

Na podlagi osmega 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) je Vlada Republike Slovenije sprejela

S K L E P

O POTRDITVI MEMORANDUMA O MEDNARODNEM RAZVOJNEM SODELOVANJU MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE MAKEDONIJE V LETU 2011

1. člen

Potrdi se Memorandum o mednarodnem razvojnem sodelovanju med Republiko Slovenijo in Republiko Makedonijo v letu 2011, podpisan v Skopju 13. maja 2011.

2. člen

Memorandum se v izvirniku v angleškem jeziku in prevodu v slovenskem jeziku glasi:

M E M O R A N D U M

ON INTERNATIONAL DEVELOPMENT COOPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA AND THE GOVERNMENT OF THE REPUBLIC OF MACEDONIA FOR 2011

The Government of the Republic of Slovenia and the Government of the Republic of Macedonia (hereinafter referred to as "the Parties");

pursuant to the Agreement on Development Cooperation between the Government of the Republic of Slovenia and the Government of the Republic of Macedonia signed on 10 June 2004;

desirous of securing active support of the Republic of Slovenia for the key strategic objective of the Republic of Macedonia, i.e. the accession to the European Union, and;

in accordance with the Framework Programme on International Development Cooperation and Humanitarian Assistance of the Republic of Slovenia for 2011–2012, adopted by a decision of the Government of the Republic of Slovenia of 17 March 2011;

have agreed as follows:

Article 1

Considering the strategic priorities of the Republic of Macedonia, the need for further economic growth and the maintenance of its macroeconomic stability, this Memorandum shall focus on the following:

- Strengthening of economic development as well as the promotion of and support for a balanced regional development;
- Protection of the environment as a key element of sustainable development;
- Administrative capacity building and modernisation of public administration;

- Support for the development activities of the implementing institutions of the Republic of Slovenia in the Republic of Macedonia and cooperation among non-governmental organisations;
- Other areas and forms of bilateral development cooperation agreed upon by the Parties.

This Memorandum reflects the need for a more effective approach to environmental protection, in particular the protection of water resources, modern management of solid waste and waste water management.

The Government of the Republic of Slovenia has envisaged separate envelopes within the Framework Programme on International Development Cooperation and Humanitarian Assistance of the Republic of Slovenia for 2011–2012 in support of bilateral development cooperation between the Republic of Slovenia and the Republic of Macedonia in the amount of EUR 1,204,000 for 2011.

The Government of the Republic of Slovenia has also earmarked additional funds for other forms of development cooperation.

The development activities of the implementing institutions of the Republic of Slovenia in the Republic of Macedonia, the cooperation between non-governmental organisations and other forms of development cooperation will be coordinated by the Ministry of Foreign Affairs of the Republic of Slovenia and not by the Secretariat for European Affairs of the Republic of Macedonia.

Article 2

Within the Framework Programme on International Development Cooperation and Humanitarian Assistance for 2011–2012, the Government of the Republic of Slovenia has earmarked funds in the amount of EUR 900,000 per year in support of development projects in the Republic of Macedonia.

The beneficiary must ensure their own participation in the projects. The share of co-financing for lower-middle income countries, one of which is the Republic of Macedonia, is the following:

- As a rule, the Republic of Slovenia finances up to 40% of the project value with infrastructure development projects, whereas the remaining funds (i.e. up to 60%) are provided by the beneficiary;
- As a rule, the Republic of Slovenia finances up to 70% of technical development projects, whereas the remaining funds are provided by the beneficiary.

Exceptions to the co-financing scheme above have to be confirmed by the Ministry of Foreign Affairs of the Republic of Slovenia for each separate case.

The beneficiary decides at their own discretion on how to close the financial construction of the project. The public entity which is the beneficiary of the donation usually provides their share from the budget (state or municipal) in the form of regular budgetary inflow, loans and donations by other national or international institutions.

Public entities of the beneficiary select the service provider in line with the beneficiary's national legislation regulating public finances and public procurement. In certain cases, when the Republic of Slovenia provides the major part of co-financing, the Centre for International Cooperation and Development (CMSR), in agreement with the beneficiary, selects

a service provider on the basis of a tender published in the Republic of Slovenia in line with the Slovenian legislation governing public finances and public procurement.

Article 3

The Republic of Slovenia actively supports the European perspective of the Republic of Macedonia, its EU accession process and the adoption of EU standards and norms. The Republic of Slovenia provides the Republic of Macedonia with technical assistance in the harmonisation of its national legislation with the European acquis and in its implementation. The Parties and their respective institutions cooperate closely with a view to accelerating the country's EU accession process and ensuring its effectiveness. Cooperation shall focus on the harmonisation of national legislation with the European acquis, with special emphasis on rural and regional development, the cohesion policy and structural instruments, financial and budget issues, statistics, taxes, entrepreneurial and industrial policies, customs, money laundering prevention, the judiciary, internal and consular affairs, elections, transport, the environment, health, food, veterinary medicine and plant protection, foreign affairs, and the fight against drugs.

Within the limits of its capabilities and at the request of the Government of the Republic of Macedonia, the Government of the Republic of Slovenia also provides technical assistance in other areas focused on the strengthening of the country's administrative capacities.

Technical assistance is provided mainly in the form of consultations and the exchange of experience among experts of the two Parties, the exchange of materials and expert opinions and the training of public officials through study visits, seminars and workshops.

If the project or activity is conducted in the Republic of Macedonia, only the participants from the Republic of Slovenia are entitled to the reimbursement of the expenses incurred.

If the project or activity is conducted in the Republic of Slovenia, participants from the beneficiary are entitled to the reimbursement of travel expenses from the beneficiary's capital to the Republic of Slovenia and back, accommodation in the Republic of Slovenia and public transportation expenses during the participation in the project or activity.

Other possible expenses related to the implementation of the project or activity are also covered according to the project plan and the programme of activities.

Activities relating to technical assistance provided by the Republic of Slovenia to the Republic of Macedonia are financed by the Government of the Republic of Slovenia, which has earmarked funds in the amount of EUR 150,000 for 2011 in its Framework Programme on International Development Cooperation and Humanitarian Assistance for 2011–2012.

Article 4

Specific activities and their implementation shall be coordinated by the Ministry of Foreign Affairs of the Republic of Slovenia and the Secretariat for European Affairs of the Republic of Macedonia within the framework of the Joint Committee, the members of which have been appointed by the Parties.

Article 5

The Joint Committee shall propose priorities, programmes and projects of international development cooperation and monitor its implementation.

Article 6

The Joint Committee shall draw up a report on the implementation of activities addressed by this Memorandum.

Article 7

The visual identities (i.e. logos) of the Parties shall be included in any official communication relating to the donation.

Article 8

This Memorandum enters into force on the thirtieth day after its signing and will remain in force until 31 December 2011. Any activities underway that will not have been concluded by 31 December 2011 will be carried on in compliance with the provisions of this memorandum until their completion unless otherwise agreed by the Parties.

Done in Skopje on 13 May 2011 in two originals in the English language.

For the Government of the Republic of Slovenia Alain Brian Bergant (s) Ambassador For the Government of the Republic of Macedonia Jovan Andonovski (s) State Secretary Secretariat for European Affairs

M E M O R A N D U M

O MEDNARODNEM RAZVOJNEM SODELOVANJU MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE MAKEDONIJE V LETU 2011

Vlada Republike Slovenije in Vlada Republike Makedonije (v nadaljnjem besedilu: pogodbenici) sta se

na podlagi Sporazuma med Vlado Republike Slovenije in Vlado Republike Makedonije o razvojnem sodelovanju, podpisanega 10. junija 2004,

v želji zagotoviti dejavno podporo Republike Slovenije ključnemu strateškemu cilju Republike Makedonije, in sicer pristopu k Evropski uniji, in

skladno z Okvirnim programom mednarodnega razvojnega sodelovanja in humanitarne pomoči Republike Slovenije v letih 2011 in 2012, sprejetim s sklepom Vlade Republike Slovenije 17. marca 2011,

dogovorili:

1. člen

Ob upoštevanju strateških prednostnih usmeritev Republike Makedonije ter potrebe po njeni nadaljnji gospodarski rasti in ohranjanju makroekonomske stabilnosti ta memorandum zadeva predvsem naslednje:

– krepitev gospodarskega razvoja ter spodbujanje in podpiranje uravnoteženega regionalnega razvoja,

- varovanje okolja kot eno ključnih sestavin trajnostnega razvoja,
- krepitev administrativnih zmogljivosti in posodobitev javne uprave,
- spodbujanje razvojnih dejavnosti izvajalskih ustanov iz Republike Slovenije v Republiki Makedoniji in sodelovanja nevladnih organizacij,
- druga področja in druge oblike dvostranskega razvojnega sodelovanja, o katerih se pogodbenici dogovorita.

Memorandum izhaja iz potrebe po učinkovitejšem pristopu k varovanju okolja, predvsem k zaščiti vodnih virov ter sodobnemu ravnanju z odpadki in gospodarjenju z odpadnimi vodami.

Vlada Republike Slovenije je v Okvirnem programu mednarodnega razvojnega sodelovanja in humanitarne pomoči v letih 2011 in 2012 predvidela sredstva za dvostransko razvojno sodelovanje med Republiko Slovenijo in Republiko Makedonijo v skupni vrednosti 1,204.000 EUR za leto 2011.

Vlada Republike Slovenije je predvidela tudi dodatna sredstva za druge oblike razvojnega sodelovanja.

Razvojne dejavnosti izvajalskih ustanov Republike Slovenije v Republiki Makedoniji, sodelovanje nevladnih organizacij in druge oblike razvojnega sodelovanja bo koordiniralo Ministrstvo za zunanje zadeve Republike Slovenije, in ne Sekretariat za evropske zadeve Republike Makedonije.

2. člen

Vlada Republike Slovenije je v Okvirnem programu mednarodnega razvojnega sodelovanja in humanitarne pomoči v letih 2011 in 2012 predvidela sredstva za razvojne projekte v Republiki Makedoniji v vrednosti 900.000 EUR letno.

Država prejemnica mora pri projektih zagotoviti lastno udeležbo. Za države z nižjim srednjim dohodkom, kamor se uvršča tudi Republika Makedonija, je delež sofinanciranja naslednji:

- pri razvojnih projektih na področju infrastrukture je donacija Republike Slovenije praviloma do 40% vrednosti projekta, preostanek sredstev (tj. do 60%) zagotavlja država prejemnica;
- pri projektih strokovnega razvojnega sodelovanja je donacija Republike Slovenije praviloma do 70%, preostanek sredstev zagotavlja država prejemnica.

Morebitne spremembe deleža financiranja mora za vsak primer posebej odobriti Ministrstvo za zunanje zadeve Republike Slovenije.

Država prejemnica sama odloča, na kakšen način bo zaprla finančno konstrukcijo projekta. Javni subjekt, ki je prejemnik donacije, svoj delež praviloma zagotavlja v okviru proračuna (državnega, občinskega), v obliki rednih proračunskih prilivov, zadolževanja, donacij drugih državnih ali mednarodnih institucij.

Javni subjekt države prejemnice izvajalca izbere v skladu z nacionalno zakonodajo države prejemnice, ki ureja javne finance in javna naročila. V posebnih primerih, kot je večinsko sofinanciranje Republike Slovenije, Center za mednarodno sodelovanje in razvoj (CMSR) v dogovoru s prejemnikom donacije izbere izvajalca na podlagi razpisa, objavljenega v Republiki Sloveniji v skladu s slovensko zakonodajo s področja javnih financ in javnih naročil.

3. člen

Republika Slovenija dejavno podpira evropsko prihodnost Republike Makedonije, njen pristopni proces k Evropski uniji ter prevzem evropskih standardov in norm. Republika Slovenija zagotavlja Republiki Makedoniji strokovno pomoč pri usklajevanju nacionalne zakonodaje s pravnim redom Evropske unije in njegovem izvajanju. Pogodbenici in njune ustanove tesno sodelujejo, da bi omogočile hitrejšo in učinkovitejšo približevanje Republike Makedonije k Evropski uniji. Sodelovanje se osredotoča na usklajevanje nacionalne zakonodaje s pravnim redom Evropske unije s poudarkom na razvoju podeželja in na regionalnem razvoju, kohezijski politiki in strukturnih instrumentih, finančnih zadevah in proračunu, statistiki, davkih, podjetniški in industrijski politiki, carinah, preprečevanju pranja denarja, pravosodju, notranjih in konzularnih zadevah, izvajanju volitev, prometu, okolju, zdravju, prehrani, veterinarskih in fitosanitarnih zadevah, zunanjih zadevah in boju proti drogam.

Vlada Republike Slovenije bo po svojih zmožnostih na zaprosilo Vlade Republike Makedonije zagotavljala strokovno pomoč tudi na drugih področjih krepitve administrativnih zmogljivosti Republike Makedonije.

Strokovna pomoč se izvaja predvsem v obliki svetovanja in izmenjave izkušenj med strokovnjaki pogodbenic, izmenjave gradiv in strokovnih mnenj ter usposabljanja javnih uslužbencev v obliki študijskih obiskov, seminarjev in delavnic.

Če se projekt ali dejavnost izvaja v Republiki Makedoniji, se krijejo samo stroški udeležbe udeležencev iz Slovenije.

Če se projekt ali dejavnost izvaja v Republiki Sloveniji, se udeležencem iz države prejemnice krijejo stroški povratnega potovanja med prestolnico države prejemnice in Republiko Slovenijo, namestitvev v Republiki Sloveniji med udeležbo pri projektu ali dejavnosti ter javni prevoz med udeležbo pri projektu ali dejavnosti.

Krijejo se tudi morebitni drugi stroški izvajanja projekta ali dejavnosti v skladu z načrtom projekta in programom dejavnosti.

Strokovno pomoč Republike Slovenije, namenjeno Republiki Makedoniji, financira Vlada Republike Slovenije, ki je za ta namen v Okvirnem programu mednarodnega razvojnega sodelovanja in humanitarne pomoči v letih 2011 in 2012 predvidela sredstva v znesku 150.000 EUR za leto 2011.

4. člen

Posamezne dejavnosti in njihovo izvajanje usklajujeta Ministrstvo za zunanje zadeve Republike Slovenije in Sekretariat za evropske zadeve Republike Makedonije znotraj Skupnega odbora, katerega člane sta imenovali pogodbenici.

5. člen

Skupni odbor predlaga prednostne naloge, programe in projekte mednarodnega razvojnega sodelovanja ter spremlja njihovo izvajanje.

6. člen

Skupni odbor pripravi poročilo o izvajanju dejavnosti iz tega memoranduma.

7. člen

Za uradno komunikacijo v zvezi z donacijami se uporabljajo logotipi pogodbenic.

8. člen

Memorandum začne veljati trideseti dan po podpisu in velja do 31. decembra 2011. Izvajanje začelih dejavnosti, ki ne bodo dokončane do 31. decembra 2011, se nadaljuje skladno z določbami memoranduma vse do izteka, razen če se pogodbenici ne dogovorita drugače.

Podpisano v Skopju dne 13. maja 2011 v dveh izvornikih v angleškem jeziku.

Za Vlado Republike Slovenije Alain Brian Bergant l.r. Veleposlanik Za Vlado Republike Makedonije Jovan Andonovski l.r. Državni sekretar Sekretariat za evropske zadeve

3. člen

Za izvajanje memoranduma skrbi Ministrstvo za zunanje zadeve.

4. člen

Ta sklep začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 00724-31/2011

Ljubljana, dne 30. junija 2011

EVA 2011-1811-0096

Vlada Republike Slovenije

Borut Pahor l.r. Predsednik