikov med predstavniki interesov potrošnikov, izboljšanju združljivosti potrošniških politik in sistemov, obveščanju o uveljavljanju zakonodaje ter spodbujanju sodelovanja pri raziskovanju škodljivega ali nelojalnega poslovanja in uveljavljanja izvoznih prepovedi v trgovanju med strankama za blago in storitve, katerih trženje je v državi njihovi proizvodnje prepovedano."

37. Article 46(6) is replaced by the following:

"6. The Parties further agree to strengthen their cooperation in this field. Upon request, on mutually agreed terms and conditions, and through national and regional development strategies as defined in Title I and in conformity with Article 35, cooperation shall, inter alia, extend to the following areas: the preparation of laws and regulations for the protection and enforcement of intellectual property rights, the prevention of the abuse of such rights by rightholders and the infringement of such rights by competitors, the establishment and reinforcement of domestic and regional offices and other agencies including support for regional intellectual property organisations involved in enforcement and protection, including the training of personnel."

38. In Article 47(2), the introductory wording is replaced by the following:

"2. Cooperation in standardisation and certification, through national and regional development strategies as defined in Title I and in conformity with Article 35, shall aim at promoting compatible systems between the Parties and in particular include:"

39. Article 48(3) is replaced by the following:

"3. The Parties agree to strengthen their cooperation, through national and regional development strategies as defined in Title I and in conformity with Article 35, with a view to reinforcing the capacity of the public and the private sector of the ACP countries in this field."

40. Article 49 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. The Parties reaffirm their commitment to promoting the development of international trade in such a way as to ensure sustainable and sound management of the environment, in accordance with the international conventions and undertakings in this area and with due regard to their respective level of development. They agree that the special needs and requirements of ACP States should be taken into account in the design and implementation of environmental measures, including in relation to the provisions of Article 32a;"

(b) the following paragraph is added:

"3. The Parties agree that environmental measures should not be used for protectionist purposes."

41. Article 50(3) is replaced by the following:

"3. The Parties agree that labour standards should not be used for protectionist purposes."

42. Article 51(2) is replaced by the following:

"2. Cooperation shall, in particular, aim, through national and regional development strategies as defined in Title I and in conformity with Article 35, at improving the institutional and technical capacity in this area, establishing rapid-alert systems of mutual information on dangerous products, exchanging information and experiences on the establishment and operation of post market surveillance of products and product safety, improving information provided to consumers on prices, characteristics of products and services offered, encouraging the development of independent consumer associations and contacts between consumer interest representatives, improving compatibility of consumer policies and systems, notifying enforcement of the legislation and promoting cooperation in investigating harmful or unfair business practices and implementing exports prohibitions in the trade between the Parties of goods and services the marketing of which has been prohibited in their country of production."

43. Člen 56(1) se nadomesti z naslednjim:

"1. Sodelovanje pri financiranju razvoja se izvaja na osnovi razvojnih ciljev, strategij in prednostnih nalog, ki jih opredelijo države AKP, ter je v skladu z njimi, na nacionalni in regionalni ravni ter na ravneh znotraj AKP. Upoštevajo se njihove različne geografske, socialne in kulturne značilnosti ter njihov poseben potencial. Ob upoštevanju mednarodno dogovorjene agende o učinkovitosti pomoči temelji sodelovanje na lastništvu, prilagajanju, usklajevanju vlagateljev, upravljanju za razvojne rezultate in vzajemni odgovornosti. Sodelovanje zlasti:

(a) spodbuja lokalno lastništvo na vseh stopnjah razvojnega procesa;

(b) izraža partnerstvo, ki temelji na vzajemnih pravicah in obveznostih;

(c) poudarja pomen predvidljivosti in varnosti pretoka virov, odobrenih pod zelo ugodnimi pogoji in neprekinjeno;

(d) je fleksibilno in ustreza okoliščinam v posamezni AKP državi ter je prilagojeno posebni vrsti zadevnega projekta ali programa; in

(e) zagotavlja učinkovitost, usklajenost in doslednost."

44. Člen 58 se spremeni:

(a) v odstavku 1 se točka (b) nadomesti z naslednjim:

"(b) regionalni ali meddržavni organi, katerim pripada ena ali več držav AKP, vključno z Afriško unijo ali drugimi organi s člani, ki niso države AKP, ki imajo pooblastila teh držav AKP; in";

b) odstavek 2 se spremeni:

(i) točka (d) se nadomesti z naslednjim:

"(d) finančni posredniki iz AKP ali Skupnosti, ki zagotavljajo, spodbujajo in financirajo zasebne ali javne investicije v državah AKP;";

(ii) točka (f) se nadomesti z naslednjim:

"države v razvoju, ki niso del skupine AKP, kadar sodelujejo v skupni pobudi ali v regionalni organizaciji z državami AKP v skladu s členom 6 Priloge IV k temu sporazumu."

45. Člen 60 se spremeni:

(a) točka (c) se nadomesti z naslednjim:

"(c) blažitvi neugodnih kratkoročnih učinkov zunanjih pretresov, vključno z nestabilnostjo prihodka od izvoza, na socialne in ekonomske reforme in politike;";

(b) točka (g) se nadomesti z naslednjim:

"(g) humanitarni in nujni pomoči, vključno s pomočjo beguncem in razseljenim osebam, posredovanji, ki povezujejo kratkoročno pomoč in rehabilitacijo z dolgoročnim razvojem v kriznih razmerah ali razmerah po krizi, in pripravljenosti na elementarne nesreče."

46. Člen 61 se spremeni:

(a) odstavek 2 se nadomesti z naslednjim:

"2. Neposredna proračunska pomoč v podporo makroekonomskim ali sektorskim reformam se odobri:

(a) kadar obstajajo ali se izvajajo jasno določene nacionalne ali sektorske razvojne strategije, s poudarkom na revščini;

(b) kadar obstaja ali se izvaja natančno določena in v stabilnost usmerjena makroekonomska politika, ki jo vzpostavi država sama in ki jo pozitivno ocenijo najpomembnejši vlagatelji, vključno z mednarodnimi finančnimi institucijami, kjer je to ustrezno; in

(c) kadar je upravljanje z javnimi financami dovolj pregledno, odgovorno in smotno;

Skupnost se prilagodi sistemom in postopkom, specifičnim za posamezno državo AKP, spremlja proračunsko podporo s partnersko državo in podpira prizadevanja partnerskih držav za okrepitev odgovornosti držav, parlamentarnega nadzora, revizij in dostopa javnosti do informacij;";

(b) odstavek 5 se nadomesti z naslednjim:

43. Article 56(1), is replaced by the following:

"1. Development finance cooperation shall be implemented on the basis of and be consistent with the development objectives, strategies and priorities established by the ACP States, at national, regional and intra-ACP levels. Their respective geographical, social and cultural characteristics, as well as their specific potential, shall be taken into account. Guided by the internationally agreed aid effectiveness agenda, cooperation shall be based on ownership, alignment, donor coordination and harmonisation, managing for development results and mutual accountability. In particular, cooperation shall:

a) promote local ownership at all levels of the development process;

b) reflect a partnership based on mutual rights and obligations;

c) emphasise the importance of predictability and security in resource flows, granted on highly concessional terms and on a continuous basis;

d) be flexible and appropriate to the situation in each ACP State as well as adapted to the specific nature of the project or programme concerned; and

e) ensure efficiency, coordination and consistency."

44. Article 58 is amended as follows:

(a) in paragraph 1, point (b) is replaced by the following:

"(b) regional or inter-State bodies to which one or more ACP States belong, including the African Union or other bodies with non-ACP State members, which are authorised by those ACP States; and";

(b) paragraph 2 is amended as follows:

(i) point (d) is replaced by the following:

"(d) ACP or Community financial intermediaries providing, promoting and financing private or public investments in ACP States;";

(ii) point (f) is replaced by the following:

"(f) developing countries that are not part of the ACP Group where they participate in a joint initiative or regional organisation with ACP States in conformity with Article 6 of Annex IV to this Agreement."

45. Article 60 is amended as follows:

(a) point (c) is replaced by the following:

"(c) mitigation of adverse short-term effects of exogenous shocks, including instability in export earnings on socio-economic reforms and policies;";

(b) point (g) is replaced by the following:

"(g) humanitarian and emergency assistance including assistance to refugees and displaced persons, interventions linking short-term relief and rehabilitation with long-term development in crisis or post-crisis situations, and disaster preparedness."

46. Article 61 is amended as follows:

(a) paragraph 2 is replaced by the following:

"2. Direct budgetary assistance in support of macroeconomic or sectoral reforms shall be granted where:

(a) well-defined poverty-focused national or sector development strategies are in place or under implementation;

(b) well-defined stability-oriented macroeconomic policy established by the country itself and positively assessed by its main donors, including where relevant the international financial institutions, is in place or under implementation; and

(c) public financial management is sufficiently transparent, accountable and effective.

The Community shall align on the systems and procedures specific to each ACP country, monitor its budget support with the partner country and support efforts of partner countries to strengthen domestic accountability, parliamentary oversight, audit capacities and public access to information;";

(b) paragraph 5 is replaced by the following:

"5. V okviru Sporazuma se za financiranje projektov, programov in drugih oblik delovanj, ki prispevajo k doseganju ciljev tega sporazuma, uporabljajo sredstva, določena v večletnem finančnem okviru sodelovanja po tem sporazumu, lastni viri Evropske investicijske banke (v nadaljnjem besedilu: Banka) in, kjer je ustrezno, drugi viri, črpani iz proračuna Evropske skupnosti."

47. Člen 66(1) se nadomesti z naslednjim:

"1. Da bi državam AKP olajšali bremena dolgov in njihove težave s plačilnimi bilancami, se pogodbenice strinjajo glede uporabe virov iz večletnega finančnega okvira sodelovanja po tem sporazumu za podporo iniciativam v zvezi z odpisom dolgov, odobrenim na mednarodni ravni v korist držav AKP. Skupnost se nadalje obvezuje, da bo preučila, kako je dolgoročno mogoče mobilizirati tudi druge vire Skupnosti v podporo mednarodno sprejetim iniciativam za odpis dolgov."

48. Člen 67(1) se nadomesti z naslednjim:

"1. Večletni finančni okvir sodelovanja po tem sporazumu zagotavlja podporo makroekonomskim in sektorskim reformam, ki jih izvajajo države AKP. V tem okviru pogodbenice zagotovijo, da je prilagajanje gospodarno izvedljivo ter družbeno in politično sprejemljivo. Podpora se da glede na skupno oceno Skupnosti in zadevne države AKP o sprejetih ali nameravanih reformnih ukrepih na makroekonomski ali sektorski ravni in omogoča splošno ovrednotenje reformnih prizadevanj. Skupna ocena je čim bolj prilagojena ureditvam posamezne države in podpori, ki se spremlja na podlagi doseženih rezultatov. Hitro izplačevanje je pomembna značilnost podpornih programov."

49. Naslov poglavja 3 naslova II dela 4 se nadomesti z naslednjim:

"POGLAVJE 3

Podpora v primeru zunanjih pretresov".

50. Člen 68 se nadomesti z naslednjim:

"Člen 68

1. Pogodbenice priznavajo, da lahko makroekonomska nestabilnost, ki jo povzročijo zunanji pretresi, neugodno vpliva na razvoj držav AKP in ogrozi uresničevanje njihovih razvojnih zahtev. Z namenom ublažitve kratkoročnih neugodnih učinkov, ki jih povzročijo zunanji pretresi, vključno z učinki na prihodke od izvoza, je v okviru večletnega finančnega okvira sodelovanja po tem sporazumu vzpostavljen sistem dodatne podpore.

2. Namen te podpore je zaščititi socialne in gospodarske reforme in politike, na katere bi lahko neugodno vplival padec prihodka, in odpraviti kratkoročne neugodne učinke takih pretresov.

3. Velika odvisnost gospodarstev držav AKP od izvoza, zlasti na področju kmetijstva in rudarstva, se upošteva pri razporejanju virov. V tem okviru se najmanj razvite, kopenske in otoške države AKP ter države AKP v obdobju po konfliktih in naravnih nesrečah obravnavajo ugodneje.

4. V skladu s posebnimi načini v okviru podpornega mehanizma se, kot je določeno v Prilogi II o pogojih financiranja, zagotovijo dodatni viri.

5. Skupnost zagotavlja podporo tudi shemam zavarovanja na tržni osnovi, namenjenim državam AKP, ki bi se rade zavarovale pred kratkoročnimi učinki zunanjih pretresov."

"5. In the framework of the Agreement, the funds earmarked under the multi-annual financial framework of cooperation under this Agreement, own resources of the European Investment Bank (hereinafter referred to as the Bank) and where appropriate other resources drawn from the European Community's budget, shall be used to finance projects, programmes and other forms of operations contributing to the achievement of the objectives of this Agreement."

47. Article 66(1) is replaced by the following:

"1. In order to attenuate the debt burden of the ACP States and their balance-of-payment problems, the Parties agree to use the resources provided for under the multi-annual financial framework of cooperation under this Agreement to contribute to debt relief initiatives approved at international level for the benefit of ACP countries. The Community furthermore commits itself to examine how in the longer term other Community resources can be mobilised in support of internationally agreed debt relief initiatives."

48. Article 67(1) is replaced by the following:

"1. The multi-annual financial framework of cooperation under this Agreement shall provide support for macroeconomic and sectoral reforms implemented by the ACP States. In this framework, the Parties shall ensure that adjustment is economically viable and socially and politically bearable. Support shall be given in the context of a joint assessment between the Community and the ACP State concerned on the reform measures being undertaken or contemplated either at macroeconomic or sectoral level, and permit an overall evaluation of the reform efforts. To the extent possible the joint assessment shall be aligned on country specific arrangements and the support monitored on the basis of results achieved. Quick disbursement shall be an important feature of support programmes."

49. The title of Chapter 3 of Title II of Part 4, is replaced by the following:

"CHAPTER 3

Support in case of exogenous shocks".

50. Article 68 is replaced by the following:

"Article 68

1. The Parties recognise that macroeconomic instability resulting from exogenous shocks may adversely affect the development of the ACP States and jeopardise the attainment of their development requirements. A system of additional support in order to mitigate the short-term adverse effects resulting from exogenous shocks, including the effects on export earnings, is therefore set up within the multi-annual financial framework of cooperation under this Agreement.

2. The purpose of this support is to safeguard socio-economic reforms and policies that could be affected negatively as a result of a drop in revenue and to remedy the short-term adverse effects of such shocks.

3. The extreme dependence of the ACP States' economies on exports, in particular from the agricultural and mining sectors, shall be taken into account in the allocation of resources. In this context, the least developed, landlocked and island, post-conflict and post-natural disaster ACP States shall receive more favourable treatment.

4. The additional resources shall be provided in accordance with the specific modalities of the support mechanism as set out in Annex II on Terms and Conditions of Financing.

5. The Community shall also provide support for market-based insurance schemes designed for ACP States seeking to protect themselves against short-term effects of exogenous shocks."

51. Naslov poglavja 6 naslova II dela 4 se nadomesti z naslednjim:

"POGLAVJE 6

Humanitarna pomoč, pomoč v izrednih razmerah in pomoč po prenehanju izrednih razmer".

52. Člen 72 se nadomesti z naslednjim:

"Člen 72

Splošno načelo

1. Humanitarna pomoč, pomoč v izrednih razmerah in pomoč po prenehanju izrednih razmer se zagotavlja v kriznih razmerah. Humanitarna pomoč in pomoč v izrednih razmerah sta usmerjeni v varovanje človeških življenj ter preprečevanje in lajšanje trpljenja ljudi, kjer koli je to potrebno. Pomoč po prenehanju izrednih razmer je usmerjena v rehabilitacijo in povezovanje kratkoročne pomoči z dolgoročnimi razvojnimi programi.

2. Krizne razmere, vključno z dolgoročno strukturno nestabilnostjo ali šibkostjo, so razmere, ki ogrožajo javni red in mir ali varnost posameznikov, ter lahko vodijo v oborožene spopade ali državo destabilizirajo. Krizne razmere so lahko tudi posledica naravnih nesreč, kriz, ki jih povzroči človek, kot so vojne in drugi konflikti, ali izrednih okoliščin s primerljivimi posledicami, povezanih med drugim s podnebnimi spremembami, degradacijo okolja, dostopom do virov energije in naravnih virov ali skrajno revščino.

3. Humanitarna pomoč, pomoč v izrednih razmerah in pomoč po prenehanju izrednih razmer se daje, dokler je nujno potrebna za zadovoljevanje potreb žrtev, ki izhajajo iz takih razmer, ter tako povezuje pomoč, rehabilitacijo in razvoj.

4. Humanitarna pomoč se daje izključno glede na potrebe in interese žrtev kriznih razmer in v skladu z načeli mednarodnega humanitarnega prava ter ob spoštovanju človečnosti, nevtralnosti, nepristranskosti in neodvisnosti. Predvsem se ne razlikuje med žrtvami glede na raso, narodnost, vero, spol, starost, državljanstvo ali politično pripadnost in se zagotavlja prost dostop do žrtev in njihovo varstvo ter varnost humanitarnega osebja in opreme.

5. Humanitarna pomoč, pomoč v izrednih razmerah in pomoč po prenehanju izrednih razmer se financira iz večletnega finančnega okvira sodelovanja po tem sporazumu, kadar je ni mogoče financirati iz proračuna Unije. Izvajanje humanitarne pomoči, pomoči v izrednih razmerah in pomoči po prenehanju izrednih razmer se dopolnjuje in usklajuje s prizadevanji držav članic ter najboljšimi praksami za učinkovitost pomoči."

53. Vstavi se naslednji člen:

"Člen 72a

Cilj

1. Humanitarna pomoč in pomoč v izrednih razmerah sta usmerjeni:

(a) k varovanju človeških življenj v krizi in v razmerah, ki nastopijo neposredno po krizi;

(b) k prispevanju k financiranju in dostavi humanitarne pomoči in k neposrednem dostopu vseh predvidenih upravičencev do nje s pomočjo vseh logističnih sredstev, ki so na voljo;

(c) k izvajanju kratkoročne rehabilitacije in obnove, da bi žrtvam omogočili koriščenje minimalne ravni socialne in gospodarske integracije in čim prej ustvarili pogoje za nadaljevanje razvoja na temelju dolgoročnih ciljev, ki jih določijo zadevne države in regije AKP;

(d) k reševanju potreb, ki izhajajo iz razseljenosti ljudi (begunci, razseljene osebe in povratniki) zaradi naravnih nesreč ali nesreč, ki jih povzroči človek, da bi za tako dolgo, kot je potrebno, zadovoljili vse potrebe beguncev in razseljenih oseb (ne glede na to, kje se nahajajo) in olajšali ukrepe za njihovo prostovoljno vrnitev in reintegracijo v njihovi matični državi; in

(e) k pomoči državi ali regiji AKP pri vzpostavljanju kratkoročnih mehanizmov za preprečevanje elementarnih nesreč in pripravljenost nanje, vključno s sistemi napovedovanja in zgodnjega opozarjanja, s ciljem zmanjšati posledice nesreč.

51. The title of Chapter 6 of Title II of Part 4 is replaced by the following:

"CHAPTER 6

Humanitarian, emergency and post-emergency assistance".

52. Article 72 is replaced by the following:

"Article 72

General principle

1. Humanitarian, emergency and post-emergency assistance shall be provided in situations of crisis. Humanitarian and emergency assistance shall aim to save and preserve life and to prevent and relieve human suffering wherever the needs arise. Post-emergency assistance shall aim at rehabilitation and linking the short-term relief with longer term development programmes.

2. Situations of crisis, including long-term structural instability or fragility are situations posing a threat to law and order or to the security and safety of individuals, threatening to escalate into armed conflict or to destabilise the country. Situations of crisis may also result from natural disasters, man-made crises such as wars and other conflicts or extraordinary circumstances having comparable effects related, inter alia, to climate change, environmental degradation, access to energy and natural resources, or extreme poverty.

3. The humanitarian, emergency and post-emergency assistance shall be maintained for as long as necessary to deal with the needs resulting from these situations for the victims, thereby linking relief, rehabilitation and development.

4. The humanitarian assistance shall be granted exclusively according to the needs and interests of the victims of the crisis situation and in line with the principles of international humanitarian law and with respect to humanity, neutrality, impartiality and independence. In particular, there shall be no discrimination between victims on grounds of race, ethnic origin, religion, gender, age, nationality or political affiliation and free access to and protection of victims shall be guaranteed as well as the security of humanitarian personnel and equipment.

5. The humanitarian, emergency and post-emergency assistance shall be financed under the multi-annual financial framework of cooperation under this Agreement, where such assistance cannot be financed from the Union's Budget. Humanitarian, emergency and post-emergency assistance shall be implemented in complementarity and coordination with the Member States' efforts and in accordance with best practice in aid effectiveness."

53. The following Article is inserted:

"Article 72a

Objective

1. Humanitarian and emergency assistance shall aim to:

(a) safeguard human lives in crises and immediate post-crisis situations;

(b) contribute to the financing and delivery of humanitarian aid and to the direct access to it of its intended beneficiaries by all logistical means available;

(c) carry out short-term rehabilitation and reconstruction to enable the victims to benefit from a minimum of socio-economic integration and, as soon as possible, create the conditions for a resumption of development on the basis of long-term objectives set by the ACP countries and regions concerned;

(d) address the needs arising from the displacement of people (refugees, displaced persons and returnees) following natural or man-made disasters so as to meet, for as long as necessary, all the needs of refugees and displaced persons (wherever they may be) and facilitate action for their voluntary repatriation and re-integration in their country of origin; and

(e) assist the ACP State or region in setting up short term disaster prevention and preparedness mechanisms, including for prediction and early warning, with a view to reducing the consequences of disasters.

2. Pomoč se lahko odobri državam ali regijam AKP, ki sprejmejo begunce ali povratnike, da bi zadostili nujnim potrebam, ki jih pomoč v izrednih razmerah ne zajema.

3. Ukrepanje po prenehanju izrednega stanja je usmerjeno k fizični in socialni rehabilitaciji, ki je potrebna zaradi posledic zadevne krize, in se lahko uvede zaradi povezave kratkoročne pomoči in rehabilitacije z ustreznimi dolgoročnimi razvojnimi programi, financiranimi iz nacionalnih in regionalnih indikativnih programov ali programa znotraj AKP. Taki ukrepi morajo biti nujni za prehod iz faze izrednih razmer v razvojno fazo, spodbujanje socialne in gospodarske reintegracije delov prizadetega prebivalstva, čim večjo odstranitev vzrokov krize ter okrepitev vloge institucij in lastništva lokalnih in nacionalnih nosilcev pri oblikovanju politike trajnostnega razvoja za zadevno državo AKP.

4. Kratkoročni mehanizmi za preprečevanje elementarnih nesreč in pripravljenost nanje iz odstavka 1(e) se po potrebi uskladijo z drugimi obstoječimi mehanizmi za preprečevanje nesreč in pripravljenost nanje.

Razvoj in krepitev nacionalnih in regionalnih mehanizmov ter mehanizmov na ravni celotne AKP za zmanjševanje in obvladovanje tveganja nesreč državam AKP pomaga pri izboljšanju svoje prilagodljivosti na vplive elementarnih nesreč. Vse s tem povezane dejavnosti se lahko izvajajo v sodelovanju z regionalnimi in mednarodnimi organizacijami in programi, ki imajo dokazane dosežke pri zmanjševanju tveganja nesreč."

54. Člen 73 se nadomesti z naslednjim:

"Člen 73
Izvajanje

1. Operacije pomoči se začnejo na zaprosilo države ali regije AKP, ki jo prizadenejo krizne razmere, ali na pobudo Komisije, ali po nasvetu mednarodnih organizacij ali lokalnih ali mednarodnih nedržavnih organizacij.

2. Skupnost sprejme ustrezne ukrepe za omogočanje hitrega ukrepanja, ki je potrebno za uresničevanje nujnih potreb, zaradi katerih je potrebna pomoč. Pomoč se odobri in izvaja po postopkih, ki omogočajo hitre, prožne in učinkovite operacije.

3. S poudarkom na razvojni naravi pomoči, dodeljene na podlagi tega poglavja, se na zahtevo zadevne države ali regije pomoč lahko izjemoma uporabi skupaj z indikativnim programom."

55. V členu 76(1) se točka (d) nadomesti z naslednjim:

"(d) posojila iz lastnih virov Banke in Sklada za spodbujanje naložb, katerega pogoji so določeni v Prilogi II k temu sporazumu. Takšna posojila se lahko uporabijo tudi za financiranje javnih naložb v osnovno infrastrukturo."

56. V členu 95(3) se prvi pododstavek nadomesti z naslednjim:

"3. Skupnost in države članice na eni strani in države AKP na drugi se medsebojno uradno obvestijo najpozneje 12 mesecev pred iztekom posameznega petletnega obdobja o kakršni koli reviziji določb, ki jih želijo opraviti z namenom morebitnih sprememb Sporazuma. Ne glede na časovno omejitev ima na zahtevo ene pogodbenice po reviziji kakršnih koli določb Sporazuma druga pogodbenica dva meseca časa, da razširi revizijo na druge določbe v zvezi s tistimi, glede katerih je bila revizija najprej zahtevana."

2. Assistance may be granted to ACP States or regions taking in refugees or returnees to meet acute needs not covered by emergency assistance.

3. Post-emergency action shall aim at physical and social rehabilitation consequent to the results of the crisis concerned and may be undertaken to link the short-term relief and rehabilitation with the relevant longer term development programmes funded from the national, regional indicative programmes or the intra-ACP programme. Such actions must be necessary for the transition from the emergency phase to the development phase, promoting the socio-economic reintegration of the parts of the population affected, removing as far as possible the causes of the crisis and strengthening institutions and the ownership by local and national actors of their role in formulating a sustainable development policy for the ACP country concerned.

4. Where appropriate, short-term disaster prevention and preparedness mechanisms as referred to in paragraph 1(e) will be coordinated with other disaster prevention and preparedness mechanisms in place.

The development and strengthening of national, regional and all-ACP disaster risk reduction and management mechanisms shall assist ACP States to build their resilience to the impact of disasters. All related activities may be pursued in cooperation with regional and international organisations and programmes that have a proven track record in disaster risk reduction."

54. Article 73 is replaced by the following:

"Article 73
Implementation

1. Assistance operations shall be undertaken either at the request of the ACP country or region affected by the crisis situation, or at the initiative of the Commission, or on the advice of international organisations or local or international non-State organisations.

2. The Community shall take adequate steps to facilitate speedy action, which is required to meet the immediate needs for which the assistance is needed. The assistance shall be administered and implemented under procedures permitting operations that are rapid, flexible and effective.

3. Underlining the developmental nature of the assistance granted in accordance with this Chapter, assistance may be used exceptionally together with the indicative programme at the request of the State or region concerned."

55. In Article 76(1), point (d) is replaced by the following:

"(d) loans from the Bank's own resources and the Investment Facility, the terms and conditions of which are set out in Annex II to this Agreement. Such loans may also be used to finance public investment in basic infrastructure."

56. In Article 95(3), the first subparagraph is replaced by the following:

"3. The Community and the Member States, on the one hand, and the ACP States, on the other, shall notify the other Party not later than 12 months before the expiry of each five-year period of any review of the provisions they desire to make with a view to a possible amendment of the Agreement. Notwithstanding this time limit, if one Party requests the review of any provisions of the Agreement, the other Party shall have a period of two months in which to request the extension of the review to other provisions related to those which were the subject of the initial request."

57. V členu 100 se drugi odstavek nadomesti z naslednjim:

"Ta sporazum, ki je sestavljen v dvojniki 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 besedilav vseh teh jezikov enako verodostojna, se deponira v arhivih Generalnega sekretariata Sveta Evropske unije in Sekretariata držav AKP, ki pošljeta overjene kopije vsaki od držav podpisnic."

C. PRILOGE

1. Priloga II, kakor je spremenjena s Sklepom Sveta ministrov AKP-ES št. 1/2009 z dne 29. maja 2009¹, se spremeni:

(a) Člen 1 se nadomesti z naslednjim:

"Člen 1

1. Pogoji financiranja v zvezi z operacijami Sklada za spodbujanje naložb (Sklad), posojila iz lastnih virov Evropske investicijske banke (Banka) in posebne dejavnosti so taki, kot so določeni v tem poglavju. Ta sredstva se lahko usmerijo upravičenim podjetjem, bodisi neposredno ali posredno, preko upravičenih investicijskih skladov in/ali finančnih posrednikov.

2. Sredstva za subvencioniranje obrestnih mer iz te priloge bodo na voljo v obliki dodelitev subvencij za obresti iz odstavka 2(c) Priloge 1b k temu sporazumu.

3. Subvencije za obresti se lahko kapitalizirajo ali se uporabijo v obliki donacij. Znesek subvencije obrestne mere, izračunan glede na njegovo vrednost ob izplačilu posojila, se obračuna glede na dodelitev subvencije obresti iz odstavka 2(c) Priloge 1b in plača neposredno Banki. Do 10 % teh dodelitev subvencij obrestne mere se lahko nameni tudi za podporo tehnični pomoči, povezani s projekti, v državah AKP.

4. Ti pogoji ne posegajo v pogoje, ki se lahko uvedejo v državah AKP zaradi omejevalnih pogojev izposojanja, ki veljajo za močno zadolžene revne države, ali v skladu z drugimi mednarodno dogovorjenimi okviri za trajnost dolga. Če ti okviri zato zahtevajo zmanjšanje obrestne mere posojila za več kot 3 %, kot dovoljujeta člena 2 in 4 tega poglavja, si Banka prizadeva zmanjšati povprečne stroške sredstev z ustreznim sofinanciranjem drugih vlagateljev. Če to ni mogoče, se lahko obrestno mero posojila Banke zmanjša za toliko, kot je potrebno za uskladiitev z ravno, določeno na podlagi pobude za močno zadolžene revne države ali katerega koli mednarodno sprejetega okvira za trajnost dolga."

(b) člen 2(7) in (8) se nadomesti z naslednjim:

7. Navadno posojilo se v državah, za katere ne veljajo omejevalni pogoji izposojanja, ki veljajo za močno zadolžene revne države, ali v skladu z drugimi mednarodno dogovorjenimi okviri za trajnost dolga, lahko odobri pod ugodnimi pogoji v naslednjih primerih:

(a) za infrastrukturne projekte, ki so predpogoj za razvoj zasebnega sektorja v najmanj razvitih državah, postkonfliktnih državah in državah po naravni nesreči. V takem primeru se obrestna mera za posojilo zmanjša za do 3 %;

57. In Article 100, the second paragraph is replaced by the following:

"This Agreement, 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 and Swedish languages, all texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union and the Secretariat of the ACP States, which shall both transmit a certified copy to the government of each of the Signatory States."

C. ANNEXES

1. Annex II, as amended by Decision No 1/2009 of the ACP-EC Council of Ministers of 29 May 2009¹, shall be amended as follows:

(a) Article 1 is replaced by the following:

"Article 1

1. The terms and conditions of financing in relation to the operations of the Investment Facility (Facility), the loans from own resources of the European Investment Bank (Bank) and special operations shall be as laid down in this Chapter. These resources may be channelled to eligible enterprises, either directly or indirectly, through eligible investment funds and/or financial intermediaries.

2. Funds for interest rate subsidies, as provided for under this Annex, will be made available from the interest subsidy allocation specified in Annex Ib, paragraph 2(c), to this Agreement.

3. Interest subsidies may be capitalised or may be used in the form of grants. The amount of the interest rate subsidy, calculated in terms of its value at the times of disbursement of the loan, shall be charged against the interest subsidy allocation specified in Annex Ib, paragraph 2(c), and paid directly to the Bank. Up to 10 % of this allocation for interest rate subsidies may also be used to support project related technical assistance in ACP countries.

4. These terms and conditions are without prejudice to terms and conditions that may be imposed upon ACP countries subject to restrictive borrowing conditions under the Heavily Indebted Poor Countries ("HIPC") or other internationally agreed debt sustainability frameworks. Accordingly, where such frameworks require a reduction in the interest rate of a loan by more than 3 %, as permitted under Articles 2 and 4 of this Chapter, the Bank shall seek to reduce the average cost of funds through appropriate co-financing with other donors. Should this not be deemed possible, the interest rate of the Bank loan may be reduced by such amount as required to comply with the level arising from the HIPC initiative or any internationally agreed debt sustainability framework."

(b) Article 2(7) and (8) are replaced by the following:

7. Ordinary loans in countries not subject to restrictive borrowing conditions under the HIPC or other internationally agreed debt sustainability frameworks may be extended on concessional terms and conditions in the following cases:

(a) for infrastructure projects, that are a prerequisite for private sector development in the Least Developed Countries, in post-conflict countries and in post-natural disaster countries. In such cases, the interest rate of the loan will be reduced by up to 3 %;

¹ UL EU L 168, 30. 6. 2009, str. 48.

¹ OJ EU L 168, 30. 6. 2009, p. 48

(b) za projekte, pri katerih gre za dejavnosti prestrukturiranja v okviru privatizacije, ali za projekte, katerih socialne in okoljske koristi so pomembne in očitne. V takem primeru se lahko odobri posojilo s subvencionirano obrestno mero, pri čemer se višina in oblika subvencije določita glede na posebne značilnosti projekta. Vendar subvencioniranje obrestne mere ne sme preseči 3 %.

Končna obrestna mera za posojila iz točke (a) ali (b) v nobenem primeru ne sme biti nižja od 50 % priporočljive stopnje.

8. Sredstva za namene teh ugodnosti bodo na voljo iz dodeljenih subvencij obresti iz odstavka 2(c) Priloge Ib k temu sporazumu.";

(c) člen 4(2) se nadomesti z naslednjim:

"2. Posojila iz lastnih virov Banke se dodelijo pod naslednjimi pogoji:

(a) priporočljiva obrestna mera je mera, ki jo Banka uporabi za posojilo pod enakimi pogoji glede valute in odplačilnega roka na dan podpisa pogodbe ali na dan izplačila;

(b) vendar za države, za katere ne veljajo omejevalni pogoji izposojanja, ki veljajo za močno zadolžene revne države, ali v skladu z drugimi mednarodno dogovorjenimi okviri za trajnost dolga velja naslednje:

(i) načeloma so projekti javnega sektorja upravičeni do subvencije obrestne mere v višini do 3 %;

(ii) projekti javnega sektorja, ki sodijo v kategorije iz člena 2(7)(b), so upravičeni do subvencije obrestne mere pod pogoji iz navedene določbe.

Končna obrestna mera v nobenem primeru ne sme biti manjša od 50 % priporočljive stopnje;

(c) rok za odplačilo posojil iz lastnih virov Banke se določi na podlagi gospodarskih in finančnih lastnosti projekta. Za ta posojila običajno velja moratorij, določen glede na obdobje izvedbe projekta."

2. Priloga III se spremeni:

(a) v členu 1 se točki (a) in (b) nadomestita z naslednjim:

"(a) krepiti in povečevati vlogo Centra za razvoj podjetništva (CRP), da bi na zasebnemu področju zagotovili potrebno podporo pri spodbujanju dejavnosti za razvoj zasebnega področja v državah in regijah AKP; in

(b) krepiti in utrjevati vlogo tehničnega Centra za kmetijstvo in podeželsko sodelovanje (CTA) pri razvoju institucionalnih zmogljivosti držav AKP, zlasti upravljanje informacij, z namenom da bi izboljšali dostop do tehnologij za povečanje kmetijske proizvodnje, komercializacijo, zanesljivost oskrbe s hrano in razvoj podeželja;"

(b) Člen 2 se nadomesti z naslednjim:

"Člen 2
CRP

1. CRP spodbuja poslovno okolje, ki prispeva k razvoju na zasebnem področju, in podpira izvajanje strategij razvoja na zasebnem področju v državah AKP z zagotavljanjem nefinančnih storitev, vključno s storitvami svetovanja, gospodarskim družbam in podjetjem iz držav AKP in podpore skupnim pobudam s strani gospodarskih operaterjev Skupnosti in držav AKP. V zvezi s tem se bodo ustrezno upoštevale potrebe, ki izhajajo iz izvajanja sporazumov o gospodarskem partnerstvu.

2. CRP si prizadeva pomagati zasebnim podjetjem iz držav AKP, da bi postala bolj konkurenčna na vseh gospodarskih področjih. Zlasti:

(a) omogoča in spodbuja poslovno sodelovanje in partnerstvo med podjetji iz AKP in EU;

(b) for projects which involve restructuring operations in the framework of privatisation or for projects with substantial and clearly demonstrable social or environmental benefits. In such cases, loans may be extended with an interest rate subsidy, the amount and form of which will be decided with respect to the particular characteristics of the project. However, the interest rate subsidy shall not be higher than 3 %.

The final rate of loans falling under point (a) or (b) shall, in any case, never be less than 50 % of the reference rate.

8. The funds to be provided for these concessional purposes will be made available from the interest subsidy allocation referred to in Annex Ib, paragraph 2(c), to this Agreement.";

(c) Article 4(2) is replaced by the following:

"2. Loans from the Bank's own resources shall be granted under the following terms and conditions:

(a) the reference rate of interest shall be the rate applied by the Bank for a loan with the same conditions as to currency and the repayment period on the day of signature of the contract or on the date of disbursement;

(b) however, for countries which are not subject to restrictive borrowing conditions under the HIPC or other internationally agreed debt sustainability frameworks:

(i) in principle, public sector projects shall be eligible for an interest rate subsidy of up to 3 %;

(ii) private sector projects falling into the categories specified in Article 2(7)(b) shall be eligible for interest rate subsidies on the terms specified in that provision.

The final interest rate shall, in any such case, never be less than 50 % of the reference rate;

(c) the repayment period of loans made by the Bank from its own resources shall be determined on the basis of the economic and financial characteristics of the project. These loans shall normally comprise a grace period fixed by reference to the construction period of the project."

2. Annex III is amended as follows:

(a) in Article 1, points (a) and (b) are replaced by the following:

"(a) strengthen and enhance the role of the Centre for the Development of Enterprise (CDE) so as to provide the private sector with the necessary support in the promotion of private sector development activities in ACP countries and regions; and

(b) strengthen and reinforce the role of the Technical Centre for Agricultural and Rural Cooperation (CTA) in ACP institutional capacity development, particularly information management, in order to improve access to technologies for increasing agricultural productivity, commercialisation, food security and rural development."

(b) Article 2 is replaced by the following:

"Article 2
CDE

1. The CDE shall promote a business environment which is conducive to private sector development and support the implementation of private sector development strategies in the ACP countries by providing non-financial services, including consultancy services, to ACP companies and businesses and support to joint initiatives set up by economic operators of the Community and of the ACP States. In this regard, due account shall be taken of the needs arising from the implementation of the Economic Partnership Agreements.

2. The CDE shall aim to assist private ACP enterprises to become more competitive in all sectors of the economy. It shall in particular:

(a) facilitate and promote business cooperation and partnerships between ACP and EU enterprises;

(b) pomaga pri razvoju storitev za podporo poslovanju s podpiranjem usposabljanja organizacij v zasebnem sektorju ali podpiranjem ponudnikom tehničnih, strokovnih, poslovnih, trgovinskih in izobraževalnih podpornih storitev;

(c) zagotavlja pomoč pri dejavnostih spodbujanja investiranja, kot so organizacije za spodbujanje investiranja, organizacija konferenc o investiranju, programi usposabljanja, delavnice o pripravi strategij in nadaljnjih nalog v zvezi s spodbujanjem investiranja;

(d) podpira pobude, ki prispevajo k spodbujanju inovacij in prenosa tehnologij, strokovnega znanja ter izkušenj in najboljših praks v vseh vidikih poslovanja;

(e) obvešča zasebni sektor AKP o določbah tega Sporazuma; in

(f) obvešča evropska podjetja in organizacije zasebnega sektorja o poslovnih priložnostih in modalitetah v državah AKP.

3. CRP prispeva tudi k izboljšanju poslovnega okolja na nacionalnih in regionalnih ravneh, da bi se podjetja spodbudila k izkoriščanju napredka procesov regionalnega povezovanja in odpiranja trgovine. To vključuje:

(a) pomoč podjetjem pri doseganju obstoječih in novih standardov kakovosti ter drugih standardov, ki so bili uvedeni z napredkom v regionalnem povezovanju in izvajanju sporazumov o gospodarskem partnerstvu;

(b) širjenje informacij znotraj lokalnega zasebnega sektorja držav AKP o kakovosti proizvodov in standardih zahtevanih na zunanjih trgih;

(c) spodbujanje regionalnih in nacionalnih reform poslovnega okolja, vključno s spodbujanjem dialoga med zasebnim sektorjem in javnimi institucijami; in

(d) krepitev vloge in funkcije nacionalnih in/ali regionalnih posrednikov, ki ponujajo storitve.

4. Dejavnosti CRP temeljijo na konceptu usklajevanja, komplementarnosti in dodane vrednosti v zvezi s kakršnimi koli pobudami za razvoj v zasebnem sektorju s strani javnega ali zasebnega subjekta. Dejavnosti CRP so zlasti skladne z nacionalnimi in regionalnimi razvojnimi strategijami, kakor so opredeljene v delu 3 tega sporazuma. CRP je pri prevzemanju nalog selektiven in zagotavlja finančno trajnost. Zagotavlja ustrezno razdelitev nalog med svojim sedežem in regionalnimi uradi.

5. Izvaja se redno vrednotenje dejavnosti CRP.

6. Odbor veleposlanikov je nadzorni organ Centra. Po podpisu tega sporazuma:

(a) določi statut Centra;

(b) imenuje člane izvršilnega odbora;

(c) na predlog izvršilnega odbora imenuje vodstvo Centra;

(d) spremlja splošno strategijo Centra in nadzoruje delo izvršilnega odbora.

7. Izvršilni odbor v skladu s statutom Centra:

(a) določi finančne in kadrovske predpise ter pravila delovanja;

(b) nadzoruje delo Centra;

(c) sprejme program in proračun Centra;

(d) nadzornemu organu redno pošilja poročila in ocene; in

(e) opravlja kakršne koli druge naloge, ki mu jih podeljuje statut Centra.

8. Proračun Centra se financira v skladu s pravili, določenimi v tem sporazumu v zvezi s sodelovanjem pri financiranju razvoja.";

(b) assist with the development of business support services through support for capacity building in private sector owned organisations or support for providers of technical, professional, management, commercial and training support services;

(c) provide assistance for investment promotion activities, such as investment promotion organisations, organisation of investment conferences, training programmes, strategy workshops and follow-up investment promotion missions;

(d) support initiatives that contribute to fostering innovation and the transfer of technologies, know-how and best practices on all aspects of business management;

(e) inform the ACP private sector about the provisions of this Agreement; and

(f) provide information to European companies and private sector organisations on business opportunities and modalities in ACP countries.

3. The CDE shall also contribute to the improvement of business environment at national and regional levels so as to support enterprises to take advantage of the progress in regional integration processes and trade opening. This shall include:

(a) assisting enterprises in meeting existing and new quality and other standards introduced by progress in regional integration and the implementation of the Economic Partnership Agreements;

(b) diffusing information within the local ACP private sector about the product quality and standards required in external markets;

(c) promoting regional and national business environment reforms, including by facilitating the dialogue between private sector and public institutions; and

(d) enhancing the role and function of national and/or regional service-providing intermediaries.

4. The activities of the CDE shall be based on the concept of coordination, complementarity and added value in respect of any private sector development initiatives taken by public or private entities. In particular, its activities shall be consistent with the national and regional development strategies as defined in Part 3 of this Agreement. The CDE shall exercise selectivity and ensure financial sustainability in undertaking its tasks. It shall ensure an appropriate division of tasks between its Headquarters and regional offices.

5. Periodic evaluations of the activities undertaken by the CDE shall be carried out.

6. The Committee of Ambassadors shall be the supervisory authority of the Centre. It shall, after the signature of this Agreement:

(a) lay down the statutes of the Centre;

(b) appoint the members of the Executive Board;

(c) appoint the management of the Centre on a proposal from the Executive Board; and

(d) monitor the overall strategy of the Centre and supervise the work of the Executive Board.

7. The Executive Board shall, according to the statutes of the Centre:

(a) lay down the financial and staff regulations and the rules of operation;

(b) supervise its work;

(c) adopt the programme and the budget of the Centre;

(d) submit periodic reporting and evaluations to the Supervisory Authority; and

(e) perform any other tasks allocated to it by the statutes of the Centre.

8. The budget of the Centre shall be financed in accordance with the rules laid down in this Agreement in respect of development finance cooperation.";

(c) Člen 3 se nadomesti z naslednjim:

"Člen 3

CTA

1. Namen CTA je krepitev politik in razvoj institucionalnih zmogljivosti ter zmogljivosti upravljanja z informacijami in komunikacijami organizacij AKP za razvoj kmetijstva in podeželja. Takim organizacijam pomaga pri oblikovanju in izvajanju politik in programov za zmanjšanje revščine, spodbujanje trajnostne varnosti preskrbe s hrano in ohranitev naravnih virov ter tako prispeva k vzpostavitvi samozaupanja pri razvoju podeželja in kmetijstva v AKP.

2. CTA:

(a) razvija in ponuja informacijske storitve ter zagotavlja boljši dostop do raziskovanja, usposabljanja in inovacij na področju razvoja in širjenja kmetijstva in podeželja, z namenom spodbujanja razvoja kmetijstva in podeželja; in

(b) razvija in krepi zmogljivosti AKP z namenom:

(i) izboljšanja oblikovanja in upravljanja politik in strategij razvoja kmetijstva in podeželja na nacionalni in regionalni ravni, vključno z izboljšanjem zmogljivosti zbiranja podatkov ter raziskovanja, analize in oblikovanja politike;

(ii) izboljšanja upravljanja z informacijami in komunikacijami, zlasti znotraj nacionalne kmetijske strategije;

(iii) spodbujanja učinkovitega upravljanja informacij in komunikacij znotraj institucij za spremljanje realizacije ter konzorcije regionalnih in mednarodnih partnerjev;

(iv) spodbujanja decentraliziranega upravljanja informacij in komunikacij na lokalni in nacionalni ravni;

(v) krepitev pobud preko regionalnega sodelovanja; in

(vi) razvijanja pristopov k ocenjevanju vpliva politik na razvoj kmetijstva in podeželja.

3. Center podpira regionalne pobude in omrežja ter si postopoma deli programe za razvoj zmogljivosti z ustreznimi organizacijami AKP. S tem namenom Center podpira decentralizirana regionalna informacijska omrežja. Taka omrežja se gradijo postopoma in učinkovito.

4. Izvaja se redno vrednotenje dejavnosti CTA.

5. Odbor veleposlanikov je nadzorni organ Centra. Po podpisu tega sporazuma ta odbor:

(a) določi statut Centra;

(b) imenuje člane izvršilnega odbora;

(c) na predlog izvršilnega odbora imenuje vodstvo Centra; in

(d) spremlja splošno strategijo Centra in nadzoruje delo izvršilnega odbora.

6. Izvršilni odbor v skladu s statutom Centra:

(a) določi finančne in kadrovske predpise ter pravila delovanja;

(b) nadzoruje delo Centra;

(c) sprejme program in proračun Centra;

(d) nadzornemu organu redno pošilja poročila in ocene;

(e) opravlja kakršne koli druge naloge, ki mu jih dodeljuje statut Centra.

7. Proračun Centra se financira v skladu s pravili, določenimi v tem sporazumu v zvezi s sodelovanjem pri financiranju razvoja."

(c) Article 3 is replaced by the following:

"Article 3

CTA

1. The mission of the CTA shall be to strengthen policy and institutional capacity development and information and communication management capacities of ACP agricultural and rural development organisations. It shall assist such organisations in formulating and implementing policies and programmes to reduce poverty, promote sustainable food security, preserve the natural resource base, and thus contribute to building self-reliance in ACP rural and agricultural development.

2. The CTA shall:

(a) develop and provide information services and ensure better access to research, training and innovations in the spheres of agricultural and rural development and extension, in order to promote agriculture and rural development; and

(b) develop and reinforce ACP capacities in order to:

(i) improve the formulation and management of agricultural and rural development policies and strategies at national and regional levels including improved capacity for data collection, policy research, analysis and formulation;

(ii) improve the information and communication management, in particular within the National Agricultural Strategy;

(iii) promote effective intra-institutional Information and Communication Management (ICM) for performance monitoring, as well as consortia with regional and international partners;

(iv) promote decentralised ICM at local and national levels;

(v) strengthen initiatives via regional cooperation; and

(vi) develop approaches for assessing the impact of policy on agricultural and rural development.

3. The Centre shall support regional initiatives and networks and shall progressively share capacity development programmes with appropriate ACP organisations. To this end, the Centre shall support decentralised regional information networks. Such networks shall be built up gradually and efficiently.

4. Periodic evaluations of the activities undertaken by the CTA shall be carried out.

5. The Committee of Ambassadors shall be the supervisory authority of the Centre. It shall, after the signature of this Agreement:

(a) lay down the statutes of the Centre;

(b) appoint the members of the Executive Board;

(c) appoint the management of the Centre on a proposal from the Executive Board; and

(d) monitor the overall strategy of the Centre and supervise the work of the Executive Board.

6. The Executive Board shall, according to the statutes of the Centre:

(a) lay down the financial and staff regulations and the rules of operation;

(b) supervise its work;

(c) adopt the programme and the budget of the Centre;

(d) submit periodic reporting and evaluations to the Supervisory Authority; and

(e) perform any other tasks allocated to it by the statutes of the Centre.

7. The budget of the Centre shall be financed in accordance with the rules laid down in this Agreement in respect of development finance cooperation."

3. Priloga IV, kakor je spremenjena s Sklepom Sveta ministrov AKP-ES št. 3/2008 z dne 15. decembra 2008², se spremeni:

(a) člene 1, 2 in 3 se nadomesti z naslednjim:
"Člen 1

Dejavnosti, ki se financirajo v obliki subvencij iz tega sporazuma, se načrtujejo na začetku obdobja, za katero velja večletni finančni okvir sodelovanja.

Načrtovanje bo temeljilo na načelih lastništva, prilagajanja, usklajevanja vlagateljev, upravljanja za razvojne rezultate in vzajemne odgovornosti.

Načrtovanje v ta namen pomeni:

(a) pripravo in razvoj državnih ali regionalnih strateških dokumentov ali strateških dokumentov znotraj AKP (strateški dokumenti), ki temeljijo na njihovih srednjeročnih razvojnih ciljih in strategijah, ob upoštevanju načel skupnega načrtovanja in delitve dela med vlagatelji, ki bo v čim večji možni meri predstavljal proces pod vodstvom partnerske države ali regije;

(b) da Skupnost jasno navede indikativna programljiva dodeljena finančna sredstva, ki jih lahko država, regija ali sodelovanje znotraj AKP koristi v obdobju, ki ga zajema večletni finančni okvir sodelovanja iz tega sporazuma, ter kakršne koli druge ustrezne informacije, vključno z morebitno rezervo za nepredvidene potrebe;

(c) pripravo in sprejetje indikativnega programa za izvajanje strateških dokumentov ob upoštevanju zavez drugih vlagateljev, ter zlasti držav članic EU; in

(d) postopek revizije, ki zajema strateške dokumente, indikativni program in višino njemu dodeljenih sredstev.

Člen 2

Državni strateški dokument

Državni strateški dokument (CSP) pripravi posamezna država AKP in EU. CSP se opira na predhodno posvetovanje z različnimi nosilci, vključno z nedržavnimi nosilci, lokalnimi organi in po potrebi parlamenti AKP, ter na izkušnje in najboljšo prakso. Vsak CSP je prilagojen potrebam in odgovarja posebnim okoliščinam posamezne države AKP. CSP je instrument za določanje prioriteten dejavnosti in za vzpostavitev lokalnega lastništva nad programi sodelovanja. Zabeležijo se vse razlike med analizo Skupnosti in analizo zadevne države. CSP vključuje naslednje standardne elemente:

(a) analizo političnega, gospodarskega, socialnega in okoljskega konteksta države, omejitve, zmogljivosti in pričakovanja, vključno z oceno osnovnih potreb, kot so dohodek na prebivalca, velikost prebivalstva in socialni kazalci ter ranljivost;

(b) podroben oris srednjeročne razvojne strategije države, jasno opredeljene prioritete in pričakovane finančne potrebe;

(c) oris ustreznih načrtov in aktivnosti drugih vlagateljev, ki so navzoči v državi, zlasti tistih iz držav članic EU kot dvostranskih vlagateljev;

(d) strategije odziva, ki podrobno opredeljujejo poseben prispevek, ki ga lahko zagotovi EU. Te strategije se v največji možni meri dopolnjujejo z operacijami, ki jih financira sama država AKP in drugi vlagatelji, navzoči v državi; in

(e) navedbo najbolj primernih podpornih mehanizmov in mehanizmov izvajanja, ki se jih uporabi pri izvajanju zgornjih strategij.

3. Annex IV, as amended by Decision No 3/2008 of the ACP-EC Council of Ministers of 15 December 2008², is amended as follows:

(a) Articles 1, 2 and 3 are replaced by the following:
"Article 1

Operations financed by grants within the framework of this Agreement shall be programmed at the beginning of the period covered by the multi-annual financial framework of cooperation.

Programming will be based on the principles of ownership, alignment, donor coordination and harmonisation, managing for development results and mutual accountability.

Programming for this purpose shall mean:

(a) the preparation and development of country, regional or intra-ACP strategy papers (SP) based on their own medium-term development objectives and strategies, and taking into account the principles of joint programming and division of labour among donors, which shall, to the extent possible, be a partner country or region led process;

(b) a clear indication from the Community of the indicative programmable financial allocation from which the country, region or intra-ACP cooperation may benefit during the period covered by the multi-annual financial framework of cooperation under this Agreement as well as any other relevant information, including a possible reserve for unforeseen needs;

(c) the preparation and adoption of an indicative programme for implementing the SP, taking into account commitments of other donors, and in particular of the EU Member States; and

(d) a review process covering the SP, the indicative programme and the volume of resources allocated to it.

Article 2

Country strategy paper

The country strategy paper (CSP) shall be prepared by the ACP State concerned and the EU. It shall draw from prior consultation with a wide range of actors including non-State actors, local authorities and, where relevant, ACP Parliaments, and shall draw on lessons learned and best practices. Each CSP shall be adapted to the needs and respond to the specific circumstances of each ACP State. The CSP shall be an instrument to prioritise activities and to build local ownership of cooperation programmes. Any divergences between the country's own analysis and that of the Community shall be noted. The CSP shall include the following standard elements:

(a) an analysis of the political, economic, social, and environmental country context, constraints, capacities and prospects including an assessment of basic needs, such as income per capita, population size and social indicators, and vulnerability;

(b) a detailed outline of the country's medium-term development strategy, clearly defined priorities and expected financing requirements;

(c) an outline of relevant plans and actions of other donors present in the country, in particular including those of the EU Member States in their capacity as bilateral donors;

(d) response strategies, detailing the specific contribution the EU can provide. These shall, to the extent possible, enable complementarity with operations financed by the ACP State itself and by other donors present in the country; and

(e) an indication of the most appropriate support and implementation mechanisms to be applied in implementing the above strategies.

² UL EU L 352, 31. 12. 2008, str. 59.

² OJ EU L 352, 31. 12. 2008, p. 59.

Člen 3

Dodeljevanje sredstev

1. Indikativno dodeljevanje sredstev med države AKP temelji na standardnih, objektivnih in preglednih potrebah in merilih uspešnosti. V tem okviru:

(a) se potrebe ocenijo na osnovi meril v zvezi z dohodkom na prebivalca, velikostjo prebivalstva, socialnimi kazalci in stopnjo zadolženosti ter ranljivostjo zaradi zunanjih pretresov. Posebne obravnave so deležne najmanj razvite države AKP, upošteva pa se tudi ranljivost otoških in kopenskih držav. Poleg tega se upoštevajo tudi posebne težave držav, ki odpravljajo posledice konfliktov ali naravne nesreče; in

(b) se uspešnost oceni na podlagi meril, ki se nanašajo na vodenje, napredek pri izvajanju institucionalnih reform, uspešnost države pri izrabi virov, učinkovito izvajanje tekočih operacij, blažitev ali zmanjšanje revščine, napredek pri doseganju razvojnih ciljev novega tisočletja, ukrepe za trajnostni razvoj ter uspešnost makroekonomskih in sektorskih politik.

2. Dodeljena sredstva vsebujejo:

(a) programljiva sredstva, dodeljena za makroekonomsko podporo, sektorske politike, programe in projekte za podporo osrednjim in stranskim področjem pomoči Skupnosti. Programljiva dodeljena sredstva omogočajo dolgoročno programiranje pomoči Skupnosti za zadevno državo. Skupaj z drugimi morebitnimi viri Skupnosti so ta dodeljena sredstva osnova za pripravo indikativnega programa za posamezno državo; in

(b) sredstva, namenjena za nepredvidene potrebe, kakor so opredeljene v členih 66 in 68 ter členih 72, 72a in 73 tega sporazuma, ki so na voljo pod pogoji iz teh členov, kadar take podpore ni mogoče financirati iz proračuna Unije.

3. Na podlagi rezerve za nepredvidene potrebe se predvidi vse potrebe za države, ki zaradi izrednih okoliščin nimajo dostopa do običajnih programljivih virov.

4. Brez poseganja v člen 5(7) te priloge o revizijah lahko Skupnost, z namenom upoštevanja novih potreb ali izredne uspešnosti, poveča programljiva dodeljena sredstva države ali njihovo dodeljevanje za nepredvidene potrebe:

(a) nove potrebe lahko izhajajo iz izrednih okoliščin, kot so kriza in razmere, ki nastopijo po krizi, ali iz nepredvidenih potreb iz odstavka 2(b);

(b) izredna uspešnost je stanje, v katerem so zunaj revizij na sredi in koncu obdobja programljiva sredstva, dodeljena državi, v celoti porabljeni in se lahko absorbirajo dodatna sredstva iz nacionalnega indikativnega programa ob upoštevanju učinkovite politike zmanjševanja revščine in dobrega finančnega poslovanja.”;

(b) člen 4(1) do (4) se nadomesti z naslednjim:

”1. Ob prejemu zgoraj omenjenih informacij vsaka država AKP, na osnovi svojih razvojnih ciljev in prioritete ter v skladu z njimi, kot je navedeno v CSP, sestavi osnutek indikativnega programa ter ga predloži Skupnosti. Osnutek indikativnega programa vsebuje:

(a) splošno proračunsko podporo in/ali omejeno število osrednjih sektorjev ali področij, na katere bi bilo treba osredotočiti podporo;

(b) najbolj ustrezne ukrepe in dejavnosti za izpolnjevanje ciljev v osrednjem(-ih) sektorju(-ih) ali na osrednjem(-ih) področju(-ih);

(c) vire, predvidoma namenjene za omejeno število programov in projektov izven osrednjega(-ih) sektorja(-ev) ali področja(področij) in/ali splošne predloge takih dejavnosti, ter navedbo virov, ki jih je treba pripraviti za vsakega izmed teh elementov;

Article 3

Resource allocation

1. The indicative resource allocation among ACP countries shall be based on standard, objective and transparent needs and performance criteria. In this context:

(a) needs shall be assessed on the basis of criteria pertaining to per capita income, population size, social indicators and level of indebtedness and vulnerability to exogenous shocks. Special treatment shall be accorded to the least developed ACP States, and the vulnerability of island and landlocked States shall duly be taken into account. In addition, account shall be taken of the particular difficulties of countries dealing with the aftermath of conflict or natural disaster; and

(b) performance shall be assessed on the basis of criteria pertaining to governance, progress in implementing institutional reforms, country performance in the use of resources, effective implementation of current operations, poverty alleviation or reduction, progress towards achieving the Millennium Development Goals, sustainable development measures and macroeconomic and sectoral policy performance.

2. The allocated resources shall comprise:

(a) a programmable allocation to cover macroeconomic support, sectoral policies, programmes and projects in support of the focal or non-focal areas of Community assistance. The programmable allocation shall facilitate the long-term programming of Community aid for the country concerned. Together with other possible Community resources, these allocations shall be the basis for the preparation of the indicative programme for the country concerned; and

(b) an allocation to cover unforeseen needs such as those defined in Articles 66 and 68 and Articles 72, 72a and 73 of this Agreement, accessible under the conditions set out in those Articles, where such support cannot be financed from the Union's budget.

3. Provision will be made on the basis of the reserve for unforeseen needs for those countries, which, due to exceptional circumstances, cannot access normal programmable resources.

4. Without prejudice to Article 5(7) of this Annex concerning reviews, the Community may, in order to take account of new needs or exceptional performance, increase a country's programmable allocation or its allocation for unforeseen needs:

(a) new needs may result from exceptional circumstances such as crisis and post-crisis situations or from unforeseen needs as referred to in paragraph 2(b);

(b) exceptional performance is a situation in which, outside the mid-term and end-of-term reviews, a country's programmable allocation is totally committed and additional funding from the national indicative programme can be absorbed against a background of effective poverty-reduction policies and sound financial management.”;

(b) Article 4(1) to (4) are replaced by the following:

”1. Upon receipt of the information referred to above, each ACP State shall draw up and submit to the Community a draft indicative programme on the basis of and consistent with its development objectives and priorities as expressed in the CSP. The draft indicative programme shall contain:

(a) general budget support and/or a limited number of focal sectors or areas on which support should be concentrated;

(b) the most appropriate measures and operations for attaining the objectives and targets in the focal sector(s) or area(s);

(c) the resources possibly reserved for a limited number of programmes and projects outside the focal sector(s) or area(s) and/or the broad outlines of such activities, as well as an indication of the resources to be deployed for each of these elements;

(d) vrste nedržavnih nosilcev, upravičenih do financiranja, v skladu z merili, ki jih določi Svet ministrov, sredstva, dodeljena nedržavnim nosilcem, in vrsto dejavnosti, ki se bodo podpirale in ki morajo biti neprofitne;

(e) predloge za predvideno sodelovanje v regionalnih programih in projektih; ter

(f) morebitno rezervacijo za zavarovanje pred morebitnimi terjatvami ter za kritje povečanih in nepredvidenih stroškov.

2. Osnutek indikativnega programa po potrebi vsebuje vire, namenjene krepitvi kadrovskih, materialnih in institucionalnih zmogljivosti AKP za pripravo in izvajanje nacionalnih indikativnih programov in morebitno sodelovanje v programih in projektih, ki se financirajo iz regionalnih indikativnih programov, ter za izboljšanje upravljanja ciklusa projektov javnih investicij držav AKP.

3. Osnutek indikativnega programa je predmet izmenjave mnenj med zadevno državo AKP in Skupnostjo. Indikativni program sporazumno sprejmeta Komisija v imenu Skupnosti in zadevna država AKP. Po njegovem sprejetju je zavezujoč tako za Skupnost kot za navedeno državo. Ta indikativni program se priloži CSP in poleg tega, vsebuje:

(a) navedbo posebnih in jasno določenih dejavnosti, predvsem tistih, za katere se lahko uporabijo sredstva pred naslednjo revizijo;

(b) indikativen časovni načrt za izvajanje in revizijo indikativnega programa, vključno s prevzetimi obveznostmi in izplačili sredstev; ter

(c) merila za revizijo, usmerjena k rezultatom.

4. Skupnost in zadevna država AKP sprejmeta vse potrebne ukrepe za zagotovitev, da se postopek programiranja zaključi v čim krajšem času ali, razen v primeru izrednih okoliščin, v dvanajstih mesecih od sprejetja večletnega finančnega okvira sodelovanja. V tem okviru mora biti priprava CSP in indikativnega programa del neprekinjenega postopka, ki se konča s sprejetjem enotnega dokumenta.";

(c) člen 5 se spremeni:

(i) odstavek 2 se nadomesti z naslednjim:

"2. V izrednih okoliščinah iz člena 3(4) se lahko ad hoc revizija izvede na predlog ene od pogodbenic, da se upoštevajo nove potrebe ali izredna uspešnost.";

(ii) v odstavku 4 se uvodno besedilo nadomesti z naslednjim:

"4. Letne operativne revizije ter revizije sredi in konec obdobja indikativnega programa so sestavljene iz skupne ocene izvedbe programa in upoštevajo rezultate ustreznih dejavnosti spremljanja in vrednotenja. Te revizije se izvedejo lokalno, nacionalni odredbodajalec in Komisija pa jih dokončata po posvetovanju z ustreznimi interesnimi skupinami, vključno z nedržavnimi nosilci, lokalnimi organi in po potrebi parlamenti AKP. Zlasti zajemajo ocene:";

(iii) odstavke 5, 6 in 7 se nadomesti z naslednjim:

"5. Komisija enkrat letno predloži združeno poročilo o zaključku letne operativne revizije Odboru za sodelovanje pri financiranju razvoja. Odbor poročilo preuči v skladu s svojimi odgovornostmi in pooblastili po tem sporazumu.

6. Glede na letne operativne revizije lahko nacionalni odredbodajalec in Komisija pri reviziji sredi ali konec obdobja ter v zgornjih časovnih okvirih revidirata in prilagodita CSP:

(a) kadar operativne revizije kažejo na posebne probleme; in/ali

(b) glede na spremenjene okoliščine v državi AKP.

Sprememba CSP se lahko sprejme tudi na podlagi postopka ad hoc revizije iz odstavka 2.

(d) the types of non-State actors eligible for funding, in accordance with the criteria laid down by the Council of Ministers, the resources allocated for non-State actors and the type of activities to be supported, which must be not-for-profit;

(e) proposals for a possible participation in regional programmes and projects; and

(f) a possible reserve for insurance against possible claims and to cover cost increases and contingencies.

2. The draft indicative programme shall, as appropriate, contain the resources reserved to reinforce human, material and institutional ACP capacity for preparing and implementing national indicative programmes and possible participations in programmes and projects funded from the regional indicative programmes and for improving the management of the ACP States' public investment projects cycle.

3. The draft indicative programme shall be the subject of an exchange of views between the ACP State concerned and the Community. The indicative programme shall be adopted by common agreement between the Commission on behalf of the Community and the ACP State concerned. It shall, when adopted, be binding on both the Community and that State. This indicative programme shall be annexed to the CSP and shall in addition contain:

(a) an indication of specific and clearly identified operations, especially those that can be committed before the next review;

(b) an indicative timetable for implementation and review of the indicative programme, including commitments and disbursements of resources; and

(c) results-oriented criteria for the reviews.

4. The Community and the ACP State concerned shall take all necessary measures to ensure that the programming process is completed within the shortest possible time and, save in exceptional circumstances, within twelve months of the adoption of the multi-annual financial framework of cooperation. In this context, the preparation of the CSP and the indicative programme must be part of a continuous process leading to the adoption of a single document.";

(c) Article 5 is amended as follows:

(i) paragraph 2 is replaced by the following:

"2. In exceptional circumstances as referred to in Article 3(4), in order to take into account new needs or exceptional performance, an ad hoc review can be carried out on the demand of either Party.";

(ii) in paragraph 4, the introductory wording is replaced by the following:

"4. The annual operational, mid-term and end-of-term reviews of the indicative programme shall consist of a joint assessment of the implementation of the programme and take into account the results of relevant activities of monitoring and evaluation. These reviews shall be conducted locally and shall be finalised between the National Authorising Officer and the Commission, in consultation with the appropriate stakeholders, including non-State actors, local authorities and, where relevant, ACP parliaments. They shall in particular cover an assessment of:";

(iii) paragraphs 5, 6 and 7 are replaced by the following:

"5. The Commission shall submit once a year a synthesis report on the conclusion of the annual operational review to the Development Finance Cooperation Committee. The Committee shall examine the report in accordance with its responsibilities and powers under this Agreement.

6. In the light of the annual operational reviews, the National Authorising Officer and the Commission may at the mid-term and end-of-term reviews, review and adapt the CSP:

(a) where operational reviews indicate specific problems; and/or

(b) in the light of changed circumstances of an ACP State.

A change in the CSP may also be decided as a result of the ad hoc review process foreseen under paragraph 2.

Revizija na koncu obdobja lahko zajema tudi prilagoditev za nov večletni finančni okvir sodelovanja glede dodeljevanja sredstev in priprave na naslednji program.

7. Po izvedbi revizij sredi ali konec obdobja lahko Komisija v imenu Skupnosti dodeljena sredstva državi poveča ali zmanjša glede na tekoče potrebe in uspešnost zadevne države AKP.

Po ad hoc reviziji iz odstavka 2 lahko Komisija v imenu Skupnosti tudi poveča dodeljena sredstva glede na nove potrebe ali izredno uspešnost zadevne države AKP, kot je določeno v členu 3(4).";

(d) člen 6 se spremeni:

(i) Naslov se nadomesti z naslednjim:

"Obseg";

(ii) Dodata se naslednja odstavka:

"3. Zaposila za financiranje regionalnih programov predloži:

(a) pooblaščen regionalni organ ali organizacija; ali

(b) pooblaščen podregionalni organ, organizacija ali država AKP v zadevni regiji v fazi programiranja, pod pogojem, da je dejavnost opredeljena v regionalnem indikativnem programu (RIP).

4. Udeležba držav v razvoju, ki niso države AKP, v regionalnih programih je predvidena le, če:

(a) je osrednji del projektov in programov, financiranih iz večletnega finančnega okvira sodelovanja, še vedno v državi AKP;

(b) v okviru finančnih instrumentov Skupnosti obstajajo enakovredne določbe; in

(c) se spoštuje načelo sorazmernosti.";

(e) člene 7, 8 in 9 se nadomesti z naslednjim:

"Člen 7

Regionalni programi

Zadevne države AKP se odločijo o opredelitvi geografskih regij. Regionalni programi povezovanja bi morali kar najbolj ustrezati programom obstoječih regionalnih organizacij. Načeloma, v primeru, da se članstvo več ustreznih regionalnih organizacijah prekriva, mora regionalni program povezovanja ustrezati združenemu članstvu teh organizacij.

Člen 8

Regionalno načrtovanje

1. Načrtovanje se izvaja na ravni posamezne regije. Načrtovanje je rezultat izmenjave mnenj med Skupnostjo in zadevno(-imi) pooblaščen(-imi) regionalno(-imi) organizacij(-ami) in v primeru, da ni takšnega pooblastila, med nacionalnimi odredbodajalci držav v tej regiji. Kjer je ustrezno, lahko načrtovanje vključuje posvetovanje z nedržavnimi nosilci, zastopanimi na regionalni ravni, in po potrebi regionalnimi parlamenti.

2. Regionalni strateški dokument (RSP) pripravi(-jo) Komisija in pooblaščen(-e) regionalna(-e) organizacija(-e) v sodelovanju z državami AKP v zadevni regiji na podlagi načela subsidiarnosti in komplementarnosti, pri čemer se upošteva načrtovanje CSP.

3. RSP je instrument s katerim se določa prioritete dejavnosti in instrument vzpostavitve lokalnega lastništva podprtih programov. RSP vsebuje naslednje standardne elemente:

(a) analizo političnega, gospodarskega, socialnega in okoljskega konteksta regije;

(b) oceno procesa in obetov glede regionalnega gospodarskega povezovanja in vključevanja v svetovno gospodarstvo;

(c) oris regionalnih strategij in prioritet ter pričakovanih finančnih potreb;

The end-of-term review may also include adaptation for the new multi-annual financial framework of cooperation in terms of both resource allocation and preparation for the next programme.

7. Following the completion of the mid-term and end-of-term reviews, the Commission may, on behalf of the Community, increase or decrease the resource allocation of a country in the light of current needs and the performance of the ACP State concerned.

Following an ad hoc review as foreseen under paragraph 2, the Commission may, on behalf of the Community, also increase the resource allocation in the light of new needs or exceptional performance of the ACP State concerned, as defined in Article 3(4).";

(d) Article 6 is amended as follows:

(i) The title is replaced by the following:

"Scope";

(ii) The following paragraphs are added:

"3. Requests for financing of regional programmes shall be submitted by:

(a) a duly mandated regional body or organisation; or

(b) a duly mandated sub-regional body, organisation or an ACP State in the region concerned at the programming stage, provided that the operation has been identified in the regional indicative programme (RIP).

4. The participation of non-ACP developing countries to regional programmes shall be envisaged only to the extent that:

(a) the centre of gravity of the projects and programmes funded under the multi-annual financial framework of cooperation remains in an ACP country;

(b) equivalent provisions exist in the framework of the Community's financial instruments; and

(c) the principle of proportionality is respected.";

(e) Articles 7, 8 and 9 are replaced by the following:

"Article 7

Regional programmes

The ACP States concerned shall decide on the definition of geographical regions. To the maximum extent possible, regional integration programmes should correspond to programmes of existing regional organisations. In principle, in case the membership of several relevant regional organisations overlaps, the regional integration programme should correspond to the combined membership of these organisations.

Article 8

Regional programming

1. Programming shall take place at the level of each region. The programming shall be a result of an exchange of views between the Commission and the duly mandated regional organisation(s) concerned, and in the absence of such a mandate, the National Authorising Officers of the countries in that region. Where appropriate, programming may include a consultation with non-State actors represented at regional level and, where relevant, regional parliaments.

2. The regional strategy paper (RSP) shall be prepared by the Commission and the duly mandated regional organisation(s) in collaboration with the ACP States in the region concerned, on the basis of the principle of subsidiarity and complementarity, taking into account the programming of the CSP.

3. The RSP will be an instrument to prioritise activities and to build local ownership of supported programmes. The RSP shall include the following standard elements:

(a) an analysis of the political, economic, social and environmental context of the region;

(b) an assessment of the process and prospects of regional economic integration and integration into the world economy;

(c) an outline of the regional strategies and priorities pursued and the expected financing requirements;

(d) oris ustreznih dejavnosti drugih zunanjih partnerjev v regionalnem sodelovanju;

(e) oris specifičnega prispevka EU k doseganju ciljev regionalnega sodelovanja in povezovanja, čim bolj skladnega z dejavnostmi, ki jih financirajo države AKP same in drugi zunanji partnerji, zlasti države članice EU; in

(f) navedbo najustreznejših mehanizmov podpore in izvajanja, ki se morajo uporabljati pri izvajanju zgornjih strategij.

Člen 9

Dodeljevanje sredstev

1. Indikativno dodeljevanje sredstev med regije AKP temelji na standardno, nepristransko in pregledno ocenjenih potrebah ter napredku in predvidevanjih v procesu regionalnega sodelovanja in povezovanja.

2. Dodeljena sredstva vsebujejo:

(a) programljiva sredstva, dodeljena v podporo regionalnemu povezovanju, sektorske politike, programe in projekte za podporo osrednjim in stranskim področjem pomoči Skupnosti; in

(b) sredstva, dodeljena vsaki regiji AKP za nepredvidene potrebe, kot so določene v členih 72, 72a in 73 tega sporazuma, kadar je zaradi čezmejne narave in/ali obsega nepredvidene potrebe takšno podporo bolj učinkovito zagotoviti na regionalni ravni. Ta sredstva so na voljo pod pogoji iz členov 72, 72a in 73 tega sporazuma, kadar take podpore ni mogoče financirati iz proračuna Unije. Zagotovijo se dopolnjevanje med intervencijami v okviru teh sredstev in morebitne intervencije na ravni države.

3. Programljiva dodeljena sredstva omogočajo dolgoročno načrtovanje pomoči Skupnosti za zadevno regijo. Da bi dosegli primeren obseg in povečali učinkovitost, se lahko regionalna in nacionalna sredstva združijo za financiranje regionalnih operacij z izrazito nacionalno komponento.

Regionalna sredstva, dodeljena za nepredvidene potrebe, se lahko mobilizirajo v korist zadevni regiji in državam AKP zunaj regije, kadar je njihova vključitev potrebna zaradi narave nepredvidene potrebe, pri čemer je osrednji del predvidenih projektov in programov še vedno v regiji.

4. Brez poseganja v člen 11 o revizijah lahko Skupnost poveča programljiva dodeljena sredstva za zadevno regijo ali njihovo dodeljevanje za nepredvidene potrebe zaradi upoštevanja novih potreb ali izredne uspešnosti:

(a) nove potrebe so potrebe, ki izhajajo iz izrednih okoliščin, kot so kriza in razmere, ki nastanejo po krizi, ali iz nepredvidenih potreb iz odstavka 2(b);

(b) izredna uspešnost je stanje, v katerem so zunaj revizij na sredi in koncu obdobja sredstva, dodeljena regiji, v celoti porabljena, dodatna sredstva iz regionalnega indikativnega programa pa se lahko absorbirajo ob upoštevanju učinkovitega regionalnega povezovanja in dobrega finančnega poslovanja.";

(f) člen 10(2) se nadomesti z naslednjim:

"2. Regionalni indikativni program sporazumno sprejmejo Skupnost in pooblaščen(-e) regionalna(-e) organizacija(-e) ali v primeru odsotnosti takšnega pooblastila zadevne države AKP.";

(g) v členu 11 se obstoječi odstavek oštevilči in se doda naslednji odstavek:

"2. V izrednih okoliščinah iz člena 9(4) se lahko izvede revizija na predlog ene od pogodbenic, da se upoštevajo nove potrebe ali izredna uspešnost. Na podlagi ad hoc revizije lahko obe pogodbenici sprejmeta spremembo RSP in/ali se povečajo sredstva, ki jih Komisija dodeli v imenu Skupnosti.

(d) an outline of relevant activities of other external partners in regional cooperation;

(e) an outline of the specific EU contribution towards achievement of the goals for regional integration, complementary insofar as possible to operations financed by the ACP States themselves and by other external partners, particularly the EU Member States; and

(f) an indication of the most appropriate support and implementation mechanisms to be applied in implementing the above strategies.

Article 9

Resource allocation

1. The indicative resource allocation among ACP regions shall be based on standard, objective and transparent estimates of needs and the progress and prospects in the process of regional cooperation and integration.

2. The allocated resources shall comprise:

(a) a programmable allocation to cover support to regional integration, sector policies, programmes and projects in support of the focal or non-focal areas of Community assistance; and

(b) an allocation for each ACP region to cover unforeseen needs such as those defined in Articles 72, 72a and 73 of this Agreement where, given the cross-border nature and/or scope of the unforeseen need, such support can more effectively be provided at regional level. These funds shall be accessible under the conditions set out in Articles 72, 72a and 73 of this Agreement, where such support cannot be financed from the Union's budget. Complementarity between interventions provided for under this allocation and possible interventions at country level shall be ensured.

3. The programmable allocation shall facilitate the long-term programming of Community aid for the region concerned. In order to achieve an adequate scale and to increase efficiency, regional and national funds may be mixed for financing regional operations with a distinct national component.

A regional allocation for unforeseen needs may be mobilised to the benefit of the region concerned and of ACP countries outside the region where the nature of the unforeseen need requires their involvement and the centre of gravity of the projects and programmes envisaged remains on the region.

4. Without prejudice to Article 11 concerning reviews, the Community may, in order to take account of new needs or exceptional performance, increase a region's programmable allocation or its allocation for unforeseen needs:

(a) new needs are needs resulting from exceptional circumstances such as crisis and post-crisis situations or from unforeseen needs as referred to in paragraph 2(b);

(b) exceptional performance is a situation in which, outside the mid-term and end-of-term reviews, a region's allocation is totally committed and additional funding from the regional indicative programme can be absorbed against a background of effective regional integration and sound financial management.";

(f) Article 10(2) is replaced by the following:

"2. The Regional Indicative Programmes shall be adopted by common agreement between the Community and the duly mandated regional organisation(s) or, in the absence of such a mandate, the ACP States concerned.";

(g) in Article 11, the existing paragraph is numbered and the following paragraph is added:

"2. In exceptional circumstances as referred to in Article 9(4), in order to take into account new needs or exceptional performance, the review can be carried out on the demand of either Party. As a result of an ad hoc review, a change in the RSP may be decided by both Parties and/or the resource allocation increased by the Commission on behalf of the Community.

Revizija na koncu obdobja lahko zajema tudi prilagoditev za nov večletni finančni okvir sodelovanja glede dodeljevanja sredstev in priprave na naslednji regionalni indikativni program.";

(h) člen 12 se nadomesti z naslednjim:

"Člen

Sodelovanje znotraj AKP

1. Sodelovanje znotraj AKP kot razvojni instrument prispeva k cilju partnerstva med AKP in EU. Sodelovanje znotraj AKP je nadregionalno sodelovanje. Njegov cilj je obravnavati skupne izzive, s katerimi se soočajo države AKP prek dejavnosti, ki presegajo pojem geografske lokacije in koristijo več ali vsem državam AKP.

2. V skladu z načeloma subsidiarnosti in komplementarnosti se predvideva intervencija znotraj držav AKP, kadar nacionalni in/ali regionalni ukrepi niso mogoči ali so manj učinkoviti, da se zagotovi dodana vrednost v primerjavi z dejavnostmi, ki se izvajajo z drugimi instrumenti sodelovanja.

3. Kadar se skupina AKP odloči, da bo prispevala k mednarodnim ali medregionalnim spodbudam iz sklada znotraj AKP, se zagotovi ustrezna prepoznavnost.";

(i) dodajo se naslednji členi:

"Člen 12a

Strateški dokument znotraj AKP

1. Načrtovanje sodelovanja znotraj AKP je rezultat izmenjave mnenj med Komisijo in Odborom veleposlanikov AKP ter ga skupaj pripravijo službe Komisije in Sekretariat AKP po posvetovanju z ustreznimi nosilci in interesnimi skupinami.

2. Strateški dokument znotraj AKP določa prednostne ukrepe sodelovanja znotraj AKP in ukrepe, potrebne za vzpostavitev lastništva nad podprtimi programi. Vsebuje naslednje standardne elemente:

(a) analizo političnega, gospodarskega, socialnega in okoljskega konteksta v skupini držav AKP;

(b) oceno sodelovanja znotraj držav AKP v zvezi s prispevkom k doseganju ciljev iz tega sporazuma in pridobljenimi novimi spoznanji;

(c) oris strategije znotraj AKP in zasledovanih ciljev ter pričakovanih finančnih potreb;

(d) oris ustreznih dejavnosti drugih zunanjih partnerjev v sodelovanju; in

(e) navedbo prispevka EU k doseganju ciljev sodelovanja znotraj AKP in njegove skladnosti z dejavnostmi, ki se financirajo na nacionalnih in regionalnih ravneh ter ki jih financirajo drugi zunanji partnerji, zlasti države članice EU.

Člen 12b

Zaprosila za financiranje

Zaprosila za financiranje programov znotraj AKP predloži:

(a) neposredno Svetu ministrov AKP ali Odbor veleposlanikov AKP; ali

(b) posredno:

(i) najmanj trije pooblaščen regionalni organi ali organizacije, ki pripadajo različnim geografskim regijam, ali vsaj dve državi AKP iz vsake od teh treh regij;

(ii) mednarodne organizacije, kot so to Afriška unija, katerih dejavnosti prispevajo k ciljem regionalnega sodelovanja in povezovanja, pod pogojem, da imajo predhodno odobritev Odbora veleposlanikov AKP; ali

(iii) karibske in pacifiške regije glede na njihov poseben geografski položaj, pod pogojem, da imajo predhodno odobritev Sveta ministrov AKP ali Odbora veleposlanikov AKP.

The end-of-term review may also include adaptation for the new multi-annual financial framework of cooperation in terms of both resource allocation and preparation for the next regional indicative programme.";

(h) Article 12 is replaced by the following:

"Article 12

Intra-ACP cooperation

1. Intra-ACP cooperation shall, as an instrument of development, contribute to the objective of the ACP-EC Partnership. The Intra-ACP cooperation is a supra-regional cooperation. It aims to address the shared challenges facing ACP States through operations that transcend the concept of geographic location and benefit many or all ACP States.

2. In keeping with the principles of subsidiarity and complementarity, an intra-ACP intervention is envisaged when national and/or regional action proves impossible or less effective, so as to provide added value in comparison to the operations carried out with other cooperation instruments.

3. When the ACP Group decides to contribute to international or inter-regional initiatives from the intra-ACP fund, appropriate visibility shall be ensured.";

(i) the following Articles are inserted:

"Article 12a

Intra-ACP strategy paper

1. The programming of the Intra-ACP cooperation shall be the result of an exchange of views between the Commission and the ACP Committee of Ambassadors, and shall be jointly prepared by the Commission services and the ACP Secretariat, following consultations with relevant actors and stakeholders.

2. The Intra-ACP strategy paper defines the priority actions of the Intra-ACP cooperation and actions necessary to build ownership of supported programmes. It shall include the following standard elements:

(a) an analysis of the political, economic, social and environmental context of the ACP Group of States;

(b) an assessment of Intra-ACP cooperation as to its contribution to achieving the objectives of this Agreement and lessons learnt;

(c) an outline of the Intra-ACP strategy and objectives pursued and the expected financing requirements;

(d) an outline of relevant activities of other external partners in the cooperation; and

(e) an indication of the EU contribution towards achievement of the objectives of the Intra-ACP cooperation and its complementarity to operations financed at the national and regional levels and by other external partners, particularly the EU Member States.

Article 12b

Requests for financing

Requests for financing of intra-ACP programmes shall be submitted:

(a) directly by the ACP Council of Ministers or the ACP Committee of Ambassadors; or

(b) indirectly by:

(i) at least three duly mandated regional bodies or organisations belonging to different geographic regions, or at least two ACP States from each of the three regions;

(ii) international organisations, such as the African Union, carrying out operations that contribute to the objectives of regional cooperation and integration, subject to prior approval by the ACP Committee of Ambassadors; or

(iii) the Caribbean or Pacific regions, in view of their particular geographic situation, subject to prior approval by the ACP Council of Ministers or the ACP Committee of Ambassadors.

Člen 12c

Dodeljevanje sredstev

Indikativno dodeljevanje sredstev temelji na ocenjenih potrebah ter napredku in predvidevanjih v procesu sodelovanja znotraj AKP. Zajema rezervo neprogramiranih sredstev.";

(j) člena 13 in 14 se nadomesti z naslednjim:

"Člen 13

Indikativni program znotraj AKP

1. Indikativni program znotraj AKP vsebuje naslednje standardne elemente:

- (a) osrednje sektorje in teme pomoči Skupnosti;
- (b) najustreznejše ukrepe in dejavnosti za doseganje ciljev, zastavljenih v zvezi z osrednjimi sektorji in temami; in
- (c) programe in projekte, ki so potrebni za doseganje opredeljenih ciljev, če so jasno opredeljeni, in navedbo sredstev, ki jih je treba dodeliti vsakemu od njih, ter časovni načrt njihovega izvajanja.

2. Komisija in Sekretariat AKP opredelita in ocenita ustrezne ukrepe. Na podlagi tega službe Komisije in Sekretariat AKP skupaj pripravita indikativni program znotraj AKP ter ga predstavita Odboru veleposlanikov AKP-ES. Sprejmeta ga Komisija v imenu Skupnosti in Odbor veleposlanikov AKP.

3. Brez poseganja v točko (iii) člena 12(b) Odbor veleposlanikov AKP vsako leto predloži združeni seznam zahtev za financiranje prednostnih ukrepov, predvidenih v indikativnem programu znotraj AKP. Komisija skupaj s Sekretariatom AKP opredeli in pripravi ustrezne ukrepe ter letni delovni program. V največjem možnem obsegu in ob upoštevanju dodeljenih sredstev se zahteve za financiranje ukrepov, ki niso predvideni v indikativnem programu znotraj AKP, vključijo v letni delovni program. Izjemoma se te zahteve sprejmejo prek posebne odločitve Komisije o financiranju.

Člen 14

Postopek revizije

1. Sodelovanje znotraj AKP mora biti dovolj prožno in odzivno, da zagotavlja stalno usklajenost ukrepov s cilji iz tega sporazuma ter da se upoštevajo kakršne koli spremembe prednostnih nalog in ciljev skupine držav AKP.

2. Odbor veleposlanikov AKP in Komisija izvedeta revizijo strategije sodelovanja in indikativnega programa znotraj držav AKP na sredi in koncu obdobja, da ju prilagodita trenutnim okoliščinam in zagotovita njuno pravilno izvajanje. Če je to potrebno zaradi okoliščin, se lahko izvedejo ad hoc revizije, da se upoštevajo nove potrebe, ki lahko izhajajo iz izrednih in nepredvidenih okoliščin, kot so potrebe na podlagi novih izzivov, ki so skupne državam AKP.

3. Odbor veleposlanikov AKP in Komisija lahko med revizijami na sredi in koncu obdobja ali po ad hoc reviziji pregledata in prilagodita strateški dokument sodelovanja znotraj AKP.

4. Po izvedenih revizijah na sredi in koncu obdobja ali ad hoc revizijah lahko Odbor veleposlanikov AKP in Komisija prilagodita sredstva, dodeljena v okviru indikativnega programa znotraj držav AKP, ter mobilizirata neprogramirano rezervo znotraj AKP.";

Article 12c

Resource allocation

The indicative resource allocation shall be based on the estimates of needs and the progress and prospects in the process of Intra-ACP cooperation. It shall comprise a reserve of non-programmed funds.";

(j) Articles 13 and 14 are replaced by the following:

"Article 13

Intra-ACP indicative programme

1. The Intra-ACP indicative programme comprises the following main standard elements:

- (a) focal sectors and themes of Community aid;
- (b) the most appropriate measures and actions for achieving the objectives set for the focal sectors and themes; and
- (c) the programmes and projects necessary to achieve the objectives identified, insofar as they have been clearly identified, as well as an indication of the resources to be allocated to each of them and an implementation timetable.

2. The Commission and the ACP Secretariat shall identify and appraise the corresponding actions. On this basis, the intra-ACP indicative programme shall be jointly prepared by the services of the Commission and the ACP Secretariat and presented to the ACP-EC Committee of Ambassadors. It shall be adopted by the Commission, on behalf of the Community and by the ACP Committee of Ambassadors.

3. Without prejudice to point (iii) of Article 12b(b), the ACP Committee of Ambassadors shall present each year a consolidated list of requests for financing of the priority actions foreseen in the Intra-ACP indicative programme. The Commission shall identify and prepare the corresponding actions with the ACP Secretariat as well as an annual action programme. To the extent possible and in consideration of the allocated resources, requests for financing of actions not foreseen in the Intra-ACP indicative programme shall be included in the annual action programme. In exceptional cases, these requests are adopted through a special financing decision of the Commission.

Article 14

Review process

1. Intra-ACP cooperation should be sufficiently flexible and reactive to ensure that its actions remain consistent with the objectives of this Agreement and to take account of any changes in the priorities and objectives of the ACP Group of States.

2. The ACP Committee of Ambassadors and the Commission shall undertake a mid-term and end-of-term review of the intra-ACP cooperation strategy and indicative programme to adapt it to current circumstances and ensure its correct implementation. If circumstances so require, ad hoc reviews may also be conducted to take account of new needs which may arise from exceptional or unforeseen circumstances, such as those arising from new challenges which are common to ACP countries.

3. The ACP Committee of Ambassadors and the Commission may, at the mid-term and end-of-term reviews, or after an ad hoc review, review and adapt the Intra-ACP cooperation strategy paper.

4. Following the mid-term and end-of-term review exercises, or ad hoc reviews, the ACP Committee of Ambassadors and the Commission may adjust the allocations within the intra-ACP indicative programme and mobilise the non-programmed Intra-ACP reserve.";

(k) člen 15 se spremeni:

(i) odstavek 1 se nadomesti z naslednjim:

"1. Programi in projekti, ki jih predloži zadevna država AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP, se presodijo skupno. Odbor držav AKP in ES za sodelovanje pri financiranju razvoja pripravi splošne usmeritve in merila za presojo projektov in programov. Ti programi in projekti so običajno večletni in lahko vsebujejo celo vrsto ukrepov omejene velikosti na določenem področju.";

(ii) odstavek 3 se nadomesti z naslednjim:

"3. Ocene programov in projektov upoštevajo pomanjkanje nacionalnih kadrovskih virov in zagotavljajo strategijo, ki je naklonjena spodbujanju takšnih virov. Ocena tudi upošteva posebne značilnosti in omejitve vsake države AKP ali regije.";

(iii) v odstavku 4 se beseda "nacionalni odredbodajalec" nadomesti z besedo "ustrezen odredbodajalec";

(l) v členu 16 se besede "zadevna država AKP" nadomesti z "zadevna država AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP";

(m) člen 17 se nadomesti z naslednjim:

"Člen 17

Sporazum o financiranju

1. Praviloma za programe in projekte, ki se financirajo iz večletnega finančnega okvira sodelovanja, Komisija in država AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP skleneta sporazum o financiranju.

2. Sporazum o financiranju se sklene v 60 dneh po objavi odločitve Komisije o financiranju. Sporazum o financiranju:

(a) določa predvsem podrobnosti o finančnem prispevku Skupnosti, ureditvah in pogojih financiranja ter splošne in posebne določbe v zvezi z zadevnim programom ali projektom, vključno s pričakovanimi dosežki in rezultati; in

(b) predvidi ustrezna sredstva za kritje povečanih in nepredvidenih stroškov, revizij in ocen.

3. Kakršna koli neporabljena sredstva, ki ostanejo ob zaprtju računov programov in projektov v časovnem obdobju za zaveze večletnega finančnega okvira sodelovanja, iz katerega so bili programi in projekti financirani, pripadejo državi AKP ali ustrezni organizaciji ali organu na regionalni ravni ali ravni znotraj AKP.";

(n) v členu 18 se besedi "nacionalni odredbodajalec" nadomesti z "ustrezen odredbodajalec";

(o) člen 19 se spremeni:

(i) v odstavku 1 se besedi "države AKP" nadomesti z "države AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP";

(ii) v odstavku 3 se besedi "države AKP" nadomesti z "države AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP";

(p) člen 19a(1) se spremeni:

(i) uvodno besedilo se nadomesti z naslednjim:

"1. Izvedba programov in projektov financiranih iz večletnega finančnega okvira sodelovanja po tem sporazumu vsebuje predvsem:";

(ii) točka (d) se nadomesti z naslednjim:

"(d) z neposrednimi plačili v okviru proračunske podpore, podpore sektorskim programom, odpisu dolga ter podpora za ublažitev škodljivih učinkov kratkoročnih zunanjih pretresov, vključno z nihanji izvoznih prihodkov.";

(k) Article 15 is amended as follows:

(i) paragraph 1 is replaced by the following:

"1. Programmes and projects that have been presented by the ACP State concerned or the relevant organisation or body at regional or intra-ACP level shall be subject to joint appraisal. The ACP-EC Development Finance Cooperation Committee shall develop the general guidelines and criteria for appraisal of programmes and projects. These programmes and projects are generally multi-annual and may incorporate a whole range of actions of a limited size in a particular area.";

(ii) paragraph 3 is replaced by the following:

"3. Programme and project appraisal shall take due account of national human resource constraints and ensure a strategy favourable to the promotion of such resources. It shall also take into account the specific characteristics and constraints of each ACP State or region.";

(iii) in paragraph 4, the words "National Authorising Officer" are replaced by "relevant Authorising Officer";

(l) throughout Article 16 the words "the ACP State concerned" are replaced by "the ACP State concerned or the relevant organisation or body at regional or intra-ACP level";

(m) Article 17 is replaced by the following:

"Article 17

Financing Agreement

1. As a rule, programmes and projects financed by the multi-annual financial framework of cooperation are subject to a financing agreement drawn up by the Commission and the ACP State or the relevant organisation or body at regional or intra-ACP level.

2. The financing agreement shall be drawn up within 60 days following the communication of the financing decision taken by the Commission. The financing agreement shall:

(a) specify, in particular, the details of the Community's financial contribution, the financing arrangements and terms and the general and specific provisions relating to the programme or project concerned, including expected outcomes and results; and

(b) make adequate provision for appropriations to cover cost increases, contingencies, audits and evaluations.

3. Any unexpended balance left upon closure of the accounts of programmes and projects within the timeframe for commitments of the multi-annual financial framework of cooperation from which the programmes and projects have been funded shall accrue to the ACP State or the relevant organisation or body at regional or intra-ACP level.";

(n) throughout Article 18 the words "National Authorising Officer" are replaced by "relevant Authorising Officer";

(o) Article 19 is amended as follows:

(i) in paragraph 1, the words "the ACP States" are replaced by "the ACP States or the relevant organisation or body at regional or intra-ACP level";

(ii) in paragraph 3, the words "the ACP State" are replaced by "the ACP State or the relevant organisation or body at regional or intra-ACP level";

(p) Article 19a(1) is amended as follows:

(i) the introductory wording is replaced by the following:

"1. Implementation of programmes and projects financed from the multi-annual financial framework of cooperation under this Agreement shall consist chiefly of the following:";

(ii) point (d) is replaced by the following:

"(d) direct payments as budgetary support, support for sectoral programmes, debt relief and support to mitigate the adverse effects resulting from short-term exogenous shocks including fluctuations of exports earnings.";

(q) v členu 19b s besedi "države AKP" nadomesti z "države AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP";

(r) člena 19c in 20 se nadomestita z naslednjim:

"Člen 19c

Dodeljevanje naročil, donacij ter izvajanje naročil

1. Razen v primerih iz člena 26 se naročila in donacije dodelijo in izvajajo v skladu s pravili Skupnosti in, razen v posebnih primerih iz teh pravil, v skladu s standardnimi postopki in dokumenti, ki jih določi in objavi Komisija za namene izvajanja ukrepov sodelovanja s tretjimi državami ter so v veljavi ob začetku zadevnega postopka.

2. Pri decentraliziranem upravljanju, kadar skupna ocena pokaže, da so postopki za dodeljevanje naročil in donacij v državi AKP ali regiji prejemnici ali postopki, ki jih odobrijo financerji, v skladu z načeli preglednosti, sorazmernosti, enake obravnave in nediskriminacije ter izključujejo kakršno koli navzkrižje interesov, Komisija te postopke uporabi v skladu s Pariško deklaracijo in brez poseganja v člen 26, pri čemer v celoti upošteva pravila, ki urejajo izvajanje njenih pooblastil na tem področju.

3. Država AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP se obveže, da bo redno preverjal, ali se ukrepi, ki se financirajo iz večletnega finančnega okvira sodelovanja po tem sporazumu, pravilno izvajajo, da bo sprejel primerne ukrepe za preprečevanje nepravilnosti in goljufij ter da bo po potrebi začel pravne postopke za izterjavo nepravilno plačanih sredstev.

4. Pri decentraliziranem upravljanju pogodbe sklepajo, pripravljajo, podpisujejo in izvajajo države AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP. Vendar lahko te države ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP pozove Komisijo, da se v njenem imenu pogaja, pripravlja, podpisuje in izvaja pogodbe.

5. V skladu z zavezo iz člena 50 tega sporazuma se naročila in donacije, financirane iz večletnega finančnega okvira sodelovanja z AKP, dodeljujejo v skladu z mednarodno priznanimi osnovnimi standardi na področju delovnega prava.

6. Ustanovi se strokovna skupina predstavnikov Sekretariata skupine AKP in Komisije, da na zahtevo katere koli pogodbenice opredeli kakršne koli spremembe ter predlaga spremembe in izboljšave pravil in postopkov iz odstavkov 1 in 2.

Ta strokovna skupina tudi pošilja redna poročila Odboru držav AKP in ES za sodelovanje pri financiranju razvoja, da mu pomaga pri preučevanju težav pri izvajanju dejavnosti razvojnega sodelovanja in predlaganju ustreznih ukrepov.

Člen 20

Upravičenost

Razen kjer je odstopanje odobreno v skladu s členom 22 in brez poseganja v člen 26:

1. Udeležba v postopkih dodeljevanja pogodb o naročilu ali v postopkih dodeljevanja donacij, ki se financirajo iz sredstev večletnega finančnega okvira sodelovanja je po tem sporazumu, odprta za:

(a) vse fizične osebe, ki so državljani države AKP, države članice Evropske skupnosti, države, ki je uradno država kandidatka Evropske skupnosti, ali države članice Evropskega gospodarskega prostora, ali pravne osebe, ki imajo v njej sedež;

(b) vse fizične osebe, ki so državljani najmanj razvite države, kot jo določajo Združeni narodi, ali pravne osebe, ki imajo v njej sedež.

(q) in Article 19b the words "the ACP States" are replaced by "the ACP States or the relevant organisation or body at regional or intra-ACP level";

(r) Articles 19c and 20 are replaced by the following:

"Article 19c

Awarding contracts, awarding grants and performing contracts

1. Except as provided for in Article 26, contracts and grants shall be attributed and implemented according to Community rules and, except in the specific cases provided for by these rules, according to the standard procedures and documentation set and published by the Commission for the purposes of implementing cooperation actions with third countries and in force at the time the procedure in question is launched.

2. In decentralised management, where a joint assessment shows that the procedures for awarding contracts and grants in the ACP State or the recipient region or the procedures approved by the fund providers are in accordance with the principles of transparency, proportionality, equal treatment and non-discrimination and preclude any kind of conflict of interest, the Commission shall use these procedures, in accordance with the Paris Declaration and without prejudice to Article 26, in full respect of the rules governing the exercise of its powers in this field.

3. The ACP State or the relevant organisation or body at regional or intra-ACP level shall undertake to check regularly that the operations financed from the multi-annual financial framework of cooperation under this Agreement have been properly implemented, to take appropriate measures to prevent irregularities and fraud, and, if necessary, to take legal action to recover unduly paid funds.

4. In decentralised management, contracts are negotiated, established, signed and performed by the ACP States or the relevant organisation or body at regional or intra-ACP level. These States or the relevant organisation or body at regional or intra-ACP level may, however, call upon the Commission to negotiate, establish, sign and perform contracts on their behalf.

5. Pursuant to the commitment referred to in Article 50 of this Agreement, contracts and grants financed from resources from the multi-annual financial framework of cooperation with the ACP shall be performed in accordance with internationally recognised basic standards in the field of labour law.

6. An expert group of representatives of the Secretariat of the ACP Group of States and the Commission shall be set up to identify, at the request of one or other of the parties, any appropriate alterations and to suggest amendments and improvements to the rules and procedures referred to in paragraphs 1 and 2.

This expert group shall also submit a periodic report to the ACP-EC Development Finance Cooperation Committee to assist it in its task of examining the problems surrounding the implementation of development cooperation activities and proposing appropriate measures.

Article 20

Eligibility

Save where a derogation is granted in accordance with Article 22, and without prejudice to Article 26:

1. Participation in procedures for the awarding of procurement contracts or grants financed from the multi-annual financial framework of cooperation under this Agreement shall be open to:

(a) all natural persons who are nationals of, or legal persons who are established in, an ACP State, a Member State of the European Community, an official candidate country of the European Community or a Member State of the European Economic Area;

(b) all natural persons who are nationals of, or legal persons who are established in, a Least Developed Country as defined by the United Nations.

1a. Udeležba v postopkih dodeljevanja pogodb o naročilu ali donacij, ki se financirajo iz sredstev večletnega finančnega okvira sodelovanja po tem sporazumu, je odprta za vse fizične osebe, ki so državljani katere koli države, ki ni omenjena v odstavku 1, ali pravne osebe, ki imajo v njej sedež, če je bil omogočen vzajemni dostop do zunanje pomoči. Vzajemni dostop v najmanj razvitih državah, kot jih določajo Združeni narodi, se samodejno odobri članicam OECD/DAC.

Vzajemni dostop je omogočen s posebno odločitvijo Komisije za zadevno državo ali zadevno regionalno skupino držav. Odločitev Komisija sprejme v dogovoru z državami AKP, velja pa najmanj eno leto.

2. Storitve iz naročila, ki se financira iz sredstev večletnega finančnega okvira sodelovanja po tem sporazumu, lahko zagotovijo strokovnjaki z državljanstvom katere koli države, brez poseganja v kakovostne in finančne zahteve, določene v pravilih Skupnosti o javnem naročanju."

3. Dobavljeno blago in materiali, kupljeni iz naslova pogodbe, ki se financira iz sredstev večletnega finančnega okvira sodelovanja po tem sporazumu, morajo imeti poreklo v eni izmed držav, ki je do udeležbe upravičena v skladu z odstavkoma 1 ali 1a. V tem okviru se opredelitev "izdelkov s poreklom" ocenjuje glede na ustrezne mednarodne sporazume, dobavljeno blago s poreklom iz Skupnosti pa vključuje blago s poreklom iz čezmorskih držav in ozemelj.

4. Udeležba v postopkih dodeljevanja naročil ali v postopkih dodeljevanja donacij, ki se financirajo iz sredstev večletnega finančnega okvira sodelovanja po tem sporazumu, je odprta za mednarodne organizacije.

5. Če večletni finančni okvir sodelovanja po tem sporazumu financira dejavnost, ki se izvaja prek mednarodne organizacije, je udeležba v postopkih dodeljevanja pogodb o naročilu ali dodeljevanja donacij odprta za vse fizične in pravne osebe, ki so do udeležbe upravičene v skladu z odstavkoma 1 ali 1a, kakor tudi za vse fizične in pravne osebe, ki so do udeležbe upravičene v skladu s pravilnikom te organizacije, ob zagotovitvi enakosti obravnavanja vsem donatorjem. Za dobavljeno blago in materiale se uporabljajo ista pravila.

6. Če večletni finančni okvir sodelovanja po tem sporazumu financira dejavnost, ki se izvaja v okviru regionalne pobude, je udeležba v postopkih dodeljevanja pogodb o naročilu in v postopkih dodeljevanja donacij odprta za vse fizične in pravne osebe, ki so do udeležbe upravičene v skladu z odstavkoma 1 ali 1a, kakor tudi za vse fizične in pravne osebe iz države, ki je udeležena v zadevni pobudi. Za dobavljeno blago in materiale se uporabljajo ista pravila.

7. Če večletni finančni okvir sodelovanja po tem sporazumu financira dejavnost, ki se sofinancira skupaj s tretjo državo, je udeležba v postopkih dodeljevanja pogodb o naročilu in v postopkih dodeljevanja donacij odprta za vse fizične in pravne osebe, ki so do udeležbe upravičene v skladu z odstavkoma 1 ali 1a, kakor tudi za vse fizične in pravne osebe, ki so do udeležbe upravičene v skladu s pravili zgoraj omenjene tretje države. Za dobavljeno blago in materiale se uporabljajo ista pravila."

1a. Participation in procedures for the awarding of procurement contracts or grants financed from the multi-annual financial framework of cooperation under this Agreement shall be open to all natural persons who are nationals of, or legal persons established in, any country other than those referred to in paragraph 1, where reciprocal access to external assistance has been established. Reciprocal access in the Least Developed Countries as defined by the United Nations shall be automatically granted to the OECD/DAC members.

Reciprocal access shall be established by means of a specific Commission decision concerning a given country or a given regional group of countries. The decision shall be adopted by the Commission in agreement with the ACP States and shall be in force for a minimum period of one year.

2. Services under a contract financed from the multi-annual financial framework of cooperation under this Agreement may be provided by experts of any nationality, without prejudice to the qualitative and financial requirements set out in the Community's procurement rules.

3. Supplies and materials purchased under a contract financed from the multi-annual financial framework of cooperation under this Agreement must originate in a State that is eligible under paragraphs 1 or 1a. In this context, the definition of the concept of "originating products" shall be assessed by reference to the relevant international agreements, and supplies originating in the Community shall include supplies originating in the Overseas Countries and Territories.

4. Participation in procedures for the awarding of procurement contracts or grants financed from the multi-annual financial framework of cooperation under this Agreement shall be open to international organisations.

5. Whenever the multi-annual financial framework of cooperation under this Agreement finances an operation implemented through an international organisation, participation in procedures for the awarding of procurement contracts or grants shall be open to all natural and legal persons who are eligible under paragraphs 1 or 1a, and to all natural and legal persons who are eligible according to the rules of the organisation, care being taken to ensure equal treatment of all donors. The same rules apply for supplies and materials.

6. Whenever the multi-annual financial framework of cooperation under this Agreement finances an operation implemented as part of a regional initiative, participation in procedures for the awarding of procurement contracts or grants shall be open to all natural and legal persons who are eligible under paragraphs 1 or 1a, and to all natural and legal persons from a country participating in the relevant initiative. The same rules apply for supplies and materials.

7. Whenever the multi-annual financial framework of cooperation under this Agreement finances an operation co-financed with a third State, participation in procedures for the awarding of procurement contracts or grants shall be open to all natural and legal persons eligible under paragraphs 1 or 1a, and to all persons eligible under the rules of the above mentioned third State. The same rules apply for supplies and materials."

(s) člen 21 se črta³;

(t) člen 22(1) se nadomesti z naslednjim:

"1. V izjemnih, ustrezno utemeljenih primerih se lahko fizičnim ali pravnim osebam iz tretjih držav, ki niso upravičene do udeležbe v skladu s členom 20, na podlagi utemeljene prošnje zadevne države AKP ali ustrezne organizacije ali organa na regionalni ravni ali na ravni znotraj AKP odobri udeležba v postopkih dodeljevanja pogodb o naročilu in v postopkih dodeljevanja donacij, ki se financirajo s strani Skupnosti iz sredstev večletnega finančnega okvira sodelovanja po tem sporazumu. Država AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP Komisiji za vsak primer posebej predloži informacije, potrebne za odločitev o takih odstopanjih, pri čemer se posebna pozornost nameni:

(a) geografskemu položaju zadevne države ali regije AKP;

(b) konkurenčnosti izvajalcev, dobaviteljev in svetovalcev iz držav članic in držav AKP;

(c) potrebi po izogibanju pretirano povišanim stroškom izvajanja pogodbe o naročilu;

(d) težavam pri prevozu ali zamudam zaradi dobavnih rokov ali drugim podobnim težavam;

(e) tehnologiji, ki je najprimernejša in najustreznejša glede na lokalne razmere;

(f) izjemno nujnim primerom;

(g) razpoložljivosti proizvodov in storitev na zadevnih trgih.";

(u) člena 23 in 25 se črtata⁴;

(v) v členu 26(1) se uvodno besedilo zamenja z naslednjim:

"1. Sprejmejo se ukrepi za spodbujanje čim širše udeležbe fizičnih in pravnih oseb držav AKP pri izvajanju naročil, ki jih financira večletni finančni okvir sodelovanja po tem sporazumu, da bi omogočili optimizacijo materialnih in človeških virov teh držav. S tem namenom:";

(w) členi 27, 28 in 29 se črtajo⁵;

(x) v členu 30 se uvodno besedilo nadomesti z naslednjim:

"Morebitni spori med organi države AKP ali ustrezne organizacije ali organa na regionalni ravni ali na ravni znotraj AKP in izvajalci gradenj, dobavitelji ali izvajalci storitev v času izvajanja pogodbe o oddaji naročila, ki ga financira večletni finančni okvir sodelovanja po tem sporazumu, se:";

(s) Article 21 is deleted³;

(t) Article 22(1) is replaced by the following:

"1. In exceptional duly substantiated circumstances, natural or legal persons from third countries not eligible under Article 20 may be authorised to participate in procedures for the awarding of procurement contracts or grants financed by the Community from the multi-annual financial framework of cooperation under this Agreement at the justified request of the ACP State or the relevant organisation or body at regional or intra-ACP level. The ACP State or the relevant organisation or body at regional or intra-ACP level shall, on each occasion, provide the Commission with the information needed to decide on such derogation, with particular attention being given to:

(a) the geographical location of the ACP State or region concerned;

(b) the competitiveness of contractors, suppliers and consultants from the Member States and the ACP States;

(c) the need to avoid excessive increases in the cost of performance of the contract;

(d) transport difficulties or delays due to delivery times or other similar problems;

(e) technology that is the most appropriate and best suited to local conditions;

(f) cases of extreme urgency;

(g) the availability of products and services in the relevant markets.";

(u) Articles 23 and 25 are deleted⁴;

(v) in Article 26(1), the introductory wording is replaced by the following:

"1. Measures shall be taken to encourage the widest participation of the natural and legal persons of ACP States in the performance of contracts financed by the multi-annual financial framework of cooperation under this Agreement in order to permit the optimisation of the physical and human resources of those States. To this end:";

(w) Articles 27, 28 and 29 are deleted⁵;

(x) in Article 30, the introductory wording is replaced by the following:

"Any dispute arising between the authorities of an ACP State or the relevant organisation or body at regional or intra-ACP level and a contractor, supplier or provider of services during the performance of a contract financed by the multi-annual financial framework of cooperation under this Agreement shall:";

³ Člen 21 je bil črtan s Sklepom Sveta ministrov AKP-ES št. 3/2008.

⁴ Člena 23 in 25 sta bila črtana s Sklepom Sveta ministrov AKP-ES št. 3/2008.

⁵ Členi 27, 28 in 29 so bili črtani s Sklepom Sveta ministrov AKP-ES št. 3/2008.

³ Article 21 was deleted by Decision No 3/2008 of the ACP-EC Council of Ministers.

⁴ Articles 23 and 25 were deleted by Decision No 3/2008 of the ACP-EC Council of Ministers.

⁵ Articles 27, 28 and 29 were deleted by Decision No 3/2008 of the ACP-EC Council of Ministers.

(y) členi 33 in 34 se nadomestijo z naslednjim:

"Člen 33

Modalitete

1. Brez poseganja v vrednotenje držav AKP ali ustrezne organizacije ali organa na regionalni ravni ali na ravni znotraj AKP ali Komisije to delo skupaj opravita(-jo) država(-e) AKP ali ustrezne organizacije ali organa na regionalni ravni ali na ravni znotraj AKP in Skupnost. Odbor držav AKP in ES za sodelovanje pri financiranju razvoja zagotovi povezanost skupnih aktivnosti spremljanja in vrednotenja. Komisija in Generalni sekretariat AKP pripravita in izvajata skupne aktivnosti spremljanja in vrednotenja, z namenom podpore Odboru AKP in ES za sodelovanje pri financiranju, in odboru poročata. Odbor na prvem sestanku po podpisu Sporazuma določi operativne modalitete, namenjene zagotavljanju povezanosti aktivnosti, in letno odobri delovni program.

2. Spremljanje in vrednotenje aktivnosti zlasti:

(a) zagotovi redno in neodvisno ocenjevanje delovanja in dejavnosti financirane preko večletnega finančnega okvira sodelovanja po tem sporazumu s primerjanjem ciljev z rezultati; ter s tem

(b) omogočajo državam AKP ali ustrezni organizaciji ali organu na regionalni ravni ali na ravni znotraj AKP in Komisiji ter skupnim institucijam, da izkušnje uporabijo pri oblikovanju in izvajanju prihodnjih politik in dejavnosti.

Člen 34

Komisija

1. Z izjemo Sklada za spodbujanje naložb in subvencionirane obrestne mere Komisija prevzame finančno izvrševanje dejavnosti, ki se opravljajo s sredstvi večletnega finančnega okvira sodelovanja po tem sporazumu, in sicer z uporabo naslednjih poglavitnih metod upravljanja:

(a) s centraliziranim upravljanjem;

(b) z decentraliziranim upravljanjem.

2. Praviloma je finančno izvrševanje sredstev večletnega finančnega okvira sodelovanja po tem sporazumu s strani Komisije decentralizirano.

V tem primeru naloge izvrševanja opravljajo države AKP v skladu s členom 35.

3. Za zagotovitev finančnega izvrševanja sredstev večletnega finančnega okvira sodelovanja po tem sporazumu Komisija svoja izvedbena pooblastila prenese na lastne službe. O tem prenosu nalog Komisija obvesti države AKP in Odbor držav AKP in ES za sodelovanje pri financiranju razvoja.;

(z) Člen 35 se spremeni:

(i) v odstavku 1 se uvodno besedilo nadomesti z naslednjim:

"1. Vlada vsake posamezne države AKP imenuje nacionalnega odredbodajalca, da jo zastopa pri vseh dejavnostih, financiranih iz sredstev večletnega finančnega okvira sodelovanja po tem sporazumu, ki jih upravljata Komisija in Banka. Nacionalni odredbodajalec imenuje enega ali več namestnikov nacionalnega odredbodajalca, ki ga nadomeščajo v primeru, ko ne more opravljati te funkcije, in o tem imenovanju obvesti Komisijo. Nacionalni odredbodajalec lahko, če so izpolnjeni pogoji institucionalne zmogljivosti in dobrega finančnega poslovanja, na pristojni organ znotraj nacionalne uprave prenese del svojih pooblastil v zvezi z izvajanjem zadevnih programov in projektov. O kakršnem koli prenosu pooblastil obvesti Komisijo.

V primerih regionalnih programov in projektov ustrezna organizacija ali organ določi regionalnega odredbodajalca, katerega dolžnosti smiselno ustrezajo dolžnostim nacionalnega odredbodajalca.

(y) Articles 33 and 34 are replaced by the following:

"Article 33

Modalities

1. Without prejudice to evaluations carried out by the ACP States or the relevant organisation or body at regional or intra-ACP level or the Commission, this work will be done jointly by the ACP State(s) or the relevant organisation or body at regional or intra-ACP level and the Community. The ACP-EC Development Finance Cooperation Committee shall ensure the joint character of the joint monitoring and evaluation operations. In order to assist the ACP-EC Development Finance Cooperation Committee, the Commission and the ACP General Secretariat shall prepare and implement the joint monitoring and evaluations and report to the Committee. The Committee shall, at its first meeting after the signature of the Agreement, fix the operational modalities aimed at ensuring the joint character of the operations and shall, on a yearly basis, approve the work programme.

2. Monitoring and evaluation activities shall notably:

(a) provide regular and independent assessments of the operations and activities funded from the multi-annual financial framework of cooperation under this agreement by comparing results with objectives; and thereby

(b) enable the ACP States or the relevant organisation or body at regional or intra-ACP level and the Commission and the joint institutions, to feed the lessons of experience back into the design and execution of future policies and operations.

Article 34

The Commission

1. The Commission shall undertake the financial execution of operations carried out with resources from the multi-annual financial framework of cooperation under this Agreement, with the exception of the Investment Facility and interest rate subsidies, using the following main methods of management:

(a) centralised management;

(b) decentralised management.

2. As a general rule, the financial execution of the resources from the multi-annual financial framework of cooperation under this agreement by the Commission shall be decentralised.

In this instance, the execution duties shall be carried out by the ACP States in accordance with Article 35.

3. In order to carry out the financial execution of the resources from the multi-annual financial framework of cooperation under this Agreement, the Commission shall delegate its executive powers within its own departments. The Commission shall inform the ACP States and the ACP-EC Development Finance Cooperation Committee of this delegation of tasks.;

(z) Article 35 is amended as follows:

(i) in paragraph 1, the introductory wording is replaced by the following :

"1. The Government of each ACP State shall appoint a National Authorising Officer to represent it in all operations financed from the resources from the multi-annual financial framework of cooperation under this Agreement managed by the Commission and the Bank. The National Authorising Officer shall appoint one or more deputy National Authorising Officers to replace him when he is unable to carry out his duties and shall inform the Commission of this appointment. Wherever the conditions regarding institutional capacity and sound financial management are met, the National Authorising Officer may delegate his functions for implementation of the programmes and projects concerned to the body responsible within the national administration. The National Authorising Officer shall inform the Commission of any such delegation.

In the case of regional programmes and projects, the relevant organisation or body shall designate a Regional Authorising Officer whose duties correspond, mutatis mutandis, to those of the National Authorising Officer.

V primerih programov in projektov znotraj AKP Odbor veleposlanikov AKP določi odredbodajalca znotraj držav AKP, katerega dolžnosti smiselno ustrezajo dolžnostim nacionalnega odredbodajalca. Kadar Sekretariat držav AKP ni odredbodajalec, se v skladu s sporazumom o financiranju Odbor veleposlanikov obvesti o izvajanju programov in projektov."

Če Komisija izve za težave pri izvajanju postopkov v zvezi z upravljanjem sredstev večletnega finančnega okvira sodelovanja po tem sporazumu, s pomočjo ustreznega odredbodajalca naveže vse potrebne stike za razrešitev položaja in sprejetje ustreznih ukrepov.

Ustrezni odredbodajalec je finančno odgovoren samo za naloge izvrševanja, ki so mu zaupane.

Če se s sredstvi večletnega finančnega okvira sodelovanja po tem sporazumu upravlja decentralizirano in ob upoštevanju vseh dodatnih pooblastil, ki jih lahko dodeli Komisija, je ustrezni odredbodajalec:"

(ii) V odstavku 2 se besedi "nacionalni odredbodajalec" nadomesti z "ustrezen odredbodajalec";

(za) Člen 37 se spremeni:

(i) v odstavku 2 se besedi "države AKP" nadomestijo z "države AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP";

(ii) v odstavku 4 se besedi "nacionalni odredbodajalec" nadomesti z "ustrezen odredbodajalec";

(iii) v odstavku 6 se besedi "nacionalni odredbodajalec" nadomesti z "ustrezen odredbodajalec";

(iv) v odstavku 7 se besedi "zadevna država AKP ali države AKP" nadomesti z "zadevna država AKP ali ustrezna organizacija ali organ na regionalni ravni ali na ravni znotraj AKP".

4. Priloga V, vključno z njenimi protokoli, se črta.

5. V prilogi VII se člen 3(4) nadomesti z naslednjim:

"4. Pogodbenice priznavajo vlogo skupine AKP v političnem dialogu, temelječem na načinu, ki ga določi skupina AKP ter o njem obvesti Evropsko skupnost in njene države članice. Sekretariat AKP in Evropska komisija si izmenjata vse potrebne informacije v procesu političnega dialoga pred, med in po posvetovanjih, opravljenih na podlagi členov 96 in 97 tega Sporazuma."

In the case of Intra-ACP programmes and projects, the ACP Committee of Ambassadors shall designate an Intra-ACP Authorising Officer, whose duties correspond, mutatis mutandis, to those of the National Authorising Officer. In the event that the ACP Secretariat is not the Authorising Officer, the Committee of Ambassadors shall be informed in conformity with the financing agreement of the implementation of programmes and projects.

When the Commission becomes aware of problems in carrying out procedures relating to management of resources from the multi-annual financial framework of cooperation under this Agreement, it shall, in conjunction with the relevant Authorising Officer, make all contacts necessary to remedy the situation and take any appropriate steps.

The relevant Authorising Officer shall assume financial responsibility only for the executive tasks entrusted to him.

Where resources from the multi-annual financial framework of cooperation under this agreement are managed in a decentralised way and subject to any additional powers that might be granted by the Commission, the relevant Authorising Officer shall:"

(ii) In paragraph 2, the words "National Authorising Officer" are replaced by "relevant Authorising Officer";

(za) Article 37 is amended as follows:

(i) in paragraph 2 the words "ACP States" are replaced by "ACP States or the relevant organisation or body at regional or intra-ACP level";

(ii) in paragraph 4, the words "National Authorising Officer" are replaced by "relevant Authorising Officer";

(iii) in paragraph 6, the words "National Authorising Officer" are replaced by "relevant Authorising Officer";

(iv) in paragraph 7, the words "the ACP State or States concerned" are replaced by "the ACP State concerned or the relevant organisation or body at regional or intra-ACP level".

4. Annex V, including its protocols, is deleted.

5. In Annex VII, Article 3(4) is replaced by the following:

"4. The parties acknowledge the role of the ACP Group in political dialogue based on modalities to be determined by the ACP Group and communicated to the European Community and its Member States. The ACP Secretariat and the European Commission shall exchange all required information on the process of political dialogue carried out before, during and after consultations undertaken under Articles 96 and 97 of this Agreement."

D. PROTOKOLI

Protokol 3 o Južni Afriki, kakor je spremenjen s Sklepom Sveta ministrov AKP-ES št. 4/2007 z dne 20. decembra 2007⁶, se spremeni:

1. V členu 1(2) se besede "podpisanega v Pretoriji dne 11. oktobra 1999" nadomesti z ", kakor je spremenjen s Sporazumom, podpisanim 11. septembra 2009".

2. Člen 4 se spremeni:

(a) odstavek 2 se nadomesti z naslednjim:

"2. Vendar ima, z odstopanjem od tega načela, Južna Afrika pravico sodelovati na področjih sodelovanja med državami AKP in ES pri financiranju razvoja, naštetih v členu 8 tega protokola, na podlagi načel vzajemnosti in sorazmernosti, s tem, da se udeležba Južne Afrike v celoti financira iz virov iz naslova VII STRS. Če so viri iz STRS dani na voljo za udeležbo pri operacijah v okviru finančnega sodelovanja med AKP in ES, ima Južna Afrika pravico do polne udeležbe pri odločanju v zvezi z izvajanjem take pomoči.";

(b) doda se naslednji odstavek:

"4. Za namene financiranja naložb iz poglavja 1 Priloge II k temu sporazumu so lahko investicijski skladi ter finančni in nefinančni posredniki, s sedežem v Južni Afriki, upravičeni.".

3. Člen 5(3) se nadomesti z naslednjim:

"3. Ta protokol Južni Afriki ne preprečuje pogajanj o enem od sporazumov o gospodarskem partnerstvu iz naslova II dela 3 tega sporazuma in podpisa takšnega sporazuma, če se strinjajo druge podpisnice tega sporazuma o gospodarskem partnerstvu.".

V POTRDI TEV TEGA so spodaj podpisani pooblaščenec podpisali ta sporazum.

D. PROTOCOLS

Protocol 3 on South Africa, as amended by Decision No 4/2007 of the ACP-EC Council of Ministers of 20 December 2007⁶, is amended as follows:

1. In Article 1(2), the words "signed in Pretoria on 11 October 1999" are replaced by "as amended by the Agreement signed on 11 September 2009".

2. Article 4 is amended as follows:

(a) paragraph 2 is replaced by the following:

"2. However, in derogation from this principle, South Africa shall have the right to participate in the ACP-EC development finance cooperation listed in Article 8 of this Protocol, on the basis of the principles of reciprocity and proportionality, understanding that South Africa's participation will be financed from the resources provided for under Title VII of the TDCA. Where resources from the TDCA are deployed for participation in operations in the framework of ACP-EC financial cooperation, South Africa will enjoy the right to participate fully in the decision-making procedures governing implementation of such aid.";

(b) the following paragraph is added:

"4. For the purpose of the investment financing provided for in Annex II, Chapter 1, to this Agreement, investment funds and financial and non-financial intermediaries established in South Africa can be eligible.".

3. Article 5(3) is replaced by the following:

"3. This Protocol shall not prevent South Africa from negotiating and signing one of the Economic Partnership Agreements (EPA) provided for in Part 3, Title II of this Agreement if the other parties to that EPA so agree.".

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have hereunto set their hands.

⁶ UL EU L 25, 30. 1. 2008, str. 11.

⁶ OJ EU L 25 of 30. 1. 2008, p. 11.

SKLEPNA LISTINA

Pooblaščenci

NJEGOVEGA VELIČANSTVA KRALJA BELGIJCEV,
PREDSEDNIKA REPUBLIKE BOLGARIJE,
PREDSEDNIKA ČEŠKE REPUBLIKE,
NJENEGA VELIČANSTVA KRALJICE DANSKE,
PREDSEDNIKA ZVEZNE REPUBLIKE NEMČIJE,

PREDSEDNIKA REPUBLIKE ESTONIJE,
PREDSEDNICE IRSKE,
PREDSEDNIKA HELENSKE REPUBLIKE,
NJEGOVEGA VELIČANSTVA KRALJA ŠPANIJE,
PREDSEDNIKA FRANCOSKE REPUBLIKE,
PREDSEDNIKA ITALIJANSKE REPUBLIKE,
PREDSEDNIKA REPUBLIKE CIPER,
PREDSEDNIKA REPUBLIKE LATVIJE,
PREDSEDNICE REPUBLIKE LITVE,
NJEGOVE KRALJEVE VISOKOSTI VELIKEGA VOJVODE
LUKSEMBURGA,
PREDSEDNIKA REPUBLIKE MADŽARSKE,
PREDSEDNIKA MALTE,
NJENEGA VELIČANSTVA KRALJICE NIZOZEMSKÉ,
ZVEZNEGA PREDSEDNIKA REPUBLIKE AVSTRIJE,

PREDSEDNIKA REPUBLIKE POLJSKE,
PREDSEDNIKA PORTUGALSKE REPUBLIKE,
PREDSEDNIKA ROMUNIJE,
PREDSEDNIKA REPUBLIKE SLOVENIJE,
PREDSEDNIKA SLOVAŠKE REPUBLIKE,
PREDSEDNICE REPUBLIKE FINSKE,
VLADE KRALJEVINE ŠVEDSKE,
NJENEGA VELIČANSTVA KRALJICE ZDRUŽENEGA
KRALJESTVA VELIKA BRITANIJA IN SEVERNA IRSKA,

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

in EVROPSKE UNIJE, v nadaljnjem besedilu: Unija ali EU,

na eni strani ter

FINAL ACT

The Plenipotentiaries of:

HIS MAJESTY THE KING OF THE BELGIANS,
THE PRESIDENT OF THE REPUBLIC OF BULGARIA,
THE PRESIDENT OF THE CZECH REPUBLIC,
HER MAJESTY THE QUEEN OF DENMARK,
THE PRESIDENT OF THE FEDERAL REPUBLIC OF
GERMANY,

THE PRESIDENT OF THE REPUBLIC OF ESTONIA,
THE PRESIDENT OF IRELAND,
THE PRESIDENT OF THE HELLENIC REPUBLIC,
HIS MAJESTY THE KING OF SPAIN,
THE PRESIDENT OF THE FRENCH REPUBLIC,
THE PRESIDENT OF THE ITALIAN REPUBLIC,
THE PRESIDENT OF THE REPUBLIC OF CYPRUS,
THE PRESIDENT OF THE REPUBLIC OF LATVIA,
THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,
HIS ROYAL HIGHNESS THE GRAND DUKE OF
LUXEMBOURG,
THE PRESIDENT OF THE REPUBLIC OF HUNGARY,
THE PRESIDENT OF MALTA,
HER MAJESTY THE QUEEN OF THE NETHERLANDS,
THE FEDERAL PRESIDENT OF THE REPUBLIC OF
AUSTRIA,

THE PRESIDENT OF THE REPUBLIC OF POLAND,
THE PRESIDENT OF THE PORTUGUESE REPUBLIC,
THE PRESIDENT OF ROMANIA,
THE PRESIDENT OF THE REPUBLIC OF SLOVENIA,
THE PRESIDENT OF THE SLOVAK REPUBLIC,
THE PRESIDENT OF THE REPUBLIC OF FINLAND,
THE GOVERNMENT OF THE KINGDOM OF SWEDEN,
HER MAJESTY THE QUEEN OF 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",

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

of the one part, and

pooblaščenci	the Plenipotentiaries of:
PREDSEDNIKA REPUBLIKE ANGOLE,	THE PRESIDENT OF THE REPUBLIC OF ANGOLA,
NJENEGA VELIČANSTVA KRALJICE ANTIGVE IN BARBUDE,	HER MAJESTY THE QUEEN OF ANTIGUA AND BARBUDA,
VODITELJA DRŽAVE ZVEZE BAHAMI,	THE HEAD OF STATE OF THE COMMONWEALTH OF THE BAHAMAS,
VODITELJA DRŽAVE BARBADOS,	THE HEAD OF STATE OF BARBADOS,
NJENEGA VELIČANSTVA KRALJICE BELIZA,	HER MAJESTY THE QUEEN OF BELIZE,
PREDSEDNIKA REPUBLIKE BENIN,	THE PRESIDENT OF THE REPUBLIC OF BENIN,
PREDSEDNIKA REPUBLIKE BOCVANE,	THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,
PREDSEDNIKA BURKINE FASO,	THE PRESIDENT OF BURKINA FASO,
PREDSEDNIKA REPUBLIKE BURUNDI,	THE PRESIDENT OF THE REPUBLIC OF BURUNDI,
PREDSEDNIKA REPUBLIKE KAMERUN,	THE PRESIDENT OF THE REPUBLIC OF CAMEROON,
PREDSEDNIKA REPUBLIKE ZELENOTRSKIH OTOKOV,	THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,
PREDSEDNIKA SREDNJEAFRIŠKE REPUBLIKE,	THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,
PREDSEDNIKA UNIJE KOMORI,	THE PRESIDENT OF THE UNION OF THE COMOROS,
PREDSEDNIKA DEMOKRATIČNE REPUBLIKE KONGO,	THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF CONGO,
PREDSEDNIKA REPUBLIKE KONGO,	THE PRESIDENT OF THE REPUBLIC OF CONGO,
VLADE COOKOVH OTOKOV,	THE GOVERNMENT OF THE COOK ISLANDS,
PREDSEDNIKA REPUBLIKE SLONOKOŠČENE OBALE,	THE PRESIDENT OF THE REPUBLIC OF CÔTE D'IVOIRE,
PREDSEDNIKA REPUBLIKE DŽIBUTI,	THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,
VLADE ZVEZE DOMINIKA,	THE GOVERNMENT OF THE COMMONWEALTH OF DOMINICA,
PREDSEDNIKA DOMINIKANSKE REPUBLIKE,	THE PRESIDENT OF THE DOMINICAN REPUBLIC,
PREDSEDNIKA DRŽAVE ERITREJE,	THE PRESIDENT OF THE STATE OF ERITREA,
PREDSEDNIKA ZVEZNE DEMOKRATIČNE REPUBLIKE ETIOPIJE,	THE PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA,
PREDSEDNIKA REPUBLIKE OTOKOV FIDŽI,	THE PRESIDENT OF THE REPUBLIC OF THE FIJI ISLANDS,
PREDSEDNIKA GABONSKE REPUBLIKE,	THE PRESIDENT OF THE GABONESE REPUBLIC,
PREDSEDNIKA IN VODITELJA DRŽAVE REPUBLIKE GAMBIJE,	THE PRESIDENT AND HEAD OF STATE OF THE REPUBLIC OF THE GAMBIA,
PREDSEDNIKA REPUBLIKE GANE,	THE PRESIDENT OF THE REPUBLIC OF GHANA,
NJENEGA VELIČANSTVA KRALJICE GRENADA,	HER MAJESTY THE QUEEN OF GRENADA,
PREDSEDNIKA REPUBLIKE GVINEJE,	THE PRESIDENT OF THE REPUBLIC OF GUINEA,
PREDSEDNIKA REPUBLIKE GVINEJE BISSAU,	THE PRESIDENT OF THE REPUBLIC OF GUINEA-BISSAU,
PREDSEDNIKA KOOPERATIVNE REPUBLIKE GVAJANE,	THE PRESIDENT OF THE CO-OPERATIVE REPUBLIC OF GUYANA,
PREDSEDNIKA REPUBLIKE HAITI,	THE PRESIDENT OF THE REPUBLIC OF HAITI,

VODITELJA DRŽAVE JAMAJKE,	THE HEAD OF STATE OF JAMAICA,
PREDSEDNIKA REPUBLIKE KENIJE,	THE PRESIDENT OF THE REPUBLIC OF KENYA,
PREDSEDNIKA REPUBLIKE KIRIBATI,	THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,
NJEGOVEGA VELIČANSTVA KRALJA KRALJEVINE LESOTO,	HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO,
PREDSEDNICE REPUBLIKE LIBERIJE,	THE PRESIDENT OF THE REPUBLIC OF LIBERIA,
PREDSEDNIKA REPUBLIKE MADAGASKAR,	THE PRESIDENT OF THE REPUBLIC OF MADAGASCAR,
PREDSEDNIKA REPUBLIKE MALAVI,	THE PRESIDENT OF THE REPUBLIC OF MALAWI,
PREDSEDNIKA REPUBLIKE MALI,	THE PRESIDENT OF THE REPUBLIC OF MALI,
VLADE REPUBLIKE MARSHALLOVI OTOKI,	THE GOVERNMENT OF THE REPUBLIC OF THE MARSHALL ISLANDS,
PREDSEDNIKA ISLAMSKRE REPUBLIKE MAVRETANIJE,	THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA,
PREDSEDNIKA REPUBLIKE MAURITIUS,	THE PRESIDENT OF THE REPUBLIC OF MAURITIUS,
VLADE FEDERATIVNIH DRŽAV MIKRONEZIJE,	THE GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA,
PREDSEDNIKA REPUBLIKE MOZAMBIK,	THE PRESIDENT OF THE REPUBLIC OF MOZAMBIQUE,
PREDSEDNIKA REPUBLIKE NAMIBIJE,	THE PRESIDENT OF THE REPUBLIC OF NAMIBIA,
VLADE REPUBLIKE NAURU,	THE GOVERNMENT OF THE REPUBLIC OF NAURU,
PREDSEDNIKA REPUBLIKE NIGER,	THE PRESIDENT OF THE REPUBLIC OF NIGER,
PREDSEDNIKA ZVEZNE REPUBLIKE NIGERIJE,	THE PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA,
VLADE NIUE,	THE GOVERNMENT OF NIUE,
VLADE REPUBLIKE PALAU,	THE GOVERNMENT OF THE REPUBLIC OF PALAU,
NJENEGA VELIČANSTVA KRALJICE NEODVISNE DRŽAVE PAPUA NOVA GVINEJA,	HER MAJESTY THE QUEEN OF THE INDEPENDENT STATE OF PAPUA NEW GUINEA,
PREDSEDNIKA RUANDSKE REPUBLIKE,	THE PRESIDENT OF THE REPUBLIC OF RWANDA,
NJENEGA VELIČANSTVA KRALJICE SAINT KITTS IN NEVIS,	HER MAJESTY THE QUEEN OF SAINT KITTS AND NEVIS,
NJENEGA VELIČANSTVA KRALJICE SVETE LUCIJE,	HER MAJESTY THE QUEEN OF SAINT LUCIA,
NJENEGA VELIČANSTVA KRALJICE SAINT VINCENT IN GRENADINES,	HER MAJESTY THE QUEEN OF SAINT VINCENT AND THE GRENADINES,
VODITELJA DRŽAVE NEODVISNE DRŽAVE SAMOA,	THE HEAD OF STATE OF THE INDEPENDENT STATE OF SAMOA,
PREDSEDNIKA DEMOKRATIČNE REPUBLIKE SÃO TOMÉ IN PRÍNCIPE,	THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SÃO TOMÉ AND PRÍNCIPE,
PREDSEDNIKA REPUBLIKE SENEGAL,	THE PRESIDENT OF THE REPUBLIC OF SENEGAL,
PREDSEDNIKA REPUBLIKE SEJŠELI,	THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES,
PREDSEDNIKA REPUBLIKE SIERRA LEONE,	THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,
NJENEGA VELIČANSTVA KRALJICE SALOMONOVIH OTOKOV,	HER MAJESTY THE QUEEN OF SOLOMON ISLANDS,

PREDSEDNIKA REPUBLIKE JUŽNA AFRIKA,
 PREDSEDNIKA REPUBLIKE SURINAM,
 NJEGOVEGA VELIČANSTVA KRALJA KRALJEVINE SVAZI,
 PREDSEDNIKA ZDRUŽENE REPUBLIKE TANZANIJE,
 PREDSEDNIKA REPUBLIKE ČAD,
 PREDSEDNIKA DEMOKRATIČNE REPUBLIKE VZHODNI TIMOR,
 PREDSEDNIKA TOGOŠKE REPUBLIKE,
 NJEGOVEGA VELIČANSTVA KRALJA TONGE,
 PREDSEDNIKA REPUBLIKE TRINIDAD IN TOBAGO,
 NJENEGA VELIČANSTVA KRALJICE TUVALUJA,
 PREDSEDNIKA REPUBLIKE UGANDE,
 VLADE REPUBLIKE VANUATU,
 PREDSEDNIKA REPUBLIKE ZAMBIJE,
 VLADE REPUBLIKE ZIMBABVE,

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA,
 THE PRESIDENT OF THE REPUBLIC OF SURINAME,
 HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND,
 THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,
 THE PRESIDENT OF THE REPUBLIC OF CHAD,
 THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE,
 THE PRESIDENT OF THE TOGOLESE REPUBLIC,
 HIS MAJESTY THE KING OF TONGA,
 THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO,
 HER MAJESTY THE QUEEN OF TUVALU,
 THE PRESIDENT OF THE REPUBLIC OF UGANDA,
 THE GOVERNMENT OF THE REPUBLIC OF VANUATU,
 THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,
 THE GOVERNMENT OF THE REPUBLIC OF ZIMBABWE,

katerih države so v nadaljnjem besedilu imenovane: države AKP,

which States are hereinafter referred to as "ACP States",

na drugi strani,

of the other part,

ki so se sestali v Ouagadougouju, dne dvaindvajsetega junija leta dva tisoč deset, zaradi podpisa Sporazuma o drugi spremembi Sporazuma o partnerstvu med članicami skupine afriških, karibskih in pacifiških držav na eni strani ter Evropsko skupnostjo in njenimi državami članicami na drugi, podpisane ga v Cotonouju dne 23. junija 2000, kakor je bil prvič spremenjen v Luxembourgju 25. junija 2005,

meeting in Ouagadougou on the twenty-second day of June in the year two thousand and ten for the signature of the Agreement amending for the second time the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, as first amended in Luxembourg on 25 June 2005,

so ob podpisu sprejeli naslednje izjave, ki so priložene k tej sklepni listini:

have at the time of signature of this Agreement adopted the following declarations attached to this Final Act:

Izjava I Skupna izjava o podpori za dostop do trga v okviru partnerstva med AKP in ES

Declaration I: Joint Declaration on Support for Market Access in the ACP-EC Partnership;

Izjava II Skupna izjava o migraciji in razvoju

Declaration II: Joint Declaration on Migration and Development (Article 13);

Izjava III Izjava Evropske unije o institucionalnih spremembah zaradi začetka veljavnosti Lizbonske pogodbe

Declaration III: European Union Declaration on Institutional Changes Resulting From the Entry into Force of the Treaty of Lisbon;

in so se dogovorili, da so zaradi črtanja Priloge V naslednje obstoječe izjave postale zastarele:

and have, furthermore, agreed that the following existing declarations, as a consequence of the deletion of Annex V, have become obsolete:

Izjava XXII Skupna izjava o kmetijskih proizvodih iz člena 1(2)(a) Priloge V

Declaration XXII: Joint Declaration concerning agricultural products referred to in Article 1(2)(a) of Annex V;

Izjava XXIII Skupna izjava o dostopu do trga v okviru partnerstva med AKP in ES

Declaration XXIII: Joint Declaration on Market Access in the ACP-EC Partnership;

Izjava XXIV	Skupna izjava o rižu	Declaration XXIV:	Joint Declaration on rice;
Izjava XXV	Skupna izjava o rumu	Declaration XXV:	Joint Declaration on rum;
Izjava XXVI	Skupna izjava o govejem in telečjem mesu	Declaration XXVI:	Joint Declaration on beef and veal;
Izjava XXVII	Skupna izjava o ureditvah, ki urejajo dostop do trgov francoskih čezmorskih departmajev za proizvode s poreklom iz držav AKP, ki so navedeni v členu 1(2) Priloge V	Declaration XXVII:	Joint Declaration on the arrangements governing access to the markets of the French overseas departments for products originating in the ACP States referred to in Article 1(2) of Annex V;
Izjava XXIX	Skupna izjava o proizvodih, ki jih zadeva skupna kmetijska politika	Declaration XXIX:	Joint Declaration on products covered by the common agricultural policy;
Izjava XXX	Izjava AKP o členu 1 Priloge V	Declaration XXX:	ACP Declaration on Article 1 of Annex V;
Izjava XXXI	Izjava Skupnosti o členu 5(2)(a) Priloge V	Declaration XXXI:	Community Declaration on Article 5(2) (a) of Annex V;
Izjava XXXII	Skupna izjava o nediskriminaciji	Declaration XXXII:	Joint Declaration on non-discrimination;
Izjava XXXIII	Izjava Skupnosti o členu 8(3) Priloge V	Declaration XXXIII:	Community Declaration on Article 8(3) of Annex V;
Izjava XXXIV	Skupna izjava o členu 12 Priloge V	Declaration XXXIV:	Joint Declaration on Article 12 of Annex V;
Izjava XXXV	Skupna izjava v zvezi s Protokolom 1 Priloge V	Declaration XXXV:	Joint Declaration relating to Protocol 1 of Annex V;
Izjava XXXVI	Skupna izjava v zvezi s Protokolom 1 Priloge V	Declaration XXXVI:	Joint Declaration relating to Protocol 1 of Annex V;
Izjava XXXVII	Skupna izjava v zvezi s Protokolom 1 Priloge V o poreklu ribiških proizvodov	Declaration XXXVII:	Joint Declaration relating to Protocol 1 of Annex V on the origin of fishery products;
Izjava XXXVIII	Izjava Skupnosti v zvezi s Protokolom 1 Priloge V o obsegu teritorialnih voda	Declaration XXXVIII:	Community Declaration relating to Protocol 1 of Annex V on the extent of territorial waters;
Izjava XXXIX	Izjava AKP v zvezi s Protokolom 1 Priloge V o poreklu ribiških proizvodov	Declaration XXXIX:	ACP Declaration relating to Protocol 1 of Annex V on the origin of fishery products;
Izjava XL	Skupna izjava o uporabi pravila o vrednostni toleranci v sektorju tuna	Declaration XL:	Joint Declaration on the application of the value tolerance rule in the tuna sector;
Izjava XLI	Skupna izjava o členu 6(11) Priloge V	Declaration XLI:	Joint Declaration on Article 6(11) of Protocol 1 of Annex V;
Izjava XLII	Skupna izjava o pravilih o poreklu: kumulacija z Južno Afriko	Declaration XLII:	Joint Declaration on rules of origin: cumulation with South Africa;
Izjava XLIII	Skupna izjava o Prilogi 2 Protokola 1 Priloge V	Declaration XLIII:	Joint Declaration on Annex 2 to Protocol 1 of Annex V.

V POTRDITEV TEGA so spodaj podpisani pooblaščenči podpisali to sklepno listino.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have hereunto set their hands.

IZJAVA I

SKUPNA IZJAVA
O PODPORI ZA DOSTOP DO TRGA V OKVIRU
PARTNERSTVA MED DRŽAVAMI AKP IN ES

Pogodbenice priznavajo znatno vrednost pogojev privilegiranega dostopa na trg gospodarstev AKP, zlasti za bazične proizvode in druge živilskopredelovalne sektorje, ki so bistvenega pomena za gospodarski in socialni razvoj držav AKP ter so zelo pomembni za zaposlovanje, izvozne prihodke in državne prihodke.

Pogodbenice priznavajo, da so nekateri sektorji s podporo EU v procesu transformacije, katere cilj je zadevnim izvoznikom AKP omogočiti konkuriranje na trgu EU in mednarodnih trgih, tudi prek razvoja izdelkov z zaščitnim znakom in drugih izdelkov z dodano vrednostjo.

Prav tako priznavajo, da bi bila lahko potrebna dodatna podpora, kadar lahko večja liberalizacija trgovine povzroči bistvene spremembe pogojev privilegiranega dostopa na trg za proizvajalce AKP. V ta namen se strinjajo, da bodo preučile vse potrebne ukrepe za ohranitev konkurenčnega položaja držav AKP na trgu EU. Takšna preučitev lahko vključuje pravila o poreklu, sanitarne in fitosanitarne ukrepe ter izvajanje posebnih ukrepov, ki obravnavajo omejitve na strani ponudbe v državah AKP. Cilj bo državam AKP omogočiti, da izkoristijo svojo obstoječo in potencialno primerjalno prednost na trgu EU.

Kadar so razviti programi pomoči in so zagotovljena sredstva, se pogodbenice strinjajo z izvajanjem rednih vrednotenj, da se ocenijo napredek in doseženi rezultati ter se odloči glede ustreznih dodatnih ukrepov, ki jih je treba izvesti.

Skupni trgovinski odbor ministrov spremlja izvajanje te izjave ter Svetu ministrov predloži ustrežna poročila in priporočila.

IZJAVA II

SKUPNA IZJAVA
O MIGRACIJI IN RAZVOJU (ČLEN 13)

Pogodbenice se strinjajo glede okrepitve in poglobitve njihovega dialoga in sodelovanja na področju migracij, pri čemer bodo gradile na naslednjih treh stebrih celovitega in uravnoteženega pristopa k migracijam.

1. Migracije in razvoj, vključno z vprašanji v zvezi z diasporo, begom možganov in nakazili;
2. zakonite migracije, vključno s sprejemom, mobilnostjo ter pretokom spretnosti in storitev; in
3. nezakonite migracije, vključno s tihotapstvom in trgovino z ljudmi, upravljanjem meja ter vračanjem.

Brez poseganja v veljavni člen 13 se pogodbenice obvežejo, da se bodo dogovorile o podrobnostih tega okrepljenega sodelovanja na področju migracij.

Poleg tega se strinjajo, da si bodo prizadevale za pravočasen zaključek dialoga in da bodo na naslednjem Svetu AKP-ES poročale o storjenem napredku.

IZJAVA III

IZJAVA EVROPSKE UNIJE O INSTITUCIONALNIH
SPREMEMBAH ZARADI ZAČETKA VELJAVNOSTI
LIZBONSKE POGODBE

Z začetkom veljavnosti Lizbonske pogodbe 1. decembra 2009 je Evropska unija nadomestila in nasledila Evropsko skupnost ter od tega datuma naprej izvršuje vse pravice in prevzema vse obveznosti Evropske skupnosti. Zato se ustrezna sklicevanja na Evropsko skupnost v besedilu Sporazuma razumejo kot sklicevanja na Evropsko unijo.

Evropska unija bo državam AKP predlagala izmenjavo pisem z namenom usklajitve Sporazuma z institucionalnimi spremembami v Evropski uniji, ki so posledica začetka veljavnosti Lizbonske pogodbe.

DECLARATION I

JOINT DECLARATION
ON SUPPORT FOR MARKET ACCESS
IN THE ACP-EC PARTNERSHIP

The Parties recognise the significant value of preferential market access conditions to ACP economies, specifically for the commodity and other agro-industry sectors which are of critical importance to the economic and social development of the ACP States and constitute a major contribution to employment, export earnings and Government revenue.

The Parties acknowledge that some sectors have been undergoing, with EU support, a process of transformation aimed at allowing ACP exporters concerned to compete in the EU and the international markets, including through the development of branded and other value added products.

They also recognise that additional support could be necessary where greater liberalisation of trade may lead to deeper alteration of market access conditions for ACP producers. To that end, they agree to examine all necessary measures in order to maintain the competitive position of the ACP States in the EU market. Such examination may include rules of origin, sanitary and phytosanitary measures and implementation of specific measures addressing supply side constraints in the ACP States. The objective will be to enable ACP States to exploit their existing and potential comparative advantage in the EU market.

When assistance programmes are developed and resources provided, the Parties agree to conduct periodic evaluations to assess progress and the results attained and decide on appropriate additional measures to be implemented.

The Joint Ministerial Trade Committee shall monitor the implementation of this Declaration and make appropriate reports and recommendations to the Council of Ministers.

DECLARATION II

JOINT DECLARATION
ON MIGRATION AND DEVELOPMENT (ARTICLE 13)

The Parties agree to strengthen and deepen their dialogue and cooperation in the area of migration, building on the following three pillars of a comprehensive and balanced approach to migration:

1. Migration and Development, including issues relating to diasporas, brain drain and remittances;
2. Legal migration including admission, mobility and movement of skills and services; and
3. Illegal migration, including smuggling and trafficking of human beings and border management, as well as readmission.

Without prejudice to the current Article 13, the Parties undertake to work out the details of this enhanced cooperation in the area of migration.

They further agree to work towards the timely completion of this dialogue and to report about the progress made to the next ACP-EC Council.

DECLARATION III

EUROPEAN UNION DECLARATION ON INSTITUTIONAL
CHANGES RESULTING FROM THE ENTRY INTO FORCE
OF THE TREATY OF LISBON

As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to "the European Community" in the text of the Agreement are, where appropriate, to be read as "the European Union".

The European Union will propose to the ACP States an exchange of letters with the aim of bringing the Agreement into conformity with the institutional changes in the European Union resulting from the entry into force of the Treaty of Lisbon.

Настоящото споразумение е открито за подписване в Ouagadougou на 22 юни 2010 г. и след това от 1 юли 2010 г. до 31 октомври 2010 г. в Генералния секретариат на Съвета на Европейския съюз в Брюксел.

El presente Acuerdo quedará abierto a la firma en Uagadugu el 22 de junio de 2010 y, a continuación, del 1 de julio de 2010 al 31 de octubre de 2010 en la Secretaría General del Consejo de la Unión Europea, en Bruselas.

Tato dohoda je otevířena k podpisu dne 22. řervna v Ouagadougou a poté od 1. řervence 2010 do 31. řířna 2010 v generálním sekretariátu Rady Evropské unie v Bruselu.

Denne aftale er åben for undertegnelse den 22. juni 2010 i Ouagadougou og derefter fra den 1. juli 2010 til den 31. oktober 2010 i Generalsekretariatet for Rådet for Den Europæiske Union i Bruxelles

Dieses Abkommen liegt am 22. Juni 2010 in Ouagadougou und danach vom 1. Juli bis 31. Oktober 2010 beim Generalsekretariat des Rates der Europäischen Union in Brüssel zur Unterzeichnung auf.

Käesolev leping on allakirjutamiseks avatud 22. juunil 2010 Ouagadougous ning seejärel 1. juulist 2010 kuni 31. oktoobrini 2010 Euroopa Liidu Nõukogu peasekretariaadis Brüsselis.

Η παρούσα συμφωνία κατατίθεται προς υπογραφή στο Ουαγκαντούγκου, στις 22 Ιουνίου 2010 και στη συνέχεια, από την 1η Ιουλίου 2010 έως τις 31 Οκτωβρίου 2010, στη Γενική Γραμματεία του Συμβουλίου της Ευρωπαϊκής Ένωσης, στις Βρυξέλλες.

This Agreement shall be open for signature in Ouagadougou on 22 June 2010 and thereafter from 1 July 2010 to 31 October 2010 at the General Secretariat of the Council of the European Union in Brussels.

Le présent accord est ouvert à la signature à Ouagadougou le 22 juin 2010 et ensuite du 1^{er} juillet 2010 au 31 octobre 2010 au Secrétariat général du Conseil de l'Union européenne, à Bruxelles.

Il presente accordo è aperto alla firma a Ouagadougou il 22 giugno 2010 e successivamente a Bruxelles presso il Segretariato generale del Consiglio dell'Unione europea, dal 1^o luglio 2010 al 31 ottobre 2010.

Šo nolīgumu dara pieejamu parakstīšanai 2010. gada 22. jūnijā Vagadugu (Ouagadougou) un pēc tam no 2010. gada 1. jūlija līdz 2010. gada 31. oktobrim Briselē, Eiropas Savienības Padomes Ģenerālsekretariātā.

Šis susitarimas pateiktas pasirašyti 2010 m. birželio 22 d. Uagadugu, o paskui, 2010 m. liepos 1 d.–2010 m. spalio 31 d., Europos Sąjungos Tarybos generaliniame sekretoriате Briuselyje.

Ez a megállapodás 2010. június 22-én Ouagadougouban, majd 2010. július 1. és 2010. október 31. között Brüsszelben, az Európai Unió Tanácsának Főtitkárságán aláírásra nyitva áll.

Dan il-Ftehim huwa miftuħ għall-iffirmar f'Ouagadougou fit-22 ta' Ġunju 2010 u wara dan mill-1 ta' Lulju 2010 sal-31 ta' Ottubru 2010, fis-Segretarjat Ġenerali tal-Kunsill tal-Unjoni Ewropea, fi Brussell.

Deze overeenkomst staat open voor ondertekening op 22 juni 2010 te Ouagadougou en vervolgens met ingang van 1 juli tot en met 31 oktober 2010 bij het secretariaat-generaal van de Raad van de Europese Unie in Brussel.

Niniejsza Umowa będzie otwarta do podpisu w Wagadugu w dniu 22 czerwca 2010 r., a następnie od 1 lipca 2010 r. do 31 października 2010 r. w Sekretariacie Generalnym Rady Unii Europejskiej w Brukseli.

O presente Acordo está aberto para assinatura em Uagadugu, em 22 de Junho de 2010 e, posteriormente, de 1 de Julho a 31 de Outubro de 2010, no Secretariado-Geral do Conselho da União Europeia, em Bruxelas.

Acest acord va fi deschis pentru semnare în Ouagadougou, la 22 iunie 2010, iar ulterior, începând cu 1 iulie 2010 până la 31 octombrie 2010, la Secretariatul General al Consiliului Uniunii Europene din Bruxelles.

Táto dohoda je otvorená na podpis 22. júna 2010 v Ouagadougou a potom od 1. júla 2010 do 31. októbra 2010 na Generálnom sekretariáte Rady Európskej únie v Bruseli.

Ta sporazum bo na voljo za podpis 22. junija 2010 v Ouagadougouju in nato od 1. julija 2010 do 31. oktobra 2010 v generalnem sekretariatu Sveta Evropske unije v Bruslju.

Tämä sopimus on avoinna allekirjoittamista varten Ouagadougoussa 22 päivänä kesäkuuta 2010 ja sen jälkeen 1 päivästä heinäkuuta 2010 31 päivään lokakuuta 2010 Euroopan unionin neuvoston pääsihteeristössä Brysselissä.

Detta avtal är öppet för undertecknande i Ouagadougou den 22 juni 2010 och sedan från och med den 1 juli till och med den 31 oktober 2010 vid generalsekretariatet för Europeiska unionens råd i Bryssel.

Voor Zijne Majesteit de Koning der Belgen
Pour Sa Majesté le Roi des Belges
Für Seine Majestät den König der Belgier

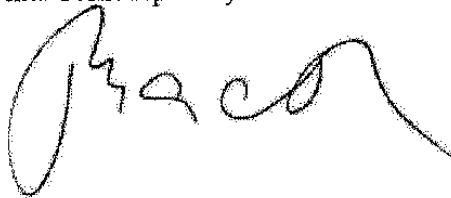


Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.
Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la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

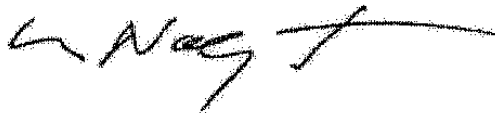
За Президента на Република България



Za prezidenta České republiky



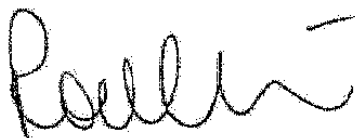
For Her Majesty Danmarks Dronning



Für den Präsidenten der Bundesrepublik Deutschland

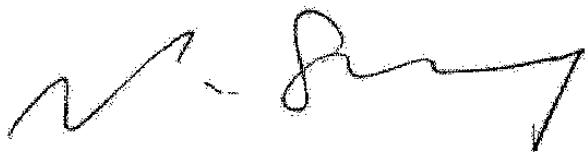


Eesti Vabariigi Presidendi nimel

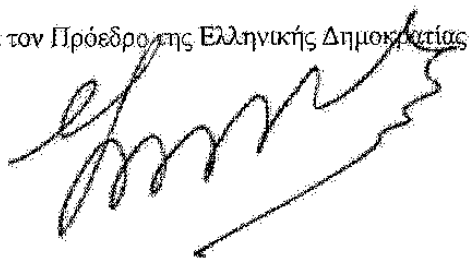


08-07-2010

Thar ceann Uachtarán na hÉireann
For the President of Ireland



Για τον Πρόεδρο της Ελληνικής Δημοκρατίας



14-07-2010

Por Su Majestad el Rey de España



Pour le Président de la République française



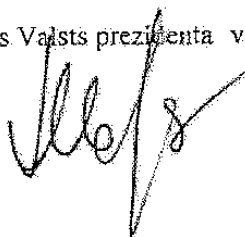
Per il Presidente della Repubblica italiana



Για τον Πρόεδρο της Κυπριακής Δημοκρατίας



Latvijas Republikas Valsts prezidenta vārdā



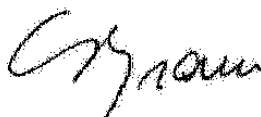
02-09-2010

Lietuvos Respublikos Prezidento vardu



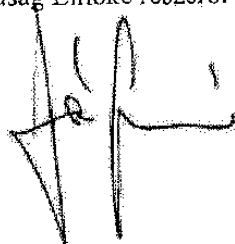
09-09-2010

Pour Son Altesse Royale le Grand-Duc de Luxembourg



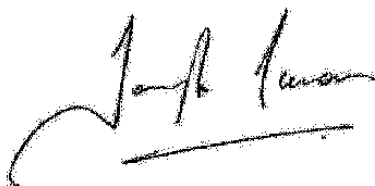
08-07-2010

A Magyar Köztársaság Elnöke részéről

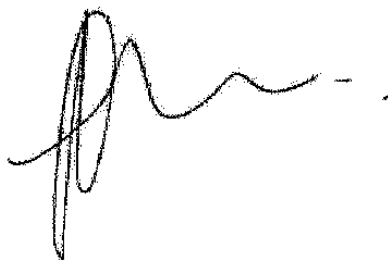


02-09-2010

Għall-President ta' Malta



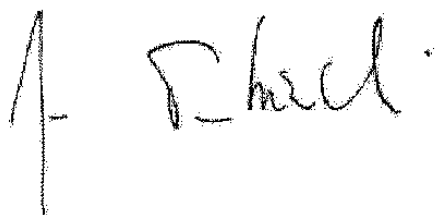
Voor Hare Majesteit de Koningin der Nederlanden



Für den Bundespräsidenten der Republik Österreich



Za Prezydenta Rzeczypospolitej Polskiej



09-09-2010

Pelo Presidente da República Portuguesa



Pentru Președintele României



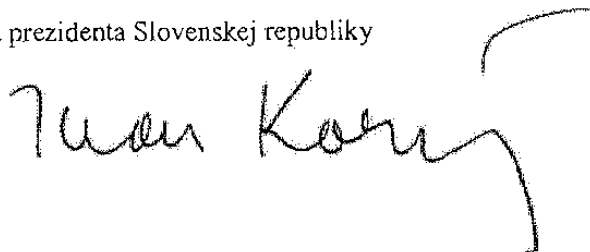
09-09-2010

Za predsednika Republike Slovenije



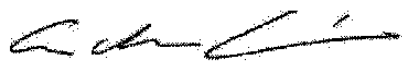
14-07-2010

Za prezidenta Slovenskej republiky



14-07-2010

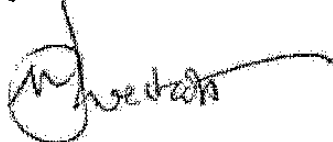
Suomen Tasavallan Presidentin puolesta
För Republiken Finlands President



För svenska regeringen



For Her Majesty the Queen of 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




Pour le Président de la République d'Angola

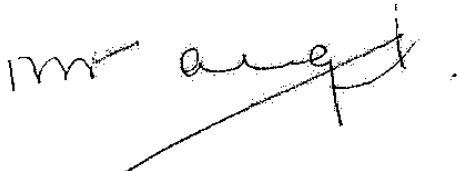


For Her Majesty the Queen of Antigua and Barbuda



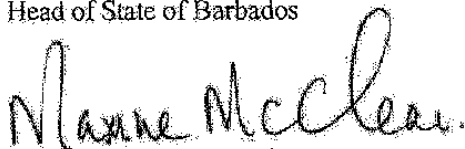
27-10-2010

For the Head of State of the Commonwealth of the Bahamas

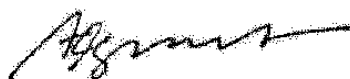


09-08-2010

For the Head of State of Barbados

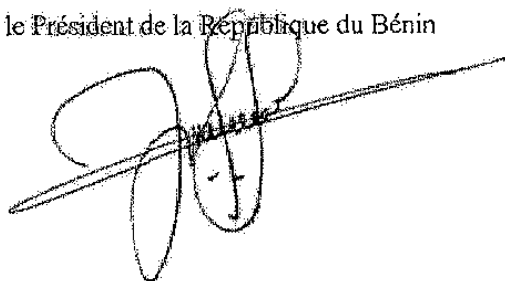


For Her Majesty the Queen of Belize



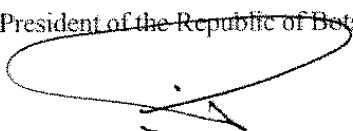
24-09-2010

Pour le Président de la République du Bénin

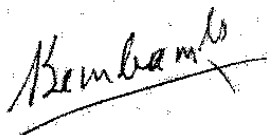


21-10-2010

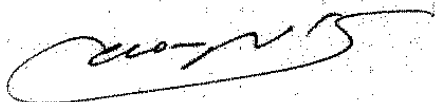
For the President of the Republic of Botswana



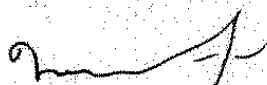
Pour le Président du Burkina Faso



Pour le Président de la République du Burundi



Pour le Président de la République du Cameroun



Pour le Président de la République du Cap-Vert



Pour le Président de la République Centrafricaine



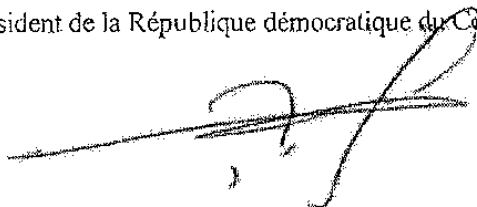
31-10-2010

Pour le Président de l'Union des Comores



29-10-2010

Pour le Président de la République démocratique du Congo



Pour le Président de la République du Congo

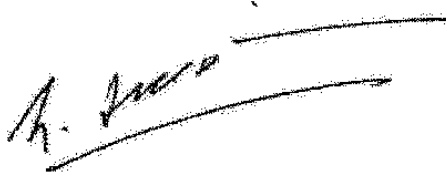


For the Government of the Cook Islands

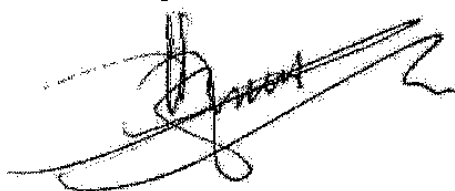


30-09-2010

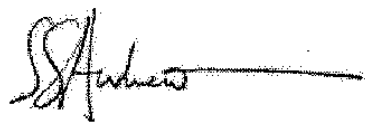
Pour le Président de la République de Côte d'Ivoire



Pour le Président de la République de Djibouti

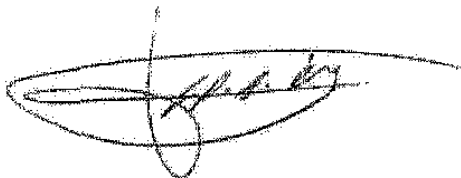


For the Government of the Commonwealth of Dominica

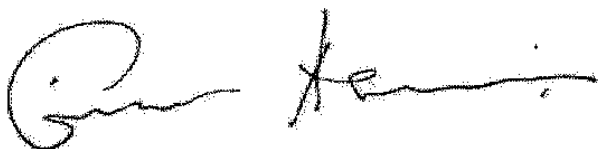


20 -10- 2010

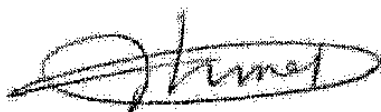
For the President of the Dominican Republic



For the President of the State of Eritrea



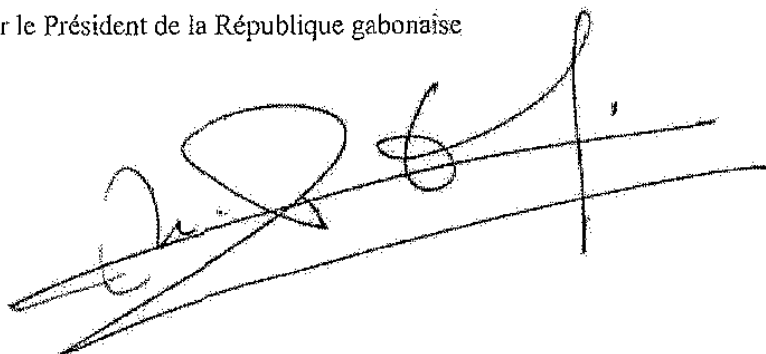
For the President of the Federal Democratic Republic of Ethiopia



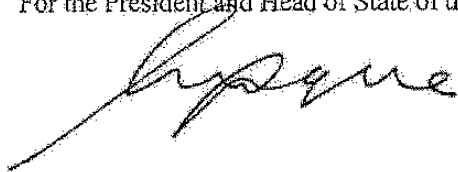
For the President of the Republic of the Fiji Islands



Pour le Président de la République gabonaise

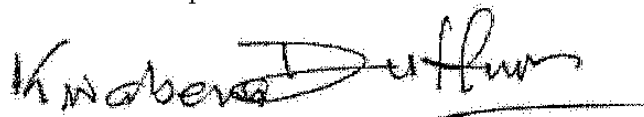


For the President and Head of State of the Republic of The Gambia



30-09-2010

For the President of the Republic of Ghana



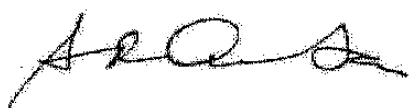
For Her Majesty the Queen of Grenada



Pour le Président de la République de Guinée



Pour le Président de la République de Guinée-Bissau



28-10-2010

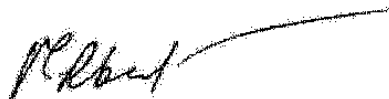
For the President of the Co-operative Republic of Guyana



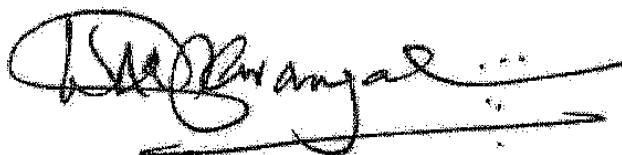
Pour le Président de la République d'Haïti



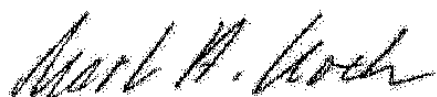
For the Head of State of Jamaica



For the President of the Republic of Kenya



For the President of the Republic of Kiribati

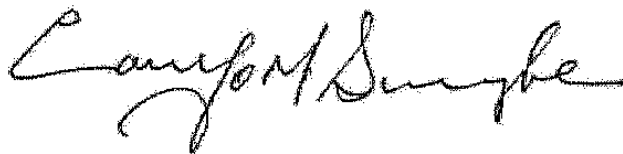


29 -10- 2010

For His Majesty the King of the Kingdom of Lesotho

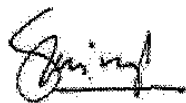


For the President of the Republic of Liberia



29 -10- 2010

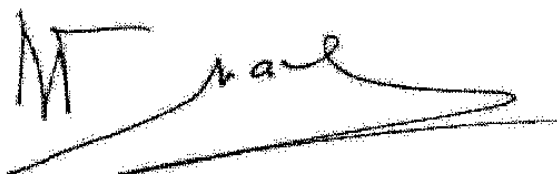
Pour le Président de la République de Madagascar



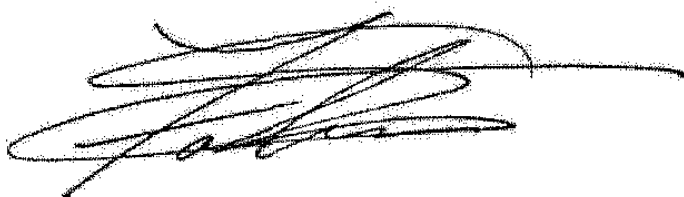
For the President of the Republic of Malawi



Pour le Président de la République du Mali

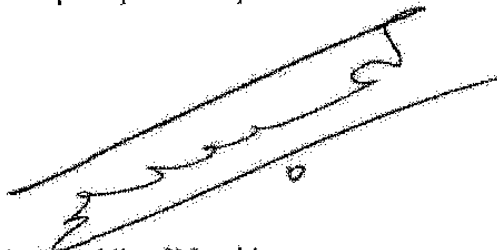


For the Government of the Republic of the Marshall Islands

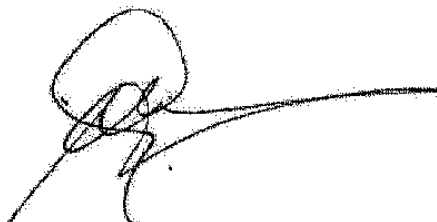


29 -10- 2010

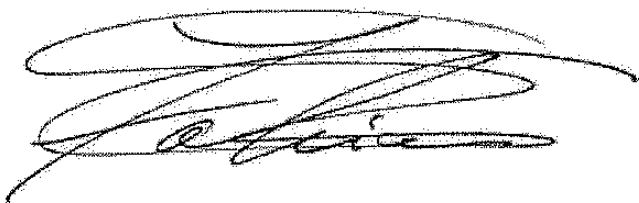
Pour le Président de la République Islamique de Mauritanie



For the President of the Republic of Mauritius

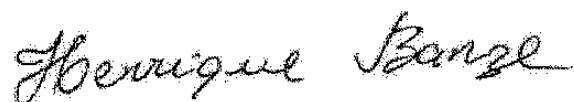


For the Government of the Federated States of Micronesia

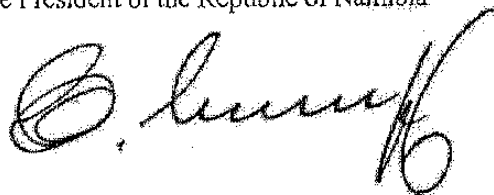


29 -10- 2010

Pour le Président de la République du Mozambique

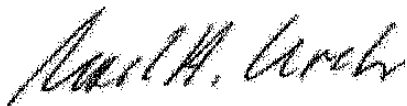


For the President of the Republic of Namibia



30 -09- 2010

For the Government of the Republic of Nauru

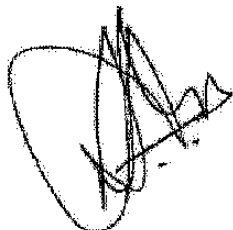


29 -10- 2010

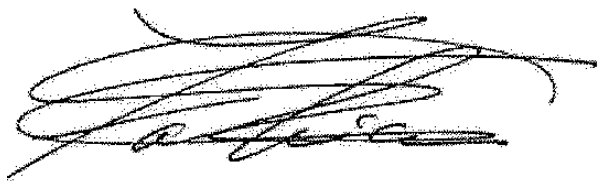
Pour le Président de la République du Niger



For the President of the Federal Republic of Nigeria



For the Government of Niue



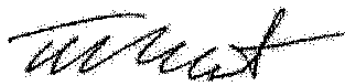
29 -10- 2010

For the Government of the Republic of Palau



30 -10- 2010

For Her Majesty the Queen of the Independent State of Papua New Guinea

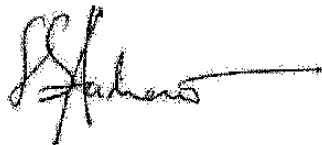


13 -10- 2010

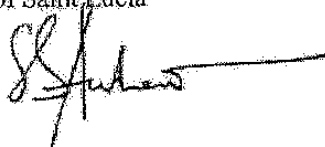
Pour le Président de la République du Rwanda



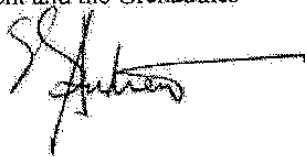
For Her Majesty the Queen of Saint Kitts and Nevis



For Her Majesty the Queen of Saint Lucia



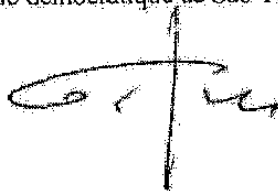
For Her Majesty the Queen of Saint Vincent and the Grenadines



For the Head of State of the Independent State of Samoa



Pour le Président de la République démocratique de São Tomé et Príncipe



26-10-2010

Pour le Président de la République du Sénégal



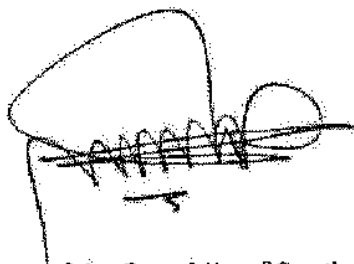
Pour le Président de la République des Seychelles



For the President of the Republic of Sierra Leone



For Her Majesty the Queen of Solomon Islands

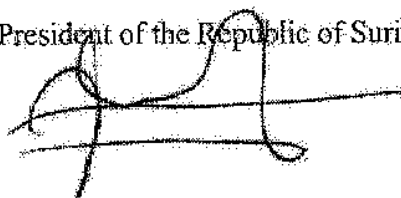
A stylized signature consisting of a large, rounded loop at the top, followed by several horizontal strokes and a final downward stroke.

For the President of the Republic of South Africa

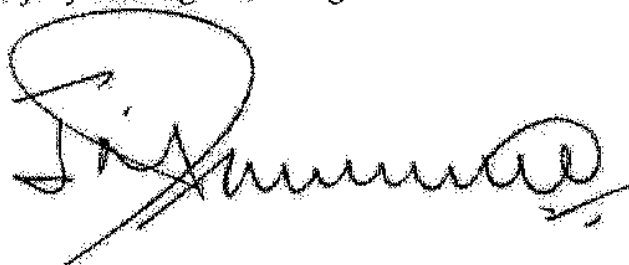
A signature starting with a large, bold 'H' followed by a series of loops and a long horizontal stroke at the end.

27-09-2010

For the President of the Republic of Suriname

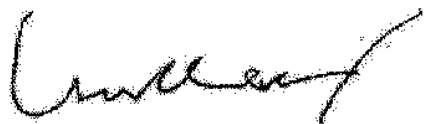
A signature featuring a large, circular loop at the top, followed by a series of smaller loops and a long horizontal stroke.

For His Majesty the King of the Kingdom of Swaziland

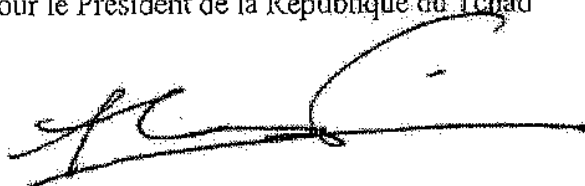
A signature starting with a large, circular loop, followed by a series of loops and a long horizontal stroke.

29-10-2010

For the President of the United Republic of Tanzania

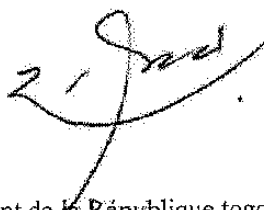
A signature consisting of a series of loops and a long horizontal stroke.

Pour le Président de la République du Tchad

A signature starting with a large, bold 'H' followed by a series of loops and a long horizontal stroke.

20-10-2010

For the President of the Democratic Republic of Timor-Leste



05-10-2010

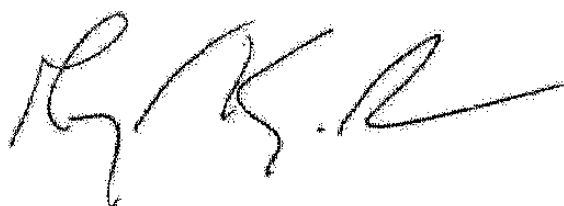
Pour le Président de la République togolaise



For His Majesty the King of Tonga



For the President of the Republic of Trinidad and Tobago

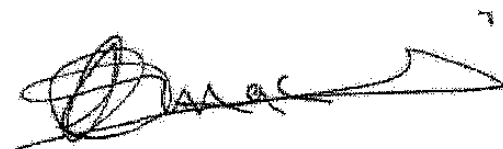


29-10-2010

For Her Majesty the Queen of Tuvalu



For the President of the Republic of Uganda



For the Government of the Republic of Vanuatu



For the President of the Republic of Zambia



For the Government of the Republic of Zimbabwe



3. člen

Za izvajanje sporazum skrbijo ministrstvo, pristojno za zunanje zadeve, ministrstvo, pristojno za finance, ministrstvo, pristojno za obrambo in ministrstvo, pristojno za gospodarstvo.

4. člen

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

Št. 5611-224/2012
Ljubljana, dne 28. novembra 2012
EVA 2012-1811-0121

Vlada Republike Slovenije

Janez Janša l.r.
Predsednik

VSEBINA

92. Uredba o ratifikaciji Sporazuma o drugi spremembi Sporazuma o partnerstvu med članicami skupine afriških, karibskih in pacifiških držav na eni strani ter Evropsko skupnostjo in njenimi državami članicami na drugi strani, podpisanega v Cotonouju dne 23. junija 2000, kakor je bil prvič spremenjen v Luxembourg 25. junija 2005 383

