


# Uradni list

## Republike Slovenije



# Mednarodne pogodbe

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Leto XI

### 24. Zakon o ratifikaciji Mednarodne konvencije o iskanju in reševanju na morju, 1979 (MKIRM)

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 MEDNARODNE KONVENCIJE O ISKANJU IN REŠEVANJU NA MORJU, 1979 (MKIRM)

Razglašam Zakon o ratifikaciji Mednarodne konvencije o iskanju in reševanju na morju, 1979 (MKIRM), ki ga je sprejel Državni zbor Republike Slovenije na seji 5. aprila 2001.

Št. 001-22-37/01

Ljubljana, dne 13. aprila 2001

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

#### Z A K O N

### O RATIFIKACIJI MEDNARODNE KONVENCIJE O ISKANJU IN REŠEVANJU NA MORJU, 1979 (MKIRM)

#### 1. člen

Ratificira se Mednarodna konvencija o iskanju in reševanju na morju, 1979, sestavljena v Hamburgu 27. aprila 1979.

#### 2. člen

Konvencija se v izvorniku v angleškem jeziku in v prevodu v slovenskem jeziku glasi:

#### INTERNATIONAL CONVENTION ON MARITIME SEARCH AND RESCUE, 1979

THE PARTIES TO THIS CONVENTION,  
NOTING the great importance attached in several conventions to the rendering of assistance to persons in distress at sea and to the establishment by every coastal State of adequate and effective arrangements for coast watching and for search in rescue services,

HAVING CONSIDERED Recommendation 40 adopted by the International Conference on Safety of Life at Sea, 1960, which recognizes the desirability of co-ordinating activities regarding safety on and over the sea among a number of intergovernmental organizations,

DESIRING to develop and promote these activities by establishing an international maritime search and rescue plan responsible to the needs of maritime traffic for the rescue of persons in distress at sea,

WISHING to promote co-operation among search and rescue organizations around the world and among those participating in search and rescue operations at sea,

HAVE AGREED as follows:

#### MEDNARODNA KONVENCIJA O ISKANJU IN REŠEVANJU NA MORJU, 1979

POGODBENICE KONVENCIJE,

KI SE ZAVEDAJO velikega pomena, ki ga različne konvencije pripisujejo zagotavljanju pomoči osebam na morju, ki so v nevarnosti, in uvedbi primernih in učinkovitih ukrepov za opazovanje z obale in službe za iskanje in reševanje vsake obalne države,

KI SO PROUČILE Priporočilo 40, ki ga je sprejela Mednarodna konferenca o varnosti človekovega življenja na morju iz leta 1960, ki priznava zaželenost usklajevalnih dejavnosti med številnimi medvladnimi organizacijami v zvezi z varnostjo na morju in nad njim,

V ŽELJI razviti in pospeševati te dejavnosti z uvedbo mednarodnega pomorskega načrta za iskanje in reševanje, ki se bo uporabljal v pomorskem prometu za reševanje oseb na morju, ki so v nevarnosti,

V ŽELJI pospeševati sodelovanje med organizacijami za iskanje in reševanje po svetu in med tistimi, ki sodelujejo pri iskanju in reševanju na morju,

SO SE DOGOVORILE, kot sledi:

## Article I

*General obligations under the Convention*

The Parties undertake to adopt all legislative or other appropriate measures necessary to give full effect to the Convention and its Annex, which is an integral part of the Convention. Unless expressly provided otherwise, a reference to the Convention constitutes at the same time a reference to its Annex.

## Article II

*Other treaties and interpretation*

(1) Nothing in the Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to resolution 2750 (XXV) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

(2) No provision of the Convention shall be construed as prejudicing obligations or rights of vessels provided for in other international instruments.

## Article III

*Amendments*

(1) The Convention may be amended by either of the procedures specified in paragraphs (2) and (3) hereinafter.

(2) Amendment after consideration within the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as the Organization):

(a) Any amendment proposed by a Party and transmitted to the Secretary-General of the Organization (hereinafter referred to as the Secretary-General), or any amendment deemed necessary by the Secretary-General as a result of an amendment to a corresponding provision of Annex 12 to the Convention on International Civil Aviation, shall be circulated to all Members of the Organization and all Parties at least six months prior to its consideration by the Maritime Safety Committee of the Organization.

(b) Parties, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Maritime Safety Committee for the consideration and adoption of amendments.

(c) Amendments shall be adopted by a two-thirds majority of the Parties present and voting in the Maritime Safety Committee on condition that at least one third of the Parties shall be present at the time of adoption of the amendment.

(d) Amendments adopted in accordance with subparagraph (c) shall be communicated by the Secretary-General to all Parties for acceptance.

(e) An amendment to an Article or to paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 or 3.1.3 of the Annex shall be deemed to have been accepted on the date on which the Secretary-General has received an instrument of acceptance from two thirds of the Parties.

(f) An amendment to the Annex other than to paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 or 3.1.3 shall be deemed to have been accepted at the end of one year from the date on which it is communicated to the Parties for acceptance. However, if within such period of one year more than one third of the Parties notify the Secretary-General that they object to the amendment, it shall be deemed not to have been accepted.

(g) An amendment to an Article or paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2, or 3.1.3 of the Annex shall enter into force:

## I. člen

*Splošne obveznosti po konvenciji*

Pogodbenice se obvežejo, da bodo sprejele vse zakonodajne ali druge primerne ukrepe, ki so potrebni za popolno uveljavitev konvencije in njene priloge, ki je sestavni del konvencije. Če ni izrecno drugače določeno, pomeni sklicevanje na konvencijo tudi sklicevanje na njeno prilogo.

## II. člen

*Druge pogodbe in razlaga*

(1) Nič v konvenciji ne sme vplivati na predpise in razvoj prava morja na Konferenci Združenih narodov o pravu morja, sklicani v skladu z resolucijo 2750 (XXV) Generalne skupščine Združenih narodov, niti na sedanje ali prihodnje zahteve in pravne poglede katere koli države v zvezi s pravom morja ter na naravo in obseg jurisdikcije obalne države in države pripadnosti.

(2) Nobena določba konvencije se ne sme razlagati tako, da škodi obveznostim ali pravicam ladij, predvidenim v drugih mednarodnih dokumentih.

## III. člen

*Spremembe*

(1) Konvencija se lahko spremeni s katerim koli postopkom, ki je določen v drugem in tretjem odstavku.

(2) Sprememba po proučitvi v Medvladni pomorski posvetovalni organizaciji (v nadaljevanju organizacija):

(a) Vsaka sprememba, ki jo predlaga pogodbenica in jo pošlje generalnemu sekretarju organizacije (v nadaljevanju generalni sekretar), ali vsaka sprememba, za katero generalni sekretar meni, da je potrebna zaradi spremembe ustrezne določbe v Prilogi 12 h Konvenciji o mednarodnem civilnem letalstvu, se razpošlje vsem članicam organizacije in vsem pogodbenicam najmanj šest mesecev, preden jo prouči Odbor za pomorsko varnost organizacije.

(b) Pogodbenice, ki so članice organizacije ali ne, imajo pravico sodelovati pri postopkih Odbora za pomorsko varnost za proučitev in sprejem sprememb.

(c) Spremembe se sprejemajo z dvetretjinsko večino pogodbenic, ki so prisotne in glasujejo v Odboru za pomorsko varnost, pri čemer mora biti izpolnjen pogoj, da je ob sprejemanju spremembe prisotna vsaj tretjina pogodbenic.

(d) Generalni sekretar pošlje spremembe, sprejete v skladu s pododstavkom (c), v sprejetje vsem pogodbenicam.

(e) Za spremembo člena ali odstavkov 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 ali 3.1.3 priloge velja, da je sprejeta z dnem, ko generalni sekretar prejme listino o sprejetju od dveh tretjin pogodbenic.

(f) Za spremembo priloge, razen za odstavke 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 ali 3.1.3, velja, da je sprejeta po preteku enega leta od dneva, ko je bila poslana pogodbenicam v sprejetje. Če v obdobju enega leta več kot tretjina pogodbenic obvesti generalnega sekretarja, da spremembi ugovarja, velja, da sprememba ni bila sprejeta.

(g) Sprememba člena ali odstavkov 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 ali 3.1.3 priloge začne veljati:

- (i) with respect to those Parties which have accepted it, six months after the date on which it is deemed to have been accepted;
- (ii) with respect to those Parties which accept it after the condition mentioned in sub-paragraph (e) has been met and before the amendment enters into force, on the day of entry into force of the amendment;
- (iii) with respect to those Parties which accept it after the date on which the amendment enters into force, 30 days after the deposit of an instrument of acceptance.

(h) An amendment to the Annex other than to paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 or 3.1.3 shall enter into force with respect to all Parties, except those which have objected to the amendment under subparagraph (f) and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force, any Party may give notice to the Secretary-General that it exempts itself from giving effect to that amendment for a period no longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority of the Parties present and voting in the Maritime Safety Committee at the time of the adoption of the amendment.

(3) Amendment by a conference:

(a) Upon the request of a Party concurred in by at least one third of the Parties, the Organization shall convene a conference of Parties to consider amendments to the Convention. Proposed amendments shall be circulated by the Secretary-General to all Parties at least six months prior to their consideration by the conference.

(b) Amendments shall be adopted by such a conference by a two-thirds majority of the Parties present and voting, on condition that at least one third of the Parties shall be present at the time of adoption of the amendment. Amendments so adopted shall be communicated by the Secretary-General to all Parties for acceptance.

(c) Unless the conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in sub-paragraphs (2)(e), (2)(f), (2)(g) and (2)(h) respectively, provided that reference in sub-paragraph (2)(h) to the Maritime Safety Committee expanded in accordance with sub-paragraph (2)(b) shall be taken to mean reference to the conference.

(4) Any declaration of acceptance of, or objection to, an amendment or any notice given under sub-paragraph (2)(h) shall be submitted in writing to the Secretary-General who shall inform all Parties of any such submission and the date of its receipt.

(5) The Secretary-General shall inform States of any amendments which enter into force, together with the date on which each such amendment enters into force.

Article IV

*Signature, ratification, acceptance approval and accession*

(1) The Convention shall remain open for signature at the Headquarters of the Organization from 1 November 1979 until 31 October 1980 and shall thereafter remain open for accession. States may become Parties to the Convention by:

(a) signature without reservation as to ratification, acceptance or approval, or

(i) za pogodbenice, ki so spremembo sprejele, šest mesecev po dnevu, ko je bila sprejeta;

(ii) za pogodbenice, ki spremembo sprejmejo po izpolnitvi pogoja iz pododstavka (e) in preden začne sprememba veljati, na dan začetka veljavnosti spremembe;

(iii) za pogodbenice, ki spremembo sprejmejo po dnevu, ko začne ta veljati, 30 dni po deponiranju listine o sprejetju.

(h) Sprememba priloge, razen spremembe odstavkov 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 ali 3.1.3, začne veljati za vse pogodbenice, razen za tiste, ki so spremembi ugovarjale v skladu s pododstavkom (f) in ki svojega ugovora niso umaknile, šest mesecev po dnevu, ki velja kot datum sprejetja spremembe. Pogodbenica pa lahko pred rokom, ki je določen za začetek veljavnosti, obvesti generalnega sekretarja, da ne more biti upoštevana pri uveljavitvi spremembe za največ eno leto od dneva začetka njene veljavnosti ali za daljši čas, ki ga lahko določi dvetretjinska večina pogodbenic, ki so ob sprejemu spremembe prisotne in glasujejo v Odboru za pomorsko varnost.

(3) Sprememba na konferenci:

(a) Na zahtevo pogodbenice ob soglasju vsaj tretjine pogodbenic skliče organizacija posvetovanje pogodbenic za proučitev sprememb konvencije. Predlagane spremembe razpošlje generalni sekretar vsem pogodbenicam vsaj šest mesecev pred njihovo proučitvijo na konferenci.

(b) Spremembe se na konferenci sprejemajo z dvetretjinsko večino pogodbenic, ki so prisotne in glasujejo, pod pogojem, da je ob sprejemu spremembe prisotna vsaj tretjina pogodbenic. Tako sprejete spremembe pošlje generalni sekretar v sprejetje vsem pogodbenicam.

(c) Če konferenca ne odloči drugače, velja, da je sprememba sprejeta in začne veljati v skladu s postopki, določenimi v pododstavkih (e), (f), (g) in (h) drugega odstavka, pod pogojem, da se sklicevanje v pododstavku (h) drugega odstavka na Odbor za pomorsko varnost, razširjen v skladu s pododstavkom (b) drugega odstavka, razume kot sklicevanje na konferenco.

(4) Vsaka izjava o sprejetju ali ugovoru k njej ali vsako obvestilo, dano po pododstavku (h) drugega odstavka, se pisno predloži generalnemu sekretarju, ki vse pogodbenice obvesti o vsaki predložitvi in datumu njenega prejema.

(5) Generalni sekretar obvesti države o vseh spremembah, ki začnejo veljati, skupaj z datumom, ko začne taka sprememba veljati.

IV. člen

*Podpis, ratifikacija, sprejetje, odobritev in pristop*

(1) Konvencija je na voljo za podpis na sedežu organizacije od 1. novembra 1979 do 31. oktobra 1980; po tem datumu bo na voljo za pristop. Države lahko postanejo pogodbenice konvencije:

(a) s podpisom brez pridržka glede ratifikacije, sprejetja ali odobritve ali

(b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or  
(c) accession.

(2) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

(3) The Secretary-General shall inform States of any signature or of the deposit of any instrument of ratification, acceptance, approval or accession and the date of its deposit.

#### Article V

##### *Entry into force*

(1) The Convention shall enter into force 12 months after the date on which 15 States have become Parties to it in accordance with Article IV.

(2) Entry into force for States which ratify, accept, approve or accede to the Convention in accordance with Article IV after the condition prescribed in paragraph (1) has been met and before the Convention enters into force, shall be on the date of entry into force of the Convention.

(3) Entry into force for States which ratify, accept, approve or accede to the Convention after the date on which the Convention enters into force shall be 30 days after the date of deposit of an instrument in accordance with Article IV.

(4) Any instrument of ratification, acceptance, approval or accession deposited after the date of entry into force of an amendment to the Convention in accordance with Article III shall apply to the Convention, as amended, and the Convention, as amended, shall enter into force for a State depositing such an instrument 30 days after the date of its deposit.

(5) The Secretary-General shall inform States of the date of entry into force of the Convention.

#### Article VI

##### *Denunciation*

(1) The Convention may be denounced by any Party at any time after the expiry of five years from the date on which the Convention enters into force for that Party.

(2) Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General who shall notify States of any instrument of denunciation received and of the date of its receipt as well as the date on which such denunciation takes effect.

(3) A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General.

#### Article VII

##### *Deposit and registration*

(1) The Convention shall be deposited with the Secretary-General who shall transmit certified true copies thereof to States.

(2) As soon as the Convention enters into force, the Secretary-General shall transmit the text thereof to the Secretary-General of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

#### Article VIII

##### *Languages*

The Convention is established in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the

(b) s podpisom s pridržkom glede ratifikacije, sprejetja ali odobritve, ki mu sledi ratifikacija, sprejetje ali odobritev ali  
(c) s pristopom.

(2) Ratifikacija, sprejetje, odobritev ali pristop se opravi z deponiranjem ustrezne listine pri generalnem sekretarju.

(3) Generalni sekretar obvesti države o vsakem podpisu ali o deponiranju listine o ratifikaciji, sprejetju, odobritvi ali pristopu ter o datumu njenega deponiranja.

#### V. člen

##### *Začetek veljavnosti*

(1) Konvencija začne veljati 12 mesecev po dnevu, ko je 15 držav postalo pogodbenic konvencije v skladu s IV. členom.

(2) Začetek veljavnosti za države, ki ratificirajo, sprejmejo, odobrijo ali pristopijo k njej v skladu s IV. členom po tem, ko je izpolnjen pogoj iz prvega odstavka in preden začne konvencija veljati, je datum začetka veljavnosti konvencije.

(3) Začetek veljavnosti za države, ki ratificirajo, sprejmejo, odobrijo ali pristopijo k njej po dnevu, ko začne konvencija veljati, je 30 dni po dnevu deponiranja listine v skladu s IV. členom.

(4) Vsaka listina o ratifikaciji, sprejetju, odobritvi ali pristopu, deponirana po dnevu začetka veljavnosti spremembe konvencije v skladu s III. členom, velja za spreminjeno konvencijo, ki začne veljati za državo, ki deponira listino, 30 dni po dnevu njenega deponiranja.

(5) Generalni sekretar obvesti države o dnevu začetka veljavnosti konvencije.

#### VI. člen

##### *Odpoved*

(1) Pogodbenica lahko odpove konvencijo kadar koli po preteku petih let od dneva, ko začne konvencija veljati za to pogodbenico.

(2) Konvencija se odpove z deponiranjem listine o odpovedi pri generalnem sekretarju, ki obvesti države o vsaki prejeti listini o odpovedi in o datumu njenega prejema, kot tudi o dnevu, ko začne taka odpoved učinkovati.

(3) Odpoved začne učinkovati eno leto po tem, ko jo je prejel generalni sekretar ali po daljšem obdobju, določenem v listini o odpovedi.

#### VII. člen

##### *Deponiranje in registracija*

(1) Konvencija se deponira pri generalnem sekretarju, ki državam pošlje overjene kopije konvencije.

(2) Ko začne konvencija veljati, pošlje generalni sekretar njeno besedilo generalnemu sekretarju Združenih narodov v registracijo in objavo v skladu s 102. členom Ustanovne listine Združenih narodov.

#### VIII. člen

##### *Jeziki*

Konvencija je sestavljena v enem izvodu v angleškem, francoskem, kitajskem, ruskem in španskem jeziku, pri čemer so vsa besedila enako verodostojna. Uradni prevodi v

Arabic, German and Italian languages shall be prepared and deposited with the signed original.

DONE AT HAMBURG this twenty-seventh day of April one thousand nine hundred and seventy-nine.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments for that purpose, have signed the Convention.

#### CHAPTER 1 TERMS AND DEFINITIONS

1.1 "Shall" is used in the Annex to indicated a provision, the uniform application of which by all Parties is required in the interest of safety of life at sea.

1.2 "Should" is used in the Annex to indicate a provision, the uniform application of which by all Parties is recommended in the interest of safety of life at sea.

1.3 The terms listed below are used in the Annex with the following meanings:

- .1 "Search". An operation, normally co-ordinated by a rescue co-ordination centre or rescue sub-centre, using available personnel and facilities to locate persons in distress;
- .2 "Rescue". An operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety;
- .3 "Search and rescue service". The performance of distress monitoring, communication, co-ordination and search and rescue functions, including provision of medical advice, initial medical assistance, or medical evacuation, through the use of public or private resources including co-operating aircraft, vessels and other craft and installations;
- .4 "Search and rescue region". An area of defined dimensions associated with a rescue co-ordination centre within which search and rescue services are provided;
- .5 "Rescue co-ordination centre". A unit responsible for promoting efficient organization of search and rescue services and for co-ordinating the conduct of search and rescue operations within a search and rescue region;
- .6 "Rescue sub-centre". A unit subordinate to a rescue co-ordination centre establish to complement the latter according to particular provisions of the responsible authorities;
- .7 "Search and Rescue facility". Any mobile resource including designated search and rescue units, used to conduct search and rescue operations;
- .8 "Search and rescue unit". A unit composed of trained personnel and provided with equipment suitable for the expeditious conduct of search and rescue operations;
- .9 "Alerting post". Any facility intended to serve as an intermediary between a person reporting an emergency and rescue co-ordination centre or rescue sub-centre.
- .10 "Emergency phase". A generic term meaning, as the case may be, uncertainly phase, alert phase or distress phase;

arabskem, italijanskem in nemškem jeziku se pripravijo in deponirajo skupaj s podpisanim izvirnikom.

SESTAVLJENO V HAMBURGU sedemindvajsetega aprila tisoč devetinsedemdeset.

DA BI TO POTRDILI, so spodaj podpisani, ki so jih za to pravilno pooblastile njihove vlade, podpisali konvencijo.

#### 1. POGlavJE UPORABA IZRAZOV

1.1 »Morati« se v Prilogi uporablja za določbe, za katere se zahteva, da jih vse pogodbenice enotno uporabljajo zaradi varnosti človekovega življenja na morju.

1.2 »Lahko bi« se v Prilogi uporablja za določbe, za katere se priporoča, da jih vse pogodbenice enotno uporabljajo zaradi varnosti človekovega življenja na morju.

1.3 Našteti izrazi se v prilogi uporabljajo v tem pomenu:

- .1 »Iskanje« – dejavnost, ki jo običajno usklajuje center za usklajevanje reševanja ali reševalni podcenter ob uporabi razpoložljivega osebja in sredstev, da se najdejo osebe v nevarnosti.
- .2 »Reševanje« – dejavnost, s katero se rešujejo osebe v nevarnosti, se jim zagotavlja osnovna zdravstvena ali druga pomoč ter se prepeljejo na varno.
- .3 »Služba za iskanje in reševanje« – spremljanje nevarnosti, obveščanje, usklajevanje ter iskanje in reševanje, vključno z zdravniškim svetovanjem, osnovno zdravstveno pomočjo ali evakuacijo ob uporabi javnih in zasebnih sredstev, vključno s sodelovanjem letal, ladij ter drugih plovil in naprav.
- .4 »Območje iskanja in reševanja« – območje določene velikosti, povezano s centrom za usklajevanje reševanja, na katerem se zagotavljata iskanje in reševanje;
- .5 »Center za usklajevanje reševanja« – enota, pristojna za pospeševanje učinkovite organizacije služb za iskanje in reševanje in za usklajevanje izvajanja iskanja in reševanja na območju iskanja in reševanja.
- .6 »Reševalni podcenter« – enota, podrejena centru za usklajevanje reševanja, ustanovljena za njegovo dopolnitev v skladu s posebnimi določbami pristojnih organov.
- .7 »Sredstva za iskanje in reševanje« – vsa mobilna sredstva za iskanje in reševanje, vključno z enotami za iskanje in reševanje.
- .8 »Enota za iskanje in reševanje« – enota, ki jo sestavlja usposobljeno osebje in ima opremo, primerno za hitro in učinkovito izvajanje iskanja in reševanja.
- .9 »Alarmno mesto« – vsako sredstvo namenjeno povezavi med osebo, ki pošilja sporočilo o nevarnosti, in centrom za usklajevanje reševanja ali reševalnim podcentrom.
- .10 »Faza nevarnosti« – splošni izraz, ki pomeni, odvisno od primera, fazo negotovosti, fazo pripravljenosti in fazo resne in neposredne nevarnosti.

- .11 "Uncertainly phase". A situation wherein uncertainty exists as to the safety of a person, a vessel or other craft;
- .12 "Alert phase". A situation wherein apprehension exists as to the safety of a person, a vessel or other craft;
- .13 "Distress phase". A situation wherein there is a reasonable certainty that a person, a vessel or other craft is threatened by grave and imminent danger and requires immediate assistance;
- .14 "On-scene-co-ordinator". A person designated to co-ordinate search and rescue operations within a specific area;
- .15 "Secretary-General". The Secretary-General of the International Maritime Organization.

## CHAPTER 2 ORGANIZATION AND CO-ORDINATION

### 2.1. Arrangements for provision and co-ordination of search and rescue services

2.1.1 Parties shall, as they are able to do so individually or in co-operation with other States and, as appropriate, with the Organization, participate in the development of search and rescue services to ensure that assistance is rendered to any person in distress at sea. On receiving information that any person is, or appears to be, in distress at sea, the responsible authorities of a Party shall take urgent steps to ensure that the necessary assistance is provided.

2.1.2 Parties shall, either individually or, if appropriate, in co-operation with other States, establish the following basic elements of search and rescue service:

- .1 legal framework;
- .2 assignment of a responsible authority;
- .3 organization of available resources;
- .4 communication facilities;
- .5 co-ordination and operational functions; and
- .6 process to improve the service including planning, domestic and international co-operative relationships and training.

Parties shall, as far as practicable, follow relevant minimum standards and guidelines developed by the Organization.

2.1.3 To help ensure the provision of adequate shore-based communication infrastructure, efficient distress alert routing, and proper operational co-ordination to effectively support search and rescue services, Parties shall, individually or in co-operation with other States, ensure that sufficient search and rescue regions are established within each sea area in accordance with paragraphs 2.1.4 and 2.1.5. Such regions should be contiguous and, as far as practicable, not overlap.

2.1.4 Each search and rescue region shall be established by agreement among Parties concerned. The Secretary-General shall be informed of such agreements.

2.1.5 In case agreement on the exact dimensions of search and rescue region is not reached by the Parties concerned, those Parties shall use their best endeavours to reach agreement upon appropriate arrangements under which the equivalent overall co-ordination of search and rescue services is provided in the area. The Secretary-General shall be notified of such arrangements.

- .11 »Faza negotovosti« – stanje, ko obstaja negotovost za varnost osebe, ladje ali drugega plovila.
- .12 »Faza pripravljenosti« – stanje, ko obstaja zaskrbljenost za varnost osebe, ladje ali drugega plovila.
- .13 »Faza resne in neposredne nevarnosti« – stanje, ko obstaja utemeljena gotovost, da osebi, ladji ali drugemu plovilu grozi težka in neizbežna nevarnost in potrebuje takojšnjo pomoč.
- .14 »Vodja na kraju dogodka« – oseba, določena za usklajevanje iskanja in reševanja na določenem območju.
- .15 »Generalni sekretar« – generalni sekretar Mednarodne pomorske organizacije.

## 2. POGLAVJE ORGANIZACIJA IN USKLAJEVANJE

### 2.1 Ukrepi za zagotavljanje in usklajevanje služb za iskanje in reševanje

2.1.1 Pogodbenice po svojih zmožnostih sodelujejo posamično ali skupaj z drugimi državami oziroma z organizacijo pri razvijanju služb za iskanje in reševanje, da zagotovijo pomoč osebam na morju, ki so v nevarnosti. Po prejemu obvestila, da je ali se zdi, da je oseba, ki je na morju, v nevarnosti, sprejmejo pristojni organi pogodbenice nujne ukrepe, s katerimi zagotovijo potrebno pomoč.

2.1.2 Pogodbenice posamično ali v sodelovanju z drugimi državami uvedejo osnove za delovanje službe za iskanje in reševanje:

- .1 pravni okvir,
- .2 imenovanje odgovornega organa,
- .3 organizacija razpoložljivih sredstev,
- .4 komunikacijska sredstva,
- .5 usklajevalne in operativne naloge ter
- .6 postopki za izboljšanje službe, vključno z načrtovanjem, domačim in mednarodnim sodelovanjem ter usposabljanjem.

Pogodbenice se ravnaajo po ustreznih minimalnih standardih in smernicah, ki jih je pripravila organizacija, če je to izvedljivo.

2.1.3 Da bi pripomogle k zagotovitvi primerne komunikacijske infrastrukture na obali, učinkovitega usmerjanja klicev v sili in pravnega operativnega usklajevanja za učinkovito podporo službam za iskanje in reševanje, zagotovijo pogodbenice posamično ali v sodelovanju z drugimi državami, da se v skladu z odstavkoma 2.1.4 in 2.1.5 na vsakem morskem območju določi zadostno število območij iskanja in reševanja. Taka območja morajo biti drugo poleg drugega in se ne smejo prekrivati, če je to izvedljivo.

2.1.4 Vsako območje iskanja in reševanja se določi s sporazumom med pogodbenicami. Generalni sekretar se uradno obvesti o takem sporazumu.

2.1.5 Če se pogodbenice ne sporazumejo o točnih mejah območja iskanja in reševanja, si te pogodbenice po svojih najboljših močeh prizadevajo, da se sporazumejo o ustreznih ureditvi, po kateri se na tem območju zagotavlja enakovredno splošno usklajevanje služb za iskanje in reševanje. Generalni sekretar se uradno obvesti o takih sporazumih.

2.1.6 Agreement on the regions or arrangements referred to in paragraphs 2.1.4 and 2.1.5 shall be recorded by the Parties concerned, or in written plans accepted by the Parties.

2.1.7 The delimitation of search and rescue regions is not related to and shall not prejudice the delimitation of any boundary between States.

2.1.8 Parties should seek to promote consistency, where applicable, between their maritime and aeronautical search and rescue services while considering the establishment of maritime search and rescue regions which shall be established by agreement in accordance with paragraph 2.1.4 or the reaching of agreement upon appropriate arrangements in accordance with paragraph 2.1.5.

2.1.9 Parties having accepted responsibility to provide search and rescue services for a specified area shall use search and rescue units and other available facilities for providing assistance to a person who is, or appears to be, in distress at sea.

2.1.10 Parties shall ensure that assistance be provided to any person in distress at sea. They shall do so regardless of the nationality or status of such a person or the circumstances in which that person is found.

2.1.11 Parties shall forward to the Secretary-General information on their search and rescue service, including the:

- .1 national authority responsible for the maritime search and rescue services;
- .2 location of the established rescue co-ordination centres or other centres providing search and rescue co-ordination, for the search and rescue region or regions and communications therein;
- .3 limits of their search and rescue region or regions and the coverage provided by their shore based distress and safety communication facilities; and
- .4 principal types of available search and rescue units.

Parties shall with priority, update the information provided with respect to any alterations of importance. The Secretary-General shall transmit to all Parties the information received.

2.1.12 The Secretary-General shall notify all Parties of the agreements or arrangements referred to in paragraphs 2.1.4 and 2.1.5.

## 2.2 Development of national search and rescue services

2.2.1 Parties shall establish appropriate national procedures for overall development, co-ordination, and improvement of search and rescue services.

2.2.2 To support efficient search and rescue operations, Parties shall:

- .1 ensure the co-ordinated use of available facilities; and
- .2 establish close co-operation between services and organizations which may contribute to improve the search and rescue service in areas such as operations, planning, training, exercises and research and development.

2.1.6 Sporazum o območjih ali dogovore iz odstavkov 2.1.4 in 2.1.5 pogodbenice zapišejo ali jih sprejmejo v obliki pisnih načrtov.

2.1.7 Razmejitev območij iskanja in reševanja ni povezana z določitvijo katere koli meje med državami in ne vpliva nanjo.

2.1.8 Pri določanju morskih območij iskanja in reševanja, ki se določijo s sporazumom v skladu z odstavkom 2.1.4 ali s sklenitvijo sporazuma o ustreznem dogovoru v skladu z odstavkom 2.1.5, si morajo pogodbenice prizadevati za usklajeno delovanje svojih pomorskih in letalskih služb za iskanje in reševanje, če je to primerno.

2.1.9 Pogodbenice, ki so sprejele odgovornost zagotoviti službe za iskanje in reševanje na določenem območju, uporabijo enote za iskanje in reševanje in druga razpoložljiva sredstva za pomoč osebi na morju, ki je ali za katero se zdi, da je v nevarnosti.

2.1.10 Pogodbenice zagotovijo, da se pomaga vsaki osebi na morju, ki je v nevarnosti. To storijo ne glede na državljanstvo ali status take osebe ali okoliščine, v katerih je ta oseba.

2.1.11 Pogodbenice pošljejo generalnemu sekretarju podatke o svojih službah za iskanje in reševanje, vključno s podatki o:

- .1 državnem organu, pristojnem za službe za iskanje in reševanje na morju;
- .2 lokaciji ustanovljenih centrov za usklajevanje reševanja ali drugih centrov, ki zagotavljajo usklajevanje iskanja in reševanja, za območje ali območja iskanja in reševanja in komunikacije v njih;
- .3 mejah svojega območja ali svojih območij iskanja in reševanja in njihovega pokrivanja z obalnimi komunikacijskimi sredstvi za varnost na morju ter
- .4 glavnih vrstah razpoložljivih enot za iskanje in reševanje.

Pri pomembnih spremembah pogodbenice informacije prednostno dopolnjujejo z novimi. Generalni sekretar pošlje prežete informacije vsem pogodbenicam.

2.1.12 Generalni sekretar obvesti vse pogodbenice o sporazumih ali dogovorih iz odstavkov 2.1.4 in 2.1.5.

## 2.2 Razvoj državnih služb za iskanje in reševanje

2.2.1 Pogodbenice uvedejo ustrezne notranje postopke za celovit razvoj, usklajevanje in izboljšanje služb za iskanje in reševanje.

2.2.2 Da bi pripomogle k uspešnosti iskanja in reševanja, pogodbenice:

- .1 zagotovijo usklajeno uporabo razpoložljivih sredstev in
- .2 vzpostavijo tesno sodelovanje med službami in organizacijami, ki lahko prispevajo k izboljšanju službe za iskanje in reševanje na področjih, kot so dejavnosti, načrtovanje, usposabljanje, vaje ter raziskave in razvoj.

### 2.3 Establishment of rescue co-ordination centres and rescue sub-centres

2.3.1 To meet the requirements of paragraph 2.2, Parties shall individually or in co-operation with other States establish rescue co-ordination centres for their search and rescue services and such rescue sub-centres as they consider appropriate.

2.3.2 Each rescue co-ordination centre and rescue sub-centre, established in accordance with paragraph 2.3.1, shall arrange for the receipt of distress alerts originating from within its search and rescue region. Every such centre shall also arrange for communications with persons in distress, with search and rescue facilities, and with other rescue co-ordination centres and rescue sub-centres.

2.3.3 Each rescue co-ordination centre shall be operational on a 24-hour basis and be constantly staffed by trained personnel having a working knowledge of the English language.

### 2.4 Co-ordination with aeronautical services

2.4.1 Parties shall ensure that the closest practicable co-ordination between maritime and aeronautical services so as to provide for the most effective and efficient search and rescue services in and over their search and rescue regions.

2.4.2 Whenever practicable, each Party should establish joint and rescue co-ordination centres and rescue sub-centres to serve both maritime and aeronautical purposes.

2.4.3 Whenever separate maritime and aeronautical rescue co-ordination centres or rescue sub-centres are established to serve the same area, the Party concerned shall ensure the closest practicable co-ordination between the centres or sub-centres.

2.4.4 Parties shall ensure as far as is possible the use of common procedures by search and rescue units established for maritime purposes and those established for aeronautical purposes.

### 2.5 Designation of search and rescue facilities

Parties shall identify all facilities able to participate in search and rescue operations, and may designate suitable facilities as search and rescue units.

### 2.6 Equipment of search and rescue units

2.6.1 Each search and rescue unit shall be provided with equipment appropriate to its task.

2.6.2 Containers and packages containing survival equipment for dropping to survivors should have the general nature of their contents indicated by markings in accordance with standards adopted by the Organization.

### 2.3 Ustanovitev centrov za usklajevanje reševanja in reševalnih podcentrov

2.3.1 Da bi izpolnile zahteve iz odstavka 2.2, pogodbenice posamično ali v sodelovanju z drugimi državami ustanovijo centre za usklajevanje reševanja za svoje službe za iskanje in reševanje in take reševalne podcentre, za katere menijo, da so potrebni.

2.3.2 Vsak center za usklajevanje reševanja in reševalni podcenter, ustanovljen v skladu z odstavkom 2.3.1, ukrene vse potrebno za sprejem klicev v sili, ki izvirajo z njegovega območja iskanja in reševanja. Vsak tak center prav tako poskrbi za komunikacijo z osebami v nevarnosti, z enotami za iskanje in reševanje in z drugimi centri za usklajevanje reševanja ali reševalnimi podcentri.

2.3.3 Vsak center za usklajevanje reševanja je v pripravljenosti 24 ur na dan, v njem je stalno zaposleno osebje, usposobljeno za sporazumevanje v angleškem jeziku.

### 2.4 Usklajevanje z letalskimi službami

2.4.1 Pogodbenice zagotovijo najtesnejše možno usklajevanje med pomorskimi in letalskimi službami, da bi zagotovile kar se da učinkovito in uspešno iskanje in reševanje v svojih območjih iskanja in reševanja in nad njimi.

2.4.2 Vsaka pogodbenica naj ustanovi skupne centre za usklajevanje reševanja in reševalne podcentre, za pomorske in letalske namene, če je to izvedljivo.

2.4.3 Kadar so ustanovljeni ločeni pomorski in letalski centri za usklajevanje reševanja ali reševalni podcentri za isto območje, pogodbenica zagotovi najtesnejše možno sodelovanje med temi centri ali podcentri.

2.4.4 Pogodbenice zagotovijo, da pomorske in letalske enote za iskanje in reševanje uporabljajo skupne postopke, če je to mogoče.

### 2.5 Določitev sredstev za iskanje in reševanje

Pogodbenice določijo vsa sredstva, ki lahko sodelujejo pri iskanju in reševanju, in lahko določijo ustrezne enote za iskanje in reševanje.

### 2.6 Oprema enot za iskanje in reševanje

2.6.1 Vsaka enota za iskanje in reševanje ima opremo, primerno za njeno nalogo.

2.6.2 Vsebniki oziroma zavoji z opremo za preživetje, ki se odvzame preživelim, morajo biti glede vsebine označeni z oznakami v skladu s standardi, ki jih je sprejela organizacija.



CHAPTER 3  
CO-OPERATION BETWEEN STATES**3.1 Co-operation between States**

3.1.1 Parties shall co-ordinate their search and rescue organizations and should, whenever necessary, co-ordinate search and rescue operations with those of neighbouring States.

3.1.2 Unless otherwise agreed between the States concerned, a Party should authorize, subject to applicable national laws, rules and regulations, immediate entry into or over its territorial sea or territory of rescue units of other Parties solely for the purpose of searching for the position of maritime casualties and rescuing the survivors of such casualties. In such cases, search and rescue operations shall, as far as practicable, be co-ordinated by the appropriate rescue co-ordination centre of the Party which has authorized entry, or such other authority as has been designated by that Party.

3.1.3 Unless otherwise agreed between the States concerned, the authorities of a Party which wishes its rescue units to enter into or over its territorial sea or territory of another Party solely for the purpose of searching for the position of maritime casualties and rescuing the survivors of such casualties, shall transmit a request, giving full details of the projected mission and the need for it, to the rescue co-ordination centre of that other Party, or to such other authority as has been designated by that Party.

3.1.4 The responsible authorities of Parties shall:

- .1 immediately acknowledge the receipt of such a request; and
- .2 as soon as possible indicate the conditions, if any, under which the projected mission may be undertaken.

3.1.5 Parties should enter into agreements with neighbouring States setting forth the conditions for entry of each other's search and rescue units into or over their respective territorial sea or territory. These agreements should also provide for expediting entry of such units with the least possible formalities.

3.1.6 Each Party should authorize its rescue co-ordination centres:

- .1 to request from other rescue co-ordination centres such assistance, including vessels, aircraft, personnel or equipment, as may be needed;
- .2 to grant any necessary permission for the entry of such vessels, aircraft, personnel or equipment into or over its territorial sea or territory; and
- .3 to make the necessary arrangements with the appropriate customs, immigration, health or other authorities with a view to expediting such entry.

3.1.7 Each Party shall ensure that its rescue co-ordination centres provide, when requested, assistance to other rescue co-ordination centres, including assistance in the form of vessels, aircraft, personnel or equipment.

3.1.8 Parties should enter into agreements with other States, where appropriate, to strengthen search and rescue co-operation and co-ordination. Parties shall authorize their responsible authority to make operational plans and arrangements for search and rescue co-operation and co-ordination with responsible authorities of other States.

3. POGLAVJE  
SODELOVANJE MED DRŽAVAMI**3.1 Sodelovanje med državami**

3.1.1 Pogodbenice usklajujejo iskanje in reševanje med seboj in po potrebi tudi s sosednjimi državami.

3.1.2 Razen če ni drugače dogovorjeno med državami, mora pogodbenica v skladu z veljavnimi notranjimi zakoni, pravili in predpisi dovoliti takojšen vstop enot za iskanje in reševanje drugih pogodbenic v svoje teritorialno morje ali na ozemlje ali čez njiju izključno za iskanje ponesrečencev na morju in reševanje pživelih. V takih primerih iskanja in reševanja usklajuje ustrezn center za usklajevanje reševanja pogodbenice, ki je dovolila vstop, oziroma drug organ, ki ga določi ta pogodbenica, če je to mogoče.

3.1.3 Razen če ni drugače dogovorjeno med državami, organ pogodbenice, ki želi, da njene enote za reševanje vstopijo v teritorialno morje ali na ozemlje druge pogodbenice ali gredo čez njiju izključno za iskanje ponesrečencev na morju in reševanje preživelih, pošlje prošnjo z navedbo vseh podatkov o predvideni odpravi in njeni potrebnosti centru za usklajevanje reševanja druge pogodbenice ali ustreznemu drugemu organu, ki ga določi ta pogodbenica.

3.1.4 Pristojni organi pogodbenic:

- .1 takoj potrdijo prejem take prošnje in
- .2 čim prej navedejo morebitne pogoje, po katerih se lahko izvede načrtovana naloga.

3.1.5 Pogodbenice morajo s sosednjimi državami skleniti sporazume, v katerih določijo pogoje za vstop enot za iskanje in reševanje v teritorialno morje ali na ozemlje ali za prehod čez njiju. V teh sporazumih naj bo predviden tudi vstop takih enot s čim manj formalnostmi.

3.1.6 Pogodbenica pooblasti svoje centre za usklajevanje reševanja:

- .1 da zahtevajo od drugih centrov za usklajevanje reševanja tako pomoč, vključno z ladjami, letali, osebjem ali opremo, ki je lahko potrebna;
- .2 da izdajo vsa potrebna dovoljenja za vstop takih ladij, letal, osebja ali opreme v svoje teritorialno morje ali na ozemlje ali prehod čez njiju in
- .3 da uredijo vse potrebno pri carinskih, imigracijskih, zdravstvenih ali drugih organih za pospešitev vstopa.

3.1.7 Pogodbenica poskrbi, da njeni centri za usklajevanje reševanja na prošnjo zagotovijo pomoč drugim centrom za usklajevanje reševanja, vključno z ladjami, letali, osebjem ali opremo.

3.1.8 Pogodbenice naj z drugimi državami po potrebi sklenejo sporazume, da okrepijo sodelovanje in usklajevanje iskanja in reševanja. Države pooblastijo svoj pristojni organ za pripravo operativnih načrtov in ukrepov za sodelovanje in usklajevanje iskanja in reševanja s pristojnimi organi drugih držav.

CHAPTER 4  
OPERATING PROCEDURES

**4.1 Preparatory measures**

4.1.1 Each rescue co-ordination centre and rescue sub-centre shall have available up-to-date information especially concerning search and rescue facilities and available communications relevant to search and rescue operations in its area.

4.1.2 Each rescue co-ordination centre and rescue sub-centre should have already access to information regarding the position, course and speed of vessels within its area which may be able to provide assistance to persons, vessels or other craft in distress at sea, and regarding how to contact them. This information should either be kept in the rescue co-ordination centre, or be readily obtainable when necessary.

4.1.3 Each rescue co-ordination centre and rescue sub-centre shall have detailed plans of operation for the conduct of search and rescue operations. Where appropriate, these plans shall be developed jointly with the representatives of those who may assist in providing, or who may benefit from, the search and rescue services.

4.1.4 Rescue co-ordination centres or sub-centres shall be kept informed of the state of preparedness of search and rescue units.

**4.2 Information concerning emergencies**

4.2.1 Parties, either individually or in co-operation with other States shall ensure that they are capable on a 24-hour basis of promptly and reliably receiving distress alerts from equipment used for this purpose within their search and rescue regions. Any alerting post receiving a distress alert shall:

- .1 immediately relay the alert to the appropriate rescue co-ordination centre or sub-centre, and then assist with search and rescue communications as appropriate rescue, and
- .2 if practicable acknowledge the alert.

4.2.2 Parties shall, where appropriate, ensure that effective arrangements are in place for the registration of communication equipment and for responding to emergencies, to enable any rescue co-ordination centre or sub-centre to access pertinent registration information quickly.

4.2.3 Any authority or element of the search and rescue service having reason to believe that a person, a vessel or other craft is in a state of emergency shall forward as soon as possible all available information to the rescue co-ordination centre or rescue sub-centre concerned.

4.2.4 Rescue co-ordination centres and rescue sub-centres shall, immediately upon receipt of information concerning a person, a vessel, or other craft in a state of emergency evaluate such information and determine the phase of emergency in accordance with paragraph 4.4, and the extent of operations required.

4. POGLAVJE  
OPERATIVNI POSTOPKI

**4.1 Pripravljalni ukrepi**

4.1.1 Vsak center za usklajevanje reševanja in reševalni podcenter mora razpolagati z najnovejšimi podatki zlasti v zvezi s sredstvi za iskanje in reševanje in razpoložljivimi komunikacijami, ki so pomembne za iskanje in reševanje na njegovem območju.

4.1.2 Vsak center za usklajevanje reševanja in reševalni podcenter naj ima neposreden dostop do informacij v zvezi s položajem, smerjo in hitrostjo ladij v svojem območju, ki bi lahko zagotavljale pomoč osebam, ladjam ali drugim plovilom na morju, ki so v nevarnosti, in o tem, kako z njimi navezati stik. Te informacije naj se hranijo v centru za usklajevanje reševanja ali pa naj bodo na voljo takoj, ko so potrebne.

4.1.3 Vsak center za usklajevanje reševanja in reševalni podcenter ima podrobne operativne načrte za izvajanje iskanja in reševanja. Če je primerno, je treba te načrte pripraviti skupaj s predstavniki tistih, ki lahko pomagajo ali imajo koristi od iskanja in reševanja.

4.1.4 Centre za usklajevanje reševanja in reševalne podcentre je treba stalno obveščati o stanju pripravljenosti enot za iskanje in reševanje.

**4.2 Informacije o nevarnosti**

4.2.1 Pogodbenice posamično ali v sodelovanju z drugimi državami zagotovijo, da lahko 24 ur na dan takoj in zanesljivo sprejemajo klice v sili z opremo, ki se za to uporablja na njihovih območjih za iskanje in reševanje. Vsako alarmno mesto, ki prejme klic v sili:

- .1 takoj posreduje klic na pomoč ustreznemu centru za usklajevanje reševanja ali reševalnemu podcentru in zatem ustrezno pomaga pri komunikacijah za iskanje in reševanje ter
- .2 potrdi klic v sili, če je to izvedljivo.

4.2.2 Pogodbenice po potrebi učinkovito poskrbijo za snemalno opremo in za odzivanje, da omogočijo vsakemu centru za usklajevanje reševanja ali podcentru hiter dostop do ustreznih posnetkov.

4.2.3 Vsak organ ali del službe za iskanje in reševanje, ki upravičeno meni, da je oseba, ladja ali drugo plovilo v nevarnosti, čim prej pošlje vse razpoložljive podatke ustreznemu centru za usklajevanje reševanja ali reševalnemu podcentru.

4.2.4 Centri za usklajevanje reševanja in reševalni podcentri takoj po prejemu podatkov o osebi, ladji ali drugem plovilu v nevarnosti te podatke proučijo in določijo fazo nevarnosti v skladu z odstavkom 4.4 ter potrebne ukrepe.

#### 4.3 Initial action

Any search and rescue unit receiving information of a distress incident shall initially take immediate action if in the position to assist and shall, in any case without delay, notify the rescue co-ordination centre or rescue sub-centre in whose area the incident has occurred.

#### 4.4 Emergency phases

To assist in determining the appropriate operating procedures, the following emergency phases shall be distinguished by the rescue co-ordination centre or sub-centre concerned:

- .1 Uncertainty phase:
  - .1.1 when a person has been reported as missing, or a vessel or other craft is overdue; or
  - .1.2 when a person, a vessel or other craft has failed to make an expected position or safety report.
- .2 Alert phase:
  - .2.1 when, following the uncertainty phase, attempts to establish contact with a person, a vessel or other craft have failed and inquiries addressed to other appropriate sources have been unsuccessful; or
  - .2.2 when information has been received indicating that the operating efficiency of a vessel or other craft is impaired, but not to the extent that a distress situation is likely.
- .3 Distress phase:
  - .3.1 when a positive information is received that a person, a vessel or other craft is in danger and in need of immediate assistance; or
  - .3.2 when, following the alert phase, further unsuccessful attempts to establish contact with a person, a vessel or other craft and more widespread unsuccessful inquiries point to the probability that a distress situation exists; or
  - .3.3 when information is received which indicates that the operating efficiency of a vessel or other craft has been impaired to the extent that a distress situation is likely.

#### 4.5 Procedures to be followed by rescue co-ordination centres and rescue sub-centres during emergency phases.

4.5.1 Upon the declaration of the uncertainty phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall initiate inquiries to determine the safety of a person, a vessel or other craft, or shall declare the alert phase.

4.5.2 Upon the declaration of the alert phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall extend the inquiries for the missing person, vessel or other craft, alert appropriate search and rescue services and initiate such action, as is necessary in the light of the circumstances of the particular case.

4.5.3 Upon the declaration of the distress phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall proceed as prescribed in its plans of operation, as required by paragraph 4.1.

#### 4.3 Začetni ukrepi

Vsaka enota za iskanje in reševanje, ki prejme obvestilo o nevarnosti, takoj ukrepa, če lahko pomaga, v vsakem primeru pa o tem takoj obvesti center za usklajevanje reševanja ali reševalni podcenter, na območju katerega je prišlo do tega dogodka.

#### 4.4 Faze nevarnosti

Kot pomoč pri določanju ustreznih operativnih postopkov pristojni center za usklajevanje reševanja ali reševalni podcenter razlikujeta med temi fazami nevarnosti:

- .1 Faza negotovosti:
  - .1.1 ob sporočilu, da je oseba pogrešana ali da je ladja ali drugo plovilo v zamudi ali
  - .1.2 ko oseba, ladja ali drugo plovilo ni javilo pričakovane položaja ali poslalo varnostnega poročila.
- .2 Faza pripravljenosti:
  - .2.1 ko so se po fazi negotovosti izjavili poskusi vzpostavitve stika z osebo, ladjo ali drugim plovilom in so bile neuspešne poizvedbe pri drugih ustreznih virih ali
  - .2.2 po prejemu informacije, iz katere je razvidno, da je zmanjšana plovna sposobnost ladje ali drugega plovila, vendar ne v takem obsegu, da obstaja verjetnost neposredne nevarnosti.
- .3 Faza neposredne nevarnosti:
  - .3.1 po prejemu zanesljive informacije, da je oseba, ladja ali drugo plovilo v nevarnosti in potrebuje takojšnjo pomoč ali
  - .3.2 ko po fazi pripravljenosti nadaljnji neuspešni poskusi vzpostavitve stika z osebo, ladjo ali drugim plovilom in obširnejša neuspešna poizvedovanja nakazujejo, da gre za stanje neposredne nevarnosti, ali
  - .3.3 po prejemu informacije, iz katere je razvidno, da je zmanjšana plovna sposobnost ladje ali drugega plovila v takem obsegu, da obstaja verjetnost neposredne nevarnosti.

#### 4.5 Postopki, po katerih se ravnavo centri za usklajevanje reševanja in reševalni podcentri v fazah nevarnosti

4.5.1 Po razglasitvi faze nevarnosti center za usklajevanje reševanja ali reševalni podcenter začne s poizvedovanji, da bi ugotovil, ali je oseba, ladja ali drugo plovilo varno, ali pa razglasi fazo pripravljenosti.

4.5.2 Po razglasitvi faze pripravljenosti center za usklajevanje reševanja ali reševalni podcenter razširi poizvedbe o pogrešani osebi, ladji ali drugem plovilu, pozove k pripravljenosti ustrezne reševalne službe in začne z ukrepi, potrebnimi glede na okoliščine posameznega primera.

4.5.3 Po razglasitvi faze neposredne nevarnosti center za usklajevanje reševanja ali reševalni podcenter nadaljuje z ukrepi, predpisanimi v ustreznih operativnih načrtih v skladu z zahtevami odstavka 4.1.

**4.5.4 Initiation of search and rescue operations when the position of the search object is unknown.**

In the event of an emergency phase being declared for a search object whose position is unknown, the following shall apply:

- .1 when an emergency phase exists, a rescue co-ordination centre or rescue sub-centre shall, unless it is aware that other centres are taking action, assume responsibility for initiating suitable action and confer with other centres with the objective of designating one centre to assume responsibility;
- .2 unless otherwise decided by agreement between the centres concerned, the centre to be designated shall be the centre responsible for the area in which the search object was according to its last reported position; and
- .3 after the declaration of the distress phase, the centre co-ordinating the search and rescue operations shall, as appropriate, inform other centres of all the circumstances of the emergency and of all subsequent developments.

**4.5.5 Passing information to persons, vessels or other craft for which an emergency phase has been declared**

Whenever possible, the rescue co-ordination centre or rescue sub-centre responsible for search and rescue operations shall forward to the person, a vessel or other craft for which an emergency phase has been declared, information on the search and rescue operations it has initiated.

**4.6 Co-ordination when two or more Parties are involved**

For search and rescue operations involving more than one Party, each Party shall take appropriate action in accordance with the plans of operation referred to in paragraph 4.1 when so requested by the rescue co-ordination centre of the region.

**4.7 On-scene co-ordination of search and rescue activities**

4.7.1 The activities of search and rescue units and other facilities engaged in search and rescue operations shall be co-ordinated on-scene to ensure the most effective results.

4.7.2 When multiple facilities are about to engage in search and rescue operations, and the rescue co-ordination centre or rescue sub-centre considers it necessary, the most capable person should be designated as on-scene co-ordinator as early as practicable and preferably before the facilities arrive within the specified area of operation. Specific responsibilities shall be assigned to the on-scene co-ordinator taking into account the apparent capabilities of the on-scene co-ordinator and operational requirements.

4.7.3 If there is no responsible rescue co-ordination centre or, for any reason, the responsible rescue co-ordination centre is unable to co-ordinate the search and rescue mission, the facilities involved should designate an on-scene co-ordinator by mutual agreement.

**4.5.4 Začetek operacij iskanja in reševanja, ko je položaj iskanega neznan**

Če je za iskanega, katerega položaj ni znan, razglašena faza nevarnosti, velja:

- .1 v fazi nevarnosti center za usklajevanje reševanja ali reševalni podcenter, razen če ve, da so z ukrepi začeli drugi centri, prevzame odgovornost za začetek ustreznih ukrepov in se posvetuje z drugimi centri, da se določi center, ki bo prevzel odgovornost;
- .2 razen če se centri drugače ne dogovorijo, je določeni center tisti, ki je pristojen za območje, na katerem je bil iskani glede na svoj zadnji javljeni položaj, in
- .3 po razglasitvi faze neposredne nevarnosti center, ki usklajuje iskanje in reševanje, ustrezno obvesti druge centre o vseh okoliščinah nevarnosti in o nadaljnjih dogodkih.

**4.5.5 Pošiljanje podatkov osebam, ladjam ali drugim plovilom, za katere je bila razglašena faza nevarnosti**

Če je mogoče, center za usklajevanje reševanja ali reševalni podcenter, pristojen za iskanje in reševanje, pošlje osebi, ladji ali drugemu plovilu, za katerega je bila razglašena faza nevarnosti, podatke o začetem iskanju in reševanju.

**4.6 Usklajevanje sodelovanja dveh ali več pogodbenic**

Če pri iskanju in reševanju sodeluje več pogodbenic, vsaka ustrezno ukrepa v skladu z operativnimi načrti iz odstavka 4.1, ko jo za to zaprosi center za usklajevanje reševanja na določenem območju.

**4.7 Usklajevanje iskanja in reševanja na kraju samem**

4.7.1 Dejavnosti enot za iskanje in reševanje in drugih sredstev, ki sodelujejo pri iskanju in reševanju, se usklajujejo na kraju samem, da se zagotovijo najboljši rezultati.

4.7.2 Ko bo pri iskanju in reševanju sodelovalo več različnih sredstev in center za usklajevanje reševanja ali reševalni podcenter meni, da je to potrebno, je treba določiti najsposobnejšo osebo za vodjo čim prej, najbolje še pred prihodom v navedeno območje. Vodji na kraju dogodka se dodelijo posebne pristojnosti, pri čemer se upoštevajo njegove sposobnosti ter operativne zahteve.

4.7.3 Če ni odgovornega centra za usklajevanje reševanja ali če iz katerega koli razloga pristojni center za usklajevanje reševanja ni sposoben usklajevati iskanja in reševanja, morajo sodelujoči sporazumno določiti vodjo na kraju dogodka.

**4.8 Termination and suspension for search and rescue operations**

4.8.1 Search and rescue operations shall continue, when practicable, until all reasonable hope of rescuing survivors has passed.

4.8.2 The responsible rescue co-ordination centre or rescue sub-centre concerned shall normally decide when to discontinue search and rescue operations. If no such centre is involved in co-ordinating the operations, the on-scene co-ordinator may take this decision.

4.8.3 When a rescue co-ordination centre or rescue sub-centre considers, on the basis of reliable information that a search and rescue operation has been successful, or that the emergency no longer exists, it shall terminate the search and rescue operation and promptly so inform any authority, facility or service which has been activated or notified.

4.8.4 If a search or rescue operation on-scene becomes impracticable and the rescue co-ordination centre or rescue sub-centre concludes that survivors might still be alive, the centre may temporarily suspend the on-scene activities pending further developments, and shall promptly so inform any authority, facility or service which has been activated or notified. Information subsequently received shall be evaluated and search and rescue operations resumed when justified on the basis of such information.

CHAPTER 5  
SHIP REPORTING SYSTEMS

**5.1 General**

5.1.1 Ship reporting systems may be established either individually by Parties or in co-operation with other States, where this is considered necessary, to facilitate search and rescue operations.

5.1.2 Parties contemplating the institution of ship reporting system should take account of the relevant recommendations of the Organization. Parties should also consider whether existing reporting systems or other sources of ship position data can provide adequate information for the region, and seek to minimize unnecessary additional reports by ships, or the need for rescue co-ordination centres to check with multiple reporting systems to determine availability of ships to assist with search and rescue operations.

5.1.3 The ship reporting system should provide up-to-date information on the movements of vessels in order, in the event of a distress incident, to:

- .1 reduce the interval between the loss of contact with a vessel and the initiation of search and rescue operations in cases where no distress signal has been received;
- .2 permit rapid identification of vessels which might be called upon to provide assistance;
- .3 permit delineation of a search area of limited size in case the position of a person, a vessel or other craft in distress is unknown or uncertain; and
- .4 facilitate the provision of urgent medical assistance or advice.

**4.8 Prenehanje in začasna ustavitev iskanja in reševanja**

4.8.1 Če je mogoče, se iskanje in reševanje nadaljujeta, dokler ni več nobenega upanja za rešitev preživelih.

4.8.2 Pristojni center za usklajevanje reševanja oziroma reševalni podcenter odloči, kdaj bo prenehal z iskanjem in reševanjem. Če pri usklajevanju iskanja in reševanja ne sodeluje noben tak center, lahko to odločitev sprejme vodja na kraju dogodka.

4.8.3 Če na podlagi zanesljivih informacij center za usklajevanje reševanja ali reševalni podcenter meni, da sta bili iskanje in reševanje uspešni ali da nevarnosti ni več, konča iskanje in reševanje in o tem takoj obvesti vsak organ, enoto ali sredstvo, ki je sodelovalo ali bilo o nevarnosti obveščeno.

4.8.4 Če postaneta iskanje in reševanje na kraju dogodka neizvedljivi in center za usklajevanje reševanja ali reševalni podcenter ugotovi, da bi lahko bili preživeli še vedno živi, lahko center začasno preneha z dejavnostmi na kraju dogodka do nadaljnjega razvoja dogodkov in takoj o tem obvesti vsak organ, enoto ali sredstvo, ki je sodelovalo ali bilo obveščeno. Kasnejše informacije se proučijo in se nadaljuje z iskanjem in reševanjem, ko je to na podlagi takih informacij upravičeno.

5. POGLAVJE  
SISTEMI JAVLJANJA LADIJ

**5.1 Splošno**

5.1.1 Sisteme ladijskega javljanja lahko pogodbenice uvedejo posamično ali v sodelovanju z drugimi državami, kadar se zdi to potrebno zaradi lažjega iskanja in reševanja.

5.1.2 Pogodbenice, ki nameravajo uvesti sistem ladijskega javljanja, morajo upoštevati ustrezna priporočila organizacije. Pogodbenice morajo prav tako proučiti, ali lahko obstoječi sistemi javljanja ali drugi viri podatkov o položaju ladje zagotavljajo ustrezne informacije za določeno območje, ter si morajo prizadevati, da bi čim bolj zmanjšale nepotrebna dodatna poročila ladij ali potrebo po tem, da morajo centri za usklajevanje reševanja preverjati z več različnimi sistemi javljanja, da bi ugotovili, katere ladje so na voljo za iskanje in reševanje.

5.1.3 Sistem javljanja ladje naj zagotavlja najnovejše podatke o premikih ladje, da se ob nevarnosti:

- .1 zmanjša čas, ki poteče od izgube stika z ladjo do začetka iskanja in reševanja v primerih, ko ni bil sprejet noben klic v sili;
- .2 omogoči hitro prepoznavanje ladij, ki se lahko pokličejo na pomoč;
- .3 omogoči določitev omejenega območja iskanja, če položaj osebe, ladje ali drugega plovila v nevarnosti ni znan ali zanesljiv, in
- .4 olajša nujno zdravniško pomoč ali svetovanje.

**5.2 Operational requirements**

5.2.1 Ship reporting systems should satisfy the following requirements:

- .1 provision of information, including sailing plans and position reports, which would make it possible to determine current and future positions of participating vessels;
- .2 maintenance of a shipping plot;
- .3 receipt of reports at appropriate intervals from participating vessels;
- .4 simplicity in system design and operation; and
- .5 use of internationally agreed standard ship reporting format and procedures.

**5.3 Types of reports**

5.3.1 A ship reporting system should incorporate the following types of ship reports in accordance with the recommendations of the Organization:

- .1 Sailing plan;
- .2 Position report; and
- .3 Final report.

**5.4 Use of systems**

5.4.1 Parties should encourage all vessels to report their position when travelling in areas where arrangements have been made to collect information on positions for search and rescue purposes.

5.4.2 Parties recording information on the position of vessels should disseminate, so far as practicable, such information to other States when so requested for search and rescue purposes.

**5.2 Operativne zahteve**

5.2.1 Sistemi ladijskega javljanja naj izpolnjujejo te zahteve:

- .1 zagotavljanje informacij, vključno z načrti plovbe in poročili o položaju, ki bi omogočale določanje sedanjih in prihodnjih položajev sodelujočih ladij;
- .2 spremljanje plovbe ladje;
- .3 sprejemanje poročil sodelujočih ladij v ustreznih časovnih presledkih;
- .4 enostavnost izvedbe in upravljanja sistema ter
- .5 uporaba mednarodno dogovorjene standardne oblike ladijskih poročil in postopkov.

**5.3 Vrste poročil**

5.3.1 Sistem ladijskega javljanja naj obsega ta poročila v skladu s priporočili organizacije:

- .1 načrt plovbe,
- .2 poročilo o položaju in
- .3 končno poročilo.

**5.4 Uporaba sistemov**

5.4.1 Pogodbenice naj spodbujajo vse ladje, da sporočijo svoje položaje, ko potujejo v območjih, v katerih so bili sprejeti ukrepi zaradi zbiranja podatkov o položajih za iskanje in reševanje.

5.4.2 Pogodbenice, ki spremljajo podatke o položaju ladij, jih naj, če je to izvedljivo, pošljejo drugim državam, ko te zanje zaprosijo zaradi iskanja in reševanja.

## 3. člen

Za izvajanje konvencije skrbi Ministrstvo za promet.

## 4. člen

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

Št. 212-02/01-3/1

Ljubljana, dne 5. aprila 2001

Predsednik  
Državnega zbora  
Republike Slovenije  
**Borut Pahor** l. r.

**25. Zakon o ratifikaciji Mednarodne konvencije o pripravljenosti, odzivanju in sodelovanju pri onesnaženju z olji, 1990 (MKPOO)**

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 MEDNARODNE KONVENCIJE O PRIPRAVLJENOSTI, ODZIVANJU IN SODELOVANJU PRI ONESNAŽENJU Z OLJI, 1990 (MKPOO)**

Razglašam Zakon o ratifikaciji Mednarodne konvencije o pripravljenosti, odzivanju in sodelovanju pri onesnaženju z olji, 1990 (MKPOO), ki ga je sprejel Državni zbor Republike Slovenije na seji 5. aprila 2001.

Št. 001-22-38/01

Ljubljana, dne 13. aprila 2001

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N****O RATIFIKACIJI MEDNARODNE KONVENCIJE O PRIPRAVLJENOSTI, ODZIVANJU IN SODELOVANJU PRI ONESNAŽENJU Z OLJI, 1990 (MKPOO)**

## 1. člen

Ratificira se Mednarodna konvencija o pripravljenosti, odzivanju in sodelovanju pri onesnaženju z olji, 1990, sestavljena v Londonu 30. novembra 1990.

## 2. člen

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

**INTERNATIONAL CONVENTION  
ON OIL POLLUTION AND PREPAREDNESS,  
RESPONSE AND CO-OPERATION,  
1990**

THE PARTIES TO THE PRESENT CONVENTION,  
CONSCIOUS of the need to preserve the human environment in general and the marine environment in particular,

RECOGNIZING the serious threat posed to the marine environment by oil pollution incidents involving ships, offshore units, sea ports and oil handling facilities,

MINDFUL of the importance of precautionary measures and prevention in avoiding oil pollution in the first instance, and the need for strict application of existing international instruments dealing with maritime safety and marine pollution prevention, particularly in the International Convention for the Safety of Life at Sea, 1974, as amended, and also the speedy development of enhanced standards for the design, operation and maintenance of ships carrying oil, and offshore units,

MINDFUL ALSO that, in the event of an oil pollution incident, prompt and effective action is essential in order to minimize the damage which may result from such an incident,

EMPHASIZING the importance of effective preparation for combating oil pollution incidents and the important role which the oil and shipping industries have in this regard,

**MEDNARODNA KONVENCIJA  
O PRIPRAVLJENOSTI, ODZIVANJU IN  
SODELOVANJU PRI ONESNAŽENJU Z OLJI,  
1990**

POGODBENICE TE KONVENCIJE  
SE ZAVEDAJO potrebe po ohranjanju človekovega okolja na splošno in še zlasti morskega okolja,

PRIZNAVAJO resno grožnjo, ki jo pomenijo za morsko okolje nesreče z onesnaženjem z olji, ki vključujejo ladje, priobalne naprave, morska pristanišča in naprave za pretovarjanje olj,

SO POZORNE na pomen varnostnih ukrepov in preprečevanja onesnaženja z olji na prvi stopnji in potrebe po dosledni uporabi obstoječih mednarodnih dokumentov, ki obravnavajo varnost na morju in preprečevanje onesnaženja morja, zlasti Mednarodne konvencije o varstvu človeškega življenja na morju, 1974, spremenjene, in Mednarodne konvencije o preprečevanju onesnaževanja morja z ladij, 1973, dopolnjene s Protokolom 1978, kot sta bila spremenjena, in tudi na hiter razvoj višjih standardov načrtovanja, delovanja in vzdrževanja ladij, ki prevažajo olja, in priobalnih naprav,

SO POZORNE TUDI na to, da je ob nesreči z onesnaženjem z olji hitro in učinkovito ukrepanje bistvenega pomena za zmanjšanje škode, ki je lahko posledica take nesreče,

POUDARJAJO pomen učinkovite priprave za boj proti nesrečam z onesnaženjem z olji in pomembno vlogo, ki jo imata pri tem naftna industrija in pomorsko gospodarstvo,

RECOGNIZING FURTHER the importance of mutual assistance and international co-operation relating to the matters including the exchange of information respecting the capabilities of States to respond to oil pollution incidents, the preparation of oil pollution contingency plans, the exchange of reports of incidents of significance which may affect the marine environment or the coastline and related interests of States, and research and development respecting means of combating oil pollution in the marine environment,

TAKING ACCOUNT of the "polluter pays" principle as a general principle of international environmental law,

TAKING ACCOUNT ALSO of the importance of international instruments on liability and compensation for oil pollution damage, including the 1969 International Convention on Civil Liability for Oil Pollution Damage (CLC); and the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND); and the compelling need for early entry into force of the 1984 Protocols to the CLC and FUND Conventions,

TAKING ACCOUNT FURTHER of the importance of bilateral and multilateral agreements and arrangements including regional conventions and agreements,

BEARING IN MIND the relevant provisions of the United Nations Convention on the Law of the Sea, in particular of its part XII,

BEING AWARE of the need to promote international co-operation and to enhance existing national regional and global capabilities concerning oil pollution preparedness and response, taking into account the special needs of the developing countries and particularly small island States,

CONSIDERING that these objectives may best be achieved by the conclusion of an International Convention on Oil Pollution Preparedness, Response and Co-operation,

HAVE AGREED as follows:

#### Article 1

##### *General provisions*

(1) Parties undertake, individually or jointly, to take all appropriate measures in accordance with the provisions of this Convention and the Annex thereto to prepare for and respond to an oil pollution incident.

(2) The Annex to this Convention shall constitute an integral part of the Convention and a reference to this Convention constitutes at the same time a reference to the Annex.

(3) This Convention shall not apply to any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government non-commercial service. However, each Party shall ensure by the adoption of appropriate measures not impairing the operations or operational capabilities of such ships owned or operated by it, that such ships act in a manner consistent, so far as is reasonable and practicable, with this Convention.

#### Article 2

##### *Definitions*

For the purposes of this Convention:

(1) "Oil" means petroleum and any form including crude oil, fuel oil, sludge, oil refuse and refined products.

NADALJE SPOZNAVAJO pomen medsebojne pomoči in mednarodnega sodelovanja pri zadevah, ki vključujejo izmenjavo informacij o zmožnostih držav, da se odzovejo na nesreče z onesnaženjem z olji, priprave načrtov za nepredvideno onesnaženje z olji, izmenjavo poročil o pomembnih nesrečah, ki lahko poškodujejo morsko okolje ali obalo in s tem povezane interese držav, ter raziskave in razvoj sredstev za boj proti onesnaževanju morskega okolja z olji,

UPOŠTEVAJO načelo onesnaževalec plača kot splošno načelo mednarodnega okoljskega prava,

UPOŠTEVAJO TUDI pomen mednarodnih dokumentov o odgovornosti in nadomestilu za škodo zaradi onesnaženja z olji, vključno z Mednarodno konvencijo o civilni odgovornosti za škodo, povzročeno z onesnaženjem z nafto, 1969 (CLC) in Mednarodno konvencijo o ustanovitvi Mednarodnega sklada za povrnitev škode, nastale zaradi onesnaženja z nafto, 1971 (FUND) in nujno potrebo, da čim prej začneta veljati Protokol 1984 h Konvenciji CLC in Protokol 1984 h Konvenciji FUND,

NADALJE UPOŠTEVAJO pomen dvostranskih in mnogostranskih sporazumov in dogovorov, vključno z regionalnimi konvencijami in sporazumi,

OB UPOŠTEVANJU ustreznih določb Konvencije Združenih narodov o pravu morja, še zlasti njenega XII. poglavja,

SE ZAVEDAJO potrebe po pospeševanju mednarodnega sodelovanja in povečanju obstoječih državnih, regionalnih in svetovnih zmožnosti za pripravljenost in odzivanje na onesnaževanje z olji, z upoštevanjem posebnih potreb držav v razvoju, predvsem majhnih otoških držav,

GLEDE NA TO, da je te cilje mogoče najbolje doseči s sklenitvijo Mednarodne konvencije o pripravljenosti, odzivanju in sodelovanju pri onesnaženju z olji,

SO SE SPORAZUMELE, kot sledi:

#### 1. člen

##### *Splošne določbe*

1) Pogodbenice se zavezujejo, da bodo posamično ali skupno sprejele vse ustrezne ukrepe v skladu z določbami te konvencije in priloge k njej za pripravo in odzivanje na nesreče z onesnaženjem z olji.

2) Priloga k tej konvenciji je sestavni del konvencije in sklicevanje na to konvencijo je hkrati sklicevanje na prilogo.

3) Ta konvencija se ne uporablja za vojne ladje, vojaške pomožne ali druge ladje, ki so v lasti države ali jih ta upravlja, in se v tem času uporabljajo le za vladne negospodarske namene. Pogodbenica s sprejemom ustreznih ukrepov zagotovi, da ne bo ovirala delovanja in operativnih zmožnosti takih ladij, ki so v njeni lasti ali jih upravlja, da bodo take ladje delovale skladno s to konvencijo, če je to možno in izvedljivo.

#### 2. člen

##### *Opredelitev pojmov*

V tej konvenciji:

1) "olje" pomeni mineralna olja v vseh oblikah, vključno s surovo nafto, gorilnim oljem, naftno usedlino, predelanimi in prečiščenimi naftnimi izdelki;



(2) "Oil pollution incident" means an occurrence or series of occurrences having the same origin, which results or may result in a discharge of oil and which poses or may pose a threat to the marine environment, or to the coastline or related interests of one or more States, and which requires emergency action or other immediate response.

(3) "Ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, and floating craft of any type.

(4) "Offshore unit" means any fixed or floating offshore installation or structure engaged in gas or oil exploration, exploitation or production activities, or loading or unloading of oil.

(5) "Sea ports and oil handling facilities" means those facilities which present a risk of an oil pollution incident and includes, *inter alia*, sea ports, oil terminals, pipelines and other oil handling facilities.

(6) "Organization" means the International Maritime Organization.

(7) "Secretary-General" means the Secretary-General of the Organization.

### Article 3

#### *Oil pollution emergency plans*

(1) (a) Each Party shall require that ships entitled to fly its flag have on board a shipboard oil pollution emergency plan as required by and in accordance with the provisions adopted by the Organization for this purpose.

(b) A ship required to have on board an oil pollution emergency plan in accordance with subparagraph (a) is subject, while in a port or at an offshore terminal under the jurisdiction of a Party, to inspection by officers duly authorized by that Party, in accordance with the practises provided for in existing international agreements or its national legislation.

(2) Each Party shall require that operators of offshore units under its jurisdiction have oil pollution emergency plans, which are co-ordinated with the national system established in accordance with article 6 and approved in accordance with procedures established by the competent national authority.

(3) Each Party shall require that authorities or operators in charge of such sea ports and oil handling facilities under its jurisdiction as it deems appropriate have oil pollution emergency plans or similar arrangements which are co-ordinated with the national system established in accordance with article 6 and approved in accordance with procedures established by the competent national authority.

### Article 4

#### *Oil pollution reporting procedures*

(1) Each Party shall:

(a) require masters or other persons having charge of ships flying its flag and persons having charge of offshore units under its jurisdiction to report without delay any event on their ship or offshore unit involving a discharge or probable discharge of oil:

- (i) in the case of a ship, to the nearest coastal State;
- (ii) in the case of offshore an unit, to the coastal State to whose jurisdiction the unit is subject;

2) "nesreča z onesnaženjem z olji" pomeni pojav ali vrsto pojavov istega izvora, ki povzročijo ali lahko povzročijo razlitje olj in ki pomenijo ali lahko pomenijo grožnjo za morskó okolje ali obalo ali s tem povezanimi interesi ene ali več držav, in ki zahtevajo nujno ukrepanje ali drugačen takojšen odziv;

3) "ladja" pomeni ladjo katere koli vrste, ki deluje v morskem okolju, vključno s hidroglicerji, vozili na zračni blazini, podmornicami in plovili katere koli vrste.

4) "priobalna naprava" pomeni katero koli nepremično ali plavajočo priobalno napravo ali objekt, namenjen za izkoriščanje plina ali olj, za raziskovalno ali proizvodno dejavnost, natovarjanje ali raztovarjanje olj;

5) "morska pristanišča in naprave za pretovarjanje olj" pomenijo tiste naprave, ki so tveganje za nesrečo z onesnaženjem z olji in med drugim vključujejo morska pristanišča, naftne terminale, cevovode in druge naprave za pretovarjanje olj;

6) "organizacija" pomeni Mednarodno pomorsko organizacijo;

7) "generalni sekretar" pomeni generalnega sekretarja organizacije.

### 3. člen

#### *Načrti za nujno ukrepanje pri onesnaženju z olji*

1) a) Pogodbenica zahteva, da je na ladji, ki pluje pod njeno zastavo, načrt nujnih ukrepov pri onesnaženju ladijskega krova z olji po zahtevah in v skladu z določbami, ki jih je sprejela organizacija.

b) Ladje, ki morajo imeti v skladu s pododstavkom a) na krovu načrt nujnih ukrepov pri onesnaženju z olji, v pristanišču ali na terminalu, ki spada pod jurisdikcijo pogodbenice, pregledujejo uradne osebe, ki jih je ta pogodbenica pravilno pooblastila v skladu s postopki po obstoječih mednarodnih sporazumih ali svoji notranji zakonodaji.

2) Pogodbenica zahteva, da ima upravljavec priobalne naprave pod njeno jurisdikcijo načrte nujnih ukrepov pri onesnaženju z olji, ki so usklajeni z državnim sistemom, uveljavljenim v skladu s 6. členom, in so odobreni v skladu s postopki, ki jih je določila pristojna državna oblast.

3) Pogodbenica zahteva, če meni, da je to potrebno, da imajo oblasti ali upravljavci, ki so pristojni za taka morska pristanišča in naprave za pretovor olj pod njeno jurisdikcijo, načrte nujnih ukrepov pri onesnaženju z olji ali podobne programe, ki so usklajeni z državnim sistemom, uveljavljenim v skladu s 6. členom, in so odobreni v skladu s postopki, ki jih je določila pristojna državna oblast.

### 4. člen

#### *Postopki poročanja o onesnaženju z olji*

1) Pogodbenica:

a) zahteva od poveljnikov in drugih oseb, odgovornih za ladje, ki plujejo pod njeno zastavo, in od oseb, ki so odgovorne za priobalne naprave, ki so pod njeno jurisdikcijo, da nemudoma poročajo o vsakem dogodku, povezanim z razlitjem ali možnim razlitjem olj na njihovi ladji ali priobalni napravi:

- i) najbližji obalni državi, če gre za ladjo;
- ii) če gre za priobalno napravo, obalni državi, ki ima jurisdikcijo nad njo;

(b) require masters or other persons having charge of ships flying its flag and persons having charge of offshore units under its jurisdiction to report without delay any observed event at sea involving a discharge of oil or the presence of oil:

- (i) in the case of a ship, to the nearest coastal State;
- (ii) in the case of an offshore unit, to the coastal State to whose jurisdiction the unit is subject;

(c) require persons having charge of sea ports and oil handling facilities under its jurisdiction to report without delay any event involving a discharge or probable discharge of oil or the presence of oil to the competent national authority;

(d) instruct its maritime inspection vessels or aircraft and other appropriate services or officials to report without delay any observed event at sea or at a sea port or oil handling facility involving a discharge of oil or the presence of oil to the competent national authority or, as the case may be, to the nearest coastal State;

(e) request the pilots of civil aircraft to report without delay any observed event at sea involving a discharge of oil or the presence of oil to the nearest coastal State.

(2) Reports under paragraph (1) (a) (i) shall be made in accordance with the requirements developed by the Organization and based on the guidelines and general principles adopted by the Organization. Reports under paragraph (1) (a) (ii), (b), (c) and (d) shall be made in accordance with the guidelines and general principles adopted by the Organization to the extent applicable.

#### Article 5

##### *Action on receiving an oil pollution report*

(1) Whenever a Party receives a report referred to in article 4 or pollution information provided by other sources, it shall:

(a) assess the event to determine whether it is an oil pollution incident;

(b) assess the nature, extent and possible consequences of the oil pollution incident; and

(c) then, without delay, inform all States whose interests are affected or likely to be affected by such oil pollution incident, together with

- (i) details of its assessments and any action it has taken, or intends to take, to deal with the incident, and
- (ii) further information as appropriate, until the action taken to respond to the incident has been concluded or until joint action has been decided by such States.

(2) When the severity of such oil pollution incident so justifies, the Party should provide the Organization directly or, as appropriate, through the relevant regional organization or arrangements with the information referred to in paragraph (1) (b) and (c).

(3) When the severity of such oil pollution incident so justifies, other States affected by it are urged to inform the Organization directly or, as appropriate, through the relevant regional organizations or arrangements of their assessment of the extent of the threat to their interests and any action taken or intended.

(4) Parties should use, in so far as practicable, the oil pollution reporting system developed by the Organization when exchanging information and communicating with other States and with the Organization.

b) zahteva od poveljnikov in drugih oseb, odgovornih za ladje, ki plujejo pod njeno zastavo, in od oseb, ki so odgovorne za priobalne naprave, ki so pod njeno jurisdikcijo, da nemudoma poročajo o vseh dogodkih, ki so jih opazili na morju, povezanih z razlitjem ali prisotnostjo olj:

- i) najbližji obalni državi, če gre za ladjo;
- ii) če gre za priobalno napravo, obalni državi, ki ima jurisdikcijo nad njo;

c) zahteva od oseb, odgovornih za morska pristanišča in naprave za pretovarjanje olj, ki so pod njeno jurisdikcijo, da nemudoma poročajo pristojnim oblastem o vsakem dogodku, povezanim z razlitjem ali možnim razlitjem ali prisotnostjo olj;

d) daje navodilo svojim pomorskim inšpekcijskim plovilom ali letalom in drugim ustreznim službam ali uradnim osebam, da nemudoma poročajo pristojnim državnim oblastem oziroma najbližji obalni državi o vseh dogodkih, ki so jih opazili na morju ali v morskem pristanišču ali napravah za pretovarjanje olj, povezanih z razlitjem ali prisotnostjo olj;

e) prosi pilote civilnega letalstva, da nemudoma poročajo najbližji obalni državi o vseh dogodkih, ki so jih opazili na morju, povezanih z razlitjem ali prisotnostjo olj.

2) Poročila po točki i) pododstavka a) prvega odstavka se pripravijo v skladu z zahtevami, ki jih je oblikovala organizacija, in na podlagi navodil in splošnih načel, ki jih je sprejela organizacija. Poročila po točki ii) pododstavka a) prvega odstavka in pododstavkih b), c) in d) se v možnem obsegu pripravijo v skladu z navodili in splošnimi načeli, ki jih je sprejela organizacija.

#### 5. člen

##### *Ukrepi ob prejemu poročila o onesnaženju z olji*

1) Kadar pogodbenica prejme poročilo iz 4. člena ali informacijo, ki jo priskrbijo drugi viri:

a) oceni dogodek, da ugotovi, ali gre za nesrečo z onesnaženjem z olji;

b) oceni vrsto, obseg in možne posledice nesreče z onesnaženjem z olji in

c) potem brez odlašanja obvesti vse prizadete države ali tiste, ki bi lahko bile prizadete zaradi take nesreče z onesnaženjem z olji, skupaj

- i) s podatki o svojih ocenah in vseh ukrepih, ki jih je sprejela ali jih namerava sprejeti, da bi obvladala nesrečo, in
- ii) z nadaljnji potrebnimi informacijami, dokler niso ukrepi, ki jih je sprejela, da bi se odzvala na nesrečo, končani ali dokler se te države ne odločijo za skupne ukrepe.

2) Kadar to upravičuje resnost onesnaženja z olji, mora pogodbenica neposredno ali, če je primerno, s pomočjo ustrezne regionalne organizacije ali s programi priskrbeti organizaciji informacije, navedene v pododstavkih b) in c) prvega odstavka.

3) Kadar to upravičuje resnost onesnaženja z olji, morajo prizadete države neposredno ali, če je to primerno, s pomočjo regionalnih organizacij ali s programi sporočiti organizaciji svojo oceno, v kakšnem obsegu so ogroženi njihovi interesi, in morebitne ukrepe, ki so jih sprejele ali jih nameravajo sprejeti.

4) Pogodbenice naj pri izmenjavi informacij in sporazumevanju z drugimi državami in organizacijo uporabijo, če je izvedljivo, sistem poročanja o onesnaženju z olji, ki ga je izdelala organizacija.

## Article 6

*National and regional systems for preparedness and response*

(1) Each Party shall establish a national system for responding promptly and effectively to oil pollution incidents. The system shall include as a minimum:

- (a) the designation of:
  - (i) the competent national authority or authorities with responsibility for oil pollution preparedness and response;
  - (ii) the national operational contact point or points, which shall be responsible for the receipt and transmission of oil pollution reports as referred to in article 4; and
  - (iii) an authority which is entitled to act on behalf of the State to request assistance or to decide to render the assistance requested;

(b) a national contingency plan for preparedness and response which includes the organizational relationship of the various bodies involved, whether public or private, taking into account guidelines developed by the Organization.

(2) In addition, each Party, within its capabilities either individually or through bilateral or multilateral co-operation and, as appropriate, in co-operation with the oil and shipping industries, port authorities and other relevant entities, shall establish:

- (a) a minimum level of pre-positioned oil spill combating equipment, commensurate with the risk involved, and programmes for its use;
- (b) a programme of exercises for oil pollution response organizations and training of relevant personnel;
- (c) detailed plans and communication capabilities for responding to an oil pollution incident. Such capabilities should be continuously available; and
- (d) a mechanism or arrangement to co-ordinate the response to an oil pollution incident with, if appropriate, the capabilities to mobilize the necessary resources.

(3) Each Party shall ensure that current information is provided to the Organization, directly or through the relevant regional organization or arrangements, concerning:

- (a) the location, telecommunication data and, if applicable, areas of responsibility of authorities and entities referred to in paragraph (1) (a);
- (b) information concerning pollution response equipment and expertise in disciplines related to oil pollution response and marine salvage which may be made available to other States, upon request; and
- (c) its national contingency plan.

## Article 7

*International co-operation in pollution response*

(1) Parties agree that, subject to their capabilities and availability of relevant resources, they will co-operate and provide advisory services, technical support and equipment for the purpose of responding to an oil pollution incident, when the severity of such incident so justifies, upon the request of any Party affected or likely to be affected. The financing of the costs for such assistance shall be based on the provisions set out in the Annex to this Convention.

(2) A Party which has requested assistance may ask the Organization to assist in identifying sources of provisional financing of the costs referred to in paragraph (1).

## 6. člen

*Državni in regionalni sistemi za pripravljenost in odzivanje*

1) Pogodbenica uvede državni sistem za takojšnje in učinkovito odzivanje na nesreče z onesnaženjem z olji. Ta sistem vključuje vsaj:

- a) imenovanje:
  - i) pristojne državne oblasti ali organov, odgovornih za pripravljenost in odzivanje na onesnaženje z olji;
  - ii) državne operativne kontaktne točke ali točke, kjer se sprejemajo in pošiljajo poročila o onesnaženju z olji, kot je navedeno v 4. členu, in
  - iii) oblasti, pooblaščenke, da delujejo v imenu države in zahtevajo pomoč ali se odločijo, da dajejo zahtevano pomoč;

b) državni načrt pripravljenosti in odzivanja v nepredvidenih razmerah, ki vključuje organizacijske odnose med različnimi vključenimi javnimi ali zasebnimi telesi, z upoštevanjem smernic, ki jih je pripravila organizacija.

2) Poleg tega vsaka pogodbenica v okviru svojih zmožnosti samostojno ali z dvostranskim ali večstranskim sodelovanjem in po potrebi v sodelovanju z naftno industrijo in pomorskim gospodarstvom, pristaniškimi oblastmi in drugimi ustreznimi enotami vzpostavi:

- a) pripravljeno opremo za uporabo pri razlitju olja, sorazmerno z možno izpostavljenostjo nevarnosti, in programe za njeno uporabo;
- b) program vaj za organizacijo odzivanja na onesnaženje z olji in usposabljanje ustreznega osebja;
- c) podrobne načrte in komunikacijske zmožljivosti za odzivanje na nesrečo z onesnaženjem z olji. Take zmožljivosti morajo biti ves čas na voljo in
- d) mehanizem ali program za usklajevanje odzivanja na nesrečo z onesnaženjem z olji, po potrebi z zmožljivostmi za mobilizacijo potrebnih sredstev.

3) Pogodbenica zagotovi, da se neposredno ali s pomočjo ustreznih regionalne organizacije ali programov organizaciji sproti pošiljajo informacije:

- a) o lokaciji, telekomunikacijskih podatkih in, če je mogoče, o področju odgovornosti oblasti in enot, navedenih v pododstavku a) prvega odstavka;
- b) o podatkih v zvezi z opremo za odzivanje na onesnaženje in o posebnih znanjih in izkušnjah iz strok, povezanih z odzivanjem na onesnaženje z olji in reševanjem na morju, ki je lahko na razpolago drugim državam, če to zahtevajo, in
- c) o svojem državnem načrtu za nepredvidene razmere.

## 7. člen

*Mednarodno sodelovanje pri odzivanju na onesnaženje*

1) Pogodbenice soglašajo, da bodo glede na svoje zmožnosti in razpoložljivost ustreznih sredstev na prošnjo katere koli pogodbenice, ki je prizadeta ali bi lahko bila prizadeta, sodelovale in zagotavljale svetovalne storitve, tehnično podporo in opremo za odzivanje na nesrečo z onesnaženjem z olji, kadar to upravičuje resnost take nesreče. Kritje stroškov take pomoči temelji na določbah iz priloge k tej konvenciji.

2) Pogodbenica, ki je zaprosila za pomoč, lahko prosi organizacijo, da pomaga pri iskanju virov začasnega kritja stroškov iz prvega odstavka.

(3) In accordance with applicable international agreements, each Party shall take necessary legal or administrative measures to facilitate:

(a) the arrival and utilization in and departure from its territory of ships, aircraft and other modes of transport engaged in responding to an oil pollution incident or transporting personnel, cargoes, materials and equipment required to deal with such an incident; and

(b) the expeditious movement into, through, and out of its territory of personnel, cargoes, materials and equipment referred to in subparagraph (a).

#### Article 8

##### *Research and development*

(1) Parties agree to co-operate directly or, as appropriate, through the Organization or relevant regional organizations or arrangements in the promotion and exchange of results of research and development programmes relating to the enhancement of the state-of-the-art of oil pollution preparedness and response, including technologies and techniques for surveillance, containment, recovery, dispersion, clean-up and otherwise minimizing or mitigating the effects of oil pollution, and for restoration.

(2) To this end, Parties undertake to establish directly or, as appropriate, through the Organization or relevant regional organizations or arrangements, the necessary links between Parties' research institutions.

(3) Parties agree to co-operate directly or through the Organization or relevant regional organizations or arrangements to promote, as appropriate, the holding on a regular basis of international symposia on relevant subjects, including technological advances in oil pollution combating techniques and equipment.

(4) Parties agree to encourage, through the Organization or other competent international organizations, the development of standards for compatible oil pollution combating techniques and equipment.

#### Article 9

##### *Technical co-operation*

(1) Parties undertake directly or through the Organization and other international bodies, as appropriate, in respect of oil pollution preparedness and response, to provide support for those Parties which request technical assistance:

(a) to train personnel;

(b) to ensure the availability of relevant technology, equipment and facilities;

(c) to facilitate other measures and arrangements to prepare for and respond to oil pollution incidents; and

(d) to initiate joint research and development programmes.

(2) Parties undertake to co-operate actively, subject to their national laws, regulations and policies, in the transfer of technology in respect of oil pollution preparedness and response.

#### Article 10

##### *Promotion of bilateral and multilateral co-operation in preparedness and response*

Parties shall endeavour to conclude bilateral or multilateral agreements for oil pollution preparedness and response. Copies of such agreements shall be communicated to the Organization which should make them available on request to Parties.

3) Pogodbenica v skladu z veljavnimi mednarodnimi sporazumi sprejme potrebne zakonske in upravne ukrepe, da na svojem ozemlju omogoči:

a) prihod, uporabo in odhod ladjam, letalom in drugim prevoznim sredstvom, ki sodelujejo pri odzivanju na nesrečo z onesnaženjem z olji, ali prometnemu osebju, tovoru, materialu in opremi, potrebnim za odpravljanje take nesreče, in

b) hitro premikanje osebju, tovoru, materialu in opremi, navedenim v pododstavku a).

#### 8. člen

##### *Raziskave in razvoj*

1) Pogodbenice soglašajo, da bodo sodelovale neposredno ali, če je primerno, s pomočjo organizacije ali ustreznih regionalnih organizacij ali dogovorov pri pospeševanju in izmenjavi rezultatov raziskovalnih in razvojnih programov v zvezi s povečanjem stanja pripravljenosti in odzivanja na onesnaženje z olji, vključno s tehnologijami in tehnikami nadzora, obvladovanja, omejevanja, odstranjevanja, širjenja, čiščenja in drugega za zmanjšanje ali blažitev učinkov onesnaženja z olji in vzpostavitev prejšnjega stanja.

2) Zato se pogodbenice zavezujejo, da bodo vzpostavile neposredno ali, če je primerno, s pomočjo organizacije ali ustreznih regionalnih organizacij ali programov potrebne povezave med svojimi raziskovalnimi ustanovami.

3) Pogodbenice soglašajo, da bodo, če je to primerno, sodelovale neposredno ali s pomočjo organizacije ali ustreznih regionalnih organizacij in dogovorov pri pospeševanju organizacije rednih mednarodnih seminarjev o pomembnih temah, vključno s tehnološkim razvojem postopkov in opreme za uporabo pri onesnaževanju z olji.

4) Pogodbenice soglašajo, da bodo s pomočjo organizacije ali drugih pristojnih mednarodnih organizacij spodbujale razvoj standardov za združljive postopke in opremo za uporabo pri onesnaževanju z olji.

#### 9. člen

##### *Strokovno sodelovanje*

1) Pogodbenice se zavezujejo, da bodo, če je primerno, neposredno ali s pomočjo organizacije in drugih mednarodnih teles zagotavljale podporo za pripravljenost in odzivanje na onesnaženje z olji tistim pogodbenicam, ki bodo zaprosile za strokovno pomoč:

a) za usposabljanje osebja,

b) za zagotavljanje razpoložljivosti ustrezne tehnologije, opreme in naprav;

c) za olajšanje drugih ukrepov in programov za pripravo in odzivanje na nesreče z onesnaženjem z olji in

d) za spodbujanje skupnih raziskovalnih in razvojnih programov.

2) Pogodbenice se zavezujejo, da bodo ob upoštevanju svoje notranje zakonodaje, predpisov in politike dejavno sodelovale pri prenosu tehnologije v zvezi s pripravljenostjo in odzivanjem na onesnaževanje z olji.

#### 10. člen

##### *Pospeševanje dvostranskega in večstranskega sodelovanja pri pripravljenosti in odzivanju*

Pogodbenice si prizadevajo, da bodo sklenile dvostranske ali mnogostranske sporazume za pripravljenost in odzivanje na onesnaženje z olji. Kopije takih sporazumov se pošljejo organizaciji, ki jih da na razpolago pogodbenicam na njihovo željo.

## Article 11

*Relation to other conventions and international agreements*

Nothing in this Convention shall be construed as altering the rights or obligations of any Party under any other convention or international agreement.

## Article 12

*Institutional arrangements*

(1) Parties designate the Organization, subject to its arrangement and the availability of adequate resources to sustain the activity, to perform the following functions and activities:

- (a) information services:
  - (i) to receive, collate and disseminate on request the information provided by Parties (see, for example, articles 5(2) and (3), 6(3) and (10) and relevant information provided by other sources; and
  - (ii) to provide assistance in identifying sources of provisional financing of costs (see, for example, article 7(2));
- (b) education and training:
  - (i) to promote training in the field of oil pollution preparedness and response (see, for example, article 9); and
  - (ii) to promote the holding of international symposia (see, for example, article 8(3));
- (c) technical services:
  - (i) to facilitate technical co-operation in research and development (see, for example, articles 8(1), (2) and (4) and 9(1)(d));
  - (ii) to provide advice to States establishing national or regional response capabilities; and
  - (iii) to analyse the information provided by Parties (see, for example, articles 5(2) and (3), 6(3) and 8(1)) and relevant information provided by other sources and provide advice or information to States;
- (d) technical assistance:
  - (i) to facilitate provision of technical assistance to States establishing national or regional response capabilities, and
  - (ii) to facilitate the provision of technical assistance and advice, upon the request of States faced with major oil pollution incidents.

(2) In carrying out the activities specified in this article, the Organization shall endeavour to strengthen the ability of States individually or through regional arrangements to prepare for and combat oil pollution incidents, drawing upon the experience of States, regional arrangements and industry arrangements and paying particular attention to the needs of developing countries.

(3) The provisions of this article shall be implemented in accordance with a programme developed and kept under review by the Organization.

## Article 13

*Evaluation of the Convention*

Parties shall evaluate within the Organization the effectiveness of the Convention in the light of its objectives, particularly with respect to the principles underlying co-operation and assistance.

## 11. člen

*Razmerje do drugih konvencij in mednarodnih sporazumov*

Nič v tej konvenciji se ne šteje za spreminjanje pravic ali obveznosti katere koli pogodbenice, ki izhajajo iz druge konvencije ali mednarodnega sporazuma.

## 12. člen

*Organizacijski dogovori*

1) Pogodbenice določajo, da organizacija ob upoštevanju svojega sporazuma in razpoložljivosti ustreznih sredstev za vzdrževanje dejavnosti opravlja te naloge in dejavnosti:

- a) informacijske storitve:
  - i) prejema, pregleduje in na željo dostavlja informacije, ki jih pošiljajo pogodbenice (glej na primer drugi in tretji odstavek 5. člena, tretji in deseti odstavek 6. člena), in ustrezne informacije, ki jih zagotavljajo drugi viri, in
  - ii) pomaga pri iskanju virov začasnega kritja stroškov (glej na primer drugi odstavek 7. člena);
- b) izobraževanje in usposabljanje:
  - i) pospešuje usposabljanje za pripravljenost in odzivanje na onesnaženje z olji (glej na primer 9. člen) in
  - ii) pospešuje organizacijo mednarodnih seminarjev (glej na primer tretji odstavek 8. člena);
- c) strokovne storitve:
  - i) omogoči sodelovanje pri raziskavah in razvoju (glej na primer prvi, drugi in četrti odstavek 8. člena in pododstavek d) prvega odstavka 9. člena;
  - ii) daje nasvete državam pri uvajanju državnih in regionalnih zmogljivosti za odzivanje in
  - iii) analizira informacije, ki jih priskrbijo pogodbenice (glej na primer drugi in tretji odstavek 5. člena, tretji odstavek 6. člena in prvi odstavek 8. člena), in ustrezne informacije, ki jih priskrbijo drugi viri, in zagotavlja nasvete ali informacije državam;
- d) strokovna pomoč:
  - i) omogoča zagotavljanje strokovne pomoči državam z uvajanjem državnih in regionalnih zmogljivosti za odzivanje in
  - ii) omogoča zagotavljanje strokovne pomoči in nasvetov na prošnjo držav, izpostavljenih večim nesrečam z onesnaženjem z olji.

2) Pri izvajanju dejavnosti, določenih v tem členu, si organizacija sama ali s pomočjo regionalnih dogovorov prizadeva okrepiti sposobnost držav za pripravo in boj proti nesrečam z onesnaženjem z olji, pri čemer upošteva izkušnje držav, regionalne sporazume in gospodarske ureditve in posveti posebno pozornost potrebam držav v razvoju.

3) Določbe tega člena se izvajajo v skladu s programom, ki ga je pripravila organizacija in ga sproti pregleduje.

## 13. člen

*Presoja konvencije*

Pogodbenice v organizaciji presodijo učinkovitost konvencije v zvezi z njenimi cilji, še posebej glede načel, ki poudarjajo sodelovanje in pomoč.

Article 14  
*Amendments*

(1) This Convention may be amended by one of the procedures specified in the following paragraphs.

(2) Amendment after consideration by the Organization:

(a) Any amendment proposed by a Party to the Convention shall be submitted to the Organization and circulated by the Secretary-General to all Members of the Organization and all Parties at least six months prior to its consideration.

(b) Any amendment proposed and circulated as above shall be submitted to the Marine Environment Protection Committee of the Organization for consideration.

(c) Parties to the Convention, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Marine Environment Protection Committee.

(d) Amendments shall be adopted by a two-thirds majority of only the Parties to the Convention present and voting.

(e) If adopted in accordance with subparagraph (d), amendments shall be communicated by the Secretary-General to all Parties to the Convention for acceptance.

(f)

(i) An amendment to an article or the Annex of the Convention shall be deemed to have been accepted on the date on which it is accepted by the two thirds of the Parties.

(ii) An amendment to an appendix shall be deemed to have been accepted at the end of a period to be determined by the Marine Environment Protection Committee at the time of its adoption, which period shall not be less than ten months, unless within that period an objection is communicated to the Secretary-General by not less than one third of the Parties.

(g)

(i) An amendment to an article or the Annex of the Convention accepted in conformity with subparagraph (f)(i) shall enter into force six months after the date on which it is deemed to have been accepted with respect to the Parties which have notified the Secretary-General that they have accepted it.

(ii) An amendment to an appendix accepted in conformity with subparagraph (f)(ii) shall enter into force six months after the date on which it is deemed to have been accepted with respect to all Parties with the exception of those which, before that date, have objected to it. A Party may at any time withdraw a previously communicated objection by submitting a notification to that effect to the Secretary-General.

(3) Amendment by a Conference:

(a) Upon the request of a Party, concurred with by at least one third of the Parties, the Secretary-General shall convene a Conference of Parties to the Convention to consider amendments to the Convention.

(b) An amendment adopted by such a Conference by a two-thirds majority of those Parties present and voting shall be communicated by the Secretary-General to all Parties for their acceptance.

14. člen  
*Spremembe*

1) To konvencijo je mogoče spremeniti z enim od postopkov, določenih v nadaljnjih odstavkih.

2) Spremembe, ki jih po proučitvi sprejme organizacija:

a) vsaka sprememba konvencije, ki jo predlaga pogodbenica, se predloži organizaciji in jo generalni sekretar razpošlje vsem članicam organizacije in vsem pogodbenicam najmanj šest mesecev pred njeno obravnavo;

b) predlagana sprememba, ki je razposlana, se predloži v proučitev odboru za varstvo morskega okolja v organizaciji;

c) pogodbenice konvencije lahko ne glede na to, ali so članice organizacije ali ne, lahko sodelujejo pri postopkih odbora za varstvo morskega okolja;

d) spremembe se sprejmejo z dvetretjinsko večino pogodbenic konvencije, ki so prisotne in glasujejo;

e) če so spremembe sprejete v skladu s pododstavkom d), jih generalni sekretar pošlje vsem pogodbenicam konvencije v sprejetje;

f)

i) za spremembo člena ali priloge h konvenciji se šteje, da je bila sprejeta na dan, ko jo sprejmeta dve tretjini pogodbenic;

ii) sprememba dodatka se šteje za sprejeto po preteku obdobja, ki ga določi odbor za varstvo morskega okolja v času njenega sprejema, pri čemer to obdobje ne sme biti krajše od desetih mesecev, razen če v tem obdobju generalni sekretar prejme ugovor najmanj tretjine pogodbenic;

g)

i) sprememba člena ali priloge h konvenciji, ki je bila sprejeta v skladu s točko i) pododstavka f), začne veljati šest mesecev po dnevu, za katerega velja, da je bila sprejeta za pogodbenice, ki so obvestile generalnega sekretarja, da jo sprejemajo;

ii) sprememba dodatka, sprejeta v skladu s točko ii) pododstavka f), začne veljati šest mesecev po dnevu, za katerega velja, da je bila sprejeta za vse pogodbenice, razen za tiste, ki so ji ugovarjale pred tem datumom. Pogodbenica lahko kadar koli umakne predhodno poslani ugovor z uradnim obvestilom v ta namen generalnemu sekretarju.

3) Sprememba, sprejeta na konferenci:

a) na zahtevo pogodbenice, s katero soglašajo vsaj tretjina pogodbenic, generalni sekretar skliče konferenco pogodbenic konvencije za proučitev sprememb konvencije;

b) spremembo, sprejeto na taki konferenci z dvetretjinsko večino pogodbenic, ki so prisotne in glasujejo, pošlje generalni sekretar vsem pogodbenicam v sprejetje;

(c) Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in paragraph (2) (f) and (g).

(4) The adoption and entry into force of an amendment constituting an addition of an Annex or an appendix shall be subject to the procedure applicable to an amendment to the Annex.

(5) Any Party which has not accepted an amendment to an article or the Annex under paragraph (2) (f)(i) or an amendment constituting an addition of an Annex or an appendix under paragraph (4) or has communicated an objection to an amendment to an appendix under paragraph (2) (f) (ii) shall be treated as a non-Party only for the purpose of the application of such amendment. Such treatment shall terminate upon the submission of a notification of acceptance under paragraph (2)(f)(i) or withdrawal of the objection under paragraph (2)(g)(ii).

(6) The Secretary-General shall inform all Parties of any amendment which enters into force under this article, together with the date on which the amendment enters into force.

(7) Any notification of acceptance of, objection to, or withdrawal of objection to, an amendment under this article shall be communicated in writing to the Secretary-General who shall inform Parties of such notification and the date of its receipt.

(8) An appendix to the Convention shall contain provisions of a technical nature.

#### Article 15

##### *Signature, ratification, acceptance, approval and accession*

(1) This Convention shall remain open for signature at the Headquarters of the Organization from 30 November 1990 until 29 November 1991 and shall thereafter remain open for accession. Any State may become Party to this Convention by:

- (a) signature without reservation as to ratification, acceptance or approval; or
- (b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
- (c) accession.

(2) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

#### Article 16

##### *Entry into force*

(1) This Convention shall enter into force twelve months after the date on which not less than fifteen States have either signed it without reservation as to ratification, acceptance or approval or have deposited the requisite instruments of ratification, acceptance, approval or accession in accordance with article 15.

(2) For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of this Convention after the requirements for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of this Convention or three months after the date of deposit of the instrument, whichever is the later date.

c) razen če konferenca odloči drugače, se sprememba šteje za sprejeto in začne veljati v skladu s postopki, določeni v pododstavkih f) in g) drugega odstavka.

4) Za sprejem in začetek veljavnosti spremembe, ki dopolnjuje prilogo ali dodatek, velja postopek, ki se uporablja za spremembo priloge.

5) Pogodbenica, ki ne sprejme spremembe člena ali priloge po točki i) pododstavka f) drugega odstavka ali spremembe, ki dopolnjuje prilogo ali dodatek po četrtem odstavku ali je ugovarjala spremembi dodatka po točki ii) pododstavka f) drugega odstavka, se obravnava, kot da ni pogodbenica te spremembe. Taka obravnava preneha ob predložitvi uradnega obvestila o sprejetju po točki i) pododstavka f) drugega odstavka ali z umikom ugovora po točki ii) pododstavka g) drugega odstavka.

6) Generalni sekretar obvesti vse pogodbenice o vsaki spremembi, ki začne veljati skladno s tem členom, skupaj z datumom, na katerega začne veljati ta sprememba.

7) Vsako uradno obvestilo o sprejetju, ugovoru ali umiku ugovora v zvezi s spremembo po tem členu se pošlje generalnemu sekretarju, ki o takem obvestilu in dnevu njegovega prejema obvesti vse pogodbenice.

8) Dodatek h konvenciji vsebuje le določbe strokovne narave.

#### 15. člen

##### *Podpis, ratifikacija, sprejetje, odobritev in pristop*

1) Ta konvencija je na voljo za podpis na sedežu organizacije od 30. novembra 1990 do 29. novembra 1991, po tem pa je na voljo za pristop. Država lahko postane pogodbenica te konvencije:

- a) s podpisom brez pridržka glede ratifikacije, sprejetja ali odobritve ali
- b) s podpisom s pridržkom glede ratifikacije, sprejetja ali odobritve, ki mu sledi ratifikacija, sprejetje ali odobritev ali
- c) s pristopom.

2) Ratifikacija, sprejetje, odobritev ali pristop se opravi z deponiranjem listine v ta namen pri generalnem sekretarju.

#### 16. člen

##### *Začetek veljavnosti*

1) Ta konvencija začne veljati dvanajst mesecev po dnevu, ko jo je najmanj petnajst držav podpisalo brez pridržka glede ratifikacije, sprejetja ali odobritve ali je deponiralo listine o ratifikaciji, sprejetju, odobritvi ali pristopu v skladu s 15. členom.

2) Za državo, ki deponira listino o ratifikaciji, sprejetju ali odobritvi konvencije ali o pristopu k njej, potem ko so izpolnjeni pogoji za začetek veljavnosti, a pred dnevom začetka veljavnosti, začne ratifikacija, sprejetje, odobritev ali podpis veljati na dan, ko začne veljati konvencija ali tri mesece po dnevu, ko je deponirala listino, kar je pozneje.

(3) For States which have deposited an instrument of ratification, acceptance, approval or accession after the date on which this Convention entered into force, this Convention shall become effective three months after the date of deposit of the instrument.

(4) After the date on which an amendment to this Convention is deemed to have been accepted under article 14, any instrument of ratification, acceptance, approval or accession deposited shall apply to this Convention as amended.

Article 17  
*Denunciation*

(1) This Convention may be denounced by any Party at any time after the expiry of five years from the date on which this Convention enters into force for that Party.

(2) Denunciation shall be effected by notification in writing to the Secretary-General.

(3) A denunciation shall take effect twelve months after receipt of the notification of denunciation by the Secretary-General or after the expiry of any longer period which may be indicated in the notification.

Article 18  
*Depositary*

(1) This Convention shall be deposited with the Secretary-General.

(2) The Secretary-General shall

(a) inform all States which have signed this Convention or acceded thereto of:

(i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

(ii) the date of entry into force of this Convention; and

(iii) the deposit of any instrument of denunciation of this Convention together with the date on which it was received and the date on which the denunciation takes effect;

(b) transmit certified true copies of this Convention to the Governments of all States which have signed this Convention or acceded thereto.

(3) As soon as this Convention enters into force, a certified true copy shall be transmitted by the depositary to the Secretary-General of the United Nations for registration or publication in accordance with Article 102 of the Charter of the United Nations.

Article 19  
*Languages*

This Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned, being duly authorised their by their respective Governments for that purpose, have signed this Convention.

DONE at London this thirtieth day of November one thousand nine hundred and ninety.

3) Za državo, ki deponira listino o ratifikaciji, sprejetju ali odobritvi konvencije ali pristopu k njej po dnevu, ko je začela veljati, začne ta konvencija veljati tri mesece po dnevu deponiranja listine.

4) Po dnevu, ko se šteje sprememba te konvencije za sprejeto po 14. členu, velja vsaka deponirana listina o ratifikaciji, sprejetju, odobritvi ali pristopu za spremenjeno konvencijo.

17. člen  
*Odpoved*

1) To konvencijo lahko odpove pogodbenica kadar koli po izteku petih let od dneva, ko je začela veljati zanjo.

2) Odpove se z uradnim obvestilom generalnemu sekretarju.

3) Odpoved začne veljati dvanajst mesecev po tem, ko prejme generalni sekretar uradno obvestilo o odpovedi oziroma po toliko daljšem obdobju, kot je lahko navedeno v obvestilu.

18. člen  
*Depozitar*

1) Ta konvencija se deponira pri generalnem sekretarju.

2) Generalni sekretar:

a) obvesti vse države, ki so podpisale konvencijo ali pristopile k njej:

i) o vsakem novem podpisu ali deponiranju listine o ratifikaciji, sprejetju, odobritvi ali pristopu skupaj z datumom;

ii) o datumu začetka veljavnosti konvencije in

iii) o deponiranju vsake listine o odpovedi te konvencije skupaj z datumom prejetja in datumom začetka veljavnosti odpovedi;

b) pošlje overjene kopije konvencije vladam vseh držav, ki so jo podpisale ali pristopile k njej.

3) Takoj ko začne konvencija veljati, depozitar pošlje overjeno kopijo generalnemu sekretarju Združenih narodov za registracijo in objavo v skladu s 102. členom Ustanovne listine Združenih narodov.

19. člen  
*Jeziki*

Ta konvencija je sestavljena v enem izvorniku v angleškem, arabskem, francoskem, kitajskem, ruskem in španskem jeziku, pri čemer so vsa besedila enako verodostojna.

DA BI TO POTRDILI, so podpisani, ki so jih za to pravilno pooblastile njihove vlade, podpisali to konvencijo.

SESTAVLJENO v Londonu tridesetega novembra tisoč devetsto devetdeset.



**ANNEX****Reimbursement of costs of assistance**

(1)

(a) Unless an agreement concerning the financial arrangements governing actions of Parties to deal with oil pollution incidents has been concluded on a bilateral or multilateral basis prior to the oil pollution incident, Parties shall bear the costs of their respective actions in dealing with pollution in accordance with subparagraph (i) or subparagraph (ii).

(i) If the action was taken by one Party at the express request of another Party, the requesting Party shall reimburse to the assisting Party the cost of its action. The requesting Party may cancel its request at any time, but in that case it shall bear the costs already incurred or committed by the assisting Party.

(ii) If the action was taken by a Party on its own initiative, this Party shall bear the costs of its action.

(b) The principles laid down in subparagraph (a) shall apply unless the Parties concerned otherwise agree in any individual case.

(2) Unless otherwise agreed, the costs of action taken by a Party at the request of another Party shall be fairly calculated according to the law and current practice of the assisting Party concerning the reimbursement of such costs.

(3) The Party requesting assistance and the assisting Party shall, where appropriate, co-operate in concluding any action in response to a compensation claim. To that end, they shall give due consideration to existing legal regimes. Where the action thus concluded does not permit full compensation for expenses incurred in the assistance operation, the Party requesting assistance may ask the assisting Party to waive reimbursement of the expenses exceeding the sums compensated or to reduce the costs which have been calculated in accordance with paragraph (2). It may also request a postponement of the reimbursement of such costs. In considering such a request, assisting Parties shall give due consideration to the needs of the developing countries.

(4) The provisions of this Convention shall not be interpreted as in any way prejudicing the rights of Parties to recover from third parties the costs of actions to deal with pollution or the threat of pollution under other applicable provisions and rules of national and international law. Special attention shall be paid to the 1969 International Convention on Civil Liability for Oil Pollution Damage and the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage or any subsequent amendment to those Conventions.

3. člen

Za izvajanje konvencije skrbi Ministrstvo za promet.

4. člen

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

Št. 802-06/01-4/1

Ljubljana, dne 5. aprila 2001

**PRILOGA****Povračilo stroškov pomoči**

1)

a) Če sporazum glede finančnih dogovorov, ki urejajo delovanje pogodbenic za obvladovanje nesreč z onesnaženjem z olji, ni bil sprejet na dvostranski ali mnogostranski podlagi še pred nesrečo z onesnaženjem z olji, krijejo pogodbenice stroške za svoje ukrepe pri onesnaženju v skladu s pododstavkom i) ali pododstavkom ii).

i) Če je ena pogodbenica ukrepala na izrecno prošnjo druge pogodbenice, pogodbenica prosilka povrne državi, ki je pomagala, stroške njenega delovanja. Pogodbenica prosilka lahko kadar koli prekliče prošnjo, a v tem primeru krije stroške, ki so že nastali ali jih je če povzročila država, ki je pomagala.

ii) Če je pogodbenica ukrepala na lastno pobudo, mora kriti stroške svojega delovanja.

b) Načela iz pododstavka a) se uporabljajo, razen če se prizadeti pogodbenici drugače dogovorita za posamezen primer.

2) Če ni drugače dogovorjeno, se povračilo stroškov ukrepov pogodbenice na prošnjo druge pogodbenice pošteno izračuna v skladu z zakonodajo in obstoječo prakso države, ki je pomagala.

3) Pogodbenica, ki prosi za pomoč, in pogodbenica, ki pomaga, sodelujeta pri sprejemanju ukrepov glede zahtevka za nadomestilo, kadar je to primerno. V ta namen posvetita ustrezno pozornost obstoječi zakonski ureditvi. Kadar tako sprejeti ukrepi ne dovoljujejo polnega nadomestila za stroške, nastale med dajanjem pomoči, lahko pogodbenica prosilka pogodbenico, ki pomaga, prosi, da se odreče povračilu stroškov, ki presegajo vsote za nadomestilo, ali da zmanjša stroške, ki so bili izračunani v skladu z drugim odstavkom. Zaproši lahko tudi za odlog povračila takih stroškov. Pri proučitvi take prošnje država, ki je pomagala, upošteva potrebe držav v razvoju.

4) Določbe te konvencije se ne razlagajo, kot da bi kakor koli škodovala pravicam pogodbenic, da bi jim tretje pogodbenice povrnile stroške ukrepov za obvladovanje onesnaženja ali grožnje onesnaženja po drugih ustreznih določbah in pravilih notranjega in mednarodnega prava. Posebno pozornost je treba posvetiti Mednarodni konvenciji o civilni odgovornosti za škodo, povzročeno z onesnaženjem z nafto, 1969, in Mednarodni konvenciji o ustanovitvi mednarodnega sklada za povrnitev škode, nastale zaradi onesnaženja z nafto, 1971, ali vsem nadaljnjim spremembam teh konvencij.

Predsednik  
Državnega zbora  
Republike Slovenije  
**Borut Pahor** l. r.

**26. Zakon o ratifikaciji Konvencije z dne 31. januarja 1963, ki dopolnjuje Pariško konvencijo z dne 29. julija 1960, kot je bila spremenjena z Dodatnim protokolom z dne 28. januarja 1964 in s Protokolom z dne 16. novembra 1982 (MKDPK)**

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 KONVENCIJE Z DNE 31. JANUARJA 1963, KI DOPOLNJUJE PARIŠKO KONVENCIJO Z DNE 29. JULIJA 1960, KOT JE BILA SPREMENJENA Z DODATNIM PROTOKOLOM Z DNE 28. JANUARJA 1964 IN S PROTOKOLOM Z DNE 16. NOVEMBRA 1982 (MKDPK)**

Razlašam Zakon o ratifikaciji Konvencije z dne 31. januarja 1963, ki dopolnjuje Pariško konvencijo z dne 29. julija 1960, kot je bila spremenjena z Dodatnim protokolom z dne 28. januarja 1964 in s Protokolom z dne 16. novembra 1982 (MKDPK), ki ga je sprejel Državni zbor Republike Slovenije na seji 5. aprila 2001.

Št. 001-22-35/01  
Ljubljana, dne 13. aprila 2001

Predsednik  
Republike Slovenije  
**Milan Kučan** l. r.

**Z A K O N**

**O RATIFIKACIJI KONVENCIJE Z DNE 31. JANUARJA 1963, KI DOPOLNJUJE PARIŠKO KONVENCIJO Z DNE 29. JULIJA 1960, KOT JE BILA SPREMENJENA Z DODATNIM PROTOKOLOM Z DNE 28. JANUARJA 1964 IN S PROTOKOLOM Z DNE 16. NOVEMBRA 1982 (MKDPK)**

1. člen

Ratificira se Konvencija, sestavljena v Bruslju dne 31. januarja 1963, ki dopolnjuje Pariško konvencijo z dne 29. julija 1960, kot je bila spremenjena z Dodatnim protokolom z dne 28. januarja 1964 in s Protokolom z dne 16. novembra 1982.

2. člen

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

**C O N V E N T I O N  
OF 31ST JANUARY 1963  
SUPPLEMENTARY TO THE PARIS CONVENTION  
OF 29TH JULY 1960,  
AS AMENDED BY  
THE ADDITIONAL PROTOCOL  
OF 28TH JANUARY 1964  
AND BY THE PROTOCOL  
OF 16TH NOVEMBER 1982**

**THE GOVERNMENTS** of the Federal Republic of Germany, the Republic of Austria, the Kingdom of Belgium, the Kingdom of Denmark, the Kingdom of Spain, the Republic of Finland, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of Norway, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, the Kingdom of Sweden and the Swiss Confederation,\*

**BEING PARTIES** to the Convention of 29th July 1960 on Third Party Liability in the Field of Nuclear Energy, concluded within the framework of the Organisation for European Economic Co-operation, now the Organisation for Economic Co-operation and Development and as amended by the Additional Protocol concluded at Paris on 16th November 1982 (hereinafter referred to as the "Paris Convention"),

**K O N V E N C I J A  
Z DNE 31. JANUARJA 1963,  
KI DOPOLNJUJE PARIŠKO KONVENCIJO  
Z DNE 29. JULIJA 1960,  
KOT JE BILA SPREMENJENA  
Z DODATNIM PROTOKOLOM  
Z DNE 28. JANUARJA 1964  
IN S PROTOKOLOM  
Z DNE 16. NOVEMBRA 1982**

**VLADE** Zvezne republike Nemčije, Republike Avstrije, Kraljevine Belgije, Kraljevine Danske, Kraljevine Španije, Republike Finske, Francoske republike, Italijanske republike, Veliškega vojvodstva Luksemburg, Kraljevine Norveške, Kraljevine Nizozemske, Združenega kraljestva Velika Britanija in Severna Irska, Kraljevine Švedske in Švicarske konfederacije,\*

**POGODBENICE** Konvencije o odgovornosti tretjim na področju jedrske energije z dne 29. julija 1960, sklenjene v okviru Organizacije za evropsko gospodarsko sodelovanje, zdaj Organizacije za gospodarsko sodelovanje in razvoj, kot je bila spremenjena z Dodatnim protokolom, sklenjenim v Parizu 16. novembra 1982 (v nadaljevanju "Pariška konvencija"),

so se

\* The designation of the Signatories is the same as that in the Protocol of 1982. It should be noted that Finland acceded to the Brussels Supplementary Convention and the Additional Protocol of 1964 on 14th January 1977 and has signed the Protocol of 1982. (Note by the Secretariat)

\* Podpisnice so iste kot v Protokolu iz 1982. Omeniti je treba, da je Finska pristopila k Bruseljski dopolnilni konvenciji in dodatnemu protokolu iz 1964 14. januarja 1977 in podpisala Protokol iz 1982. (Opomba Sekretariata)

**DESIROUS** of supplementing the measures provided in that Convention with a view to increasing the amount of compensation for damage which might result from the use of nuclear energy for peaceful purposes,

**HAVE AGREED** as follows:

### **Article 1**

The system instituted by this Convention is supplementary to that of the Paris Convention, shall be subject to the provisions of the Paris Convention, and shall be applied in accordance with the following Articles.

### **Article 2**

a) The system of this Convention shall apply to damage caused by nuclear incidents, other than those occurring entirely in the territory of a State which is not a Party to this Convention:

- i) for which an operator of a nuclear installation, used for peaceful purposes, situated in the territory of a Contracting Party to this Convention (hereinafter referred to as a "Contracting Party"), and which appears on the list established and kept up to date in accordance with the terms of Article 13, is liable under the Paris Convention; and
- ii) suffered
  1. in the territory of a Contracting Party; or
  2. on or over the high seas on board a ship or aircraft registered in the territory of a Contracting Party; or
  3. on or over the high seas by a national of a Contracting Party, provided that, in the case of damage to a ship or an aircraft, the ship or aircraft is registered in the territory of a Contracting Party,

provided that the courts of a Contracting Party have jurisdiction pursuant to the Paris Convention.

b) Any Signatory or acceding Government may, at the time of signature of or accession to this Convention or on the deposit of its instrument of ratification, declare that, for the purposes of the application of paragraph (a)(ii) (3) of this Article, individuals or certain categories thereof, considered under its law as having their habitual residence in its territory, are assimilated to its own nationals.

c) In this Article, the expression "a national of a Contracting Party" shall include a Contracting Party or any of its constituent sub-divisions, or a partnership, or any public or private body whether corporate or not established in the territory of a Contracting Party.

### **Article 3**

a) Under the conditions established by this Convention, the Contracting Parties undertake that compensation in respect of the damage referred to in Article 2 shall be provided up to the amount of 300 million Special Drawing Rights per incident.

b) Such compensation shall be provided:

- i) up to an amount of at least 5 million Special Drawing Rights, out of funds provided by insurance or other financial security, such amount to be established by the legislation of the Contracting Party in whose territory the nuclear installation of the operator liable is situated;
- ii) between this amount and 175 million Special Drawing Rights, out of public funds to be made available by the Contracting Party in whose territory the nuclear installation of the operator liable is situated;

**V ŽELJI**, da bi dopolnile ukrepe, določene v konvenciji, in da bi povečale odškodninski znesek za škodo, ki bi bila posledica uporabe jedrske energije v miroljubne namene,

**DOGOVORILE**, kot sledi:

### **1. člen**

Ta konvencija s sistemom, ki ga uvaja, dopolnjuje sistem Pariške konvencije in se ravnata po njenih določbah ter se uporablja v skladu z naslednjimi členi.

### **2. člen**

a) Sistem te konvencije se uporablja za škodo, ki so jo povzročile jedrske nesreče, razen tistih, ki se v celoti zgodijo na ozemlju države, ki ni pogodbenica te konvencije,

- i) za katero je po Pariški konvenciji odgovoren uporabnik jedrske naprave, ki se uporablja v miroljubne namene in je na ozemlju pogodbenice te konvencije (v nadaljevanju "pogodbenica") ter je navedena na seznamu, ki se v skladu s pogoji iz 13. člena stalno dopolnjuje, in
- ii) ki je nastala
  1. na ozemlju ene od pogodbenic;
  2. na odprtem morju ali nad njim, na krovu ladje ali letala, registriranega na ozemlju države pogodbenice, ali
  3. na odprtem morju ali nad njim in jo je utrpel državljan države pogodbenice, če je pri škodi na ladji ali letalu ladja ali letalo registrirano na ozemlju države pogodbenice,

pod pogojem, da imajo sodišča pogodbenice v skladu s Pariško konvencijo sodno pristojnost.

b) Vsaka podpisnica ali vlada, ki h konvenciji pristopi, lahko ob podpisu ali ob pristopu k tej konvenciji ali ob deponiranju svoje listine o ratifikaciji izjavi, da so za namene uporabe odstavka a) ii) 3) tega člena posamezniki ali določene kategorije posameznikov, za katere se po njeni zakonodaji šteje, da imajo na njenem ozemlju svoje stalno prebivališče, izenačeni z njenimi državljani.

c) V tem členu izraz "državljan pogodbenice" vključuje pogodbenico ali katero koli od njenih sestavnih enot, partnerstvo ali katero koli javno ali zasebno organizacijo, ustanovljeno na ozemlju pogodbenice, če je pravna oseba ali ne.

### **3. člen**

a) Pod pogoji iz te konvencije se pogodbenice obvezujejo, da se odškodnina za škodo, navedeno v prejšnjem členu, izplača do zneska 300 milijonov posebnih pravic črpanja za nesrečo.

b) Taka odškodnina se zagotovi:

- i) do zneska vsaj 5 milijonov posebnih pravic črpanja iz sredstev, zagotovljenih z zavarovanjem ali drugim finančnim jamstvom, znesek pa se določi v skladu z zakonodajo pogodbenice, na katere ozemlju je jedrska naprava odgovornega uporabnika;
- ii) med tem zneskom in 175 milijoni posebnih pravic črpanja iz javnih sredstev, ki jih mora zagotoviti pogodbenica, na katere ozemlju je jedrska naprava odgovornega uporabnika;

- iii) between 175 and 300 million Special Drawing Rights, out of public funds to be made available by the Contracting Parties according to the formula for contributions specified in Article 12.
- c) For this purpose, each Contracting Party shall either:
- i) establish the maximum liability of the operator, pursuant to Article 7 of the Paris Convention, at 300 million Special Drawing Rights, and provide that such liability shall be covered by all the funds referred to in paragraph (b) of this Article; or
  - ii) establish the maximum liability of the operator at an amount at least equal to that established pursuant to paragraph (b)(i) of this Article and provide that, in excess of such amount and up to 300 million Special Drawing Rights, the public funds referred to in paragraph (b)(ii) and (iii) of this Article shall be made available by some means other than as cover for the liability of the operator, provided that the rules of substance and procedure laid down in this Convention are not thereby affected.
- d) The obligation of the operator to pay compensation, interest or costs out of public funds made available pursuant to paragraphs (b)(ii) and (iii), and (f) of this Article shall only be enforceable against the operator as and when such funds are in fact made available.
- e) The Contracting Parties, in carrying out this Convention, undertake not to make use of the right provided for in Article 15(b) of the Paris Convention to apply special conditions:
- i) in respect of compensation for damage provided out of the funds referred to in paragraph (b)(i) of this Article;
  - ii) other than those laid down in this Convention in respect of compensation for damage provided out of the public funds referred to in paragraph (b)(ii) and (iii) of this Article.
- f) The interest and costs referred to in Article 7(g) of the Paris Convention are payable in addition to the amounts referred to in paragraph (b) of this Article and shall be borne in so far as they are awarded in respect of compensation payable out of the funds referred to in:
- i) paragraph (b)(i) of this Article, by the operator liable;
  - ii) paragraph (b)(ii) of this Article, by the Contracting Party in whose territory the nuclear installation of that operator is situated;
  - iii) paragraph (b)(iii) of this Article, by the Contracting Parties together.
- g) For the purposes of this Convention, "Special Drawing Right" means the Special Drawing Right as it is defined by the International Monetary Fund. The amounts mentioned in this Convention shall be converted into the national currency of a Contracting Party in accordance with the value of that currency at the date of the incident, unless another date is fixed for a given incident by agreement between the Contracting Parties. The equivalent in Special Drawing Rights of the national currency of a Contracting Party shall be calculated in accordance with the method of valuation applied at the date in question by the International Monetary Fund for its own operations and transactions.

#### Article 4

- a) If a nuclear incident causes damage which gives rise to liability of more than one operator, the aggregate liability provided for in Article 5(d) of the Paris Convention shall not, to the extent that public funds have to be made available pursuant to Article 3(b)(ii) and (iii), exceed 300 million Special Drawing Rights.

- iii) med 175 in 300 milijoni posebnih pravic črpanja iz javnih sredstev, ki jih morajo zagotoviti pogodbenice v skladu s formulo za prispevke, določeno v 12. členu.
- c) Za ta namen vsaka pogodbenica:
- i) določi bodisi najvišjo odgovornost uporabnika v skladu s 7. členom Pariške konvencije na 300 milijonov posebnih pravic črpanja in določi, da se taka odgovornost krije z vsemi sredstvi, omenjenih v odstavku b) tega člena, ali
  - ii) določi najvišjo odgovornost uporabnika na znesek, ki je vsaj enak znesku, določenem v odstavku b) i) tega člena, in zagotovi, da se nad tem zneskom in do višine 300 milijonov posebnih pravic črpanja javna sredstva, omenjena v odstavkih b) ii) in iii) tega člena, zagotovijo na kak drug način kot kritje za odgovornost uporabnika, pod pogojem, da to ne vpliva na materialna in postopkovna pravila po tej konvenciji.
- d) Obveznost, da uporabnik plača odškodnino, obresti ali stroške iz javnih sredstev, ki se zagotovijo v skladu z odstavkoma b) ii) in iii) ter f) tega člena, se proti uporabniku lahko uveljavi le v primeru, ko so taka sredstva dejansko na voljo.
- e) Pogodbenice se pri izvajanju te konvencije obvežejo, da ne bodo uresničevale pravice do uporabe posebnih pogojev, ki jim jo v skladu z odstavkom b) 15. člena daje Pariška konvencija:
- i) glede odškodnine za škodo, ki se zagotovi iz sredstev, omenjenih v odstavku b) i) tega člena;
  - ii) razen pogojev, določenih v tej konvenciji, glede odškodnine za škodo, ki se zagotovi iz javnih sredstev, omenjenih v odstavku b) ii) in iii) tega člena.
- f) Obresti in stroški, omenjeni v odstavku g) 7. člena Pariške konvencije, so izplačljivi poleg zneskov, omenjenih v odstavku b) tega člena, in jih krijejo, kolikor so v zvezi z odškodnino, odobreno iz sredstev, omenjenih v:

- i) odstavku b) i) tega člena, odgovorni uporabnik;
- ii) odstavku b) ii) tega člena, pogodbenica, na katero ozemlju je jedrska naprava tega uporabnika;
- iii) odstavku b) iii) tega člena, vse pogodbenice skupaj.

g) Za namene te konvencije "posebna pravica črpanja" pomeni posebno pravico črpanja, kot jo je določil Mednarodni denarni sklad. Zneski, omenjeni v tej konvenciji, se preračunajo v nacionalno valuto pogodbenice v skladu z vrednostjo, ki jo je njena valuta imela na dan nesreče, razen če pogodbenice za to nesrečo sporazumno določijo drug datum. Ustrezna vrednost posebnih pravic črpanja v nacionalni valuti pogodbenice se izračuna v skladu z metodo vrednotenja, ki jo je na ta datum za svoje lastne operacije in transakcije uporabljal Mednarodni denarni sklad.

#### 4. člen

- a) Če jedrska nesreča povzroči škodo, za katero je odgovornih več uporabnikov, skupna odgovornost, predvidena v odstavku d) 5. člena Pariške konvencije, ne sme presegati 300 milijonov posebnih pravic črpanja, kolikor je treba, v skladu s členom 3 b) ii) in iii) zagotoviti javnih sredstev.

b) The total amount of the public funds made available pursuant to Article 3(b)(ii) and (iii) shall not, in such event, exceed the difference between 300 million Special Drawing Rights and the sum of the amounts established with respect to such operators pursuant to Article 3(b)(i) or, in the case of an operator whose nuclear installation is situated in the territory of a State which is not a Party to this Convention, the amount established pursuant to Article 7 of the Paris Convention. If more than one Contracting Party is required to make available public funds pursuant to Article 3(bf)(ii), such funds shall be made available by them in proportion to the number of nuclear installations situated in their respective territories, which are involved in the nuclear incident and of which the operators are liable.

#### Article 5

a) Where the operator liable has a right of recourse pursuant to Article 6(f) of the Paris Convention, the Contracting Party in whose territory the nuclear installation of that operator is situated shall take such legislative measures as are necessary to enable both that Contracting Party and the other Contracting Parties to benefit from this recourse to the extent that public funds have been made available pursuant to Article 3(b)(iii) and (iii), and (f).

b) Such legislation may provide for the recovery of public funds made available pursuant to Article 3(b)(ii) and (iii), and (f) from such operator if the damage results from fault on his part.

#### Article 6

In calculating the public funds to be made available pursuant to this Convention, account shall be taken only of those rights to compensation exercised within ten years from the date of the nuclear incident. In the case of damage caused by a nuclear incident involving nuclear fuel or radioactive products or waste which, at the time of the incident have been stolen, lost, jettisoned, or abandoned and have not yet been recovered, such period shall not in any case exceed twenty years from the date of the theft, loss, jettison or abandonment. It shall also be extended in the cases and under the conditions laid down in Article 8(d) of the Paris Convention. Amendments made to claims after the expiry of this period, under the conditions laid down in Article 8(e) of the Paris Convention, shall also be taken into account.

#### Article 7

Where a Contracting Party makes use of the right provided for in Article 8(c) of the Paris Convention, the period which it establishes shall be a period of prescription of three years either from the date at which the person suffering damage has knowledge or from the date at which he ought reasonably to have known of both the damage and the operator liable.

#### Article 8

Any person who is entitled to benefit from the provisions of this Convention shall have the right to full compensation in accordance with national law for damage suffered, provided that, where the amount of damage exceeds or is likely to exceed:

- i) 300 million Special Drawing Rights; or
- ii) if there is aggregate liability under Article 5(d) of the Paris Convention and a higher sum results therefrom, such higher sum,

any Contracting Party may establish equitable criteria for apportionment. Such criteria shall be applied whatever the origin of the funds and, subject to the provisions of Article 2,

b) V tem primeru celoten znesek javnih sredstev, ki so bila zagotovljena v skladu s členom 3 b) ii) in iii), ne sme preseči razlike med 300 milijoni posebnih pravic črpanja in vsoto zneskov, določenih za take uporabnike po odstavku b) i) 3. člena, ali v primeru uporabnika, katerega naprava je na ozemlju države, ki ni pogodbenica te konvencije, zneska, določenega po 7. členu Pariške konvencije. Če mora javna sredstva v skladu s odstavkom b) ii) 3. člena zagotoviti več pogodbenic, se taka sredstva zagotovijo v sorazmerju s številom jedrskih naprav na njihovem ozemlju, ki so udeležene v nesreči in katerih uporabniki so odgovorni.

#### 5. člen

a) Kadar ima odgovorni uporabnik v skladu z odstavkom f) 6. člena Pariške konvencije pravico do regresnega zahtevka, sprejme pogodbenica, na katere ozemlju je jedrska naprava tega uporabnika, take zakonodajne ukrepe, kot so potrebni za to, da imajo lahko ta pogodbenica in druge pogodbenice koristi od takega regresnega zahtevka, in sicer do mere, do katere so bila po členu 3 b) ii) in iii) ter f) zagotovljena javna sredstva.

b) Taka zakonodaja lahko predvideva, da mora uporabnik, ki je zaradi svoje napake povzročil nesrečo, povrniti javna sredstva, zagotovljena v skladu s členom 3 b) ii) in iii) ter f).

#### 6. člen

Pri izračunu javnih sredstev, ki jih je treba zagotoviti v skladu s to konvencijo, se upoštevajo samo tiste pravice do odškodnine, ki se uveljavljajo v desetih letih od jedrske nesreče. Pri škodi, ki jo je povzročila jedrska nesreča, v katero so vključeni jedrsko gorivo ali radioaktivni proizvodi ali radioaktivni odpadki in so bili v trenutku nesreče ukradeni, izgubljeni, vrženi z ladje ali zapuščeni in še niso bili najdeni, ta rok v nobenem primeru ne sme presegati dvajset let od dneva, ko so bili ukradeni, izgubljeni, vrženi z ladje ali zapuščeni. Podaljša se tudi v primerih in pod pogoji, določenimi v odstavku d) 8. člena Pariške konvencije. Upoštevajo se tudi spremembe zahtevkov po preteku tega roka pod pogoji, določenimi v odstavku e) 8. člena Pariške konvencije.

#### 7. člen

Če pogodbenica izkoristi pravico, predvideno v odstavku c) 8. člena Pariške konvencije, je rok, ki ga določi, triletni zastaralni rok, bodisi od dneva, ko oseba, ki je škodo utrpela, zvedela za škodo in za uporabnika, ki je škodo povzročil, ali od dneva, ko bi upravičeno morala vedeti zanj.

#### 8. člen

Vsakdo, ki je upravičen do ugodnosti po določbah te konvencije, ima v skladu z notranjim pravom pravico do polne odškodnine za škodo, ki jo je utrpel, pod pogojem, da lahko v primerih, ko višina škode presega ali je verjetno, da presega:

- i) 300 milijonov posebnih pravic črpanja, ali
- ii) če gre po odstavku d) 5. člena Pariške konvencije za skupno odgovornost in v zvezi s tem višji znesek,

vsaka pogodbenica določi pravična merila za dodelitev. Taka merila se uporabljajo ne glede na to, kakšen je vir sredstev, in pod pogoji 2. člena brez diskriminacije glede držav

without discrimination based on the nationality, domicile or residence of the person suffering the damage.

#### Article 9

a) The system of disbursements by which the public funds required under Article 3(b)(ii) and (iii), and (f) are to be made available shall be that of the Contracting Party whose courts have jurisdiction.

b) Each Contracting Party shall ensure that persons suffering damage may enforce their rights to compensation without having to bring separate proceedings according to the origin of the funds provided for such compensation.

c) No Contracting Party shall be required to make available the public funds referred to in Article 3(b)(ii) and (iii) so long as any of the funds referred to in Article 3(b)(i) remain available.

#### Article 10

a) The Contracting Party whose courts have jurisdiction shall be required to inform the other Contracting Parties of a nuclear incident and its circumstances as soon as it appears that the damage caused by such incident exceeds, or is likely to exceed, 175 million Special Drawing Rights. The Contracting Parties shall without delay make all the necessary arrangements to settle the procedure for their relations in this connection.

b) Only the Contracting Party whose courts have jurisdiction shall be entitled to request the other Contracting Parties to make available the public funds required under Article 3(b)(iii) and (f) and shall have exclusive competence to disburse such funds.

c) Such Contracting Party shall, when the occasion arises, exercise the right of recourse provided for in Article 5 on behalf of the other Contracting Parties who have made available public funds pursuant to Article 3(b)(iii) and (f).

d) Settlements effected in respect of the payment of compensation out of the public funds referred to in Article 3(b)(ii) and (iii) in accordance with the conditions established by national legislation shall be recognized by the other Contracting Parties, and judgments entered by the competent courts in respect of such compensation shall become enforceable in the territory of the other Contracting Parties in accordance with the provisions of Article 13(d) of the Paris Convention.

#### Article 11

a) If the courts having jurisdiction are those of a Contracting Party other than the Contracting Party in whose territory the nuclear installation of the operator liable is situated, the public funds required under Article 3(b)(ii) and (f) shall be made available by the first-named Contracting Party. The Contracting Party in whose territory the nuclear installation of the operator liable is situated shall reimburse to the other Contracting Party the sums paid. These two Contracting Parties shall agree on the procedure for reimbursement.

b) In adopting all legislative, regulatory or administrative provisions, after the nuclear incident has occurred, concerning the nature, form and extent of the compensation, the procedure for making available the public funds required under Article 3(b)(ii) and, if necessary, the criteria for the apportionment of such funds, the Contracting Party whose courts have jurisdiction shall consult the Contracting Party in whose territory the nuclear installation of the operator liable is situated. It shall further take all measures necessary to enable the latter to intervene in proceedings and to participate in any settlement concerning compensation.

ljanstva, stalnega ali začasnega prebivališča osebe, ki je utrpela škodo.

#### 9. člen

a) Sistem, po katerem je treba zagotoviti javna sredstva po členu 3 b) ii) in iii) ter f), je sistem tiste pogodbenice, katere sodišča so pristojna.

b) Vsaka pogodbenica zagotovi, da osebe, ki so utrpeli škodo, lahko uveljavijo svoje pravice do odškodnine, ne da bi za to morale začeti ločene postopke glede na vir teh sredstev, določenih za tako odškodnino.

c) Od nobene pogodbenice se ne zahteva, da zagotovi javna sredstva po členu 3 b) ii) in iii), dokler so na voljo sredstva po členu 3 b) i).

#### 10. člen

a) Od pogodbenice, katere sodišča so pristojna, se zahteva, da obvesti druge pogodbenice o jedrski nesreči in njenih okoliščinah, takoj ko se izkaže, da škoda, ki jo je ta nesreča povzročila, presega ali bi lahko presegala 175 milijonov posebnih pravic črpanja. Pogodbenice morajo nemudoma sprejeti vse potrebne ukrepe za ureditev njihovih odnosov v zvezi s tem.

b) Samo pogodbenica, katere sodišča so pristojna, je upravičena zahtevati od drugih pogodbenic, da zagotovijo javna sredstva po členu 3 b) iii) in f), in ima tudi izključno pristojnost za izplačilo takih sredstev.

c) Ta pogodbenica v takem primeru v imenu drugih pogodbenic, ki so zagotovile javna sredstva v skladu s členom 3 b) ii) in iii) in f), lahko uresniči pravico do regresnega zahtevka, predvideno v 5. členu.

d) Poravnave za plačilo odškodnine iz javnih sredstev po členu 3 b) ii) in iii) v skladu s pogoji, ki jih določa notranja zakonodaja, druge pogodbenice priznajo, in sodbe glede odškodnin, ki jih izrečejo pristojna sodišča, postanejo izvršljive na ozemlju drugih pogodbenic v skladu z določbami odstavka d) 13. člena Pariške konvencije.

#### 11. člen

a) Če so pristojna sodišča druge pogodbenice in ne sodišča pogodbenice, na katere ozemlju je jedrska naprava odgovornega uporabnika, javna sredstva po členu 3 b) ii) in f) zagotovi prva pogodbenica. Pogodbenica, na katere ozemlju je jedrska naprava odgovornega uporabnika, povrne drugi pogodbenici plačane zneske. Pogodbenici se potem sporazumeta o postopku povračila za škodo.

b) Pri sprejemanju vseh zakonskih, regulativnih ali upravnih določb po jedrski nesreči, ki zadevajo naravo, obliko in obseg odškodnine ter postopek za zagotovitev javnih sredstev po členu 3 b) ii), in če je potrebno, meril za razdelitev takih sredstev, se pogodbenica, katere sodišča so pristojna, posvetuje s pogodbenico, na katere ozemlju je naprava odgovornega uporabnika. Poleg tega sprejme vse potrebne ukrepe, da bi ji omogočila, da poseže v postopke in sodeluje v vsaki poravnavi glede odškodnine.

**Article 12**

a) The formula for contributions according to which the Contracting Parties shall make available the public funds referred to in Article 3(b)(iii) shall be determined as follows:

- i) as to 50%, on the basis of the ratio between the gross national product at current prices of each Contracting Party and the total of the gross national products at current prices of all Contracting Parties as shown by the official statistics published by the Organisation for Economic Co-operation and Development for the year preceding the year in which the nuclear incident occurs;
- ii) as to 50%, on the basis of the ratio between the thermal power of the reactors situated in the territory of each Contracting Party and the total thermal power of the reactors situated in the territories of all the Contracting Parties. This calculation shall be made on the basis of the thermal power of the reactors shown at the date of the nuclear incident in the list referred to in Article 2(a)(i): provided that a reactor shall only be taken into consideration for the purposes of this calculation as from the date when it first reaches criticality.

b) For the purposes of this Convention, "thermal power" means:

- i) before the issue of a final operating licence, the planned thermal power;
- ii) after the issue of such licence, the thermal power authorized by the competent national authorities.

**Article 13**

a) Each Contracting Party shall ensure that all nuclear installations used for peaceful purposes situated in its territory, and falling within the definition in Article 1 of the Paris Convention, appear on the list referred to in Article 2(a)(i).

b) For this purpose, each Signatory or acceding Government shall, on the deposit of its instrument of ratification or accession, communicate to the Belgian Government full particulars of such installations.

c) Such particulars shall indicate:

- i) in the case of all installations not yet completed, the expected date on which the risk of a nuclear incident will exist;
- ii) and further, in the case of reactors, the expected date on which they will first reach criticality, and also their thermal power.

d) Each Contracting Party shall also communicate to the Belgian Government the exact date of the existence of the risk of a nuclear incident and, in the case of reactors, the date on which they first reached criticality.

e) Each Contracting Party shall also communicate to the Belgian Government all modifications to be made to the list. Where such modifications include the addition of a nuclear installation, the communication must be made at least three months before the expected date on which the risk of a nuclear incident will exist.

f) If a Contracting Party is of the opinion that the particulars, or any modification to be made to the list, communicated by another Contracting Party do not comply with the provisions of Article 2(a)(i) and of this Article, it may raise objections thereto only by addressing them to the Belgian Government within three months from the date on which it has received notice pursuant to paragraph (h) of this Article.

g) If a Contracting Party is of the opinion that a communication required in accordance with this Article has not been made within the time prescribed in this Article, it may

**12. člen**

a) Formula za izračunavanje prispevkov, po kateri pogodbenice zagotovijo javna sredstva po členu 3 b) iii), se določi na naslednji način:

- i) do 50% na podlagi razmerja med bruto narodnim proizvodom po trenutnih cenah vsake pogodbenice in vsoto bruto narodnih proizvodov vseh pogodbenic po trenutnih cenah, kot to izhaja iz uradnih statističnih podatkov, ki jih je Organizacija za gospodarsko sodelovanje in razvoj objavila za leto pred nesrečo;
- ii) do 50% na podlagi razmerja med toplotno močjo reaktorjev na ozemlju vsake pogodbenice in skupno toplotno močjo reaktorjev na ozemljih vseh pogodbenic. To se izračuna na podlagi toplotne moči reaktorjev, prikazane na dan jedrske nesreče v seznamu, omenjenem v členu 2 a) i), pod pogojem, da se reaktor upošteva pri tem izračunu le od datuma, ko je prvič dosegel svojo kritičnost.

b) V tej konvenciji "toplotna moč" pomeni:

- i) preden je izdano dokončno dovoljenje za obratovanje, načrtovano toplotno moč;
- ii) po izdaji takega dovoljenja, toplotno moč, ki so jo pristojni državni organi odobrili.

**13. člen**

a) Vsaka pogodbenica zagotovi, da so vse jedrske naprave na njenem ozemlju, ki se uporabljajo v miroljubne namene in ki spadajo pod opredelitev pojmov iz 1. člena Pariške konvencije, navedene na seznamu, omenjenem v členu 2 a) i).

b) V ta namen vsaka podpisnica ali vlada, ki pristopi, ob deponiranju svoje listine o ratifikaciji ali pristopu sporoči belgijski vladi vse podatke o teh napravah.

c) Ti podatki navajajo:

- i) pri še nedokončanih napravah pričakovani datum, od katerega bo obstajala nevarnost jedrske nesreče;
- ii) in nadalje pri reaktorjih pričakovani datum, ko bodo prvič dosegli kritičnost, ter njihovo toplotno moč.

d) Vsaka pogodbenica belgijski vladi sporoči tudi točen datum, ko se pojavi nevarnost jedrske nesreče, in pri reaktorjih datum, ko so prvič dosegli kritičnost.

e) Vsaka pogodbenica sporoči belgijski vladi tudi vse spremembe, ki jih je treba narediti na seznamu. Če take spremembe vključujejo tudi dodatek jedrske naprave, je treba to sporočiti vsaj tri mesece pred pričakovanim datumom, od katerega bo obstajala nevarnost jedrske nesreče.

f) Če katera od pogodbenic meni, da se podatki ali katera koli sprememba, ki jih je treba vnesti na seznam in ki jih je sporočila druga pogodbenica, ne ujemajo z določbami člena 2 a) i) in tega člena, lahko da svoj ugovor nanje le tako, da ga naslovi na belgijsko vlado najkasneje v treh mesecih od datuma, ko je dobila obvestilo v skladu z odstavkom h) tega člena.

g) Če pogodbenica meni, da obvestilo, zahtevano v skladu s tem členom, ni bilo dano v roku, predpisanem po tem členu, lahko svoj ugovor sporoči belgijski vladi v treh

raise objections only by addressing them to the Belgian Government within three months from the date on which it knew of the facts which, in its opinion, ought to have been communicated.

h) The Belgian Government shall give notice as soon as possible to each Contracting Party of the communications and objections which it has received pursuant to this Article.

i) The list referred to in Article 2(a)(i) shall consist of all the particulars and modifications referred to in paragraphs (b), (c), (d) and (e) of this Article, it being understood that objections submitted pursuant to paragraphs (f) and (g) of this Article shall have effect retrospective to the date on which they were raised, if they are sustained.

j) The Belgian Government shall supply any Contracting Party on demand with an up-to-date statement of the nuclear installations covered by this Convention and the details supplied in respect of them pursuant to this Article.

#### Article 14

a) Except in so far as this Convention otherwise provides, each Contracting Party may exercise the powers vested in it by virtue of the Paris Convention, and any provisions made thereunder may be invoked against the other Contracting Parties in order that the public funds referred to in Article 3(b)(ii) and (iii) be made available.

b) Any such provisions made by a Contracting Party pursuant to Article 2 and 9 of the Paris Convention as a result of which the public funds referred to in Article 3(b)(ii) and (iii) are required to be made available may not be invoked against any other Contracting Party unless it has consented thereto.

c) Nothing in this Convention shall prevent a Contracting Party from making provisions outside the scope of the Paris Convention and of this Convention, provided that such provisions shall not involve any further obligation on the part of the Contracting Parties in so far as their public funds are concerned.

#### Article 15

a) Any Contracting Party may conclude an agreement with a State which is not a Party to this Convention concerning compensation out of public funds for damage caused by a nuclear incident.

b) To the extent that the conditions for payment of compensation under any such agreement are not more favourable than those which result from the measures adopted by the Contracting Party concerned for the application of the Paris Convention and of this Convention, the amount of damage caused by a nuclear incident covered by this Convention and for which compensation is payable by virtue of such an agreement may be taken into consideration, where the proviso to Article 8 applies, in calculating the total amount of damage caused by that incident.

c) The provisions of paragraphs (a) and (b) of this Article shall in no case affect the obligations under Article 3(b)(ii) and (iii) of those Contracting Parties which have not given their consent to such agreement.

d) Any Contracting Party intending to conclude such an agreement shall notify the other Contracting Parties of its intention. Agreements concluded shall be notified to the Belgian Government.

#### Article 16

a) The Contracting Parties shall consult each other upon all problems of common interest raised by the application of this Convention and of the Paris Convention, especially Articles 20 and 22(c) of the latter Convention.

mesecih od datuma, ko je zvedela za dejstva, ki bi jih bilo treba po njenem mnenju sporočiti.

h) Belgijska vlada takoj, ko je mogoče, obvesti vse pogodbenice o obvestilih in ugovorih, prejetih v skladu s tem členom.

i) Seznam, omenjen v členu 2 a) i), mora vsebovati vse podatke in spremembe, omenjene v odstavkih b), c), d) in e) tega člena, pri čemer se razume, da ugovori, dani v skladu z odstavkoma f) in g) tega člena, če so sprejeti, veljajo za nazaj od dneva, ko so bili dani.

j) Belgijska vlada vsaki pogodbenici na njeno prošnjo v skladu s tem členom pošlje najnovejše poročilo o jedrskih napravah, ki jih vključuje ta konvencija, ter podatke v zvezi z njimi.

#### 14. člen

a) Razen če ta konvencija določa drugače, lahko vsaka pogodbenica izvaja svoje pristojnosti, podeljene s Pariško konvencijo, in se lahko sklicuje na katere koli določbe iz nje proti drugim pogodbenicam, zato da se zagotovijo javna sredstva po členu 3 b) ii) in iii).

b) Pogodbenica se ne sme proti drugi pogodbenici sklicevati na nobene določbe, ki jih sprejme v skladu z 2. in 9. členom Pariške konvencije, zaradi katerih je treba po členu 3 b) ii) in iii) zagotoviti javna sredstva, če druga pogodbenica v to ni privolila.

c) Ta konvencija ne preprečuje pogodbenicam, da sprejemajo določbe, ki presegajo okvir Pariške konvencije in okvir te konvencije, pod pogojem, da te določbe glede javnih sredstev za pogodbenice ne pomenijo novih obveznosti.

#### 15. člen

a) Vsaka pogodbenica lahko z državo, ki ni pogodbenica te konvencije, sklene sporazum o odškodnini iz javnih sredstev, ko gre za škodo, ki jo je povzročila jedrska nesreča.

b) Kolikor pogoji za plačilo odškodnine na podlagi takega sporazuma niso ugodnejši od tistih, ki izhajajo iz ukrepov, ki jih je zadevna pogodbenica sprejela za izvajanje Pariške konvencije in te konvencije, se lahko upošteva višina škode, za katero se plača odškodnina na podlagi takega sporazuma in ki jo je povzročila jedrska nesreča, na katero se nanaša ta konvencija, če se za izračun celotne višine škode, ki jo je povzročila nesreča, uporabi 8. člen.

c) Določbe iz odstavkov a) in b) tega člena v nobenem primeru ne vplivajo na obveznosti po členu 3 b) ii) in iii) tistih pogodbenic, ki v tak sporazum niso privolile.

d) Vsaka pogodbenica, ki namerava skleniti tak sporazum, o svoji nameri obvesti druge pogodbenice. O sklenjenih sporazumih se obvesti belgijska vlada.

#### 16. člen

a) Pogodbenice se med seboj posvetujejo o vseh vprašanih skupnega interesa, ki nastanejo pri uporabi te konvencije in Pariške konvencije, še zlasti 20. člena in odstavka c) 22. člena Pariške konvencije.



b) They shall consult each other on the desirability of revising this Convention after a period of five years from the date of its coming into force, and at any other time upon the request of a Contracting Party.

#### **Article 17**

Any dispute arising between two or more Contracting Parties concerning the interpretation or application of this Convention shall, upon the request of a Contracting Party concerned, be submitted to the European Nuclear Energy Tribunal established by the Convention of 20th December 1957 on the Establishment of a Security Control in the Field of Nuclear Energy.

#### **Article 18**

a) Reservations to one or more of the provisions of this Convention may be made at any time prior to ratification of this Convention if the terms of these reservations have been expressly accepted by all Signatories or, at the time of accession or of the application of the provisions of Articles 21 and 24, if the terms of these reservations have been expressly accepted by all Signatories and acceding Governments.

b) Such acceptance shall not be required from a Signatory which has not itself ratified this Convention within a period of twelve months after the date of notification to it of such reservation by the Belgian Government in accordance with Article 25.

c) Any reservation accepted in accordance with the provisions of paragraph (a) of this Article may be withdrawn at any time by notification addressed to the Belgian Government.

#### **Article 19**

No State may become or continue to be a Contracting Party to this Convention unless it is a Contracting Party to the Paris Convention.

#### **Article 20**

a) The Annex to this Convention shall form an integral part thereof.

b) This Convention shall be ratified. Instruments of ratification shall be deposited with the Belgian Government.

c) This Convention shall come into force three months after the deposit of the sixth instrument of ratification.

d) For each Signatory ratifying this Convention after the deposit of the sixth instrument of ratification, it shall come into force three months after the date of the deposit of its instrument of ratification.

#### **Article 21**

Amendments to this Convention shall be adopted by agreement among all the Contracting Parties. They shall come into force on the date when all Contracting Parties have ratified or confirmed them.

#### **Article 22**

a) After the coming into force of this Convention, any Contracting Party to the Paris Convention which has not signed this Convention may request accession to this Convention by notification addressed to the Belgian Government.

b) Such accession shall require the unanimous assent of the Contracting Parties.

b) Med seboj se posvetujejo, ali želijo revidirati to konvencijo po preteku petletnega obdobja od začetka njene veljavnosti ali kadar koli na zahtevo katere od pogodbenic.

#### **17. člen**

Vsak spor med dvema ali več pogodbenicami v zvezi z razlago ali uporabo te konvencije se na zahtevo zadevne pogodbenice predloži v reševanje Evropskemu sodišču za jedrsko energijo, ustanovljenemu s Konvencijo o uvedbi varnostnega nadzora na področju jedrske energije z dne 20. decembra 1957.

#### **18. člen**

a) Pridrži na eno ali več določb te konvencije se lahko dajo kadar koli pred ratifikacijo te konvencije, če so pogoje teh pridržkov izrecno sprejele vse podpisnice, ali ob pristopu h konvenciji ali pri uporabi določb 21. in 24. člena, če so pogoje teh pridržkov izrecno sprejele vse podpisnice in vlade, ki so k njej pristopile.

b) Tako sprejetje se ne zahteva od podpisnice, ki sama ni ratificirala te konvencije v dvanajstih mesecih po tem, ko jo je v skladu s 25. členom belgijska vlada uradno obvestila o takem pridržku.

c) Vsak pridržek, ki je bil sprejet v skladu z določbami odstavka a) tega člena, se lahko kadar koli umakne z uradnim obvestilom belgijski vladi.

#### **19. člen**

Nobena država ne more postati ali biti še naprej pogodbenica te konvencije, če ni pogodbenica Pariške konvencije.

#### **20. člen**

a) Priloga k tej konvenciji je njen sestavni del.

b) Ta konvencija se ratificira. Listine o ratifikaciji se deponirajo pri belgijski vladi.

c) Ta konvencija začne veljati tri mesece po tem, ko je bila deponirana šesta listina o ratifikaciji.

d) Za vsako podpisnico, ki ratificira konvencijo po deponiranju šeste listine o ratifikaciji, začne konvencija veljati tri mesece po tem, ko je deponirala svojo listino o ratifikaciji.

#### **21. člen**

Spremembe te konvencije sprejemajo vse pogodbenice s skupnim dogovorom. Te začnejo veljati z dnem, ko jih vse pogodbenice ratificirajo ali potrdijo.

#### **22. člen**

a) Ko ta konvencija začne veljati, lahko vsaka pogodbenica Pariške konvencije, ki ni podpisala te konvencije, z uradnim obvestilom belgijski vladi zaprosi za pristop k tej konvenciji.

b) Za tak pristop je potrebna soglasna privolitev vseh pogodbenic.

c) Once such assent has been given, the Contracting Party to the Paris Convention requesting accession shall deposit its instrument of accession with the Belgian Government.

d) The accession shall take effect three months from the date of deposit of the instrument of accession.

### **Article 23**

a) This Convention shall remain in force until the expiry of the Paris Convention.

b) Any Contracting Party may, by giving twelve months' notice to the Belgian Government, terminate the application of this Convention to itself after the end of the period of ten years specified in Article 22(a) of the Paris Convention. Within six months after receipt of such notice, any other Contracting Party may, by notice to the Belgian Government, terminate the application of this Convention to itself as from the date when it ceases to have effect in respect of the Contracting Party which first gave notice.

c) The expiry of this Convention or the withdrawal of a Contracting Party shall not terminate the obligations assumed by each Contracting Party under this Convention to pay compensation for damage caused by nuclear incidents occurring before the date of such expiry or withdrawal.

d) The Contracting Parties shall, in good time, consult each other on what measures should be taken after the expiry of this Convention or the withdrawal of one or more of the Contracting Parties, to provide compensation comparable to that accorded by this Convention for damage caused by nuclear incidents occurring after the date of such expiry or withdrawal and for which the operator of a nuclear installation in operation before such date within the territories of the Contracting Parties is liable.

### **Article 24**

a) This Convention shall apply to the metropolitan territories of the Contracting Parties.

b) Any Contracting Party desiring the application of this Convention to one or more of the territories in respect of which, pursuant to Article 23 of the Paris Convention, it has given notification of application of that Convention, shall address a request to the Belgian Government.

c) The application of this Convention to any such territory shall require the unanimous assent of the Contracting Parties.

d) Once such assent has been given, the Contracting Party concerned shall address to the Belgian Government a notification which shall take effect as from the date of its receipt.

e) Such notification may, as regards any territory mentioned therein, be withdrawn by the Contracting Party which has made it by giving twelve months' notice to that effect to the Belgian Government.

f) If the Paris Convention ceases to apply to any such territory, this Convention shall also cease to apply thereto.

### **Article 25**

The Belgian Government shall notify all Signatories and acceding Governments of the receipt of any instrument of ratification, accession or withdrawal, and shall also notify them of the date on which this Convention comes into force, the text of any amendment thereto and the date on which such amendment comes into force, any reservations made in accordance with Article 18, and all notifications which it has received.

**IN WITNESS WHEREOF** the undersigned Plenipotentiaries, duly empowered, have signed this Convention.

c) Ko je tako soglasje dano, mora pogodbenica Pariške konvencije, ki prosi za pristop, deponirati svojo listino o pristopu pri belgijski vladi.

d) Pristop začne veljati tri mesece po tem, ko je bila deponirana listina o pristopu.

### **23. člen**

a) Ta konvencija velja do prenehanja veljavnosti Pariške konvencije.

b) Vsaka pogodbenica lahko preneha uporabljati to konvencijo po preteku desetletnega obdobja, navedenega v odstavku a) 22. člena Pariške konvencije, tako da dvanajst mesecev vnaprej o tem obvesti belgijsko vlado. Šest mesecev po prejemu takega obvestila lahko vsaka druga pogodbenica z obvestilom belgijski vladi preneha uporabljati to konvencijo z dnem, ko preneha veljati za pogodbenico, ki je prva odpovedala konvencijo.

c) Prenehanje veljavnosti te konvencije ali njena odpoved za pogodbenico ne pomeni, da prenehajo obveznosti, ki so jih pogodbenice sprejele za plačilo odškodnine za škodo, ki so jo povzročile jedrske nesreče, ki so se zgodile pred prenehanjem veljavnosti ali odpovedjo.

d) Pogodbenice se pravočasno med seboj posvetujejo o tem, katere ukrepe bi bilo treba sprejeti po prenehanju veljavnosti te konvencije ali odpovedi ene ali več pogodbenic za zagotovitev odškodnin, primerljivih z odškodnino, ki jo ta konvencija prizna za škodo, ki jo povzročijo jedrske nesreče, ki so se zgodile po datumu prenehanja veljavnosti ali odpovedi in za katere je odgovoren uporabnik jedrske naprave, ki je delovala pred tem datumom na ozemlju pogodbenic.

### **24. člen**

a) Ta konvencija se uporablja na matičnih ozemljih pogodbenic.

b) Vsaka pogodbenica, ki želi, da se ta konvencija uporablja na enem ali več ozemljih, za katere je v skladu s 23. členom Pariške konvencije uradno obvestila, da se ta konvencija zanje uporablja, vložijo prošnjo pri belgijski vladi.

c) Za uporabo te konvencije na katerem koli takem ozemlju je potrebna soglasna privolitev pogodbenic.

d) Po pridobitvi tega soglasja zainteresirana pogodbenica na belgijsko vlado naslovi uradno obvestilo, ki začne veljati z dnem njegovega prejema.

e) Pogodbenica, ki je tako uradno obvestilo poslala, lahko v zvezi z vsakim v njem omenjenim ozemljem to obvestilo pri belgijski vladi tudi umakne z dvanajstmesečnim odpovednim rokom.

f) Če se Pariška konvencija preneha uporabljati za katero od takih ozemelj, se zanj preneha uporabljati tudi ta konvencija.

### **25. člen**

Belgijska vlada uradno obvesti vse podpisnice in vlade, ki pristopijo h konvenciji, o prejemu vsake listine o ratifikaciji, pristopu ali odpovedi, obvesti pa jih tudi o datumu, ko ta konvencija začne veljati, o besedilu vsake njene spremembe ter o datumu, ko taka sprememba začne veljati, o kakršnih koli pridržkih, izraženih v skladu z 18. členom, in vseh prejetih uradnih obvestil.

**DA BI TO POTRDILI**, so podpisani pooblaščenici, ki so bili za to pravilno pooblaščenici, podpisali to konvencijo.

**DONE** at Brussels, this 31st day of January 1963, in the English, Dutch, French, German, Italian and Spanish languages, the six texts being equally authoritative, in a single copy which shall be deposited with the Belgian Government by whom certified copies shall be communicated to all the other Signatories and acceding Governments.

**ANNEX**  
**TO THE CONVENTION OF 31ST JANUARY 1963**  
**SUPPLEMENTARY TO THE PARIS CONVENTION**  
**OF 29TH JULY 1960 ON THIRD PARTY LIABILITY**  
**IN THE FIELD OF NUCLEAR ENERGY,**  
**AS AMENDED BY THE ADDITIONAL PROTOCOL**  
**OF 28TH JANUARY 1964**  
**AND BY THE PROTOCOL**  
**OF 16TH NOVEMBER 1982**

**THE GOVERNMENTS OF THE CONTRACTING PARTIES** declare that compensation for damage caused by a nuclear incident not covered by the Supplementary Convention solely by reason of the fact that the relevant nuclear installation, on account of its utilization, is not on the list referred to in Article 2 of the Supplementary Convention, (including the case where such installation is considered by one or more but not all of the Governments to be outside the Paris Convention):

– shall be provided without discrimination among the nationals of the Contracting Parties to the Supplementary Convention; and

– shall not be limited to less than 300 million Special Drawing Rights.

In addition, if they have not already done so, they shall endeavour to make the rules for compensation of persons suffering damage caused by such incidents as similar as possible to those established in respect of nuclear incidents occurring in connection with nuclear installations covered by the Supplementary Convention.

**SESTAVLJENO** v Bruslju 31. januarja 1963 v angleškem, francoskem, italijanskem, nemškem, nizozemskem in španskem jeziku, pri čemer je vseh šest besedil enako veljavnih, v enem izvodu, deponiranem pri belgijski vladi, ki vsem drugim podpisnicam in vladam, ki pristopijo, pošlje overjene kopije.

**PRILOGA**  
**H KONVENCIJI Z DNE 31. JANUARJA 1963,**  
**KI DOPOLNJUJE PARIŠKO KONVENCIJO**  
**O ODGOVORNOSTI TRETJIM NA PODROČJU**  
**JEDRSKE ENERGIJE Z DNE 29. JULIJA 1960,**  
**KOT JE BILA SPREMENJENA Z DODATNIM**  
**PROTOKOLOM Z DNE 28. JANUARJA 1964**  
**IN S PROTOKOLOM**  
**Z DNE 16. NOVEMBRA 1982**

**VLADE DRŽAV POGODBENIC** izjavljajo, da bo odškodnina za škodo, ki jo povzroči jedrska nesreča in ki je ne vključuje dopolnilna konvencija, samo zaradi dejstva, da ustrezná jedrska naprava zaradi njene uporabe ni na seznamu, omenjenem v 2. členu dopolnilne konvencije (vključno s primerom, za katerega ena ali več vlad, vendar ne vse, za tako napravo menijo, da ni v okviru Pariške konvencije):

– zagotovljena brez diskriminacije med državljani pogodbenic dopolnilne konvencije in

– ni omejena na manj kot 300 milijonov posebnih pravic črpanja.

Nadalje si prizadevajo, če tega še niso storile, da bodo pravila za odškodnino osebam, ki so utrpele škodo zaradi takih nesreč, kolikor mogoče podobna pravilom, ki veljajo glede jedrskih nesreč, ki so se zgodile v zvezi z jedrskimi napravami, ki jih vključuje dopolnilna konvencija.

3. člen

Za izvajanje konvencije skrbi Ministrstvo za okolje in prostor, Uprava za jedrsko varnost.

4. člen

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

Št. 801-10/00-21/1

Ljubljana, dne 5. aprila 2001

Predsednik  
Državnega zbora  
Republike Slovenije  
**Borut Pahor** l. r.

- Obvestilo o začetku veljavnosti mednarodnih pogodb

### OBVESTILO o začetku veljavnosti mednarodnih pogodb

Dne 29. marca 2001 sta začela veljati:

– Sporazum med Republiko Slovenijo in Republiko Madžarsko o mejni kontroli cestnega in železniškega prometa, sklenjen dne 12. 10. 2000 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 29/00 (Uradni list Republike Slovenije, št. 125/00).

– Dogovor med Vlado Republike Slovenije in Vlado Republike Madžarske k Sporazumu med Republiko Slovenijo in Republiko Madžarsko o mejni kontroli cestnega in železniškega prometa za izvajanje mejne kontrole v železniškem prometu, sklenjen dne 12. 10. 2000 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 3/01 (Uradni list Republike Slovenije, št. 6/01).

Dne 1. aprila 2001 sta začela veljati:

– Sporazum med Vlado Republike Slovenije in Vlado Republike Avstrije o mednarodnem prevozu potnikov v izvenlinijskem cestnem prometu in Memorandumu k 5., 6., 7. in 8. členu Sporazuma med Vlado Republike Slovenije in Vlado Republike Avstrije o mednarodnem prevozu potnikov v izvenlinijskem cestnem prometu, sklenjena dne 7. 4. 1994 in objavljena v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 21/94 (Uradni list Republike Slovenije, št. 74/94).

Ministrstvo za zunanje zadeve  
Republike Slovenije

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