

**SEVENTH CONFERENCE OF HEADS OF STATE AND  
GOVERNMENT OF THE COMMUNITY OF PORTUGUESE  
SPEAKING COUNTRIES**

**FIFTEENTH MEETING OF COUNCIL OF MINISTERS  
Luanda, 22 July 2010**

**Resolution on the Regulation of Associate Observers**

The Council of Ministers of the Community of Portuguese Speaking Countries (CPLP), meeting in Luanda, in its fifteenth ordinary meeting, on 22 July 2010;

*Considering* the provisions of the Statutes of the Community of Portuguese Speaking Countries (CPLP), namely the provisions of the status of Associate Observer;

*Noting* the growing number of entities seeking Associate Observer status;

*Considering* also that the admission of Associate Observers must be made to preserve the guiding principles expressed in the Declaration and Statutes of the CPLP in July 1996;

*Recognizing* the potential value of the contribution of Associate Observers in pursuing the statutory objectives of the CPLP;

*Given* the need to develop rules that establish the conditions for granting and maintaining the Associate Observer status and its relationship with the Organization;

**DECIDE:**

*To approve* the Regulation of Associate Observer of the Community of Portuguese Speaking Countries, attached to this Resolution.

Done in Luanda, July 22, 2010

# **REGULATION OF ASSOCIATE OBSERVERS OF THE COMMUNITY OF PORTUGUESE SPEAKING COUNTRIES**

## **CHAPTER I**

### **General Provisions**

#### **Article 1 (Object)**

This Regulation aims to define the conditions of assignment, maintenance and operation of the Associate Observer Status in the Community of Portuguese Speaking Countries (CPLP).

#### **Article 2 (Scope)**

This regulation applies to entities wishing to benefit, or already benefit from the Associate Observer status in the scope of its relationships with the CPLP.

## **CHAPTER II Granting the Status**

#### **Article 3 (Granting)**

The status of Associate Observer may be granted to the entities referred to in Article 7 of the CPLP Statutes, committed to the goals pursued by the CPLP, particularly those relating to the promotion and dissemination of the Portuguese language.

#### **Article 4 (Application Procedure)**

1. The admissibility of Associate Observer status in the CPLP requires the submission of an application which shall be supported by the following elements:

- a) Detailed presentation of the reasons for the candidacy;
- b) Indicative activity plan within the scope of the partnership to be established between the CPLP and the candidate.

- c) Action plan of a sustainable nature and pertaining in particular to the promotion and dissemination of the Portuguese language, to be accomplished through a specific instrument for that purpose, submitted to the competent bodies of the CPLP.
2. The CPLP reserves the right to request additional information or clarifications deemed convenient to substantiate the claim of the interested party, as well as to facilitate the analysis of applications submitted.
  3. Besides the above mentioned Plan, the contribution of the candidate entity to promote and disseminate the Language will also be taken into consideration by the demonstration of existing specific actions in that respect.

#### **Article 5 (Procedure)**

1. The application process for granting Associate Observer status in the CPLP is subject to the following procedures:
  - a) Submission of candidacy to the Executive Secretariat of CPLP in Portuguese;
  - b) A prior evaluation of the proposal drafted by the Executive Secretariat of CPLP to be submitted to the Permanent Coordinating Committee of the CPLP (Portuguese acronym CCP);
  - c) Evaluation of the application by the CCP, including the preparation of a well-reasoned opinion regarding the application, to be submitted to the Council of Ministers of the CPLP for approval;
  - d) Recommendation of the Council of Ministers to the Conference of Heads of State and Government for final decision.
2. The CCP may establish Work Groups to consider specific applications.
3. It is the responsibility of the Executive Secretariat to ensure that the applications submitted follows the procedures defined in this Article, as well as provide any clarification on its progress.

**Article 6**  
**(Criteria)**

1. In assessing applications, among others, the following factors are considered:

- a) The commitment made by the candidate to the objectives pursued by the CPLP and by its guiding principles and general principles of International Law;
- b) The politico-diplomatic relationships of the candidate with the CPLP, as well as with its Member States;
- c) The common history, understood as the identification of the past existence and / or relationship between the Member States and the candidate;
- d) The geographic proximity between the candidate and one or more of the Member States and the inherent relationships to that proximity;
- e) The sharing of common culture beyond the language between the candidate and the Community;
- f) The magnitude of communities of nationals of Member States rooted in the candidate's territory.
- g) The Action Plan and Plan of Activities referred to in Article 4.

2. Upon the consideration of the criteria set out in this Article, the Council of Ministers, taking into account the operational capabilities of the Organization, may recommend, indicatively, two Observer candidates, by biennium

**Article 7**  
**(Maintenance of status)**

1. The maintenance of status of Associate Observer of the CPLP is subject to compliance with the provisions of these Regulations as well as the continuity of the conditions which led to its award.

2. In the event of any changes to the referred conditions, or in the event of non-compliance with the Regulations, the status of Associate Observer may be suspended by decision of the Permanent Coordinating Committee accordingly.

3. In the event the conditions that justified the suspension are maintained, the Permanent Coordinating Committee may submit a well-reasoned proposal to withdraw the status of Associate Observer of an entity, to the subsequent Council of Ministers.
4. The final decision to withdraw the status of Associate Observer falls upon the Conference of Heads of State and Government of the CPLP.
5. Any of the decisions referred to in this Article shall first be communicated to the entity concerned.

### **CHAPTER III**

#### **Partnership between CPLP and Associate Observers**

#### **Article 8** **(Partnership)**

1. The collaboration between the CPLP and Associates Observers covers particularly the area of promoting and disseminating the Portuguese language and the political and diplomatic coordination. However it may be applied to all other areas of cooperation in which the CPLP develops specific actions.
2. The development of the partnership between the CPLP and Associate Observers is guided by the following instruments of the Organization:
  - a) The General Cooperation Strategy of the CPLP
  - b) The Indicative Cooperation Plan and the General Agreement of Cooperation of the CPLP;
  - c) Sectorial Plans and Programs of cooperation;
  - d) The resolutions and other guiding instruments adopted by the Organization.
3. The collaboration between the CPLP and the Associated Observers may take the following concrete action form:
  - a) Political and diplomatic coordination;
  - b) Exchange of information;
  - c) Dissemination of information through proper channels, upon the express request;

- d) Establishment of reciprocal links on the official websites on the Internet;
- e) Partnerships in implementing projects within the CPLP;
- f) Support for CPLP initiatives before other International Organizations;
- g) Voluntary contributions to CPLP's Special Fund, preferably to co-finance programs, projects and activities for the promotion and dissemination of the Portuguese language and culture of the Member States of the CPLP;

### **Article 9 (Forms of Cooperation)**

1. Cooperation between CPLP and the Associate Observers may take the following form:

- a) Partnership in implementing projects under the promotion and dissemination of the Portuguese language as well as in other areas of cooperation;
- b) Co-financing of programs, projects and actions;

2. The programs, projects and initiatives for cooperation shall be previously approved by the competent bodies of the CPLP and shall contain the information prescribed in community provisions governing the matter.

## **CHAPTER IV Rights and duties of Associate Observers**

### **Article 10 (Rights)**

1. Associate Observers shall have the following rights:
- a) Participation in the Conference of Heads of State and Government, without voting rights;
  - b) Participation in the Meeting of the Council of Ministers of the CPLP, without voting rights;
  - c) Access to information resulting from the unclassified meetings listed above, as well as the opportunity to present communications in those same meetings upon the prior and consensual authorization of Member States;

- d) Preferential status as partners in institutional initiatives promoted by the CPLP;
  - e) Possibility to attend technical meetings, upon invitation.
2. Notwithstanding the foregoing, the Member States of the CPLP may decide that Associate Observers not attend all or part of a meeting.

**Article 11**  
**(Duties)**

1. The duties of Associates Observers are:
- a) Support and promote the goals and guiding principles endorsed in the Statutes of the CPLP;
  - b) Submit a biennial summary report of activities of the Associate Observer falling within the statutory purposes of the CPLP, particularly regarding the implementation status of the Action Plan in the area of promoting and disseminating of the Portuguese language, as well as the updates deemed necessary;
  - c) Participate in the requested activities in a manner to be agreed by the CPLP;
  - d) Maintain a Diplomatic Mission in at least one Member State of the CPLP, in the case of observers who are Sovereign States;
  - e) Designate and maintain current the contact of the responsible entity for monitoring issues concerning the interaction between CPLP and the Associate Observer.

**CHAPTER - V**  
**Final and Transitional Provisions**

**Article 12**  
**(CPLP Website)**

The information produced in the scope of the relationship between the Associate Observer and the Executive Secretariat is gathered in the proper channels, the CPLP Website.

**Article 13**  
**(Proposed alterations)**

The proposed alterations to these Regulations shall be submitted by Member States to the Executive Secretariat, to be framed and communicated to the Permanent Coordination Committee, which decides on their submission to the Council of Ministers for approval.

**Article 14**  
**(Entry into effect)**

This Regulation shall take effect from the date of its approval by resolution of the Council of Ministers of the CPLP.

**Article 15**  
**(Final Provision)**

1. These Regulations shall apply to entities which have been granted the status of Associate Observer of the CPLP just prior to its approval, with the exception of Articles 4, 5 and 6.
2. Notwithstanding the preceding paragraph, the entities benefiting from the Associate Observer status shall submit to the Executive Secretariat for adoption, the information specified in article 4, subparagraphs b) and c) in the subsequent biennium of the present Regulation.

Done in Luanda, 22 July, 2010