COUNCIL AND COMMISSION DECISION

of 17 November 2009

on the conclusion of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

(2009/990/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 44(2), the last sentence of Article 47(2), and Articles 55, 57(2), 71, 80(2), 93, 94, 133 and 181a, in conjunction with the second sentence of Article 300(2) and the first subparagraph of Article 300(3), thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament [1],

Having regard to the Council's approval pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas:

(1) The Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union, was signed on behalf of the Community and the Member States on 24 June 2008 in accordance with Council Decision of 25 February 2008.

(2) Pending its entry into force, the Protocol is to be applied on a provisional basis as from the date of entry into force of the Partnership and Cooperation Agreement with the Republic of Tajikistan.

(3) The Protocol should be concluded,

HAVE DECIDED AS FOLLOWS:

Article 1

The Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union is hereby approved on behalf of the Community, the European Atomic Energy Community and the Member States.

Article 2

The President of the Council shall, on behalf of the Community and its Member States, give the notification provided for in Article 3 of the Protocol. The President of the Commission shall simultaneously give such notification on behalf of the European Atomic Energy Community.

Done at Brussels, 17 November 2009.

For the Council	*For the Commission*
The President	*The President*
C. BILDT	José Manuel BARROSO

[1] Opinion delivered on 2 September 2008 (not yet published in the Official Journal).

PROTOCOL

to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

hereinafter referred to as the 'Member States', represented by the Council of the European Union, and

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY COMMUNITY,

hereinafter referred to as 'the Communities', represented by the Council of the European Union and the European Commission,

of the one part, and

THE REPUBLIC OF TAJIKISTAN,

of the other part,

hereinafter referred to as 'Parties' for the purposes of this Protocol,

HAVING REGARD TO the provisions of the Treaty between the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland, (Member States of the European Union) and the Republic of Bulgaria and Romania concerning the accession of the Republic of Bulgaria and Romania to the European Union, which was signed in Luxembourg on 25 April 2005 and is applied from 1 January 2007,

CONSIDERING the new situation in relations between the Republic of Tajikistan and the European Union arising from the accession to the EU of two new Member States, which opens opportunities and brings about challenges for the cooperation between the Republic of Tajikistan and the European Union,

TAKING INTO ACCOUNT the desire of the Parties to ensure the attainment and implementation of the objectives and principles of the PCA,

HAVE AGREED AS FOLLOWS:

Article 1

The Republic of Bulgaria and Romania shall be Parties to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, signed in Luxembourg on 11 October 2004 (hereinafter the 'Agreement') and shall respectively adopt and take note, in the same manner, as the other Member States, of the texts of the Agreement, as well as of the Joint Declarations, Exchanges of Letters, and Declaration by the Republic of Tajikistan annexed to the Final Act signed on the same date.

Article 2

This Protocol shall form an integral part of the Agreement.

Article 3

1. This Protocol shall be approved by the Communities, by the Council of the European Union on behalf of the Member States and by the Republic of Tajikistan in accordance with their own procedures.

2. The Parties shall notify each other of the completion of the corresponding procedures referred to in the preceding paragraph. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

Article 4

1. This Protocol shall enter into force on the same day as the Agreement, provided that all the instruments of approval of this Protocol have been deposited by that day.

2. Where not all instruments of approval of this Protocol have been deposited by that date, this Protocol shall enter into force on the first day of the first month following the date of deposit of the last instrument of approval.

3. Where not all instruments of approval of this Protocol have been deposited by the date of entry into force of the Agreement, this Protocol shall apply provisionally with effect from the date of entry into force of the Agreement.

Article 5

1. The texts of the Agreement, the Final Act and all documents annexed to it are drawn up in the Bulgarian and Romanian languages.

2. They are annexed to this Protocol and are equally authentic with the texts in the other languages in which the Agreement, the Final Act and the documents annexed to it are drawn up.

Article 6

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

Съставено в Брюксел на двадесет и четвърти юни две хиляди и осма година.

Hecho en Bruselas, el veinticuatro de junio de dosmile ocho.

V Bruselu dne dvacátého čtvrtého června dva tisíce osm.

Udfærdiget i Bruxelles den fireogtyvende juni to tusind og otte.

Geschehen zu Brüssel am vierundzwanzigsten Juni zweitausendacht.

Kahe tuhande kaheksanda aasta juunikuu kahekümne neljandal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι τέσσερις Ιουνίου δύο χιλιάδες οκτώ.

Done at Brussels on the twenty-fourth day of June in the year two thousand and eight.

Fait à Bruxelles, le vingt-quatre juin deux mille huit.

Fatto a Bruxelles, addì ventiquattro giugno duemilaotto.

Briselē, divtūkstoš astotā gada divdesmit ceturtajā jūnijā.

Priimta du tūkstančiai aštuntų metų birželio dvidešimt ketvirtą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-nyolcadik év június huszonnegyedik napján.

Magħmul fi Brussell, fl-erbgħa u għoxrin jum ta' Ġunju tas-sena elfejn u tmienja.

Gedaan te Brussel, de vierentwintigste juni tweeduizend acht.

Sporządzono w Brukseli dnia dwudziestego czwartego czerwca roku dwa tysiące ósmego.

Feito em Bruxelas, em vinte e quatro de Junho de dois mil e oito.

Încheiat la Bruxelles, la douăzeci și patru iunie două mii opt.

V Bruseli dňa dvadsiateho štvrtého júna dvetisícosem.

V Bruslju, dne štiriindvajsetega junija leta dva tisoč osem.

Tehty Brysselissä kahdentenakymmenentenäneljäntenä päivänä kesäkuuta vuonna kaksituhattakahdeksan.

Som skedde i Bryssel den tjugofjärde juni tjugohundraåtta.

За държавите-членки
Por los Estados miembros
Za členské státy
For medlemsstaterne
Für die Mitgliedstaaten
Liikmesriikide nimel
Για τα κράτη μέλη
For the Member States
Pour les États membres
Per gli Stati membri
Dalībvalstu vārdā
Valstybių narių vardu
A tagállamok részéről
Għall-Istati Membri
Voor de lidstaten
W imieniu państw członkowskich
Pelos Estados-Membros
Pentru statele membre
Za členské štáty
Za države članice
Jäsenvaltioiden puolesta
På medlemsstaternas vägnar
Аз Љониби Давлатњои Аъзо

За Европейската общност
Por las Comunidades Europeas
Za Evropská společenství
For De Europæiske Fællesskaber
Für die Europäischen Gemeinschaften
Euroopa ühenduste nimel
Για τις Ευρωπαϊκές Κοινότητες
For the European Communities
Pour les Communautés européennes
Per le Comunità europee
Eiropas Kopienu vārdā
Europos Bendrijų vardu
Az Európai Közösségek részéről
Għall-Komunitajiet Ewropej
Voor de Europese Gemeenschappen
W imieniu Wspólnot Europejskich
Pelas Comunidades Europeias
Pentru Comunitatea Europeană
Za Európske spoločenstvá
Za Evropski skupnosti
Euroopan yhteisöjen puolesta
På Europeiska gemenskapernas vägnar
Аз Љониби Иттињоди Аврупо

За Република Таджикистан
Por la República de Tayikistán
Za Republiku Tádžikistán
For Republikken Tadsjikistan
Für die Republik Tadschikistan
Tadžikistani Vabariigi nimel
Για τη Δημοκρατια του Τατζικισταν
For the Republic of Tajikistan
Pour la République du Tadjikistan
Per la Repubblica del Tagikistan
Tadžikistānas Republikas vārdā
Tadžikistano Respublikos vardu
A Tádzsik Köztársaság részéről
Għar-Repubblika tat-Taġikistan
Voor de Republiek Tadzjikistan
W imieniu Republiki Tadżykistanu
Pela República do Tajiquistão
Pentru Republica Tadjikistan
Za Tadžickú republiku
Za Republiko Tadžikistan
Tadžikistanin tasavallan puolesta
För republiken Tadzjikistan
Аз Љониби Љумњурин Тољикистон