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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part

Pages EU/AM/en 4, 20, 23, 33, 73, 92, 101, 127, 168 and 285 shall be replaced by the attached pages.

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

THE EUROPEAN UNION, and

THE EUROPEAN ATOMIC ENERGY COMMUNITY, hereinafter referred to as "Euratom"

of the one part, and

THE REPUBLIC OF ARMENIA

of the other part,

hereafter jointly referred to as "the Parties",

TAKING ACCOUNT OF the strong links between the Parties and the values that they share, and their desire to strengthen links established in the past through the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Armenia, of the other part, which was signed in Luxembourg on 22 April 1996 and entered into force on 1 July 1999 ("PCA") and to promote close and intensive cooperation based on equal partnership within the framework of the European Neighbourhood Policy ("ENP") and the Eastern Partnership as well as within this Agreement;

ARTICLE 10

Small arms and light weapons and conventional arms exports control

1. The Parties recognise that the illicit manufacture and trafficking of small arms and light weapons ("SALWs"), including their ammunition, and excessive accumulation, poor management, inadequately secured stockpiles and the uncontrolled spread thereof continue to pose a serious threat to international peace and security.
2. The Parties agree to observe and fully implement their respective obligations to deal with the illicit trade in SALWs, including their ammunition, under existing international agreements to which they are parties and UN Security Council resolutions, as well as their commitments within the framework of other international instruments applicable in that area, such as the UN Programme of Action to prevent, combat and eradicate the illicit trade in SALWs in all its aspects.
3. The Parties shall undertake to cooperate and to ensure coordination, complementarity and synergy in their efforts to deal with the illicit trade in SALWs, including their ammunition, and the destruction of excessive stockpiles, at global, regional, sub-regional and, as appropriate, national levels.
4. Furthermore, the Parties agree to continue to cooperate in the area of conventional arms control, in the light of the Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment and relevant national legislation of the Republic of Armenia.

ARTICLE 14

Cooperation on migration, asylum and border management

1. The Parties reaffirm the importance of the joint management of migration flows between their territories and shall establish a comprehensive dialogue on all migration-related issues, including legal migration, international protection and the fight against illegal migration, smuggling and trafficking in human beings.
2. Cooperation will be based on a specific needs-assessment conducted through mutual consultation between the Parties and will be implemented in accordance with their relevant legislation. It will, in particular, focus on:
 - (a) addressing the root causes of migration;
 - (b) the development and implementation of national legislation and practices as regards international protection, with a view to satisfying the provisions of the Geneva Convention relating to the status of refugees of 1951, the Protocol relating to the Status of Refugees of 1967 and other relevant international instruments, such as the European Convention on Human Rights, and to ensuring respect for the principle of "non-refoulement";
 - (c) the admission rules and rights and status of persons admitted, fair treatment and integration of lawfully residing non-nationals, education and training and measures against racism and xenophobia;

ARTICLE 24

Public sector internal control and auditing arrangements

The Parties shall cooperate in the areas of public internal control and external audit with the following objectives:

- (a) further developing and implementing the public internal control system in accordance with the principle of decentralised managerial accountability, including an independent internal audit function for the entire public sector in the Republic of Armenia, by means of approximation with generally accepted international standards, frameworks and guidance and European Union good practice, on the basis of the public internal financial control reform programme approved by the Government of the Republic of Armenia;
- (b) developing an adequate financial inspection system in the Republic of Armenia to complement, but not duplicate, the internal audit function;
- (c) supporting the central harmonisation unit for public internal financial control in the Republic of Armenia and strengthening its ability to steer the reform process;
- (d) further strengthening the Audit Chamber as the supreme audit institution of the Republic of Armenia, in particular in terms of its financial, organisational and operational independence in accordance with internationally accepted external audit ("INTOSAI") standards; and
- (e) providing for the exchange of information, experiences and good practice.

ARTICLE 90

Armenia shall carry out approximation of its legislation to the acts of the European Union and international instruments referred to in Annex VII in accordance with the provisions of that Annex.

CHAPTER 16

COOPERATION IN THE AREA OF HEALTH

ARTICLE 91

The Parties shall develop their cooperation in the field of public health with a view to raising its level, in line with common health values and principles, and as a precondition for sustainable development and economic growth.

ARTICLE 92

Cooperation shall address the prevention and control of communicable and non-communicable diseases, including through the exchange of health information, the promotion of a health-in-all-policies approach, cooperation with international organisations, in particular the World Health Organization, and the promotion of the implementation of international health agreements such as the World Health Organization Framework Convention on Tobacco Control of 2003 and the International Health Regulations.

ARTICLE 120

Transit

The Parties agree that the principle of freedom of transit is an essential condition for attaining the objectives of this Agreement. In that connection, each Party shall provide for freedom of transit through its territory of goods consigned from or destined for the territory of the other Party in accordance with Article V of GATT 1994, including its interpretative notes, which is incorporated into and made part of this Agreement, *mutatis mutandis*.

ARTICLE 121

Trade defence

1. Nothing in this Agreement shall prejudice or affect the rights and obligations of each Party under:
 - (a) Article XIX of GATT 1994 and the Agreement on Safeguards, contained in Annex 1A to the WTO Agreement;
 - (b) Article 5 of the Agreement on Agriculture, contained in Annex 1A to the WTO Agreement, on special safeguard provisions; and

4. For areas in which alignment has been achieved, the Parties may consider negotiating agreements on conformity assessment procedures and acceptance of industrial products.

ARTICLE 131

Marking and labelling

1. Without prejudice to Article 129 of this Agreement, and with respect to technical regulations relating to labelling or marking requirements, the Parties reaffirm the principles of Article 2.2 of the TBT Agreement that such requirements are not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to international trade. For that purpose, such labelling or marking requirements shall not be more trade-restrictive than necessary to fulfil a legitimate objective, taking account of the risks that non-fulfilment would create. The Parties shall promote the use of internationally harmonised marking requirements. Where appropriate, the Parties shall endeavour to accept detachable or non-permanent labelling.
2. In particular, with regard to mandatory labelling or marking requirements, the Parties shall:
 - (a) endeavour to minimise their respective requirements for labelling or marking in mutual trade, except as required for the protection of health, safety or the environment, or for other reasonable public policy purposes; and
 - (b) retain the right to require the information on the label or marking to be in a language specified by a Party.

ARTICLE 155

Business sellers

For every sector committed in accordance with Sections B or C and subject to any reservations listed in Annex VIII-C, each Party shall allow the entry and temporary stay of business sellers for a period of up to 90 days in any 12 month period.

ARTICLE 156

Contractual service suppliers

1. The Parties affirm their respective obligations arising from their commitments under the WTO General Agreement on Trade in Services as regards the entry and temporary stay of contractual service suppliers.
2. In accordance with Annexes VIII-D and VIII-G, each Party shall allow the supply of services into their territory by contractual service suppliers of the other Party, subject to the following conditions:
 - (a) the natural persons are engaged in the supply of a service on a temporary basis as employees of a juridical person which has obtained a service contract not exceeding 12 months;

ARTICLE 191

Definitions

1. For the purposes of this Subsection and Sections B, C and D:
 - (a) "international maritime transport" includes door to door and multi-modal transport operations, which is the carriage of goods using more than one mode of transport, involving a sea-leg, under a single transport document, and includes to this effect the right to directly contract with providers of other modes of transport;
 - (b) "maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:
 - (i) the loading or discharging of cargo to or from a ship;
 - (ii) the lashing or unlashng of cargo;
 - (iii) the reception or delivery and safekeeping of cargoes before shipment or after discharge;
 - (c) "customs clearance services" or alternatively "customs house brokers' services" means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity;

2. Each Party shall ensure that, in order to effectively and impartially perform its regulatory function in like circumstances with respect to all enterprises that it regulates, including State-owned enterprises, enterprises granted special rights or privileges and designated monopolies, any regulatory body that a Party establishes or maintains is not accountable to any of the enterprises that it regulates.

The impartiality with which the regulatory body exercises its regulatory functions is to be assessed by reference to a general pattern or practice of that regulatory body.

For those sectors in which the Parties have agreed to specific obligations relating to the regulatory body in other Chapters, the relevant provision in the other Chapters shall prevail.

3. Each Party shall ensure the consistent and non-discriminatory enforcement of laws and regulations, including its laws and regulations on enterprises specified in Article 300.

ARTICLE 306

Transparency

1. Where a Party has reason to believe that its interests under this Chapter are being adversely affected by the commercial activities of an enterprise specified in Article 300 of the other Party, and subject to the scope of this Chapter, it may request in writing that the other Party provide information about the operations of that enterprise related to the activities covered by this Chapter.