

澳門特別行政區

REGIÃO ADMINISTRATIVA ESPECIAL DE MACAU

行政長官辦公室

GABINETE DO CHEFE DO EXECUTIVO

第 29/2013 號行政長官公告

Aviso do Chefe do Executivo n.º 29/2013

中華人民共和國於二零一二年九月一日核准二零一一年十月七日在印度尼西亞雅加達簽訂的《東盟與中日韓大米緊急儲備協定》(下稱“協定”),並於二零一三年一月三十日以照會通知作為協定保存方的東盟秘書長,協定適用於中華人民共和國澳門特別行政區;

Considerando que a República Popular da China aprovou, em 1 de Setembro de 2012, o Acordo da Associação das Nações do Sudeste Asiático, da República Popular da China, do Japão e da Coreia do Sul sobre a Reserva de Arroz de Emergência, assinado em Jacarta, na Indonésia, em 7 de Outubro de 2011 (doravante designado por Acordo) e que, por nota datada de 30 de Janeiro de 2013, notificou o Secretário-Geral da Associação das Nações do Sudeste Asiático, na sua qualidade de depositário, sobre a aplicação do Acordo na Região Administrativa Especial de Macau da República Popular da China;

按照協定第十條的規定,協定自二零一三年三月三日起對中華人民共和國(包括澳門特別行政區)生效;

Considerando ainda que, em conformidade com o seu artigo 10.º, o Acordo entrou em vigor para a República Popular da China (incluindo a Região Administrativa Especial de Macau), em 3 de Março de 2013;

基於此,行政長官根據澳門特別行政區第3/1999號法律第六條第一款的規定,命令公佈上述協定的英文正式文本及中文譯本。

O Chefe do Executivo manda publicar, nos termos do n.º 1 do artigo 6.º da Lei n.º 3/1999 da Região Administrativa Especial de Macau, o referido Acordo no seu texto autêntico em língua inglesa, acompanhado da tradução para a língua chinesa.

二零一三年八月十二日發佈。

Promulgado em 12 de Agosto de 2013.

行政長官 崔世安

O Chefe do Executivo, *Chui Sai On*.

東盟與中日韓大米緊急儲備協定

ASEAN PLUS THREE EMERGENCY RICE RESERVE AGREEMENT

汶萊達魯薩蘭國、柬埔寨王國、印度尼西亞共和國、老撾人民民主共和國、馬來西亞、緬甸聯邦共和國、菲律賓共和國、新加坡共和國、泰國和越南社會主義共和國,作為東南亞國家聯盟成員(以下合稱東盟諸成員國或分稱東盟成員國)的各國政府,以及中華人民共和國、日本國和大韓民國,作為東盟對話夥伴(以下合稱中日韓三國或分稱中日韓各國)的各國政府(以下合稱東盟與中日韓諸國或分稱東盟與中日韓各國),

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, being members of the Association of Southeast Asian Nations (hereinafter referred to collectively as "ASEAN Member States" or individually as "ASEAN Member State")

and

the Governments of the People's Republic of China, Japan and the Republic of Korea, being the Dialogue Partners of ASEAN (hereinafter referred to collectively as "Plus Three Countries" or individually as "Plus Three Country")

憶及一九七六年二月二十四日和二〇〇三年十月七日於印度尼西亞的巴厘分別簽署了《東盟協調一致第一宣言》和《東盟協調一致第二宣言》,規定東盟諸成員國應在國家和區域發展方案上採取合作行動;

hereinafter referred to collectively as "ASEAN Plus Three Countries" or individually as "ASEAN Plus Three Country":

RECALLING the Declaration of ASEAN Concord I and II signed in Bali, Indonesia, on 24 February 1976 and 7 October 2003 respectively, which provide that ASEAN Member States shall take cooperative action in their national and regional development programmes;

憶及一九七九年十月四日於紐約簽署了《東盟糧食安全儲備協定》，成立了東盟大米緊急儲備，以備不時之需；

憶及二〇〇二年於老撾人民民主共和國萬象市召開的第二屆東盟與中日韓農業與林業部長會議（以下稱10+3農林部長會）上，所有與會人員決定啟動東亞大米緊急儲備試點項目，旨在加快建立儲備，加強本地區糧食安全，消除貧困；

再憶及東亞大米緊急儲備試點項目在東盟與中日韓諸國的共同努力、支持與合作下於二〇〇四年至二〇〇九年期間實施；

再憶及二〇〇九年十月二十四日於泰國華欣舉行的第十二屆東盟與中日韓首腦會議上，東盟與中日韓各國領導人宣佈了《東盟與中日韓關於糧食安全和生物能源開發合作的華欣聲明》；該聲明指出，在東亞大米緊急儲備經驗的基礎上，在與相關國際組織的密切合作下，在兼顧東盟與中日韓各國的承諾並遵守國際規則的情況下，各國領導人將探求建立東盟與中日韓大米緊急儲備（以下稱10+3大米儲備）的可能性；

再憶及二〇〇九年十一月十一日於汶萊達魯薩蘭國的斯里巴加灣舉行的第九屆10+3農林部長會通過了聯合新聞聲明；聲明指出，將東亞大米緊急儲備試點項目轉變為10+3大米儲備下的常設機制，在東亞大米緊急儲備試點項目結束之後儘早儘快完成轉變；

認識到本區域各國面對災害、面對基本食糧特別是大量的產量大幅波動、繼而面對本區域食物供應不穩等狀況具有高度脆弱性；

注意到保證東盟及中日韓地區的糧食安全是東盟與中日韓諸國的共同目標；

強調在聯合自強的基礎上建立東盟與中日韓諸國的大米儲備，有利於加強各國經濟的恢復力，有利於加強本地區經濟的恢復力，有利於加強東盟與中日韓諸國之間的團結；

重申需協調各國大米儲備政策，遵循各自的制度和憲法規定的同時兼顧其他東盟與中日韓諸國的政策；

申明10+3大米儲備的實施需與相關國際認可的規則規定相一致，如世界貿易組織和聯合國糧食及農業組織的規則規定等；

RECALLING the Agreement on the ASEAN Food Security Reserve signed in New York on 4 October 1979, which established the ASEAN Emergency Rice Reserve for the purpose of meeting emergency requirements;

RECALLING that all participants at the 2nd Meeting of the ASEAN Ministers of Agriculture and Forestry and the Ministers of Plus Three Countries (hereinafter referred to as “AMAF Plus Three”) in Vientiane, Lao PDR, on 11 October 2002, decided to launch the pilot project of the East Asia Emergency Rice Reserve (hereinafter referred to as “EAERR”), aiming at its expeditious establishment with a view to strengthening food security and eliminating poverty in the region;

RECALLING FURTHER that the EAERR pilot project has been implemented from 2004 to 2009 based on the collective efforts, support and cooperation of the ASEAN Plus Three Countries;

RECALLING FURTHER the Cha-am Hua Hin Statement on ASEAN Plus Three Cooperation on Food Security and Bio-Energy Development declared by the leaders of the ASEAN Plus Three Countries at the 12th ASEAN Plus Three Summit in Cha-am Hua Hin, Thailand, on 24 October 2009, which stated that the leaders will explore the possibility of establishing the ASEAN Plus Three Emergency Rice Reserve (hereinafter referred to as “APTERR”), based upon the experience of the EAERR, in close coordination with relevant international organisations, and taking into account each ASEAN Plus Three Country’s commitment and consistency with international rules;

RECALLING FURTHER the Joint Press Statement adopted at the 9th Meeting of the AMAF Plus Three in Bandar Seri Begawan, Brunei Darussalam on 11 November 2009, which stated the transformation of the EAERR pilot project into a permanent mechanism under the APTERR and its early realization immediately after the expiration of the EAERR pilot project;

RECOGNISING the high vulnerability of the countries in the region to calamity and to wide fluctuations in the production of basic foodstuffs particularly rice and hence to instability of the region’s food supply;

NOTING that the assurance of food security in the ASEAN Plus Three Countries is the common goal of all ASEAN Plus Three Countries;

EMPHASIZING that the establishment of a rice reserve among the ASEAN Plus Three Countries based on the principle of collective self-reliance will contribute to the strengthening of the respective national economic resilience as well as the regional economic resilience and solidarity of the ASEAN Plus Three Countries;

REITERATING the need to coordinate national rice stock policies, which take into account the policies of other ASEAN Plus Three Countries, in conformity with their institutional and constitutional requirements;

AFFIRMING the need for the implementation of the APTERR to be consistent with relevant internationally recognized rules and regulations such as those under the World Trade Organization (WTO) and United Nations Food and Agriculture Organization (FAO); and

重申東盟與中日韓諸國有必要採取一致有效的行動加強本區域的糧食安全；

茲達成一致如下：

第一條
定義

本協定中下列名詞，除上下文另有規定外具有如下含義：

(一) “10+3大米儲備”指根據第三條建立的“東盟與中日韓大米緊急儲備”；

(二) “10+3大米儲備方”指本協定對其生效的東盟與中日韓諸國中的一國政府；

(三) “理事會”指根據第七條建立的10+3大米儲備理事會；

(四) “標識大米緊急儲備”指根據第四條第一款，為滿足一個或一個以上10+3大米儲備方的緊急需求而自願指定的一定數量的大米，這些數量的標識大米構成10+3大米儲備的一部分；

(五) “緊急”指由於極端的突發災害，某個10+3大米儲備方不能通過自身國內儲備及不能通過正常貿易購買到所需供應的大米來加以應對的狀態或情況；

(六) “秘書處”指根據第八條建立的10+3大米儲備秘書處；

(七) “實際大米緊急儲備”指必要時通過適當的國際組織，如聯合國世界糧食計劃署和/或非政府組織，以現金和/或實物（大米）形式向10+3大米儲備自願捐贈的大米。這一實際大米緊急儲備用作緊急備用物資用以應對緊急狀況，是10+3大米儲備的另一組成部分。實際大米緊急儲備可以儲存在捐助國、預計的受援國和/或自願保管實際大米緊急儲備的駐在國倉庫中。

第二條
總則

一、10+3大米儲備諸方同意可從幾方面酌情應對糧食安全問題，特別是通過：

(一) 加強10+3大米儲備各國的大米生產基地建設；

(二) 避免大米產後損失；

REAFFIRMING the need for effective and concerted action to be taken by the ASEAN Plus Three Countries aimed at strengthening food security in the region;

HAVE AGREED as follows:

Article I
Definitions

For the purposes of this Agreement, the following definitions shall apply unless the context otherwise requires:

a. “**APTERR**” means the ASEAN Plus Three Emergency Rice Reserve established under Article III;

b. “**APTERR Party**” means a Government of an ASEAN Plus Three Country for which this Agreement is in force;

c. “**Council**” means the APTERR Council established under Article VII;

d. “**Earmarked emergency rice reserve**” means a certain quantity of rice, which is voluntarily designated in accordance with Paragraph 1 of Article IV, for the purpose of meeting emergency requirements of one or more APTERR Parties. Such earmarked quantities of rice constitute a component of the APTERR;

e. “**Emergency**” means the state or condition in which an APTERR Party, due to extreme and unexpected calamity, is unable to cope with the state or condition through its national reserve and is unable to procure the needed supply of rice through normal trade;

f. “**Secretariat**” means the APTERR Secretariat established under Article VIII; and

g. “**Stockpiled emergency rice reserve**” means rice voluntarily donated to the APTERR in the form of cash fund and/or in-kind (rice), if necessary, through appropriate international organisations such as United Nations World Food Programme (WFP) and/or Non Governmental Organisations (NGOs). Such a stockpiled emergency rice reserve is used as an emergency stock to provide preparedness for an emergency situation, and constitutes another component of the APTERR. Stockpiled emergency rice reserve can be stored in storage of a donor country, prospective recipient countries, and/or host country which voluntarily stores the stockpiled emergency rice reserve.

Article II
General Provisions

1. The APTERR Parties agree that, where appropriate, food security needs to be dealt with from several aspects, especially through:

a. the strengthening of the rice production base of the countries of the APTERR Parties;

b. the prevention of post harvest losses of rice;

(三) 採取有效的國內大米儲備政策，改善管理安排，以滿足緊急大米供應的需要；

(四) 推動大米價格穩定；

(五) 實施推動消費加強營養的政策與計劃，特別是10+3大米儲備各國中脆弱人群的消费與營養；

(六) 創造勞動機會，重點在農村地區；增加收入，重點在種稻小農。

二、本協定不應以任何形式影響各10+3大米儲備方根據現有或未來相關條約及其他國際協定產生的權利及義務。本協定條款與相關條約和其他國際協定出現分歧時，在此分歧範圍內以後者作準。

三、本協定應由10+3大米儲備方根據各自國家的法律法規並在各自年度財政撥款範圍內執行。

第三條

10+3大米儲備的建立

一、10+3大米儲備諸方同意：

(一) 建立10+3大米儲備，以滿足緊急需要，實現人道主義目的；

(二) 10+3大米儲備所有相關活動均不應扭曲正常的大米國際貿易。

二、10+3大米儲備應由區域大米儲備構成，包括以實際儲存形式存在的標識大米緊急儲備和實際大米緊急儲備，同時也包括其他形式的儲備如期貨合同或現金或實物的捐贈等。

第四條

實施

一、10+3大米儲備方應在自主決策的基礎上，根據本協定附件1的規定標識一定數量的大米。一經標識，便應視為是一種承諾，須由理事會在考慮本區域和世界食品狀況的情況下予以定期評議。

二、為10+3大米儲備方的東盟諸成員國政府指定的標識大米數量從為東盟大米緊急儲備承諾的大米中調用，並應含《東盟糧食安全儲備協議修訂第二議定書》第二條第三款中規定的啟動標識量。

c. the adoption of effective national rice stock policies and improved arrangements for meeting requirements of emergency rice supply;

d. the promotion of stability of rice price;

e. the adoption of policies and programmes for improving consumption and nutrition, particularly of the vulnerable groups within each of the countries of the APTERR Parties; and

f. the promotion of labor opportunities especially in the rural areas and increasing the income particularly of the small rice farmers.

2. Nothing in this Agreement shall affect in any way the rights and obligations of the respective APTERR Parties based upon relevant existing and future treaties and other international agreements. In the event of conflict between provisions of this Agreement and provisions of the relevant treaties and other international agreements, the latter shall prevail to the extent of such a conflict.

3. This Agreement shall be implemented by the APTERR Parties in accordance with the respective national laws and regulations of their countries and within the limits of their respective annual budgetary appropriations.

Article III

Establishment of APTERR

1. The APTERR Parties agree:

a. to establish the APTERR for meeting emergency requirements and achieving humanitarian purposes; and

b. that all activities related to the APTERR shall not distort normal international trade of rice.

2. The APTERR shall consist of the regional rice reserve in the form of physical stocks comprising the earmarked emergency rice reserve and the stockpiled emergency rice reserve and also in other forms of reserve such as future contract or donations in cash or in kind.

Article IV

Implementation

1. Each APTERR Party shall earmark a certain quantity of rice based on each APTERR Party's voluntary decision, as set out in Attachment 1 to this Agreement. Once earmarked it shall be a commitment subject to periodic review by the Council, taking into account of the general food situation in the region and in the world.

2. The amount of the earmarked quantity for the APTERR Parties being the Governments of the ASEAN Member States is mobilized from rice pledged for the ASEAN Emergency Rice Reserve and shall cover the amount of the initial earmarked quantity provided for in Paragraph 3 of Article II of the Second Protocol to Amend the Agreement on the ASEAN Food Security Reserve.

三、10+3大米儲備的投放以及標識大米的補充，應依照理事會設定的規則與程序進行。

第五條
大米信息交流

一、為切實開展第四條中的各項活動，10+3大米儲備諸方同意，就各自在大米儲備與糧食安全方面的政策和計劃，以及食品特別是水稻的供需形勢等情況，定期向第八條所指的秘書處提供信息。秘書處應將上述信息通報送10+3大米儲備諸方。

二、秘書處應根據收集的信息定期對形勢和前景進行簡明扼要和實事求是的評估，並發送10+3大米儲備諸方。

三、必要時或應某個10+3大米儲備方的要求，依照本條獲取的信息或資料應視作機密。

第六條
10+3大米儲備基金的建立

一、10+3大米儲備諸方同意建立一個基金（以下稱10+3大米儲備基金），由本協定第七條所指的理事會進行管理，以支持本協定框架下10+3大米儲備的運營及活動。

二、每一個10+3大米儲備方均應向10+3大米儲備基金認捐；按照本協定附件2所述，該基金由留本基金與運營成本捐款構成，以支持10+3大米儲備的運營及活動。

三、理事會應通過並核准10+3大米儲備基金的財務模式與管理。

第七條
10+3大米儲備理事會

一、10+3大米儲備諸方同意建立10+3大米儲備理事會。

二、理事會應由10+3大米儲備方各自派出一名代表組成，而10+3大米儲備秘書處應在東盟秘書處和東盟糧食安全儲備委員會秘書處的支持下，為理事會提供服務，協助理事會會議。

三、理事會的決定需在理事會各成員一致同意的基礎上作出。

四、理事會應依照其職責範圍負責10+3大米儲備的運營。理事會的職責範圍見本協定附件3。

3. The release of rice reserved in the APTERR and replenishment of the earmarked rice shall be implemented in accordance with the rules and procedures to be set forth by the Council.

Article V

Rice Information Exchange

1. For the effective functioning of the undertakings contained in Article IV, the APTERR Parties agree to furnish to the Secretariat, referred to in Article VIII, on a regular basis, information on their policies and programmes for rice reserve as well as on food security and other aspects of the food supply and demand situation, in particular rice. The Secretariat shall circulate the said information to all APTERR Parties.

2. On the basis of such data collected, concise factual appraisals of the situation and outlook shall be prepared periodically and circulated to the APTERR Parties by the Secretariat.

3. The information or data made available pursuant to this Article shall be treated as confidential, if necessary or requested by an APTERR Party.

ARTICLE VI

Establishment of APTERR Fund

1. The APTERR Parties agree to establish a fund, which shall be managed by the Council referred to in Article VII in order to support the operation and activities of the APTERR under this Agreement, hereinafter referred to as the “APTERR Fund”.

2. Each APTERR Party shall make contribution to the APTERR Fund comprised of the Endowment Fund and contribution to the operational cost to support the operation and activities of the APTERR, as set out in Attachment 2 to this Agreement.

3. The Council shall adopt and approve the financial modality and management of the APTERR Fund.

Article VII

APTERR Council

1. The APTERR Parties agree to establish an APTERR Council.

2. The Council shall be composed of one representative from each APTERR Party, whereas the APTERR Secretariat, supported by the ASEAN Secretariat and the ASEAN Food Security Reserve Board Secretariat, shall serve and facilitate meetings of the Council.

3. Decision of the Council shall be made on the basis of consensus among members of the Council.

4. The Council shall be responsible for the operation of the APTERR in accordance with the Terms of Reference of the Council, as set out in Attachment 3 to this Agreement.

五、理事會共同主席一職應由來自東盟成員國的一個10+3大米儲備方和來自中日韓三國的一個10+3大米儲備方按照英文字母順序每年輪流共同擔任。

六、理事會應至少每年定期召開一次會議，會議時間由兩位主席與理事會各成員協商後決定。兩位主席可召開特別會議，討論需要立即解決的緊迫事宜。

七、10+3大米儲備方應各自指定一個機構和一名國家協調員執行理事會通過的相關政策及決定。

第八條 10+3大米儲備秘書處

一、10+3大米儲備諸方同意建立10+3大米儲備秘書處。秘書處應依照報經理事會通過的“10+3大米儲備秘書處職能職責”的規定行使職能和職責。根據秘書處辦公室駐在國國家法律，秘書處執行其職能時可能需要具備法人資格，因此應賦予秘書處法人資格。秘書處應由理事會任命的一名主任領導。

二、秘書處辦公室駐地應由10+3大米儲備諸方以協商一致方式決定。

第九條 爭端解決

一、10+3大米儲備方中兩方或多方因解釋、應用或執行本協定而產生的任何分歧，應相互協商解決，以期通過談判或以他們可能同意的其他任何和平途徑實現爭端解決。

二、若爭端各方無法依照本條第一款中的程序和平解決爭端，其中任何一方均可將爭端訴諸理事會解決。

第十條 最後條款

一、本協定開放供東盟與中日韓諸國簽署，隨後應予以批准、接受或核准。

二、批准、接受或核准的文書應交予本條第七款所指的保存人保存，保存人應將該交存及時通報所有締約國政府。

5. The APTERR Council shall be co-chaired by an APTERR Party from the ASEAN Member States and an APTERR Party from the Plus Three Countries by annual rotation in an alphabetical order.

6. The Council shall meet regularly at least once a year on any date to be determined by the Chairmen in consultation with members of the Council. The Chairmen may convene special meetings to discuss any urgent matters needing immediate resolutions.

7. Each APTERR Party shall identify an agency and a country coordinator to implement relevant policies and decisions taken by the Council.

Article VIII APTERR Secretariat

1. The APTERR Parties agree to establish an APTERR Secretariat to carry out its functions and responsibilities, in accordance with the function and responsibilities of the APTERR Secretariat, to be adopted by the Council. The Secretariat shall be conferred with a legal personality as may be required for the exercise of its functions under the national laws of the host country of the Secretariat office. The Secretariat shall be headed by a General Manager to be appointed by the Council.

2. The location of the Secretariat office shall be decided by consensus by the APTERR Parties.

Article IX Dispute Settlement

1. Any dispute between two or more APTERR Parties relating to the interpretation, application or implementation of this Agreement shall be settled through consultation between them, with a view to the settlement of the dispute by negotiation or by any other peaceful means as may be agreed upon by them.

2. If the disputing APTERR Parties are unable to achieve a peaceful settlement of the dispute pursuant to the procedure set forth in Paragraph 1 of this Article, any of APTERR Parties concerned may refer the dispute to the Council.

Article X Final Provisions

1. This Agreement shall be open for signature and subject to ratification, acceptance or approval by the ASEAN Plus Three Countries.

2. The Instruments of ratification, acceptance or approval shall be deposited with the Depository, referred to in Paragraph 7 of this Article, who shall promptly inform all signatory Governments of such deposit.

三、本協定自至少六名東盟成員國及中日韓三國中之一國交存其批准、接受或核准的文書後第30天起生效。

四、對於在本條第三款規定的協定生效條件滿足以後再批准、接受或核准本協定的任一東盟成員國與中日韓國家，本協定自其交存批准、接受或核准文書後第30天起對其生效。

五、任一10+3大米儲備方可隨時以書面形式向秘書處提交對本協定的修訂建議，秘書處應及時將修訂建議通報其他各方。修訂應由10+3大米儲備諸方一致同意才予以通過。涉及10+3大米儲備諸方新增義務的修訂應自所有10+3大米儲備方向本條第七款所指的保存人交存各自批准、接受或核准的文書後第30天起生效。未涉及10+3大米儲備方新增義務的修訂應自其通過之日起對所有10+3大米儲備方生效。

六、本協定各項附件是本協定不可缺少的一部分。本協定附件的修訂應根據本條第五款中規定的程序予以提出、通過和生效。

七、東盟秘書長應擔任本協定的保存人。

八、任一10+3大米儲備方可出於其基本的國家利益，如國家安全、公共秩序或公共衛生等原因，保留暫時中止執行本協定全都或部分內容的權利。任何此類中止或中止的取消自秘書處收到書面通知後第30天起生效。

九、任一10+3大米儲備方可向本條第七款所指的保存人遞交書面通知後退出本協定，退出應自保存人收到退出通知之日起滿6個月後生效。該退出應由保存人及時告知所有10+3大米儲備方。

十、對本協定不得作任何保留。

十一、本協定原件應交由本條第七款所指的保存人保管。保存人應向本協定各締約國政府提供一份經核證無誤的副本。

本協定由各國政府授權代表簽署，以昭信守。

本協定於二〇一一年十月七日在印度尼西亞雅加達簽訂，原件一份，用英文寫成。

3. This Agreement shall enter into force on the thirtieth day after the date on which at least six ASEAN Member States and one Plus Three Country have deposited their instruments of ratification, acceptance or approval.

4. For each ASEAN Plus Three Country that ratifies, accepts or approves this Agreement after the conditions set out in Paragraph 3 of this Article for the entry into force have been fulfilled, this Agreement shall enter into force on the thirtieth day following the date of deposit of its instrument of ratification, acceptance or approval.

5. Any APTERR Party may propose amendments to this Agreement at any time by communicating in writing to the Secretariat who shall promptly notify the other APTERR Parties of the proposed amendments. Amendments to this Agreement shall be adopted by consensus of the APTERR Parties. Amendments involving new obligations for the APTERR Parties shall enter into force on the thirtieth day after the date of deposit with the Depository, referred to in Paragraph 7 of this Article, of instruments of ratification, acceptance or approval of all APTERR Parties. Amendments not involving new obligations for the APTERR Parties shall enter into force for all APTERR Parties from the date of their adoption.

6. Attachments to this Agreement shall form an integral part of this Agreement. Modifications of attachments to this Agreement shall be proposed and adopted and enter into force in accordance with the procedure set forth in Paragraph 5 of this Article.

7. The Secretary-General of ASEAN shall be the Depository of this Agreement.

8. Each APTERR Party reserves the right to suspend temporarily, either in whole or in part, the implementation of this Agreement, for reasons of its essential national interests including national security, public order or public health. Any of such suspension or lifting of suspension shall be effective thirty days after written notifications have been received by the Secretariat.

9. Any APTERR Party may withdraw from this Agreement by giving written notification to the Depository referred to in Paragraph 7 of this Article. Such withdrawal shall take effect upon expiry of six months from the date on which the notification of withdrawal is received by the Depository. Such withdrawal shall be promptly notified to all APTERR Parties by the Depository.

10. No reservations may be made to this Agreement.

11. The original of this Agreement shall be deposited in the archives of the Depository referred to in Paragraph 7 of this Article. Duly certified copies of this Agreement shall be transmitted by the Depository to each of the Governments signatory to this Agreement.

IN WITNESS WHEREOF, the undersigned being duly authorized by their respective Governments have signed this Agreement.

DONE at Jakarta, Indonesia this Seventh Day of October in the year Two Thousand and Eleven in a single original in the English language.

附件1

東盟與中日韓各國標識大米數量

運行初期，根據協定第二條第三款的規定，東盟與中日韓各國的10+3大米儲備標識量分別如下：

汶萊	:	3,000噸
柬埔寨	:	3,000噸
印度尼西亞	:	12,000噸
老撾	:	3,000噸
馬來西亞	:	6,000噸
緬甸	:	14,000噸
菲律賓	:	12,000噸
新加坡	:	5,000噸
泰國	:	15,000噸
越南	:	14,000噸
中國	:	300,000噸
日本	:	250,000噸
韓國	:	150,000噸
總計		787,000噸

附件2

10+3大米儲備基金的認捐資金

根據《東盟與中日韓大米緊急儲備協定》第二條第三款的規定，東盟與中日韓諸國向留本基金繳納的資金以及在第一個五年期每年向運營成本繳納的資金如下：

表1 東盟與中日韓諸國向留本基金繳納的資金金額

中日韓三國		(美元)
1	中國	1,000,000
2	日本	1,000,000
3	韓國	1,000,000

東盟諸成員國		(美元)
1	汶萊	107,500
2	印度尼西亞	107,500
3	馬來西亞	107,500
4	菲律賓	107,500
5	新加坡	107,500

Attachment 1

Earmarked Rice Quantity of Each ASEAN Plus Three Country

At the initial stage of operation, subject to the provisions of Paragraph 3 of Article II of this Agreement, the earmarked quantity of each ASEAN Plus Three Country for the APTERR is as follows:

Brunei Darussalam	:	3,000 MT
Cambodia	:	3,000 MT
Indonesia	:	12,000 MT
Lao PDR	:	3,000 MT
Malaysia	:	6,000 MT
Myanmar	:	14,000 MT
Philippines	:	12,000 MT
Singapore	:	5,000 MT
Thailand	:	15,000 MT
Viet Nam	:	14,000 MT
P.R. China	:	300,000 MT
Japan	:	250,000 MT
Republic of Korea	:	150,000 MT
Total		787,000 MT

Attachment 2

Contribution to the APTERR Fund

Subject to the provisions of Paragraph 3 of Article II of this Agreement, the capital contribution of the ASEAN Plus Three Countries for the Endowment Fund and the annual contribution of the ASEAN Plus Three Countries to the operational cost over the first five years are as follows:

Table 1 Capital Contribution of ASEAN Plus Three Countries for Endowment Fund

Plus Three Countries		(USD)
1	P.R. China	1,000,000
2	Japan	1,000,000
3	Republic of Korea	1,000,000

ASEAN Member States		(USD)
1	Brunei Darussalam	107,500
2	Indonesia	107,500
3	Malaysia	107,500
4	Philippines	107,500
5	Singapore	107,500

東盟諸成員國		(美元)
6	泰國	107,500
7	越南	107,500
8	柬埔寨	83,000
9	老撾	83,000
10	緬甸	83,000

ASEAN Member States		(USD)
6	Thailand	107,500
7	Viet Nam	107,500
8	Cambodia	83,000
9	Lao PDR	83,000
10	Myanmar	83,000

表2 東盟與中日韓諸國在第一個五年期每年向運營成本繳納的資金金額

Table 2 Annual Contribution of ASEAN Plus Three Countries to the Operational Cost over the First Five Years.

中日韓三國		(美元)
1	中國	75,000
2	日本	75,000
3	韓國	75,000

Plus Three Countries		(USD)
1	P.R. China	75,000
2	Japan	75,000
3	Republic of Korea	75,000

東盟諸成員國		(美元)
1	汶萊	8,000
2	印度尼西亞	8,000
3	馬來西亞	8,000
4	菲律賓	8,000
5	新加坡	8,000
6	泰國	8,000
7	越南	8,000
8	柬埔寨	6,000
9	老撾	6,000
10	緬甸	6,000

ASEAN Member States		(USD)
1	Brunei Darussalam	8,000
2	Indonesia	8,000
3	Malaysia	8,000
4	Philippines	8,000
5	Singapore	8,000
6	Thailand	8,000
7	Vietnam	8,000
8	Cambodia	6,000
9	Lao PDR	6,000
10	Myanmar	6,000

附件3

Attachment 3

10+3大米儲備理事會職責範圍

Terms of Reference (TOR) of APTERR Council

根據《東盟與中日韓大米緊急儲備協定》(以下簡稱《協定》)第七條建立理事會,職能如下:

The Council established under Article VII of this Agreement shall have the following functions:

一、通過理事會的規則與程序以及秘書處的職能職責,包括秘書處的管理,並在理事會認為必要時對它們進行修訂;

1. To adopt the rules and procedures of the Council and the functions and responsibilities of the Secretariat, including its management, and to decide on their modification, as the Council may deem necessary;

二、通過並批准10+3大米儲備基金的財務模式和管理;

2. To adopt and approve the financial modality and management of the APTERR Fund;

三、根據《協定》第三條及第四條第三款制定標準操作程序,管理大米緊急儲備的投放與標識大米的補充;

3. To adopt a standard operating procedure (SOP) for the release of emergency rice reserve stocks and replenishment of the earmarked rice in accordance with Article III and Paragraph 3 of Article IV of this Agreement;

四、批准10+3大米儲備的年度工作計劃和預算計劃;

4. To approve an annual work plan and a budget plan of the APTERR;

五、批准關於10+3大米儲備活動的年度報告以及秘書處起草的其他報告;

5. To approve an annual report concerning the activities of the APTERR as well as other reports prepared by the Secretariat;

六、通過東盟與中日韓農林高官會議向東盟與中日韓農林部長匯報10+3大米儲備的活動、10+3大米儲備基金的使用情況以及大米緊急儲備的庫存情況；

七、監管協調秘書處執行的10+3大米儲備活動；

八、根據《協定》第九條第二款解決10+3大米儲備諸方中任何一方提交的爭端；

九、從東盟與中日韓各國的國民中挑選並任命一名主任，規定主任的權力、義務、服務條件和任期；

十、根據《協定》第四條第一款評議標識大米總量；

十一、就10+3大米儲備運行有關事宜發表公開聲明；

十二、履行理事會認為必要的其他職能，以便有救執行和實施《協定》條款。

二零一三年八月十三日於行政長官辦公室

辦公室主任 譚俊榮

6. To report the APTERR activities, utilisation of the APTERR Fund and the emergency rice reserve stocks to the AMAF Plus Three through their Senior Officials' Meeting (SOMAMAF Plus Three);

7. To supervise and coordinate the activities of the APTERR carried out by the Secretariat;

8. To settle the dispute referred by any of the APTERR Parties under Paragraph 2 of Article IX of this Agreement;

9. To select and appoint a General Manager from among the nationals of the ASEAN Plus Three Countries, and to prescribe the powers, duties, condition of service and term of the office of the General Manager;

10. To review the total amount of earmarked rice reserve under Paragraph 1 of Article IV of this Agreement;

11. To issue public statements on matters related to the APTERR operations; and

12. To perform such other functions as the Council may deem necessary to effectively implement and carry out the provisions of the APTERR Agreement.

Gabinete do Chefe do Executivo, aos 13 de Agosto de 2013.
— O Chefe do Gabinete, *Alexis, Tam Chon Weng.*