



40. Zakon o ratifikaciji Konvencije za preprečevanje nezakonitih dejanj zoper varnost pomorske plovbe (MKPND)

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 ZA PREPREČEVANJE NEZAKONITIH DEJANJ ZOPER VARNOST POMORSKE PLOVBE (MKPND)

Razlašam Zakon o ratifikaciji Konvencije za preprečevanje nezakonitih dejanj zoper varnost pomorske plovbe (MKPND), ki ga je sprejel Državni zbor Republike Slovenije na seji 18. junija 2003.

Št. 001-22-51/03
Ljubljana, 27. junij 2003

Predsednik
Republike Slovenije
dr. Janez Drnovšek l. r.

Z A K O N

O RATIFIKACIJI KONVENCIJE ZA PREPREČEVANJE NEZAKONITIH DEJANJ ZOPER VARNOST POMORSKE PLOVBE (MKPND)

1. člen

Ratificira se Konvencija za preprečevanje nezakonitih dejanj zoper varnost pomorske plovbe, sestavljena 10. marca 1988 v Rimu.

2. člen

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

C O N V E N T I O N **FOR THE SUPPRESSION OF UNLAWFUL ACTS** **AGAINST THE SAFETY OF MARITIME** **NAVIGATION**

The States Parties to this Convention,
HAVING IN MIND the purposes and principles of the charter of the United Nations concerning the maintenance of international peace and security and the promotion of friendly relations and co-operation among States,

RECOGNIZING in particular that everyone has the right to life, liberty and security of person, as set out in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,

DEEPLY CONCERNED about the world-wide escalation of acts of terrorism in all its forms, which endanger or take innocent human lives, jeopardize fundamental freedoms and seriously impair the dignity of human beings,

CONSIDERING that unlawful acts against the safety of maritime navigation jeopardize the safety of persons and properly, seriously affect the operation of maritime services, and undermine the confidence of the peoples of the world in the safety of maritime navigation,

K O N V E N C I J A **ZA PREPREČEVANJE NEZAKONITIH DEJANJ** **ZOPER VARNOST POMORSKE PLOVBE**

Države pogodbenice te konvencije so se
OB UPOŠTEVANJU ciljev in načel Ustanovne listine Združenih narodov glede ohranjanja mednarodnega miru in varnosti ter spodbujanja prijateljskih odnosov in sodelovanja med državami,

OB SPOZNAVANJU, da ima še posebej vsakdo pravico do življenja, prostosti in osebne varnosti, kot je navedeno v Splošni deklaraciji o človekovih pravicah in Mednarodnem paktu o državljanskih in političnih pravicah,

GLOBOKO ZASKRBLJENE nad svetovno razširjenim stopnjevanjem terorističnih dejanj v vseh njegovih oblikah, ki ogrožajo ali končajo nedolžna človeška življenja, ogrožajo temeljne svoboščine in hudo ovirajo človeško dostojanstvo,

GLEDE NA TO, da nezakonita dejanja zoper varnost pomorske plovbe ogrožajo varnost oseb in premoženja, močno vplivajo na delovanje pomorskih služb ter slabijo zaupanje ljudstev sveta v varnost pomorske plovbe,

CONSIDERING that the occurrence of such acts is a matter of grave concern to the international community as a whole,

BEING CONVINCED of the urgent need to develop international co-operation between States in devising and adopting effective and practical measures for the prevention of all unlawful acts against the safety of maritime navigation, and the prosecution and punishment of their perpetrators,

RECALLING resolution 40/61 of the General Assembly of the United Nations of 9 December 1985 which, *inter alia*, "urges all States unilaterally and in co-operation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of causes underlying international terrorism, racism and situations involving mass and flagrant violations of human rights and fundamental freedoms and those involving alien occupation, that may give rise to international terrorism and may endanger international peace and security",

RECALLING FURTHER that resolution 40/61 "unequivocally condemns, as criminal, all acts, methods and practices of terrorism wherever and by whomever committed, including those which jeopardize friendly relations among States and their security",

RECALLING ALSO that by resolution 40/61, the International Maritime Organization was invited to "study the problem of terrorism aboard or against ships with a view to making recommendations on appropriate measures",

HAVING IN MIND resolution A.584(14) of 20 November 1985, of the Assembly of the International Maritime Organization, which called for development of measures to prevent unlawful acts which threaten the safety of ships and the security of their passengers and crews,

NOTING that acts of the crew which are subject to normal shipboard discipline are outside the purview of this Convention,

AFFIRMING the desirability of monitoring rules and standards relating to the prevention and control of unlawful acts against ships and persons on board ships, with a view to updating them as necessary, and, to this effect, taking note with satisfaction of the Measures to Prevent Unlawful Acts against Passengers and Crews on Board Ships, recommended by the Maritime Safety Committee of the International Maritime Organization,

AFFIRMING FURTHER that matters not regulated by this Convention continue to be governed by the rules and principles of general international law,

RECOGNIZING the need for all States, in combating unlawful acts against the safety of maritime navigation, strictly to comply with rules and principles of general international law,

HAVE AGREED as follows:

Article 1

For the purposes of this Convention, "ship" means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft.

GLEDE NA TO, da taka dejanja pri celotni mednarodni skupnosti vzbujajo veliko skrb,

PREPRIČANE o nujnosti razvoja mednarodnega sodelovanja med državami pri načrtovanju in sprejemanju učinkovitih in uporabnih ukrepov za preprečevanje vseh nezakonitih dejanj zoper varnost pomorske plovbe ter kazenski pregon in kaznovanje njihovih storilcev,

SKLICUJOČ na resolucijo 40/61 Generalne skupščine Združenih narodov z dne 9. decembra 1985, ki med drugim "poziva ustrezne organe Združenih narodov kot tudi vse države, da enostransko in v sodelovanju z drugimi državami prispevajo k postopnemu odpravljanju vzrokov mednarodnega terorizma in namenijo posebno pozornost vsem razmeram, vključno s kolonializmom, rasizmom in razmerami, v katerih prihaja do množičnih in hudih kršitev človekovih pravic in temeljnih svoboščin in do zasedbe tujcev, ki lahko povzročijo mednarodni terorizem ter lahko ogrozijo mednarodni mir in varnost",

NADALJE SKLICUJOČ na resolucijo 40/61, ki "nepreklicno obsoja kot kazniva vsa dejanja, načine in oblike terorizma ne glede na to, kje so storjeni in kdo jih je storil, vključno s tistimi, ki ogrožajo prijateljske odnose med državami in njihovo varnost",

SKLICUJOČ TUDI na to, da je bila z resolucijo 40/61 Mednarodna pomorska organizacija povabljena, da "prouči problem terorizma na ladjah ali zoper ladje, da bi sestavila priporočila o ustreznih ukrepih",

OB UPOŠTEVANJU resolucije A.584(14) z dne 20. novembra 1985 Skupščine Mednarodne pomorske organizacije, ki poziva k razvijanju ukrepov za preprečevanje nezakonitih dejanj, ki ogrožajo varnost ladij ter varnost njihovih potnikov in posadk,

UGOTAVLJAJOČ, da dejanja posadke, ki so v skladu z običajno disciplino na ladjah, niso zajeta v tej konvenciji,

POTRJUJOČ, da je zaželeno nadziranje pravil in standardov za preprečevanje in nadziranje nezakonitih dejanj zoper ladje in osebe na ladjah, da bi jih po potrebi posodobili, ter v ta namen z zadovoljstvom opozarjajo na Ukrepe za preprečevanje nezakonitih dejanj zoper potnike in posadke na ladjah, ki jih priporoča Odbor za pomorsko varnost pri Mednarodni pomorski organizaciji,

NADALJE POTRJUJOČ, da zadeve, ki jih ta konvencija ne ureja, še nadalje urejajo pravila in načela splošnega mednarodnega prava,

OB PRIZNAVANJU potrebe, da vse države v boju zoper nezakonita dejanja zoper varnost pomorske plovbe strogo spoštujejo pravila in načela splošnega mednarodnega prava,

SPORAZUMELE, kot sledi:

1. člen

V tej konvenciji "ladja" pomeni plovilo katere koli vrste, ki ni stalno pritrjeno na morsko dno, vključno s hidroglicerji, podvodnimi plovili ali katerim koli drugim plavajočim sredstvom.

Article 2

1 This Convention does not apply to:

- (a) a warship; or
- (b) a ship owned or operated by a State when being used as a naval auxiliary or for customs or police purposes; or
- (c) a ship which has been withdrawn from navigation or laid up.

2 Nothing in this Convention affects the immunities of warships and other government ships operated for non-commercial purposes.

Article 3

1 Any person commits an offence if that person unlawfully and intentionally:

(a) seizes or exercises control over a ship by force or threat thereof or any other form of intimidation; or

(b) performs an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of that ship; or

(c) destroys a ship or causes damage to a ship or to its cargo which is likely to endanger the safe navigation of that ship; or

(d) places or causes to be placed on a ship, by any means whatsoever, a device or substance which is likely to destroy that ship, or cause damage to that ship or its cargo which endangers or is likely to endanger the safe navigation of that ship; or

(e) destroys or seriously damages maritime navigational facilities or seriously interferes with their operation, if any such act is likely to endanger the safe navigation of a ship; or

(f) communicates information which he knows to be false, thereby endangering the safe navigation of a ship; or

(g) injures or kills any person, in connection with the commission or the attempted commission of any of the offences set forth in subparagraphs (a) to (f).

2 Any person also commits an offence if that person:

(a) attempts to commit any of the offences set forth in paragraph 1; or

(b) abets the commission of any of the offences set forth in paragraph 1 perpetrated by any person or is otherwise an accomplice of a person who commits such an offence; or

(c) threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraph 1, subparagraphs (b), (c) and (e), if that threat is likely to endanger the safe navigation of the ship in question.

Article 4

1 This Convention applies if the ship is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single State, or the lateral limits of its territorial sea with adjacent States.

2. In cases where the Convention does not apply pursuant to paragraph 1, it nevertheless applies when the offender or the alleged offender is found in the territory of a State Party other than the State referred to in paragraph 1.

Article 5

Each State Party shall make the offences set forth in article 3 punishable by appropriate penalties which take into account the grave nature of those offences.

2. člen

1. Ta konvencija se ne uporablja za:

a. vojno ladjo ali

b. ladjo, ki je v lasti države ali ta z njo opravlja prevoz, ko se uporablja kot pomožna vojaška ladja ali za carinske ali policijske namene, ali

c. ladjo, ki je bila umaknjena iz plovbe, ali ladjo v razporemi.

2. Nobena določba te konvencije ne vpliva na imuniteto vojnih ladij in drugih vladnih ladij, ki se uporabljajo v netrgovinske namene.

3. člen

1. Oseba stori kaznivo dejanje, če nezakonito in namerno:

a. s silo ali grožnjo z uporabo sile ali katero koli drugo obliko ustrahovanja zaseže ladjo ali izvaja nadzor nad njo ali

b. stori nasilno dejanje nad osebo na ladji, če bi tako dejanje utegnulo ogroziti varno plovbo te ladje, ali

c. uniči ladjo ali poškoduje ladjo ali njen tovor, kar bi utegnulo ogroziti varno plovbo te ladje, ali

d. s kakršnimi koli sredstvi na ladji namesti ali povzroči namestitev naprave ali snovi, ki bi utegnili uničiti to ladjo ali poškodovati to ladjo ali njen tovor, kar ogroža ali bi utegnulo ogroziti varno plovbo te ladje, ali

e. uniči ali hudo poškoduje pomorske navigacijske naprave ali močno ovira njihovo delovanje, če bi katero koli tako dejanje utegnulo ogroziti varno plovbo ladje, ali

f. sporoči informacije, za katere ve, da so netočne, in s tem ogroža varno plovbo ladje, ali

g. poškoduje ali ubije osebo v povezavi s storitvijo ali poskusom storitve katerega koli kaznivega dejanja iz pododstavkov od (a) do (f).

2. Oseba stori kaznivo dejanje, tudi če:

a. poskuša storiti katero koli kaznivo dejanje iz prvega odstavka ali

b. je udeležena pri storitvi katerega koli kaznivega dejanja iz prvega odstavka, ki ga stori katera koli oseba, ali je drugače sostorilec osebe, ki stori tako kaznivo dejanje, ali

c. grozi s pogojem ali brez njega, kot to določa notranja zakonodaja, da bi prisilila fizično ali pravno osebo, da neko dejanje stori ali se ga vzdrži, da stori katero koli kaznivo dejanje iz pododstavkov (b), (c) in (e) prvega odstavka, če bi ta grožnja utegnula ogroziti varnost plovbe zadevne ladje.

4. člen

1. Ta konvencija se uporablja, če ladja plove ali naj bi plula v ali skozi vode zunaj zunanje meje teritorialnega morja ene države ali zunaj stranskih meja svojega teritorialnega morja s sosednjimi državami ali iz takih vod.

2. Kadar se konvencija ne uporablja na podlagi prvega odstavka, se ne glede na to uporablja, če storilca ali domnevnega storilca najdejo na ozemlju države pogodbenice, ki ni država iz prvega odstavka.

5. člen

Država pogodbenica kazniva dejanja iz 3. člena kaznuje z ustreznimi kaznimi, ki upoštevajo težo teh kaznivih dejanj.

Article 6

1 Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 3 when the offence is committed:

- (a) against or on board a ship flying the flag of the State at the time the offence is committed; or
- (b) in the territory of that State, including its territorial sea; or
- (c) by a national of that State.

2 A State Party may also establish its jurisdiction over any such offence when:

- (a) it is committed by a stateless person whose habitual residence is in that State; or
- (b) during its commission a national of that State is seized, threatened, injured or killed; or
- (c) it is committed in an attempt to compel that State to do or abstain from doing any act.

3 Any State Party which has established jurisdiction mentioned in paragraph 2 shall notify the Secretary-General of the International Maritime Organization (hereinafter referred to as the Secretary-General). If such State Party subsequently rescinds that jurisdiction, it shall notify the Secretary-General.

4 Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 3 in cases where the alleged offender is present in its territory and it does not extradite him to any of the States Parties which have established their jurisdiction in accordance with paragraphs 1 and 2 of this article.

5 This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 7

1 Upon being satisfied that the circumstances so warrant, any State Party in the territory of which the offender or the alleged offender is present shall, in accordance with its law, take him into custody or take other measures to ensure his presence for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2 Such State shall immediately make a preliminary inquiry into the facts, in accordance with its own legislation.

3 Any person regarding whom the measures referred to in paragraph 1 are being taken shall be entitled to:

- (a) communicate without delay with the nearest appropriate representative of the State of which he is a national or which is otherwise entitled to establish such communication or, if he is a stateless person, the State in the territory of which he has his habitual residence;
- (b) be visited by a representative of that State.

4 The rights referred to in paragraph 3 shall be exercised in conformity with the laws and regulations of the State in the territory of which the offender or the alleged offender is present, subject to the proviso that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

5 When a State Party, pursuant to this article, has taken a person into custody, it shall immediately notify the States which have established jurisdiction in accordance with article 6, paragraph 1 and, if it considers it advisable, any other interested States, of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary inquiry contemplated in paragraph 2 of this article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

6. člen

1. Država pogodbenica sprejme ukrepe, potrebne za vzpostavitev svoje jurisdikcije nad kaznivimi dejanji iz 3. člena, če je kaznivo dejanje:

- a. storjeno zoper ladjo ali na ladji, ki plove pod zastavo države, ko je kaznivo dejanje storjeno, ali
- b. storjeno na ozemlju te države, vključno z njenim teritorialnim morjem, ali
- c. storil državljan te države.

2. Država pogodbenica lahko tudi vzpostavi svojo jurisdikcijo nad vsakim takim kaznivim dejanjem, če:

- a. ga stori oseba brez državljanstva, katere običajno prebivališče je v tej državi, ali
- b. med njegovo storitvijo njenemu državljanu odvzamejo prostost, mu grozijo, ga poškodujejo ali ubijejo ali
- c. je storjeno pri poskusu prisiliti to državo, da neko dejanje stori ali se ga vzdrži.

3. Država pogodbenica, ki je vzpostavila jurisdikcijo, omenjeno v drugem odstavku, o tem uradno obvesti generalnega sekretarja Mednarodne pomorske organizacije (v nadaljevanju "generalni sekretar"). Če ta država pogodbenica pozneje odstopi od te jurisdikcije, o tem uradno obvesti generalnega sekretarja.

4. Vsaka država pogodbenica sprejme take ukrepe, kot so lahko potrebni za vzpostavitev njene jurisdikcije nad kaznivimi dejanji iz 3. člena, če je domnevni storilec na njenem ozemlju in ga ne izroči nobeni državi pogodbenici, ki je vzpostavila svojo jurisdikcijo v skladu s prvim in drugim odstavkom tega člena.

5. Ta konvencija ne izključuje nobene kazenske pristojnosti, ki se izvaja v skladu z notranjo zakonodajo.

7. člen

1. Ko je prepričana, da to upravičujejo okoliščine, katera koli država pogodbenica, na ozemlju katere je storilec ali domnevni storilec, temu v skladu s svojo zakonodajo odvzame prostost ali sprejme druge ukrepe, da zagotovi njegovo prisotnost toliko časa, kot je to potrebno za začetek kazenskega ali izročitvenega postopka.

2. Ta država takoj predhodno razišče dejstva v skladu s svojo zakonodajo.

3. Oseba, v zvezi s katero se sprejmejo ukrepi iz prvega odstavka, je upravičena:

- a. nemudoma sporočiti najbližjemu ustreznemu predstavniku države, katere državljan je ali ki je sicer upravičena vzpostaviti tak stik, ali če je oseba brez državljanstva, države, na katere ozemlju ima svoje običajno prebivališče;
- b. da jo obišče predstavnik te države.

4. Pravice iz tretjega odstavka se uresničujejo v skladu z zakoni in predpisi države, na ozemlju katere je storilec ali domnevni storilec, ob upoštevanju določbe, da morajo omejeni zakoni in predpisi omogočati popolno uveljavitev ciljev, ki so jim namenjene pravice, priznane po tretjem odstavku.

5. Ko država pogodbenica na podlagi tega člena odvzame prostost osebi, nemudoma uradno obvesti države, ki so vzpostavile jurisdikcijo v skladu s prvim odstavkom 6. člena, in če meni, da je primerno, katere koli druge zainteresirane države, o tem, da je taki osebi bila odvzeta prostost, in o okoliščinah, ki upravičujejo njen odvzem. Država, ki opravi predhodno preiskavo iz drugega odstavka tega člena, o svojih ugotovitvah takoj poroča omenjenim državam in navede, ali namerava izvajati svojo jurisdikcijo.

Article 8

1 The master of a ship of a State Party (the flag State) may deliver to the authorities of any other State Party (the receiving State) any person who he has reasonable grounds to believe has committed one of the offences set forth in article 3.

2 The flag State shall ensure that the master of its ship is obliged, whenever practicable, and if possible before entering the territorial sea of the receiving State carrying on board any person whom the master intends to deliver in accordance with paragraph 1, to give notification to the authorities of the receiving State of his intention to deliver such person and the reasons therefor.

3 The receiving State shall accept the delivery, except where it has grounds to consider that the Convention is not applicable to the acts giving rise to the delivery, and shall proceed in accordance with the provisions of article 7. Any refusal to accept a delivery shall be accompanied by a statement of the reasons for refusal.

4 The flag State shall ensure that the master of its ship is obliged to furnish the authorities of the receiving State with the evidence in the master's possession which pertains to the alleged offence.

5 A receiving State which has accepted the delivery of a person in accordance with paragraph 3 may, in turn, request the flag State to accept delivery of that person. The flag State shall consider any such request, and if it accedes to the request it shall proceed in accordance with article 7. If the flag State declines a request, it shall furnish the receiving State with a statement of the reasons therefor.

Article 9

Nothing in this Convention shall affect in any way the rules of international law pertaining to the competence of States to exercise investigative or enforcement jurisdiction on board ships not flying their flag.

Article 10

1 The State Party in the territory of which the offender or the alleged offender is found shall, in cases to which article 6 applies, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case without delay to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any other offence of a grave nature under the law of that State.

2 Any person regarding whom proceedings are being carried out in connection with any of the offences set forth in article 3 shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided for such proceedings by the law of the State in the territory of which he is present.

Article 11

1 The offences set forth in article 3 shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them.

8. člen

1. Poveljnik ladje države pogodbenice ("država zastave") lahko organom katere koli države pogodbenice ("država sprejemnica") preda katero koli osebo, za katero ima utemeljen razlog, da je storila eno od kaznivih dejanj iz 3. člena.

2. Država zastave zagotovi, da je poveljnik njene ladje dolžan, če je to izvedljivo in če je mogoče pred vplutjem v teritorialno morje države sprejemnice, ki ima na krovu osebo, ki jo poveljnik namerava predati v skladu s prvim odstavkom, uradno obvestiti organe države sprejemnice o svoji nameri, da preda tako osebo, in razlogih za predajo.

3. Država sprejemnica sprejme predajo, razen če ima razlog, da šteje, da se konvencija ne uporablja za dejanja, ki so razlog za predajo, in nadalje ravna v skladu z določbami 7. člena. Vsako zavrnitev sprejetja predaje spremlja izjava z obrazložitvijo zavrnitve.

4. Država zastave zagotovi, da je poveljnik njene ladje dolžan organom države sprejemnice priskrbeti dokaz v poveljnikovi posesti, ki se nanaša na domnevno kaznivo dejanje.

5. Država sprejemnica, ki je sprejela predajo osebe v skladu s tretjim odstavkom, lahko zato zaprosi državo zastave, da sprejme predajo te osebe. Država zastave vsako tako zahtevo obravnava in če zahtevi ugodí, nadalje ravna v skladu s 7. členom. Če država zastave zahtevi ne ugodí, državi sprejemnici da izjavo z obrazložitvijo.

9. člen

Nobena določba te konvencije na noben način ne vpliva na pravila mednarodnega prava, ki se nanašajo na pristojnost držav izvajati preiskovalno ali izvrševalno jurisdikcijo na ladjah, ki ne plovejo pod njihovo zastavo.

10. člen

1. Država pogodbenica, na ozemlju katere so našli storilca ali domnevnega storilca, je v primerih, za katere se uporablja 6. člen, če ga ne izroči, dolžna brez izjeme in ne glede na to, ali je bilo kaznivo dejanje storjeno na njenem ozemlju, primer brez odlašanja predložiti svojim pristojnim organom zaradi kazenskega pregona s postopki v skladu z zakonodajo te države. Ti organi odločajo na enak način kot pri katerem koli drugem težjem kaznivem dejanju po zakonodaji te države.

2. Osebi, v zvezi s katero se izvajajo postopki glede katerega koli kaznivega dejanja iz 3. člena, se zagotovi pravična obravnava na vseh stopnjah postopkov, vključno z uživanjem vseh pravic in jamstev, ki jih pri takih postopkih predvideva zakonodaja države, na ozemlju katere je.

11. člen

1. Kazniva dejanja iz 3. člena se štejejo za kazniva dejanja, za katera se lahko zahteva izročitev, v vsaki pogodbi o izročitvi med državama pogodbenicama. Države pogodbenice se zavezujejo, da vsa taka kazniva dejanja vključijo med kazniva dejanja, za katera se lahko zahteva izročitev, v vsaki pogodbi o izročitvi, ki jo sklenejo med seboj.

2 If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State Party may, at its option, consider this Convention as a legal basis for extradition in respect of the offences set forth in article 3. Extradition shall be subject to the other conditions provided by the law of the requested State Party.

3 States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offences set forth in article 3 as extraditable offences between themselves, subject to the conditions provided by the law of the requested State

4 If necessary, the offences set forth in article 3 shall be treated, for the purposes of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in a place within the jurisdiction of the State Party requesting extradition.

5 A State Party which receives more than one request for extradition from States which have established jurisdiction in accordance with article 6 and which decides not to prosecute shall, in selecting the State to which the offender or alleged offender is to be extradited, pay due regard to the interests and responsibilities of the State Party whose flag the ship was flying at the time of the commission of the offence.

6 In considering a request for the extradition of an alleged offender pursuant to this Convention, the requested State shall pay due regard to whether his rights as set forth in article 7, paragraph 3, can be effected in the requesting State.

7 With respect to the offences as defined in this Convention, the provisions of all extradition treaties and arrangements applicable between States Parties are modified as between States Parties to the extent that they are incompatible with this Convention.

Article 12

1 State Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of the offences set forth in article 3, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2 States Parties shall carry out their obligations under paragraph 1 in conformity with any treaties on mutual assistance that may exist between them. In the absence of such treaties, States Parties shall afford each other assistance in accordance with their national law.

Article 13

1 States Parties shall co-operate in the prevention of the offences set forth in article 3, particularly by:

(a) taking all practicable measures to prevent preparations in their respective territories for the commission of those offences within or outside their territories;

(b) exchanging information in accordance with their national law, and co-ordinating administrative and other measures taken as appropriate to prevent the commission of offences set forth in article 3.

2 When, due to the commission of an offence set forth in article 3, the passage of a ship has been delayed or interrupted, any State Party in whose territory the ship or passengers or crew are present shall be bound to exercise all possible efforts to avoid a ship, its passengers, crew or cargo being unduly detained or delayed.

2. Če država pogodbenica, ki kot pogoj za izročitev postavlja obstoj pogodbe, prejme zahtevo za izročitev od druge države pogodbenice, s katero nima sklenjene pogodbe o izročitvi, lahko zaprošena država pogodbenica po lastni izbiri šteje to konvencijo za pravno podlago za izročitev v zvezi s kaznivimi dejanji iz 3. člena. Pri izročitvi je treba upoštevati druge pogoje, ki jih določa zakonodaja zaprošene države pogodbenice.

3. Države pogodbenice, ki kot pogoj za izročitev ne postavljajo obstoja pogodbe, med seboj priznajo kazniva dejanja iz 3. člena za kazniva dejanja, za katera se lahko zahteva izročitev, ob upoštevanju pogojev, ki jih določa zakonodaja zaprošene države.

4. Po potrebi se kazniva dejanja iz 3. člena obravnavajo za namene izročitve med državami pogodbenicami, kot da so bila storjena ne le na kraju, na katerem je do njih prišlo, temveč tudi na kraju pod jurisdikcijo države pogodbenice, ki zahteva izročitev.

5. Država pogodbenica, ki prejme več kot eno zahtevo za izročitev iz držav, ki so vzpostavile jurisdikcijo v skladu s 6. členom, in se ne odloči za kazenski pregon, je pri izbiri države, ki naj bi ji bil izročen storilec ali domnevni storilec, dolžna upoštevati interese in odgovornost države pogodbenice, pod katere zastavo je ladja plula, ko je bilo storjeno kaznivo dejanje.

6. Pri obravnavanju zahteve za izročitev domnevnega storilca na podlagi te konvencije je zaprošena država dolžna upoštevati, ali se njegove pravice iz tretjega odstavka 7. člena lahko uresničijo v državi prosilki.

7. Glede kaznivih dejanj, kot so opredeljena v tej konvenciji, se določbe vseh pogodb in dogovorov o izročitvi, ki se uporabljajo med državami pogodbenicami, spremenijo med njimi, če so nezdržljive s to konvencijo.

12. člen

1. Države pogodbenice si medsebojno zagotovijo največjo pomoč v zvezi s kazenskimi postopki zaradi kaznivih dejanj iz 3. člena, vključno s pomočjo pri zbiranju dokazov, ki so jim na voljo in so potrebni za postopke.

2. Države pogodbenice izvajajo svoje obveznosti po prvem odstavku v skladu s katero koli pogodbo o vzajemni pomoči, ki obstaja med njimi. Če takih pogodb ni, si države pogodbenice medsebojno pomagajo v skladu s svojo notranjo zakonodajo.

13. člen

1. Države pogodbenice sodelujejo pri preprečevanju kaznivih dejanj iz 3. člena, še posebej tako da:

a. sprejemajo vse izvedljive ukrepe, da preprečijo priprave na svojem ozemlju na storitev takih kaznivih dejanj na svojem ozemlju ali zunaj njega;

b. izmenjujejo informacije v skladu s svojo notranjo zakonodajo in usklajujejo upravne in druge ukrepe, ki se sprejmejo kot ustrezni za preprečitev storitve kaznivih dejanj iz 3. člena.

2. Kadar je bil zaradi storitve kaznivega dejanja iz 3. člena prehod ladje zamujen ali prekinjen, je katera koli država pogodbenica, na katere ozemlju je ladja ali so potniki ali posadka, zavezana, da stori vse potrebno, da ladja, njeni potniki, posadka ali tovor niso neupravičeno zadržani ali imajo zamudo.

Article 14

Any State Party having reason to believe that an offence set forth in article 3 will be committed shall, in accordance with its national law, furnish as promptly as possible any relevant information in its possession to those States which it believes would be the States having established jurisdiction in accordance with article 6.

Article 15

1. Each State Party shall, in accordance with its national law) provide to the Secretary-General, as promptly as possible, any relevant information in its possession concerning:

- (a) the circumstances of the offence;
- (b) the action taken pursuant to article 13, paragraph 2;
- (c) the measures taken in relation to the offender or the alleged offender and, in particular, the results of any extradition proceedings or other legal proceedings.

2. The State Party where the alleged offender is prosecuted shall, in accordance with its national law, communicate the final outcome of the proceedings to the Secretary-General.

3. The information transmitted in accordance with paragraphs 1 and 2 shall be communicated by the Secretary-General to all States Parties, to Members of the International Maritime Organization (hereinafter referred to as "the Organization"), to the other States concerned, and to the appropriate international intergovernmental organizations.

Article 16

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification, acceptance or approval of this Convention or accession thereto, declare that it does not consider itself bound by any or all of the provisions of paragraph 1. The other States Parties shall not be bound by those provisions with respect to any State Party which has made such a reservation.

3. Any State which has made a reservation in accordance with paragraph 2 may, at any time, withdraw that reservation by notification to the Secretary-General.

Article 17

1. This Convention shall be open for signature at Rome on 10 March 1988 by States participating in the International Conference on the Suppression of Unlawful Acts against the Safety of Maritime Navigation and at the Headquarters of the Organization by all States from 14 March 1988 to 9 March 1989. It shall thereafter remain open for accession.

2. States may express their consent to be bound by 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.

14. člen

Država pogodbenica, ki utemeljeno verjame, da bo storjeno kaznivo dejanje iz 3. člena, v skladu s svojo notranjo zakonodajo čim prej priskrbi vse pomembne informacije, ki so v njeni posesti, tistim državam, za katere meni, da so države z vzpostavljeno jurisdikcijo v skladu s 6. členom.

15. člen

1. Država pogodbenica v skladu s svojo notranjo zakonodajo generalnemu sekretarju čim prej zagotovi vse pomembne informacije, ki so v njeni posesti, o:

- a. okoliščinah kaznivega dejanja;
- b. ukrepanju na podlagi drugega odstavka 13. člena;
- c. sprejetih ukrepov v zvezi s storilcem ali domnevnim storilcem in predvsem izidih postopkov za izročitev ali drugih pravnih postopkov.

2. Država pogodbenica, ki kazensko preganja domnevnega storilca v skladu s svojo notranjo zakonodajo, obvesti generalnega sekretarja o končnem izidu postopka.

3. Informacije, ki se pošiljajo v skladu s prvim in drugim odstavkom, generalni sekretar sporoči vsem državam pogodbenicam, vsem članicam Mednarodne pomorske organizacije (v nadaljevanju "organizacija"), drugim zadevnim državam in ustreznim mednarodnim medvladnim organizacijam.

16. člen

1. Spori med dvema ali več državami pogodbenicami o razlagi ali uporabi te konvencije, ki jih v razumnem roku ni mogoče rešiti s pogajanjem, se na zahtevo ene od njih predložijo v arbitražo. Če se stranki v šestih mesecih od dneva zahteve za arbitražo ne morejo sporazumeti o organizaciji arbitraže, lahko katera koli od teh strank spor z zahtevo predloži Meddržavnemu sodišču v skladu s Statutom sodišča.

2. Vsaka država lahko ob podpisu ali ratifikaciji, sprejetju ali odobritvi te konvencije ali pristopu k njej izjavi, da je ne zavezuje katera koli določba ali vse določbe prvega odstavka. Te določbe ne zavezujejo drugih držav pogodbenic glede katere koli države pogodbenice s takim pridržkom.

3. Država s pridržkom v skladu z drugim odstavkom lahko ta pridržek kadar koli umakne, tako da o tem uradno obvesti generalnega sekretarja.

17. člen

1. Ta konvencija je na voljo za podpis v Rimu 10. marca 1988 državam, ki sodelujejo na Mednarodni konferenci o preprečevanju nezakonitih dejanj zoper varnost pomorske plovbe, in vsem državam na sedežu organizacije od 14. marca 1988 do 9. marca 1989. Od takrat naprej je na voljo za pristop.

2. Države lahko soglašajo, da jih zavezuje ta konvencija, s:

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

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

Article 18

1 This Convention shall enter into force ninety days following the date on which fifteen States have either signed it without reservation as to ratification, acceptance or approval, or have deposited an instrument of ratification, acceptance, approval or accession in respect thereof.

2 For a State which deposits an instrument of ratification, acceptance, approval or accession in respect of this Convention after the conditions for entry into force thereof have been met, the ratification, acceptance, approval or accession shall take effect ninety days after the date of such deposit.

Article 19

1 This Convention may be denounced by any State Party at any time after the expiry of one year from the date on which this Convention enters into force for that State.

2 Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General.

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

Article 20

1 A conference for the purpose of revising or amending this Convention may be convened by the Organization.

2 The Secretary-General shall convene a conference of the States Parties to this Convention for revising or amending the Convention, at the request of one third of the States Parties, or ten States Parties, whichever is the higher figure.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date of entry into force of an amendment to this Convention shall be deemed to apply to the Convention as amended.

Article 21

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, and all Members of the Organization, 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 the entry into force of this Convention;

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

(iv) the receipt of any declaration or notification made under this Convention;

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

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

18. člen

1. Ta konvencija začne veljati devetdeset dni po dnevu, ko jo je petnajst držav podpisalo brez pridržka ratifikacije, sprejetja ali odobritve ali je petnajst držav deponiralo listino o njeni ratifikaciji, sprejetju, odobritvi ali pristopu k njej.

2. Za državo, ki deponira listino o ratifikaciji, sprejetju, odobritvi ali pristopu v zvezi s to konvencijo, ko so bili izpolnjeni pogoji za začetek njene veljavnosti, ratifikacija, sprejetje, odobritev ali pristop začne veljati devetdeset dni po dnevu takega deponiranja.

19. člen

1. Država pogodbenica lahko to konvencijo odpove kadar koli po poteku enega leta od dneva začetka veljavnosti te konvencije za to državo.

2. Konvencijo se odpove z deponiranjem listine o odpovedi pri generalnem sekretarju.

3. Odpoved začne veljati eno leto ali tako daljše obdobje, kot je lahko navedeno v listini o odpovedi, potem ko je generalni sekretar prejel listino o odpovedi.

20. člen

1. Organizacija lahko skliče konferenco, da bi se popravila ali spremenila ta konvencija.

2. Generalni sekretar skliče konferenco držav pogodbenic te konvencije za popraviljanje ali spreminjanje konvencije na zahtevo ene tretjine držav pogodbenic ali desetih držav pogodbenic, če je to večje število.

3. Za listino o ratifikaciji, sprejetju, odobritvi ali pristopu, ki se deponira po začetku veljavnosti spremembe te konvencije, se šteje, da se nanaša na spremenjeno konvencijo.

21. člen

1. Ta konvencija je deponirana pri generalnem sekretarju.

2. Generalni sekretar:

a. obvesti vse države, ki so podpisale to konvencijo ali pristopile k njej, in vse članice organizacije o:

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

ii. datumu začetka veljavnosti te konvencije;

ii. deponiranju vsake listine o odpovedi te konvencije skupaj z datumom prejema listine in datumom, ko odpoved začne veljati;

iv. prejemu vsake izjave ali uradnega obvestila po tej konvenciji;

b. pošlje overjene izvide te konvencije vsem državam, ki so podpisale to konvencijo ali pristopile k njej.

3 As soon as this Convention enters into force, a certified true copy thereof shall be transmitted by the Depositary 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 22

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 authorized by their respective Governments for that purpose have signed this Convention.

DONE AT ROME this tenth day of March one thousand nine hundred and eighty-eight.

3. Takoj ko ta konvencija začne veljati, depozitar pošlje njen overjeni izvod generalnemu sekretarju Združenih narodov, ki ga registrira in objavi v skladu s 102. členom Ustavne listine Združenih narodov.

22. člen

Ta konvencija je 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 njihove vlade za to pravilno pooblastile, podpisali to konvencijo.

SESTAVLJENO V RIMU desetega marca tisoč devetsto osemnosemdeset.

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. 326-04/03-18/1
Ljubljana, dne 18. junija 2003
EPA 851-III

Predsednik
Državnega zbora
Republike Slovenije
Borut Pahor l. r.

41. Zakon o ratifikaciji Protokola za preprečevanje nezakonitih dejanj zoper varnost ploščadi, postavljenih na epikontinentalnem pasu (MPNDVP)

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 PROTOKOLA ZA PREPREČEVANJE NEZAKONITIH DEJANJ ZOPER VARNOST PLOŠČADI, POSTAVLJENIH NA EPIKONTINENTALNEM PASU (MPNDVP)**

Razglašam Zakon o ratifikaciji Protokola za preprečevanje nezakonitih dejanj zoper varnost ploščadi, postavljenih na epikontinentalnem pasu (MPNDVP), ki ga je sprejel Državni zbor Republike Slovenije na seji 18. junija 2003.

Št. 001-22-50/03
Ljubljana, 27. junij 2003

Predsednik
Republike Slovenije
dr. Janez Drnovšek l. r.

ZAKON**O RATIFIKACIJI PROTOKOLA ZA PREPREČEVANJE NEZAKONITIH DEJANJ ZOPER VARNOST PLOŠČADI, POSTAVLJENIH NA EPIKONTINENTALNEM PASU (MPNDVP)**

1. člen

Ratificira se Protokol za preprečevanje nezakonitih dejanj zoper varnost ploščadi, postavljenih na epikontinentalnem pasu, sestavljen 10. marca 1988 v Rimu.

2. člen

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

P R O T O C O L**FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF FIXED PLATFORMS LOCATED ON THE CONTINENTAL SHELF**

The States Parties to this Protocol,
BEING PARTIES to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation,

RECOGNIZING that the reasons for which the Convention was elaborated also apply to fixed platforms located on the continental shelf,

TAKING ACCOUNT of the provisions of that Convention,

AFFIRMING that matters not regulated by this Protocol continue to be governed by the rules and principles of general international law,

HAVE AGREED as follows:

Article 1

1 The provisions of articles 5 and 7 and of articles 10 to 16 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (hereinafter referred to as "the Convention") shall also apply *mutatis mutandis* to the offences set forth in article 2 of this Protocol where such offences are committed on board or against fixed platforms located on the continental shelf.

2 In cases where this Protocol does not apply pursuant to paragraph 1, it nevertheless applies when the offender or the alleged offender is found in the territory of a State Party other than the State in whose internal waters or territorial sea the fixed platform is located.

P R O T O K O L**ZA PREPREČEVANJE NEZAKONITIH DEJANJ ZOPER VARNOST PLOŠČADI, POSTAVLJENIH NA EPIKONTINENTALNEM PASU**

Države pogodbenice tega protokola,
KI SO POGODBENICE Konvencije za preprečevanje nezakonitih dejanj zoper varnost pomorske plovbe,

OB SPOZNANJU, da se razlogi, zaradi katerih je bila pripravljena konvencija, nanašajo tudi na ploščadi, postavljene na epikontinentalnem pasu,

OB UPOŠTEVANJU določb te konvencije,

KER POTRJUJEJO, da bodo zadeve, ki jih ta protokol ne ureja, še naprej urejala pravila in načela splošnega mednarodnega prava,

SO SE SPORAZUMELE, kot sledi:

1. člen

1. Določbe 5. in 7. člena ter 10. do 16. člena Konvencije za preprečevanje nezakonitih dejanj zoper varnost pomorske plovbe (v nadaljevanju "konvencija") se *mutatis mutandis* uporabljajo tudi za kazniva dejanja, navedena v 2. členu tega protokola, če so taka kazniva dejanja storjena na ploščadi, postavljeni na epikontinentalnem pasu, ali zoper njo.

2. V primerih, v katerih se po prvem odstavku ta protokol ne uporablja, se kljub temu uporabi, kadar storilca ali domnevnega storilca kaznivega dejanja najdejo na ozemlju države pogodbenice, ki ni država, v katere notranjih morskih vodah ali teritorialnem morju je ploščad postavljena.

3 For the purposes of this Protocol, "fixed platform" means an artificial island, installation or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.

Article 2

1 Any person commits an offence if that person unlawfully and intentionally:

(a) seizes or exercises control over a fixed platform by force or threat thereof or any other form of intimidation; or

(b) performs an act of violence against a person on board a fixed platform if that act is likely to endanger its safety; or

(c) destroys a fixed platform or causes damage to it which is likely to endanger its safety; or

(d) places or causes to be placed on a fixed platform, by any means whatsoever, a device or substance which is likely to destroy that fixed platform or likely to endanger its safety; or

(e) injures or kills any person in connection with the commission or the attempted commission of any of the offences set forth in subparagraphs (a) to (d).

2 Any person also commits an offence if that person:

(a) attempts to commit any of the offences set forth in paragraph 1; or

(b) abets the commission of any such offences perpetrated by any person or is otherwise an accomplice of a person who commits such an offence; or

(c) threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraph 1, subparagraphs (b) and (c), if that threat is likely to endanger the safety of the fixed platform.

Article 3

1 Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 when the offence is committed:

(a) against or on board a fixed platform while it is located on the continental shelf of that State; or

(b) by a national of that State.

2 A State Party may also establish its jurisdiction over any such offence when:

(a) it is committed by a stateless person whose habitual residence is in that State;

(b) during its commission a national of that State is seized, threatened, injured or killed; or

(c) it is committed in an attempt to compel that State to do or abstain from doing any act.

3 Any State Party which has established jurisdiction mentioned in paragraph 2 shall notify the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Secretary-General"). If such State Party subsequently rescinds that jurisdiction, it shall notify the Secretary-General.

4 Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 in cases where the alleged offender is present in its territory and it does not extradite him to any of the States Parties which have established their jurisdiction in accordance with paragraphs 1 and 2 of this article.

5 This Protocol does not exclude any criminal jurisdiction exercised in accordance with national law.

3. V tem protokolu izraz "ploščad" pomeni umetni otok, postroj ali napravo, ki je zaradi raziskovanja ali izkoriščanja virov ali iz drugih gospodarskih razlogov stalno pritrjena na morsko dno.

2. člen

1. Oseba stori kaznivo dejanje, če nezakonito in namerno:

a. s silo ali grožnjo z uporabo sile ali katero koli drugo obliko ustrahovanja zaseže ploščad ali izvaja nadzor nad njo, ali

b. stori nasilno dejanje nad osebo na ploščadi, če bi tako dejanje utegnilo ogroziti njeno varnost, ali

c. uniči ploščad ali jo poškoduje, kar bi utegnilo ogroziti njeno varnost, ali

d. s kakršnimi koli sredstvi na ploščadi namesti ali povzroči namestitev naprave ali snovi, ki bi utegnili uničiti ploščad ali ogroziti njeno varnost, ali

e. poškoduje ali ubije osebo v povezavi s storitvijo ali poskusom storitve katerega koli kaznivega dejanja iz pododstavkov od (a) do (d).

2. Oseba stori kaznivo dejanje, tudi če:

a. poskuša storiti katero koli kaznivo dejanje iz prvega odstavka ali

b. je udeležena pri storitvi katerega koli takega kaznivega dejanja, ki ga stori katera koli oseba, ali je drugače sostorilec osebe, ki stori tako kaznivo dejanje, ali

c. grozi s pogojem ali brez njega, kot to določa notranja zakonodaja, da bi prisilila fizično ali pravno osebo, da neko dejanje stori ali se ga vzdrži, da stori katero koli kaznivo dejanje iz pododstavkov (b) in (c) prvega odstavka, če bi ta grožnja utegnila ogroziti varnost ploščadi.

3. člen

1. Država pogodbenica sprejme ukrepe, potrebne za vzpostavitev svoje jurisdikcije nad kaznivimi dejanji iz 2. člena, če je kaznivo dejanje:

a. storjeno zoper ploščad ali na njej, ko je postavljena na epikontinentalnem pasu te države, ali

b. storil državljan te države.

2. Država pogodbenica lahko tudi vzpostavi svojo jurisdikcijo nad vsakim takim kaznivim dejanjem, če:

a. ga stori oseba brez državljanstva, katere običajno prebivališče je v tej državi;

b. med njegovo storitvijo njenemu državljanu odvzamejo prostost, mu grozijo, ga poškodujejo ali ubijejo, ali

c. je storjeno pri poskusu prisiliti to državo, da neko dejanje stori ali se ga vzdrži.

3. Država pogodbenica, ki je vzpostavila jurisdikcijo, omenjeno v drugem odstavku, o tem uradno obvesti generalnega sekretarja Mednarodne pomorske organizacije (v nadaljevanju "generalni sekretar"). Če ta država pogodbenica pozneje odstopi od te jurisdikcije, o tem uradno obvesti generalnega sekretarja.

4. Vsaka država pogodbenica sprejme take ukrepe, kot so lahko potrebni za vzpostavitev njene jurisdikcije nad kaznivimi dejanji iz 2. člena, če je domnevni storilec na njenem ozemlju in ga ne izroči nobeni državi pogodbenici, ki je vzpostavila svojo jurisdikcijo v skladu s prvim in drugim odstavkom tega člena.

5. Ta protokol ne izključuje nobene kazenske pristojnosti, ki se izvaja v skladu z notranjo zakonodajo.

Article 4

Nothing in this Protocol shall affect in any way the rules of international law pertaining to fixed platforms located on the continental shelf.

Article 5

1 This Protocol shall be open for signature at Rome on 10 March 1988 and at the Headquarters of the International Maritime Organization (hereinafter referred to as *the Organization*) from 14 March 1988 to 9 March 1989 by any State which has signed the Convention. It shall thereafter remain open for accession.

2 States may express their consent to be bound by this Protocol 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.

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

4 Only a State which has signed the Convention without reservation as to ratification, acceptance or approval, or has ratified, accepted, approved or acceded to the Convention may become a Party to this Protocol.

Article 6

1 This Protocol shall enter into force ninety days following the date on which three States have either signed it without reservation as to ratification, acceptance or approval, or have deposited an instrument of ratification, acceptance, approval or accession in respect thereof. However, this Protocol shall not enter into force before the Convention has entered into force.

2 For a State which deposits an instrument of ratification, acceptance, approval or accession in respect of this Protocol after the conditions for entry into force thereof have been met, the ratification, acceptance, approval or accession shall take effect ninety days after the date of such deposit.

Article 7

1 This Protocol may be denounced by any State Party at any time after the expiry of one year from the date on which this Protocol enters into force for that State.

2 Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General.

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

4 A denunciation of the Convention by a State Party shall be deemed to be a denunciation of this Protocol by that Party.

Article 8

1 A conference for the purpose of revising or amending this Protocol may be convened by the Organization.

2 The Secretary-General shall convene a conference of the States Parties to this Protocol for revising or amending the Protocol, at the request of one third of the States Parties, or five States Parties, whichever is the higher figure.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date of entry into force of an amendment to this Protocol shall be deemed to apply to the Protocol as amended.

4. člen

Nobena določba tega protokola na noben način ne vpliva na pravila mednarodnega prava, ki se nanašajo na ploščadi, postavljene na epikontinentalnem pasu.

5. člen

1. Ta protokol je državam, ki so podpisale konvencijo, na voljo za podpis v Rimu 10. marca 1988 in na sedežu Mednarodne pomorske organizacije (v nadaljevanju "organizacije") od 14. marca 1988 do 9. marca 1989. Od takrat naprej je na voljo za pristop.

2. Države lahko soglašajo, da jih zavezuje ta protokol, s:

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

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

4. Samo država, ki je podpisala konvencijo brez pridržka ratifikacije, sprejetja ali odobritve ali je konvencijo ratificirala, sprejela, odobrila ali k njej pristopila, lahko postane pogodbenica tega protokola.

6. člen

1. Ta protokol začne veljati devetdeset dni po dnevu, ko so ga podpisale tri države brez pridržka ratifikacije, sprejetja ali odobritve ali deponirale listino o ratifikaciji, sprejetju, odobritvi protokola ali pristopu k njemu. Vendar ta protokol ne začne veljati, dokler ni začela veljati konvencija.

2. Za državo, ki deponira listino o ratifikaciji, sprejetju, odobritvi ali pristopu v zvezi s tem protokolom, ko so bili izpolnjeni pogoji za začetek njegove veljavnosti, ratifikacija, sprejetje, odobritev ali pristop začne veljati devetdeset dni po dnevu takega deponiranja.

7. člen

1. Država pogodbenica lahko ta protokol odpove kadar koli po poteku enega leta od dneva začetka veljavnosti tega protokola za to državo.

2. Protokol se odpove z deponiranjem listine o odpovedi pri generalnem sekretarju.

3. Odpoved začne veljati eno leto ali tako daljše obdobje, kot je lahko navedeno v listini o odpovedi, potem ko je generalni sekretar prejel listino o odpovedi.

4. Če država pogodbenica odpove konvencijo, se šteje, da je odpovedala tudi ta protokol.

8. člen

1. Organizacija lahko skliče konferenco, da bi se popravil ali spremenil ta protokol.

2. Generalni sekretar skliče konferenco držav pogodbenic tega protokola za popravljanje ali spreminjanje protokola na zahtevo ene tretjine držav pogodbenic ali petih držav pogodbenic, če je to večje število.

3. Za listino o ratifikaciji, sprejetju, odobritvi ali pristopu, ki se deponira po začetku veljavnosti spremembe tega protokola, se šteje, da se nanaša na spremenjeni protokol.

Article 9

1 This Protocol shall be deposited with the Secretary-General.

2 The Secretary-General shall:

(a) inform all States which have signed this Protocol or acceded thereto, and all Members of the Organization, 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 Protocol;

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

(iv) the receipt of any declaration or notification made under this Protocol or under the Convention, concerning this Protocol;

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

3 As soon as this Protocol enters into force, a certified true copy thereof shall be transmitted by the Depositary 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 10

This Protocol 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 authorized by their respective Governments for that purpose, have signed this Protocol.

DONE AT ROME this tenth day of March one thousand nine hundred and eighty-eight.

3. člen

Za izvajanje protokola skrbi Ministrstvo za promet.

4. člen

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

Št. 212-05/03-27/1

Ljubljana, dne 18. junija 2003

EPA 852-III

9. člen

1. Ta protokol je deponiran pri generalnem sekretarju.

2. Generalni sekretar:

a. obvesti vse države, ki so podpisale ta protokol ali pristopile k njemu, in vse članice organizacije o:

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

ii. datumu začetka veljavnosti tega protokola;

iii. deponiranju vsake listine o odpovedi tega protokola skupaj z datumom prejema listine in datumom, ko odpoved začne veljati;

iv. prejemu vsake izjave ali uradnega obvestila glede tega protokola po tem protokolu ali konvenciji;

b. pošlje overjene izvode tega protokola vsem državam, ki so podpisale ta protokol ali pristopile k njemu.

3. Takoj ko ta protokol začne veljati, depozitar pošlje njegov overjeni izvod generalnemu sekretarju Združenih narodov, ki ga registrira in objavi v skladu s 102. členom Ustanovne listine Združenih narodov.

10. člen

Ta protokol je 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 njihove vlade za to pravilno pooblastile, podpisali ta protokol.

SESTAVLJENO V RIMU desetega marca tisoč devetsto osemindeset.

Predsednik
Državnega zbora
Republike Slovenije
Borut Pahor l. r.

42. Zakono ratifikaciji Sporazuma o ohranjanju afriško-evrazijskih selitvenih vodnih ptic (MOAEP)

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

U K A Z**O RAZGLASITVI ZAKONA O RATIFIKACIJI SPORAZUMA O OHRANJANJU AFRIŠKO-EVRAZIJSKIH SELITVENIH VODNIH PTIC (MOAEP)**

Razglašam Zakon o ratifikaciji Sporazuma o ohranjanju afriško-evrazijskih selitvenih vodnih ptic (MOAEP), ki ga je sprejel Državni zbor Republike Slovenije na seji 18. junija 2003.

Št. 001-22-52/03
Ljubljana, 27. junija 2003

Predsednik
Republike Slovenije
dr. Janez Drnovšek l. r.

Z A K O N**O RATIFIKACIJI SPORAZUMA O OHRANJANJU AFRIŠKO-EVRAZIJSKIH SELITVENIH VODNIH PTIC (MOAEP)**

1. člen

Ratificira se Sporazum o ohranjanju afriško-evrazijskih selitvenih vodnih ptic, sprejet 15. avgusta 1996 v Haagu.

2. člen

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

A G R E E M E N T**ON THE CONSERVATION OF AFRICAN-EURASIAN
MIGRATORY WATERBIRDS**

THE CONTRACTING PARTIES,
RECALLING that the Convention on the Conservation of Migratory Species of Wild Animals, 1979, encourages international cooperative action to conserve migratory species;

RECALLING further that the first meeting of the Conference of the Parties to the Convention, held in Bonn in October 1985, instructed the Secretariat of the Convention to take appropriate measures to develop an Agreement on Western Palearctic Anatidae;

CONSIDERING that migratory waterbirds constitute an important part of the global biological diversity which, in keeping with the spirit of the Convention on Biological Diversity, 1992, and Agenda 21 should be conserved for the benefit of present and future generations;

AWARE of the economic, social, cultural and recreational benefits accruing from the taking of certain species of migratory waterbirds and of the environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic values of waterbirds in general;

CONVINCED that any taking of migratory waterbirds must be conducted on a sustainable basis, taking into account the conservation status of the species concerned over their entire range as well as their biological characteristics;

S P O R A Z U M**O OHRANJANJU AFRIŠKO-EVRAZIJSKIH
SELITVENIH VODNIH PTIC**

POGODBENICE SO SE

OB SKLICEVANJU na to, da Konvencija o varstvu selitvenih vrst prosto živečih živali iz leta 1979 spodbuja skupno mednarodno ukrepanje za ohranitev selitvenih vrst;

TUDI OB SKLICEVANJU na to, da je Konferenca pogodbenic konvencije na svojem prvem zasedanju oktobra 1985 v Bonnu naročila sekretariatu konvencije, naj stori vse potrebno, da pripravi sporazum o zahodnopaleoarktičnih plovcih (Anatidae);

OB UPOŠTEVANJU, da so selitvene vodne ptice pomemben del svetovne biološke raznovrstnosti, ki jih je treba glede na Konvencijo o biološki raznovrstnosti iz leta 1992 in Agendo 21 ohraniti v dobro sedanje in prihodnjih generacij;

KER SE ZAVEDAJO gospodarskih, družbenih, kulturnih in rekreacijskih koristi odvzemanja nekaterih vrst selitvenih vodnih ptic iz narave ter okoljske, ekološke, genske, znanstvene, estetske, rekreacijske, kulturne, izobraževalne, družbene in gospodarske vrednosti vodnih ptic na splošno;

PREPRIČANE, da mora kakršno koli odvzemanje selitvenih vodnih ptic iz narave temeljiti na trajnosti ob upoštevanju ohranitvenega stanja posamezne vrste na njenem celotnem območju razširjenosti in njenih bioloških značilnostih;

CONSCIOUS that migratory waterbirds are particularly vulnerable because they migrate over long distances and are dependent on networks of wetlands that are decreasing in extent and becoming degraded through non-sustainable human activities, as is expressed in the Convention on Wetlands of International Importance, especially as Waterfowl Habitat, 1971;

RECOGNIZING the need to take immediate action to stop the decline of migratory waterbird species and their habitats in the geographic area of the African-Eurasian waterbird migration systems;

CONVINCED that the conclusion of a multilateral Agreement and its implementation through coordinated or concerted action will contribute significantly to the conservation of migratory waterbirds and their habitats in the most efficient manner, and will have ancillary benefits for many other species of animals and plants; and

ACKNOWLEDGING that effective implementation of such an Agreement will require assistance to be provided to some Range States for research, training and monitoring of migratory waterbird species and their habitats, for the management of those habitats as well as for the establishment or improvement of scientific and administrative institutions for the implementation of this Agreement,

HAVE AGREED AS FOLLOWS:

ARTICLE I

Scope, Definitions and Interpretation

1. The geographic scope of this Agreement is the area of the migration systems of African-Eurasian waterbirds, as defined in Annex 1 to this Agreement, hereafter referred to as the "Agreement Area".

2. For the purpose of this Agreement:

(a) "Convention" means the Convention on the Conservation of Migratory Species of Wild Animals, 1979;

(b) "Convention Secretariat" means the body established under Article IX of the Convention;

(c) "Waterbirds" means those species of birds that are ecologically dependent on wetlands for at least part of their annual cycle, have a range which lies entirely or partly within the Agreement Area and are listed in Annex 2 to this Agreement;

(d) "Agreement secretariat" means the body established under Article VI, paragraph 7, subparagraph (b), of this Agreement;

(e) "Parties" means, unless the context otherwise indicates, Parties to this Agreement; and

(f) "Parties present and voting" means the Parties present and casting an affirmative or negative vote; those abstaining from voting shall not be counted amongst the Parties present and voting.

In addition, the terms defined in Article I, subparagraphs 1(a) to (k), of the Convention shall have the same meaning, *mutatis mutandis*, in this Agreement.

3. This Agreement is an AGREEMENT within the meaning of Article IV, paragraph 3, of the Convention.

4. The annexes to this Agreement form an integral part thereof. Any reference to the Agreement includes a reference to its annexes.

KER SE ZAVEDAJO, da so selitvene vodne ptice posebej ranljive, ker se selijo na velike razdalje in so odvisne od omrežja mokrišč, ki se manjšajo in propadajo zaradi netrajnostnih človekovih dejavnosti, kakor je navedeno v Konvenciji o močvirjih, ki so mednarodnega pomena, zlasti kot prebivališča močvirskih ptic iz leta 1971;

KER PRIZNAVAJO potrebo po takojšnjem ukrepanju, da se ustavi zmanjševanje vrst selitvenih vodnih ptic in njihovih habitatov na zemljepisnem območju sistemov selitvenih poti afriško-evrazijskih vodnih ptic;

PREPRIČANE, da bosta sklenitev večstranskega sporazuma in njegovo izvajanje z usklajenim in skupnim ukrepanjem pomembno in najučinkoviteje prispevala k ohranjanju selitvenih vodnih ptic in njihovih habitatov ter bosta poleg tega koristila tudi mnogim drugim živalskim in rastlinskim vrstam, in

KER PRIZNAVAJO, da bo treba za učinkovito izvajanje takega sporazuma nekaterim državam na območju razširjenosti pomagati pri raziskavah, usposabljanju in spremljanju stanja vrst selitvenih vodnih ptic in njihovih habitatov, pri njihovem upravljanju ter ustanavljanju ali krepitvi znanstvenih in upravnih institucij za izvajanje tega sporazuma,

SPORAZUMELE O TEM:

I. ČLEN

Področje uporabe, pomen izrazov in razlaga

1. Zemljepisno območje uporabe tega sporazuma je območje sistemov selitvenih poti afriško-evrazijskih vodnih ptic, kot je opredeljeno v prilogi 1 k temu sporazumu, v nadaljnjem besedilu "območje sporazuma".

2. V tem sporazumu:

(a) "konvencija" pomeni Konvencijo o varstvu selitvenih vrst prosto živečih živali iz leta 1979;

(b) "sekretariat konvencije" pomeni telo, ustanovljeno po 9. členu konvencije;

(c) "vodne ptice" pomeni tiste vrste ptic, ki so vsaj del svojega letnega cikla ekološko odvisne od mokrišč, katerih območje razširjenosti je v celoti ali deloma na območju sporazuma in so navedene v prilogi 2 k temu sporazumu;

(d) "sekretariat sporazuma" pomeni telo, ustanovljeno skladno s pododstavkom (b) sedmega odstavka VI. člena tega sporazuma;

(e) "pogodbence" pomeni pogodbenice tega sporazuma, razen kadar ni drugače navedeno v sobesedilu, in

(f) "prisotne in glasujoče pogodbenice" pomeni pogodbenice, ki so prisotne in glasujejo za ali proti; tiste, ki se glasovanja vzdržijo, se ne štejejo med prisotne in glasujoče pogodbenice.

Poleg tega imajo izrazi, opredeljeni v pododstavkih (a) do (k) 1. člena konvencije, s potrebnimi spremembami enak pomen v tem sporazumu.

3. Ta sporazum je SPORAZUM v smislu tretjega odstavka 4. člena konvencije.

4. Priloge k temu sporazumu so njegov sestavni del. Navajanje sporazuma vključuje navajanje njegovih prilog.

ARTICLE II

Fundamental Principles

1. Parties shall take co-ordinated measures to maintain migratory waterbird species in a favourable conservation status or to restore them to such a status. To this end, they shall apply within the limits of their national jurisdiction the measures prescribed in Article III, together with the specific actions determined in the Action Plan provided for in Article IV, of this Agreement.

2. In implementing the measures prescribed in paragraph 1 above, Parties should take into account the precautionary principle.

ARTICLE III

General Conservation Measures

1. The Parties shall take measures to conserve migratory waterbirds, giving special attention to endangered species as well as to those with an unfavourable conservation status.

2. To this end, the Parties shall:

(a) accord the same strict protection for endangered migratory waterbird species in the Agreement Area as is provided for under Article III, paragraphs 4 and 5, of the Convention;

(b) ensure that any use of migratory waterbirds is based on an assessment of the best available knowledge of their ecology and is sustainable for the species as well as for the ecological systems that support them;

(c) identify sites and habitats for migratory waterbirds occurring within their territory and encourage the protection, management, rehabilitation and restoration of these sites, in liaison with those bodies listed in Article IX, paragraphs (a) and (b) of this Agreement, concerned with habitat conservation;

(d) coordinate their efforts to ensure that a network of suitable habitats is maintained or, where appropriate, re-established throughout the entire range of each migratory waterbird species concerned, in particular where wetlands extend over the area of more than one Party to this Agreement;

(e) investigate problems that are posed or are likely to be posed by human activities and endeavour to implement remedial measures, including habitat rehabilitation and restoration, and compensatory measures for loss of habitat;

(f) cooperate in emergency situations requiring international concerted action and in identifying the species of migratory waterbirds which are the most vulnerable to these situations as well as cooperate in developing appropriate emergency procedures to provide increased protection to these species in such situations and in the preparation of guidelines to assist individual Parties in tackling these situations;

(g) prohibit the deliberate introduction of non-native waterbird species into the environment and take all appropriate measures to prevent the unintentional release of such species if this introduction or release would prejudice the conservation status of wild flora and fauna; when non-native waterbird species have already been introduced, the Parties shall take all appropriate measures to prevent these species from becoming a potential threat to indigenous species;

(h) initiate or support research into the biology and ecology of migratory waterbirds including the harmonization of research and monitoring methods and, where appropriate, the establishment of joint or cooperative research and monitoring programmes;

II. ČLEN

Temeljna načela

1. Pogodbenice usklajeno ukrepajo, da ohranijo ali obnovijo ugodno stanje ohranjenosti vrst selitvenih vodnih ptic. V ta namen v mejah svoje državne jurisdikcije uporabljajo ukrepe, predpisane v III. členu, skupaj s posebnimi ukrepi, določenimi v akcijskem načrtu, predvidenem v IV. členu tega sporazuma.

2. Pri izvajanju ukrepov, predpisanih v prvem odstavku, pogodbenice upoštevajo previdnostno načelo.

III. ČLEN

Splošni ohranitveni ukrepi

1. Pogodbenice storijo vse potrebno, da ohranijo selitvene vodne ptice ter pri tem posebno pozornost posvetijo ogroženim vrstam in vrstam z neugodnim stanjem ohranjenosti.

2. V ta namen pogodbenice:

(a) ogroženim vrstam selitvenih vodnih ptic na območju sporazuma namenijo enako stopnjo strogega varstva, kot je predvideno v četrtem in petem odstavku 3. člena konvencije;

(b) zagotovijo, da kakršna koli uporaba selitvenih vodnih ptic temelji na oceni najboljšega razpoložljivega znanja o njihovi ekologiji ter je trajnostna za vrsto in ekološke sisteme, ki jo vzdržujejo;

(c) določijo območja in habitate selitvenih vodnih ptic, ki se pojavljajo na njihovem ozemlju, ter spodbujajo varstvo, upravljanje, sanacijo in obnavljanje teh območij skupaj s tistimi telesi iz odstavkov (a) in (b) IX. člena tega sporazuma, ki se ukvarjajo z ohranjanjem habitatov;

(d) usklajujejo svoja prizadevanja, da zagotovijo ohranitev, ali kadar je primerno, ponovno vzpostavitev omrežja primernih habitatov na celotnem območju razširjenosti vsake posamezne vrste selitvenih vodnih ptic, zlasti kadar se mokrišča raztezajo čez območje več pogodbenic tega sporazuma;

(e) raziščejo probleme, ki jih povzročajo ali jih bodo verjetno povzročile človekove dejavnosti, in si prizadevajo izvesti sanacijske ukrepe, ki vključujejo sanacijo in obnovo habitatov, in nadomestne ukrepe za izgubo habitatov;

(f) sodelujejo ob izrednih razmerah, ko je potrebno skupno mednarodno ukrepanje, pri določanju vrst selitvenih vodnih ptic, ki so v takih razmerah najranjivejše, ter pri oblikovanju ustreznih postopkov v izrednih razmerah, da zagotovijo povečano varstvo teh vrst v takih razmerah, in pripravi smernic v pomoč posameznim pogodbenicam pri obvladovanju takih razmer;

(g) prepovejo namerno vnašanje tujerodnih vrst vodnih ptic v okolje in storijo vse potrebno, da preprečijo nenamerno izpuščanje takih vrst, če bi tak vnos ali izpust posegal v ohranitveni status prosto živečega živalstva in rastlinstva; če so bile tujerodne vrste vodnih ptic že vnesene, pogodbenice z ustreznimi ukrepi preprečijo, da bi te vrste ogrozile domorodne vrste;

(h) začnejo ali podprejo raziskave biologije in ekologije selitvenih vodnih ptic skupaj z uskladitvijo metod raziskovanja in spremljanja stanja, ter kadar je primerno, izdelavo skupnih programov ali programov sodelovanja pri raziskovanju in spremljanju stanja;

(i) analyze their training requirements for, *inter alia*, migratory waterbird surveys, monitoring, ringing and wetland management to identify priority topics and areas for training and cooperate in the development and provision of appropriate training programmes;

(j) develop and maintain programmes to raise awareness and understanding of migratory waterbird conservation issues in general and of the particular objectives and provisions of this Agreement;

(k) exchange information and results from research, monitoring, conservation and education programmes; and

(l) cooperate with a view to assisting each other to implement this Agreement, particularly in the areas of research and monitoring.

ARTICLE IV

Action Plan and Conservation Guidelines

1. An Action Plan is appended as Annex 3 to this Agreement. It specifies actions which the Parties shall undertake in relation to priority species and issues, under the following headings, consistent with the general conservation measures specified in Article III of this Agreement:

- (a) species conservation;
- (b) habitat conservation;
- (c) management of human activities;
- (d) research and monitoring;
- (e) education and information; and
- (f) implementation.

2. The Action Plan shall be reviewed at each ordinary session of the Meeting of the Parties, taking into account the Conservation Guidelines.

3. Any amendment to the Action Plan shall be adopted by the Meeting of the Parties, taking into consideration the provisions of Article III of this Agreement.

4. The Conservation Guidelines shall be submitted to the Meeting of the Parties for adoption at its first session, and shall be regularly reviewed.

ARTICLE V

Implementation and Financing

1. Each Party shall:

(a) designate the Authority or Authorities to implement this Agreement which shall, *inter alia*, monitor all activities that may have impact on the conservation status of those migratory waterbird species of which the Party is a Range State;

(b) designate a contact point for the other Parties, and communicate without delay its name and address to the Agreement secretariat to be circulated forthwith to the other Parties; and

(c) prepare for each ordinary session of the Meeting of the Parties, beginning with the second session, a report on its implementation of the Agreement with particular reference to the conservation measures it has undertaken. The format of such reports shall be determined by the first session of the Meeting of the Parties and reviewed as may be necessary at any subsequent session of the Meeting of the Parties. Each report shall be submitted to the Agreement secretariat not less than one hundred and twenty days before the ordinary session of the Meeting of the Parties for which it has been prepared, and copies shall be circulated forthwith to the other Parties by the Agreement secretariat.

(i) analizirajo svoje potrebe po usposabljanju, med drugim za študije selitvenih vodnih ptic, spremljanje stanja, obročkanje in upravljanje mokrišč, zato da določijo prednostne teme in področja za usposabljanje ter sodelujejo pri razvijanju in zagotavljanju ustreznih programov usposabljanja;

(j) oblikujejo in ohranjajo programe za ozaveščanje in povečevanje razumevanja vsebin ohranjanja selitvenih vodnih ptic na splošno in posameznih ciljev in določb tega sporazuma;

(k) izmenjujejo informacije in izsledke programov raziskav, spremljanja stanja, ohranjanja in izobraževanja, in

(l) sodelujejo zato, da si pomagajo pri izvajanju tega sporazuma, zlasti pri raziskovanju in spremljanju stanja.

IV. ČLEN

Akcijski načrt in navodila za ohranjanje

1. Akcijski načrt je dodan kot priloga 3 k temu sporazumu. Določa ukrepe, ki jih pogodbenice izvajajo v zvezi s prednostnimi vrstami in zadevami pod navedenimi točkami skladno s splošnimi ohranitvenimi ukrepi iz III. člena tega sporazuma:

- (a) ohranjanje vrst,
- (b) ohranjanje habitatov,
- (c) vodenje človekovih dejavnosti,
- (d) raziskave in spremljanje stanja,
- (e) izobraževanje in obveščanje in
- (f) izvajanje.

2. Akcijski načrt se pregleda na vsaki redni seji zasedanja pogodbenic ob upoštevanju navodil za ohranjanje.

3. Spremembe akcijskega načrta sprejme zasedanje pogodbenic ob upoštevanju določb III. člena tega sporazuma.

4. Navodila za ohranjanje se predložijo zasedanju pogodbenic v sprejetje na prvi seji in se redno pregledujejo.

V. ČLEN

Izvajanje in financiranje

1. Vsaka pogodbenica:

(a) imenuje organ ali organe za izvajanje tega sporazuma, ki med drugim spremljajo vse dejavnosti, ki bi lahko vplivale na stanje ohranjenosti tistih vrst selitvenih vodnih ptic, katerih država na območju razširjenosti je pogodbenica;

(b) imenuje točko za stike z drugimi pogodbenicami in nemudoma sporoči njeno ime in naslov sekretariatu sporazuma, ki ga takoj sporoči drugim pogodbenicam, in

(c) za vsako redno sejo zasedanja pogodbenic, začeni z drugo sejo, pripravi poročilo o svojem izvajanju sporazuma, v katerem posebej navede ukrepe ohranjenosti, ki jih je izvedla. Oblika takih poročil se določi na prvi seji zasedanja pogodbenic, in če je potrebno, pregleda na kateri koli naslednji seji zasedanja pogodbenic. Vsako poročilo se vsaj sto dvajset dni pred redno sejo zasedanja pogodbenic, za katerega je bilo pripravljeno, predloži sekretariatu sporazuma, ki njegove kopije nemudoma pošlje drugim pogodbenicam.

2. (a) Each Party shall contribute to the budget of the Agreement in accordance with the United Nations scale of assessment. The contributions shall be restricted to a maximum of 25 per cent of the total budget for any Party that is a Range State. No regional economic integration organization shall be required to contribute more than 2.5 per cent of the administrative costs.

(b) Decisions relating to the budget and any changes to the scale of assessment that may be found necessary shall be adopted by the Meeting of the Parties by consensus.

3. The Meeting of the Parties may establish a conservation fund from voluntary contributions of Parties or from any other source for the purpose of financing monitoring, research, training and projects relating to the conservation, including protection and management, of migratory waterbirds.

4. Parties are encouraged to provide training and technical and financial support to other Parties on a multilateral or bilateral basis to assist them in implementing the provisions of this Agreement.

ARTICLE VI Meeting of the Parties

1. The Meeting of the Parties shall be the decision-making body of this Agreement.

2. The Depositary shall, in consultation with the Convention Secretariat, convene a session of the Meeting of the Parties not later than one year after the date of the entry into force of this Agreement. Thereafter, the Agreement secretariat shall convene, in consultation with the Convention Secretariat, ordinary sessions of the Meeting of the Parties at intervals of not more than three years, unless the Meeting of the Parties decides otherwise. Where it is possible to do so, such sessions should be held in conjunction with the ordinary meetings of the Conference of the Parties to the Convention.

3. On the written request of at least one third of the Parties, the Agreement secretariat shall convene an extraordinary session of the Meeting of the Parties.

4. The United Nations, its Specialized Agencies, the International Atomic Energy Agency, any State not a Party to the Agreement, and the secretariats of international conventions concerned *inter alia* with the conservation, including protection and management, of migratory waterbirds may be represented by observers in sessions of the Meeting of the Parties. Any agency or body technically qualified in such conservation matters or in research on migratory waterbirds may also be represented at sessions of the Meeting of the Parties by observers, unless at least one third of the Parties present object.

5. Only Parties have the right to vote. Each Party shall have one vote, but regional economic integration organizations which are Parties to this Agreement shall, in matters within their competence, exercise their right to vote with a number of votes equal to the number of their Member States which are Parties to the Agreement. A regional economic integration organization shall not exercise its right to vote if its Member States exercise theirs, and *vice versa*.

6. Unless provided otherwise in this Agreement, decisions of the Meeting of the Parties shall be adopted by consensus or, if consensus cannot be achieved, by a two-thirds majority of the Parties present and voting.

2. (a) Vsaka pogodbenica prispeva v proračun sporazuma skladno z razdelilnikom prispevkov Združenih narodov. Prispevki se omejijo na največ 25 odstotkov celotnega proračuna za pogodbenico, ki je država na območju razširjenosti. Nobeni regionalni organizaciji za gospodarsko povezovanje ni treba prispevati več kot 2,5 odstotka upravnih stroškov.

(b) Odločitve, ki se nanašajo na proračun, in kakršne koli spremembe razdelilnika prispevkov, ki bodo morda potrebne, soglasno sprejme zasedanje pogodbenic.

3. Zasedanje pogodbenic lahko s prostovoljnimi prispevki pogodbenic ali iz kakršnih koli drugih virov ustanovi ohranitveni sklad za financiranje spremljanja stanja, raziskav, usposabljanja in projektov, ki se nanašajo na ohranjanje selitvenih vodnih ptic skupaj z varstvom in upravljanjem.

4. Pogodbenice so spodbujane, da drugim pogodbenicam ponudijo usposabljanje ter strokovno in finančno pomoč na večstranski ali dvostranski ravni ter jim tako pomagajo pri izvajanju določb tega sporazuma.

VI. ČLEN Zasedanje pogodbenic

1. Zasedanje pogodbenic je organ odločanja tega sporazuma.

2. Depozitar ob posvetovanju s sekretariatom konvencije skliče sejo zasedanja pogodbenic najkasneje eno leto po začetku veljavnosti tega sporazuma. Potem sekretariat sporazuma sklicuje redne seje zasedanja pogodbenic ob posvetovanju s sekretariatom konvencije v presledkih največ treh let, razen če zasedanje pogodbenic ne odloči drugače. Kadar je mogoče, se take seje skličejo skupaj z rednimi zasedanji konference pogodbenic konvencije.

3. Na pisno zahtevo vsaj tretjine pogodbenic sekretariat sporazuma skliče izredno sejo zasedanja pogodbenic.

4. Združene narode, njihove specializirane agencije, Mednarodno agencijo za atomsko energijo, državo, ki ni pogodbenica sporazuma, in sekretariate mednarodnih konvencij, ki med drugim obravnavajo ohranjanje selitvenih vodnih ptic skupaj z varstvom in upravljanjem, lahko na sejah zasedanj pogodbenic predstavljajo opazovalci. Tudi agencija ali telo, strokovno usposobljeno za vsebine ohranjanja ali raziskave selitvenih vodnih ptic, lahko na seji zasedanja pogodbenic predstavljajo opazovalci, razen če vsaj tretjina prisotnih pogodbenic temu ne nasprotuje.

5. Le pogodbenice imajo pravico glasovati. Vsaka pogodbenica ima en glas, regionalne organizacije za gospodarsko povezovanje, ki so pogodbenice sporazuma, pa pri zadevah v njihovi pristojnosti uveljavljajo svojo pravico, da glasujejo s številom glasov, enakim številu svojih držav članic, ki so pogodbenice sporazuma. Regionalna organizacija za gospodarsko povezovanje ne uveljavlja svoje pravice glasovanja, če njene države članice uveljavljajo svojo pravico, in obratno.

6. Če ni drugače določeno v tem sporazumu, se odločitve zasedanja pogodbenic sprejmejo soglasno, ali če soglasja ni mogoče doseči, z dvetretjinsko večino prisotnih in glasujočih pogodbenic.

7. At its first session, the Meeting of the Parties shall:

- (a) adopt its rules of procedure by consensus;
- (b) establish an Agreement secretariat within the Convention Secretariat to perform the secretariat functions listed in Article VIII of this Agreement;

- (c) establish the Technical Committee provided for in Article VII of this Agreement;

- (d) adopt a format for the reports to be prepared according to Article V, paragraph 1, subparagraph (c), of this Agreement; and

- (e) adopt criteria to define emergency situations which require urgent conservation measures, and determine the modalities for assigning responsibility for action to be taken.

8. At each of its ordinary sessions, the Meeting of the Parties shall:

- (a) consider actual and potential changes in the conservation status of migratory waterbirds and the habitats important for their survival, as well as the factors which may affect them;

- (b) review the progress made and any difficulty encountered in the implementation of this Agreement;

- (c) adopt a budget and consider any matters relating to the financial arrangements for this Agreement;

- (d) deal with any matter relating to the Agreement secretariat and the membership of the Technical Committee;

- (e) adopt a report for communication to the Parties to this Agreement and to the Conference of the Parties of the Convention; and

- (f) determine the time and venue of the next session.

9. At any of its sessions, the Meeting of the Parties may:

- (a) make recommendations to the Parties as it deems necessary or appropriate;

- (b) adopt specific actions to improve the effectiveness of this Agreement and, as the case may be, emergency measures as provided for in Article VII, paragraph 4, of this Agreement;

- (c) consider and decide upon proposals to amend this Agreement;

- (d) amend the Action Plan in accordance with Article IV, paragraph 3, of this Agreement;

- (e) establish such subsidiary bodies as it deems necessary to assist in the implementation of this Agreement, in particular for coordination with bodies established under other international treaties, conventions and agreements with overlapping geographic and taxonomic coverage; and

- (f) decide on any other matter relating to the implementation of this Agreement.

ARTICLE VII

Technical Committee

1. The Technical Committee shall comprise:

- (a) nine experts representing different regions of the Agreement Area, in accordance with a balanced geographical distribution;

- (b) one representative from the International Union for Conservation of Nature and Natural Resources (IUCN), one from the International Waterfowl and Wetlands Research Bureau (IWRB) and one from the International Council for Game and Wildlife Conservation (CIC); and

- (c) one expert from each of the following fields: rural economics, game management, and environmental law.

The procedure for the appointment of the experts, the term of their appointment and the procedure for designation of the Chairman of the Technical Committee shall be determined by the Meeting of the Parties. The Chairman may admit a maximum of four observers from specialized international inter-governmental and non-governmental organizations.

7. Na svoji prvi seji zasedanje pogodbenic:

- (a) soglasno sprejme svoj poslovnik;

- (b) ustanovi sekretariat sporazuma v okviru sekretariata konvencije za opravljanje nalog sekretariata, navedenih v VIII. členu tega sporazuma;

- (c) ustanovi strokovni odbor, predviden v VII. členu tega sporazuma;

- (d) sprejme obliko poročil, ki jih je treba pripraviti skladno s pododstavkom (c) prvega odstavka V. člena tega sporazuma, in

- (e) sprejme merila za opredeljevanje izrednih razmer, pri katerih so potrebni nujni ohranitveni ukrepi, in določi način dodeljevanja pristojnosti za potrebno ukrepanje.

8. Na vsaki redni seji zasedanje pogodbenic:

- (a) obravnava dejanske in možne spremembe ohranitvenega stanja selitvenih vodnih ptic in habitatov, pomembnih za njihovo preživetje, ter dejavnikov, ki bi lahko vplivali nanje;

- (b) pregleda doseženi napredek in vse težave pri izvajanju tega sporazuma;

- (c) sprejme proračun in obravnava vse zadeve, povezano s finančno ureditvijo tega sporazuma;

- (d) obravnava vse zadeve, ki se nanašajo na sekretariat sporazuma in članstvo v strokovnem odboru;

- (e) sprejme poročilo, ki se pošlje pogodbenicam tega sporazuma in konferenci pogodbenic konvencije, in

- (f) določi čas in kraj naslednje seje.

9. Na seji zasedanje pogodbenic lahko:

- (a) pogodbenicam da priporočila, kakor meni, da je potrebno ali primerno;

- (b) sprejme posebne ukrepe za izboljšanje učinkovitosti tega sporazuma, in če je potrebno, izredne ukrepe, kot je predvideno v četrtem odstavku VII. člena tega sporazuma;

- (c) obravnava predloge za spremembo tega sporazuma in o njih odloči;

- (d) spremeni akcijski načrt skladno s tretjim odstavkom IV. člena tega sporazuma;

- (e) ustanovi pomožna telesa, za katera meni, da so potrebna za pomoč pri izvajanju tega sporazuma, zlasti za usklajevanje s telesi, ustanovljenimi na podlagi drugih mednarodnih pogodb, konvencij in sporazumov s prekrivajočimi zemljepisnimi ter taksonomskimi področji uporabe, ter

- (f) odloči o kateri koli drugi zadevi, ki se nanaša na izvajanje tega sporazuma.

VII. ČLEN

Strokovni odbor

1. Strokovni odbor sestavljajo:

- (a) devet strokovnjakov, ki zastopajo različne regije območja sporazuma skladno z uravnoteženo zemljepisno porazdelitvijo;

- (b) en predstavnik Mednarodne zveze za ohranitev narave (IUCN), en predstavnik Mednarodnega urada za raziskave vodnih ptic in mokrišč (IWRB) in en predstavnik Mednarodnega sveta za ohranjanje divjadi in prosto živečih živali in rastlin (CIC) in

- (c) po en strokovnjak z vsakega od teh področij: agrarna ekonomija, upravljanje divjadi in okoljsko pravo.

Postopek za imenovanje strokovnjakov, njihov mandat in postopek za imenovanje predsednika strokovnega odbora določi zasedanje pogodbenic. Predsednik lahko dovoli udeležbo največ štirih opazovalcev specializiranih mednarodnih medvladnih in nevladnih organizacij.

2. Unless the Meeting of the Parties decides otherwise, meetings of the Technical Committee shall be convened by the Agreement secretariat in conjunction with each ordinary session of the Meeting of the Parties and at least once between ordinary sessions of the Meeting of the Parties.

3. The Technical Committee shall:

(a) provide scientific and technical advice and information to the Meeting of the Parties and, through the Agreement secretariat, to Parties;

(b) make recommendations to the Meeting of the Parties concerning the Action Plan, implementation of the Agreement and further research to be carried out;

(c) prepare for each ordinary session of the Meeting of the Parties a report on its activities, which shall be submitted to the Agreement secretariat not less than one hundred and twenty days before the session of the Meeting of the Parties, and copies shall be circulated forthwith by the Agreement secretariat to the Parties; and

(d) carry out any other tasks referred to it by the Meeting of the Parties.

4. Where in the opinion of the Technical Committee there has arisen an emergency which requires the adoption of immediate measures to avoid deterioration of the conservation status of one or more migratory waterbird species, the Technical Committee may request the Agreement secretariat to convene urgently a meeting of the Parties concerned. These Parties shall meet as soon as possible thereafter to establish rapidly a mechanism to give protection to the species identified as being subject to particularly adverse threat. Where a recommendation has been adopted at such a meeting, the Parties concerned shall inform each other and the Agreement secretariat of measures they have taken to implement it, or of the reasons why the recommendation could not be implemented.

5. The Technical Committee may establish such working groups as may be necessary to deal with specific tasks.

ARTICLE VIII

Agreement Secretariat

The functions of the Agreement secretariat shall be:

(a) to arrange and service the sessions of the Meeting of the Parties as well as the meetings of the Technical Committee;

(b) to execute the decisions addressed to it by the Meeting of the Parties;

(c) to promote and coordinate activities under the Agreement, including the Action Plan, in accordance with decisions of the Meeting of the Parties;

(d) to liaise with non-Party Range States and to facilitate coordination between the Parties and with international and national organizations, the activities of which are directly or indirectly relevant to the conservation, including protection and management, of migratory waterbirds;

(e) to gather and evaluate information which will further the objectives and implementation of the Agreement and to arrange for appropriate dissemination of such information;

(f) to invite the attention of the Meeting of the Parties to matters pertaining to the objectives of this Agreement;

(g) to circulate copies of the reports of the Authorities referred to in Article V, paragraph 1, subparagraph (a), of this Agreement and of the Technical Committee, along with copies of the reports it must provide pursuant to paragraph (h) of this Article, to each Party not less than sixty days before the commencement of each ordinary session of the Meeting of the Parties;

2. Če zasedanje pogodbenic ne odloči drugače, se stanke strokovnega odbora skliče sekretariat sporazuma skupaj z vsako redno sejo zasedanja pogodbenic in vsaj enkrat med rednimi sejami zasedanja pogodbenic.

3. Strokovni odbor:

(a) zasedanju pogodbenic in prek sekretariata sporazuma pogodbenicam daje znanstvene in strokovne nasvete ter informacije;

(b) zasedanju pogodbenic daje priporočila v zvezi z akcijskim načrtom, izvajanjem sporazuma in dodatnimi raziskavami, ki bi jih bilo treba izvesti;

(c) za vsako redno sejo zasedanja pogodbenic pripravi poročilo o svojih dejavnostih in ga najkasneje sto dvajset dni pred sejo zasedanja pogodbenic predloži sekretariatu sporazuma, ki kopije poročila nemudoma pošlje pogodbenicam, in

(d) opravlja vse druge naloge, ki mu jih dodeli zasedanje pogodbenic.

4. Kadar je po mnenju strokovnega odbora zaradi izrednih razmer treba sprejeti nujne ukrepe, da se prepreči poslabšanje ohranitvenega stanja ene ali več vrst selitvenih vodnih ptic, lahko strokovni odbor zaprosi sekretariat sporazuma, da skliče nujno sejo zadevnih pogodbenic. Te pogodbenice se sestanejo takoj, ko je mogoče, in čim prej določijo mehanizem za zavarovanje vrst, za katere je bilo ugotovljeno, da so posebej močno ogrožene. Kadar se na taki seji sprejme priporočilo, zadevne pogodbenice obvestijo druga drugo in sekretariat sporazuma, kaj so storile za njegovo izvedbo, ali razloge, zaradi katerih tega priporočila ni mogoče izvesti.

5. Strokovni odbor lahko ustanovi delovne skupine, ki so morda potrebne za opravljanje posebnih nalog.

VIII. ČLEN

Sekretariat sporazuma

Naloge sekretariata sporazuma so:

(a) organizirati seje zasedanja pogodbenic in sestanke strokovnega odbora ter skrbeti za njihovo izvedbo;

(b) izpeljati odločitve, ki jih nanj naslovi zasedanje pogodbenic;

(c) spodbujati in usklajevati dejavnosti po sporazumu skupaj z akcijskim načrtom skladno z odločitvami zasedanja pogodbenic;

(d) povezovati se z državami na območju razširjenosti, ki niso pogodbenice, in omogočati usklajevanje med pogodbenicami ter z mednarodnimi in nacionalnimi organizacijami, katerih dejavnosti so neposredno ali posredno pomembne za ohranjanje selitvenih vodnih ptic skupaj z varstvom in upravljanjem;

(e) zbirati in vrednotiti informacije, ki bodo izboljšale uresničevanje ciljev in izvajanje sporazuma, ter urediti ustrezno razširjanje takih informacij;

(f) opozarjati zasedanje pogodbenic na zadeve, ki se nanašajo na cilje tega sporazuma;

(g) pošiljati kopije poročil organov iz pododstavka (a) prvega odstavka V. člena tega sporazuma in strokovnega odbora skupaj s kopijami poročil, ki jih mora zagotoviti na podlagi odstavka (h) tega člena vsem pogodbenicam najkasneje šestdeset dni pred začetkom vsake redne seje zasedanja pogodbenic;

(h) to prepare, on an annual basis and for each ordinary session of the Meeting of the Parties, reports on the work of the secretariat and on the implementation of the Agreement;

(i) to administer the budget for the Agreement and, if established, its conservation fund;

(j) to provide information for the general public concerning the Agreement and its objectives; and

(k) to perform such other functions as may be entrusted to it under the Agreement or by the Meeting of the Parties.

ARTICLE IX

Relations with International Bodies dealing with Migratory Waterbirds and their Habitats

The Agreement secretariat shall consult:

(a) on a regular basis, the Convention Secretariat and, where appropriate, the bodies responsible for the secretariat functions under Agreements concluded pursuant to Article IV, paragraphs 3 and 4, of the Convention which are relevant to migratory waterbirds, the Convention on Wetlands of International Importance, especially as Waterfowl Habitat, 1971, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973, the African Convention on the Conservation of Nature and Natural Resources, 1968, the Convention on the Conservation of European Wildlife and Natural Habitats, 1979, and the Convention on Biological Diversity, 1992, with a view to the Meeting of the Parties cooperating with the Parties to these conventions on all matters of common interest and, in particular, in the development and implementation of the Action Plan;

(b) the secretariats of other pertinent conventions and international instruments in respect of matters of common interest; and

(c) other organizations competent in the field of conservation, including protection and management, of migratory waterbirds and their habitats, as well as in the fields of research, education and awareness raising.

ARTICLE X

Amendment of the Agreement

1. This Agreement may be amended at any ordinary or extraordinary session of the Meeting of the Parties.

2. Proposals for amendment may be made by any Party.

3. The text of any proposed amendment and the reasons for it shall be communicated to the Agreement secretariat not less than one hundred and fifty days before the opening of the session. The Agreement secretariat shall transmit copies forthwith to the Parties. Any comments on the text by the Parties shall be communicated to the Agreement secretariat not less than sixty days before the opening of the session. The Secretariat shall, as soon as possible after the last day for submission of comments, communicate to the Parties all comments submitted by that day.

4. An amendment to the Agreement other than an amendment to its annexes shall be adopted by a two-thirds majority of the Parties present and voting and shall enter into force for those Parties which have accepted it on the thirtieth day after the date on which two thirds of the Parties to the Agreement at the date of the adoption of the amendment have deposited their instruments of acceptance of the amendment with the Depositary. For each Party which deposits an instrument of acceptance after the date on which two thirds of the Parties have deposited their instruments of acceptance, the amendment shall enter into force on the thirtieth day after the date on which it deposits its instrument of acceptance.

(h) za vsako leto in vsako redno sejo zasedanja pogodbenic pripraviti poročilo o delu sekretariata in izvajanju sporazuma;

(i) upravljati proračun sporazuma in ohranitveni sklad, če se ustanovi;

(j) obveščati najširšo javnost o sporazumu in njegovih ciljih ter

(k) opravljati vse druge naloge, ki mu jih po tem sporazumu zaupa zasedanje pogodbenic.

IX. ČLEN

Odnosi z mednarodnimi telesi, ki se ukvarjajo s selitvenimi vodnimi pticami in njihovimi habitati

Sekretariat sporazuma se posvetuje:

(a) redno s sekretariatom konvencije, in kadar je primerno, s telesi, pristojnimi za naloge sekretariata po sporazumih, sklenjenih na podlagi tretjega in četrtega odstavka 4. člena konvencije, ki so pomembni za selitvene vodne ptice, Konvenciji o močvirjih, ki so mednarodnega pomena, zlasti kot prebivališča močvirskih ptic iz leta 1971, Konvenciji o mednarodni trgovini z ogroženimi vrstami prosto živečih živalskih in rastlinskih vrst iz leta 1973, Afriški konvenciji o ohranjanju narave in naravnih virov iz leta 1968, Konvenciji o varstvu prosto živečega evropskega živalstva in rastlinstva ter njenih naravnih življenjskih prostorov iz leta 1979 ter Konvenciji o biološki raznovrstnosti iz leta 1992, da bi zasedanje pogodbenic sodelovalo s pogodbenicami teh konvencij pri vseh zadevah skupnega interesa ter zlasti pri pripravljanju in izvajanju akcijskega načrta;

(b) s sekretariati drugih ustreznih konvencij in mednarodnih dokumentov v zvezi z zadevami skupnega interesa in

(c) z drugimi organizacijami, usposobljenimi za ohranjanje selitvenih vodnih ptic in njihovih habitatov skupaj z varstvom in upravljanjem, ter za raziskave, izobraževanje in ozaveščanje.

X. ČLEN

Spremembe sporazuma

1. Ta sporazum se lahko spremeni na redni ali izredni seji zasedanja pogodbenic.

2. Spremembe lahko predlaga vsaka pogodbenica.

3. Besedilo vsake predlagane spremembe in razlogi zanjo se sporočijo sekretariatu sporazuma najkasneje sto petdeset dni pred začetkom seje. Sekretariat sporazuma kopije takoj pošlje pogodbenicam. Pogodbenice sporočijo sekretariatu sporazuma kakršne koli pripombe k besedilu najkasneje šestdeset dni pred začetkom seje. Sekretariat, takoj ko je to mogoče, po zadnjem dnevu za predložitev pripomb sporoči pogodbenicam vse pripombe, predložene do tega dne.

4. Sprememba sporazuma, razen spremembe prilog, se sprejme z dvetretjinsko večino pogodbenic, ki so prisotne in glasujejo, ter začne veljati za tiste pogodbenice, ki so jo sprejele, trideseti dan po dnevu, ko sta dve tretjini pogodbenic sporazuma na dan sprejetja spremembe deponirali svoje listine o sprejetju spremembe pri depozitarju. Za vsako pogodbenico, ki listino o sprejetju deponira po dnevu, ko sta dve tretjini pogodbenic deponirali svoje listine o sprejetju, začne sprememba veljati trideseti dan po dnevu, ko je deponirala svojo listino o sprejetju.

5. Any additional annexes and any amendment to an annex shall be adopted by a two-thirds majority of the Parties present and voting and shall enter into force for all Parties on the ninetieth day after the date of its adoption by the Meeting of the Parties, except for Parties which have entered a reservation in accordance with paragraph 6 of this Article.

6. During the period of ninety days provided for in paragraph 5 of this Article, any Party may by written notification to the Depositary enter a reservation with respect to an additional annex or an amendment to an annex. Such reservation may be withdrawn at any time by written notification to the Depositary, and thereupon the additional annex or the amendment shall enter into force for that Party on the thirtieth day after the date of withdrawal of the reservation.

ARTICLE XI

Effect of this Agreement on International Conventions and Legislation

1. The provisions of this Agreement do not affect the rights and obligations of any Party deriving from existing international treaties, conventions or agreements.

2. The provisions of this Agreement shall in no way affect the right of any Party to maintain or adopt stricter measures for the conservation of migratory waterbirds and their habitats.

ARTICLE XII

Settlement of Disputes

1. Any dispute which may arise between two or more Parties with respect to the interpretation or application of the provisions of this Agreement shall be subject to negotiation between the Parties involved in the dispute.

2. If the dispute cannot be resolved in accordance with paragraph 1 of this Article, the Parties may, by mutual consent, submit the dispute to arbitration, in particular that of the Permanent Court of Arbitration at The Hague, and the Parties submitting the dispute shall be bound by the arbitral decision.

ARTICLE XIII

Signature, Ratification, Acceptance, Approval, Accession

1. This Agreement shall be open for signature by any Range State, whether or not areas under its jurisdiction lie within the Agreement Area, or regional economic integration organization, at least one member of which is a Range State, either by:

(a) signature without reservation in respect of ratification, acceptance or approval; or

(b) signature with reservation in respect of ratification, acceptance or approval, followed by ratification, acceptance or approval.

2. This Agreement shall remain open for signature at The Hague until the date of its entry into force.

3. This Agreement shall be open for accession by any Range State or regional economic integration organization mentioned in paragraph 1 above on and after the date of entry into force of the Agreement.

4. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

5. Dodatne priloge in spremembe priloge se sprejmejo z dvetretjinsko večino pogodbenic, ki so prisotne in glasujejo, ter začnejo veljati devetdeseti dan po dnevu, ko jih je sprejelo zasedanje pogodbenic, za vse pogodbenice, razen tistih, ki so izrazile pridržek skladno s šestim odstavkom tega člena.

6. V obdobju devetdesetih dni, predvidenem v petem odstavku tega člena, lahko katera koli pogodbenica s pisnim uradnim obvestilom depozitarju izrazi pridržek v zvezi z dodatno prilogo ali spremembo priloge. Tak pridržek se lahko kadar koli umakne s pisnim uradnim obvestilom depozitarju, dodatna priloga ali sprememba pa za to pogodbenico začne veljati trideseti dan po dnevu, ko je umaknila pridržek.

XI. ČLEN

Učinek tega sporazuma na mednarodne konvencije in zakonodajo

1. Določbe tega sporazuma ne vplivajo na pravice in obveznosti katere koli pogodbenice, ki izhajajo iz veljavnih mednarodnih pogodb, konvencij ali sporazumov.

2. Določbe tega sporazuma nikakor ne vplivajo na pravico katere koli pogodbenice, da ohrani ali sprejme strožje ukrepe za ohranitev selitvenih vodnih ptic in njihovih habitatov.

XII. ČLEN

Reševanje sporov

1. Vsak spor, ki lahko nastane med dvema ali več pogodbenicami zaradi razlage ali uporabe določb tega sporazuma, se rešuje s pogajanjem med pogodbenicami v sporu.

2. Če se spor ne da rešiti skladno s prvim odstavkom tega člena, lahko pogodbenice z medsebojnim soglasjem predložijo spor arbitraži, zlasti Stalnemu arbitražnemu sodišču v Haagu, in arbitražna odločitev zavezuje pogodbenice, ki so spor predložile.

XIII. ČLEN

Podpis, ratifikacija, sprejetje, odobritev, pristop

1. Ta sporazum je na voljo za podpis vsem državam na območju razširjenosti ne glede na to, ali so območja pod njihovo jurisdikcijo na območju sporazuma, in regionalnim organizacijam za gospodarsko povezovanje, ki imajo med svojimi članicami vsaj eno državo na območju razširjenosti:

(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.

2. Ta sporazum je na voljo za podpis v Haagu do dneva, ko začne veljati.

3. Ta sporazum je na voljo za sprejetje vsem državam na območju razširjenosti in regionalnim organizacijam za gospodarsko povezovanje iz prvega odstavka od dneva, ko začne veljati.

4. Listine o ratifikaciji, sprejetju, odobritvi ali pristopu se deponirajo pri depozitarju.

ARTICLE XIV

Entry into Force

1. This Agreement shall enter into force on the first day of the third month after at least fourteen Range States or regional economic integration organizations, comprising at least seven from Africa and seven from Eurasia, have signed without reservation in respect of ratification, acceptance or approval, or have deposited their instruments of ratification, acceptance or approval in accordance with Article XIII of this Agreement.

2. For any Range State or regional economic integration organization which has:

(a) signed without reservation in respect of ratification, acceptance, or approval;

(b) ratified, accepted, or approved; or

(c) acceded to

this Agreement after the date on which the number of Range States and regional economic integration organizations necessary to enable entry into force have signed it without reservation or have ratified, accepted or approved it, this Agreement shall enter into force on the first day of the third month following the signature without reservation, or deposit, by that State or organization, of its instrument of ratification, acceptance, approval or accession.

ARTICLE XV

Reservations

The provisions of this Agreement shall not be subject to general reservations. However, a specific reservation may be entered by any State or regional economic integration organization on signature without reservation in respect of ratification, acceptance or approval or, as the case may be, on depositing its instrument of ratification, acceptance, approval or accession in respect of any species covered by the Agreement or any specific provision of the Action Plan. Such a reservation may be withdrawn at any time by the State or regional economic integration organization which had entered it, by notification in writing to the Depositary; such a State or organization shall not be bound by the provisions which are the object of the reservation until thirty days after the date on which the reservation has been withdrawn.

ARTICLE XVI

Denunciation

Any Party may denounce this Agreement by written notification to the Depositary at any time. The denunciation shall take effect twelve months after the date on which the Depositary has received the notification.

ARTICLE XVII

Depositary

1. The original of this Agreement, in the Arabic, English, French and Russian languages, each version being equally authentic, shall be deposited with the Government of the Kingdom of the Netherlands which shall be the Depositary. The Depositary shall transmit certified copies of these versions to all States and regional economic integration organizations referred to in Article XIII, paragraph 1, of this Agreement, and to the Agreement secretariat after it has been established.

2. As soon as this Agreement enters into force, a certified copy thereof shall be transmitted by the Depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

XIV. ČLEN

Začetek veljavnosti

1. Ta sporazum začne veljati prvi dan tretjega meseca, potem ko je vsaj štirinajst držav na območju razširjenosti ali regionalnih organizacij za gospodarsko povezovanje, od katerih jih je vsaj sedem iz Afrike in sedem iz Evrazije, podpisalo sporazum brez pridržka glede ratifikacije, sprejetja ali odobritve ali deponiralo svoje listine o ratifikaciji, sprejetju ali odobritvi skladno s XIII. členom tega sporazuma.

2. Za katero koli državo na območju razširjenosti ali regionalno organizacijo za gospodarsko povezovanje, ki je ta sporazum:

(a) podpisala brez pridržka glede ratifikacije, sprejetja ali odobritve;

(b) ratificirala, sprejela ali odobrila ali

(c) k njemu pristopila

po dnevu, ko je sporazum podpisalo brez pridržka oziroma ratificiralo, sprejelo ali odobrilo toliko držav na območju razširjenosti in regionalnih organizacij za gospodarsko povezovanje, kot je potrebno za začetek veljavnosti, ta sporazum začne veljati prvi dan tretjega meseca, potem ko je ta država ali organizacija podpisala sporazum brez pridržka ali deponirala svojo listino o ratifikaciji, sprejetju, odobritvi ali pristopu.

XV. ČLEN

Pridržki

Za določbe tega sporazuma ne veljajo splošni pridržki. Vendar pa lahko katera koli država ali regionalna organizacija za gospodarsko povezovanje ob podpisu brez pridržka glede ratifikacije, sprejetja ali odobritve oziroma ob deponiranju svoje listine o ratifikaciji, sprejetju ali odobritvi izrazi poseben pridržek glede katere koli vrste, vključene v ta sporazum, ali katere koli določbe akcijskega načrta. Država ali regionalna organizacija za gospodarsko povezovanje, ki je izrazila tak pridržek, ga lahko kadar koli umakne s pisnim uradnim obvestilom depozitarju; določbe, ki so predmet pridržka, take države ali organizacije ne zavezujejo še trideset dni po umiku pridržka.

XVI. ČLEN

Odpoved

Pogodbenica lahko kadar koli odpove ta sporazum s pisnim uradnim obvestilom depozitarju. Odpoved začne veljati dvanajst mesecev po dnevu, ko je depozitar prejel uradno obvestilo.

XVII. ČLEN

Depozitar

1. Izvirnik tega sporazuma v arabskem, angleškem, francoskem in ruskem jeziku, pri čemer je vsaka različica enako verodostojna, se deponira pri vladi Kraljevine Nizozemske, ki je depozitar. Depozitar pošlje overjene kopije teh različic vsem državam in regionalnim organizacijam za gospodarsko povezovanje iz prvega odstavka XIII. člena tega sporazuma ter sekretariatu sporazuma, potem ko je ustanovljen.

2. Takoj ko sporazum začne veljati, depozitar pošlje overjeno kopijo sporazuma Sekretariatu Združenih narodov za registracijo in objavo skladno s 102. členom Ustanovne listine Združenih narodov.

3. The Depositary shall inform all States and regional economic integration organizations that have signed or acceded to the Agreement, and the Agreement secretariat, of:

- (a) any signature;
- (b) any deposit of instruments of ratification, acceptance, approval or accession;
- (c) the date of entry into force of this Agreement and of any additional annex as well as of any amendment to the Agreement or to its annexes;
- (d) any reservation with respect to an additional annex or to an amendment to an annex;
- (e) any notification of withdrawal of a reservation; and
- (f) any notification of denunciation of the Agreement.

The Depositary shall transmit to all States and regional economic integration organizations that have signed or acceded to this Agreement, and to the Agreement secretariat, the text of any reservation, of any additional annex and of any amendment to the Agreement or to its annexes.

In witness whereof the undersigned, being duly authorized to that effect, have signed this Agreement.

Done at the Hague, this fifteenth day of August 1996.

Annex 1

Definition of the Agreement Area

The boundary of the Agreement area is defined as follows: from the North Pole south along the 130°W line of longitude to 75°N; thence east and southeast through Viscount Melville Sound, Prince Regent Inlet, the Gulf of Boothia, Foxe Basin, Foxe Channel and Hudson Strait to a point in the northwest Atlantic at 60°N, 60°W; thence southeast through the northwest Atlantic to a point at 50°N, 30°W; thence south along the 30°W line of longitude to 10°N; thence southeast to the Equator at 20°W; thence south along the 20°W line of longitude to 40°S; thence east along the 40°S line of latitude to 60°E; thence north along the 60°E line of longitude to 35°N; thence east-northeast on a great circle to a point in the western Altai at 49°N, 87°27'E; thence northeast on a great circle to the coast of the Arctic Ocean at 130°E; thence north along the 130°E line of longitude to the North Pole. The outline of the Agreement Area is illustrated on the following map.

3. Depozitar obvesti vse države in regionalne organizacije za gospodarsko povezovanje, ki so podpisale sporazum ali k njemu pristopile, ter sekretariat sporazuma o:

- (a) vsakem podpisu;
- (b) vsakem deponiranju listin o ratifikaciji, sprejetju, odobritvi ali pristopu;
- (c) datumu začetka veljavnosti tega sporazuma in vsake dodatne priloge ter vsake spremembe sporazuma ali njegovih prilog;
- (d) vsakem pridržku glede dodatne priloge ali spremembe priloge;
- (e) vsakem uradnem obvestilu o umiku pridržka in
- (f) vsakem uradnem obvestilu o odpovedi sporazuma.

Depozitar pošlje vsem državam in regionalnim organizacijam za gospodarsko povezovanje, ki so podpisale ta sporazum ali k njemu pristopile, ter sekretariatu sporazuma besedilo vsakega pridržka, vsake dodatne priloge in vsake spremembe sporazuma ali njegovih prilog.

Da bi to potrdili, so podpisani pooblaščenici, ki so bili za to pravilno pooblašчени, podpisali ta sporazum.

Sestavljeno v Haagu, 15. avgusta 1996.

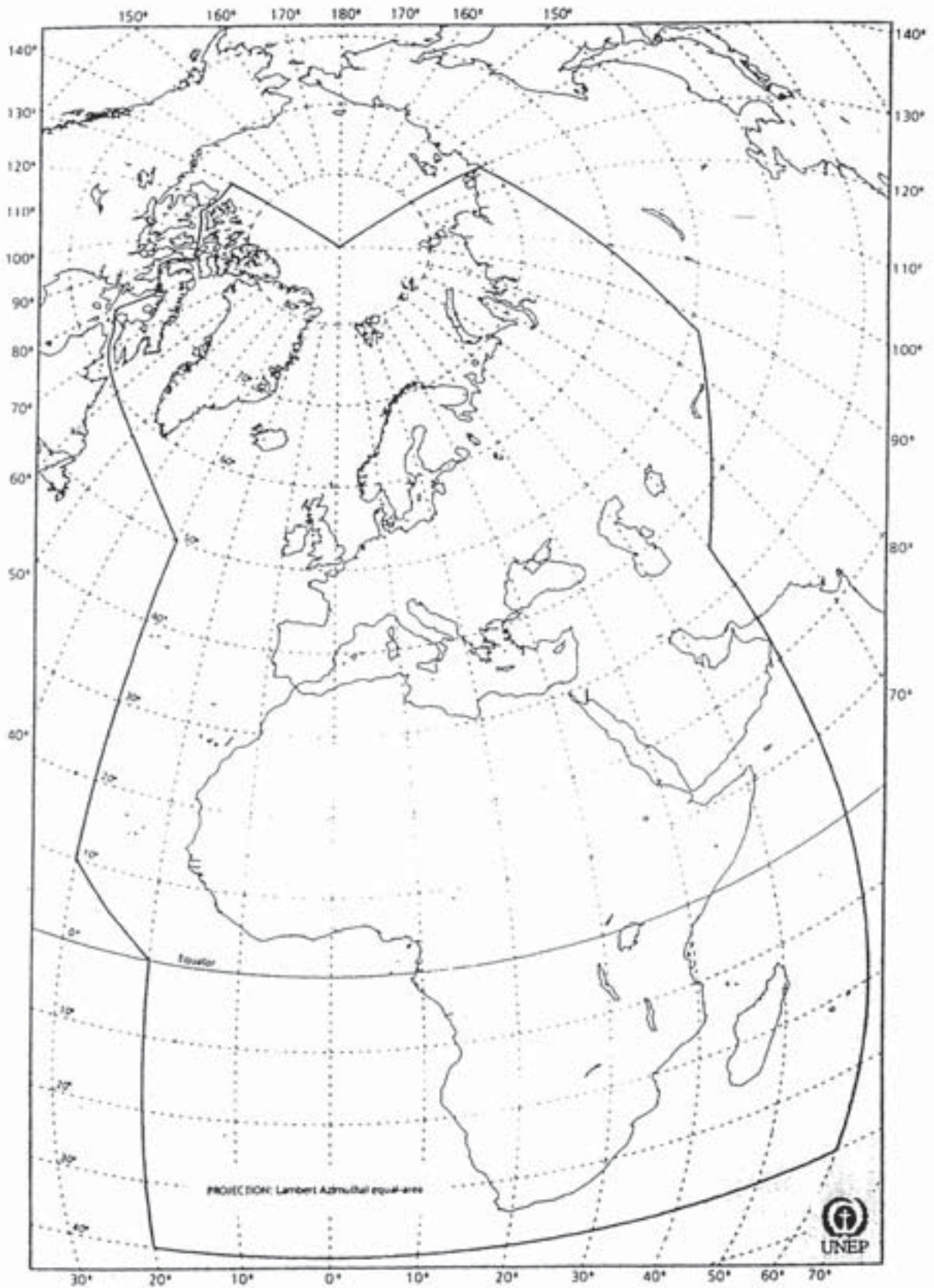
Priloga 1

Opredelitev območja sporazuma

Meje območja sporazuma se opredelijo: od severnega tečaja proti jugu po poldnevniku 130° z. do 75° s.; nato proti vzhodu in jugovzhodu skozi Rokav vikonta Melvilla, Zaliv princa regenta, Zaliv Boothia, Foxovo kotlino, Foxov in Hudsonov preliv do točke 60° s., 60° z. v severozahodnem Atlantskem oceanu; nato proti jugovzhodu čez severozahodni Atlantski ocean do točke 50° s., 30° z.; nato proti jugu po poldnevniku 30° z. do 10° s.; nato proti jugovzhodu do ekvatorja na širini 20° z.; nato proti jugu po poldnevniku 20° z. do 40° j.; nato proti vzhodu po vzporedniku 40° j. do 60° v.; nato proti severu po poldnevniku 60° v. do 35° s.; nato proti vzhodu-severovzhodu po ortodromi do točke 49° s., 87° 27' v. v zahodnem Altaju; nato proti severovzhodu po ortodromi do obale Severnega ledenega morja na 130° v.; nato proti severu po poldnevniku 130° v. do severnega tečaja. Skica območja sporazuma je prikazana na zemljevidu.

Annex 1 a: Map of the Agreement Area

Priloga 1 a: Zemljevid območja sporazuma



Annex 2

Priloga 2

Waterbird Species to which this Agreement Applies

Vrste vodnih ptic, na katere se nanaša ta sporazum

GAVIIDAE

<i>Gavia stellata</i>	Red-throated Diver
<i>Gavia arctica</i>	Black-throated Diver
<i>Gavia immer</i>	Great Northern Diver
<i>Gavia adamsii</i>	White-billed Diver

GAVIIDAE

<i>Gavia stellata</i>	rdečegrli slapnik
<i>Gavia arctica</i>	polarni slapnik
<i>Gavia immer</i>	ledni slapnik
<i>Gavia adamsii</i>	rumenokljuni slapnik

PODICIPEDIDAE

<i>Podiceps grisegena</i>	Red-necked Grebe
<i>Podiceps auritus</i>	Slavonian Grebe

PODICIPEDIDAE

<i>Podiceps grisegena</i>	rjavovrati ponirek
<i>Podiceps auritus</i>	zlatouhi ponirek

PELECANIDAE

<i>Pelecanus onocrotalus</i>	Great White Pelican
<i>Pelecanus crispus</i>	Dalmatian Pelican

PELECANIDAE

<i>Pelecanus onocrotalus</i>	rožnati pelikan
<i>Pelecanus crispus</i>	kodrasti pelikan

PHALACROCORACIDAE

<i>Phalacrocorax pygmaeus</i>	Pygmy Cormorant
<i>Phalacrocorax nigrogularis</i>	Socotra Cormorant

PHALACROCORACIDAE

<i>Phalacrocorax pygmaeus</i>	pritlikavi kormoran
<i>Phalacrocorax nigrogularis</i>	bronasti kormoran

ARDEIDAE

<i>Egretta vinaceigula</i>	Slaty Egret
<i>Ardea purpurea</i>	Purple Heron
<i>Casmerodius albus</i>	Great Egret
<i>Ardeola idae</i>	Madagascar Pond-Heron
<i>Ardeola rufiventris</i>	Rufous-bellied Heron
<i>Ixobrychus minutus</i>	Little Bittern
<i>Ixobrychus sturmii</i>	Dwarf Bittern
<i>Botaurus stellaris</i>	Great Bittern

ARDEIDAE

<i>Egretta vinaceigula</i>	
<i>Ardea purpurea</i>	rjava čaplja
<i>Casmerodius albus</i>	velika bela čaplja
<i>Ardeola idae</i>	
<i>Ardeola rufiventris</i>	
<i>Ixobrychus minutus</i>	čapljica
<i>Ixobrychus sturmii</i>	afriška čapljica
<i>Botaurus stellaris</i>	bobnarica

CICONIIDAE

<i>Mycteria ibis</i>	Yellow-billed Stork
<i>Ciconia nigra</i>	Black Stork
<i>Ciconia episcopus</i>	Woolly-necked Stork
<i>Ciconia ciconia</i>	White Stork

CICONIIDAE

<i>Mycteria ibis</i>	afriški nesit
<i>Ciconia nigra</i>	črna štoklja
<i>Ciconia episcopus</i>	
<i>Ciconia ciconia</i>	bela štoklja

THRESKIORNITHIDAE

<i>Plegadis falcinellus</i>	Glossy Ibis
<i>Geronticus eremita</i>	Waldrapp
<i>Threskiornis aethiopicus</i>	Sacred Ibis
<i>Platalea leucorodia</i>	Eurasian Spoonbill
<i>Platalea alba</i>	African Spoonbill

THRESKIORNITHIDAE

<i>Plegadis falcinellus</i>	plevica
<i>Geronticus eremita</i>	klavžar
<i>Threskiornis aethiopicus</i>	sveti ibis
<i>Platalea leucorodia</i>	žličarka
<i>Platalea alba</i>	afriška žličarka

PHOENICOPTERIDAE

<i>Phoenicopterus ruber</i>	Greater Flamingo
<i>Phoenicopterus minor</i>	Lesser Flamingo

PHOENICOPTERIDAE

<i>Phoenicopterus ruber</i>	plamenec
<i>Phoenicopterus minor</i>	mali plamenec

ANATIDAE

<i>Dendrocygna bicolor</i>	Fulvous Whistling-Duck
<i>Dendrocygna viduata</i>	White-faced Whistling-Duck
<i>Thalassornis leucanotus</i>	White-backed Duck
<i>Oxyura leucocephala</i>	White-headed Duck
<i>Cygnus olor</i>	Mute Swan
<i>Cygnus cygnus</i>	Whooper Swan
<i>Cygnus columbianus</i>	Bewick's Swan
<i>Anser brachyrhynchus</i>	Pink-footed Goose
<i>Anser fabalis</i>	Bean Goose
<i>Anser albifrons</i>	Greater White-fronted Goose
<i>Anser erythropus</i>	Lesser White-fronted Goose
<i>Anser anser</i>	Greylag Goose

ANATIDAE

<i>Dendrocygna bicolor</i>	rumeni žvižgač
<i>Dendrocygna viduata</i>	vdovski žvižgač
<i>Thalassornis leucanotus</i>	
<i>Oxyura leucocephala</i>	beloglavka
<i>Cygnus olor</i>	labod grbec
<i>Cygnus cygnus</i>	labod pevec
<i>Cygnus columbianus</i>	mali labod
<i>Anser brachyrhynchus</i>	kratkokljuna gos
<i>Anser fabalis</i>	njivska gos
<i>Anser albifrons</i>	beločela gos
<i>Anser erythropus</i>	mala gos
<i>Anser anser</i>	siva gos

<i>Branta leucopsis</i>	Barnacle Goose	<i>Branta leucopsis</i>	belolična gos
<i>Branta bernicla</i>	Brent Goose	<i>Branta bernicla</i>	grivasta gos
<i>Branta ruficollis</i>	Red-breasted Goose	<i>Branta ruficollis</i>	rdečevrata gos
<i>Alopochen aegyptiacus</i>	Egyptian Goose	<i>Alopochen aegyptiacus</i>	nilska gos
<i>Tadorna ferruginea</i>	Ruddy Shelduck	<i>Tadorna ferruginea</i>	rjasta kozarka
<i>Tadorna cana</i>	South African Shelduck	<i>Tadorna cana</i>	
<i>Tadorna tadorna</i>	Common Shelduck	<i>Tadorna tadorna</i>	duplinska kozarka
<i>Plectropterus gambensis</i>	Spur-winged Goose	<i>Plectropterus gambensis</i>	ostrožka
<i>Sarkidiornis melanotos</i>	Comb Duck	<i>Sarkidiornis melanotos</i>	
<i>Nettapus auritus</i>	African Pygmy-goose	<i>Nettapus auritus</i>	
<i>Anas penelope</i>	Eurasian Wigeon	<i>Anas penelope</i>	žvižgavka
<i>Anas strepera</i>	Gadwall	<i>Anas strepera</i>	konopnica
<i>Anas crecca</i>	Common Teal	<i>Anas crecca</i>	kreheljc
<i>Anas capensis</i>	Cape Teal	<i>Anas capensis</i>	kapska rasa
<i>Anas platyrhynchos</i>	Mallard	<i>Anas platyrhynchos</i>	mlakarica
<i>Anas undulata</i>	Yellow-billed Duck	<i>Anas undulata</i>	
<i>Anas acuta</i>	Northern Pintail	<i>Anas acuta</i>	dolgorepa rasa
<i>Anas erythrorhynchos</i>	Red-billed Duck	<i>Anas erythrorhynchos</i>	rdečekljuna rasa
<i>Anas hottentota</i>	Hottentot Teal	<i>Anas hottentota</i>	
<i>Anas querquedula</i>	Garganey	<i>Anas querquedula</i>	reglja
<i>Anas clypeata</i>	Northern Shoveler	<i>Anas clypeata</i>	rasa žličarica
<i>Marmaronetta angustirostris</i>	Marbled Teal	<i>Marmaronetta angustirostris</i> (<i>Anas angustirostris</i>)	marmorna rasa tatarska žvižgavka
<i>Netta rufina</i>	Red-crested Pochard	<i>Netta rufina</i>	
<i>Netta erythrophthalma</i>	Southern Pochard	<i>Netta erythrophthalma</i>	
<i>Aythya ferina</i>	Common Pochard	<i>Aythya ferina</i>	sivka
<i>Aythya nyroca</i>	Ferruginous Pochard	<i>Aythya nyroca</i>	kostanjevka
<i>Aythya fuligula</i>	Tufted Duck	<i>Aythya fuligula</i>	čopasta črnica
<i>Aythya marila</i>	Greater Scaup	<i>Aythya marila</i>	rjavka
<i>Somateria mollissima</i>	Common Eider	<i>Somateria mollissima</i>	gaga
<i>Somateria spectabilis</i>	King Eider	<i>Somateria spectabilis</i>	pisana gaga
<i>Polysticta stelleri</i>	Steller's Eider	<i>Polysticta stelleri</i>	ruska gaga
<i>Clangula hyemalis</i>	Long-tailed Duck	<i>Clangula hyemalis</i>	zimska rasa
<i>Melanitta nigra</i>	Common Scoter	<i>Melanitta nigra</i>	črna rasa
<i>Melanitta fusca</i>	Velvet Scoter	<i>Melanitta fusca</i>	beloliska
<i>Bucephala clangula</i>	Common Goldeneye	<i>Bucephala clangula</i>	zvonec
<i>Mergellus albellus</i>	Smew	<i>Mergellus albellus</i>	mali žagar
<i>Mergus serrator</i>	Red-breasted Merganser	<i>Mergus serrator</i>	srednji žagar
<i>Mergus merganser</i>	Goosander	<i>Mergus merganser</i>	veliki žagar
GRUIDAE		GRUIDAE	
<i>Grus leucogeranus</i>	Siberian Crane	<i>Grus leucogeranus</i>	snežni žerjav
<i>Grus virgo</i>	Demiselle Crane	<i>Grus virgo</i>	deviški žerjav
<i>Grus paradisea</i>	Blue Crane	<i>Grus paradisea</i>	
<i>Grus carunculatus</i>	Wattled Crane	<i>Grus carunculatus</i>	
<i>Grus grus</i>	Common Crane	<i>Grus grus</i>	žerjav
RALLIDAE		RALLIDAE	
<i>Sarothrura boehmi</i>	Streaky-breasted Flufftail	<i>Sarothrura boehmi</i>	
<i>Porzana parva</i>	Little Crake	<i>Porzana parva</i>	mala tukalica
<i>Porzana pusilla</i>	Baillon's Crake	<i>Porzana pusilla</i>	prtljkava tukalica
<i>Porzana porzana</i>	Spotted Crake	<i>Porzana porzana</i>	grahasta tukalica
<i>Aenigmatolimnas marginalis</i>	Striped Crake	<i>Aenigmatolimnas marginalis</i>	progasta tukalica
<i>Fulica atra</i> (Black Sea/Mediterranean)	Common Coot	<i>Fulica atra</i> (Črno morje/ Sredozemlje)	liska
DROMADIDAE		DROMADIDAE	
<i>Dromas ardeola</i>	Crab Plover	<i>Dromas ardeola</i>	čapljar
RECURVIROSTRIDAE		RECURVIROSTRIDAE	
<i>Himantopus himantopus</i>	Black-winged Stilt	<i>Himantopus himantopus</i>	polojnik
<i>Recurvirostra avosetta</i>	Pied Avocet	<i>Recurvirostra avosetta</i>	sabljarica
GLAREOLIDAE		GLAREOLIDAE	
<i>Glareola pratincola</i>	Collared Pratincole	<i>Glareola pratincola</i>	rjava komatna tekica
<i>Glareola nordmanni</i>	Black-winged Pratincole	<i>Glareola nordmanni</i>	črna komatna tekica
		<i>Pluvialis apricaria</i>	zlata prosenka

CHARADRIIDAE

<i>Pluvialis apricaria</i>	Eurasian Golden Plover
<i>Pluvialis squatarola</i>	Grey Plover
<i>Charadrius hiaticula</i>	Common Ringed Plover
<i>Charadrius dubius</i>	Little Ringed Plover
<i>Charadrius pecuarius</i>	Kittlitz's Plover
<i>Charadrius tricollaris</i>	Three-banded Plover
<i>Charadrius forbesi</i>	Forbes' Plover
<i>Charadrius pallidus</i>	Chestnut-banded Plover
<i>Charadrius alexandrinus</i>	Kentish Plover
<i>Charadrius marginatus</i>	White-fronted Plover
<i>Charadrius mongolus</i>	Mongolian Plover
<i>Charadrius leschenaultii</i>	Greater Sandplover
<i>Charadrius asiaticus</i>	Caspian Plover
<i>Eudromias morinellus</i>	Eurasian Dotterel
<i>Vanellus vanellus</i>	Northern Lapwing
<i>Vanellus spinosus</i>	Spur-winged Plover
<i>Vanellus albiceps</i>	White-headed Lapwing
<i>Vanellus senegallus</i>	Senegal Lapwing
<i>Vanellus lugubris</i>	Wattled Lapwing
<i>Vanellus melanopterus</i>	Black-winged Lapwing
<i>Vanellus coronatus</i>	Crowned Lapwing
<i>Vanellus superciliosus</i>	Brown-chested Lapwing
<i>Vanellus gregarius</i>	Sociable Plover
<i>Vanellus leucurus</i>	White-tailed Plover

SCOLOPACIDAE

<i>Gallinago media</i>	Great Snipe
<i>Gallinago gallinago</i>	Common Snipe
<i>Lymnocyptes minimus</i>	Jack Snipe
<i>Limosa limosa</i>	Black-tailed Godwit
<i>Limosa lapponica</i>	Bar-tailed Godwit
<i>Numenius phaeopus</i>	Whimbrel
<i>Numenius tenuirostris</i>	Slender-billed Curlew
<i>Numenius arquata</i>	Eurasian Curlew
<i>Tringa erythropus</i>	Spotted Redshank
<i>Tringa totanus</i>	Common Redshank
<i>Tringa stagnatilis</i>	Marsh Sandpiper
<i>Tringa nebularia</i>	Common Greenshank
<i>Tringa ochropus</i>	Green Sandpiper
<i>Tringa glareola</i>	Wood Sandpiper
<i>Tringa cinerea</i>	Terek Sandpiper
<i>Tringa hypoleucos</i>	Common Sandpiper
<i>Arenaria interpres</i>	Ruddy Turnstone
<i>Calidris tenuirostris</i>	Great Knot
<i>Calidris canutus</i>	Red Knot
<i>Calidris alba</i>	Sanderling
<i>Calidris minuta</i>	Little Stint
<i>Calidris temminckii</i>	Temminck's Stint
<i>Calidris maritima</i>	Purple Sandpiper
<i>Calidris alpina</i>	Dunlin
<i>Calidris ferruginea</i>	Curlew Sandpiper
<i>Limicola falcinellus</i>	Broad-billed Sandpiper
<i>Philomachus pugnax</i>	Ruff
<i>Phalaropus lobatus</i>	Red-necked Phalarope
<i>Phalaropus fulicaria</i>	Grey Phalarope

LARIDAE

<i>Larus leucopthalmus</i>	White-eyed Gull
<i>Larus hemprichii</i>	Sooty Gull
<i>Larus audouinii</i>	Audouin's Gull
<i>Larus armenicus</i>	Armenian Gull
<i>Larus ichthyæetus</i>	Great Black-headed Gull
<i>Larus genei</i>	Slender-billed Gull
<i>Larus melanocephalus</i>	Mediterranean Gull
<i>Sterna nilotica</i>	Gull-billed Tern
<i>Sterna caspia</i>	Caspian Tern
<i>Sterna maxima</i>	Royal Tern
<i>Sterna bengalensis</i>	Lesser Crested Tern

CHARADRIIDAE

<i>Pluvialis squatarola</i>	črna prosenka
<i>Charadrius hiaticula</i>	komatni deževnik
<i>Charadrius dubius</i>	mali deževnik
<i>Charadrius pecuarius</i>	prtljikavi deževnik
<i>Charadrius tricollaris</i>	trikomatni deževnik
<i>Charadrius forbesi</i>	
<i>Charadrius pallidus</i>	
<i>Charadrius alexandrinus</i>	beločeli deževnik
<i>Charadrius marginatus</i>	
<i>Charadrius mongolus</i>	mongolski deževnik
<i>Charadrius leschenaultii</i>	debelokljuni deževnik
<i>Charadrius asiaticus</i>	kaspijski deževnik
<i>Eudromias morinellus</i>	dular
<i>Vanellus vanellus</i>	priba
<i>Vanellus spinosus</i>	ostrogasta priba
<i>Vanellus albiceps</i>	
<i>Vanellus senegallus</i>	
<i>Vanellus lugubris</i>	
<i>Vanellus melanopterus</i>	
<i>Vanellus coronatus</i>	
<i>Vanellus superciliosus</i>	
<i>Vanellus gregarius</i>	stepska priba
<i>Vanellus leucurus</i>	belorepa priba

SCOLOPACIDAE

<i>Gallinago media</i>	čoketa
<i>Gallinago gallinago</i>	kozica
<i>Lymnocyptes minimus</i>	puklež
<i>Limosa limosa</i>	črnorepi kljunač
<i>Limosa lapponica</i>	progastorepi kljunač
<i>Numenius phaeopus</i>	mali škurh
<i>Numenius tenuirostris</i>	tenkokljuni škurh
<i>Numenius arquata</i>	veliki škurh
<i>Tringa erythropus</i>	črni martinec
<i>Tringa totanus</i>	rdečenogi martinec
<i>Tringa stagnatilis</i>	jezerski martinec
<i>Tringa nebularia</i>	zelenonogi martinec
<i>Tringa ochropus</i>	pikasti martinec
<i>Tringa glareola</i>	močvirski martinec
<i>Tringa cinerea</i>	
<i>Tringa hypoleucos</i>	mali martinec
<i>Arenaria interpres</i>	kamenjar
<i>Calidris tenuirostris</i>	tenkokljuni prodnik
<i>Calidris canutus</i>	veliki prodnik
<i>Calidris alba</i>	peščeneč
<i>Calidris minuta</i>	mali prodnik
<i>Calidris temminckii</i>	Temminckov prodnik
<i>Calidris maritima</i>	morski prodnik
<i>Calidris alpina</i>	spremenljivi prodnik
<i>Calidris ferruginea</i>	srpokljuni prodnik
<i>Limicola falcinellus</i>	ploskokljunec
<i>Philomachus pugnax</i>	togotnik
<i>Phalaropus lobatus</i>	ozkokljuni liskonožec
<i>Phalaropus fulicaria</i>	ploskokljuni liskonožec

LARIDAE

<i>Larus leucopthalmus</i>	rdečemorski galeb
<i>Larus hemprichii</i>	čadasti galeb
<i>Larus audouinii</i>	sredozemski galeb
<i>Larus armenicus</i>	armenski galeb
<i>Larus ichthyæetus</i>	ribji galeb
<i>Larus genei</i>	zalivski galeb
<i>Larus melanocephalus</i>	črnoglavni galeb
<i>Sterna nilotica</i>	črnonoga čigra
<i>Sterna caspia</i>	kaspijska čigra
<i>Sterna maxima</i>	kraljeva čigra
<i>Sterna bengalensis</i>	bengalska čigra

<i>Sterna bergii</i>	Great Crested Tern	<i>Sterna bergii</i>	čopasta čigra
<i>Sterna sandvicensis</i>	Sandwich Tern	<i>Sterna sandvicensis</i>	kričava čigra
<i>Sterna dougallii</i>	Roseate Tern	<i>Sterna dougallii</i>	rožnata čigra
<i>Sterna hirundo</i>	Common Tern	<i>Sterna hirundo</i>	navadna čigra
<i>Sterna paradisaea</i>	Arctic Tern	<i>Sterna paradisaea</i>	polarna čigra
<i>Sterna albifrons</i>	Little Tern	<i>Sterna albifrons</i>	mala čigra
<i>Sterna saundersi</i>	Saunders' Tern	<i>Sterna saundersi</i>	temnonoga mala čigra
<i>Sterna balaenarum</i>	Damara Tern	<i>Sterna balaenarum</i>	
<i>Sterna repressa</i>	White-cheeked Tern	<i>Sterna repressa</i>	pepelasta čigra
<i>Chlidonias leucopterus</i>	White-winged Tern	<i>Chlidonias leucopterus</i>	beloperuta čigra
<i>Chlidonias niger</i>	Black Tern	<i>Chlidonias niger</i>	črna čigra

Annex 3

ACTION PLAN

- 1. Field of Application**
 - 1.1 The Action Plan is applicable to the populations of migratory waterbirds listed in Table 1 to this Annex (hereafter referred to as "Table 1").
 - 1.2 Table 1 forms an integral part of this Annex. Any reference to this Action Plan includes a reference to Table 1.
- 2. Species Conservation**
 - 2.1 Legal measures**
 - 2.1.1 Parties with populations listed in column A of Table 1 shall provide protection to those populations listed in accordance with Article III, paragraph 2(a), of this Agreement. Such Parties shall in particular and subject to paragraph 2.1.3 below:
 - (a) prohibit the taking of birds and eggs of those populations occurring in their territory;
 - (b) prohibit deliberate disturbance in so far as such disturbance would be significant for the conservation of the population concerned; and
 - (c) prohibit the possession or utilization of, and trade in, birds or eggs of those populations which have been taken in contravention of the prohibitions laid down pursuant to subparagraph (a) above, as well as the possession or utilization of, and trade in, any readily recognizable parts or derivatives of such birds and their eggs.

By way of exception for those populations listed in Categories 2 and 3 in Column A only and which are marked by an asterisk, hunting may continue on a sustainable use basis where hunting of such populations is a long-established cultural practice. This sustainable use shall be conducted within the framework of special provisions of a species action plan at the appropriate international level.
 - 2.1.2 Parties with populations listed in Table 1 shall regulate the taking of birds and eggs of all populations listed in column B of Table 1. The object of such legal measures shall be to maintain or contribute to the restoration of those populations to a favourable conservation status and to ensure, on the basis of the best available knowledge of population dynamics, that any taking or other use is sustainable. Such legal measures, subject to paragraph 2.1.3 below, shall in particular:

Priloga 3

AKCIJSKI NAČRT

- 1. Področje uporabe**
 - 1.1 Akcijski načrt se uporablja za populacije selitvenih vodnih ptic, naštetih v Razpredelnici 1 k tej prilogi (v nadaljevanju »Razpredelnica 1«).
 - 1.2 Razpredelnica 1 je sestavni del te priloge. Vsako sklicevanje na ta akcijski načrt vključuje sklicevanje na Razpredelnico 1.
- 2. Ohranjanje vrst**
 - 2.1 Pravni ukrepi**
 - 2.1.1 Pogodbenice, ki imajo populacije, našete v stolpcu A Razpredelnice 1, zagotavljajo varstvo teh populacij, naštetih v skladu s pododstavkom (a) drugega odstavka III. člena tega sporazuma. Ob upoštevanju odstavka 2.1.3 te pogodbenice predvsem:
 - (a) prepovedujejo odvzemanje ptic in jajc populacij, ki se pojavljajo na njihovem ozemlju;
 - (b) prepovedujejo namerno vznemirjanje, če bi tako vznemirjanje pomembno vplivalo na ohranjanje omenjene populacije, in
 - (c) prepovedujejo posedovanje ali uporabo ptic ali jajc in trgovanje s pticami ali jajci teh populacij, odvzetih v nasprotju s prepovedmi, zapisanimi v pododstavku (a) zgoraj, ter posedovanje ali uporabo kakršnih koli z lahkoto prepoznavnih delov ali izdelkov iz takih ptic in njihovih jajc ter trgovanje z njimi.

Izjemoma se lov na te populacije, našete v stolpcu A v skupinah 2 in 3, ki sta označeni z zvezdico, lahko nadaljuje, če lov pomeni trajnostno uporabo in je ustaljen običaj. Ta trajnostna uporaba poteka na ustrezni mednarodni ravni v okviru posebnih določb akcijskega načrta za vrste.
 - 2.1.2 Pogodbenice s populacijami, naštetimi v Razpredelnici 1, urejajo odvzemanje ptic in jajc vseh populacij, naštetih v stolpcu B Razpredelnice 1. Namen takih pravnih ukrepov je vzdrževati ugodno stanje ohranjenosti vrste ali prispevati k njeni obnovi in na podlagi najboljšega razpoložljivega znanja o dinamiki populacij zagotoviti, da je vsakršno odvzemanje ali druga uporaba trajnostna. Ob upoštevanju odstavka 2.1.3 taki pravni ukrepi predvsem:

- (a) prohibit the taking of birds belonging to the populations concerned during their various stages of reproduction and rearing and during their return to their breeding grounds if the taking has an unfavourable impact on the conservation status of the population concerned;
- (b) regulate the modes of taking;
- (c) establish limits on taking, where appropriate, and provide adequate controls to ensure that these limits are observed; and
- (d) prohibit the possession or utilization of, and trade in, birds and eggs of the populations which have been taken in contravention of any prohibition laid down pursuant to the provisions of this paragraph, as well as the possession or utilization of, and trade in, any parts of such birds and their eggs.

2.1.3 Parties may grant exemptions to the prohibitions laid down in paragraphs 2.1.1 and 2.1.2, irrespective of the provisions of Article III, paragraph 5, of the Convention, where there is no other satisfactory solution, for the following purposes:

- (a) to prevent serious damage to crops, water and fisheries;
- (b) in the interests of air safety or other overriding public interests;
- (c) for the purpose of research and education, of re-establishment and for the breeding necessary for these purposes;
- (d) to permit under strictly supervised conditions, on a selective basis and to a limited extent, the taking and keeping or other judicious use of certain birds in small numbers; and
- (e) for the purpose of enhancing the propagation or survival of the populations concerned.

Such exemptions shall be precise as to content and limited in space and time and shall not operate to the detriment of the populations listed in Table 1. Parties shall as soon as possible inform the Agreement secretariat of any exemptions granted pursuant to this provision.

2.2 Single Species Action Plans

2.2.1 Parties shall cooperate with a view to developing and implementing international single species action plans for populations listed in Category 1 of Column A of Table 1 as a priority and for those populations listed with an asterisk in Column A of Table 1. The Agreement secretariat shall coordinate the development, harmonization and implementation of such plans.

2.2.2 Parties shall prepare and implement national single species action plans for the populations listed in Column A of Table 1 with a view to improving their overall conservation status. This action plan shall include special provisions for those populations marked with an asterisk. When appropriate, the problem of accidental killing of birds by hunters as a result of incorrect identification of the species should be considered.

- (a) prepovedujejo odzemanje ptic, ki spadajo k omenjenim populacijam, med njihovimi različnimi obdobji razmnoževanja in gnezditve ter med njihovo vrnitvijo na gnezdišča, če odzemanje neugodno vpliva na stanje ohranjenosti omenjene populacije;

- (b) urejajo načine odzemanja;

- (c) kadar je to ustrezno, postavljajo omejitve glede odzemanja in zagotavljajo ustrezen nadzor, da zagotovijo spoštovanje teh omejitev, in

- (d) prepovedujejo posedovanje ali uporabo ptic in jajc in trgovanje s pticami in jajci teh populacij, odvzetih v nasprotju s prepovedmi po določbah tega odstavka, ter posedovanje ali uporabo katerih koli delov takih ptic in njihovih jajc ter trgovanje z njimi.

2.1.3 Če ni druge zadovoljive rešitve, lahko pogodbenice ne glede na določbe petega odstavka III. člena konvencije priznajo oprostitve prepovedi, določene v odstavkih 2.1.1 in 2.1.2, iz teh razlogov:

- (a) da preprečijo resno škodo na pridelkih, v vodi in ribištvu;

- (b) ker to zahtevajo interesi varnosti v zračnem prometu ali drugi prevladujoči javni interes;

- (c) zaradi raziskovanja in izobraževanja, doselitve in s tem povezane potrebne vzreje;

- (d) da pod strogo nadzorovanimi pogoji selektivno in v omejenem obsegu dovolijo odvzem in zadrževanje ali drugo razumno uporabo nekaterih ptic v majhnem številu in

- (e) zaradi spodbujanja razširjenosti ali preživetja omenjenih populacij.

Take oprostitve so po vsebini natančno določene, omejene v prostoru in času, in se ne smejo izvajati v škodo populacij, naštetih v Razpredelnici 1. Pogodbenice čim prej obvestijo sekretariat sporazuma o vseh oprostitvah, priznanih po tej določbi.

2.2 Akcijski načrti posamičnih vrst

2.2.1 Pogodbenice sodelujejo z namenom, da kot prednostno nalogo razvijajo in izvajajo mednarodne akcijske načrte posamičnih vrst za populacije, našete v skupini 1 stolpca A Razpredelnice 1, in populacije, označene z zvezdico, ki so našete v stolpcu A Razpredelnice 1. Sekretariat sporazuma skrbi za razvijanje, usklajevanje in izvajanje takih načrtov.

2.2.2 Pogodbenice pripravljajo in izvajajo državne akcijske načrte posamičnih vrst za populacije, našete v stolpcu A Razpredelnice 1, da izboljšajo njihovo splošno stanje ohranjenosti. Tak akcijski načrt vključuje posebne določbe za populacije, označene z zvezdico. Če lovci nenamerno pokončajo ptice zaradi napačnega prepoznavanja vrst, bi se to moralo upoštevati, kadar je ustrezno.

2.3 Emergency Measures

Parties shall, in close cooperation with each other whenever possible and relevant, develop and implement emergency measures for populations listed in Table 1, when exceptionally unfavourable or endangering conditions occur anywhere in the Agreement Area.

2.4 Re-establishments

Parties shall exercise the greatest care when re-establishing populations listed in Table 1 into parts of their traditional range where they no longer exist. They shall endeavour to develop and follow a detailed re-establishment plan based on appropriate scientific studies. Re-establishment plans should constitute an integral part of national and, where appropriate, international single species action plans. A re-establishment plan should include assessment of the impact on the environment and shall be made widely available. Parties shall inform the Agreement secretariat, in advance, of all re-establishment programmes for populations listed in Table 1.

2.5 Introductions

2.5.1 Parties shall, if they consider it necessary, prohibit the introduction of non-native species of animals and plants which may be detrimental to the populations listed in Table 1.

2.5.2 Parties shall, if they consider it necessary, require the taking of appropriate precautions to avoid the accidental escape of captive birds belonging to non-native species.

2.5.3 Parties shall take measures to the extent feasible and appropriate, including taking, to ensure that when non-native species or hybrids thereof have already been introduced into their territory, those species or their hybrids do not pose a potential hazard to the populations listed in Table 1.

3. Habitat Conservation**3.1 Habitat Inventories**

3.1.1 Parties, in liaison where appropriate with competent international organizations, shall undertake and publish national inventories of the habitats within their territory which are important to the populations listed in Table 1.

3.1.2 Parties shall endeavour, as a matter of priority, to identify all sites of international or national importance for populations listed in Table 1.

3.2 Conservation of Areas

3.2.1 Parties shall endeavour to continue establishing protected areas to conserve habitats important for the populations listed in Table 1, and to develop and implement management plans for these areas.

3.2.2 Parties shall endeavour to give special protection to those wetlands which meet internationally accepted criteria of international importance.

2.3 Nujni ukrepi

Pogodbenice v tesnem sodelovanju druga z drugo razvijajo in izvajajo, če je to mogoče in ustrezno, nujne ukrepe za populacije, naštete v Razpredelnici 1, kadar kjer koli na območju sporazuma nastopijo izjemno neugodne ali nevarne razmere.

2.4 Ponovne naselitve

Pogodbenice skrbno pazijo, kadar populacije, naštete v Razpredelnici 1, ponovno naseljujejo na dele njihovega običajnega območja razširjenosti, na katerih ne obstajajo več. Prizadevajo si pripraviti in spremljati izvajanje podrobnega načrta ponovne naselitve, ki temelji na ustreznih znanstvenih raziskavah. Načrti ponovne naselitve bi morali biti sestavni del državnih, in kadar je to ustrezno, mednarodnih akcijskih načrtov posamičnih vrst. Načrt ponovne naselitve bi moral vključevati presojo vpliva na okolje in biti široko dostopen. Pogodbenice vnaprej obvestijo sekretariat sporazuma o vseh programih ponovne naselitve populacij, naštetih v Razpredelnici 1.

2.5 Vnosi vrst

2.5.1 Če pogodbenice menijo, da je to potrebno, preprečejo vnos tujerodnih vrst živali in rastlin, ki lahko škodujejo populacijam, naštetim v Razpredelnici 1.

2.5.2 Če pogodbenice menijo, da je to potrebno, zahtevajo sprejetje ustreznih previdnostnih ukrepov, da se izogne naključnemu pobegu tujerodnih vrst ptic iz ujetništva.

2.5.3 Pogodbenice sprejmejo ukrepe, ki so izvedljivi in ustrezni, vključno z odvzemanjem, s katerimi zagotovijo, da tujerodne vrste ali njihovi križanci, kadar so že bili vneseni na ozemlje pogodbenic, niso potencialno nevarni za populacije, naštete v Razpredelnici 1.

3. Ohranitev habitata**3.1 Evidence habitatov**

3.1.1 Pogodbenice v sodelovanju s pristojnimi mednarodnimi organizacijami, kadar je to ustrezno, izdelajo in objavijo državne evidence habitatov na svojem ozemlju, pomembnih za populacije, naštete v Razpredelnici 1.

3.1.2 Pogodbenice si prizadevajo prednostno ugotoviti vsa območja, ki so mednarodnega ali državnega pomena za populacije, naštete v Razpredelnici 1.

3.2 Ohranitev območij

3.2.1 Pogodbenice si prizadevajo tudi v prihodnje uvajati zavarovana območja za ohranitev habitatov, pomembnih za populacije, naštete v Razpredelnici 1, in razvijati ter izvajati načrte upravljanja za ta območja.

3.2.2 Pogodbenice si prizadevajo posebej zavarovati tista mokrišča, ki so po mednarodno sprejetih merilih mednarodnega pomena.

- 3.2.3 Parties shall endeavour to make wise and sustainable use of all of the wetlands in their territory. In particular they shall endeavour to avoid degradation and loss of habitats that support populations listed in Table 1 through the introduction of appropriate regulations or standards and control measures. In particular, they shall endeavour to:
- (a) ensure, where practicable, that adequate statutory controls are in place, relating to the use of agricultural chemicals, pest control procedures and the disposal of waste water, which are in accordance with international norms, for the purpose of minimizing their adverse impacts on the populations listed in Table 1; and
- (b) prepare and distribute information materials, in the appropriate languages, describing such regulations, standards and control measures in force and their benefits to people and wildlife.
- 3.2.4 Parties shall endeavour to develop strategies, according to an ecosystem approach, for the conservation of the habitats of all populations listed in Table 1, including the habitats of those populations that are dispersed.
- 3.3 Rehabilitation and Restoration**
- Parties shall endeavour to rehabilitate or restore, where feasible and appropriate, areas which were previously important for the populations listed in Table 1.
- 4. Management of Human Activities**
- 4.1 Hunting**
- 4.1.1 Parties shall cooperate to ensure that their hunting legislation implements the principle of sustainable use as envisaged in this Action Plan, taking into account the full geographical range of the waterbird populations concerned and their life history characteristics.
- 4.1.2 The Agreement secretariat shall be kept informed by the Parties of their legislation relating to the hunting of populations listed in Table 1.
- 4.1.3 Parties shall cooperate with a view to developing a reliable and harmonized system for the collection of harvest data in order to assess the annual harvest of populations listed in Table 1. They shall provide the Agreement secretariat with estimates of the total annual take for each population, when available.
- 4.1.4 Parties shall endeavour to phase out the use of lead shot for hunting in wetlands by the year 2000.
- 4.1.5 Parties shall develop and implement measures to reduce, and as far as possible eliminate, the use of poisoned baits.
- 4.1.6 Parties shall develop and implement measures to reduce, and as far as possible eliminate, illegal taking.
- 4.1.7 Where appropriate, Parties shall encourage hunters, at local, national and international levels, to form clubs or organizations to coordinate their activities and to help ensure sustainability.
- 3.2.3 Pogodbenice si prizadevajo vsa mokrišča na svojem ozemlju uporabljati razumno in uravnoteženo. Predvsem si s sprejemanjem ustreznih predpisov ali standardov in nadzornih ukrepov prizadevajo izogibati poslabšanju stanja in izgubi habitatov, ki vzdržujejo populacije, našete v Razpredelnici 1. Predvsem si prizadevajo:
- (a) v skladu z mednarodnimi standardi zagotoviti, kadar je to izvedljivo, uresničevanje ustreznega zakonskega nadzora uporabe kmetijskih kemikalij, izvajanja postopkov zatiranja škodljivcev in odstranjevanja odpadnih voda, da se čim bolj zmanjša njihov negativni učinek na populacije, našete v Razpredelnici 1, in
- (b) pripraviti in razdeliti informativno gradivo v ustreznih jezikih, ki opisuje take predpise, standarde in veljavne nadzorne ukrepe ter njihove koristi za ljudi in prosto živeče rastlinstvo in živalstvo.
- 3.2.4 Pogodbenice si skladno s pristopom za ohranjanje ekosistemov prizadevajo razviti strategije za ohranitev habitatov vseh populacij, naštetih v Razpredelnici 1, vključno s habitatni populacij, ki se pojavljajo razpršeno.
- 3.3 Sanacija in obnova**
- Kadar je to mogoče in ustrezno, si pogodbenice prizadevajo sanirati ali obnoviti območja, ki so že bila pomembna za populacije, našete v Razpredelnici 1.
- 4. Vodenje človekovih dejavnosti**
- 4.1 Lov**
- 4.1.1 Pogodbenice sodelujejo, da zagotovijo, da njihova lovska zakonodaja uresničuje načelo trajno uravnotežene uporabe, kot je načrtovana v tem akcijskem načrtu, ob upoštevanju celotnega zemljepisnega območja omenjenih populacij vodnih ptic ter značilnosti njihovega življenjskega cikla.
- 4.1.2 Pogodbenice sporazuma sproti obveščajo sekretariat o svoji zakonodaji, ki se nanaša na lov populacij, naštetih v Razpredelnici 1.
- 4.1.3 Pogodbenice sodelujejo zato, da razvijejo zanesljiv in usklajen sistem zbiranja podatkov o izrabljanju populacij, naštetih v Razpredelnici 1, in da na tej podlagi ocenijo njihovo letno izrabo. Sekretariatu sporazuma za vsako populacijo pošljejo ocene celotnega letnega odvzema, ko je na voljo.
- 4.1.4 Pogodbenice si prizadevajo, da bodo do leta 2000 postopno odpravile uporabo svinčenih krogel za lov v mokriščih.
- 4.1.5 Pogodbenice razvijajo in izvajajo ukrepe za zmanjšanje uporabe strupenih vab, in če je mogoče, za njeno odpravo.
- 4.1.6 Pogodbenice razvijajo in izvajajo ukrepe za zmanjšanje nezakonitega odvzemanja, in če je mogoče, za njegovo odpravo.
- 4.1.7 Kadar je ustrezno, pogodbenice spodbujajo lovce na lokalni, državni in mednarodni ravni, da ustanavljajo društva ali organizacije, v katerih usklajujejo svoje dejavnosti in pomagajo zagotavljati uravnoteženost.

- 4.1.8 Parties shall, where appropriate, promote the requirement of a proficiency test for hunters, including among other things, bird identification.
- 4.1.8 Kadar je ustrezno, pogodbenice spodbujajo zahtevo po preverjanju znanja lovcev, ki med drugim vključuje prepoznavanje ptic.
- 4.2 Eco-tourism**
- 4.2 Ekološki turizem**
- 4.2.1 Parties shall encourage, where appropriate but not in the case of core zones of protected areas, the elaboration of cooperative programmes between all concerned to develop sensitive and appropriate eco-tourism at wetlands holding concentrations of populations listed in Table 1.
- 4.2.1 Kadar je ustrezno, pogodbenice spodbujajo izdelavo programov sodelovanja med vsemi zainteresiranimi, da se na mokriščih z zgoštvami populacij, naštetih v Razpredelnici 1, razvije za naravo občutljiv in ustrezen ekološki turizem, vendar ne na osrednjih območjih zavarovanih območij.
- 4.2.2 Parties, in cooperation with competent international organisations, shall endeavour to evaluate the costs, benefits and other consequences that can result from eco-tourism at selected wetlands with concentrations of populations listed in Table 1. They shall communicate the results of any such evaluations to the Agreement secretariat.
- 4.2.2 Pogodbenice si v sodelovanju s pristojnimi mednarodnimi organizacijami prizadevajo oceniti stroške, koristi in druge posledice ekološkega turizma na izbranih mokriščih z zgoštvami populacij, naštetih v Razpredelnici 1. O izsledkih takih ocen obvestijo sekretariat sporazuma.
- 4.3 Other Human Activities**
- 4.3 Druge človekove dejavnosti**
- 4.3.1 Parties shall assess the impact of proposed projects which are likely to lead to conflicts between populations listed in Table 1 that are in the areas referred to in paragraph 3.2 and human interests, and shall make the results of the assessment publicly available.
- 4.3.1 Pogodbenice presojujejo vpliv tistih predlaganih projektov, ki lahko povzročijo nasprotja med populacijami, naštetimi v Razpredelnici 1, na območjih, navedenih v odstavku 3.2, in človekovimi interesi, ter z izsledki presoje seznanjajo javnost.
- 4.3.2 Parties shall endeavour to gather information on the damage, in particular to crops, caused by populations listed in Table 1, and report the results to the Agreement secretariat.
- 4.3.2 Pogodbenice si prizadevajo zbirati informacije o škodi, predvsem na pridelkih, ki jo povzročajo populacije, našete v Razpredelnici 1, in o izsledkih poročajo sekretariatu sporazuma.
- 4.3.3 Parties shall cooperate with a view to identifying appropriate techniques to minimize damage, or to mitigate the effects of damage, in particular to crops, caused by populations listed in Table 1, drawing on the experience gained elsewhere in the world.
- 4.3.3 Pogodbenice sodelujejo zato, da ugotovijo ustrezne načine za največje možno zmanjšanje škode ali ublažitev posledic škode predvsem na pridelkih, ki jo povzročijo populacije, našete v Razpredelnici 1, pri čemer se opirajo na izkušnje, pridobljene drugod v svetu.
- 4.3.4 Parties shall cooperate with a view to developing single species action plans for populations which cause significant damage, in particular to crops. The Agreement secretariat shall coordinate the development and harmonization of such plans.
- 4.3.4 Pogodbenice sodelujejo zato, da razvijajo akcijske načrte posamičnih vrst populacij, ki povzročajo veliko škodo, predvsem na pridelkih. Sekretariat sporazuma skrbi za razvijanje in usklajevanje takih načrtov.
- 4.3.5 Parties shall, as far as possible, promote high environmental standards in the planning and construction of structures to minimize their impact on populations listed in Table 1. They should consider steps to minimize the impact of structures already in existence where it becomes evident that they constitute a negative impact for the populations concerned.
- 4.3.5 Kolikor je mogoče, pogodbenice spodbujajo visoke okoljske standarde pri načrtovanju in graditvi objektov, da zmanjšajo njihov vpliv na populacije, našete v Razpredelnici 1. Proučiti morajo ukrepe za zmanjšanje vpliva postavljenih objektov, če se izkaže, da že negativno vplivajo na omenjene populacije.
- 4.3.6 In cases where human disturbance threatens the conservation status of waterbird populations listed in Table 1, Parties should endeavour to take measures to limit the level of threat. Appropriate measures might include, *inter alia*, the establishment of disturbance-free zones in protected areas where public access is not permitted.
- 4.3.6 Kadar dejavnost človeka ogroža stanje ohranjenosti populacij vodnih ptic, naštetih v Razpredelnici 1, si morajo pogodbenice prizadevati sprejeti ukrepe za omejitev stopnje ogrožanja. Ustrezni ukrepi bi med drugim na zavarovanih območjih lahko vključevali ukrepe ustanavljanja območij brez vznemirjanja, kamor javnost nima dostopa.
- 5. Research and Monitoring**
- 5. Raziskave in spremljanje stanja**
- 5.1 Parties shall endeavour to carry out survey work in poorly known areas, which may hold important concentrations of the populations listed in Table 1. The results of such surveys shall be disseminated widely.
- 5.1 Pogodbenice si prizadevajo popisovati slabo poznana območja, ki lahko imajo velike zgoštive populacij, naštetih v Razpredelnici 1. Z izsledki takih popisov se seznanja javnost.

- 5.2 Parties shall endeavour to monitor the populations listed in Table 1. The results of such monitoring shall be published or sent to appropriate international organizations, to enable reviews of population status and trends.
- 5.3 Parties shall cooperate to improve the measurement of bird population trends as a criterion for describing the status of such populations.
- 5.4 Parties shall cooperate with a view to determining the migration routes of all populations listed in Table 1, using available knowledge of breeding and non-breeding season distributions and census results, and by participating in coordinated ringing programmes.
- 5.5 Parties shall endeavour to initiate and support joint research projects into the ecology and population dynamics of populations listed in Table 1 and their habitats, in order to determine their specific requirements as well as the techniques which are the most appropriate for their conservation and management.
- 5.6 Parties shall endeavour to undertake studies on the effects of wetland loss and degradation and disturbance on the carrying capacity of wetlands used by the populations listed in Table 1 and on the migration patterns of such populations.
- 5.7 Parties shall endeavour to undertake studies on the impact of hunting and trade on the populations listed in Table 1 and on the importance of these forms of utilization to the local and national economy.
- 5.8 Parties shall endeavour to cooperate with relevant international organisations and to support research and monitoring projects.
- 6. Education and Information**
- 6.1 Parties shall, where necessary, arrange for training programmes to ensure that personnel responsible for the implementation of this Action Plan have an adequate knowledge to implement it effectively.
- 6.2 Parties shall cooperate with each other and the Agreement secretariat with a view to developing training programmes and exchanging resource materials.
- 6.3 Parties shall endeavour to develop programmes, information materials and mechanisms to improve the level of awareness of the general public with regard to the objectives, provisions and contents of this Action Plan. In this regard, particular attention shall be given to those people living in and around important wetlands, to users of these wetlands (hunters, fishermen, tourists, etc.) and to local authorities and other decision makers.
- 6.4 Parties shall endeavour to undertake specific public awareness campaigns for the conservation of the populations listed in Table 1.
- 7. Implementation**
- 7.1 When implementing this Action Plan, Parties shall, when appropriate, give priority to those populations listed in Column A of Table 1.
- 5.2 Pogodbenice si prizadevajo spremljati stanje populacij, naštetih v Razpredelnici 1. Izsledki takega spremljanja se objavljajo ali pošiljajo ustreznim mednarodnim organizacijam, da omogočajo pregled stanja in trendov populacije .
- 5.3 Pogodbenice sodelujejo zato, da izboljšajo presojanje trendov ptičje populacije kot merila za opisovanje stanja takih populacij.
- 5.4 Pogodbenice sodelujejo pri določanju selitvenih poti vseh populacij, naštetih v Razpredelnici 1, pri čemer uporabljajo razpoložljivo znanje o porazdelitvah v gnezditvenem in negnezditvenem obdobju in rezultate štetja, ter pri usklajenih programih obročkanja.
- 5.5 Pogodbenice si prizadevajo uvajati in spodbujati skupne raziskovalne projekte na področju ekologije in populacijske dinamike populacij, naštetih v Razpredelnici 1, in njihovih habitatov, da določijo njihove posebne zahteve ter načine, ki so za njihovo ohranitev in upravljanje najustreznejši.
- 5.6 Pogodbenice si prizadevajo pripravljati študije učinkov izgube in poslabšanja stanja mokrišč ter motenj v nosilni zmogljivosti mokrišč, ki jih uporabljajo populacije, našete v Razpredelnici 1, in motenj v selitvenih vzorcih takih populacij.
- 5.7 Pogodbenice si prizadevajo pripravljati študije posledic lova populacij, naštetih v Razpredelnici 1, in trgovanja z njimi ter pomena teh oblik koriščenja za lokalno in državno gospodarstvo.
- 5.8 Pogodbenice si prizadevajo sodelovati z ustreznimi mednarodnimi organizacijami in podpirati raziskovalne projekte in projekte spremljanja stanja.
- 6. Izobraževanje in obveščanje**
- 6.1 Kadar je potrebno, pogodbenice poskrbijo za izobraževalne programe, s katerimi zagotovijo, da ima osebje, odgovorno za izvajanje tega akcijskega načrta, ustrezno znanje za njegovo učinkovito izvajanje.
- 6.2 Pogodbenice sodelujejo med seboj in s sekretariatom sporazuma, da razvijajo izobraževalne programe in izmenjujejo gradivo.
- 6.3 Pogodbenice si prizadevajo razvijati programe, informativno gradivo in mehanizme za ozaveščanje široke javnosti o ciljih, določbah in vsebini tega akcijskega načrta. V tem pogledu je posebna pozornost namenjena ljudem, ki živijo na pomembnih mokriščih ali blizu njih, uporabnikom teh mokrišč (lovcem, ribičem, turistom itd.) in lokalnim organom ter drugim nosilcem odločanja.
- 6.4 Pogodbenice si prizadevajo, da posebej ozaveščajo javnost o ohranjanju populacij, naštetih v Razpredelnici 1.
- 7. Izvajanje**
- 7.1 Če je ustrezno, pogodbenice pri izvajanju tega akcijskega načrta dajejo prednost populacijam iz stolpca A Razpredelnice 1.

- 7.2 Where, in the case of populations listed in Table 1, more than one population of the same species occurs on the territory of a Party, that Party shall apply conservation measures appropriate to the population or populations that have the poorest conservation status.
- 7.3 The Agreement secretariat, in coordination with the Technical Committee and with the assistance of experts from Range States, shall coordinate the development of conservation guidelines in accordance with Article IV, paragraph 4, of this Agreement to assist the Parties in the implementation of this Action Plan. The Agreement secretariat shall ensure, where possible, coherence with guidelines approved under other international instruments. These conservation guidelines shall aim at introducing the principle of sustainable use. They shall cover, *inter alia*:
- (a) single species action plans;
 - (b) emergency measures;
 - (c) preparation of site inventories and habitat management methods;
 - (d) hunting practices;
 - (e) trade in waterbirds;
 - (f) tourism;
 - (g) reducing crop damage; and
 - (h) a waterbird monitoring protocol.
- 7.4 The Agreement secretariat, in coordination with the Technical Committee and the Parties, shall prepare a series of international reviews necessary for the implementation of this Action Plan, including:
- (a) reports on the status and trends of populations;
 - (b) gaps in information from surveys;
 - (c) the networks of sites used by each population, including reviews of the protection status of each site as well as of the management measures taken in each case;
 - (d) pertinent hunting and trade legislation in each country relating to the species listed in Annex 2 to this Agreement;
 - (e) the stage of preparation and implementation of single species action plans;
 - (f) re-establishment projects; and
 - (g) the status of introduced non-native waterbird species and hybrids thereof.
- 7.5 The Agreement secretariat shall endeavour to ensure that the reviews mentioned in paragraph 7.4 are updated at intervals of not more than three years.
- 7.6 The Technical Committee shall assess the guidelines and reviews prepared under paragraphs 7.3 and 7.4, and shall formulate draft recommendations and resolutions relating to their development, content and implementation for consideration at sessions of the Meeting of the Parties.
- 7.7 The Agreement secretariat shall regularly undertake a review of potential mechanisms for providing additional resources (funds and technical assistance) for the implementation of this Action Plan, and shall make a report to each ordinary session of the Meeting of the Parties.
- 7.2 Če se pri populacijah, naštetih v Razpredelnici 1, na ozemlju pogodbenice pojavlja več kot ena populacija iste vrste, ta pogodbenica izvaja ukrepe ohranjanja, primerne za populacijo ali populacije, katerih stanje ohranjenosti je najslabše.
- 7.3 Sekretariat sporazuma v sodelovanju s strokovnim odborom in ob pomoči strokovnjakov iz držav na območju razširjenosti populacij usklajuje razvijanje navodil za ohranjanje v skladu s četrnim odstavkom IV. člena tega sporazuma, da pogodbenicam pomaga pri izvajanju tega akcijskega načrta. Kadar je mogoče, sekretariat sporazuma zagotavlja skladnost z navodili, odobrenimi v drugih mednarodnih dokumentih. Cilj teh navodil za ohranjanje je uvesti načelo trajnostne uporabe. Med drugim vključujejo:
- (a) akcijske načrte posamičnih vrst,
 - (b) izredne ukrepe,
 - (c) pripravo popisov lokacij in metod za upravljanje habitatov,
 - (d) postopke lova,
 - (e) trgovanje z vodnimi pticami,
 - (f) turizem,
 - (g) zmanjšanje škode na pridelkih in
 - (h) protokol o spremljanju stanja vodnih ptic.
- 7.4 Sekretariat sporazuma v sodelovanju s strokovnim odborom in pogodbenicami pripravi vrsto mednarodnih pregledov, potrebnih za izvajanje tega akcijskega načrta, ki vključujejo:
- (a) poročila o stanju in trendih populacij;
 - (b) praznine v podatkih iz popisov;
 - (c) omrežja območij, ki jih uporablja vsaka populacija, vključno s pregledi stanja zavarovanja vsakega območja, in ukrepi za upravljanje, sprejetimi v posameznem primeru;
 - (d) ustrezno lovsko in trgovinsko zakonodajo vsake države, ki se nanaša na vrste, našete v Prilogi 2 k temu sporazumu;
 - (e) stopnjo priprave in izvajanja akcijskih načrtov posamičnih vrst;
 - (f) projekte ponovne naselitve in
 - (g) stanje vnesenih vrst tujerodnih vodnih ptic in njihovih križancev.
- 7.5 Sekretariat sporazuma si prizadeva zagotavljati, da se pregledi, omenjeni v odstavku 7.4, dopolnjujejo najmanj vsaka tri leta.
- 7.6 Strokovni odbor presoja navodila in preglede, pripravljene v skladu z odstavkoma 7.3 in 7.4, in oblikuje osnutke priporočil in resolucij, povezanih z razvijanjem, vsebino in izvajanjem navodil in pregledov, za razpravo na sejah zasedanja pogodbenic.
- 7.7 Sekretariat sporazuma redno pregleduje možne mehanizme za zagotavljanje dodatnih virov (sredstev in strokovne pomoči) za izvajanje tega akcijskega načrta in za vsako redno sejo zasedanja pogodbenic pripravi poročilo.

Table 1

STATUS OF THE POPULATIONS OF MIGRATORY WATERBIRDS

KEY TO CLASSIFICATION

The following key to Table 1 is a basis for implementation of the Action Plan:

Column A

Category 1: (a) Species which are included in Appendix I to the Convention;
(b) Species which are listed as threatened in the 1994 IUCN Red List of Threatened Animals (Groombridge 1993); or

(c) Populations which number less than around 10,000 individuals.

Category 2: Populations numbering between around 10,000 and around 25,000 individuals.

Category 3: Populations numbering between around 25,000 and around 100,000 individuals and considered to be at risk as a result of:

- (a) concentration onto a small number of sites at any stage of their annual cycle;
- (b) dependence on a habitat type which is under severe threat;
- (c) showing significant long-term decline; or
- (d) showing extreme fluctuations in population size or trend.

For species listed in Categories 2 and 3, above, see paragraph 2.1.1 of this Annex.

Column B

Category 1: Populations numbering between around 25,000 and around 100,000 individuals and which do not fulfil the conditions in respect of Column A, as described above.

Category 2: Populations numbering more than around 100,000 individuals and considered to be in need of special attention as a result of:

- (a) concentration onto a small number of sites at any stage of their annual cycle;
- (b) dependence on a habitat type which is under severe threat;
- (c) showing significant long-term decline; or
- (d) showing large fluctuations in population size or trend.

Column C

Category 1: Populations numbering more than around 100,000 individuals which could significantly benefit from international cooperation and which do not fulfil the conditions in respect of either Column A or B, above.

Razpredelnica 1

STANJE POPULACIJ SELITVENIH VODNIH PTIC

KLJUČ ZA RAZVRSTITEV

Ključ k Razpredelnici 1 je podlaga za izvajanje akcijskega načrta.

Stolpec A

Skupina 1: (a) vrste, ki so vključene v Dodatek 1 h konvenciji;
(b) vrste, ki so na Rdečem seznamu ogroženih živali Mednarodne zveze za ohranjanje narave in naravnih virov – IUCN iz 1994 (Groombridge 1993) naštetje kot ogrožene ali
(c) populacije, ki vključujejo manj kot približno 10.000 osebkov.

Skupina 2: Populacije, ki štejejo od približno 10.000 do približno 25.000 osebkov.

Skupina 3: Populacije, ki štejejo od približno 25.000 do približno 100.000 osebkov in se obravnavajo kot ogrožene zaradi:

- (a) zgostitve na majhnem številu območij v vseh stopnjah svojega letnega cikla;
- (b) odvisnosti od habitatnega tipa, ki je hudo ogrožen;
- (c) očitnega dolgoročnega upadanja ali
- (d) močnih nihanj v velikosti ali trendu populacij.

Za vrste, naštetje v skupinah 2 in 3, glej odstavek 2.1.1 te priloge.

Stolpec B

Skupina 1: Populacije, ki štejejo od približno 25.000 do približno 100.000 osebkov in ne izpolnjujejo pogojev iz stolpca A, navedenih zgoraj.

Skupina 2: Populacije, ki štejejo več kot približno 100.000 osebkov in se zanje meni, da potrebujejo posebno pozornost zaradi:

- (a) zgostitve na majhnem številu območij v vseh stopnjah njihovega letnega cikla;
- (b) odvisnosti od habitatnega tipa, ki je hudo ogrožen;
- (c) očitnega dolgoročnega upadanja ali
- (d) velikih nihanj v velikosti ali trendu populacij.

Stolpec C

Skupina 1: Populacije, ki štejejo več kot približno 100.000 osebkov in bi lahko veliko pridobile z mednarodnim sodelovanjem in ne izpolnjujejo pogojev iz stolpca A ali iz stolpca B zgoraj.

REVIEW OF TABLE 1

This Table shall be:

- (a) reviewed regularly by the Technical Committee in accordance with Article VII, paragraph 3(b), of this Agreement; and
- (b) amended as necessary by the Meeting of the Parties, in accordance with Article VI, paragraph 9(d) of this Agreement, in light of the conclusions of such reviews.

KEY TO ABBREVIATIONS AND SYMBOLS

bre: breeding
win: wintering
N: Northern
E: Eastern
S: Southern
W: Western
NE: Northeastern
NW: Northwestern
SE: Southeastern
SW: Southwestern

1: Population status unknown. Conservation status estimated.

*: See paragraph 2.1.1

NOTES

1. The population data used to compile Table 1 as far as possible corresponds to the number of individuals in the potential breeding stock in the Agreement Area. The status is based on the best available published population estimates.
2. Suffixes (bre) or (win) in population listings are solely aids to population identification. They do not indicate seasonal restrictions to actions in respect of these populations under this Agreement and Action Plan.

PREGLED RAZPREDELNICE 1

To razpredelnico:

- (a) redno pregleduje strokovni odbor v skladu s pododstavkom (b) tretjega odstavka VII. člena tega sporazuma in
- (b) dopolnjuje zasedanje pogodbenic z vidika sklepnih ugotovitev takih pregledov, če je potrebno, v skladu s pododstavkom (d) devetega odstavka VI. člena tega sporazuma.

RAZLAGA OKRAJŠAV

gne.: gnezditvev
pre.: prezimovanje
s.: severen, severna, severno
v.: vzhoden, vzhodna, vzhodno
j.: južen, južna, južno
z.: zahoden, zahodna, zahodno
sv.: severovzhoden, severovzhodna, severovzhodno
sz.: severozahoden, severozahodna, severozahodno
jv.: jugovzhoden, jugovzhodna, jugovzhodno
jz.: jugozahoden, jugozahodna, jugozahodno

1: Stanje populacije neznano. Stanje ohranjenosti ocenjeno.

*: Glej odstavek 2.1.1.

OPOMBE

1. Populacijski podatki, uporabljeni za sestavo Razpredelnice 1, ustrezajo, kolikor je mogoče, številu osebkov v možnem gnezditvenem staležu na območju sporazuma. Stanje temelji na najboljših razpoložljivih objavljenih ocenah populacij.
2. Okrajšavi (gne.) ali (pre.) pri navedbah populacij sta samo pripomoček za njihovo prepoznavanje. Ne navajata sezonskih omejitev ukrepanja v zvezi s temi populacijami po tem sporazumu in akcijskem načrtu.

	A	B	C
Mycteria ibis			
Entire population		1	
Ciconia nigra			
W Africa/W Europe	1c		
Central/E Europe (bre)	2		
Ciconia episcopus			
Tropical Africa (C. e. microscelis)		1	
Ciconia ciconia			
S Africa (C. c. ciconia)	1c		
NW Africa/W Europe (bre) (C. c. ciconia)	3b		
Central/E Europe (bre) (C. c. ciconia)		2c	
W Asia (bre) (C. c. ciconia)	3b		
Plegadis falcinellus			
Subsaharan Africa (P. f. falcinellus)			1 ¹
W Africa/Europe (P. f. falcinellus)		1	
E Africa/SW Asia (P. f. falcinellus)	2*		
Geronticus eremita			
Morocco	1a		
SW Asia	1a		
Threskiornis aethiopicus			
Subsaharan Africa (T. a. aethiopicus)			1
Iraq/Iran (T. a. aethiopicus)	1c		
Platalea leucorodia			
E Atlantic (P. l. leucorodia)	1c		
Central/SE Europe (bre) (P. l. leucorodia)	2		
Red Sea (P. l. archeri)	1c		
SW/S Asia (win) (P. l. major)	2		
Platalea alba			
Entire population	2*		
Dendrocygna bicolor			
Africa			1
Dendrocygna viduata			
Africa			1
Thalassornis leuconotus			
E/S Africa (T. l. leuconotus)	2*		
W Africa (T. l. leuconotus)	1c		
Oxyura leucocephala			
W Mediterranean	1a		
E Mediterranean/W Asia	1a		
Cygnus olor			
NW Europe		2d	
Black Sea (win)	2		
Caspian Sea (win)		2a & 2d	

	A	B	C
Mycteria ibis			
- vsa populacija		1	
Ciconia nigra			
z. Afrika/z. Evropa	1c		
srednja/v. Evropa (gne.)	2		
Ciconia episcopus			
tropska Afrika (C. e. microscelis)		1	
Ciconia ciconia			
j. Afrika (C. c. ciconia)	1c		
sz. Afrika/z. Evropa (gne.) (C. c. ciconia)	3b		
srednja/v. Evropa (gne.) (C. c. ciconia)		2c	
z. Azija (gne.) (C. c. ciconia)	3b		
Plegadis falcinellus			
podсахarska Afrika (P. f. falcinellus)			1 ¹
z. Afrika/Evropa (P. f. falcinellus)		1	
v. Afrika/jz. Azija (P. f. falcinellus)	2*		
Geronticus eremita			
Maroko	1a		
jz. Azija	1a		
Threskiornis aethiopicus			
Podсахarska Afrika (T. a. aethiopicus)			1
Irak/Iran (T. a. aethiopicus)	1c		
Platalea leucorodia			
v. Atlantski ocean (P. l. leucorodia)	1c		
srednja/jv. Evropa (gne.) (P. l. leucorodia)	2		
Rdeče morje (P. l. archeri)	1c		
jz./j. Azija (pre.) (P. l. major)	2		
Platalea alba			
celotna populacija	2*		
Dendrocygna bicolor			
Afrika			1
Dendrocygna viduata			
Afrika			1
Thalassornis leuconotus			
v./j. Afrika (T. l. leuconotus)	2*		
z. Afrika (T. l. leuconotus)	1c		
Oxyura leucocephala			
z. Sredozemsko morje	1a		
v. Sredozemsko morje/z. Azija	1a		
Cygnus olor			
sz.. Evropa		2d	
Črno morje (pre.)	2		
Kaspijsko jezero (pre.)		2a & 2d	

	A	B	C
Cygnus cygnus			
Iceland (bre)	2		
NW Europe (win)		1	
Black Sea (win)	2		
W Asia (win)	2 ¹		
Cygnus columbianus			
Europe (win) (C. c. bewickii)	2		
Caspian Sea (win) (C. c. bewickii)	1c		
Anser brachyrhynchus			
Iceland (bre)		2a	
Svalbard (bre)		1	
Anser fabalis			
W Taiga (bre) (A. f. fabalis)		1	
W Tundra (bre) (A. f. rossicus)			1
Anser albifrons			
NW Europe (win) (A. a. albifrons)			1
Central Europe (win) (A. a. albifrons)		2c	
Black Sea (win) (A. a. albifrons)			1
Caspian Sea (win) (A. a. albifrons)	2		
Greenland (bre) (A. a. flavirostris)	3a *		
Anser erythropus			
Black Sea/Caspian Sea (win)	1b		
Anser anser			
Iceland (bre) (A. a. anser)		1	
N Europe/W Mediterranean (A. a. anser)			1
Central Europe/N Africa (A. a. anser)	2 *		
Black Sea (win) (A. a. anser)		1	
W Siberia/Caspian Sea (A. a. anser)		1	
Branta leucopsis			
Greenland (bre)		1	
Svalbard (bre)	2		
Russia (bre)			1
Branta bernicla			
Siberia (bre) (B. b. bernicla)		2b	
Svalbard (bre) (B. b. hrota)	1c		
Ireland (win) (B. b. hrota)	2		
Branta ruficollis			
Entire population	1b		
Alopochen aegyptiacus			
Entire population			1 ¹
Tadorna ferruginea			
W Mediterranean	1c		
E Mediterranean/Black Sea	2		
SW Asia		1	

	A	B	C
Cygnus cygnus			
Islandija (gne.)	2		
sz.. Evropa (pre.)		1	
Črno morje (pre.)	2		
z. Azija (pre.)	2 ¹		
Cygnus columbianus			
Evropa (pre.) (C. c. bewickii)	2		
Kaspijsko jezero (pre.) (C. c. bewickii)	1c		
Anser brachyrhynchus			
Islandija (gne.)		2a	
Svalbard (gne.)		1	
Anser fabalis			
z. tajga (gne.) (A. f. fabalis)		1	
z. tundra (gne.) (A. f. rossicus)			1
Anser albifrons			
sz. Evropa (pre.) (A. a. albifrons)			1
srednja Evropa (pre.) (A. a. albifrons)		2c	
Črno morje (pre.) (A. a. albifrons)			1
Kaspijsko jezero (pre.) (A. a. albifrons)	2		
Grenlandija (gne.) (A. a. flavirostris)	3a *		
Anser erythropus			
Črno morje/Kaspijsko jezero (pre.)	1b		
Anser anser			
Islandija (gne.) (A. a. anser)		1	
s. Evropa/z. Sredozemsko morje (A. a. anser)			1
srednja Evropa/s. Afrika (A. a. anser)	2 *		
Črno morje (pre.) (A. a. anser)		1	
z. Sibirija/Kaspijsko jezero (A. a. anser)		1	
Branta leucopsis			
Grenlandija (gne.)		1	
Svalbard (gne.)	2		
Rusija (gne.)			1
Branta bernicla			
Sibirija (gne.) (B. b. bernicla)		2b	
Svalbard (gne.) (B. b. hrota)	1c		
Irska (pre.) (B. b. hrota)	2		
Branta ruficollis			
celotna populacija	1b		
Alopochen aegyptiacus			
celotna populacija			1 ¹
Tadorna ferruginea			
z. Sredozemsko morje	1c		
v. Sredozemsko morje/Črno morje	2		
jz. Azija		1	

	A	B	C
Tadorna cana			
Entire population		1	
Tadorna tadorna			
NW Europe		2a	
W Mediterranean	2		
Black Sea		1	
Caspian Sea		1	
Plectropterus gambensis			
W Africa (P. g. gambensis)			1
S Africa (P. g. niger)		1	
Sarkidiornis melanotos			
Africa (S. m. melanotos)			1 ¹
Nettapus auritus			
W Africa	1c		
S/E Africa			1 ¹
Anas penelope			
NW Europe (win)			1
Black Sea/Mediterranean (win)		2c	
SW Asia (win)		2c	
Anas strepera			
NW Europe (win) (A. s. strepera)		1	
Black Sea/Mediterranean (win) (A. s. strepera)		1	
SW Asia (win) (A. s. strepera)			1
Anas crecca			
NW Europe (win) (A. c. crecca)			1
Black Sea/Mediterranean (win) (A. c. crecca)			1
SW Asia (win) (A. c. crecca)		2c	
Anas capensis			
Entire population			1 ¹
Anas platyrhynchos			
NW Europe (win) (A. p. platyrhynchos)			1
Black Sea/Mediterranean (win) (A. p. platyrhynchos)		2c	
SW Asia (win) (A. p. platyrhynchos)			1
Anas undulata			
S Africa (A. u. undulata)		1	
Anas acuta			
W Africa (win)			1
NW Europe (win)		1	
Black Sea/Mediterranean (win)		2c	
SW Asia/E Africa (win)			1
Anas erythrorhyncha			
S/E Africa			1

	A	B	C
Tadorna cana			
celotna populacija		1	
Tadorna tadorna			
sz. Evropa		2a	
z. Sredozemsko morje	2		
Črno morje		1	
Kaspijsko jezero		1	
Plectropterus gambensis			
z. Afrika (P. g. gambensis)			1
j. Afrika (P. g. niger)		1	
Sarkidiornis melanotos			
Afrika (S. m. melanotos)			1 ¹
Nettapus auritus			
z. Afrika	1c		
j./v. Afrika			1 ¹
Anas penelope			
sz. Evropa (pre.)			1
Črno morje/Sredozemsko morje (pre.)		2c	
jz. Azija (pre.)		2c	
Anas strepera			
sz. Evropa (pre.) (A. s. strepera)		1	
Črno morje/Sredozemsko morje (pre.) (A. s. strepera)		1	
jz. Azija (pre.) (A. s. strepera)			1
Anas crecca			
sz. Evropa (pre.) (A. c. crecca)			1
Črno morje/Sredozemsko morje (pre.) (A. c. crecca)			1
jz. Azija (pre.) (A. c. crecca)		2c	
Anas capensis			
celotna populacija			1 ¹
Anas platyrhynchos			
sz. Evropa (pre.) (A. p. platyrhynchos)			1
Črno morje/Sredozemsko morje (pre.) (A. p. platyrhynchos)		2c	
jz. Azija (pre.) (A. p. platyrhynchos)			1
Anas undulata			
j. Afrika (A. u. undulata)		1	
Anas acuta			
z. Afrika (pre.)			1
sz. Evropa (pre.)		1	
Črno morje/Sredozemsko morje (pre.)		2c	
jz. Azija/v. Afrika (pre.)			1
Anas erythrorhyncha			
j./v. Afrika			1

	A	B	C
Anas hottentota			
W Africa	1c ¹		
S/E Africa			1 ¹
Anas querquedula			
W Africa (win)			1
E Africa/Asia (win)			1
Anas clypeata			
NW Europe (win)		1	
W Mediterranean (win)		2a	
Black Sea/Mediterranean (win)			1
SW Asia (win)			1
Marmaronetta angustirostris			
W Mediterranean	1b		
E Mediterranean	1b		
SW Asia	1b		
Netta rufina			
SW/Central Europe	2 *		
SE Europe	3c		
SW Asia			1
Netta erythrophthalma			
S/E Africa (N. e. brunnea)			1 ¹
Aythya ferina			
NW Europe (win)		2c	
Black Sea/Mediterranean (win)		2c	
SW Asia (win)		2c ¹	
Aythya nyroca			
Africa (win)	1c		
Europe (win)	3c		
SW Asia	1c		
Aythya fuligula			
NW Europe (win)			1
Black Sea/Mediterranean (win)			1
SW Asia (win)			1
Aythya marila			
E Atlantic (win) (A. m. marila)			1
Black Sea/Caspian Sea (win) (A. m. marila)		1	
Somateria mollissima			
Europe (S. m. mollissima)			1
Somateria spectabilis			
NE Europe			1
Polysticta stelleri			
NE Europe (win)	2		
Clangula hyemalis			
Iceland/Greenland (bre)		2c	
NW Europe (win)			1
Caspian Sea (win)	1c		

	A	B	C
Anas hottentota			
z. Afrika	1c ¹		
j./v. Afrika			1 ¹
Anas querquedula			
z. Afrika (pre.)			1
v. Afrika/Azija (pre.)			1
Anas clypeata			
sz. Evropa (pre.)		1	
z. Sredozemsko morje (pre.)		2a	
Črno morje/Sredozemsko morje (pre.)			1
jz. Azija (pre.)			1
Marmaronetta angustirostris			
z. Sredozemsko morje	1b		
v. Sredozemsko morje	1b		
jz. Azija	1b		
Netta rufina			
jz./srednja Evropa	2 *		
jv. Evropa	3c		
jz. Azija			1
Netta erythrophthalma			
j./v. Afrika (N. e. brunnea)			1 ¹
Aythya ferina			
sz. Evropa (pre.)		2c	
Črno morje/Sredozemsko morje (pre.)		2c	
jz. Azija (pre.)		2c ¹	
Aythya nyroca			
Afrika (pre.)	1c		
Evropa (pre.)	3c		
jz. Azija	1c		
Aythya fuligula			
sz. Evropa (pre.)			1
Črno morje/Sredozemsko morje (pre.)			1
jz. Azija (pre.)			1
Aythya marila			
v. Atlantski ocean (pre.) (A. m. marila)			1
Črno morje/Kaspijsko jezero (pre.) (A. m. marila)		1	
Somateria mollissima			
Evropa (S. m. mollissima)			1
Somateria spectabilis			
sv. Evropa			1
Polysticta stelleri			
sv. Evropa (pre.)	2		
Clangula hyemalis			
Islandija/Grenlandija (gne.)		2c	
sz. Evropa (pre.)			1
Kaspijsko jezero (pre.)	1c		

	A	B	C
Melanitta nigra			
NW Europe (win) (M. n. nigra)		2a	
Melanitta fusca			
NW Europe (win) (M. f. fusca)		2a	
Black Sea/Caspian Sea (win) (M. f. fusca)	1c		
Bucephala clangula			
NW Europe (win) (B. c. clangula)			1
Black Sea/Mediterranean (win) (B. c. clangula)	2 *		
Caspian Sea (win) (B. c. clangula)	2		
Mergellus albellus			
NW Europe (win)	3a		
Black Sea/Mediterranean (win)		1	
SW Asia (win)		1	
Mergus serrator			
NW Europe (win) (M. s. serrator)			1
Black Sea/Mediterranean (win) (M. s. serrator)		1	
SW Asia (win) (M. s. serrator)	1c		
Mergus merganser			
NW Europe (win) (M. m. merganser)			1
Black Sea/Mediterranean (win) (M. m. merganser)	1c		
SW Asia (win) (M. m. merganser)	2		

	A	B	C
Melanitta nigra			
sz. Evropa (pre.) (M. n. nigra)		2a	
Melanitta fusca			
sz. Evropa (pre.) (M. f. fusca)		2a	
Črno morje/Kaspijsko jezero (pre.) (M. f. fusca)	1c		
Bucephala clangula			
sz. Evropa (pre.) (B. c. clangula)			1
Črno morje/Sredozemsko morje (pre.) (B. c. clangula)	2 *		
Kaspijsko jezero (pre.) (B. c. clangula)	2		
Mergellus albellus			
sz. Evropa (pre.)	3a		
Črno morje/Sredozemsko morje (pre.)		1	
jz. Azija (pre.)		1	
Mergus serrator			
sz. Evropa (pre.) (M. s. serrator)			1
Črno morje/Sredozemsko morje (pre.) (M. s. serrator)		1	
jz. Azija (pre.) (M. s. serrator)	1c		
Mergus merganser			
sz. Evropa (pre.) (M. m. merganser)			1
Črno morje/Sredozemsko morje (pre.) (M. m. merganser)	1c		
jz. Azija (pre.) (M. m. merganser)	2		

3. člen

Za izvajanje sporazuma skrbi Ministrstvo za okolje, prostor in energijo.

4. člen

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

Št. 801-12/03-20/1
Ljubljana, dne 18. junija 2003
EPA 835-III

Predsednik
Državnega zbora
Republike Slovenije
Borut Pahor l. r.

- Obvestilo o začetku veljavnosti mednarodnih pogodb

O B V E S T I L O

o začetku veljavnosti mednarodnih pogodb

Dne 8. junija 2003 je začel veljati Sporazum med Vlado Republike Slovenije in Vlado Helenske republike o gospodarskem in tehnološkem sodelovanju, podpisan v Ljubljani 30. novembra 2001 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 7/02 (Uradni list Republike Slovenije, št. 25/02).

Dne 15. marca 2003 je začel veljati Sporazum o sodelovanju na področju turizma med Vlado Republike Slovenije in Zvezno vlado Zvezne republike Jugoslavije, podpisan v Beogradu 18. junija 2002 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 24/02 (Uradni list Republike Slovenije, št. 94/02).

Dne 24. junija 2003 je začel veljati Sporazum o sodelovanju v znanosti in tehnologiji med Vlado Republike Slovenije in Vlado Republike Turčije, podpisan v Ljubljani 19. aprila 2001 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 14/03 (Uradni list Republike Slovenije, št. 59/03).

Ministrstvo za zunanje zadeve
Republike Slovenije

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