

**PROTOCOL**

**to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Ukraine, of the other part (PCA), on accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the PCA and on adjustments to the PCA**

THE KINGDOM OF BELGIUM,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

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,

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

UKRAINE

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 Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese 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 Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, which was signed in Athens on 16 April 2003 and will enter into force on 1 May 2004,

CONSIDERING the new situation in relations between Ukraine and the European Union arising from the accession to the European Union of 10 new Member States, which opens opportunities and brings about challenges for the cooperation between Ukraine 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 Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic 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 Ukraine, of the other part, signed in Luxembourg on 14 June 1994 and which entered into force on 1 March 1998 (hereinafter the Agreement) and shall respectively adopt and take note, in the same manner as other Member States of the Community, of the texts of the Agreement, and of the Joint Declarations, Declarations and Exchanges of Letters annexed to the Final Act signed on the same date and the Protocol to the Agreement of 10 April 1997 that entered into force on 12 October 2000.

#### *Article 2*

1. To take account of recent institutional developments within the European Union, the Parties agree that following the expiry of the Treaty establishing the European Coal and Steel Community, existing provisions in the Agreement referring to the European Coal and Steel Community shall be deemed to refer to the European Community which has taken over all rights and obligations contracted by the European Coal and Steel Community.

2. To take account of the institutional developments that have taken place in the international trading system of the GATT-WTO, the Parties agree that the existing references to the

GATT throughout the text of the Agreement shall be deemed to refer to the GATT 1994, and the provision 'Ukraine's accession to the GATT' shall be understood as 'Ukraine's accession to the WTO'.

3. To take account of the development of the treaty base of the European Energy Charter, the Parties agree that existing references to the European Energy Charter throughout the text of the Agreement shall be considered to include references to the Energy Charter Treaty and to the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects.

#### *Article 3*

This Protocol shall form an integral part of the Agreement.

#### *Article 4*

1. This Protocol shall be approved by the Communities, by the Council of the European Union on behalf of the Member States and by Ukraine 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 5*

1. This Protocol shall enter into force on the same day as the Treaty on Accession provided that all the instruments of approval of this Protocol have been deposited before that date.
2. Where not all instruments of approval of this Protocol have been deposited before that date, this Protocol shall enter into force on the first day of the first month following the date of the deposit of the last instrument of approval.
3. Where not all instruments of approval of this Protocol have been deposited before 1 May 2004, this Protocol shall apply provisionally with effect from 1 May 2004.

*Article 6*

The texts of the Agreement, the Final Act and all documents annexed to it, as well as the Protocol to the Agreement of

10 April 1997, are drawn up in the Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovene languages.

They are annexed <sup>(1)</sup> 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, as well as the Protocol to the Agreement of 10 April 1997, are drawn up.

*Article 7*

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

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<sup>(1)</sup> The Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovenian versions of the Agreement shall be published in the special edition of the Official Journal at a later date.

Hecho en Dublín, el veintinueve de abril de dos mil cuatro.

V Dublinu dne dvacátého devátého dubna dva tisíce čtyři.

Udfærdiget i Dublin den niogtyvende april to tusind og fire.

Geschehen zu Dublin am neunundzwanzigsten April zweitausendundvier.

Kahe tuhande neljanda aasta aprillikuu kahekümne üheksandal päeval Dublinis.

Έγινε στο Δουβλίνο, στις είκοσι εννέα Απριλίου δύο χιλιάδες τέσσερα.

Done at Dublin on the twenty-ninth day of April in the year two thousand and four.

Fait à Dublin, le vingt-neuf avril deux mille quatre.

Fatto a Dublino, addì ventinove aprile duemilaquattro.

Dublinā, divi tūkstoši ceturā gada divdesmit devītajā aprīlī.

Priimta du tūkstančiai ketvirtų metų balandžio dvidešimt devintą dieną Dubline.

Kelt Dublinban, a kétezer-negyedik év április havának huszonkilencedik napján.

Magħmul f' Dublin fid-disgħa u ghoxrin jum ta' April tas-sena elfejn u erbgha.

Gedaan te Dublin, de negenentwintigste april tweeduizendvier.

Sporządzono w Dublinie, dnia dwudziestego dziewiątego kwietnia roku dwa tysiące czwartego.

Feito em Dublin, em vinte e nove de Abril de dois mil e quatro.

V Dubline dvadsiatehodeviateho apríla dvetisícštyri.

V Dublinu, dne devetindvajsetega aprila leta dva tisoč štiri.

Tehty Dublinissa kahdentenäkymmenentenäyhdeksäntenä päivänä huhtikuuta vuonna kaksituhattaneljä.

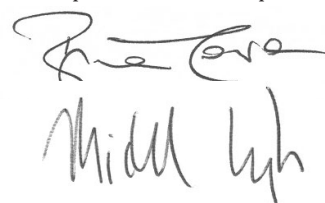
Som skedde i Dublin den tjugonionde april tjugohundrafyra.

Вчинено у Дубліні, двадцять дев'ятого квітня дві тисячі четвертого року.

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  
 Za členské štáty  
 Za države članice  
 Jäsenvaltioiden puolesta  
 På medlemsstaternas vägnar  
 За Держави-Члени



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 Kopienų vārdā  
 Europos Bendrijų vardu  
 Az Európai Közösségek részéről  
 Għall-Komunitajiet Ewropej  
 Voor de Europese Gemeenschappen  
 W imieniu Wspólnot Europejskich  
 Pelas Comunidades Europeias  
 Za Európske spoločenstvá  
 Za Evropske skupnosti  
 Euroopan yhteisöjen puolesta  
 På Europeiska gemenskapernas vägnar  
 За Европейські Співтовариства



Por Ucrania  
 Za Ukrajinu  
 For Ukraine  
 Für die Ukraine  
 Ukraina nimel  
 Για την Ουκρανία  
 For Ukraine  
 Pour l'Ukraine  
 Per l'Ucraina  
 Ukrainas vārdā  
 Ukrainos vardu  
 Ukrajna részéről  
 Għall-Ukrajna  
 Voor Oekraïne  
 W imieniu Ukrainy  
 Pela Ucrânia  
 Za Ukrajinu  
 Za Ukrajino  
 Ukrainan puolesta  
 På Ukrainas vägnar  
 За Україну

