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U K A Z

O RAZGLASITVI ZAKONA O RATIFIKACIJI KONVENCIJE O BIOLOŠKI RAZNOVRSTNOSTI (MKBR)

Razgllašam Zakon o ratifikaciji Konvencije o biološki raznovrstnosti (MKBR), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 16. maja 1996.

Št. 001-22-52/96
Ljubljana, dne 24. maja 1996

Predsednik
Republike Slovenije
Milan Kučan l. r.

Z A K O N

O RATIFIKACIJI KONVENCIJE O BIOLOŠKI RAZNOVRSTNOSTI (MKBR)

1. člen

Ratificira se Konvencija o biološki raznovrstnosti, ki je bila sprejeta v Riu de Janeiru 5. junija 1992 v angleškem, arabskem, francoskem, kitajskem, ruskem in španskem jeziku.

2. člen

Besedilo konvencije v angleškem izvirmiku in slovenskem prevodu se glasi:

CONVENTION ON BIOLOGICAL DIVERSITY

Preamble

The Contracting Parties,

Conscious of the intrinsic value of biological diversity and of the ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its components,

Conscious also of the importance of biological diversity for evolution and for maintaining life sustaining systems of the biosphere,

Affirming that the conservation of biological diversity is a common concern of humankind,

Reaffirming that States have sovereign rights over their own biological resources,

Reaffirming also that States are responsible for conserving their biological diversity and for using their biological resources in a sustainable manner,

Concerned that biological diversity is being significantly reduced by certain human activities,

Aware of the general lack of information and knowledge regarding biological diversity and of the urgent need to develop scientific, technical and institutional capacities to provide the basic understanding upon which to plan and implement appropriate measures,

KONVENCIJA O BIOLOŠKI RAZNOVRSTNOSTI

Preambula

Pogodbenice te konvencije, ki:

se zavedajo resnične vrednosti biološke raznovrstnosti in ekoloških, genetskih, družbenih, gospodarskih, znanstvenih, izobraževalnih, kulturnih, rekreacijskih in estetskih vrednosti biološke raznovrstnosti in njenih sestavnih delov,

se tudi zavedajo pomena biološke raznovrstnosti za evolucijo in vzdrževanje sistemov, ki ohranjajo življenje v biosferi,

potrjujejo, da je ohranjanje biološke raznovrstnosti skupna skrb vsega človeštva,

ponovno potrjujejo, da imajo države suverene pravice nad svojimi lastnimi biološkimi viri,

potrjujejo tudi, da so države odgovorne za ohranjanje biološke raznovrstnosti na svojem območju in trajnostno uporabo svojih bioloških virov,

so zaskrbljene, ker določene človekove dejavnosti občutno zmanjšujejo biološko raznovrstnost,

se zavedajo splošnega pomanjkanja informacij in znanja o biološki raznovrstnosti ter nujne potrebe po razvijanju znanstvenih, tehničnih in institucionalnih zmogljivosti, ki bi omogočile temeljno razumevanje, na podlagi katerega bi lahko načrtovali in izvajali primerne ukrepe,

Noting that it is vital to anticipate, prevent and attack the causes of significant reduction or loss of biological diversity at source,

Noting also that where there is a threat of significant reduction or loss of biological diversity, lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimize such a threat,

Noting further that the fundamental requirement for the conservation of biological diversity is the *in-situ* conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings,

Noting further that *ex-situ* measures, preferably in the country of origin, also have an important role to play,

Recognizing the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources, and the desirability of sharing equitably benefits arising from the use of traditional knowledge, innovations and practices relevant to the conservation of biological diversity and the sustainable use of its components,

Recognizing also the vital role that women play in the conservation and sustainable use of biological diversity and affirming the need for the full participation of women at all levels of policy-making and implementation for biological diversity conservation,

Stressing the importance of, and the need to promote, international, regional and global cooperation among States and intergovernmental organizations and the non-governmental sector for the conservation of biological diversity and the sustainable use of its components,

Acknowledging that the provision of new and additional financial resources and appropriate access to relevant technologies can be expected to make a substantial difference in the world's ability to address the loss of biological diversity,

Acknowledging further that special provision is required to meet the needs of developing countries, including the provision of new and additional financial resources and appropriate access to relevant technologies,

Noting in this regard the special conditions of the least developed countries and small island States,

Acknowledging that substantial investments are required to conserve biological diversity and that there is the expectation of a broad range of environmental, economic and social benefits from those investments,

Recognizing that economic and social development and poverty eradication are the first and overriding priorities of developing countries,

Aware that conservation and sustainable use of biological diversity is of critical importance for meeting the food, health and other needs of the growing world population, for which purpose access to and sharing of both genetic resources and technologies are essential,

Noting that, ultimately, the conservation and sustainable use of biological diversity will strengthen friendly relations among States and contribute to peace for humankind,

Desiring to enhance and complement existing international arrangements for the conservation of biological diversity and sustainable use of its components, and

ugotavljajo, da je nujno treba predvideti, preprečevati in odstranjevati vzroke občutnega zmanjševanja ali izgube biološke raznovrstnosti na samem izvoru,

prav tako ugotavljajo, da tam, kjer grozi občutno zmanjšanje ali izguba biološke raznovrstnosti, pomanjkanje popolne znanstvene zanesljivosti ne bi smelo biti razlog za odlaganje ukrepov, s katerimi bi se izognili tej grožnji ali jo zmanjšali,

nadalje ugotavljajo, da je temeljna zahteva za ohranitev biološke raznovrstnosti ohranitev ekosistemov in naravnih habitatov *in situ* ter vzdrževanje in krepitev populacij, ki so sposobne nadaljevati vrste v svojem naravnem okolju,

nadalje ugotavljajo, da imajo ukrepi *ex situ*, po možnosti v državi izvora, prav tako pomembno vlogo,

priznavajo, da mnoge domorodne in lokalne skupnosti izražajo s tradicionalnim načinom življenja tesno in tradicionalno odvisnost od bioloških virov ter da je zaželena pravična delitev koristi, pridobljenih iz tradicionalnega znanja, inovacij in praks, ki ustrezajo ohranjanju biološke raznovrstnosti in trajnostni uporabi njenih sestavnih delov,

priznavajo tudi odločilno vlogo žensk pri ohranjanju in trajnostni uporabi biološke raznovrstnosti ter potrjujejo potrebo po polnem sodelovanju žensk na vseh stopnjah določanja politike in ohranjanja biološke raznovrstnosti,

poudarjajo pomen in potrebo po spodbujanju mednarodnega, regionalnega in globalnega sodelovanja med državami, meddržavnimi organizacijami in nevladnim sektorjem za ohranjanje biološke raznovrstnosti in trajnostno uporabo njenih sestavnih delov,

priznavajo, da lahko preskrba novih in dodatnih finančnih virov ter primeren dostop do ustreznih tehnologij bistveno pripomoreta k zmožnosti sveta, da se spoprime s siromašenjem biološke raznovrstnosti,

nadalje priznavajo, da je potrebna posebna pomoč za zadovoljevanje potreb držav v razvoju, vključno z novimi in dodatnimi finančnimi viri ter primernim dostopom do ustreznih tehnologij,

glede na to ugotavljajo posebne razmere v najmanj razvitih državah in majhnih otoških državah,

priznavajo, da so potrebna precejšnja vlaganja, da bi ohranili biološko raznovrstnost, ter da se od teh vlaganj pričakujejo precejšnje okoljske, gospodarske in družbene koristi,

priznavajo, da so gospodarski in družbeni razvoj ter odpravljanje revščine prve in najpomembnejše prednostne naloge držav v razvoju,

se zavedajo, da sta ohranitev in trajnostna uporaba biološke raznovrstnosti odločilnega pomena za zadovoljevanje prehranskih, zdravstvenih in drugih potreb naraščajočega svetovnega prebivalstva, zaradi česar sta bistvena dostop do genetskih virov kot tudi tehnologij in njihova delitev,

ugotavljajo, da bosta varstvo in trajnostna uporaba biološke raznovrstnosti okrepila tudi prijateljske odnose med državami in pripomogla k miru za vse človeštvo,

želijo izboljšati in dopolniti obstoječe mednarodne aranžmaje za ohranitev biološke raznovrstnosti in trajnostno uporabo njenih sestavnih delov ter

Determined to conserve and sustainably use biological diversity for the benefit of present and future generations,
Have agreed as follows:

Article 1
Objectives

The objectives of this Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

Article 2
Use of Terms

For the purposes of this Convention:

“Biological diversity” means the variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.

“Biological resources” includes genetic resources, organisms or parts thereof, populations, or any other biotic component of ecosystems with actual or potential use or value for humanity.

“Biotechnology” means any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use.

“Country of origin of genetic resources” means the country which possesses those genetic resources in *in-situ* conditions.

“Country providing genetic resources” means the country supplying genetic resources collected from *in-situ* sources, including populations of both wild and domesticated species, or taken from *ex-situ* sources, which may or may not have originated in that country.

“Domesticated or cultivated species” means species in which the evolutionary process has been influenced by humans to meet their needs.

“Ecosystem” means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.

“*Ex-situ* conservation” means the conservation of components of biological diversity outside their natural habitats.

“Genetic material” means any material of plant, animal, microbial or other origin containing functional units of heredity.

“Genetic resources” means genetic material of actual or potential value.

“Habitat” means the place or type of site where an organism or population naturally occurs.

“*In-situ* conditions” means conditions where genetic resources exist within ecosystems and natural habitats, and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties.

so odločene ohraniti in trajnostno uporabljati biološko raznovrstnost v dobro sedanjih in prihodnjih rodov,
so se sporazumele o naslednjem:

1. člen
Cilji

Cilji te konvencije, ki se dosejajo v skladu z njenimi ustreznimi določbami, so ohranjanje biološke raznovrstnosti, trajnostna uporaba njenih sestavnih delov ter poštena in pravična delitev koristi od uporabe genetskih virov skupaj z ustreznim dostopom do njih in primernim prenosom ustreznih tehnologij ob upoštevanju vseh pravic do teh virov in tehnologij ter s primernim financiranjem.

2. člen
Uporaba izrazov

Za namene te konvencije:

“Biološka raznovrstnost” pomeni raznolikost živih organizmov iz vseh virov, ki vključuje med drugim kopenske, morske in druge vodne ekosisteme ter ekološke komplekse, katerih del so; to vključuje raznovrstnost znotraj samih vrst, med vrstami in raznovrstnost ekosistemov.

“Biološki viri” pomenijo genetske vire, organizme ali njihove dele, populacije ali katere koli druge biotične sestavne dele ekosistemov z dejansko ali možno uporabnostjo ali vrednostjo za človeštvo.

“Biotehnologija” pomeni katero koli tehnološko dejavnost, ki uporablja biološke sisteme, žive organizme ali njihove derivate za izdelovanje ali prilagajanje proizvodov ali procesov, namenjenih za določeno uporabo.

“Država izvora genetskih virov” pomeni državo, ki ima te vire *in situ*.

“Država oskrbovalka genetskih virov” pomeni državo, ki oskrbuje z genetskimi viri, zbranimi iz virov *in situ*, vključno s samoniklimi in udomačenimi vrstami, ali vzetimi iz virov *ex situ*, ki lahko izvirajo ali pa tudi ne iz te države.

“Udomačene ali gojene vrste” pomenijo vrste, na katerih evolucijski proces je vplival človek, da bi zadovoljil svoje potrebe.

“Ekosistem” pomeni dinamičen kompleks rastlinskih in živalskih združb ter združb mikroorganizmov in njihovega neživega okolja, ki so povezani v funkcionalno celoto.

“Ohranitev *ex situ*” pomeni ohranjanje sestavnih delov biološke raznovrstnosti zunaj njihovega naravnega habitata.

“Genetski material” pomeni kateri koli material rastlinskega, živalskega, mikrobnega ali drugega izvora, ki vsebuje funkcionalne enote dednosti.

“Genetski viri” pomenijo genetski material dejanske ali potencialne vrednosti.

“Habitat” pomeni kraj ali vrsto kraja, kjer se neki organizem ali populacija naravno pojavlja.

“Razmere *in situ*” pomenijo razmere, v katerih genetski viri obstajajo v ekosistemi in naravnih habitatih, pri udomačenih in gojenih vrstah pa v okolju, v katerem so razvile svoje posebne lastnosti.

“*In-situ* conservation” means the conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties.

“Protected area” means a geographically defined area which is designated or regulated and managed to achieve specific conservation objectives.

“Regional economic integration organization” means an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by this Convention and which has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve or accede to it.

“Sustainable use” means the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.

“Technology” includes biotechnology.

Article 3 *Principle*

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Article 4 *Jurisdictional Scope*

Subject to the rights of other States, and except as otherwise expressly provided in this Convention, the provisions of this Convention apply, in relation to each Contracting Party:

(a) In the case of components of biological diversity, in areas within the limits of its national jurisdiction; and

(b) In the case of processes and activities, regardless of where their effects occur, carried out under its jurisdiction or control, within the area of its national jurisdiction or beyond the limits of national jurisdiction.

Article 5 *Cooperation*

Each Contracting Party shall, as far as possible and as appropriate, cooperate with other Contracting Parties, directly or, where appropriate, through competent international organizations, in respect of areas beyond national jurisdiction and on other matters of mutual interest, for the conservation and sustainable use of biological diversity.

Article 6 *General Measures for Conservation and Sustainable Use*

Each Contracting Party shall, in accordance with its particular conditions and capabilities:

(a) Develop national strategies, plans or programmes for the conservation and sustainable use of biological diver-

“Ohranitev *in situ*” pomeni ohranjanje ekosistemov in naravnih habitatov ter vzdrževanje in krepitev populacij, ki so sposobne nadaljevati vrste v svojem naravnem okolju, udomačenih in gojenih vrst pa v okolju, v katerem so razvile svoje posebne lastnosti.

“Zaščiten območje” pomeni geografsko določeno območje, ki je določeno ali urejeno in upravljano v posebne ohranitvene namene.

“Regionalna organizacija za gospodarsko povezovanje” pomeni organizacijo, ki jo ustanovijo suverene države posamezne regije, na katero so države članice prenesle pristojnost v zadevah, ki jih ureja ta konvencija, in je v skladu s svojo notranjo ureditvijo pooblaščen za podpis, ratifikacijo, sprejem, odobritev ali pristop h konvenciji.

“Trajnostna uporaba” pomeni uporabo sestavnih delov biološke raznovrstnosti na način in v količini, ki dolgoročno ne povzroča upadanja biološke raznovrstnosti, tako da ostaja ohranjena njena zmožnost za zadovoljevanje potreb in pričakovanj sedanjih in prihodnjih generacij.

“Tehnologija” vključuje biotehnologijo.

3. člen *Načelo*

Države imajo po Ustanovni listini Združenih narodov in načelih mednarodnega prava suvereno pravico izkoriščati svoje naravne vire v skladu z lastno okoljsko politiko ter odgovornost zagotoviti, da dejavnosti pod njihovo jurisdikcijo ali nadzorom ne povzročajo škode okolju drugih držav ali območjem zunaj meja državne jurisdikcije.

4. člen *Obseg pristojnosti*

Ob upoštevanju pravic drugih držav, in če ni izrecno drugače določeno s to konvencijo, se določbe te konvencije uporabljajo v vsaki pogodbenici:

(a) za sestavne dele biološke raznovrstnosti na območjih, ki so pod njeno državno jurisdikcijo; in

(b) za procese in dejavnosti ne glede na to, kje se pojavijo njihovi učinki, ki se izvajajo pod njeno jurisdikcijo ali pod njenim nadzorom na območju pod njeno državno jurisdikcijo ali zunaj meja državne jurisdikcije.

5. člen *Sodelovanje*

Vsaka pogodbenica, če je možno in primerno, sodeluje z drugimi pogodbenicami neposredno ali, kjer je to primerno, preko pristojnih mednarodnih organizacij, če gre za območja zunaj meja državne jurisdikcije in za druge zadeve vzajemnih interesov, za ohranitev in trajnostno uporabo biološke raznovrstnosti.

6. člen *Splošni ukrepi za ohranitev in trajnostno uporabo*

Vsaka pogodbenica v skladu s svojimi posebnimi pogoji in sposobnostmi:

(a) razvija državne strategije, načrte in programe za ohranitev in trajnostno uporabo biološke raznovrstnosti ali v

sity or adapt for this purpose existing strategies, plans or programmes which shall reflect, *inter alia*, the measures set out in this Convention relevant to the Contracting Party concerned; and

(b) Integrate, as far as possible and as appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.

Article 7

Identification and Monitoring

Each Contracting Party shall, as far as possible and as appropriate, in particular for the purposes of Articles 8 to 10:

(a) Identify components of biological diversity important for its conservation and sustainable use having regard to the indicative list of categories set down in Annex I;

(b) Monitor, through sampling and other techniques, the components of biological diversity identified pursuant to subparagraph (a) above, paying particular attention to those requiring urgent conservation measures and those which offer the greatest potential for sustainable use;

(c) Identify processes and categories of activities which have or are likely to have significant adverse impacts on the conservation and sustainable use of biological diversity, and monitor their effects through sampling and other techniques; and

(d) Maintain and organize, by any mechanism data, derived from identification and monitoring activities pursuant to subparagraphs (a), (b) and (c) above.

Article 8

In-situ Conservation

Each Contracting Party shall, as far as possible and as appropriate:

(a) Establish a system of protected areas or areas where special measures need to be taken to conserve biological diversity;

(b) Develop, where necessary, guidelines for the selection, establishment and management of protected areas or areas where special measures need to be taken to conserve biological diversity;

(c) Regulate or manage biological resources important for the conservation of biological diversity whether within or outside protected areas, with a view to ensuring their conservation and sustainable use;

(d) Promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings;

(e) Promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas;

(f) Rehabilitate and restore degraded ecosystems and promote the recovery of threatened species, *inter alia*, through the development and implementation of plans or other management strategies;

(g) Establish or maintain means to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology which are likely to have adverse environmental impacts that could

ta namen prilagodi že obstoječe strategije, načrte ali programe, iz katerih so med drugim vidni ukrepi, določeni s konvencijo, ki zadevajo to pogodbenico; in

(b) povezuje, kjer je to mogoče in primerno, ohranitev in trajnostno uporabo biološke raznovrstnosti v ustreznih sektorskih ali medsektorskih načrtih, programih in politikah.

7. člen

Identifikacija in monitoring

Vsaka pogodbenica, če je to možno in ustrezno, zlasti v skladu z določbami členov 8 do 10:

(a) ugotavlja sestavne dele biološke raznovrstnosti, pomembne za njeno ohranjanje in trajnostno uporabo, ob upoštevanju seznama kategorij v Aneksu I;

(b) spremlja in nadzira s pomočjo vzorčenja in drugih tehnik sestavne dele biološke raznovrstnosti, ugotovljene v skladu s točko (a) tega člena, s posebno pozornostjo do tistih, ki zahtevajo nujne ohranitvene ukrepe, ter tistih, ki ponujajo največje možnosti za trajnostno uporabo;

(c) ugotavlja procese in kategorije dejavnosti, ki imajo ali bi lahko imele pomembne škodljive učinke na ohranjanje in trajnostno uporabo biološke raznovrstnosti, ter z vzorčenjem in drugimi tehnikami spremlja in nadzira njihove posledice; in

(d) katerim koli mehanizmom ohranja in ureja podatke, ki so pridobljeni z identifikacijo in monitoringom, v skladu z točkami (a), (b) in (c) tega člena.

8. člen

Ohranitev "in situ"

Vsaka pogodbenica, če je to možno in ustrezno:

(a) ustanovi sistem zaščitenih območij oziroma območij, kjer je treba sprejeti posebne ukrepe za ohranitev biološke raznovrstnosti;

(b) pripravi, kjer je treba, smernice za izbor, ustanovitev in upravljanje zaščitenih območij oziroma območij, kjer je treba sprejeti posebne ukrepe za ohranitev biološke raznovrstnosti;

(c) ureja ali upravlja biološke vire, pomembne za ohranitev biološke raznovrstnosti, bodisi na zaščitenih območjih ali zunaj njih z namenom zagotoviti njihovo ohranitev in trajnostno uporabo;

(d) spodbuja zavarovanje ekosistemov, naravnih habitatov in vzdrževanje populacij, ki so sposobne nadaljevati vrste v naravnem okolju;

(e) spodbuja okolju prijazen in trajnostni razvoj na tistih območjih, ki ležijo ob zaščitenih območjih, z namenom pospešiti zavarovanje teh območij;

(f) rehabilitira in obnavlja načete ekosisteme ter spodbuja krepitev ogroženih vrst med drugim z razvijanjem in izvajanjem načrtov ali drugih strategij upravljanja;

(g) določa ali vzdržuje sredstva za urejanje, upravljanje ali nadzor nad tveganji, povezanimi z uporabo in izpustitvijo z biotehnologijo spremenjenih živih organizmov, ki lahko škodljivo vplivajo na okolje in lahko učinkujejo na ohrani-

affect the conservation and sustainable use of biological diversity, taking also into account the risks to human health;

(h) Prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species;

(i) Endeavour to provide the conditions needed for compatibility between present uses and the conservation of biological diversity and the sustainable use of its components;

(j) Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices;

(k) Develop or maintain necessary legislation and/or other regulatory provisions for the protection of threatened species and populations;

(l) Where a significant adverse effect on biological diversity has been determined pursuant to Article 7, regulate or manage the relevant processes and categories of activities; and

(m) Cooperate in providing financial and other support for *in-situ* conservation outlined in subparagraphs (a) to (l) above, particularly to developing countries.

Article 9

Ex-situ Conservation

Each Contracting Party shall, as far as possible and as appropriate, and predominantly for the purpose of complementing *in-situ* measures:

(a) Adopt measures for the *ex-situ* conservation of components of biological diversity, preferably in the country of origin of such components;

(b) Establish and maintain facilities for *ex-situ* conservation of and research on plants, animals and micro-organisms, preferably in the country of origin of genetic resources;

(c) Adopt measures for the recovery and rehabilitation of threatened species and for their reintroduction into their natural habitats under appropriate conditions;

(d) Regulate and manage collection of biological resources from natural habitats for *ex-situ* conservation purposes so as not to threaten ecosystems and *in-situ* populations of species, except where special temporary *ex-situ* measures are required under subparagraph (c) above; and

(e) Cooperate in providing financial and other support for *ex-situ* conservation outlined in subparagraphs (a) to (d) above and in the establishment and maintenance of *ex-situ* conservation facilities in developing countries.

Article 10

Sustainable Use of Components of Biological Diversity

Each Contracting Party shall, as far as possible and as appropriate:

(a) Integrate consideration of the conservation and sustainable use of biological resources into national decision-making;

teu in trajnostno uporabo biološke raznovrstnosti, ob upoštevanju tveganja za človeško zdravje;

(h) preprečuje vnašanje, nadzoruje ali izkoreninja tiste tuje vrste, ki ogrožajo ekosisteme, habitate ali vrste;

(i) si prizadeva poskrbeti za razmere, potrebne za združljivost obstoječe uporabe, ohranjanja biološke raznovrstnosti in trajnostne uporabe njenih sestavnih delov;

(j) ob upoštevanju državne zakonodaje spoštuje, varuje in ohranja znanje, inovacije in prakse domorodnih in lokalnih skupnosti s tradicionalnim načinom življenja, ki so pomembni za ohranitev in trajnostno uporabo biološke raznovrstnosti, in sprivoljenjem in z vključevanjem nosilcev takšnega znanja, inovacij in praks pospešuje njihovo širšo uporabo ter spodbuja pravično delitev koristi od uporabe takšnega znanja, inovacij in praks;

(k) pripravlja ali ohranja potrebno zakonodajo in/ali druge predpise za varstvo ogroženih vrst in populacij;

(l) ureja ali vodi potrebne procese in kategorije dejavnosti tam, kjer se ugotovijo občutni škodljivi učinki na biološko raznovrstnost, v skladu s 7. členom; in

(m) sodeluje pri zagotavljanju finančne in druge pomoči za ohranitev *in situ*, navedeno v točkah od (a) do (l) tega člena, še posebej državam v razvoju.

9. člen

Ohranitev "ex situ"

Vsaka pogodbenica, če je to možno in primerno, predvsem z namenom dopolnjevati ukrepe *in situ*:

(a) sprejme ukrepe za ohranitev *ex situ* sestavnih delov biološke raznovrstnosti po možnosti v državi izvora teh sestavnih delov;

(b) ustanovi in vzdržuje zmogljivosti za ohranitev *ex situ* in raziskovanje rastlin, živali, mikroorganizmov po možnosti v državah izvora genetskih virov;

(c) sprejme ukrepe za krepitev in rehabilitacijo ogroženih vrst in za njihovo vrnitev v njihov naravni habitat pod ustreznimi pogoji;

(d) ureja in upravlja zbirko bioloških virov iz naravnih habitatov za namene ohranitve *ex situ* tako, da niso ogroženi ekosistemi in populacije vrst *in situ*, razen če so potrebni posebni začasni ukrepi *ex situ*, navedeni v točki (c) tega člena; in

(e) sodeluje pri zagotavljanju finančne in druge pomoči za ohranitev *ex situ*, navedene v točkah od (a) do (d) tega člena, ter pri ustanavljanju in vzdrževanju *ex situ* ohranitvenih zmogljivosti v državah v razvoju.

10. člen

Trajnostna uporaba sestavnih delov biološke raznovrstnosti

Vsaka pogodbenica, če je to možno in ustrezno:

(a) vključuje vidik ohranjanja in trajnostne uporabe bioloških virov pri sprejemanju državnih odločitev;

(b) Adopt measures relating to the use of biological resources to avoid or minimize adverse impacts on biological diversity;

(c) Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements;

(d) Support local populations to develop and implement remedial action in degraded areas where biological diversity has been reduced; and

(e) Encourage cooperation between its governmental authorities and its private sector in developing methods for sustainable use of biological resources.

Article 11

Incentive Measures

Each Contracting Party shall, as far as possible and as appropriate, adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity.

Article 12

Research and Training

The Contracting Parties, taking into account the special needs of developing countries, shall:

(a) Establish and maintain programmes for scientific and technical education and training in measures for the identification, conservation and sustainable use of biological diversity and its components and provide support for such education and training for the specific needs of developing countries;

(b) Promote and encourage research which contributes to the conservation and sustainable use of biological diversity, particularly in developing countries, *inter alia*, in accordance with decisions of the Conference of the Parties taken in consequence of recommendations of the Subsidiary Body on Scientific, Technical and Technological Advice; and

(c) In keeping with the provisions of Articles 16, 18 and 20, promote and cooperate in the use of scientific advances in biological diversity research in developing methods for conservation and sustainable use of biological resources.

Article 13

Public Education and Awareness

The Contracting Parties shall:

(a) Promote and encourage understanding of the importance of, and the measures required for, the conservation of biological diversity, as well as its propagation through media, and the inclusion of these topics in educational programmes; and

(b) Cooperate, as appropriate, with other States and international organizations in developing educational and public awareness programmes, with respect to conservation and sustainable use of biological diversity.

Article 14

Impact Assessment and Minimizing Adverse Impacts

1. Each Contracting Party, as far as possible and as appropriate, shall:

(b) sprejme ukrepe, ki se nanašajo na uporabo bioloških virov, da bi se izognila škodljivim vplivom na biološko raznovrstnost ali jih zmanjšala na najmanjšo možno mero;

(c) varuje in spodbuja običajno rabo bioloških virov v skladu s tradicionalnimi kulturnimi običaji, ki so združljivi z zahtevami ohranitve ali trajnostne uporabe;

(d) podpira lokalno prebivalstvo pri razvoju in sanaciji načetih območij, kjer je biološka raznovrstnost zmanjšana; in

(e) spodbuja sodelovanje med svojimi vladnimi organi in zasebnim sektorjem pri razvijanju metod za trajnostno uporabo bioloških virov.

11. člen

Spodbujevalni ukrepi

Vsaka pogodbenica, če je to možno in ustrezno, sprejme ustrezne gospodarske in družbeno sprejemljive ukrepe, ki spodbujajo ohranjanje in trajnostno uporabo sestavnih delov biološke raznovrstnosti.

12. člen

Raziskovanje in usposabljanje

Pogodbenice se zavedajo posebnih potreb držav v razvoju in zato:

(a) oblikujejo in uresničujejo programe za znanstveno in tehnično izobraževanje in usposabljanje za ukrepanje pri identifikaciji, ohranitvi in trajnostni uporabi biološke raznovrstnosti in njenih sestavnih delov ter dajejo pomoč za takšno izobraževanje in usposabljanje v državah v razvoju;

(b) pospešujejo in spodbujajo raziskovanje, ki prispeva k ohranjanju in trajnostni uporabi biološke raznovrstnosti, še posebej v državah v razvoju, med drugim skladno z odločitvami Konference pogodbenic, ki temeljijo na priporočilih Pomožnega telesa za znanstveno, tehnično in tehnološko svetovanje; in

(c) ob upoštevanju določb 16., 18. in 20. člena spodbujajo in sodelujejo pri uporabi znanstvenih dosežkov pri raziskovanju biološke raznovrstnosti ter razvijanju metod za ohranitev in trajnostno uporabo bioloških virov.

13. člen

Vzgoja in ozaveščanje javnosti

Pogodbenice:

(a) pospešujejo in spodbujajo razumevanje pomena in ukrepov, potrebnih za ohranitev biološke raznovrstnosti, kot tudi propagiranje v množičnih občilih ter vključitev teh vprašanj v izobraževalne programe; in

(b) ustrezno sodelujejo z drugimi državami in mednarodnimi organizacijami pri razvijanju programov vzgoje in ozaveščanja javnosti na področju ohranitve in trajnostne uporabe biološke raznovrstnosti.

14. člen

Ugotavljanje in zmanjševanje škodljivih vplivov

1. Vsaka pogodbenica, če je to možno in ustrezno:

(a) Introduce appropriate procedures requiring environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimizing such effects and, where appropriate, allow for public participation in such procedures;

(b) Introduce appropriate arrangements to ensure that the environmental consequences of its programmes and policies that are likely to have significant adverse impacts on biological diversity are duly taken into account;

(c) Promote, on the basis of reciprocity, notification, exchange of information and consultation on activities under their jurisdiction or control which are likely to significantly affect adversely the biological diversity of other States or areas beyond the limits of national jurisdiction, by encouraging the conclusion of bilateral, regional or multilateral arrangements, as appropriate;

(d) In the case of imminent or grave danger or damage, originating under its jurisdiction or control, to biological diversity within the area under jurisdiction of other States or in areas beyond the limits of national jurisdiction, notify immediately the potentially affected States of such danger or damage, as well as initiate action to prevent or minimize such danger or damage; and

(e) Promote national arrangements for emergency responses to activities or events, whether caused naturally or otherwise, which present a grave and imminent danger to biological diversity and encourage international cooperation to supplement such national efforts and, where appropriate and agreed by the States or regional economic integration organizations concerned, to establish joint contingency plans.

2. The Conference of the Parties shall examine, on the basis of studies to be carried out, the issue of liability and redress, including restoration and compensation, for damage to biological diversity, except where such liability is a purely internal matter.

Article 15

Access to Genetic Resources

1. Recognizing the sovereign rights of States over their natural resources, the authority to determine access to genetic resources rests with the national governments and is subject to national legislation.

2. Each Contracting Party shall endeavour to create conditions to facilitate access to genetic resources for environmentally sound uses by other Contracting Parties and not to impose restrictions that run counter to the objectives of this Convention.

3. For the purpose of this Convention, the genetic resources being provided by a Contracting Party, as referred to in this Article and Articles 16 and 19, are only those that are provided by Contracting Parties that are countries of origin of such resources or by the Parties that have acquired the genetic resources in accordance with this Convention.

4. Access, where granted, shall be on mutually agreed terms and subject to the provisions of this Article.

5. Access to genetic resources shall be subject to prior informed consent of the Contracting Party providing such resources, unless otherwise determined by that Party.

(a) uvede ustrezne postopke, ki zahtevajo presojo vplivov njenih predlaganih projektov na okolje, ki bi lahko imeli občutne škodljive učinke na biološko raznovrstnost, s čimer bi se jim izognila ali jih zmanjšala na najmanjšo možno raven, in če je to potrebno, omogočila sodelovanje javnosti pri teh postopkih;

(b) uvede ustrezne aranžmaje za dolžno upoštevanje posledic na okolje v svojih programih in politikah, ki bi lahko imele občutne škodljive vplive na biološko raznovrstnost;

(c) na podlagi vzajemnosti pospešuje notifikacijo, izmenjavo informacij in posvetovanje o dejavnostih pod svojo jurisdikcijo ali nadzorom, ki bi lahko občutno škodljivo učinkovale na biološko raznovrstnost drugih držav ali območij zunaj meja državne jurisdikcije, s spodbujanjem sklepanja dvostranskih, regionalnih ali mnogostranskih aranžmajev, kot je to primerno;

(d) ob neposredno grozeči ali resni nevarnosti oziroma škodi, ki izvira z območij pod njeno jurisdikcijo ali njenim nadzorom, za biološko raznovrstnost znotraj območij pod jurisdikcijo drugih držav ali na območjih zunaj državne jurisdikcije nemudoma obvesti potencialno ogrožene države o takšni nevarnosti ali škodi kot tudi sproži akcijo za preprečitev ali zmanjšanje takšne nevarnosti ali škode na najmanjšo možno raven; in

(e) spodbuja državne aranžmaje o nujnem ravnanju ob dejavnostih ali dogodkih, ki pomenijo resno in neposredno grozečo nevarnost za biološko raznovrstnost, bodisi da so povzročeni naravno ali drugače, ter spodbuja mednarodno sodelovanje, ki bi dopolnilo takšna državna prizadevanja, in izdelava krizne načrte za obvladovanje nevarnih razmer, če je to ustrezno ter se o tem dogovorijo države ali regionalne organizacije za gospodarsko povezovanje.

2. Konferenca pogodbenic prouči na podlagi študij, ki jih je treba izdelati, vprašanje odgovornosti in odškodnine, vključno z vrnitvijo v prejšnje stanje in nadomestilom za škodo, povzročeno biološki raznovrstnosti, razen če je takšna odgovornost popolnoma notranja zadeva.

15. člen

Dostop do genetskih virov

1. S priznanjem suverenih pravic držav do njihovih naravnih virov ostaja pristojnost določanja dostopa do genetskih virov vladam in se ureja z njihovo državno zakonodajo.

2. Vsaka pogodbenica si prizadeva ustvariti pogoje, ki bi omogočili drugim pogodbenicam lažji dostop do genetskih virov za okolju primerno uporabo, in ne postavlja omejitev, ki so v nasprotju s cilji te konvencije.

3. Za namen te konvencije so genetski viri, ki jih preskrbi pogodbenica v skladu s tem in 16. ter 19. členom, samo tisti, ki jih preskrbijo pogodbenice države izvora teh virov ali pogodbenice, ki so si genetske vire pridobile v skladu s to konvencijo.

4. Če je dostop dovoljen, mora temeljiti na obojestransko sprejetih pogojih in določbah tega člena.

5. Za dostop do genetskih virov je treba predhodno pridobiti pristanek pogodbenice, ki razpolaga s takšnimi viri, razen če ni ta pogodbenica določila drugače.

6. Each Contracting Party shall endeavour to develop and carry out scientific research based on genetic resources provided by other Contracting Parties with the full participation of, and where possible in, such Contracting Parties.

7. Each Contracting Party shall take legislative, administrative or policy measures, as appropriate, and in accordance with Articles 16 and 19 and, where necessary, through the financial mechanism established by Articles 20 and 21 with the aim of sharing in a fair and equitable way the results of research and development and the benefits arising from the commercial and other utilization of genetic resources with the Contracting Party providing such resources. Such sharing shall be upon mutually agreed terms.

Article 16

Access to and Transfer of Technology

1. Each Contracting Party, recognizing that technology includes biotechnology, and that both access to and transfer of technology among Contracting Parties are essential elements for the attainment of the objectives of this Convention, undertakes subject to the provisions of this Article to provide and/or facilitate access for and transfer to other Contracting Parties of technologies that are relevant to the conservation and sustainable use of biological diversity or make use of genetic resources and do not cause significant damage to the environment.

2. Access to and transfer of technology referred to in paragraph 1 above to developing countries shall be provided and/or facilitated under fair and most favourable terms, including on concessional and preferential terms where mutually agreed, and, where necessary, in accordance with the financial mechanism established by Articles 20 and 21. In the case of technology subject to patents and other intellectual property rights, such access and transfer shall be provided on terms which recognize and are consistent with the adequate and effective protection of intellectual property rights. The application of this paragraph shall be consistent with paragraphs 3, 4 and 5 below.

3. Each Contracting Party shall take legislative, administrative or policy measures, as appropriate, with the aim that Contracting Parties, in particular those that are developing countries, which provide genetic resources are provided access to and transfer of technology which makes use of those resources, on mutually agreed terms, including technology protected by patents and other intellectual property rights, where necessary, through the provisions of Articles 20 and 21 and in accordance with international law and consistent with paragraphs 4 and 5 below.

4. Each Contracting Party shall take legislative, administrative or policy measures, as appropriate, with the aim that the private sector facilitates access to, joint development and transfer of technology referred to in paragraph 1 above for the benefit of both governmental institutions and the private sector of developing countries and in this regard shall abide by the obligations included in paragraphs 1, 2 and 3 above.

5. The Contracting Parties, recognizing that patents and other intellectual property rights may have an influence on the implementation of this Convention, shall cooperate in this regard subject to national legislation and international law in order to ensure that such rights are supportive of and do not run counter to its objectives.

6. Vsaka pogodbenica si prizadeva razvijati in izvajati znanstvene raziskave, temelječe na genetskih virih, ki jih preskrbijo druge pogodbenice, s polnim sodelovanjem teh pogodbenic, in če je to možno, na njihovem ozemlju.

7. Vsaka pogodbenica sprejme primerne zakonodajne, upravne ali politične ukrepe v skladu s 16. in 19. členom, in če je to potrebno, s finančnim mehanizmom, ustanovljenim v 20. in 21. členu, z namenom, da bi s pogodbenico, ki preskrbi genetske vire, pošteno in pravično delila dosežke raziskovanj in razvoja ter koristi od komercialne in druge rabe teh virov. Takšna delitev temelji na vzajemno sprejetih pogojih.

16. člen

Dostop do tehnologije in njen prenos

1. Vsaka pogodbenica, ki priznava, da tehnologija vključuje biotehnologijo in da sta tako dostop do tehnologije kot tudi njen prenos med pogodbenicami temeljna dejavnika za doseganje ciljev te konvencije, se zavezuje, da bo v skladu z določbami tega člena omogočila in/ali olajšala dostop do tehnologij, ustreznih za ohranitev in trajnostno uporabo biološke raznovrstnosti, in njihov prenos drugim pogodbenicam ali uporabljala genetske vire, tako da ne bi povzročila občutne škode okolju.

2. Državam v razvoju sta dostop do tehnologije in njen prenos, omenjena v 1. odstavku tega člena, omogočena in/ali olajšana pod poštenimi in najugodnejšimi pogoji, vključno z medsebojno dogovorjenimi koncesijskimi in preferenčnimi pogoji, in če je to potrebno, s pomočjo finančnega mehanizma, ustanovljenega v 20. in 21. členu. Če je tehnologija vezana na patente in druge pravice intelektualne lastnine, sta dostop in prenos omogočena pod pogoji, ki priznavajo ustrezno in učinkovito zaščito pravic intelektualne lastnine in so v skladu z njo. Izvajanje tega odstavka mora biti v skladu s 3., 4. in 5. odstavkom tega člena.

3. Vsaka pogodbenica sprejme primerne zakonodajne, upravne ali politične ukrepe s ciljem, da imajo pogodbenice, še posebej države v razvoju, ki razpolagajo z genetskimi viri, dostop do tehnologije, ki uporablja te vire, in do njenega prenosa pod vzajemno sprejetimi pogoji, vključno s tehnologijo, zaščiteno s patenti in drugimi pravicami intelektualne lastnine, če je to potrebno, po določbah 20. in 21. člena ter skladno z mednarodnim pravom in 4. in 5. odstavkom tega člena.

4. Vsaka pogodbenica sprejme primerne zakonodajne, upravne ali politične ukrepe s ciljem, da zasebni sektor omogoči dostop do tehnologije, omenjene v 1. odstavku, njen skupni razvoj in prenos tako v dobro vladnih ustanov kot tudi zasebnega sektorja držav v razvoju in se pri tem ravna v skladu z obveznostmi iz 1., 2. in 3. odstavka tega člena.

5. Pogodbenice priznavajo, da lahko patenti in pravice intelektualne lastnine vplivajo na uresničevanje te konvencije, zato sodelujejo v skladu z državno zakonodajo in mednarodnim pravom, da bi tako zagotovile podporo tem pravicam in da ne bi delovale v nasprotju s cilji konvencije.

Article 17

Exchange of Information

1. The Contracting Parties shall facilitate the exchange of information, from all publicly available sources, relevant to the conservation and sustainable use of biological diversity, taking into account the special needs of developing countries.

2. Such exchange of information shall include exchange of results of technical, scientific and socio-economic research, as well as information on training and surveying programmes, specialized knowledge, indigenous and traditional knowledge as such and in combination with the technologies referred to in Article 16, paragraph 1. It shall also, where feasible, include repatriation of information.

Article 18

Technical and Scientific Cooperation

1. The Contracting Parties shall promote international technical and scientific cooperation in the field of conservation and sustainable use of biological diversity, where necessary, through the appropriate international and national institutions.

2. Each Contracting Party shall promote technical and scientific cooperation with other Contracting Parties, in particular developing countries, in implementing this Convention, *inter alia*, through the development and implementation of national policies. In promoting such cooperation, special attention should be given to the development and strengthening of national capabilities, by means of human resources development and institution building.

3. The Conference of the Parties, at its first meeting, shall determine how to establish a clearing-house mechanism to promote and facilitate technical and scientific cooperation.

4. The Contracting Parties shall, in accordance with national legislation and policies, encourage and develop methods of cooperation for the development and use of technologies, including indigenous and traditional technologies, in pursuance of the objectives of this Convention. For this purpose, the Contracting Parties shall also promote cooperation in the training of personnel and exchange of experts.

5. The Contracting Parties shall, subject to mutual agreement, promote the establishment of joint research programmes and joint ventures for the development of technologies relevant to the objectives of this Convention.

Article 19

Handling of Biotechnology and Distribution of its Benefits

1. Each Contracting Party shall take legislative, administrative or policy measures, as appropriate, to provide for the effective participation in biotechnological research activities by those Contracting Parties, especially developing countries, which provide the genetic resources for such research, and where feasible in such Contracting Parties.

2. Each Contracting Party shall take all practicable measures to promote and advance priority access on a fair and equitable basis by Contracting Parties, especially developing countries, to the results and benefits arising from biotechnologies based upon genetic resources provided by those Con-

17. člen

Izmenjava informacij

1. Pogodbenice omogočajo izmenjavo informacij iz vseh javnosti dostopnih virov, ki so pomembne za ohranitev in trajnostno uporabo biološke raznovrstnosti, ob upoštevanju posebnih potreb držav v razvoju.

2. Takšna izmenjava informacij vključuje izmenjavo dosežkov tehničnega, znanstvenega in družbenoekonomskega raziskovanja kot tudi informacijo o izobraževalnih in opazovalnih programih, specializiranem znanju, znanju domorodnega prebivalstva in tradicionalnem znanju in v povezavi s tehnologijami, navedenimi v 1. odstavku 16. člena. Prav tako izmenjava informacij, če je to možno, vključuje povratne informacije.

18. člen

Tehnično in znanstveno sodelovanje

1. Pogodbenice spodbujajo mednarodno tehnično in znanstveno sodelovanje pri ohranjanju in trajnostni uporabi biološke raznovrstnosti, če je to potrebno, s pomočjo ustreznih mednarodnih in državnih ustanov.

2. Vsaka pogodbenica pri izvajanju te konvencije spodbuja tehnično in znanstveno sodelovanje z drugimi pogodbenicami, še posebej z državami v razvoju, med drugim z razvijanjem in izvajanjem državne politike. Pri spodbujanju takšnega sodelovanja naj posveti posebno pozornost razvoju in krepitvi državne zmožnosti s pomočjo usposabljanja kadrov ter ustanavljanja institucij.

3. Konferenca pogodbenic na svojem prvem zasedanju določi načine ustanovitve posredovalnega mehanizma za spodbujanje in pomoč pri tehničnem in znanstvenem sodelovanju.

4. Pogodbenice skladno s svojo državno zakonodajo in politiko spodbujajo in razvijajo metode sodelovanja pri razvoju in uporabi tehnologij, vključno z domorodnimi in tradicionalnimi tehnologijami, pri doseganju ciljev te konvencije. V ta namen pogodbenice tudi spodbujajo sodelovanje pri usposabljanju osebja in izmenjavi strokovnjakov.

5. Pogodbenice v skladu z medsebojnim dogovorom spodbujajo ustanovitev skupnih raziskovalnih programov in skupnih vlaganj za razvoj tehnologij, ki ustrezajo ciljem te konvencije.

19. člen

Ravnanje z biotehnologijo in porazdelitev njenih koristi

1. Vsaka pogodbenica sprejme ustrezne zakonodajne, upravne ali politične ukrepe za zagotavljanje učinkovite soudeležbe pri biotehnoloških raziskovalnih dejavnostih tistih pogodbenic, še posebej držav v razvoju, ki omogočijo genetske vire za takšno raziskovanje, in če je to sprejemljivo, v teh pogodbenicah.

2. Vsaka pogodbenica sprejme vse možne ukrepe za spodbujanje in pospeševanje prednostnega dostopa pogodbenicam pod poštenimi in enakopravnimi pogoji, še posebej državam v razvoju, do dosežkov in koristi od biotehnologij, temelječih na genetskih virih, ki jih omogočijo te pogodbe-

tracting Parties. Such access shall be on mutually agreed terms.

3. The Parties shall consider the need for and modalities of a protocol setting out appropriate procedures, including, in particular, advance informed agreement, in the field of the safe transfer, handling and use of any living modified organism resulting from biotechnology that may have adverse effect on the conservation and sustainable use of biological diversity.

4. Each Contracting Party shall, directly or by requiring any natural or legal person under its jurisdiction providing the organisms referred to in paragraph 3 above, provide any available information about the use and safety regulations required by that Contracting Party in handling such organisms, as well as any available information on the potential adverse impact of the specific organisms concerned to the Contracting Party into which those organisms are to be introduced.

Article 20

Financial Resources

1. Each Contracting Party undertakes to provide, in accordance with its capabilities, financial support and incentives in respect of those national activities which are intended to achieve the objectives of this Convention, in accordance with its national plans, priorities and programmes.

2. The developed country Parties shall provide new and additional financial resources to enable developing country Parties to meet the agreed full incremental costs to them of implementing measures which fulfil the obligations of this Convention and to benefit from its provisions and which costs are agreed between a developing country Party and the institutional structure referred to in Article 21, in accordance with policy, strategy, programme priorities and eligibility criteria and an indicative list of incremental costs established by the Conference of the Parties. Other Parties, including countries undergoing the process of transition to a market economy, may voluntarily assume the obligations of the developed country Parties. For the purpose of this Article, the Conference of the Parties, shall at its first meeting establish a list of developed country Parties and other Parties which voluntarily assume the obligations of the developed country Parties. The Conference of the Parties shall periodically review and if necessary amend the list. Contributions from other countries and sources on a voluntary basis would also be encouraged. The implementation of these commitments shall take into account the need for adequacy, predictability and timely flow of funds and the importance of burden-sharing among the contributing Parties included in the list.

3. The developed country Parties may also provide, and developing country Parties avail themselves of, financial resources related to the implementation of this Convention through bilateral, regional and other multilateral channels.

4. The extent to which developing country Parties will effectively implement their commitments under this Convention will depend on the effective implementation by developed country Parties of their commitments under this Convention related to financial resources and transfer of technology and will take fully into account the fact that economic and social development and eradication of poverty are the first and overriding priorities of the developing country Parties.

nice. Takšen dostop mora biti možen po skupno dogovorjenih pogojih.

3. Pogodbenice proučijo potrebo po protokolu in njegove modalitete, ki bi določal ustrezne postopke, še posebej z vnaprejšnjim sporazumom o obveščenosti glede poteka varnega prenosa, ravnanja in uporabe katerega koli z biotehnologijo spremenjenega živega organizma, ki bi lahko imel škodljiv učinek na ohranitev in trajnostno uporabo biološke raznovrstnosti.

4. Vsaka pogodbenica neposredno ali po katerih koli fizičnih ali pravnih osebah pod njeno jurisdikcijo, ki skrbijo za organizme, omenjene v 3. odstavku tega člena, preskrbi katere koli dosegljive informacije o uporabi in varnostnih predpisih, ki jih pogodbenica zahteva za ravnanje s takšnimi organizmi, kot tudi katere koli dosegljive informacije o morebitnih škodljivih vplivih specifičnih organizmov na pogodbenico, na ozemlje katere se ti vnesejo.

20. člen

Finančni sredstva

1. Vsaka pogodbenica se v skladu s svojimi nacionalnimi načrti, prednostnimi nalogami in programi zavezuje dati v skladu s svojimi zmožnostmi finančno pomoč in spodbujati tiste nacionalne dejavnosti, ki bodo pripomogle k uresničevanju ciljev te konvencije.

2. Razvite države pogodbenice priskrbijo nove in dodatne finančne vire, da bi omogočile pogodbenicam državam v razvoju pokritje dogovorjenih višjih stroškov izvajanja ukrepov za izpolnitev obveznosti konvencije in uživanje koristi od njenih določb in njihovih stroškov, dogovorjenih med pogodbenico državo v razvoju in institucionalno strukturo, omenjeno v 21. členu, skladno s politiko, strategijo, prednostnimi nalogami v programih in merilom primernosti ter seznamom višjih stroškov, sprejetih na Konferenci pogodbenic. Druge pogodbenice, vključno z državami na prehodu v tržno gospodarstvo, lahko prostovoljno prevzamejo obveznosti pogodbenic razvitih držav. V ta namen Konferenca pogodbenic na prvem zasedanju oblikuje seznam pogodbenic razvitih držav in drugih pogodbenic, ki prostovoljno prevzemajo obveznosti pogodbenic razvitih držav. Konferenca pogodbenic občasno pregleduje in po potrebi dopolni seznam. Prav tako se spodbujajo tudi prostovoljni prispevki iz drugih držav in virov. Pri izpolnjevanju teh obveznosti je treba upoštevati potrebo po primernosti, predvidljivosti in pravočasnem pritoču sredstev ter pomembnost delitve bremena med prispevajajočimi pogodbenicami, vključenimi v seznam.

3. Razvite države pogodbenice lahko tudi priskrbijo finančna sredstva, potrebna za uresničevanje te konvencije, ki jih uporabljajo pogodbenice države v razvoju po dvostranskih, regionalnih in drugih mnogostranskih poteh.

4. Obseg učinkovitega izpolnjevanja obveznosti pogodbenic držav v razvoju po tej konvenciji bo odvisen od učinkovitega izpolnjevanja obveznosti razvitih držav pogodbenic po tej konvenciji, povezanih s finančnimi viri in prenosom tehnologije, pri čemer bo zlasti upoštevano, da so gospodarski in družbeni razvoj ter odpravljanje revščine prednostne naloge pogodbenic držav v razvoju.

5. The Parties shall take full account of the specific needs and special situation of least developed countries in their actions with regard to funding and transfer of technology.

6. The Contracting Parties shall also take into consideration the special conditions resulting from the dependence on, distribution and location of, biological diversity within developing country Parties, in particular small island States.

7. Consideration shall also be given to the special situation of developing countries, including those that are most environmentally vulnerable, such as those with arid and semi-arid zones, coastal and mountainous areas.

Article 21 *Financial Mechanism*

1. There shall be a mechanism for the provision of financial resources to developing country Parties for purposes of this Convention on a grant or concessional basis the essential elements of which are described in this Article. The mechanism shall function under the authority and guidance of, and be accountable to, the Conference of the Parties for purposes of this Convention. The operations of the mechanism shall be carried out by such institutional structure as may be decided upon by the Conference of the Parties at its first meeting. For purposes of this Convention, the Conference of the Parties shall determine the policy, strategy, programme priorities and eligibility criteria relating to the access to and utilization of such resources. The contributions shall be such as to take into account the need for predictability, adequacy and timely flow of funds referred to in Article 20 in accordance with the amount of resources needed to be decided periodically by the Conference of the Parties and the importance of burden-sharing among the contributing Parties included in the list referred to in Article 20, paragraph 2. Voluntary contributions may also be made by the developed country Parties and by other countries and sources. The mechanism shall operate within a democratic and transparent system of governance.

2. Pursuant to the objectives of this Convention, the Conference of the Parties shall at its first meeting determine the policy, strategy and programme priorities, as well as detailed criteria and guidelines for eligibility for access to and utilization of the financial resources including monitoring and evaluation on a regular basis of such utilization. The Conference of the Parties shall decide on the arrangements to give effect to paragraph 1 above after consultation with the institutional structure entrusted with the operation of the financial mechanism.

3. The Conference of the Parties shall review the effectiveness of the mechanism established under this Article, including the criteria and guidelines referred to in paragraph 2 above, not less than two years after the entry into force of this Convention and thereafter on a regular basis. Based on such review, it shall take appropriate action to improve the effectiveness of the mechanism if necessary.

4. The Contracting Parties shall consider strengthening existing financial institutions to provide financial resources for the conservation and sustainable use of biological diversity.

5. Pogodbenice pri svojih dejanjih, povezanih s financiranjem in prenosom tehnologije, v polni meri upoštevajo posebne potrebe in razmere najmanj razvitih držav.

6. Pogodbenice prav tako posvečajo pozornost posebnim razmeram, ki izhajajo iz odvisnosti od porazdelitve in lokacije biološke raznovrstnosti v pogodbenicah državah v razvoju, še posebej v majhnih otoških državah.

7. Prav tako je treba posvetiti pozornost posebnim razmeram, v katerih so države v razvoju, vključno s tistimi, ki so okoljsko najbolj občutljive, kot so na primer izsušena in delno izsušena območja kakor tudi obalna in gorata območja.

21. člen *Finančni mehanizem*

1. Za namene te konvencije deluje mehanizem za zagotavljanje finančnih sredstev pogodbenicam državam v razvoju, danih v obliki dotacije ali koncesije, in katerega glavni elementi so opisani v tem členu. Mehanizem za potrebe konvencije deluje pod nadzorom in vodstvom Konference pogodbenic ter ji je odgovoren. Operacije mehanizma izvaja tista institucionalna struktura, ki jo določi Konferenca pogodbenic na prvem zasedanju. Za namene uresničitve te konvencije Konferenca pogodbenic določi politiko, strategijo, prednostne naloge v programih in merila primernosti za dostop do virov in njihove uporabe. Prispevki morajo upoštevati potrebo po predvidljivosti, primernosti in pravočasnem pritoku sredstev, določenih v 20. členu, v skladu s količino potrebnih sredstev, ki jo občasno določa Konferenca pogodbenic, ter pomembnostjo delitve bremena med prispevajočimi pogodbenicami, vključenimi v seznam, omenjen v 2. odstavku 20. člena. Prostovoljne prispevke lahko dajejo pogodbenice razvite države, druge države ali pa so iz drugih virov. Mehanizem deluje v okviru demokratičnega in odprtega sistema vodenja.

2. V skladu s cilji te konvencije Konferenca pogodbenic na svojem prvem zasedanju določi politiko, strategijo in prednostne naloge v programih kot tudi podrobna merila primernosti in smernice za dostop do finančnih sredstev in njihove uporabe, vključno s spremljanjem in rednim vrednotenjem takšne uporabe. Konferenca pogodbenic odloči o ukrepih za uresničenje 1. odstavka tega člena po posvetovanju z institucionalno strukturo, ki je pooblaščen za delovanje finančnega mehanizma.

3. Konferenca pogodbenic pregleda učinkovitost mehanizma, ustanovljenega v tem členu, vključno z merili in smernicami, določenimi v 2. odstavku tega člena, najprej dve leti po začetku veljavnosti te konvencije, potem pa redno. Na podlagi takšnega pregleda ustrezno ukrepa za izboljšanje učinkovitosti mehanizma, če je to potrebno.

4. Pogodbenice poskrbijo za okrepitev obstoječih finančnih ustanov, da bi tako priskrbele finančna sredstva za ohranitev in trajnostno uporabo biološke raznovrstnosti.

Article 22

Relationship with Other International Conventions

1. The provisions of this Convention shall not affect the rights and obligations of any Contracting Party deriving from any existing international agreement, except where the exercise of those rights and obligations would cause a serious damage or threat to biological diversity.

2. Contracting Parties shall implement this Convention with respect to the marine environment consistently with the rights and obligations of States under the law of the sea.

Article 23

Conference of the Parties

1. A Conference of the Parties is hereby established. The first meeting of the Conference of the Parties shall be convened by the Executive Director of the United Nations Environment Programme not later than one year after the entry into force of this Convention. Thereafter, ordinary meetings of the Conference of the Parties shall be held at regular intervals to be determined by the Conference at its first meeting.

2. Extraordinary meetings of the Conference of the Parties shall be held at such other times as may be deemed necessary by the Conference, or at the written request of any Party, provided that, within six months of the request being communicated to them by the Secretariat, it is supported by at least one third of the Parties.

3. The Conference of the Parties shall by consensus agree upon and adopt rules of procedure for itself and for any subsidiary body it may establish, as well as financial rules governing the funding of the Secretariat. At each ordinary meeting, it shall adopt a budget for the financial period until the next ordinary meeting.

4. The Conference of the Parties shall keep under review the implementation of this Convention, and, for this purpose, shall:

(a) Establish the form and the intervals for transmitting the information to be submitted in accordance with Article 26 and consider such information as well as reports submitted by any subsidiary body;

(b) Review scientific, technical and technological advice on biological diversity provided in accordance with Article 25;

(c) Consider and adopt, as required, protocols in accordance with Article 28;

(d) Consider and adopt, as required, in accordance with Articles 29 and 30, amendments to this Convention and its annexes;

(e) Consider amendments to any protocol, as well as to any annexes thereto, and, if so decided, recommend their adoption to the parties to the protocol concerned;

(f) Consider and adopt, as required, in accordance with Article 30, additional annexes to this Convention;

(g) Establish such subsidiary bodies, particularly to provide scientific and technical advice, as are deemed necessary for the implementation of this Convention;

(h) Contact, through the Secretariat, the executive bodies of conventions dealing with matters covered by this Convention with a view to establishing appropriate forms of cooperation with them; and

22. člen

Odnos do drugih mednarodnih konvencij

1. Določbe te konvencije ne vplivajo na pravice in obveznosti nobene od pogodbenic po katerem koli obstoječem mednarodnem dogovoru, z izjemo tistih pravic in dolžnosti, katerih izvajanje bi lahko resno oškodovalo ali ogrozilo biološko raznovrstnost.

2. Pogodbenice izvajajo to konvencijo glede morskega okolja dosledno v skladu s pravicami in obveznostimi držav po pomorskem mednarodnem pravu.

23. člen

Konferenca pogodbenic

1. Ustanovi se Konferenca pogodbenic. Njen prvi sestanek skliče izvršni direktor Programa Združenih narodov za okolje najpozneje eno leto po začetku veljavnosti konvencije. Redna zasedanja Konference pogodbenic bodo v rednih presledkih, ki jih konferenca določi na svojem prvem zasedanju.

2. Izredna zasedanja Konference pogodbenic bodo, kadar bo konferenca menila, da je to potrebno, ali na pisno zahtevo katere koli pogodbenice, s tem da to zahtevo v šestih mesecih po sekretariatu sporočilo pogodbenicam podpre vsaj tretjina pogodbenic.

3. Konferenca pogodbenic s konsenzom odloči in sprejme svoj poslovnik in poslovnik katerega koli pomožnega telesa, ki ga lahko ustanovi. To velja tudi za finančna pravila o financiranju sekretariata. Na vsakem rednem zasedanju sprejme proračun za finančno obdobje do naslednjega rednega zasedanja.

4. Konferenca pogodbenic nadzoruje izvajanje te konvencije in v ta namen:

(a) določi obliko in obdobja za oddajo informacij, predloženih v skladu s 26. členom, in prouči te informacije ter poročila katerega koli pomožnega telesa;

(b) prouči znanstvena, tehnična in tehnološka mnenja o biološki raznovrstnosti, pripravljena v skladu s 25. členom;

(c) obravnava in sprejme, če je potrebno, protokole v skladu z 28. členom;

(d) prouči in sprejme, če je potrebno, amandmaje in anekse k tej konvenciji v skladu z 29. in 30. členom;

(e) prouči amandmaje h kateremu koli protokolu kot tudi h kateremu koli aneksu, če je tako odločeno, in priporoči pogodbenicam takšnega protokola njihov sprejem;

(f) prouči in sprejme, če je potrebno, dodatne anekse k tej konvenciji v skladu s 30. členom;

(g) če meni, da so potrebna pomožna telesa za izvajanje te konvencije, zlasti za znanstveno in tehnično svetovanje, jih ustanovi;

(h) preko sekretariata naveže stike z izvršnimi telesi konvencij, ki obravnavajo vprašanja iz te konvencije, z namenom vzpostaviti primerne oblike sodelovanja z njimi; in

(i) Consider and undertake any additional action that may be required for the achievement of the purposes of this Convention in the light of experience gained in its operation.

5. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not Party to this Convention, may be represented as observers at meetings of the Conference of the Parties. Any other body or agency, whether governmental or non-governmental, qualified in fields relating to conservation and sustainable use of biological diversity, which has informed the Secretariat of its wish to be represented as an observer at a meeting of the Conference of the Parties, may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.

Article 24 *Secretariat*

1. A secretariat is hereby established. Its functions shall be:

(a) To arrange for and service meetings of the Conference of the Parties provided for in Article 23;

(b) To perform the functions assigned to it by any protocol;

(c) To prepare reports on the execution of its functions under this Convention and present them to the Conference of the Parties;

(d) To coordinate with other relevant international bodies and, in particular to enter into such administrative and contractual arrangements as may be required for the effective discharge of its functions; and

(e) To perform such other functions as may be determined by the Conference of the Parties.

2. At its first ordinary meeting, the Conference of the Parties shall designate the secretariat from amongst those existing competent international organizations which have signified their willingness to carry out the secretariat functions under this Convention.

Article 25

Subsidiary Body on Scientific, Technical and Technological Advice

1. A subsidiary body for the provision of scientific, technical and technological advice is hereby established to provide the Conference of the Parties and, as appropriate, its other subsidiary bodies with timely advice relating to the implementation of this Convention. This body shall be open to participation by all Parties and shall be multidisciplinary. It shall comprise government representatives competent in the relevant field of expertise. It shall report regularly to the Conference of the Parties on all aspects of its work.

2. Under the authority of and in accordance with guidelines laid down by the Conference of the Parties, and upon its request, this body shall:

(a) Provide scientific and technical assessments of the status of biological diversity;

(b) Prepare scientific and technical assessments of the effects of types of measures taken in accordance with the provisions of this Convention;

(i) prouči in izvede katero koli dodatno dejavnost, potrebno za doseganje namenov te konvencije glede na izkušnje, pridobljene s takšnim delovanjem.

5. Združeni narodi, njihove specializirane agencije Mednarodna agencija za jedrsko energijo kot tudi katera koli država, ki ni pogodbenica te konvencije, imajo lahko status opazovalk na zasedanjih Konference pogodbenic. Katero koli telo oziroma agencija, vladna ali nevladna, usposobljena za ohranitev in trajnostno uporabo biološke raznovrstnosti, ki je seznanila sekretariat s svojo željo po statusu opazovalke na zasedanju Konference pogodbenic, je lahko sprejeta, razen če najmanj tretjina prisotnih pogodbenic temu ne nasprotuje. Sprejem in sodelovanje opazovalcev morata biti v skladu s poslovnikom, ki ga sprejme Konferenca pogodbenic.

24. člen *Sekretariat*

1. Ustanovi se sekretariat. Njegove naloge so:

(a) pripravljati in oskrbovati zasedanja Konference pogodbenic, določena v 23. členu;

(b) opravljati naloge, ki so mu naložene po katerem koli protokolu;

(c) pripravljati in predstavljati Konferenci pogodbenic poročila o opravljanju svojih nalog po tej konvenciji;

(d) usklajevati delo z drugimi ustreznimi mednarodnimi telesi in predvsem sklepati takšne upravne in pogodbene aranžmaje, ki so potrebni za učinkovito opravljanje njegovih nalog; in

(e) opravljati druge naloge, ki jih določi Konferenca pogodbenic.

2. Na svojem prvem rednem zasedanju Konferenca pogodbenic izbere sekretariat izmed tistih pristojnih mednarodnih organizacij, ki so pokazale pripravljenost prevzeti naloge sekretariata iz te konvencije.

25. člen

Pomožno telo za znanstveno, tehnično in tehnološko svetovanje

1. Ustanovi se Pomožno telo za znanstveno, tehnično in tehnološko svetovanje, z namenom da Konferenci pogodbenic, in če bo potrebno tudi njenim drugim pomožnim telesom, v primernem času svetuje v zvezi z izvajanjem te konvencije. V njem lahko sodelujejo vse pogodbenice in je multidisciplinarno. Sestavljeno je iz vladnih predstavnikov, pristojnih za določeno strokovno področje. Konferenci pogodbenic redno poroča o vseh vidikih svojega dela.

2. Pod nadzorom in v skladu s smernicami Konference pogodbenic in na njeno zahtevo to telo:

(a) priskrbi znanstvene in tehnične ocene stanja biološke raznovrstnosti;

(b) pripravlja znanstvene in tehnične ocene učinkov vrst ukrepov, sprejetih v skladu z določbami te konvencije;

(c) Identify innovative, efficient and state-of-the-art technologies and know-how relating to the conservation and sustainable use of biological diversity and advise on the ways and means of promoting development and/or transferring such technologies;

(d) Provide advice on scientific programmes and international cooperation in research and development related to conservation and sustainable use of biological diversity; and

(e) Respond to scientific, technical, technological and methodological questions that the Conference of the Parties and its subsidiary bodies may put to the body.

3. The functions, terms of reference, organization and operation of this body may be further elaborated by the Conference of the Parties.

Article 26

Reports

Each Contracting Party shall, at intervals to be determined by the Conference of the Parties, present to the Conference of the Parties, reports on measures which it has taken for the implementation of the provisions of this Convention and their effectiveness in meeting the objectives of this Convention.

Article 27

Settlement of Disputes

1. In the event of a dispute between Contracting Parties concerning the interpretation or application of this Convention, the parties concerned shall seek solution by negotiation.

2. If the parties concerned cannot reach agreement by negotiation, they may jointly seek the good offices of, or request mediation by, a third party.

3. When ratifying, accepting, approving or acceding to this Convention, or at any time thereafter, a State or regional economic integration organization may declare in writing to the Depositary that for a dispute not resolved in accordance with paragraph 1 or paragraph 2 above, it accepts one or both of the following means of dispute settlement as compulsory:

(a) Arbitration in accordance with the procedure laid down in Part 1 of Annex II;

(b) Submission of the dispute to the International Court of Justice.

4. If the parties to the dispute have not, in accordance with paragraph 3 above, accepted the same or any procedure, the dispute shall be submitted to conciliation in accordance with Part 2 of Annex II unless the parties otherwise agree.

5. The provisions of this Article shall apply with respect to any protocol except as otherwise provided in the protocol concerned.

Article 28

Adoption of Protocols

1. The Contracting Parties shall cooperate in the formulation and adoption of protocols to this Convention.

2. Protocols shall be adopted at a meeting of the Conference of the Parties.

3. The text of any proposed protocol shall be communicated to the Contracting Parties by the Secretariat at least six months before such a meeting.

(c) ugotavlja izboljšane, učinkovite in najsodobnejše tehnologije ter znanje in izkušnje, ki se nanašajo na ohranitev in trajnostno uporabo biološke raznovrstnosti, in svetuje pri izbiri načinov in sredstev za pospeševanje razvoja in/ali prenosa takšnih tehnologij;

(d) svetuje pri znanstvenih programih in mednarodnem sodelovanju pri raziskovanju in razvoju, ki se nanaša na ohranitev in trajnostno uporabo biološke raznovrstnosti; in

(e) se odziva na znanstvena, tehnična, tehnološka in metodološka vprašanja, na katera opozarjajo Konferenca pogodbenic in njena pomožna telesa.

3. Konferenca pogodbenic lahko določi še druge naloge, pristojnosti, organizacijo in delovanje tega telesa.

26. člen

Poročila

Vsaka pogodbenica poroča Konferenci pogodbenic v obdobjih, ki jih določa Konferenca pogodbenic, o ukrepih, sprejetih za izvajanje določb te konvencije, in njihovi učinkovitosti pri doseganju ciljev te konvencije.

27. člen

Reševanje sporov

1. Morebitne spore med pogodbenicami, ki se nanašajo na razlago ali uporabo te konvencije, skušajo prizadete stranke reševati s pogajanjem.

2. Če prizadete stranke ne morejo rešiti spora s pogajanjem, lahko skupaj prosijo za dobre usluge ali za posredovanje tretje stran.

3. Ob ratifikaciji, sprejemu, odobritvi ali pristopu k tej konvenciji oziroma kadar koli pozneje lahko država ali regionalna organizacija za gospodarsko povezovanje pisno sporoči depozitarju, da ob sporu, ki ni rešen v skladu s 1. ali 2. odstavkom tega člena, sprejme enega ali oba naslednja načina reševanja spora kot obvezna:

(a) arbitražo v skladu s postopkom, opisanim v 1. delu Aneksa II;

(b) predložitev spora Meddržavnemu sodišču.

4. Če stranke v sporu v skladu s 3. odstavkom ne izberejo istega ali katerega od obeh postopkov, je spor predložen v spravo v skladu z 2. delom Aneksa II, razen če se stranke ne sporazumejo drugače.

5. Določbe tega člena veljajo za kateri koli protokol, razen če ni v protokolu določeno drugače.

28. člen

Sprejemanje protokolov

1. Pogodbenice sodelujejo pri oblikovanju in sprejemu protokolov k tej konvenciji.

2. Protokoli se sprejemajo na zasedanju Konference pogodbenic.

3. Besedilo katerega koli predlaganega protokola sekretariat pošlje vsem pogodbenicam najmanj 6 mesecev pred takšnim zasedanjem.

Article 29

Amendment of the Convention or Protocols

1. Amendments to this Convention may be proposed by any Contracting Party. Amendments to any protocol may be proposed by any Party to that protocol.

2. Amendments to this Convention shall be adopted at a meeting of the Conference of the Parties. Amendments to any protocol shall be adopted at a meeting of the Parties to the Protocol in question. The text of any proposed amendment to this Convention or to any protocol, except as may otherwise be provided in such protocol, shall be communicated to the Parties to the instrument in question by the secretariat at least six months before the meeting at which it is proposed for adoption. The secretariat shall also communicate proposed amendments to the signatories to this Convention for information.

3. The Parties shall make every effort to reach agreement on any proposed amendment to this Convention or to any protocol by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a two-third majority vote of the Parties to the instrument in question present and voting at the meeting, and shall be submitted by the Depositary to all Parties for ratification, acceptance or approval.

4. Ratification, acceptance or approval of amendments shall be notified to the Depositary in writing. Amendments adopted in accordance with paragraph 3 above shall enter into force among Parties having accepted them on the ninetieth day after the deposit of instruments of ratification, acceptance or approval by at least two thirds of the Contracting Parties to this Convention or of the Parties to the protocol concerned, except as may otherwise be provided in such protocol. Thereafter the amendments shall enter into force for any other Party on the ninetieth day after that Party deposits its instrument of ratification, acceptance or approval of the amendments.

5. For the purposes of this Article, "Parties present and voting" means Parties present and casting an affirmative or negative vote.

Article 30

Adoption and Amendment of Annexes

1. The annexes to this Convention or to any protocol shall form an integral part of the Convention or of such protocol, as the case may be, and, unless expressly provided otherwise, a reference to this Convention or its protocols constitutes at the same time a reference to any annexes thereto. Such annexes shall be restricted to procedural, scientific, technical and administrative matters.

2. Except as may be otherwise provided in any protocol with respect to its annexes, the following procedure shall apply to the proposal, adoption and entry into force of additional annexes to this Convention or of annexes to any protocol:

(a) Annexes to this Convention or to any protocol shall be proposed and adopted according to the procedure laid down in Article 29;

(b) Any Party that is unable to approve an additional annex to this Convention or an annex to any protocol to which it is Party shall so notify the Depositary, in writing, within one year from the date of the communication of the adoption by the Depositary. The Depositary shall without

29. člen

Amandmaji h konvenciji ali k protokolom

1. Amandmaje k tej konvenciji lahko predlaga katera koli pogodbenica. Amandmaje h kateremu koli protokolu lahko predlaga katera koli pogodbenica protokola.

2. Amandmaji k tej konvenciji se sprejemajo na zasedanju Konference pogodbenic. Amandmaji h kateremu koli protokolu se sprejemajo na zasedanju pogodbenic zadevnega protokola. Besedilo katerega koli predlaganega amandmaja k tej konvenciji ali h kateremu koli protokolu, razen če ni drugače določeno v tem protokolu, sekretariat pošlje pogodbenicam zadevnega instrumenta vsaj 6 mesecev pred zasedanjem, na katerem je predlagan v sprejem. Sekretariat tudi sporoči predlagane amandmaje podpisnicam te konvencije v vednost.

3. Pogodbenice si kar najbolj prizadevajo doseči sporazum o vsakem predlaganem amandmaju k tej konvenciji ali kateremu koli protokolu s konsenzom. Če so vsa prizadevanja za konsenz izčrpana in sporazum ni bil dosežen, bo amandma sprejet z dvotretjinsko večino glasov pogodbenic, ki so prisotne in glasujejo, ter ga depozitar predloži vsem pogodbenicam v ratifikacijo, sprejem ali odobritev.

4. Ratifikacija, sprejem ali odobritev amandmaja se pisno sporočijo depozitarju. Amandmaji, sprejeti v skladu s 3. odstavkom tega člena, začnejo veljati za pogodbenice, ki so jih sprejele, 90. dan po dnevu deponiranja listine o ratifikaciji, sprejemu ali odobritvi vsaj dveh tretjin pogodbenic te konvencije ali zadevnega protokola, razen če je drugače določeno v tem protokolu. Po tem začnejo amandmaji veljati za katero koli drugo pogodbenico 90. dan po deponiranju njene listine o ratifikaciji, sprejemu ali odobritvi amandmajev.

5. Za namene tega člena pomeni "pogodbenice, ki so prisotne in glasujejo" pogodbenice, ki so prisotne in glasujejo za ali proti.

30. člen

Sprejem aneksov in amandmaji k aneksom

1. Aneksi k tej konvenciji ali kateremu koli protokolu so sestavni del konvencije ali zadevnega protokola, in če ni izrecno določeno drugače, je sklicevanje na to konvencijo ali njene protokole obenem tudi sklicevanje na katere koli njene anekse. Takšni aneksi so omejeni na postopkovna, znanstvena, tehnična in upravna vprašanja.

2. Če ni s protokolom drugače določeno za njegove anekse, velja naslednji postopek tudi za predlog, sprejem in začetek veljavnost dodatnih aneksov k tej konvenciji ali aneksov h kateremu koli protokolu:

(a) aneksi k tej konvenciji ali kateremu koli protokolu se predlagajo in sprejemajo po postopku, določenem v 29. členu;

(b) katera koli pogodbenica, ki ne more potrditi dodatnega aneksa k tej konvenciji ali h kateremu koli protokolu, katerega pogodbenica je, o tem pisno obvesti depozitarja v enem letu od dneva, ko jo je depozitar obvestil o njegovem sprejemu. Depozitar nemudoma obvesti vse druge pogodbe-

delay notify all Parties of any such notification received. A Party may at any time withdraw a previous declaration of objection and the annexes shall thereupon enter into force for that Party subject to subparagraph (c) below;

(c) On the expiry of one year from the date of the communication of the adoption by the Depositary, the annex shall enter into force for all Parties to this Convention or to any protocol concerned which have not submitted a notification in accordance with the provisions of subparagraph (b) above.

3. The proposal, adoption and entry into force of amendments to annexes to this Convention or to any protocol shall be subject to the same procedure as for the proposal, adoption and entry into force of annexes to the Convention or annexes to any protocol.

4. If an additional annex or an amendment to an annex is related to an amendment to this Convention or to any protocol, the additional annex or amendment shall not enter into force until such time as the amendment to the Convention or to the protocol concerned enters into force.

Article 31

Right to Vote

1. Except as provided for in paragraph 2 below, each Contracting Party to this Convention or to any protocol shall have one vote.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States which are Contracting Parties to this Convention or the relevant protocol. Such organizations shall not exercise their right to vote if their member States exercise theirs, and vice versa.

Article 32

Relationship between this Convention and Its Protocols

1. A State or a regional economic integration organization may not become a Party to a protocol unless it is, or becomes at the same time, a Contracting Party to this Convention.

2. Decisions under any protocol shall be taken only by the Parties to the protocol concerned. Any Contracting Party that has not ratified, accepted or approved a protocol may participate as an observer in any meeting of the parties to that protocol.

Article 33

Signature

This Convention shall be open for signature at Rio de Janeiro by all States and any regional economic integration organization from 5 June 1992 until 14 June 1992, and at the United Nations Headquarters in New York from 15 June 1992 to 4 June 1993.

Article 34

Ratification, Acceptance or Approval

1. This Convention and any protocol shall be subject to ratification, acceptance or approval by States and by regional economic integration organizations. Instruments of ratification, acceptance or approval shall be deposited with the Depositary.

nice o prejemu takšne notifikacije. Pogodbenica lahko kadar koli umakne svojo prejšnjo izjavo o nasprotovanju in s tem omogoči takojšnjo veljavnost aneksov zanjo po določbi (c) tega člena;

(c) po izteku enega leta od dneva depozitarjevega obvestila o sprejemu začne aneks veljati za vse pogodbenice konvencije ali katerega koli zadevnega protokola, ki niso poslale notifikacije v skladu z določbo b) tega člena.

3. Za predlog, sprejem in začetek veljavnosti amandmajeve k aneksom te konvencije ali kateremu koli protokolu velja isti postopek kot za predlog, sprejem in veljavnost aneksov h konvenciji ali aneksov k protokolu.

4. Če se dodaten aneks ali amandma k aneksu nanaša na amandma h konvenciji ali na kateri koli protokol, dodaten aneks ali amandma ne začne veljati, dokler ne začne veljati ustrezen amandma h konvenciji ali protokolu.

31. člen

Pravica do glasovanja

1. Vsaka pogodbenica konvencije ali protokola ima pravico do enega glasu razen v primerih, določenih v 2. odstavku tega člena.

2. Organizacije za gospodarsko povezovanje imajo v zadevah, za katere so pristojne, pravico do toliko glasov, kolikor je njihovih držav članic, ki so tudi pogodbenice te konvencije ali ustreznega protokola. Takšne organizacije nimajo pravice do glasovanja, če njihove države članice izkoristijo pravico do glasovanja, in obratno.

32. člen

Razmerje med konvencijo in njenimi protokoli

1. Država ali regionalna organizacija za gospodarsko povezovanje ne more postati pogodbenica protokola, če ni ali ne postane pogodbenica konvencije.

2. Odločitve po katerem koli protokolu sprejemajo samo pogodbenice zadevnega protokola. Katera koli pogodbenica, ki ni ratificirala, sprejela ali odobrila določenega protokola, lahko sodeluje kot opazovalka na katerem koli zasedanju pogodbenic zadevnega protokola.

33. člen

Podpisovanje

Ta konvencija je na voljo za podpis vsem državam in kateri koli regionalni organizaciji za gospodarsko povezovanje v Rio de Janeiru od 5. do 14. junija 1992 ter na sedežu Združenih narodov v New Yorku od 15. junija 1992 do 4. junija 1993.

34. člen

Ratifikacija, sprejem ali odobritev

1. To konvencijo in vsak protokol ratificirajo, sprejmejo ali odobrijo države in regionalne organizacije za gospodarsko povezovanje. Listine o ratifikaciji, sprejemu ali odobritvi se deponirajo pri depozitarju.

2. Any organization referred to in paragraph 1 above which becomes a Contracting Party to this Convention or any protocol without any of its member States being a Contracting Party shall be bound by all the obligations under the Convention or the protocol, as the case may be. In the case of such organizations, one or more of whose member States is a Contracting Party to this Convention or relevant protocol, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under the Convention or protocol, as the case may be. In such cases, the organization and the member States shall not be entitled to exercise rights under the Convention or relevant protocol concurrently.

3. In their instruments of ratification, acceptance or approval, the organizations referred to in paragraph 1 above shall declare the extent of their competence with respect to the matters governed by the Convention or the relevant protocol. These organizations shall also inform the Depositary of any relevant modification in the extent of their competence.

Article 35

Accession

1. This Convention and any protocol shall be open for accession by States and by regional economic integration organizations from the date on which the Convention or the protocol concerned is closed for signature. The instruments of accession shall be deposited with the Depositary.

2. In their instruments of accession, the organizations referred to in paragraph 1 above shall declare the extent of their competence with respect to the matters governed by the Convention or the relevant protocol. These organizations shall also inform the Depositary of any relevant modification in the extent of their competence.

3. The provisions of Article 34, paragraph 2, shall apply to regional economic integration organizations which accede to this Convention or any protocol.

Article 36

Entry Into Force

1. This Convention shall enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession.

2. Any protocol shall enter into force on the ninetieth day after the date of deposit of the number of instruments of ratification, acceptance, approval or accession, specified in that protocol, has been deposited.

3. For each Contracting Party which ratifies, accepts or approves this Convention or accedes thereto after the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, it shall enter into force on the ninetieth day after the date of deposit by such Contracting Party of its instrument of ratification, acceptance, approval or accession.

4. Any protocol, except as otherwise provided in such protocol, shall enter into force for a Contracting Party that ratifies, accepts or approves that protocol or accedes thereto after its entry into force pursuant to paragraph 2 above, on the ninetieth day after the date on which that Contracting Party deposits its instrument of ratification, acceptance, approval or accession, or on the date on which this Convention enters into force for that Contracting Party, whichever shall be the later.

2. Vsaka organizacija, omenjena v 1. odstavku tega člena, ki postane pogodbenica te konvencije ali katerega koli protokola, pri čemer nobena od njenih držav članic ni pogodbenica te konvencije, se obveže izpolnjevati vse obveznosti po tej konvenciji ali protokolu odvisno od posameznega primera. Pri takih organizacijah, v katerih je ena ali več njenih držav članic pogodbenica te konvencije ali ustreznega protokola, odločajo organizacija in njene države članice o odgovornosti za izpolnjevanje obveznosti po tej konvenciji ali protokolu glede na posamezni primer. V teh primerih organizacija in njene države članice ne smejo hkrati izvajati pravic po tej konvenciji ali ustreznem protokolu.

3. V listinah o ratifikaciji, sprejemu ali odobritvi organizacije, omenjene v 1. odstavku tega člena, navedejo obseg svojih pristojnosti glede na zadeve, ki jih ureja konvencija ali ustrezen protokol. Te organizacije prav tako obvestijo depozitarja o vsaki spremembi obsega svojih pristojnosti.

35. člen

Pristop

1. Pristop držav ali regionalnih organizacij za gospodarsko povezovanje k tej konvenciji ali kateremu koli protokolu je mogoč od dne, ko ni več možno podpisovanje konvencije ali ustreznega protokola. Listine o pristopu se deponirajo pri depozitarju.

2. Organizacije, omenjene v 1. odstavku tega člena, navedejo v listinah o pristopu obseg svojih pristojnosti glede na zadeve, ki jih ureja konvencija ali ustrezen protokol. Te organizacije prav tako obvestijo depozitarja o vsaki pomembni spremembi obsega svojih pristojnosti.

3. Določbe iz 2. odstavka 34. člena se uporabljajo za regionalne organizacije za gospodarsko povezovanje, ki pristopijo k tej konvenciji ali kateremu koli protokolu.

36. člen

Začetek veljavnosti

1. Ta konvencija začne veljati devetdeseti dan po datumu deponiranja tridesete listine o ratifikaciji, sprejemu, odobritvi ali pristopu.

2. Vsak protokol začne veljati devetdeseti dan po datumu deponiranja tistega števila listin o ratifikaciji, sprejemu, odobritvi ali pristopu, ki je določeno v protokolu.

3. Za vsako pogodbenico, ki ratificira, sprejme ali odobri to konvencijo ali k njej pristopi po deponiranju tridesete listine o ratifikaciji, sprejemu, odobritvi ali pristopu, začne konvencija veljati devetdeseti dan po datumu deponiranja njene listine o ratifikaciji, sprejemu, odobritvi ali pristopu.

4. Vsak protokol, razen če ni v njem drugače določeno, začne veljati za pogodbenico, ki ga ratificira, sprejme, odobri ali k njemu pristopi po začetku njegove veljavnosti, v skladu z 2. odstavkom tega člena devetdeseti dan po datumu deponiranja njene listine o ratifikaciji, sprejemu, odobritvi ali pristopu ali z dnem, ko ta konvencija zanjo začne veljati, kar koli je kasneje.

5. For the purposes of paragraphs 1 and 2 above, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

Article 37
Reservations

No reservations may be made to this Convention.

Article 38
Withdrawals

1. At any time after two years from the date on which this Convention has entered into force for a Contracting Party, that Contracting Party may withdraw from the Convention by giving written notification to the Depositary.

2. Any such withdrawal shall take place upon expiry of one year after the date of its receipt by the Depositary, or on such later date as may be specified in the notification of the withdrawal.

3. Any Contracting Party which withdraws from this Convention shall be considered as also having withdrawn from any protocol to which it is party.

Article 39
Financial Interim Arrangements

Provided that it has been fully restructured in accordance with the requirements of Article 21, the Global Environment Facility of the United Nations Development Programme, the United Nations Environment Programme and the International Bank for Reconstruction and Development shall be the institutional structure referred to in Article 21 on an interim basis, for the period between the entry into force of this Convention and the first meeting of the Conference of the Parties or until the Conference of the Parties decides which institutional structure will be designated in accordance with Article 21.

Article 40
Secretariat Interim Arrangements

The secretariat to be provided by the Executive Director of the United Nations Environment Programme shall be the secretariat referred to in Article 24, paragraph 2, on an interim basis for the period between the entry into force of this Convention and the first meeting of the Conference of the Parties.

Article 41
Depositary

The Secretary-General of the United Nations shall assume the functions of Depositary of this Convention and any protocols.

Article 42
Authentic Texts

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

5. Za namene 1. in 2. odstavka tega člena se nobena listina, ki jo deponira regionalna organizacija za gospodarsko povezovanje, ne šteje za dodatno listino k tistim, ki jih deponirajo države članice take organizacije.

37. člen
Pridržki

K tej konvenciji niso dopustni nobeni pridržki.

38. člen
Odstopi

1. Pogodbenica lahko odstopi od konvencije s pisno notifikacijo depozitarju kadar koli po dveh letih, ko je konvencija zanj začela veljati.

2. Vsak tak odstop začne učinkovati ob izteku enega leta po datumu, ko ga depozitar sprejme, ali kasneje v roku, ki je lahko določen v pisni notifikaciji o odstopu.

3. Za vsako pogodbenico, ki odstopi od te konvencije, velja tudi, da odstopa od vseh protokolov, katerih pogodbenica je.

39. člen
Začasni finančni aranžmaji

Če je v skladu z zahtevami 21. člena institucionalna struktura, ki je določena v 21. členu, popolnoma preurejena, jo sestavljajo Globalni sklad za okolje Programa Združenih narodov za razvoj, Program Združenih narodov za okolje in Mednarodna banka za obnovo in razvoj, in sicer začasno od začetka veljavnosti konvencije do prvega zasedanja Konference pogodbenic ali dokler pogodbenice ne določijo institucionalne strukture v skladu z 21. členom.

40. člen
Začasna ureditev sekretariata

Sekretariat, ki ga začasno za obdobje od začetka veljavnosti konvencije do prvega zasedanja Konference pogodbenic imenuje izvršni direktor Programa Združenih narodov za okolje, je sekretariat, omenjen v 2. odstavku 24. člena.

41. člen
Depozitar

Generalni sekretar Združenih narodov prevzame dolžnosti depozitarja te konvencije in njenih protokolov.

42. člen
Verodostojna besedila

Izvirnik konvencije z enako verodostojnimi besedili v angleškem, arabskem, francoskem, kitajskem, ruskem in španskem jeziku je deponiran pri generalnem sekretarju Združenih narodov.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Convention.

Done at Rio de Janeiro on this fifth day of June, one thousand nine hundred and ninety-two.

Annex I

IDENTIFICATION AND MONITORING

1. Ecosystems and habitats: containing high diversity, large numbers of endemic or threatened species, or wilderness; required by migratory species; of social, economic, cultural or scientific importance; or, which are representative, unique or associated with key evolutionary or other biological processes;

2. Species and communities which are: threatened; wild relatives of domesticated or cultivated species; of medicinal, agricultural or other economic value; or social, scientific or cultural importance; or importance for research into the conservation and sustainable use of biological diversity, such as indicator species: and

3. Described genomes and genes of social, scientific or economic importance.

Annex II

Part I

ARBITRATION

Article 1

The claimant party shall notify the secretariat that the parties are referring a dispute to arbitration pursuant to Article 27. The notification shall state the subject-matter or arbitration and include in particular, the articles of the Convention or the protocol, the interpretation or application of which are at issue. If the parties do not agree on the subject matter of the dispute before the President of the tribunal is designated, the arbitral tribunal shall determine the subject matter. The secretariat shall forward the information thus received to all Contracting Parties to this Convention or to the protocol concerned.

Article 2

1. In disputes between two parties, the arbitral tribunal shall consist of three members. Each of the parties to the dispute shall appoint an arbitrator and the two arbitrators so appointed shall designate by common agreement the third arbitrator who shall be the President of the tribunal. The latter shall not be a national of one of the parties to the dispute, nor have his or her usual place of residence in the territory of one of these parties, nor be employed by any of them, nor have dealt with the case in any other capacity.

2. In disputes between more than two parties, parties in the same interest shall appoint one arbitrator jointly by agreement.

3. Any vacancy shall be filled in the manner prescribed for the initial appointment.

V POTRDITEV TEGA so podpisani, ki so bili za to pravilno pooblašteni, podpisali to konvencijo.

V Riu de Janeiru, petega junija tisočdevetstodvaindevdesetega leta.

Aneks I

IDENTIFIKACIJA IN MONITORING

1. Ekosistemi in habitati so: z veliko raznovrstnostjo, s številnimi endemičnimi ali ogroženimi vrstami ali območja divjine; takšni, ki so potrebni za migracijske vrste; takšni, ki so družbenega, gospodarskega, kulturnega ali znanstvenega pomena; ali tisti, ki so reprezentativni, enkratni ali povezani s ključnimi evolucijskimi ali drugimi biološkimi procesi;

2. Vrste in združbe so tiste, ki so ogrožene; ki predstavljajo prosto živeče sorodnike udomačenih ali gojenih vrst; ki so medicinskega, kmetijskega ali drugega gospodarskega pomena; ali ki so družbenega, znanstvenega ali kulturnega pomena; ali ki so pomembne za raziskave ohranitve in trajnostne uporabe biološke raznovrstnosti, kot so indikatorske vrste; in

3. Opisani genomi in geni družbenega, znanstvenega ali gospodarskega pomena.

Aneks II

1. del

ARBITRAŽA

1. člen

Tožeča stranka obvesti Sekretariat, da spor predloži arbitraži v skladu s 27. členom. Iz notifikacije morajo biti razvidni predmet arbitraže in zlasti členi konvencije ali protokola, za katerih razlago ali uporabo gre. Če se stranke ne sporazumejo o predmetu spora, preden je imenovan predstavnik razsodišča, ga določi razsodišče. Sekretariat tako dobljene informacije pošlje vsem pogodbenicam konvencije ali zadevnega protokola.

2. člen

1. V sporih med dvema strankama sestavljajo razsodišče trije člani. Vsaka stranka v sporu imenuje arbitra in dva tako imenovana arbitra pa sporazumno določita tretjega arbitra, ki je predsednik razsodišča. Predsednik ne sme biti državljan katere koli izmed strank v sporu ter ne sme imeti stalnega prebivališča na ozemlju njunih držav, ki ga tudi ne smeta zaposlovati, in se ni smel ukvarjati s tem primerom v kakšnem drugem svojstvu.

2. V sporih med več kot dvema strankama stranke, ki imajo iste interese, sporazumno imenujejo skupnega arbitra.

3. Vsako prosto mesto se zasede po postopku, predpisanim za prvo imenovanje.

Article 3

1. If the President of the arbitral tribunal has not been designated within two months of the appointment of the second arbitrator, the Secretary-General of the United Nations shall, at the request of a party, designate the President within a further two-month period.

2. If one of the parties to the dispute does not appoint an arbitrator within two months of receipt of the request, the other party may inform the Secretary-General who shall make the designation within a further two-month period.

Article 4

The arbitral tribunal shall render its decisions in accordance with the provisions of this Convention, any protocols concerned, and international law.

Article 5

Unless the parties to the dispute otherwise agree, the arbitral tribunal shall determine its own rules of procedure.

Article 6

The arbitral tribunal may, at the request of one of the parties, recommend essential interim measures of protection.

Article 7

The parties to the dispute shall facilitate the work of the arbitral tribunal and, in particular, using all means at their disposal, shall:

(a) Provide it with all relevant documents, information and facilities; and

(b) Enable it, when necessary, to call witnesses or experts and receive their evidence.

Article 8

The parties and the arbitrators are under an obligation to protect the confidentiality of any information they receive in confidence during the proceedings of the arbitral tribunal.

Article 9

Unless the arbitral tribunal determines otherwise because of the particular circumstances of the case, the costs of the tribunal shall be borne by the parties to the dispute in equal shares. The tribunal shall keep a record of all its costs, and shall furnish a final statement thereof to the parties.

Article 10

Any Contracting Party that has an interest of a legal nature in the subject-matter of the dispute which may be affected by the decision in the case, may intervene in the proceedings with the consent of the tribunal.

Article 11

The tribunal may hear and determine counterclaims arising directly out of the subject-matter of the dispute.

Article 12

Decisions both on procedure and substance of the arbitral tribunal shall be taken by a majority vote of its members.

3. člen

1. Če predsednik razsodišča ni imenovan v dveh mesecih po imenovanju drugega arbitra, ga v naslednjih dveh mesecih na zahtevo stranke določi generalni sekretar Združenih narodov.

2. Če ena od strank ne imenuje svojega arbitra v dveh mesecih po prejemu zahteve, lahko druga stranka obvesti o tem generalnega sekretarja, ki določi arbitra v naslednjih dveh mesecih.

4. člen

Razsodišče odloča v skladu z določbami te konvencije, ustreznimi protokoli in mednarodnim pravom.

5. člen

Razsodišče sprejme svoj poslovnik, razen če se stranke v sporu ne sporazumejo drugače.

6. člen

Razsodišče lahko na zahtevo ene od strank priporoči najnujnejšečasne varstvene ukrepe.

7. člen

Stranke v sporu olajšujejo delo razsodišča z vsemi razpoložljivimi sredstvi in mu še posebej:

(a) dajejo na razpolago vse ustrezne dokumente, informacije in sredstva; ter

(b) omogočijo, kadar je to potrebno, povabiti priče ali strokovnjake in pridobiti njihova pričevanja.

8. člen

Stranke in arbitri morajo varovati zaupnost vseh med postopkom razsodišča zaupno dobljenih informacij.

9. člen

Razen če se razsodišče zaradi posebnih okoliščin posameznega primera ne odloči drugače, stroške za delo razsodišča poravnajo stranke v sporu v enakih deležih. Razsodišče zapisuje vse stroške in s končnimi stroški seznanja stranke.

10. člen

Vsaka pogodbenica, ki ima pri predmetu spora pravni interes, na katerega lahko vpliva razrešitev primera, lahko s pristankom razsodišča intervenira v postopku.

11. člen

Razsodišče lahko obravnava in odloči o nasprotnih zahtevkih, ki izhajajo neposredno iz predmeta spora.

12. člen

Odločitve o postopku in vsebinskih vprašanjih razsodišča sprejemajo njegovi člani z večino glasov.

Article 13

If one of the parties to the dispute does not appear before the arbitral tribunal or fails to defend its case, the other party may request the tribunal to continue the proceedings and to make its award. Absence of a party or a failure of a party to defend its case shall not constitute a bar to the proceedings. Before rendering its final decision, the arbitral tribunal must satisfy itself that the claim is well founded in fact and law.

Article 14

The tribunal shall render its final decision within five months of the date on which it is fully constituted unless it finds it necessary to extend the time-limit for a period which should not exceed five more months.

Article 15

The final decision of the arbitral tribunal shall be confined to the subject-matter of the dispute and shall state the reasons on which it is based. It shall contain the names of the members who have participated and the date of the final decision. Any member of the tribunal may attach a separate or dissenting opinion to the final decision.

Article 16

The award shall be binding on the parties to the dispute. It shall be without appeal unless the parties to the dispute have agreed in advance to an appellate procedure.

Article 17

Any controversy which may arise between the parties to the dispute as regards the interpretation or manner of implementation of the final decision may be submitted by either party for decision to the arbitral tribunal which rendered it.

Part 2
CONCILIATION

Article 1

A conciliation commission shall be created upon the request of one of the parties to the dispute. The commission shall, unless the parties otherwise agree, be composed of five members, two appointed by each Party concerned and a President chosen jointly by those members.

Article 2

In disputes between more than two parties, parties in the same interest shall appoint their members of the commission jointly by agreement. Where two or more parties have separate interests or there is a disagreement as to whether they are of the same interest, they shall appoint their members separately.

Article 3

If any appointments by the parties are not made within two months of the date of the request to create a conciliation commission, the Secretary-General of the United Nations shall, if asked to do so by the party that made the request, make those appointments within a further two-month period.

13. člen

Če ena od strank v sporu ne pride pred razsodišče ali se ne more zagovarjati, lahko druga stranka od razsodišča zahteva nadaljevanje postopka in sprejetje razsodbe. Odsotnost stranke ali nezmožnost uveljavljati svoje pravice ne ustavi postopka. Pred sprejemom končne odločitve mora razsodišče ugotoviti, da je tožba dobro utemeljena na podlagi dejstev in prava.

14. člen

Razsodišče sprejme končno odločitev v petih mesecih od dne, ko je bilo oblikovano v polni zasedbi, razen če ne ugotovi, da je treba časovno omejitev podaljšati za obdobje, ki pa ne bi smelo presežati nadaljnjih petih mesecev.

15. člen

Končna odločitev razsodišča je omejena na predmet spora in navaja razloge, na katerih temelji. Vsebuje imena sodelujočih članov in datum končne odločitve. Vsak član razsodišča lahko končni odločitvi priloži ločeno ali nasprotno mnenje.

16. člen

Razsodba je za stranke v sporu obvezna. Pritožba zoper njo ni mogoča, razen če se stranke vnaprej ne dogovorijo o pritožbenem postopku.

17. člen

Vsako nesoglasje strank v sporu glede razlage ali načina izvajanja razsodbe lahko katera koli stranka predloži v odločitev razsodišču, ki je sprejelo razsodbo.

2. del
SPRAVA

1. člen

Na zahtevo ene od strank v sporu se ustanovi pravna komisija. Če se stranke ne sporazumejo drugače, sestavlja komisijo pet članov, od katerih dva imenuje vsaka stranka, predsednika pa skupaj izberejo imenovani člani.

2. člen

Pri sporih med več kot dvema strankama stranke, ki imajo isti interes, sporazumno imenujejo skupne člane komisije. Če imata dve ali več strank različne interese ali če se ne sporazumeta o skupnih interesih, svoje člane imenujeta vsaka posebej.

3. člen

Če katera izmed strank ne imenuje člana v dveh mesecih od datuma zahteve za sestavo pravne komisije, ga v naslednjih dveh mesecih imenuje generalni sekretar Združenih narodov na prošnjo stranke, ki je postavila zahtevo.

Article 4

If a President of the conciliation commission has not been chosen within two months of the last of the members of the commission being appointed, the Secretary-General of the United Nations shall, if asked to do so by a party, designate a President within a further two-month period.

4. člen

Če predsednik upravne komisije ni izbran v dveh mesecih od imenovanja zadnjega člana komisije, ga na prošnjo stranke v naslednjih dveh mesecih določi generalni sekretar Združenih narodov.

Article 5

The conciliation commission shall take its decisions by majority vote of its members. It shall, unless the parties to the dispute otherwise agree, determine its own procedure. It shall render a proposal for resolution of the dispute, which the parties shall consider in good faith.

5. člen

Spravna komisija sprejema odločitve z večino glasov svojih članov. Postopek določa sama, razen če se stranke v sporu ne sporazumejo drugače. Komisija predlaga razrešitev spora, ki jo stranke v dobri veri proučijo.

Article 6

A disagreement as to whether the conciliation commission has competence shall be decided by the commission.

6. člen

O nesoglasju glede svoje pristojnosti odloča komisija.

3. člen

Za izvajanje te konvencije skrbi Ministrstvo za okolje in prostor.

4. člen

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

Št. 630-03/95-1/1

Ljubljana, dne 16. maja 1996

Predsednik
Državnega zbora
Republike Slovenije
Jožef Školč l. r.

30.

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z**O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO SLOVAŠKE REPUBLIKE NA PODROČJU KARANTENE IN VARSTVA RASTLIN (BSKKVR)**

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Slovaške republike na področju karantene in varstva rastlin (BSKKVR), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 16. maja 1996.

Št. 001-22-47/96

Ljubljana, dne 24. maja 1996

Predsednik
Republike Slovenije
Milan Kučan l. r.

Z A K O N

O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO SLOVAŠKE REPUBLIKE
NA PODROČJU KARANTENE IN VARSTVA RASTLIN (BSKKVR)

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Slovaške republike na področju karantene in varstva rastlin, podpisan 25. avgusta 1995 v Radencih.

2. člen

Sporazum se v izvorniku v slovenskem in angleškem jeziku glasi:*

S P O R A Z U M

MED VLADO REPUBLIKE SLOVENIJE IN VLADO
SLOVAŠKE REPUBLIKE O SODELOVANJU NA
PODROČJU KARANTENE IN VARSTVA RASTLIN

Vlada Republike Slovenije in Vlada Slovaške republike (v nadaljevanju pogodbenici) sta se,

v želji, da bi poglobili medsebojno sodelovanje na področju karantene in varstva rastlin,

ob prizadevanju za izboljšanje zaščite ozemlja svojih držav pred vdorom karantenskih škodljivih organizmov in omejitev izgub zaradi delovanja teh škodljivih organizmov in prav tako za lažje medsebojno trgovanje in izmenjavo blaga rastlinskega izvora,

dogovorili o naslednjem:

1. člen

Izrazi, uporabljeni v tem sporazumu, pomenijo:

- a) rastline – žive rastline in njihovi deli, vključno s semeni;
- b) rastlinski proizvod – nepredelano blago rastlinskega izvora (vključno z zrnji) in tisti predelani proizvodi, ki glede na svojo naravo ali način predelave utegnejo pomeniti nevarnost za razširitev škodljivih organizmov;
- c) semena – semena za sajenje in ne za porabo ali predelavo;
- d) blago rastlinskega izvora – postavke navedene v 1. členu a), b), c);
- e) škodljivi organizmi – rastlinski škodljivi organizmi – vse vrste rastlinskih ali živalskih zajedavcev ali bolezenskih dejavnikov, ki so škodljivi ali potencialno škodljivi za rastline ali rastlinske proizvode;
- f) karantenski škodljivi organizmi – škodljivi organizmi potencialnega narodnega gospodarskega pomena za državo, ki jo ogrožajo in v njej še niso prisotni ali pa so prisotni, vendar ne razširjeni, in so pod aktivnim nadzorom;
- g) gospodarsko škodljivi organizmi – škodljivi organizmi, razširjeni na ozemlju države ene ali druge pogodbenice, ki ob čezmerni reprodukciji povzročajo večjo škodo in se smejo uničevati v skladu z izdanim predpisom.

2. člen

Seznama karantenskih škodljivih organizmov in gospodarsko škodljivih organizmov si pogodbenici izmenjata po

A G R E E M E N T

BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF SLOVENIA AND THE
GOVERNMENT OF THE SLOVAK REPUBLIC ON
COOPERATION IN THE FIELD OF PLANT
QUARANTINE AND PLANT PROTECTION

The Government of the Republic of Slovenia and the Government of the Slovak Republic (hereinafter referred to as the Contracting Parties),

wishing to deepen mutual cooperation in the field of plant quarantine and plant protection,

endeavouring to improve protection of the territories of their States against introduction of quarantine pests and to limit losses occurring due to their action, and also to simplify the mutual trade and exchange of commodities of plant origin,

have agreed on the following items:

Article 1

The expressions cited in this Agreement have the following significance:

- a) plants – living plants and parts thereof, including seeds;
- b) plant product – unmanufactured material of plant origin (including grain) and those manufactured products that by their nature or that of their processing, may create a risk for the spread of pests;
- c) seeds – seeds for planting not for consumption or processing;
- d) commodity of plant origin – items stated in Article 1 a), b), and c);
- e) pest – plant pest – any form of plant or animal life, or any pathogenic agent, injurious or potentially injurious to plants or plant products;
- f) quarantine pest – a pest of potential national economic importance to the country endangered thereby and not yet present there, or present but not widely distributed and being actively controlled;
- g) pests of economic importance – pests spread on the territory of the State of one or other Contracting Party which in the case of overreproduction cause major damages and their destruction may be ordered by regulation.

Article 2

The lists of quarantine pests and pests of economic importance will be exchanged between the Contracting Par-

*Besedilo sporazuma v slovaškem jeziku je na vpogled v Službi za mednarodnopravne zadeve Ministrstva za zunanje zadeve Republike Slovenije

diplomatski poti in začnejo veljati 60. dan od prejema zadnje note.

Pristojni organi pogodbenic lahko v prihodnosti spremenijo ali dopolnijo seznama karantenskih škodljivih organizmov in seznama gospodarsko škodljivih organizmov.

Spremembe ali dopolnitve se sporočajo na način, predviden v prvem odstavku tega člena, in začnejo veljati v tam predvidenem roku.

3. člen

Pristojni organi pogodbenic bodo drugi druge nemudoma obvestili o pojavu karantenskih škodljivih organizmov s seznamov vsake od pogodbenic kot tudi o ukrepih proti njihovi razširitvi in o ukrepih za njihovo zatiranje.

4. člen

Izvoz in tranzit blaga rastlinskega izvora z državnega ozemlja ene od pogodbenic na ali prek državnega ozemlja druge pogodbenice bosta izvedena v skladu z zakonodajo o karanteni in varstvu rastlin druge pogodbenice.

5. člen

Pogodbenici sta se dogovorili, da bosta za izvoz blaga rastlinskega izvora na državno ozemlje druge pogodbenice uporabljali tele vrste ovojnih materialov: ostružke, žagovina, papir, plastični material in druge materiale, s katerimi se karantenski škodljivi organizmi ne morejo prenašati; takšno blago mora biti očiščeno prsti. Semena in sadike, ki se izvažajo, morajo biti zavite v ovojni material, ki pred tem še ni bil uporabljen.

Transportna sredstva, namenjena za prevoz blaga rastlinskega izvora na ozemlje države druge pogodbenice, morajo biti temeljito očiščena in, če je potrebno, dezinficirana ali dezinficirana.

6. člen

Vsaka izvozna pošiljka blaga rastlinskega izvora, za katero se zahteva fitosanitarni pregled, mora biti opremljena s fitosanitarnim spričevalom, ki ga izda organ službe za karanteno in varstvo rastlin, in potrjuje, da to blago ne vsebuje škodljivih organizmov, ki so karantenski škodljivi organizmi v državi uvoznici.

Predložitev fitosanitarnega spričevala ne izključuje pravice države uvoznice do fitosanitarnega pregleda dobavljenega blaga rastlinskega izvora in do ustreznega ukrepanja.

Pristojni organi pogodbenic lahko določijo dodatne fitosanitarne zahteve pri uvozu posameznih vrst blaga rastlinskega izvora.

7. člen

Pogodbenici bosta druga drugo obveščali o mejnih prehodih na svojih ozemljih, na katerih potekajo izvoz, uvoz in tranzit blaga rastlinskega izvora.

8. člen

Če so pri fitosanitarnem pregledu odkriti karantenski škodljivi organizmi ali so ugotovljene kake druge kršitve

ties through diplomatic channels and will enter into force on the 60th day after receipt of the last note.

Competent bodies of the Contracting Parties may, in the future, change or complete the lists of quarantine pests and the lists of pests of economic importance.

The changes or amendments will be notified in the manner stipulated in paragraph 1 of this Article and will enter into force in the term stipulated therein.

Article 3

Competent bodies of the Contracting Parties will immediately inform each other of the occurrence of quarantine pests cited in the lists of each Contracting Party, as well as on the measures taken against their spreading and the measures realized to eradicate them.

Article 4

The export and transit of commodities of plant origin from the territory of the state of one Contracting Party onto or through the territory of the state of the other Contracting Party will be performed according to the legislation of the other Contracting Party related to plant quarantine and plant protection.

Article 5

The Contracting Parties have agreed, that the following wrapping material will be used in the case of export of commodities of plant origin onto the territory of the state of the other Contracting Party: shavings, sawdust, paper, plastic material, and other material which cannot transfer quarantine pests, and such commodities must be cleaned of soil. Exported seeds and plants shall be wrapped in a wrapping which has not been used prior to the export.

Transport means being used to transport commodities of plant origin on the territory of the state of the other Contracting Party must be thoroughly cleaned and, if necessary, also disinfected or disinfected.

Article 6

Each exported consignment of a commodity of plant origin which is subject to phytosanitary inspection must be accompanied by a phytosanitary certificate, issued by a body of the plant quarantine and protection service, confirming that the commodity does not contain pests which are quarantine pests in the importing state.

The submission of the phytosanitary certificate does not exclude the right of the importing state to perform the phytosanitary inspection of supplied commodities of plant origin and to take the appropriate measures.

Competent bodies of the Contracting Parties may determine additional phytosanitary requirements in the case of import of different commodities of plant origin.

Article 7

The Contracting Parties shall inform each other about border passages on their territories through which they perform export, import and transit of plants and plant products.

Article 8

If during a phytosanitary inspection a quarantine pest is found, or some violations of the plant quarantine regulations

predpisov o karanteni rastlin države uvoznice, imajo pristojni organi pogodbenic pravico zavrniti uvoz ali uničiti blago rastlinskega izvora ali pravico izvršiti kak drug nujen fitosanitarni ukrep.

9. člen

Pogodbenici se obvezeta spoštovati določila tega sporazuma pri izmenjavi različnega blaga rastlinskega izvora, vključno z darili, znanstvenimi izmenjavami in tudi kadar je to blago namenjeno diplomatskim ali drugim predstavništvom.

10. člen

Pristojni organi pogodbenic bodo, če bo to potrebno, drug drugemu nudili strokovno, tehnično in drugo pomoč na področju karantene in varstva rastlin v skladu s tem sporazumom.

11. člen

Pristojni organi pogodbenic

a) si bodo medsebojno izmenjavali zakone in druge predpise s področja karantene in varstva rastlin najkasneje v dveh mesecih od datuma, ko začnejo veljati,

b) se morajo medsebojno obveščati o pomembnih in posebnih revijah, monografijah in izdajah s področja karantene in varstva rastlin, ki izhajajo v njihovih državah.

12. člen

Da bi pospešili prevoz in zmanjšali tveganje za vdor karantenskih škodljivih organizmov, smejo fitosanitarni pregled ob strinjanju obeh strani opraviti pristojni organi ene pogodbenice na državnem ozemlju druge pogodbenice.

Postopek in druge pogoje fitosanitarnega pregleda bodo določili pristojni organi pogodbenic v posebnem dogovoru za vsak posamezen primer.

13. člen

Pristojni organi pogodbenic bodo po potrebi organizirali skupna posvetovanja, na katerih bodo obravnavali praktična vprašanja, povezana z uresničevanjem tega sporazuma. Posvetovanja bodo izmenično v Republiki Sloveniji in v Slovaški republiki. Datum in kraj posvetovanj se določi z vzajemnim dogovorom.

Pristojni organ vsake pogodbenice bo kril potne, oskrbene in nastanitvene stroške svojih predstavnikov.

14. člen

Pristojna organa pogodbenic, odgovorna za usklajevanje izvajanja tega sporazuma, sta:

- za Republiko Slovenijo – Ministrstvo za kmetijstvo, gozdarstvo in prehrano Republike Slovenije
- za Slovaško republiko – Ministrstvo za kmetijstvo Slovaške republike.

Pristojna organa pogodbenic, ki sta odgovorna za izvajanje tega sporazuma in lahko dajeta pobude za dopolnitve in spremembe tega sporazuma na podlagi obojestranskega dogovora, sta:

of the importing country is ascertained, then competent bodies of the Contracting Parties are entitled to refuse the import of such commodity of plant origin, or to destroy it or to perform other urgent phytosanitary measure.

Article 9

The Contracting Parties undertake to observe the stipulations of this Agreement during the exchange of various commodities of plant origin, including cases of donation, scientific exchanges, and also when such commodities are destined for diplomatic and other representative purposes.

Article 10

Competent bodies of the Contracting Parties, if necessary, will provide each other expert, technical, and other assistance in the field of plant quarantine and plant protection in compliance with the Agreement.

Article 11

Competent bodies of the Contracting Parties

a) shall exchange the laws and other regulations related to plant quarantine and plant protection within two months following the date of their coming into force at the latest,

b) shall inform each other on important and special periodicals, monographs, and publications in the field of plant quarantine and plant protection, issued in their states.

Article 12

In order to speed up transportation and to reduce the risk of introduction of quarantine pests, a phytosanitary inspection may be performed, subject to mutual consent, by competent bodies of the state of one Contracting Party on the territory of the state of the other Contracting Party.

The procedure and other conditions of the phytosanitary inspection will be determined by the competent bodies of the Contracting Parties in a special agreement for each individual case.

Article 13

Competent bodies of the Contracting Parties, if necessary, will convene joint consultations to deal with practical questions related to the implementation of this Agreement. The consultations will take place alternately in the Republic of Slovenia and in the Slovak Republic. The date and the place of the consultations will be determined by mutual consent.

Competent body of each of the Contracting Parties shall cover the travelling, board and accommodation expenses of its representatives.

Article 14

The competent bodies of the Contracting Parties responsible for coordination of the implementation of this Agreement are:

- for the Republic of Slovenia – the Ministry of Agriculture, Forestry and Food of the Republic of Slovenia
- for the Slovak Republic – the Ministry of Agriculture of the Slovak Republic.

The competent bodies of the Contracting Parties responsible for the implementation of this Agreement and authorised to initiate amendments or modifications to this Agreement on the basis of mutual consent of the Contracting Parties, are:

– za Republiko Slovenijo – Inšpektorat Republike Slovenije za kmetijstvo, gozdarstvo, lovstvo in ribištvo

– za Slovaško republiko – Centralni kmetijski inštitut za nadzor in preizkušanje.

15. člen

Določila tega sporazuma se ne nanašajo na pravice in obveznosti pogodbenic, ki izhajajo iz sporazumov, sklenjenih z drugimi državami, ali iz članstva v mednarodnih organizacijah za karanteno in varstvo rastlin.

16. člen

Za reševanje sporov med pogodbenicama, izhajajočih iz razlik v razlagi ali izvajanju tega sporazuma, bo na podlagi obojestranskega soglasja imenovana skupna komisija za reševanje navedene problematike. Če skupna komisija ne doseže soglasja, se bodo nesporazumi reševali po diplomatski poti.

17. člen

Sporazum med Vlado Socialistične federativne republike Jugoslavije in Vlado Češkoslovaške socialistične republike o sodelovanju na področju varstva rastlin, podpisan 16. junija 1965 v Beogradu, preneha veljati v vzajemnih odnosih med Republiko Slovenijo in Slovaško republiko z datumom, ko začne veljati ta sporazum.

18. člen

Ta sporazum mora biti odobren v skladu z notranjimi predpisi pogodbenic in začne veljati 30. dan po datumu izmenjave diplomatskih not o odobritvi sporazuma.

Sporazum se sklene za pet let in se samodejno podaljša za naslednje petletno obdobje, razen če katera od pogodbenic najkasneje šest mesecev pred iztekom tega obdobja pisno obvesti drugo pogodbenico, da ga namerava odpovedati.

Sestavljeno v Radencih dne 25. avgusta 1995 v dveh izvornikih v slovenskem, slovaškem in angleškem jeziku, pri čemer je vsako besedilo verodostojno. Ob morebitnem sporu se angleško besedilo šteje za odločilno.

Za Vlado
Republike Slovenije
Dr. Jože Osterc l. r.

Za Vlado
Slovaške republike
Peter Baco l. r.

For the Government of
Republic of Slovenia
Dr. Jože Osterc, (s)

For the Government of
the Slovak Republic
Peter Baco, (s)

3. člen

Za izvajanje sporazuma skrbi Ministrstvo za kmetijstvo, gozdarstvo in prehrano Republike Slovenije.

4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije - Mednarodne pogodbe.

Št. 510-04/95-1/1
Ljubljana, dne 16. maja 1996

Predsednik
Državnega zbora
Republike Slovenije
Jožef Školč l. r.

– for the Republic of Slovenia – Inspectorate of the Republic of Slovenia for Agriculture, Forestry, Hunting and Fisheries

– for the Slovak Republic – Central Control and Testing Institute for Agriculture.

Article 15

Provisions of this Agreement are not related to rights and obligations of the Contracting Parties, resulting from concluded agreements with other states or from membership in international organizations for plant quarantine and plant protection.

Article 16

Any disputes between the Contracting Parties arising from differences in the interpretation or implementation of this Agreement, shall be solved by a Joint Commission nominated by mutual consent in order to solve such problems. If the Joint Commission cannot find a solution, the dispute shall be solved through diplomatic channels.

Article 17

The Agreement between the Government of the Socialist Federative Republic of Yugoslavia and the Government of the Czechoslovak Socialist Republic on Cooperation in the Field of Plant Protection signed on 16 June 1965 in Belgrade, shall become null and void in mutual relations between the Republic of Slovenia and the Slovak Republic on the date of this Agreement coming into force.

Article 18

This Agreement is subject to approval in accordance with the national legislation of the Contracting Parties and will enter into force on the 30th day after the date of exchange of diplomatic notes on its approval.

The Agreement is concluded for five years and it will be automatically prolonged for the following five-year period, unless either of the Contracting Parties notifies in writing to the other Contracting Party its intention to terminate it, within six months prior to the expiration of the forthcoming period, at the latest.

Done at Radenci on 25 August 1995 in two original copies in the Slovene, Slovak and English languages, each text being authentic. In the case of controversy, the English text is considered to be decisive.

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Pravkar izšlo!

PREDPISI O ZEMLJIŠKI KNJIGI

z uvodnimi pojasnili Darje Trček Janež

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Avtorica uvodnih pojasnil Darja Trček Janež z ministrstva za pravosodje, ki je sooblikovala nove predpise o zemljiški knjigi, podrobneje razlaga zemljiškoknjižna načela in posamezne zakonske določbe. Predvsem pa poudarja, da je poznavanje lastninskega stanja določene nepremičnine v slovenskem pravnem sistemu, v katerem je zasebna lastnina opredeljena kot temeljna človekova pravica in osnova za oblikovanje gospodarskega sistema, odločilno za pravno varnost.

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