

Uradni list

Republike Slovenije Mednarodne pogodbe

Internet: www.uradni-list.si

e-pošta: info@uradni-list.si

Št. **1** (Uradni list RS, št. 11) Ljubljana, torek **16. 2. 2010**

ISSN 1318-0932

Leto XX

1. **Zakon o ratifikaciji spremembe Konvencije o dostopu do informacij, udeležbi javnosti pri odločanju in dostopu do pravnega varstva v okoljskih zadevah (MSKIVOZ)**

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 spremembe Konvencije o dostopu do informacij, udeležbi javnosti pri odločanju in dostopu do pravnega varstva v okoljskih zadevah (MSKIVOZ)

Razglašam Zakon o ratifikaciji spremembe Konvencije o dostopu do informacij, udeležbi javnosti pri odločanju in dostopu do pravnega varstva v okoljskih zadevah (MSKIVOZ), ki ga je sprejel Državni zbor Republike Slovenije na seji 2. februarja 2010.

Št. 003-02-2/2010-6

Ljubljana, dne 10. februarja 2010

dr. Danilo Türk l.r.
Predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI SPREMEMBE KONVENCIJE O DOSTOPU DO INFORMACIJ, UDELEŽBI JAVNOSTI PRI ODLOČANJU IN DOSTOPU DO PRAVNEGA VARSTVA V OKOLJSKIH ZADEVAH (MSKIVOZ)

1. člen

Ratificira se sprememba Konvencije o dostopu do informacij, udeležbi javnosti pri odločanju in dostopu do pravnega varstva v okoljskih zadevah, sestavljena 27. maja 2005 v Almatiju.

2. člen

Besedilo spremembe konvencije se v izvirniku v angleškem in v prevodu v slovenskem jeziku glasi:

AMENDMENT TO THE CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISION-MAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS

Article 6, paragraph 11

For the existing text, substitute

11. Without prejudice to article 3, paragraph 5, the provisions of this article shall not apply to decisions on whether to permit the deliberate release into the environment and placing on the market of genetically modified organisms.

SPREMEMBA KONVENCIJE O DOSTOPU DO INFORMACIJ, UDELEŽBI JAVNOSTI PRI ODLOČANJU IN DOSTOPU DO PRAVNEGA VARSTVA V OKOLJSKIH ZADEVAH

Enajsti odstavek 6. člena

Besedilo se nadomesti z:

11. Ne glede na peti odstavek 3. člena se določbe tega člena ne uporabljajo za odločitve o tem, ali se dovolita namerno sproščanje gensko spremenjenih organizmov v okolje in njihovo dajanje na trg.

Article 6 bis

After article 6, insert a new article reading

Article 6 bis

PUBLIC PARTICIPATION IN DECISIONS ON THE DELIBERATE RELEASE INTO THE ENVIRONMENT AND PLACING ON THE MARKET OF GENETICALLY MODIFIED ORGANISMS

1. In accordance with the modalities laid down in annex I bis, each Party shall provide for early and effective information and public participation prior to making decisions on whether to permit the deliberate release into the environment and placing on the market of genetically modified organisms.

2. The requirements made by Parties in accordance with the provisions of paragraph 1 of this article should be complementary and mutually supportive to the provisions of their national biosafety framework, consistent with the objectives of the Cartagena Protocol on Biosafety.

Annex I bis

After annex I, insert a new annex reading

Annex I bis

MODALITIES REFERRED TO IN ARTICLE 6 BIS

1. Each Party shall lay down, in its regulatory framework, arrangements for effective information and public participation for decisions subject to the provisions of article 6 bis, which shall include a reasonable time frame, in order to give the public an adequate opportunity to express an opinion on such proposed decisions.

2. In its regulatory framework, a Party may, if appropriate, provide for exceptions to the public participation procedure laid down in this annex:

(a) In the case of the deliberate release of a genetically modified organism (GMO) into the environment for any purpose other than its placing on the market, if:

(i) Such a release under comparable bio-geographical conditions has already been approved within the regulatory framework of the Party concerned; and

(ii) Sufficient experience has previously been gained with the release of the GMO in question in comparable ecosystems;

(b) In the case of the placing of a GMO on the market, if:

(i) It was already approved within the regulatory framework of the Party concerned; or

(ii) It is intended for research or for culture collections.

3. Without prejudice to the applicable legislation on confidentiality in accordance with the provisions of article 4, each Party shall make available to the public in an adequate, timely and effective manner a summary of the notification introduced to obtain an authorization for the deliberate release into the environment or the placing on the market of a GMO on its territory, as well as the assessment report where available and in accordance with its national biosafety framework.

4. Parties shall in no case consider the following information as confidential:

(a) A general description of the genetically modified organism or organisms concerned, the name and address of the applicant for the authorization of the deliberate release, the intended uses and, if appropriate, the location of the release;

(b) The methods and plans for monitoring the genetically modified organism or organisms concerned and for emergency response;

(c) The environmental risk assessment.

6.a člen

Za 6. členom se doda člen, ki se glasi:

6.a člen

UDELEŽBA JAVNOSTI PRI ODLOČANJU O NAMERNEM SPROŠČANJU GENSKO SPREMENJENIH ORGANIZMOV V OKOLJE IN NJIHOVEM DAJANJU NA TRG

1. V skladu z načini iz priloge I a vsaka pogodbenica pred sprejetjem odločitve o tem, ali se dovolita namerno sproščanje gensko spremenjenih organizmov v okolje in njihovo dajanje v promet, poskrbi za pravočasne in učinkovite informacije ter udeležbo javnosti.

2. Zahteve, ki jih pogodbenice sprejmejo v skladu s prvim odstavkom, bi se morale dopolnjevati z določbami iz njihovih predpisov o biološki varnosti v skladu s cilji Kartagenskega protokola o biološki varnosti in jih utemeljevati.

Priloga I a

Za prilogo I se doda nova priloga, ki se glasi:

Priloga I a

NAČINI IZ 6.a ČLENA

1. Pogodbenica skladno s svojimi predpisi sprejme določbe o učinkovitem obveščanju in udeležbi javnosti pri odločanju ob upoštevanju 6.a člena, vključno z razumnim rokom, da lahko javnost ustrezno izrazi svoje mnenje o predlaganih odločitvah.

2. Kadar je primerno, lahko pogodbenica skladno s svojimi predpisi določi izjeme za postopke, povezane z udeležbo javnosti, navedene v tej prilogi:

a) ob namernem sproščanju gensko spremenjenih organizmov (GSO) v okolje za drug namen, kot je dajanje v promet, če:

i) je bilo tako sproščanje usklajeno s primerljivimi biogeografskimi zahtevami, že odobrenimi v predpisih posamezne pogodbenice, in

ii) je bilo v zvezi s sproščanjem gensko spremenjenih organizmov v primerljivih ekosistemih predhodno pridobljenih dovolj izkušenj;

b) ob dajanju gensko spremenjenih organizmov na trg, če:

i) je bilo v predpisih posamezne pogodbenice to že odobreno ali

ii) je to namenjeno raziskavam ali zbirkam kultur.

3. Ne glede na veljavno zakonodajo o zaupnosti pogodbenica v skladu s 4. členom ustrezno, pravočasno in učinkovito zagotovi javnosti povzetek vloge za pridobitev dovoljenja za namerno sproščanje gensko spremenjenih organizmov v okolje in njihovo dajanje v promet na njenem ozemlju ter poročilo o oceni, kadar je na voljo, v skladu s svojimi predpisi o biološki varnosti.

4. Pogodbenice v nobenem primeru ne štejejo navedenih podatkov kot zaupne:

a) o splošnem opisu genetsko spremenjenih organizmov ali posameznih organizmov, imenu in naslovu prosilca za dovoljenje za namerno sproščanje, predvideno uporabo, in kadar je primerno, kraj sproščanja,

b) metodah in načrtih za spremljanje gensko spremenjenih organizmov ali posameznih organizmov ter načrtih ukrepov ob nesreči,

c) oceni tveganja za okolje.

5. Each Party shall ensure transparency of decision-making procedures and provide access to the relevant procedural information to the public. This information could include for example:

- (i) The nature of possible decisions;
- (ii) The public authority responsible for making the decision;
- (iii) Public participation arrangements laid down pursuant to paragraph 1;
- (iv) An indication of the public authority from which relevant information can be obtained;
- (v) An indication of the public authority to which comments can be submitted and of the time schedule for the transmittal of comments.

6. The provisions made pursuant to paragraph 1 shall allow the public to submit any comments, information, analyses or opinions that it considers relevant to the proposed deliberate release, including placing on the market, in any appropriate manner.

7. Each Party shall endeavour to ensure that, when decisions are taken on whether to permit the deliberate release of GMOs into the environment, including placing on the market, due account is taken of the outcome of the public participation procedure organized pursuant to paragraph 1.

8. Parties shall provide that when a decision subject to the provisions of this annex has been taken by a public authority, the text of the decision is made publicly available along with the reasons and considerations upon which it is based.

5. Pogodbenica zagotovi preglednost postopkov odločanja in javnosti omogoči dostop do podatkov o teh postopkih. Taki podatki se na primer nanašajo na:

- i) naravo morebitnih odločitev,
- ii) javni organ, pristojen za odločanje,
- iii) udeležbo javnosti iz prvega odstavka,
- iv) navedbo javnega organa, ki lahko da ustrezne informacije,
- v) navedbo javnega organa, ki se mu lahko predložijo pripombe in rok za njihovo predložitev.

6. Določbe v skladu s prvim odstavkom javnosti omogočajo, da na primeren način predloži pripombe, informacije, analize ali mnenja, ki se ji zdijo ustrezna za predlagano namerno sproščanje, vključno z dajanjem v promet.

7. Pogodbenica si prizadeva zagotoviti, da se upošteva izid postopka udeležbe javnosti v skladu s prvim odstavkom, kadar se odloča o dovoljenju za namerno sproščanje gensko spremenjenih organizmov v okolje, vključno z njihovim dajanjem v promet.

8. Pogodbenice zagotovijo, da javni organ ob sprejetju odločitve v skladu z določbami iz te priloge javnosti omogoči dostop do besedila odločitve skupaj z razlogi in utemeljitvami, na podlagi katerih je bila sprejeta.

3. člen

Za izvajanje spremembe konvencije skrbi Ministrstvo za okolje in prostor.

4. člen

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

Št. 010-01/09-31/10
Ljubljana, dne 2. februarja 2010
EPA 782-V

Državni zbor
Republike Slovenije
mag. Vasja Klavora l.r.
Podpredsednik

2. Zakon o ratifikaciji Protokola o registrih izpustov in prenosov onesnaževal (MPRIPO)

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
o registrih izpustov in prenosov onesnaževal (MPRIPO)**

Razlašam Zakon o ratifikaciji Protokola o registrih izpustov in prenosov onesnaževal (MPRIPO), ki ga je sprejel Državni zbor Republike Slovenije na seji 2. februarja 2010.

Št. 003-02-2/2010-8
Ljubljana, dne 10. februarja 2010

dr. Danilo Türk l.r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI PROTOKOLA O REGISTRIH IZPUSTOV IN PRENOSOV ONESNAŽEVAL (MPRIPO)**

1. člen

Ratificira se Protokol o registrih izpustov in prenosov onesnaževal, sestavljen 21. maja 2003 v Kijevu (Ukrajina).

2. člen

Besedilo protokola se v izvorniku v angleškem in v prevodu v slovenskem jeziku glasi:

**PROTOCOL
ON POLLUTANT RELEASE AND TRANSFER
REGISTERS**

The Parties to this Protocol,

Recalling article 5, paragraph 9, and article 10, paragraph 2, of the 1998 Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention),

Recognizing that pollutant release and transfer registers provide an important mechanism to increase corporate accountability, reduce pollution and promote sustainable development, as stated in the Lucca Declaration adopted at the first meeting of the Parties to the Aarhus Convention,

Having regard to principle 10 of the 1992 Rio Declaration on Environment and Development,

Having regard also to the principles and commitments agreed to at the 1992 United Nations Conference on Environment and Development, in particular the provisions in chapter 19 of Agenda 21,

Taking note of the Programme for the Further Implementation of Agenda 21, adopted by the General Assembly of the United Nations at its nineteenth special session, 1997, in which it called for, inter alia, enhanced national capacities and capabilities for information collection, processing and dissemination, to facilitate public access to information on global environmental issues through appropriate means,

Having regard to the Plan of Implementation of the 2002 World Summit on Sustainable Development, which encourages the development of coherent, integrated information on chemicals, such as through national pollutant release and transfer registers,

Taking into account the work of the Intergovernmental Forum on Chemical Safety, in particular the 2000 Bahia Declaration on Chemical Safety, the Priorities for Action Beyond 2000 and the Pollutant Release and Transfer Register/Emission Inventory Action Plan,

**PROTOKOL
O REGISTRIH IZPUSTOV IN PRENOSOV
ONESNAŽEVAL**

Pogodbence tega protokola so se

ob sklicevanju na deveti odstavek 5. člena in drugi odstavek 10. člena Konvencije o dostopu do informacij, udeležbi javnosti pri odločanju in dostopu do pravnega varstva v okoljskih zadevah iz leta 1998 (Aarhuška konvencija),

ob spoznanju, da registri izpustov in prenosov onesnaževal vzpostavljajo pomemben mehanizem za povečanje odgovornosti družb, zmanjšanje onesnaževanja in spodbujanje trajnostnega razvoja, kakor je navedeno v Deklaraciji iz Lucce, sprejeti na prvem sestanku pogodbenc Aarhuške konvencije,

ob upoštevanju 10. načela Deklaracije o okolju in razvoju iz Ria, 1992,

ob upoštevanju načel in zavez, sprejetih na konferenci Združenih narodov o okolju in razvoju leta 1992, zlasti pa določb iz 19. poglavja Agende 21,

ob upoštevanju Programa za nadaljnje izvajanje Agende 21, ki ga je sprejela generalna skupščina Združenih narodov na devetnajstem posebnem zasedanju leta 1997, v katerem je med drugim zahtevala povečanje zmogljivosti držav in zmožnosti za zbiranje, obdelavo in razširjanje podatkov, da bi javnosti z ustreznimi sredstvi olajšala dostop do informacij o okoljskih zadevah v svetu,

ob upoštevanju Načrta izvajanja, sprejetega na svetovnem vrhu o trajnostnem razvoju septembra 2002, ki spodbuja razvoj usklajenega in celovitega obveščanja o kemikalijah kakor na primer z državnimi registri izpustov in prenosov onesnaževal,

ob upoštevanju dela Medvladnega foruma za kemijsko varnost, zlasti pa Deklaracije iz Bahie o kemijski varnosti iz leta 2000, Prednostnih nalog po letu 2000 in Akcijskega načrta za register izpustov in prenosov onesnaževal/evidence izpustov,

Taking into account also the activities undertaken within the framework of the Inter-Organization Programme for the Sound Management of Chemicals,

Taking into account furthermore the work of the Organisation for Economic Co-operation and Development, in particular its Council Recommendation on Implementing Pollutant Release and Transfer Registers, in which the Council calls upon member countries to establish and make publicly available national pollutant release and transfer registers,

Wishing to provide a mechanism contributing to the ability of every person of present and future generations to live in an environment adequate to his or her health and well-being, by ensuring the development of publicly accessible environmental information systems,

Wishing also to ensure that the development of such systems takes into account principles contributing to sustainable development such as the precautionary approach set forth in principle 15 of the 1992 Rio Declaration on Environment and Development,

Recognizing the link between adequate environmental information systems and the exercise of the rights contained in the Aarhus Convention,

Noting the need for cooperation with other international initiatives concerning pollutants and waste, including the 2001 Stockholm Convention on Persistent Organic Pollutants and the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,

Recognizing that the objectives of an integrated approach to minimizing pollution and the amount of waste resulting from the operation of industrial installations and other sources are to achieve a high level of protection for the environment as a whole, to move towards sustainable and environmentally sound development and to protect the health of present and future generations,

Convinced of the value of pollutant release and transfer registers as a cost-effective tool for encouraging improvements in environmental performance, for providing public access to information on pollutants released into and transferred in and through communities, and for use by Governments in tracking trends, demonstrating progress in pollution reduction, monitoring compliance with certain international agreements, setting priorities and evaluating progress achieved through environmental policies and programmes,

Believing that pollutant release and transfer registers can bring tangible benefits to industry through the improved management of pollutants,

Noting the opportunities for using data from pollutant release and transfer registers, combined with health, environmental, demographic, economic or other types of relevant information, for the purpose of gaining a better understanding of potential problems, identifying 'hot spots', taking preventive and mitigating measures, and setting environmental management priorities,

Recognizing the importance of protecting the privacy of identified or identifiable natural persons in the processing of information reported to pollutant release and transfer registers in accordance with applicable international standards relating to data protection,

Recognizing also the importance of developing internationally compatible national pollutant release and transfer register systems to increase the comparability of data,

Noting that many member States of the United Nations Economic Commission for Europe, the European Community and the Parties to the North American Free Trade Agreement are acting to collect data on pollutant releases and transfers from various sources and to make these data publicly accessible, and recognizing especially in this area the long and valuable experience in certain countries,

Taking into account the different approaches in existing emission registers and the need to avoid duplication, and recognizing therefore that a certain degree of flexibility is needed,

ob upoštevanju dejavnosti, ki potekajo v okviru Medorganizacijskega programa za varno ravnanje s kemikalijami,

nadalje, ob upoštevanju dela Organizacije za gospodarsko sodelovanje in razvoj, zlasti pa priporočil njenega sveta o vodenju registrov izpustov in prenosov onesnaževal, s katerim poziva države članice, naj vzpostavijo državne registre izpustov in prenosov onesnaževal ter jih dajo na voljo javnosti,

v želji, da bi z razvojem javno dostopnih informacijskih sistemov o okolju zagotovile mehanizem, ki bo današnjim in prihodnjim generacijam omogočal življenje v okolju, primernem za njihovo zdravje in blaginjo,

v želji zagotoviti tudi, da bo razvoj takih sistemov upošteval načela, ki prispevajo k trajnostnemu razvoju, kakršno je previdnostno načelo iz 15. načela Deklaracije o okolju in razvoju iz Ria, 1992,

ob priznavanju povezave med ustreznimi okoljskimi informacijskimi sistemi in uresničevanjem pravic iz Aarhuške konvencije,

ob ugotavljanju potrebe po sodelovanju pri drugih mednarodnih pobudah o onesnaževalih in odpadkih skupaj s Stockholmsko konvencijo o obstojnih organskih onesnaževalih, 2001 in Baselsko konvencijo o nadzoru prehoda nevarnih odpadkov preko meja in njihovega odstranjevanja, 1989,

ob priznavanju, da so cilji celovitega pristopa k čim večjemu zmanjševanju onesnaževanja in količine odpadkov iz industrijskih naprav ter drugih virov doseganje visoke stopnje varstva okolja v celoti, spodbujanje trajnostnega in okolju prijaznega razvoja ter varovanje zdravja današnjih in prihodnjih generacij,

v prepričanju, da so registri izpustov in prenosov onesnaževal stroškovno učinkovito sredstvo za spodbujanje okoljske učinkovitosti, zagotavljanje dostopa do informacij o izpustih onesnaževal na območjih in njihovih prenosih na območja in prek njih, ter za vlade, da spremljajo smeri razvoja, prikazujejo napredek pri zmanjševanju onesnaževanja, spremljajo in nadzirajo izvajanje nekaterih mednarodnih sporazumov, določajo prednostne naloge in ocenjujejo napredek, dosežen z okoljskimi usmeritvami in programi,

v prepričanju, da lahko registri izpustov in prenosov onesnaževal občutno koristijo industriji, s tem da se bolje ravna z onesnaževali,

glede na možnosti za uporabo podatkov iz registrov izpustov in prenosov onesnaževal v povezavi z zdravstvenimi, okoljskimi, demografskimi, gospodarskimi in drugimi vrstami ustreznih podatkov za boljše razumevanje morebitnih težav, ugotavljanje "perečih točk", sprejemanje preprečevalnih in blažilnih ukrepov ter določanje prednostnih nalog pri ravnanju z okoljem,

ob priznavanju pomena varstva zasebnosti ugotovljenih ali ugotovljivih fizičnih oseb pri obdelavi podatkov, poslanih v registre izpustov in prenosov onesnaževal v skladu z veljavnimi mednarodnimi standardi o varstvu podatkov,

ob priznavanju pomena razvoja mednarodno skladnih sistemov registrov izpustov in prenosov onesnaževal zaradi boljše primerljivosti podatkov,

ob ugotavljanju, da številne države članice Gospodarske komisije Združenih narodov za Evropo, Evropske skupnosti in pogodbenice Severnoameriškega sporazuma o prosti trgovini (NAFTA) ukrepajo, da bi zbirale podatke o izpustih in prenosih onesnaževal iz različnih virov in da bi jih dale na razpolago javnosti, ter zlasti ob priznavanju dolgoletnih in dragocenih izkušenj v nekaterih državah,

ob upoštevanju različnih načinov vodenja obstoječih registrov izpustov in potrebe po preprečevanju podvajanja ter ob priznavanju, da je zaradi tega potrebna neka stopnja prožnosti,

Urging the progressive development of national pollutant release and transfer registers,

Urging also the establishment of links between national pollutant release and transfer registers and information systems on other releases of public concern,

Have agreed as follows:

Article 1 OBJECTIVE

The objective of this Protocol is to enhance public access to information through the establishment of coherent, integrated, nationwide pollutant release and transfer registers (PRTs) in accordance with the provisions of this Protocol, which could facilitate public participation in environmental decision-making as well as contribute to the prevention and reduction of pollution of the environment.

Article 2 DEFINITIONS

For the purposes of this Protocol,

1. "Party" means, unless the text indicates otherwise, a State or a regional economic integration organization referred to in article 24 which has consented to be bound by this Protocol and for which the Protocol is in force;

2. "Convention" means the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, done at Aarhus, Denmark, on 25 June 1998;

3. "The public" means one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organizations or groups;

4. "Facility" means one or more installations on the same site, or on adjoining sites, that are owned or operated by the same natural or legal person;

5. "Competent authority" means the national authority or authorities, or any other competent body or bodies, designated by a Party to manage a national pollutant release and transfer register system;

6. "Pollutant" means a substance or a group of substances that may be harmful to the environment or to human health on account of its properties and of its introduction into the environment;

7. "Release" means any introduction of pollutants into the environment as a result of any human activity, whether deliberate or accidental, routine or non-routine, including spilling, emitting, discharging, injecting, disposing or dumping, or through sewer systems without final waste-water treatment;

8. "Off-site transfer" means the movement beyond the boundaries of the facility of either pollutants or waste destined for disposal or recovery and of pollutants in waste water destined for waste-water treatment;

9. "Diffuse sources" means the many smaller or scattered sources from which pollutants may be released to land, air or water, whose combined impact on those media may be significant and for which it is impractical to collect reports from each individual source;

10. The terms "national" and "nationwide" shall, with respect to the obligations under the Protocol on Parties that are regional economic integration organizations, be construed as applying to the region in question unless otherwise indicated;

11. "Waste" means substances or objects which are:

(a) Disposed of or recovered;

(b) Intended to be disposed of or recovered; or

(c) Required by the provisions of national law to be disposed of or recovered;

12. "Hazardous waste" means waste that is defined as hazardous by the provisions of national law;

13. "Other waste" means waste that is not hazardous waste;

ob spodbujanju postopnega razvoja državnih registrov izpustov in prenosov onesnaževal,

ob spodbujanju povezovanja med državnimi registri izpustov in prenosov onesnaževal in informacijskimi sistemi o drugih izpustih v javnem interesu

sporazumele:

1. člen NAMEN

Namen tega protokola je omogočiti širši dostop javnosti do informacij z oblikovanjem usklajenih in celovitih registrov izpustov in prenosov onesnaževal (RIPPO) na državni ravni v skladu s tem protokolom, ki bodo omogočili sodelovanje javnosti pri odločanju o okoljskih zadevah in prispevali k preprečevanju in zmanjševanju onesnaževanja okolja.

2. člen OPREDELITEV POJMOV

V tem protokolu:

1. »pogodbena« pomeni državo ali organizacijo za regionalno gospodarsko povezovanje iz 24. člena, ki se je strinjala, da jo ta protokol zavezuje in zanjo velja, razen če v besedilu ni navedeno drugače;

2. »konvencija« pomeni Konvencijo o dostopu do informacij, udeležbi javnosti pri odločanju in dostopu do pravnega varstva v okoljskih zadevah, sestavljeno v Aarhusu na Danskem 25. junija 1998;

3. »javnost« pomeni eno ali več fizičnih ali pravnih oseb in v skladu z notranjo zakonodajo ali prakso njihova združenja, organizacije ali skupine;

4. »industrijski kompleks« pomeni eno ali več naprav na istem kraju ali na sosednjih krajih, ki so v lasti ali jih upravlja ista fizična ali pravna oseba;

5. »pristojni organ« pomeni državni organ ali organe ali drugo pristojno telo ali telesa, ki jih pogodbenica določi za upravljanje sistema državnega registra izpustov in prenosov onesnaževal;

6. »onesnaževalo« pomeni snov ali skupino snovi, ki so lahko škodljive za okolje ali zdravje ljudi zaradi svojih lastnosti in vnosa v okolje;

7. »izpust« pomeni nameren ali nameren, reden ali izreden vnos onesnaževal v okolje zaradi človekove dejavnosti, vključno z izlivanjem, izpuščanjem, odplakovanjem, vbrizgavanjem, odstranjevanjem oziroma odlaganjem ali odvajanjem po kanalizaciji brez čistilnih naprav;

8. »prenos s kraja nastanka« pomeni prenos onesnaževal ali odpadkov, namenjenih za odstranitev ali predelavo, in onesnaževal v odpadnih vodah, namenjenih za obdelavo v čistilni napravi, z območja industrijskega kompleksa;

9. »razpršeni viri« pomeni številne manjše ali raztresene vire, iz katerih se lahko onesnaževala izpuščajo v tla, zrak ali vodo in katerih skupni vpliv na te dele okolja je lahko precejšen ter za katere je zbiranje posameznih poročil nepraktično;

10. izraza »državni« in »na državni ravni« se v zvezi z obveznostmi iz tega protokola za pogodbenice, ki so organizacije za regionalno gospodarsko povezovanje, nanašata na to regijo, razen če ni drugače navedeno;

11. »odpadki« pomenijo snovi ali predmete, ki:

a) se odstranijo ali predelajo;

b) so namenjeni odstranitvi ali predelavi ali

c) jih je na podlagi notranje zakonodaje treba odstraniti ali predelati;

12. »nevarni odpadki« pomenijo odpadke, ki so opredeljeni kot nevarni v notranji zakonodaji;

13. »drugi odpadki« pomenijo odpadke, ki niso nevarni odpadki;

14. "Waste water" means used water containing substances or objects that is subject to regulation by national law.

Article 3

GENERAL PROVISIONS

1. Each Party shall take the necessary legislative, regulatory and other measures, and appropriate enforcement measures, to implement the provisions of this Protocol.

2. The provisions of this Protocol shall not affect the right of a Party to maintain or introduce a more extensive or more publicly accessible pollutant release and transfer register than required by this Protocol.

3. Each Party shall take the necessary measures to require that employees of a facility and members of the public who report a violation by a facility of national laws implementing this Protocol to public authorities are not penalized, persecuted or harassed by that facility or public authorities for their actions in reporting the violation.

4. In the implementation of this Protocol, each Party shall be guided by the precautionary approach as set forth in principle 15 of the 1992 Rio Declaration on Environment and Development.

5. To reduce duplicative reporting, pollutant release and transfer register systems may be integrated to the degree practicable with existing information sources such as reporting mechanisms under licences or operating permits.

6. Parties shall strive to achieve convergence among national pollutant release and transfer registers.

Article 4

CORE ELEMENTS OF A POLLUTANT RELEASE AND TRANSFER REGISTER SYSTEM

In accordance with this Protocol, each Party shall establish and maintain a publicly accessible national pollutant release and transfer register that:

- (a) Is facility-specific with respect to reporting on point sources;
- (b) Accommodates reporting on diffuse sources;
- (c) Is pollutant-specific or waste-specific, as appropriate;
- (d) Is multimedia, distinguishing among releases to air, land and water;
- (e) Includes information on transfers;
- (f) Is based on mandatory reporting on a periodic basis;
- (g) Includes standardized and timely data, a limited number of standardized reporting thresholds and limited provisions, if any, for confidentiality;
- (h) Is coherent and designed to be user-friendly and publicly accessible, including in electronic form;
- (i) Allows for public participation in its development and modification; and
- (j) Is a structured, computerized database or several linked databases maintained by the competent authority.

Article 5

DESIGN AND STRUCTURE

1. Each Party shall ensure that the data held on the register referred to in article 4 are presented in both aggregated and non-aggregated forms, so that releases and transfers can be searched and identified according to:

- (a) Facility and its geographical location;
- (b) Activity;
- (c) Owner or operator, and, as appropriate, company;
- (d) Pollutant or waste, as appropriate;
- (e) Each of the environmental media into which the pollutant is released; and
- (f) As specified in article 7, paragraph 5, the destination of the transfer and, where appropriate, the disposal or recovery operation for waste.

14. »odpadna voda« pomeni vodo, ki po uporabi vsebuje snovi ali predmete in jo ureja notranja zakonodaja.

3. člen

SPLOŠNE DOLOČBE

1. Pogodbenice sprejmejo potrebne zakonodajne in druge ukrepe ter ustrezne ukrepe za zagotavljanje izvajanja protokola.

2. Protokol ne posega v pravico pogodbenice, da ohrani ali uvede obširnejši ali javnosti dostopnejši register izpustov in prenosov onesnaževal, kakor ga zahteva ta protokol.

3. Pogodbenice sprejmejo potrebne ukrepe, s katerimi zagotovijo, da industrijski kompleksi ali javni organi ne kaznujejo, preganjajo ali nadlegujejo zaposlenih v industrijskem kompleksu in posameznikov, ki javnim organom prijavijo industrijski kompleks zaradi kršitve notranje zakonodaje, sprejete za izvajanje tega protokola.

4. Pri izvajanju tega protokola bodo pogodbenice upoštevale previdnostno načelo iz 15. načela deklaracije o okolju in razvoju iz Ria, 1992.

5. Da bi omejili podvojeno poročanje, se lahko sistemi registrov izpustov in prenosov onesnaževal kar najbolj povezujejo z obstoječimi viri informacij, kakor so mehanizmi poročanja na podlagi dovoljenj ali dovoljenj za delovanje.

6. Pogodbenice si prizadevajo doseči usklajenost državnih registrov izpustov in prenosov onesnaževal.

4. člen

BISTVENI DELI SISTEMA REGISTROV IZPUSTOV IN PRENOSOV ONESNAŽEVAL

V skladu s tem protokolom pogodbenice vzpostavijo in vodijo javno dostopen državni register izpustov in prenosov onesnaževal, ki:

- a) za industrijske komplekse daje podatke o točkastih virih;
- b) zajema poročanje o razpršenih virih;
- c) daje podatke o onesnaževalih oziroma odpadkih;
- d) zajema več delov okolja in razlikuje med izpusti v zrak, tla in vodo;
- e) vsebuje podatke o prenosih;
- f) temelji na obveznem rednem poročanju;
- g) vsebuje standardizirane podatke po obdobjih, omejeno število morebitnih standardiziranih mejnih količin poročanja in omejeno število morebitnih določb o tajnosti;
- h) je usklajen in oblikovan tako, da je uporabniku prijazen in javno dostopen, tudi v elektronski obliki;
- i) omogoča sodelovanje javnosti pri njegovem razvijanju in spreminjanju ter
- j) je ena ali več povezanih strukturiranih računalniških podatkovnih zbirk, za katere skrbi pristojni organ.

5. člen

OBLIKA IN ZGRADBA

1. Pogodbenice zagotovijo, da so podatki v registru iz 4. člena predstavljeni zbirno in posamezno tako, da je mogoče izpuste in prenose iskati in prepoznati glede na:

- a) industrijski kompleks in njegovo zemljepisno lego;
- b) dejavnost;
- c) lastnika ali upravljavca in po potrebi podjetje;
- d) onesnaževala oziroma odpadke;
- e) posamezne dele okolja, v katere se onesnaževalo izpušča, in
- f) kraj prenosa in po potrebi postopek odstranitve ali predelave odpadkov, kakor je navedeno v petem odstavku 7. člena.

2. Each Party shall also ensure that the data can be searched and identified according to those diffuse sources which have been included in the register.

3. Each Party shall design its register taking into account the possibility of its future expansion and ensuring that the reporting data from at least the ten previous reporting years are publicly accessible.

4. The register shall be designed for maximum ease of public access through electronic means, such as the Internet. The design shall allow that, under normal operating conditions, the information on the register is continuously and immediately available through electronic means.

5. Each Party should provide links in its register to its relevant existing, publicly accessible databases on subject matters related to environmental protection.

6. Each Party shall provide links in its register to the pollutant release and transfer registers of other Parties to the Protocol and, where feasible, to those of other countries.

Article 6

SCOPE OF THE REGISTER

1. Each Party shall ensure that its register includes the information on:

- (a) Releases of pollutants required to be reported under article 7, paragraph 2;
- (b) Off-site transfers required to be reported under article 7, paragraph 2; and
- (c) Releases of pollutants from diffuse sources required under article 7, paragraph 4.

2. Having assessed the experience gained from the development of national pollutant release and transfer registers and the implementation of this Protocol, and taking into account relevant international processes, the Meeting of the Parties shall review the reporting requirements under this Protocol and shall consider the following issues in its further development:

- (a) Revision of the activities specified in annex I;
- (b) Revision of the pollutants specified in annex II;
- (c) Revision of the thresholds in annexes I and II; and
- (d) Inclusion of other relevant aspects such as information on on-site transfers, storage, the specification of reporting requirements for diffuse sources or the development of criteria for including pollutants under this Protocol.

Article 7

REPORTING REQUIREMENTS

1. Each Party shall either:

(a) Require the owner or the operator of each individual facility within its jurisdiction that undertakes one or more of the activities specified in annex I above the applicable capacity threshold specified in annex I, column 1, and:

- (i) Releases any pollutant specified in annex II in quantities exceeding the applicable thresholds specified in annex II, column 1;
- (ii) Transfers off-site any pollutant specified in annex II in quantities exceeding the applicable threshold specified in annex II, column 2, where the Party has opted for pollutant -specific reporting of transfers pursuant to paragraph 5 (d);
- (iii) Transfers off-site hazardous waste exceeding 2 tons per year or other waste exceeding 2,000 tons per year, where the Party has opted for waste-specific reporting of transfers pursuant to paragraph 5 (d); or

(iv) Transfers off-site any pollutant specified in annex II in waste water destined for waste-water treatment in quantities exceeding the applicable threshold specified in annex II, column 1b;

to undertake the obligation imposed on that owner or operator pursuant to paragraph 2; or

2. Pogodbenice tudi zagotovijo, da je mogoče podatke iskati in prepoznavati po tistih razpršenih virih, ki so vključeni v register.

3. Pogodbenice svoje registre oblikujejo tako, da upoštevajo možnost prihodnje širitve in zagotovijo, da so podatki iz poročil javno dostopni za vsaj zadnjih deset let.

4. Register je oblikovan tako, da je čim lažje dostopen javnosti po elektronski poti, na primer na svetovnem spletu. Njegova oblika v normalnih okoliščinah delovanja omogoča, da so podatki stalno in takoj na voljo po elektronski poti.

5. Pogodbenice bi morale v registru zagotoviti povezave do ustreznih obstoječih javno dostopnih podatkovnih zbirk o zadevah, ki so povezane z varstvom okolja.

6. Pogodbenice v registru zagotovijo povezave do registrov izpustov in prenosov onesnaževal drugih pogodbenic tega protokola in po možnosti do registrov drugih držav.

6. člen

OBSEG REGISTRA

1. Pogodbenice zagotovijo, da register vsebuje podatke o:

- a) izpustih onesnaževal, o katerih je treba poročati na podlagi drugega odstavka 7. člena;
- b) prenosih s kraja nastanka, o katerih je treba poročati na podlagi drugega odstavka 7. člena, in
- c) izpustih onesnaževal iz razpršenih virov, o katerih je treba poročati na podlagi četrtega odstavka 7. člena.

2. Skupščina pogodbenic prouči izkušnje, pridobljene z razvojem državnih registrov izpustov in prenosov onesnaževal ter z izvajanjem tega protokola, in z upoštevanjem ustreznih mednarodnih procesov pregleda zahteve za poročanje po tem protokolu in v zvezi z njegovim nadaljnjim razvojem obravnava:

- a) pregled dejavnosti iz priloge I;
- b) pregled onesnaževal iz priloge II;
- c) pregled mejnih količin iz prilog I in II ter
- d) vključevanje drugih pomembnih vidikov, kakor so podatki o prenosih znotraj kraja nastanka, skladiščenje, podrobno določanje zahtev za poročanje o razpršenih virih ali razvoj meril za vključevanje onesnaževal v ta protokol.

7. člen

ZAHTEVE ZA POROČANJE

1. Pogodbenice:

a) ali zahtevajo, da lastnik ali upravljavec posameznega industrijskega kompleksa v njihovi pristojnosti, ki opravlja eno ali več dejavnosti iz priloge I z zmogljivostjo nad vrednostmi iz 1. stolpca priloge I in:

i) izpušča onesnaževala iz priloge II v količinah, ki presegajo mejne vrednosti iz 1. stolpca priloge II;

ii) onesnaževala iz priloge II prenaša s kraja nastanka v količinah, ki presegajo mejne vrednosti iz 2. stolpca priloge II, če se je pogodbenica odločila za poročanje o prenosih v skladu s pododstavkom d petega odstavka po posameznih onesnaževalih;

iii) prenaša letno več kakor dve toni nevarnih odpadkov ali več kakor 2000 ton drugih odpadkov s kraja nastanka, če se je pogodbenica odločila za poročanje o prenosih v skladu s pododstavkom d petega odstavka po vrsti odpadkov, ali

iv) prenaša onesnaževala iz priloge II s kraja nastanka v odpadnih vodah, namenjenih za obdelavo v čistilnih napravah, v količinah, ki presegajo mejne vrednosti iz 1.b stolpca priloge II;

sprejme obveznosti, ki so mu naložene na podlagi drugega odstavka,

(b) Require the owner or the operator of each individual facility within its jurisdiction that undertakes one or more of the activities specified in annex I at or above the employee threshold specified in annex I, column 2, and manufactures, processes or uses any pollutant specified in annex II in quantities exceeding the applicable threshold specified in annex II, column 3, to undertake the obligation imposed on that owner or operator pursuant to paragraph 2.

2. Each Party shall require the owner or operator of a facility referred to in paragraph 1 to submit the information specified in paragraphs 5 and 6, and in accordance with the requirements therein, with respect to those pollutants and wastes for which thresholds were exceeded.

3. In order to achieve the objective of this Protocol, a Party may decide with respect to a particular pollutant to apply either a release threshold or a manufacture, process or use threshold, provided that this increases the relevant information on releases or transfers available in its register.

4. Each Party shall ensure that its competent authority collects, or shall designate one or more public authorities or competent bodies to collect, the information on releases of pollutants from diffuse sources specified in paragraphs 7 and 8, for inclusion in its register.

5. Each Party shall require the owners or operators of the facilities required to report under paragraph 2 to complete and submit to its competent authority, the following information on a facility-specific basis:

(a) The name, street address, geographical location and the activity or activities of the reporting facility, and the name of the owner or operator, and, as appropriate, company;

(b) The name and numerical identifier of each pollutant required to be reported pursuant to paragraph 2;

(c) The amount of each pollutant required to be reported pursuant to paragraph 2 released from the facility to the environment in the reporting year, both in aggregate and according to whether the release is to air, to water or to land, including by underground injection;

(d) Either:

(i) The amount of each pollutant required to be reported pursuant to paragraph 2 that is transferred off-site in the reporting year, distinguishing between the amounts transferred for disposal and for recovery, and the name and address of the facility receiving the transfer; or

(ii) The amount of waste required to be reported pursuant to paragraph 2 transferred off-site in the reporting year, distinguishing between hazardous waste and other waste, for any operations of recovery or disposal, indicating respectively with 'R' or 'D' whether the waste is destined for recovery or disposal pursuant to annex III and, for transboundary movements of hazardous waste, the name and address of the recoverer or disposer of the waste and the actual recovery or disposal site receiving the transfer;

(e) The amount of each pollutant in waste water required to be reported pursuant to paragraph 2 transferred off-site in the reporting year; and

(f) The type of methodology used to derive the information referred to in subparagraphs (c) to (e), according to article 9, paragraph 2, indicating whether the information is based on measurement, calculation or estimation.

6. The information referred to in paragraph 5 (c) to (e) shall include information on releases and transfers resulting from routine activities and from extraordinary events.

7. Each Party shall present on its register, in an adequate spatial disaggregation, the information on releases of pollutants from diffuse sources for which that Party determines that data are being collected by the relevant authorities and can be practicably included. Where the Party determines that no such data exist, it shall take measures to initiate reporting on releases of relevant pollutants from one or more diffuse sources in accordance with its national priorities.

b) ali zahtevajo, da lastnik ali upravljavec vsakega posameznega industrijskega kompleksa v njihovi pristojnosti, ki opravlja eno ali več dejavnosti iz priloge I s številom zaposlenih, ki je enako ali presega mejno število iz 2. stolpca priloge I, in izdeluje, predeluje ali uporablja onesnaževala iz priloge II v količinah, ki presegajo mejne vrednosti iz 3. stolpca priloge II, sprejmejo obveznosti, ki so mu naložene na podlagi drugega odstavka.

2. Pogodbenice zahtevajo, da lastnik ali upravljavec industrijskih kompleksov iz prvega odstavka pošlje podatke iz petega in šestega odstavka v skladu z zahtevami o onesnaževalih in odpadkih, pri katerih so bile presežene mejne količine.

3. Da bi pogodbenica dosegla namen tega protokola, se lahko pri posameznem onesnaževalu odloči, ali se uporablja mejna količina za izpust ali pa mejna količina za izdelavo, predelavo ali uporabo, če s tem izboljša informacija o izpustih in prenosih, ki je na voljo v njenem registru.

4. Pogodbenice zagotovijo, da podatke o izpustih onesnaževal iz razpršenih virov iz sedmega in osmega odstavka za vključitev v registre zbirajo njihovi pristojni organi ali pa za to določijo enega ali več javnih organov ali pristojnih teles.

5. Pogodbenice zahtevajo, da lastniki ali upravljavci industrijskih kompleksov, ki morajo poročati po drugem odstavku, pripravijo in pristojnemu organu pošljejo te podatke po posameznih industrijskih kompleksih:

a) ime, naslov, zemljepisna lega in dejavnost ali dejavnosti industrijskega kompleksa, na katerega se nanaša poročilo, ter ime lastnika ali upravljavca in po potrebi podjetja;

b) ime in številčno oznako za vsako onesnaževalo, o katerem je treba poročati po drugem odstavku;

c) količino vsakega onesnaževala, o katerem je treba poročati po drugem odstavku, ki je bilo izpuščeno iz industrijskega kompleksa v okolje v letu poročanja, z navedbo skupne količine in ali je bilo izpuščeno v zrak, vodo ali v tla, skupaj z globinskim injektiranjem.

d) eno od naslednjega:

i) količino vsakega onesnaževala, o katerem je treba poročati po drugem odstavku, ki se v letu poročanja prenaša s kraja nastanka, z ločenim navajanjem količin, prenesenih v odstranjevanje ali predelavo, ter ime in naslov industrijskega kompleksa, ki je odpadke sprejel, ali

ii) količino odpadkov, o katerih je treba poročati po drugem odstavku, ki se v letu poročanja prenaša s kraja nastanka, z ločenim navajanjem nevarnih in drugih odpadkov, za kateri koli postopek predelave ali odstranjevanja ter z navedbo oznak "R" ali "D" glede na to, ali so odpadki namenjeni predelavi ali odstranitvi po prilogi III, pri čezmejnem pošiljanju nevarnih odpadkov pa ime in naslov predelovalca ali odstranjevalca odpadkov ter dejanskega kraja predelave ali odstranitve odpadkov;

e) količino vsakega onesnaževala v odpadni vodi, o katerem je treba poročati po drugem odstavku, ki se v letu poročanja prenese s kraja nastanka, in

f) metodologijo, uporabljeno za pridobivanje podatkov iz pododstavkov c do e, v skladu z drugim odstavkom 9. člena z navedbo, ali so podatki pridobljeni z meritvami, izračuni ali oceno.

6. Podatki iz pododstavkov c do e petega odstavka vključujejo podatke o izpustih in prenosih, ki nastanejo pri rednih dejavnostih in izrednih dogodkih.

7. Pogodbenice v svojih registrih z ustrežno prostorsko razpršenostjo prikažejo podatke o izpustih onesnaževal iz razpršenih virov, za katere pogodbenica določi, da podatke zbirajo ustrezni organi in da jih je mogoče vključiti. Če pogodbenica ugotovi, da takih podatkov ni, sprejme ukrepe za začetek poročanja o izpustih ustreznih onesnaževal iz enega ali več razpršenih virov v skladu z državnimi prednostnimi nalogami.

8. The information referred to in paragraph 7 shall include information on the type of methodology used to derive the information.

Article 8 **REPORTING CYCLE**

1. Each Party shall ensure that the information required to be incorporated in its register is publicly available, compiled and presented on the register by calendar year. The reporting year is the calendar year to which that information relates. For each Party, the first reporting year is the calendar year after the Protocol enters into force for that Party. The reporting required under article 7 shall be annual. However, the second reporting year may be the second calendar year following the first reporting year.

2. Each Party that is not a regional economic integration organization shall ensure that the information is incorporated into its register within fifteen months from the end of each reporting year. However, the information for the first reporting year shall be incorporated into its register within two years from the end of that reporting year.

3. Each Party that is a regional economic integration organization shall ensure that the information for a particular reporting year is incorporated into its register six months after the Parties that are not regional economic integration organizations are required to do so.

Article 9 **DATA COLLECTION AND RECORD-KEEPING**

1. Each Party shall require the owners or operators of the facilities subject to the reporting requirements of article 7 to collect the data needed to determine, in accordance with paragraph 2 below and with appropriate frequency, the facility's releases and off-site transfers subject to reporting under article 7 and to keep available for the competent authorities the records of the data from which the reported information was derived for a period of five years, starting from the end of the reporting year concerned. These records shall also describe the methodology used for data gathering.

2. Each Party shall require the owners or operators of the facilities subject to reporting under article 7 to use the best available information, which may include monitoring data, emission factors, mass balance equations, indirect monitoring or other calculations, engineering judgments and other methods. Where appropriate, this should be done in accordance with internationally approved methodologies.

Article 10 **QUALITY ASSESSMENT**

1. Each Party shall require the owners or operators of the facilities subject to the reporting requirements of article 7, paragraph 1, to assure the quality of the information that they report.

2. Each Party shall ensure that the data contained in its register are subject to quality assessment by the competent authority, in particular as to their completeness, consistency and credibility, taking into account any guidelines that may be developed by the Meeting of the Parties.

Article 11 **PUBLIC ACCESS TO INFORMATION**

1. Each Party shall ensure public access to information contained in its pollutant release and transfer register, without an interest having to be stated, and according to the provisions of this Protocol, primarily by ensuring that its register provides for direct electronic access through public telecommunications networks.

8. Podatki iz sedmega odstavka vključujejo informacije o metodologiji, uporabljeni za pridobivanje podatkov.

8. člen **KROG POROČANJA**

1. Pogodbenice zagotovijo, da so podatki, ki jih je treba vključiti v register, javno dostopni, urejeni in predstavljeni v registru po koledarskih letih. Leto poročanja je koledarsko leto, na katero se navedeni podatki nanašajo. Prvo leto poročanja je za vsako pogodbenico koledarsko leto po začetku veljavnosti protokola zanjo. Poročanje, zahtevano po 7. členu, je letno. Drugo leto poročanja pa je lahko drugo koledarsko leto po prvem letu poročanja.

2. Pogodbenice, ki niso organizacije za regionalno gospodarsko povezovanje, zagotovijo, da se podatki vključijo v njihove registre v petnajstih mesecih po poteku vsakega leta poročanja. Vendar pa se podatki za prvo leto poročanja v register vključijo v dveh letih po poteku navedenega leta poročanja.

3. Pogodbenice, ki so organizacije za regionalno gospodarsko povezovanje, zagotovijo, da se podatki za posamezno leto poročanja vključijo v njihove registre šest mesecev po tem, ko jih morajo vključiti pogodbenice, ki niso organizacije za regionalno gospodarsko povezovanje.

9. člen **ZBIRANJE IN HRANJENJE PODATKOV**

1. Pogodbenice zahtevajo, da lastniki ali upravljavci industrijskih kompleksov, ki morajo poročati po 7. členu, v skladu z drugim odstavkom in ustrezno pogosto zbirajo potrebne podatke za določitev izpustov in prenosov s kraja nastanka iz industrijskega kompleksa, o katerih je treba poročati po 7. členu, in da zapise podatkov, na podlagi katerih so bila sestavljena poročila, dajo na razpolago pristojnim organom za pet let od poteka leta poročanja. V arhivu je opisan tudi način zbiranja podatkov.

2. Pogodbenice zahtevajo, da lastniki ali upravljavci industrijskih kompleksov, ki morajo poročati po 7. členu, uporabijo najboljše razpoložljive informacije, ki lahko vključujejo podatke o spremljanju, emisijske faktorje, masne bilance, podatke o posrednem spremljanju ali druge izračune, strokovne ocene in druge metode. Po možnosti mora biti to narejeno v skladu z mednarodno priznanimi metodologijami.

10. člen **PRESOJA KAKOVOSTI**

1. Pogodbenice zahtevajo, da lastniki ali upravljavci industrijskih kompleksov, za katere veljajo zahteve po poročanju po prvem odstavku 7. člena, zagotovijo kakovost podatkov, ki jih navajajo v poročilu.

2. Pogodbenice zagotovijo, da pristojni organi presojo kakovost podatkov v njihovih registrih, zlasti glede popolnosti, doslednosti in verodostojnosti podatkov, ob upoštevanju vseh smernic, ki jih lahko oblikuje skupščina pogodbenic.

11. člen **DOSTOP JAVNOSTI DO INFORMACIJ**

1. Pogodbenice v skladu s tem protokolom zagotovijo dostop javnosti do informacij, ki jih vsebuje register izpustov in prenosov onesnaževal, ne da bi zahtevale navedbo razloga, zlasti tako da zagotovijo elektronski dostop do registra po javnem telekomunikacijskem omrežju.

2. Where the information contained in its register is not easily publicly accessible by direct electronic means, each Party shall ensure that its competent authority upon request provides that information by any other effective means, as soon as possible and at the latest within one month after the request has been submitted.

3. Subject to paragraph 4, each Party shall ensure that access to information contained in its register is free of charge.

4. Each Party may allow its competent authority to make a charge for reproducing and mailing the specific information referred to in paragraph 2, but such charge shall not exceed a reasonable amount.

5. Where the information contained in its register is not easily publicly accessible by direct electronic means, each Party shall facilitate electronic access to its register in publicly accessible locations, for example in public libraries, offices of local authorities or other appropriate places.

Article 12 CONFIDENTIALITY

1. Each Party may authorize the competent authority to keep information held on the register confidential where public disclosure of that information would adversely affect:

(a) International relations, national defence or public security;

(b) The course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature;

(c) The confidentiality of commercial and industrial information, where such confidentiality is protected by law in order to protect a legitimate economic interest;

(d) Intellectual property rights; or

(e) The confidentiality of personal data and/or files relating to a natural person if that person has not consented to the disclosure of the information to the public, where such confidentiality is provided for in national law.

The aforementioned grounds for confidentiality shall be interpreted in a restrictive way, taking into account the public interest served by disclosure and whether the information relates to releases into the environment.

2. Within the framework of paragraph 1 (c), any information on releases which is relevant for the protection of the environment shall be considered for disclosure according to national law.

3. Whenever information is kept confidential according to paragraph 1, the register shall indicate what type of information has been withheld, through, for example, providing generic chemical information if possible, and for what reason it has been withheld.

Article 13 PUBLIC PARTICIPATION IN THE DEVELOPMENT OF NATIONAL POLLUTANT RELEASE AND TRANSFER REGISTERS

1. Each Party shall ensure appropriate opportunities for public participation in the development of its national pollutant release and transfer register, within the framework of its national law.

2. For the purpose of paragraph 1, each Party shall provide the opportunity for free public access to the information on the proposed measures concerning the development of its national pollutant release and transfer register and for the submission of any comments, information, analyses or opinions that are relevant to the decision-making process, and the relevant authority shall take due account of such public input.

3. Each Party shall ensure that, when a decision to establish or significantly change its register has been taken, information on the decision and the considerations on which it is based are made publicly available in a timely manner.

2. Če podatki iz registrov niso lahko dostopni javnosti po neposredni elektronski poti, pogodbenice zagotovijo, da pristojni organi na zahtevo čim prej in najpozneje v enem mesecu po dani zahtevi izdajo podatke na druge učinkovite načine.

3. Ob upoštevanju četrtega odstavka pogodbenice zagotovijo, da je dostop do podatkov iz njihovih registrov brezplačen.

4. Pogodbenice lahko svojim pristojnim organom dovolijo zaračunavanje za razmnoževanje posameznih podatkov iz drugega odstavka in pošiljanje, vendar taki stroški ne smejo presežati razumnega zneska.

5. Če podatki iz registrov niso lahko dostopni javnosti po neposredni elektronski poti, pogodbenice omogočajo elektronski dostop do svojih registrov na javnih krajih, na primer v javnih knjižnicah, uradih lokalnih organov ali na drugih primernih krajih.

12. člen TAJNOST

1. Pogodbenice lahko pooblastijo pristojni organ, da skrbi za tajnost podatkov v registru, če bi njihovo javno razkritje škodljivo vplivalo na:

a) mednarodne odnose, obrambo države ali javno varnost;

b) sodni postopek, možnost, da se posamezniku pravično sodi, ali zmožnost, da javni organi izvedejo kazensko ali disciplinsko preiskavo;

c) tajnost poslovnih in industrijskih podatkov, če tako tajnost štiti zakon zaradi varovanja pravno utemeljenih gospodarskih interesov;

d) pravice intelektualne lastnine ali

e) tajnost osebnih podatkov in/ali dokumentov, ki se nanašajo na fizično osebo, če ni privolila v razkritje podatkov javnosti in če tako tajnost ureja notranja zakonodaja.

Navedeni razlogi za tajnost se razlagajo omejevalno ob upoštevanju javnega interesa za razkritje in ob upoštevanju, ali se podatki nanašajo na izpuste v okolje.

2. Po pododstavku c prvega odstavka se razkritje podatkov o izpustih, ki so pomembni za varstvo okolja, obravnava po notranji zakonodaji.

3. Če ostanejo podatki tajni po prvem odstavku, se v registru navede, katera vrsta podatkov je bila zadržana, na primer z navedbo splošnih podatkov o kemikaliji in razlogov, zakaj so bili podatki zadržani.

13. člen UDELEŽBA JAVNOSTI PRI OBLIKOVANJU DRŽAVNIH REGISTROV IZPUSTOV IN PRENOSOV ONESNAŽEVAL

1. Pogodbenice zagotovijo ustrezne možnosti za udeležbo javnosti pri oblikovanju državnih registrov izpustov in prenosov onesnaževal v okviru notranje zakonodaje.

2. Za namen prvega odstavka pogodbenice poskrbijo za možnost brezplačnega dostopa javnosti do informacij o predlaganih ukrepih za oblikovanje državnega registra izpustov in prenosov onesnaževal ter za možnost dajanja pripomb, informacij, analiz ali mnenj, pomembnih za odločanje, ustrezní organ pa jih primerno upošteva.

3. Kadar se sprejme odločitev za vzpostavitev ali občutno spremembo registra, pogodbenice zagotovijo, da so informacije o odločitvi in ugotovitvah, na podlagi katerih je bila sprejeta, pravočasno dostopne javnosti.

Article 14**ACCESS TO JUSTICE**

1. Each Party shall, within the framework of its national legislation, ensure that any person who considers that his or her request for information under article 11, paragraph 2, has been ignored, wrongfully refused, whether in part or in full, inadequately answered, or otherwise not dealt with in accordance with the provisions of that paragraph has access to a review procedure before a court of law or another independent and impartial body established by law.

2. The requirements in paragraph 1 are without prejudice to the respective rights and obligations of Parties under existing treaties applicable between them dealing with the subject matter of this article.

Article 15**CAPACITY-BUILDING**

1. Each Party shall promote public awareness of its pollutant release and transfer register, and shall ensure that assistance and guidance are provided in accessing its register and in understanding and using the information contained in it.

2. Each Party should provide adequate capacity-building for and guidance to the responsible authorities and bodies to assist them in carrying out their duties under this Protocol.

Article 16**INTERNATIONAL COOPERATION**

1. The Parties shall, as appropriate, cooperate and assist each other:

(a) In international actions in support of the objectives of this Protocol;

(b) On the basis of mutual agreement between the Parties concerned, in implementing national systems in pursuance of this Protocol;

(c) In sharing information under this Protocol on releases and transfers within border areas; and

(d) In sharing information under this Protocol concerning transfers among Parties.

2. The Parties shall encourage cooperation among each other and with relevant international organizations, as appropriate, to promote:

(a) Public awareness at the international level;

(b) The transfer of technology; and

(c) The provision of technical assistance to Parties that are developing countries and Parties with economies in transition in matters relating to this Protocol.

Article 17**MEETING OF THE PARTIES**

1. A Meeting of the Parties is hereby established. Its first session shall be convened no later than two years after the entry into force of this Protocol. Thereafter, ordinary sessions of the Meeting of the Parties shall be held sequentially with or parallel to ordinary meetings of the Parties to the Convention, unless otherwise decided by the Parties to this Protocol. The Meeting of the Parties shall hold an extraordinary session if it so decides in the course of an ordinary session or at the written request of any Party provided that, within six months of it being communicated by the Executive Secretary of the Economic Commission for Europe to all Parties, the said request is supported by at least one third of these Parties.

2. The Meeting of the Parties shall keep under continuous review the implementation and development of this Protocol on the basis of regular reporting by the Parties and, with this purpose in mind, shall:

(a) Review the development of pollutant release and transfer registers, and promote their progressive strengthening and convergence;

14. člen**DOSTOP DO PRAVNEGA VARSTVA**

1. Pogodbenice v okviru svoje notranje zakonodaje zagotavljajo, da ima vsaka oseba, ki meni, da njen zahtevek za informacije iz drugega odstavka 11. člena ni bil upoštevan, da je bil delno ali v celoti neupravičeno zavrnjen, da je bil odgovor neustrezen ali da njen zahtevek kako drugače ni bil obravnavan v skladu z določbami iz navedenega odstavka, dostop do revizijskega postopka pred sodiščem ali pred drugim neodvisnim in nepristranskim telesom, določenim z zakonom.

2. Zahteve iz prvega odstavka ne posegajo v pravice in obveznosti v veljavnih pogodbah med pogodbenicami, ki urejajo vsebino tega člena.

15. člen**KREPITEV ZMOGLJIVOSTI**

1. Pogodbenice spodbujajo ozaveščanje javnosti o registru izpustov in prenosov onesnaževal ter zagotavljajo pomoč in usmeritve pri dostopu do registra ter razumevanju in uporabljanju podatkov, ki jih vsebuje.

2. Pogodbenice morajo poskrbeti za ustrezno krepitev zmogljivosti v pristojnih organih in telesih ter usmeritve, da jim pomagajo pri opravljanju nalog iz tega protokola.

16. člen**MEDNARODNO SODELOVANJE**

1. Pogodbenice po potrebi sodelujejo in si pomagajo:

a) pri mednarodnih dejavnostih za uresničevanja namena tega protokola;

b) pri vzpostavljanju sistemov v državah po tem protokolu na podlagi medsebojnih sporazumov med pogodbenicami;

c) z izmenjavo podatkov o izpustih in prenosih v obmejnih območjih po tem protokolu in

d) z izmenjavo podatkov o prenosih med pogodbenicami po tem protokolu.

2. Pogodbenice spodbujajo medsebojno sodelovanje oziroma sodelovanje z ustreznimi mednarodnimi organizacijami, da bi spodbujale:

a) ozaveščenost javnosti na mednarodni ravni;

b) prenos tehnologije in

c) zagotavljanje tehnične pomoči v zvezi s tem protokolom pogodbenicam, ki so države v razvoju, in pogodbenicam, katerih gospodarstvo je v prehodu.

17. člen**SKUPŠČINA POGODBENIC**

1. Ustanovi se skupščina pogodbenic. Prvo zasedanje se skliče najpozneje dve leti po začetku veljavnosti tega protokola. Nato se redna zasedanja skupščine pogodbenic sklicujejo za rednimi sestanki pogodbenic konvencije ali hkrati z njimi, razen če pogodbenice tega protokola ne sklenejo drugače. Skupščina pogodbenic skliče izredno zasedanje, če tako sklene na rednem zasedanju ali na pisno zahtevo ene od pogodbenic, če v šestih mesecih od dneva, ko izvršilni sekretar Gospodarske komisije Združenih narodov za Evropo pogodbenice obvesti o tem, omenjeno zahtevo podpre vsaj ena tretjina navedenih pogodbenic.

2. Skupščina pogodbenic stalno pregleduje izvajanje in razvoj tega protokola na podlagi rednih poročil pogodbenice, za to pa:

a) pregleduje razvoj registrov izpustov in prenosov onesnaževal ter spodbuja njihovo pospešeno uveljavljanje in pomenjenje;

(b) Establish guidelines facilitating reporting by the Parties to it, bearing in mind the need to avoid duplication of effort in this regard;

(c) Establish a programme of work;

(d) Consider and, where appropriate, adopt measures to strengthen international cooperation in accordance with article 16;

(e) Establish such subsidiary bodies as it deems necessary;

(f) Consider and adopt proposals for such amendments to this Protocol and its annexes as are deemed necessary for the purposes of this Protocol, in accordance with the provisions of article 20;

(g) At its first session, consider and by consensus adopt rules of procedure for its sessions and those of its subsidiary bodies, taking into account any rules of procedure adopted by the Meeting of the Parties to the Convention;

(h) Consider establishing financial arrangements by consensus and technical assistance mechanisms to facilitate the implementation of this Protocol;

(i) Seek, where appropriate, the services of other relevant international bodies in the achievement of the objectives of this Protocol; and

(j) Consider and take any additional action that may be required to further the objectives of this Protocol, such as the adoption of guidelines and recommendations which promote its implementation.

3. The Meeting of the Parties shall facilitate the exchange of information on the experience gained in reporting transfers using the pollutant-specific and waste-specific approaches, and shall review that experience in order to investigate the possibility of convergence between the two approaches, taking into account the public interest in information in accordance with article 1 and the overall effectiveness of national pollutant release and transfer registers.

4. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State or regional economic integration organization entitled under article 24 to sign this Protocol but which is not a Party to it, and any intergovernmental organization qualified in the fields to which the Protocol relates, shall be entitled to participate as observers in the sessions of the Meeting of the Parties. Their admission and participation shall be subject to the rules of procedure adopted by the Meeting of the Parties.

5. Any non-governmental organization qualified in the fields to which this Protocol relates which has informed the Executive Secretary of the Economic Commission for Europe of its wish to be represented at a session of the Meeting of the Parties shall be entitled to participate as an observer unless one third of the Parties present at the session raise objections. Their admission and participation shall be subject to the rules of procedure adopted by the Meeting of the Parties.

Article 18

RIGHT TO VOTE

1. Except as provided for in paragraph 2, each Party to this Protocol shall have one vote.

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

Article 19

ANNEXES

Annexes to this Protocol shall form an integral part thereof and, unless expressly provided otherwise, a reference to this Protocol constitutes at the same time a reference to any annexes thereto.

b) določi smernice, ki bodo pogodbenicam olajšale poročanje, z upoštevanjem potrebe po preprečevanju podvajanja dela v zvezi s tem;

c) oblikuje delovni program;

d) prouči in po potrebi sprejme ukrepe, ki bodo krepili mednarodno sodelovanje v skladu s 16. členom;

e) oblikuje pomožna telesa, za katera meni, da so potrebna;

f) v skladu z 20. členom obravnava in sprejme predloge za spremembe tega protokola in njegovih prilog, za katere meni, da so potrebne za namene tega protokola;

g) na prvem zasedanju obravnava in sporazumno sprejme poslovnik za svoja zasedanja in za zasedanja pomožnih teles z upoštevanjem poslovnikov, ki jih je sprejela skupščina pogodbenic konvencije;

h) obravnava sporazumno oblikovanje dogovorov o financiranju in mehanizmov tehnične pomoči, ki bodo olajšali izvajanje tega protokola;

i) po potrebi prosi za pomoč drugih ustreznih mednarodnih organov pri doseganju namena tega protokola in

j) obravnava in sprejme dodatne ukrepe, ki bi lahko bili potrebni za doseganje namena tega protokola, kakor so sprejetje smernic in priporočil, ki spodbujajo njegovo izvajanje.

3. Skupščina pogodbenic olajša izmenjavo podatkov o izkušnjah, pridobljenih s poročanjem o prenosih po posameznih onesnaževalih in vrstah odpadkov, in take izkušnje prouči, da bi ugotovila možnosti za poenotenje obeh načinov, ob upoštevanju javnega interesa za obveščenost v skladu s 1. členom ter splošne učinkovitosti državnih registrov izpustov in prenosov onesnaževal.

4. Organizacija združenih narodov, njene specializirane agencije in Mednarodna agencija za atomsko energijo ter države ali organizacije za regionalno gospodarsko povezovanje, ki imajo na podlagi 24. člena pravico podpisati ta protokol, vendar niso njegove pogodbenice, ter medvladne organizacije, usposobljene za področja, na katera se nanaša ta protokol, imajo pravico sodelovati kot opazovalke na zasedanjih skupščine pogodbenic. Za njihovo udeležbo in sodelovanje se uporablja poslovnik, ki ga je sprejela skupščina pogodbenic.

5. Nevladne organizacije, usposobljene za področja, na katera se nanaša ta protokol, ki so izvršilnega sekretarja Gospodarske komisije Združenih narodov za Evropo obvestile, da želijo biti zastopane na zasedanju skupščine pogodbenic, imajo pravico sodelovati kot opazovalke, razen če ena tretjina pogodbenic na zasedanju temu nasprotuje. Za njihovo udeležbo in sodelovanje se uporablja poslovnik, ki ga je sprejela skupščina pogodbenic.

18. člen

GLASOVALNA PRAVICA

1. Pogodbenica tega protokola ima en glas, razen v primerih iz drugega odstavka.

2. Organizacije za regionalno gospodarsko povezovanje pri zadevah, ki so v njihovi pristojnosti, uresničujejo svojo glasovalno pravico s številom glasov, ki je enako številu njihovih držav članic, ki so pogodbenice. Te organizacije pa nimajo glasovalne pravice, če to pravico uresničujejo njihove države članice, in nasprotno.

19. člen

PRILOGE

Priloge k temu protokolu so njegov sestavni del in če ni izrecno določeno drugače, je sklicevanje na ta protokol obenem sklicevanje na njegove priloge.

Article 20
AMENDMENTS

1. Any Party may propose amendments to this Protocol.

2. Proposals for amendments to this Protocol shall be considered at a session of the Meeting of the Parties.

3. Any proposed amendment to this Protocol shall be submitted in writing to the secretariat, which shall communicate it at least six months before the session at which it is proposed for adoption to all Parties, to other States and regional economic integration organizations that have consented to be bound by the Protocol and for which it has not yet entered into force and to Signatories.

4. The Parties shall make every effort to reach agreement on any proposed amendment to this Protocol by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting at the session.

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

6. Any amendment to this Protocol adopted in accordance with paragraph 4 shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties, to other States and regional economic integration organizations that have consented to be bound by the Protocol and for which it has not yet entered into force and to Signatories.

7. An amendment, other than one to an annex, shall enter into force for those Parties having ratified, accepted or approved it on the ninetieth day after the date of receipt by the Depositary of the instruments of ratification, acceptance or approval by at least three fourths of those which were Parties at the time of its adoption. Thereafter it shall enter into force for any other Party on the ninetieth day after that Party deposits its instrument of ratification, acceptance or approval of the amendment.

8. In the case of an amendment to an annex, a Party that does not accept such an amendment shall so notify the Depositary in writing within twelve months from the date of its circulation by the Depositary. The Depositary shall without delay inform all Parties of any such notification received. A Party may at any time withdraw a notification of non-acceptance, whereupon the amendment to an annex shall enter into force for that Party.

9. On the expiry of twelve months from the date of its circulation by the Depositary as provided for in paragraph 6, an amendment to an annex shall enter into force for those Parties which have not submitted a notification to the Depositary in accordance with paragraph 8, provided that, at that time, not more than one third of those which were Parties at the time of the adoption of the amendment have submitted such a notification.

10. If an amendment to an annex is directly related to an amendment to this Protocol, it shall not enter into force until such time as the amendment to this Protocol enters into force.

Article 21
SECRETARIAT

The Executive Secretary of the Economic Commission for Europe shall carry out the following secretariat functions for this Protocol:

(a) The preparation and servicing of the sessions of the Meeting of the Parties;

(b) The transmission to the Parties of reports and other information received in accordance with the provisions of this Protocol;

(c) The reporting to the Meeting of the Parties on the activities of the secretariat; and

(d) Such other functions as may be determined by the Meeting of the Parties on the basis of available resources.

20. člen
SPREMEMBE

1. Vsaka pogodbenica lahko predlaga spremembe tega protokola.

2. Predlogi za spremembe tega protokola se obravnavajo na zasedanju skupščine pogodbenic.

3. Predlogi za spremembe tega protokola se pisno predložijo sekretariatu, ki o njih vsaj šest mesecev pred zasedanjem, na katerem naj bi jih sprejeli, obvesti vse pogodbenice, druge države in organizacije za regionalno gospodarsko povezovanje, ki so se strinjale, da jih ta protokol zavezuje, in zanje še ni začel veljati, ter podpisnice.

4. Pogodbenice si zelo prizadevajo, da bi se soglasno dogovorile o vsaki predlagani spremembi tega protokola. Če so vse možnosti za soglasno sprejetje izčrpane in ni dosežen sporazum, se sprememba v skrajnem primeru sprejme s tričetrtinsko večino glasov pogodbenic, ki so na zasedanju navzoče in glasujejo.

5. V tem členu »pogodbenice, ki so navzoče in glasujejo« pomeni pogodbenice, ki so navzoče in oddajo glas za ali proti.

6. Sekretariat o spremembah tega protokola, sprejetih po četrtem odstavku, obvesti depozitarja, ki jih razpošlje vsem pogodbenicam, drugim državam in organizacijam za regionalno gospodarsko povezovanje, ki so se strinjale, da jih ta protokol zavezuje in zanje še ni začel veljati, ter podpisnicam.

7. Sprememba, razen spremembe priloge, začne veljati za tiste pogodbenice, ki so jo ratificirale, sprejele ali odobrile, devetdeseti dan po dnevu, ko je depozitar prejel listine o ratifikaciji, sprejetju ali odobritvi od najmanj treh četrtin pogodbenic, ki so bile pogodbenice ob sprejetju spremembe. Nato začne veljati za vse druge pogodbenice devetdeseti dan po dnevu, ko te pogodbenice deponirajo listino o ratifikaciji, sprejetju ali odobritvi spremembe.

8. Ob spremembi priloge pogodbenica, ki take spremembe ne sprejme, pisno obvesti depozitarja v dvanajstih mesecih od dneva, ko jo je razposlal. Depozitar o prejemu takega uradnega obvestila nemudoma obvesti vse pogodbenice. Pogodbenica lahko kadar koli umakne uradno obvestilo o zavrnitvi sprejetja in po tem začne sprememba priloge zanj veljati.

9. Po dvanajstih mesecih od dneva, ko je depozitar razposlal spremembo priloge, kakor je določeno v šestem odstavku, začne veljati za tiste pogodbenice, ki depozitarju niso poslale uradnega obvestila po osmem odstavku, če do takrat takega uradnega obvestila ni poslala več kakor ena tretjina tistih, ki so bile pogodbenice ob sprejetju spremembe.

10. Če se sprememba priloge nanaša neposredno na spremembo tega protokola, ne začne veljati, dokler ne začne veljati sprememba tega protokola.

21. člen
SEKRETARIAT

Izvršilni sekretar Gospodarske komisije Združenih narodov za Evropo opravlja te naloge sekretariata za ta protokol:

a) pripravlja zasedanja in zagotavlja storitve za skupščino pogodbenic;

b) pogodbenicam pošilja poročila in druge informacije, prejete po tem protokolu;

c) poroča skupščini pogodbenic o dejavnostih sekretariata in

d) opravlja druge naloge, ki jih lahko določi skupščina pogodbenic na podlagi razpoložljivih sredstev.

Article 22**REVIEW OF COMPLIANCE**

At its first session, the Meeting of the Parties shall by consensus establish cooperative procedures and institutional arrangements of a non-judicial, non-adversarial and consultative nature to assess and promote compliance with the provisions of this Protocol and to address cases of non-compliance. In establishing these procedures and arrangements, the Meeting of the Parties shall consider, inter alia, whether to allow for information to be received from members of the public on matters related to this Protocol.

Article 23**SETTLEMENT OF DISPUTES**

1. If a dispute arises between two or more Parties about the interpretation or application of this Protocol, they shall seek a solution by negotiation or by any other peaceful means of dispute settlement acceptable to the parties to the dispute.

2. When signing, ratifying, accepting, approving or acceding to this Protocol, or at any time thereafter, a State may declare in writing to the Depositary that, for a dispute not resolved in accordance with paragraph 1, it accepts one or both of the following means of dispute settlement as compulsory in relation to any Party accepting the same obligation:

(a) Submission of the dispute to the International Court of Justice;

(b) Arbitration in accordance with the procedure set out in annex IV.

A regional economic integration organization may make a declaration with like effect in relation to arbitration in accordance with the procedures referred to in subparagraph (b).

3. If the parties to the dispute have accepted both means of dispute settlement referred to in paragraph 2, the dispute may be submitted only to the International Court of Justice, unless the parties to the dispute agree otherwise.

Article 24**SIGNATURE**

This Protocol shall be open for signature at Kiev (Ukraine) from 21 to 23 May 2003 on the occasion of the fifth Ministerial Conference "Environment for Europe," and thereafter at United Nations Headquarters in New York until 31 December 2003, by all States which are members of the United Nations and by regional economic integration organizations constituted by sovereign States members of the United Nations to which their member States have transferred competence over matters governed by this Protocol, including the competence to enter into treaties in respect of these matters.

Article 25**DEPOSITARY**

The Secretary-General of the United Nations shall act as the Depositary of this Protocol.

Article 26**RATIFICATION, ACCEPTANCE, APPROVAL AND ACCESSION**

1. This Protocol shall be subject to ratification, acceptance or approval by signatory States and regional economic integration organizations referred to in article 24.

2. This Protocol shall be open for accession as from 1 January 2004 by the States and regional economic integration organizations referred to in article 24.

22. člen**PREGLED SKLADNOSTI**

Na prvem zasedanju skupščina pogodbenic soglasno določi nesodne, pravne in posvetovalne postopke ter institucionalne ureditve sodelovanja za ocenjevanje in spodbujanje skladnosti s tem protokolom ter za obravnavanje primerov neskladnosti. Pri oblikovanju teh postopkov in ureditev skupščina pogodbenic med drugim obravnava, ali lahko od javnosti prejema podatke o zadevah, povezanih s tem protokolom.

23. člen**REŠEVANJE SPOROV**

1. Pri sporu med dvema ali več pogodbenicami o razlagi ali uporabi tega protokola si pogodbenice prizadevajo za rešitev spora s pogajanjem ali po drugi mirni poti, sprejemljivi za stranke v sporu.

2. Pri podpisu, ratifikaciji, sprejetju, odobritvi protokola ali pristopu k njemu ali kadar koli pozneje lahko država depozitarju pisno izjavi, da za spor, ki ni bil rešen v skladu s prvim odstavkom, sprejema v odnosu do druge pogodbenice, ki sprejema enako obveznost, kot obveznega enega ali oba od navedenih načinov reševanja sporov:

a) predložitev spora Meddržavnemu sodišču;

b) arbitražo v skladu s postopkom iz priloge IV.

Organizacija za regionalno gospodarsko povezovanje lahko da enakovredno izjavo v zvezi z arbitražo v skladu s postopkom iz pododstavka b.

3. Če stranke v sporu sprejmejo oba načina reševanja sporov iz drugega odstavka, se lahko spor predloži samo Meddržavnemu sodišču, razen če se stranke v sporu ne dogovorijo drugače.

24. člen**PODPIS**

Ta protokol je na voljo za podpis v Kijevu (Ukrajina) od 21. do 23. maja 2003 na peti ministrski konferenci Okolje za Evropo, nato pa na sedežu Združenih narodov v New Yorku do 31. decembra 2003 za vse države, ki so članice Združenih narodov, in za organizacije za regionalno gospodarsko povezovanje, ki jih sestavljajo neodvisne države članice Združenih narodov, na katere so njihove države članice prenesle pristojnosti za zadeve, ki jih ureja ta protokol, vključno s pristojnostjo za sklepanje mednarodnih pogodb v zvezi s temi zadevami.

25. člen**DEPOZITAR**

Depozitar tega protokola je generalni sekretar Združenih narodov.

26. člen**RATIFIKACIJA, SPREJETJE, ODOBRITEV IN PRISTOP**

1. Ta protokol ratificirajo, sprejmejo ali odobrijo države podpisnice in organizacije za regionalno gospodarsko povezovanje iz 24. člena.

2. Za države in organizacije za regionalno gospodarsko povezovanje iz 24. člena je protokol na voljo za pristop od 1. januarja 2004.

3. Any regional economic integration organization referred to in article 24 which becomes a Party without any of its member States being a Party shall be bound by all the obligations under this Protocol. If one or more member States of such an organization is a Party, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under this Protocol. In such cases, the organization and the member States shall not be entitled to exercise rights under this Protocol concurrently.

4. In their instruments of ratification, acceptance, approval or accession, the regional economic integration organizations referred to in article 24 shall declare the extent of their competence with respect to the matters governed by this Protocol. These organizations shall also inform the Depositary of any substantial modifications to the extent of their competence.

Article 27
ENTRY INTO FORCE

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

2. For the purposes of paragraph 1, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by the States members of such an organization.

3. For each State or regional economic integration organization which ratifies, accepts or approves this Protocol or accedes thereto after the deposit of the sixteenth instrument of ratification, acceptance, approval or accession, the Protocol shall enter into force on the nine tieth day after the date of deposit by such State or organization of its instrument of ratification, acceptance, approval or accession.

Article 28
RESERVATIONS

No reservations may be made to this Protocol.

Article 29
WITHDRAWAL

At any time after three years from the date on which this Protocol has come into force with respect to a Party, that Party may withdraw from the Protocol by giving written notification to the Depositary. Any such withdrawal shall take effect on the ninetieth day after the date of its receipt by the Depositary.

Article 30
AUTHENTIC TEXTS

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

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

DONE at Kiev, this twenty-first day of May, two thousand and three.

3. Za organizacije za regionalno gospodarsko povezovanje iz 24. člena, ki postanejo pogodbenice, ne da bi bila tudi katera koli od njihovih držav članic pogodbenica tega protokola, veljajo vse obveznosti iz tega protokola. Če je ena ali več držav članic take organizacije pogodbenica, se organizacija in njene države članice dogovorijo o svojih nalogah za izpolnjevanje obveznosti iz tega protokola. V takih primerih organizacija in njene države članice ne morejo hkrati uresničevati pravic iz tega protokola.

4. Organizacije za regionalno gospodarsko povezovanje iz 24. člena v svojih listinah o ratifikaciji, sprejetju, odobritvi ali pristopu navedejo obseg svojih pristojnosti v zvezi z zadevami, ki jih ureja ta protokol. Te organizacije tudi obvestijo depozitarja o vsaki bistveni spremembi obsega svojih pristojnosti.

27. člen
ZAČETEK VELJAVNOSTI

1. Protokol začne veljati devetdeseti dan po dnevu deponiranja šestnajste listine o ratifikaciji, sprejetju, odobritvi ali pristopu.

2. Za prvi odstavek tega člena se listina, ki jo deponira organizacija za regionalno gospodarsko povezovanje, ne šteje kot dodatna tistim, ki so jih deponirale države članice te organizacije.

3. Za države ali organizacije za regionalno gospodarsko povezovanje, ki ratificirajo, sprejmejo ali odobrijo ta protokol ali k njemu pristopijo po deponiranju šestnajste listine o ratifikaciji, sprejetju, odobritvi ali pristopu, začne protokol veljati devetdeseti dan po dnevu, ko je ta država ali organizacija deponirala svojo listino o ratifikaciji, sprejetju, odobritvi ali pristopu.

28. člen
PRIDRŽKI

K temu protokolu ni mogoče dati pridržkov.

29. člen
ODPOVED

Kadar koli po treh letih od dneva, ko je ta protokol za pogodbenico začel veljati, lahko ta pogodbenica odpove protokol s pisnim uradnim obvestilom depozitarju. Taka odpoved začne veljati devetdeseti dan po dnevu, ko jo je depozitar prejel.

30. člen
VERODOSTOJNA BESEDILA

Izvirnik tega protokola, katerega besedila v angleškem, francoskem in ruskem jeziku so enako verodostojna, se deponira pri generalnem sekretarju Združenih narodov.

V POTRDITEV TEGA so podpisani in za to pravilno pooblašteni podpisali ta protokol.

SESTAVLJENO v Kijevu enaindvajsetega maja dva tisoč tri.

Annex I
ACTIVITIES

No.	Activity	Capacity threshold (column 1)	Employee threshold (column 2)
1.	Energy sector		
(a)	Mineral oil and gas refineries	*	10 employees
(b)	Installations for gasification and liquefaction	*	
(c)	Thermal power stations and other combustion installations	With a heat input of 50 megawatts (MW)	
(d)	Coke ovens	*	
(e)	Coal rolling mills	With a capacity of 1 ton per hour	
(f)	Installations for the manufacture of coal products and solid smokeless fuel	*	
2.	Production and processing of metals		
(a)	Metal ore (including sulphide ore) roasting or sintering installations	*	10 employees
(b)	Installations for the production of pig iron or steel (primary or secondary melting) including continuous casting	With a capacity of 2.5 tons per hour	
(c)	Installations for the processing of ferrous metals:		
	i) Hot-rolling mills	With a capacity of 20 tons of crude steel per hour	
	ii) Smitheries with hammers	With an energy of 50 kilojoules per hammer, where the calorific power used exceeds 20 MW	
	iii) Application of protective fused metal coats	With an input of 2 tons of crude steel per hour	
(d)	Ferrous metal foundries	With a production capacity of 20 tons per day	
(e)	Installations:		
	i) For the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes	*	
	ii) For the smelting, including the alloying, of non-ferrous metals, including recovered products (refining, foundry casting, etc.)	With a melting capacity of 4 tons per day for lead and cadmium or 20 tons per day for all other metals	
(f)	Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process	Where the volume of the treatment vats equals 30 m ³	
3.	Mineral industry		
(a)	Underground mining and related operations	*	10 employees
(b)	Opencast mining	Where the surface of the area being mined equals 25 hectares	
(c)	Installations for the production of:		
	i) Cement clinker in rotary kilns	With a production capacity of 500 tons per day	
	ii) Lime in rotary kilns	With a production capacity exceeding 50 tons per day	
	iii) Cement clinker or lime in other furnaces	With a production capacity of 50 tons per day	
(d)	Installations for the production of asbestos and the manufacture of asbestos-based products	*	
(e)	Installations for the manufacture of glass, including glass fibre	With a melting capacity of 20 tons per day	
(f)	Installations for melting mineral substances, including the production of mineral fibres	With a melting capacity of 20 tons per day	

No.	Activity	Capacity threshold (column 1)	Employee threshold (column 2)
(g)	Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain	With a production capacity of 75 tons per day, or with a kiln capacity of 4 m ³ and with a setting density per kiln of 300 kg/m ³	
4.	Chemical industry		
(a)	Chemical installations for the production on an industrial scale of basic organic chemicals, such as: i) Simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic) ii) Oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters, acetates, ethers, peroxides, epoxy resins iii) Sulphurous hydrocarbons iv) Nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates v) Phosphorus-containing hydrocarbons vi) Halogenic hydrocarbons vii) Organometallic compounds viii) Basic plastic materials (polymers, synthetic fibres and cellulose-based fibres) ix) Synthetic rubbers x) Dyes and pigments xi) Surface-active agents and surfactants	*	
(b)	Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as: i) Gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride ii) Acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids iii) Bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide iv) Salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate v) Non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide	*	10 employees
(c)	Chemical installations for the production on an industrial scale of phosphorous-, nitrogen- or potassium-based fertilizers (simple or compound fertilizers)	*	
(d)	Chemical installations for the production on an industrial scale of basic plant health products and of biocides	*	
(e)	Installations using a chemical or biological process for the production on an industrial scale of basic pharmaceutical products	*	
(f)	Installations for the production on an industrial scale of explosives and pyrotechnic products	*	

No.	Activity	Capacity threshold (column 1)	Employee threshold (column 2)
5.	Waste and waste-water management		
(a)	Installations for the incineration, pyrolysis, recovery, chemical treatment or landfilling of hazardous waste	Receiving 10 tons per day	10 employees
(b)	Installations for the incineration of municipal waste	With a capacity of 3 tons per hour	
(c)	Installations for the disposal of non-hazardous waste	With a capacity of 50 tons per day	
(d)	Landfills (excluding landfills of inert waste)	Receiving 10 tons per day or with a total capacity of 25,000 tons	
(e)	Installations for the disposal or recycling of animal carcasses and animal waste	With a treatment capacity of 10 tons per day	
(f)	Municipal waste-water treatment plants	With a capacity of 100,000 population equivalents	
(g)	Independently operated industrial waste-water treatment plants which serve one or more activities of this annex	With a capacity of 10.000 m ³ per day	
6.	Paper and wood production and processing		
(a)	Industrial plants for the production of pulp from timber or similar fibrous materials	*	10 employees
(b)	Industrial plants for the production of paper and board and other primary wood products (such as chipboard, fibreboard and plywood)	With a production capacity of 20 tons per day	
(c)	Industrial plants for the preservation of wood and wood products with chemicals	With a production capacity of 50 m ³ per day	
7.	Intensive livestock production and aquaculture		
(a)	Installations for the intensive rearing of poultry or pigs	i) With 40,000 places for poultry ii) With 2,000 places for production pigs (over 30 kg) iii) With 750 places for sows	10 employees
(b)	Intensive aquaculture	1,000 tons of fish and shellfish per year	
8.	Animal and vegetable products from the food and beverage sector		
(a)	Slaughterhouses	With a carcass production capacity of 50 tons per day	10 employees
(b)	Treatment and processing intended for the production of food and beverage products from: i) Animal raw material (other than milk) ii) Vegetable raw materials	With a finished product production capacity of 75 tons per day With a finished product production capacity of 300 tons per day (average value on a quarterly basis)	
(c)	Treatment and processing of milk	With a capacity to receive 200 tons of milk per day (average value on an annual basis)	
9.	Other activities		
(a)	Plants for the pretreatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles	With a treatment capacity of 10 tons per day	
(b)	Plants for the tanning of hides and skins	With a treatment capacity of 12 tons of finished product per day	
(c)	Installations for the surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, water-proofing, sizing, painting, cleaning or impregnating	With a consumption capacity of 150 kg per hour or 200 tons per year	10 employees

No.	Activity	Capacity threshold (column 1)	Employee threshold (column 2)
(d)	Installations for the production of carbon (hard-burnt coal) or electrographite by means of incineration or graphitization	*	
(e)	Installations for the building of, and painting or removal of paint from ships	With a capacity for ships 100 m long	

Explanatory notes:

Column 1 contains the capacity thresholds referred to article 7, paragraph 1 (a).

An asterisk (*) indicates that no capacity threshold is applicable (all facilities are subject to reporting).

Column 2 contains the employee threshold referred to in article 7, paragraph 1 (b).

"10 employees" means the equivalent of 10 full-time employees.

Annex II
POLLUTANTS

No.	CAS number	Pollutant	Threshold for releases (column 1)			Threshold for off-site transfers of pollutants (column 2) kg/year	Manufacture process or use threshold (column 3) kg/year
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) Kg/year		
1	74-82-8	Methane (CH ₄)	100 000	–	–	–	*
2	630-08-0	Carbon monoxide (CO)	500 000	–	–	–	*
3	124-38-9	Carbon dioxide (CO ₂)	100 million	–	–	–	*
4		Hydro-fluorocarbons (HFCs)	100	–	–	–	*
5	10024-97-2	Nitrous oxide (N ₂ O)	10 000	–	–	–	*
6	7664-41-7	Ammonia (NH ₃)	10 000	–	–	–	10 000
7		Non-methane volatile organic compounds (NMVOC)	100 000	–	–	–	*
8		Nitrogen oxides (NO _x /NO ₂)	100 000	–	–	–	*
9		Perfluorocarbons (PFCs)	100	–	–	–	*
10	2551-62-4	Sulphur hexafluoride (SF ₆)	50	–	–	–	*
11		Sulphur oxides (SO _x /SO ₂)	150 000	–	–	–	*
12		Total nitrogen	–	50 000	50 000	10 000	10 000
13		Total phosphorus	–	5000	5000	10 000	10 000
14		Hydrochlorofluorocarbons (HCFCs)	1	–	–	100	10 000
15		Chlorofluorocarbons (CFC)	1	–	–	100	10 000
16		Halons	1	–	–	100	10 000
17	7440-38-2	Arsenic and compounds (as As)	20	5	5	50	50
18	7440-43-9	Cadmium and compounds (as Cd)	10	5	5	5	5
19	7440-47-3	Chromium and compounds (as Cr)	100	50	50	200	10 000
20	7440-50-8	Copper and compounds (as Cu)	100	50	50	500	10 000
21	7439-97-6	Mercury and compounds (as Hg)	10	1	1	5	5
22	7440-02-0	Nickel and compounds (as Ni)	50	20	20	500	10 000
23	7439-92-1	Lead and compounds (as Pb)	200	20	20	50	50
24	7440-66-6	Zinc and compounds (as Zn)	200	100	100	1000	10 000
25	15972-60-8	Alachlor	–	1	1	5	10 000

No.	CAS number	Pollutant	Threshold for releases (column 1)			Threshold for off-site transfers of pollutants (column 2) kg/year	Manufacture process or use threshold (column 3) kg/year
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) Kg/year		
26	309-00-2	Aldrin	1	1	1	1	1
27	1912-24-9	Atrazine	–	1	1	5	10 000
28	57-74-9	Chlordane	1	1	1	1	1
29	143-50-0	Chlordecone	1	1	1	1	1
30	470-90-6	Chlorfenvinphos	–	1	1	5	10 000
31	85535-84-8	Chloro-alkanes, C ₁₀ – C ₁₃	–	1	1	10	10 000
32	2921-88-2	Chlorpyrifos	–	1	1	5	10 000
33	50-29-3	DDT	1	1	1	1	1
34	107-06-2	1,2-dichloroethane (EDC)	1000	10	10	100	10 000
35	75-09-2	Dichloromethane (DCM)	1000	10	10	100	10 000
36	60-57-1	Dieldrin	1	1	1	1	1
37	330-54-1	Diuron	–	1	1	5	10 000
38	115-29-7	Endosulphan	–	1	1	5	10 000
39	72-20-8	Endrin	1	1	1	1	1
40		Halogenated organic compounds (as AOX)	–	1000	1000	1000	10 000
41	76-44-8	Heptachlor	1	1	1	1	1
42	118-74-1	Hexachlorobenzene (HCB)	10	1	1	1	5
43	87-68-3	Hexachlorobutadiene (HCBd)	–	1	1	5	10 000
44	608-73-1	1,2,3,4,5,6- hexa- chlorocyclohexane (HCH)	10	1	1	1	10
45	58-89-9	Lindane	1	1	1	1	1
46	2385-85-5	Mirex	1	1	1	1	1
47		PCDD + PCDF (dioxins + furans) (as Teq)	0.001	0.001	0.001	0.001	0.001
48	608-93-5	Pentachlorobenzene	1	1	1	5	50
49	87-86-5	Pentachlorophenol (PCP)	10	1	1	5	10 000
50	1336-36-3	Polychlorinated biphenyls (PCBs)	0.1	0.1	0.1	1	50
51	122-34-9	Simazine	–	1	1	5	10 000
52	127-18-4	Tetrachloroethylene (PER)	2 000	–	–	1 000	10 000
53	56-23-5	Tetrachloromethane (TCM)	100	–	–	1 000	10 000
54	12002-48-1	Trichlorobenzenes (TCB)	10	–	–	1 000	10 000
55	71-55-6	1,1,1- trichloroethane	100	–	–	1 000	10 000
56	79-34-5	1,1,2,2- tetra- chloroethane	50	–	–	1 000	10 000
57	79-01-6	Trichloroethylene	2 000	–	–	1 000	10 000
58	67-66-3	Trichloromethane	500	–	–	1 000	10 000
59	8001-35-2	Toxaphene	1	1	1	1	1
60	75-01-4	Vinyl chloride	1 000	10	10	100	10 000
61	120-12-7	Anthracene	50	1	1	50	50
62	71-43-2	Benzene	1 000	200 (as BTEX) _{al}	200 (as BTEX) _{al}	2000 (as BTEX) _{al}	10 000
63		Brominated diphenyle- thers (PBDE)	–	1	1	5	10 000
64		Nonylphenol ethoxylates (NP/NPEs) and related substances	–	1	1	5	10 000

No.	CAS number	Pollutant	Threshold for releases (column 1)			Threshold for off-site transfers of pollutants (column 2) kg/year	Manufacture process or use threshold (column 3) kg/year
			to air (column 1a) kg/year	to water (column 1b) kg/year	to land (column 1c) Kg/year		
65	100-41-4	Ethyl benzene	–	200 (as BTEX) ^{a/}	200 (as BTEX) ^{a/}	2000 (as BTEX) ^{a/}	10 000
66	75-21-8	Ethylene oxide	1 000	10	10	100	10 000
67	34123-59-6	Isoproturon	–	1	1	5	10 000
68	91-20-3	Naphthalene	100	10	10	100	10 000
69		Organotin compounds (as total Sn)	–	50	50	50	10 000
70	117-81-7	Di-(2-ethyl hexyl) phtha- late (DEHP)	10	1	1	100	10 000
71	108-95-2	Phenols (as total C)	–	20	20	200	10 000
72		Polycyclic aromatic hy- drocarbons (PAH) ^{b/}	50	5	5	50	50
73	108-88-3	Toluene	–	200 (as BTEX) ^{a/}	200 (as BTEX) ^{a/}	2000 (as BTEX) ^{a/}	10 000
74		Tributyltin and compo- unds	–	1	1	5	10 000
75		Triphenyltin and compo- unds	–	1	1	5	10 000
76		Total organic carbon (TOC) (as total C or COD/3)	–	50 000	–	–	**
77	1582-09-8	Trifluralin	–	1	1	5	10 000
78	1330-20-7	Xylenes	–	200 (as BTEX) ^{a/}	200 (as BTEX) ^{a/}	2000 (as BTEX) ^{a/}	10 000
79		Chlorides (as total Cl)	–	2 million	2 million	2 million	10 000 ^{c/}
80		Chlorine and inorganic compounds (as HCl)	10 000	–	–	–	10 000
81	1332-21-4	Asbestos	1	1	1	10	10 000
82		Cyanides (as total CN)	–	50	50	500	10 000
83		Fluorides (as total F)	–	2 000	2 000	10 000	10 000 ^{c/}
84		Fluorine and inorganic compounds (as HF)	5 000	–	–	–	10 000
85	74-90-8	Hydrogen cyanide (HCN)	200	–	–	–	10 000
86		Particulate matt er (PM ₁₀)	50 000	–	–	–	*

Explanatory notes:

The CAS number of the pollutant means the precise identifier in Chemical Abstracts Service.

Column 1 contains the thresholds referred to in article 7, paragraph 1 (a)(i) and (iv). If the threshold in a given sub-column (air, water or land) is exceeded, reporting of releases or, for pollutants in waste water destined for waste-water treatment, transfers to the environmental medium referred to in that sub-column is required with respect to the facility in question, for those Parties which have opted for a system of reporting pursuant to article 7, paragraph 1 (a).

Column 2 contains the thresholds referred to in article 7, paragraph 1 (a)(ii). If the threshold in this column is exceeded for a given pollutant, reporting of the off-site transfer of that pollutant is required with respect to the facility in question, for those Parties which have opted for a system of reporting pursuant to article 7, paragraph 1 (a)(ii).

Column 3 contains the thresholds referred to in article 7, paragraph 1(b). If the threshold in this column is exceeded for a given pollutant, reporting of the releases and off-site transfers of that pollutant is required with respect to the facility in question, for those Parties which have opted for a system of reporting pursuant to article 7, paragraph 1 (b).

A hyphen (-) indicates that the parameter in question does not trigger a reporting requirement.

An asterisk (*) indicates that, for this pollutant, the release threshold in column (1)(a) is to be used rather than a manufacture, process or use threshold.

A double asterisk (**) indicates that, for this pollutant, the release threshold in column (1)(b) is to be used rather than a manufacture, process or use threshold.

Footnotes:

a/ Single pollutants are to be reported if the threshold for BTEX (the sum parameter of benzene, toluene, ethyl benzene, xylene) is exceeded.

b/ Polycyclic aromatic hydrocarbons (PAHs) are to be measured as benzo(a)pyrene (50-32-8), benzo(b)fluoranthene (205-99-2), benzo(k)fluoranthene (207-08-9), indeno(1,2,3-cd)pyrene (193-39-5) (derived from the Protocol on Persistent Organic Pollutants to the Convention on Long-range Transboundary Air Pollution).

c/ As inorganic compounds.

Annex III**PART A
DISPOSAL OPERATIONS ('D')**

- Deposit into or onto land (e.g. landfill)
- Land treatment (e.g. biodegradation of liquid or sludgy discards in soils)
- Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories)
- Surface impoundment (e.g. placement of liquid or sludge discards into pits, ponds or lagoons)
- Specially engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment)
- Release into a water body except seas/oceans
- Release into seas/oceans including sea-bed insertion

- Biological treatment not specified elsewhere in this annex which results in final compounds or mixtures which are discarded by means of any of the operations specified in this part
- Physico-chemical treatment not specified elsewhere in this annex which results in final compounds or mixtures which are discarded by means of any of the operations specified in this part (e.g. evaporation, drying, calcination, neutralization, precipitation)
 - Incineration on land
 - Incineration at sea
 - Permanent storage (e.g. emplacement of containers in a mine)
 - Blending or mixing prior to submission to any of the operations specified in this part
 - Repackaging prior to submission to any of the operations specified in this part
 - Storage pending any of the operations specified in this part

**PART B
RECOVERY OPERATIONS ('R')**

- Use as a fuel (other than in direct incineration) or other means to generate energy
- Solvent reclamation/regeneration
- Recycling/reclamation of organic substances which are not used as solvents
- Recycling/reclamation of metals and metal compounds
- Recycling/reclamation of other inorganic materials
- Regeneration of acids or bases
- Recovery of components used for pollution abatement
- Recovery of components from catalysts
- Used oil re-refining or other reuses of previously used oil
- Land treatment resulting in benefit to agriculture or ecological improvement
- Uses of residual materials obtained from any of the recovery operations specified above in this part
- Exchange of wastes for submission to any of the recovery operations specified above in this part
- Accumulation of material intended for any operation specified in this part

**Annex IV
ARBITRATION**

1. In the event of a dispute being submitted for arbitration pursuant to article 23, paragraph 2, of this Protocol, a party or parties shall notify the other party or parties to the dispute by diplomatic means as well as the secretariat of the subject matter of arbitration and indicate, in particular, the articles of this Protocol whose interpretation or application is at issue. The secretariat shall forward the information received to all Parties to this Protocol.

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

3. If the president of the arbitral tribunal has not been designated within two months of the appointment of the second arbitrator, the Executive Secretary of the Economic Commission for Europe shall, at the request of either party to the dispute, designate the president within a further two-month period.

4. If one of the parties to the dispute does not appoint an arbitrator within two months of the notification referred to in paragraph 1, the other party may so inform the Executive Secretary of the Economic Commission for Europe, who shall designate the president of the arbitral tribunal within a further two-month period. Upon designation, the president of the arbitral tribunal shall request the party which has not appointed an arbitrator to do so within two months. If it fails to do so within that period, the president shall so inform the Executive Secretary of the Economic Commission for Europe, who shall make this appointment within a further two-month period.

5. The arbitral tribunal shall render its decision in accordance with international law and the provisions of this Protocol.

6. Any arbitral tribunal constituted under the provisions set out in this annex shall draw up its own rules of procedure.

7. The decisions of the arbitral tribunal, both on procedure and on substance, shall be taken by majority vote of its members.

8. The tribunal may take all appropriate measures to establish the facts.

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

- a) Provide it with all relevant documents, facilities and information;
- b) Enable it, where necessary, to call witnesses or experts and receive their evidence.

10. The parties and the arbitrators shall protect the confidentiality of any information that they receive in confidence during the proceedings of the arbitral tribunal.

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

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

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

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

15. Any Party to this Protocol which has an interest of a legal nature in the subject matter of the dispute, and which may be affected by a decision in the case, may intervene in the proceedings with the consent of the tribunal.

16. The arbitral tribunal shall render its award within five months of the date on which it is established, unless it finds it necessary to extend the time limit for a period which should not exceed five months.

17. The award of the arbitral tribunal shall be accompanied by a statement of reasons. It shall be final and binding upon all parties to the dispute. The award will be transmitted by the arbitral tribunal to the parties to the dispute and to the secretariat. The secretariat will forward the information received to all Parties to this Protocol.

18. Any dispute which may arise between the parties concerning the interpretation or execution of the award may be submitted by either party to the arbitral tribunal which made the award or, if the latter cannot be seized thereof, to another tribunal constituted for this purpose in the same manner as the first.

Priloga I
DEJAVNOSTI

Št.	Dejavnost	Mejna vrednost zmogljivosti (1. stolpec)	Mejno število zaposlenih (2. stolpec)
1.	Energetika		
a)	rafinerije nafte in plina	*	10 zaposlenih
b)	naprave za uplinjanje in utekočinjanje	*	
c)	termoelektrarne in druge kurilne naprave	z vhodno toplotno močjo 50 megavatov (MW)	
d)	koksarne	*	
e)	mlini za premog	z zmogljivostjo 1 tone na uro	
f)	naprave za proizvodnjo izdelkov iz premoga in trdnega brezdimnega goriva	*	
2.	Proizvodnja in predelava kovin		
a)	naprave za praženje ali sintranje rud (vključno s sulfidnimi rudami)	*	10 zaposlenih
b)	naprave za proizvodnjo surovega železa ali jekla (primarno ali sekundarno taljenje), tudi s kontinuirnim litjem	z zmogljivostjo 2,5 tone na uro	
c)	naprave za predelavo železa in jekla: i) vroča valjarna ii) kovačije s kladivi iii) nanašanje zaščitnih prevlek iz staljenih kovin	z zmogljivostjo 20 ton surovega jekla na uro z energijo 50 kilodžulov na kladivo, če uporabljena kalorična moč presega 20 MW z vložkom 2 ton surovega jekla na uro	
d)	livarne železa in jekla	s proizvodno zmogljivostjo 20 ton na dan	
e)	naprave: i) za proizvodnjo surovih barvnih kovin iz rude, koncentratov ali sekundarnih surovin z metalurškimi, kemičnimi ali elektrolitskimi postopki ii) za taljenje barvnih kovin, vključno zlitin in izdelkov, primernih za ponovno predelavo (iz postopkov rafinacije, vlivanja itd.)	* s talilno zmogljivostjo 4 tone na dan za svinec in kadmij ali 20 ton na dan za vse druge kovine	
f)	naprave za površinsko obdelavo kovin in plastičnih mas z uporabo elektrolitskih ali kemičnih postopkov	v delovnih kadeh s prostornino 30 m ³	
3.	Nekovinska industrija		
a)	podzemno rudarjenje in sorodne dejavnosti	*	10 zaposlenih
b)	dnevni kop	če je površina, na kateri se dejansko izkopava, velika 25 hektarjev	
c)	naprave za proizvodnjo: i) cementnega klinkerja v rotacijskih pečeh ii) apna v rotacijskih pečeh iii) cementnega klinkerja ali apna v drugih pečeh	s proizvodno zmogljivostjo 500 ton na dan s proizvodno zmogljivostjo več kakor 50 ton na dan s proizvodno zmogljivostjo 50 ton na dan	
d)	naprave za proizvodnjo azbesta in izdelavo azbestnih izdelkov	*	
e)	naprave za proizvodnjo stekla, vključno s steklenimi vlakni	s talilno zmogljivostjo 20 ton na dan	
f)	naprave za taljenje nekovin, vključno s proizvodnjo mineralnih vlaken	s talilno zmogljivostjo 20 ton na dan	

Št.	Dejavnost	Mejna vrednost zmogljivosti (1. stolpec)	Mejno število zaposlenih (2. stolpec)
g)	naprave za izdelavo keramičnih izdelkov z žganjem, zlasti strešnikov, opek, ognjezdružnih opek, ploščic, lončevine ali porcelana	s proizvodno zmogljivostjo 75 ton na dan ali z zmogljivostjo peči 4 m ³ in vložkom v posamezno peč 300 kg/m ³	
4.	Kemična industrija		
a)	naprave za proizvodnjo osnovnih organskih kemikalij na industrijski ravni, kot so: i) enostavni ogljikovodiki (ciklični ali aciklični, nasičeni ali nenasičeni, alifatski ali aromatski) ii) ogljikovodiki z vezanim kisikom, kakor so alkoholi, aldehidi, ketoni, karboksilne kisline, estri, acetati, etri, peroksidi, epoksidne smole iii) ogljikovodiki z vezanim žveplom iv) ogljikovodiki z vezanim dušikom, kakor so amini, amidi, nitroso-, nitrospojine ali nitratne spojine, nitrili, cianati, izocianati v) ogljikovodiki z vezanim fosforjem vi) halogenirani ogljikovodiki vii) organokovinske spojine viii) osnovne plastične mase (polimeri, sintetična vlakna in celulozna vlakna) ix) sintetični kavčuk x) organska barvila in pigmenti xi) površinsko aktivne snovi	*	10 zaposlenih
b)	naprave za proizvodnjo osnovnih anorganskih kemikalij na industrijski ravni, kot so: i) plini, kakor so amonijak, klor ali vodikov klorid, fluor ali vodikov fluorid, ogljikovi oksidi, žveplove spojine, dušikovi oksidi, vodik, žveplov dioksid, karbonilklorid ii) kisline, kakor so kromova kislina, fluorovodikova kislina, fosforjeva kislina, dušikova kislina, klorovodikova kislina, žveplova kislina, oleum, žveplasta kislina iii) baze, kakor so amonijev hidroksid, kalijev hidroksid, natrijev hidroksid iv) soli, kakor so amonijev klorid, kalijev klorat, kalijev karbonat, natrijev karbonat, perborat, srebrov nitrat v) nekovine, kovinski oksidi ali druge anorganske spojine, kakor so kalcijev karbid, silicij, silicijev karbid	*	
c)	naprave za proizvodnjo fosforjevih, dušikovih ali kalijevih gnojil (enostavnih ali sestavljenih) na industrijski ravni	*	
d)	naprave za proizvodnjo osnovnih sredstev za zaščito rastlin in biocidov na industrijski ravni	*	
e)	naprave, v katerih se uporabljajo kemični ali biološki postopki za industrijsko proizvodnjo osnovnih farmacevtskih izdelkov	*	
f)	naprave za industrijsko proizvodnjo eksplozivov in pirotehničnih sredstev	*	

Št.	Dejavnost	Mejna vrednost zmogljivosti (1. stolpec)	Mejno število zaposlenih (2. stolpec)
5.	Ravnanje z odpadki in odpadno vodo		
a)	naprave za sežiganje, pirolizo, predelavo, kemično obdelavo ali odlaganje nevarnih odpadkov	z zmogljivostjo 10 ton na dan	10 zaposlenih
b)	naprave za sežiganje komunalnih odpadkov	z zmogljivostjo 3 ton na uro	
c)	naprave za odstranjevanje nenevarnih odpadkov	z zmogljivostjo 50 ton na dan	
d)	odlagališča (razen odlagališč za inertne odpadke)	ki sprejmejo 10 ton odpadkov na dan ali s skupno zmogljivostjo 25.000 ton	
e)	naprave za odstranjevanje ali predelavo živalskih trupov in živalskih odpadkov	z zmogljivostjo obdelave 10 ton na dan	
f)	čistilne naprave za komunalne odpadne vode	z zmogljivostjo 100.000 populacijskih ekvivalentov	
g)	neodvisno upravljane čistilne naprave za industrijsko odpadno vodo za eno ali več dejavnosti iz te priloge	z zmogljivostjo 10.000 m ³ na dan	
6.	Proizvodnja in predelava papirja in lesa		
a)	industrijske naprave za proizvodnjo vlaknin iz lesa ali podobnega vlaknastega materiala	*	10 zaposlenih
b)	industrijske naprave za proizvodnjo papirja, kartona in lepenke ter drugih izdelkov, narejenih v glavnem iz lesa (kakor so iverne plošče, plošče iz stisnjenih vlaken in vezane lesene plošče)	s proizvodno zmogljivostjo 20 ton na dan	
c)	industrijske naprave za zaščito lesa in izdelkov iz lesa s kemikalijami	s proizvodno zmogljivostjo 50 m ³ na dan	
7.	Intenzivna živinoreja in ribogojstvo		
a)	naprave za intenzivno rejo perutnine ali prašičev	i) s 40.000 mesti za perutnino ii) z 2000 mesti za prašiče pittance (težje od 30 kg) iii) s 750 mesti za plemenske svinje	10 zaposlenih
b)	intenzivno ribogojstvo	s proizvodno zmogljivostjo 1000 ton rib in lupinarjev letno	
8.	Živalski in rastlinski izdelki v živilski industriji		
a)	klavnice	z zmogljivostjo zakola 50 ton na dan	10 zaposlenih
b)	obdelava in predelava za proizvodnjo hrane in pijače iz: i) živalskih surovin (razen mleka) ii) rastlinskih surovin	s proizvodno zmogljivostjo 75 ton končnih izdelkov na dan s proizvodno zmogljivostjo 300 ton končnih izdelkov na dan (povprečna četrletna vrednost)	
c)	obdelava in predelava mleka	z zmogljivostjo za 200 ton mleka na dan (povprečna letna vrednost)	
9.	Druge dejavnosti		
a)	naprave za predhodno obdelavo (postopki, kakor so spiranje, beljenje, mercerizacija) ali barvanje vlaken ali tkanin	z zmogljivostjo obdelave 10 ton na dan	
b)	naprave za strojenje kož	z zmogljivostjo obdelave 12 ton končnih izdelkov na dan	

Št.	Dejavnost	Mejna vrednost zmogljivosti (1. stolpec)	Mejno število zaposlenih (2. stolpec)
c)	naprave za površinsko obdelavo snovi, predmetov ali izdelkov z uporabo organskih topil, zlasti za apreturo, tiskanje, premazovanje, razmaščevanje, impregniranje proti vodi in drugo impregniranje, klejanje, barvanje in čiščenje	z zmogljivostjo porabe 150 kg na uro ali 200 ton letno	10 zaposlenih
d)	naprave za proizvodnjo ogljika (antracita) ali elektrografita s sežiganjem ali grafitizacijo	*	
e)	obrati za gradnjo, barvanje ali odstranjevanje barve z ladij	z zmogljivostjo za ladje, dolge 100 m	

Pojasnila:

V 1. stolpcu so navedene mejne vrednosti iz pododstavka a prvega odstavka 7. člena.

Zvezdica (*) pomeni, da se mejna vrednost ne uporablja (poročati je treba za vse industrijske komplekse).

V 2. stolpcu je navedeno mejno število zaposlenih iz pododstavka b prvega odstavka 7. člena.

“10 zaposlenih” pomeni 10 zaposlenih za polni delovni čas.

**Priloga II
ONESNAŽEVALA**

Št.	Številka CAS	Onesnaževalo	Mejna količina izpustov (1. stolpec)			Mejna količina prenosov s kraja nastanka onesnaževala (2. stolpec) kg/leto	Mejna količina za proizvodnjo, predelavo ali uporabo (3 stolpec) kg/leto
			v zrak (1.a stolpec) kg/leto	v vodo (1.b stolpec) kg/leto	v tla (1.c stolpec) kg/leto		
1	74-82-8	metan (CH ₄)	100 000	–	–	–	*
2	630-08-0	ogljikov monoksid (CO)	500 000	–	–	–	*
3	124-38-9	ogljikov dioksid (CO ₂)	100 milijonov	–	–	–	*
4		fluorirani ogljikovodiki (HFC)	100	–	–	–	*
5	10024-97-2	dušikov oksid (N ₂ O)	10 000	–	–	–	*
6	7664-41-7	amonijak (NH ₃)	10 000	–	–	–	10 000
7		nemetanske hlapne organske spojine (NMVOC)	100 000	–	–	–	*
8		dušikovi oksidi (NO _x /NO ₂)	100 000	–	–	–	*
9		perfluorirani ogljikovodiki (PFC)	100	–	–	–	*
10	2551-62-4	žveplov heksafluorid (SF ₆)	50	–	–	–	*
11		žveplovi oksidi (SO _x /SO ₂)	150 000	–	–	–	*
12		celotni dušik	–	50 000	50 000	10 000	10 000
13		celotni fosfor	–	5000	5000	10 000	10 000
14		delno halogenirani klorofluorogljikovodiki (HCFC)	1	–	–	100	10 000
15		klorofluorogljikovodiki (CFC)	1	–	–	100	10 000
16		haloni	1	–	–	100	10 000
17	7440-38-2	arzen in spojine (kot As)	20	5	5	50	50
18	7440-43-9	kadmij in spojine (kot Cd)	10	5	5	5	5
19	7440-47-3	krom in spojine (kot Cr)	100	50	50	200	10 000
20	7440-50-8	baker in spojine (kot Cu)	100	50	50	500	10 000
21	7439-97-6	živo srebro in spojine (kot Hg)	10	1	1	5	5
22	7440-02-0	nikelj in spojine (kot Ni)	50	20	20	500	10 000
23	7439-92-1	svinec in spojine (kot Pb)	200	20	20	50	50
24	7440-66-6	cink in spojine (kot Zn)	200	100	100	1000	10 000
25	15972-60-8	alaktor	–	1	1	5	10 000

Št.	Številka CAS	Onesnaževalo	Mejna količina izpustov (1. stolpec)			Mejna količina prenosov s kraja nastanka onesnaževala (2. stolpec) kg/leto	Mejna količina za proizvodnjo, predelavo ali uporabo (3 stolpec) kg/leto
			v zrak (1.a stolpec) kg/leto	v vodo (1.b stolpec) kg/leto	v tla (1.c stolpec) kg/leto		
26	309-00-2	aldrin	1	1	1	1	1
27	1912-24-9	atrazin	–	1	1	5	10 000
28	57-74-9	klordan	1	1	1	1	1
29	143-50-0	klordekon	1	1	1	1	1
30	470-90-6	klorfenvinfos	–	1	1	5	10 000
31	85535-84-8	kloroalkani, C ₁₀ – C ₁₃	–	1	1	10	10 000
32	2921-88-2	klorpirifos	–	1	1	5	10 000
33	50-29-3	DDT	1	1	1	1	1
34	107-06-2	1,2-dikloretran (EDC)	1000	10	10	100	10 000
35	75-09-2	diklorometan (DCM)	1000	10	10	100	10 000
36	60-57-1	dieldrin	1	1	1	1	1
37	330-54-1	diuron	–	1	1	5	10 000
38	115-29-7	endosulfan	–	1	1	5	10 000
39	72-20-8	endrin	1	1	1	1	1
40		halogenirane organske spojine (kot AOX)	–	1000	1000	1000	10 000
41	76-44-8	heptaklor	1	1	1	1	1
42	118-74-1	heksaklorobenzen (HCB)	10	1	1	1	5
43	87-68-3	heksaklorobutadien (HCBd)	–	1	1	5	10 000
44	608-73-1	1,2,3,4,5,6-heksa- klorocikloheksan (HCH)	10	1	1	1	10
45	58-89-9	lindan	1	1	1	1	1
46	2385-85-5	mireks	1	1	1	1	1
47		PCDD + PCDF (dioksini + furani) (kot Teq)	0.001	0.001	0.001	0.001	0.001
48	608-93-5	pentaklorobenzen	1	1	1	5	50
49	87-86-5	pentaklorofenol (PCP)	10	1	1	5	10 000
50	1336-36-3	poliklorirani bifenili (PCB)	0.1	0.1	0.1	1	50
51	122-34-9	simazin	–	1	1	5	10 000
52	127-18-4	tetrakloroetilen (PER)	2 000	–	–	1 000	10 000
53	56-23-5	tetraklorometan (TCM)	100	–	–	1 000	10 000
54	12002-48-1	triklorobenzeni (TCB)	10	–	–	1 000	10 000
55	71-55-6	1,1,1-trikloroetan	100	–	–	1 000	10 000
56	79-34-5	1,1,2,2-tetrakloroetan	50	–	–	1 000	10 000
57	79-01-6	trikloroetilen	2 000	–	–	1 000	10 000
58	67-66-3	triklorometan	500	–	–	1 000	10 000
59	8001-35-2	toksafen	1	1	1	1	1
60	75-01-4	vinilklorid	1 000	10	10	100	10 000
61	120-12-7	antracen	50	1	1	50	50
62	71-43-2	benzen	1 000	200 (kot BTEX) ^{a/}	200 (kot BTEX) ^{a/}	2000 (kot BTEX) ^{a/}	10 000
63		bromirani difeniletri (PBDE)	–	1	1	5	10 000
64		nonilfenol in nonilfenol etoksilati (NP/NPE)	–	1	1	5	10 000
65	100-41-4	etil benzen	–	200 (kot BTEX) ^{a/}	200 (kot BTEX) ^{a/}	2000 (kot BTEX) ^{a/}	10 000

Št.	Številka CAS	Onesnaževalo	Mejna količina izpustov (1. stolpec)			Mejna količina prenosov s kraja nastanka onesnaževala (2. stolpec) kg/leto	Mejna količina za proizvodnjo, predelavo ali uporabo (3 stolpec) kg/leto
			v zrak (1.a stolpec) kg/leto	v vodo (1.b stolpec) kg/leto	v tla (1.c stolpec) kg/leto		
66	75-21-8	etilen oksid	1 000	10	10	100	10 000
67	34123-59-6	izoproturon	–	1	1	5	10 000
68	91-20-3	naftalen	100	10	10	100	10 000
69		organo-kositrove spojine (kot celotni Sn)	–	50	50	50	10 000
70	117-81-7	di-(2-etilheksil) ftalat (DEHP)	10	1	1	100	10 000
71	108-95-2	fenoli (kot celotni C)	–	20	20	200	10 000
72		polciklični aromatski ogljikovodiki (PAH) _{a/}	50	5	5	50	50
73	108-88-3	toluen	–	200 (kot BTEX) _{a/}	200 (kot BTEX) _{a/}	2000 (kot BTEX) _{a/}	10 000
74		spojine tributilkositra	–	1	1	5	10 000
75		spojine trifenilkositra	–	1	1	5	10 000
76		celotni organski ogljik (TOC) (kot celotni C ali COD/3)	–	50 000	–	–	**
77	1582-09-8	trifluralin	–	1	1	5	10 000
78	1330-20-7	ksileni	–	200 (kot BTEX) _{a/}	200 (kot BTEX) _{a/}	2000 (kot BTEX) _{a/}	10 000
79		kloridi (kot celotni Cl)	–	2 milijona	2 milijona	2 milijona	10 000 _{a/}
80		klor in anorganske spoji- ne (kot celotna HCl)	10 000	–	–	–	10 000
81	1332-21-4	azbest	1	1	1	10	10 000
82		cianidi (kot celotni CN)	–	50	50	500	10 000
83		fluoridi (kot celotni F)	–	2 000	2 000	10 000	10 000 _{a/}
84		fluor in anorganske spojine (kot HF)	5 000	–	–	–	10 000
85	74-90-8	vodikov cianid (HCN)	200	–	–	–	10 000
86		delci (PM ₁₀)	50 000	–	–	–	*

Pojasnila:

Številka onesnaževala CAS je natančna oznaka Službe za izmenjavo kemijskih izvlečkov.

V 1. stolpcu so navedene mejne vrednosti iz prve in četrte točke pododstavka a prvega odstavka 7. člena. Če je presežena mejna vrednost v danem podstolpcu (zrak, voda ali tla), morajo pogodbenice, ki so se odločile za način poročanja iz pododstavka a prvega odstavka 7. člena za industrijski kompleks poročati o izpustih ali pri onesnaževalih v odpadni vodi, ki je namenjena v čistilne naprave o prenosih v dele okolja iz navedenega podstolpca.

V 2. stolpcu so navedene mejne vrednosti iz druge točke pododstavka a prvega odstavka 7. člena. Če so za posamezno onesnaževalo presežene mejne vrednosti iz tega stolpca, morajo pogodbenice, ki so se odločile za način poročanja iz druge točke pododstavka a prvega odstavka 7. člena, za industrijski kompleks poročati o prenosu tega onesnaževala s kraja nastanka.

V 3. stolpcu so navedene mejne vrednosti iz pododstavka b prvega odstavka 7. člena. Če so za posamezno onesnaževalo presežene mejne vrednosti iz tega stolpca, morajo pogodbenice, ki so se odločile za način poročanja iz pododstavka b prvega odstavka 7. člena, za industrijski kompleks poročati o izpustih ali prenosu tega onesnaževala s kraja nastanka.

Črtica (–) pomeni, da se za parameter ne zahteva poročanje.

Zvezdica (*) pomeni, da se za tako onesnaževalo mejna količina izpusta v 1. a stolpcu uporablja namesto mejne količine za izdelavo, predelavo ali uporabo.

Dvojna zvezdica (**) pomeni, da se za tako onesnaževalo mejna količina izpusta v 1. b stolpcu uporablja namesto mejne količine za izdelavo, predelavo ali uporabo.

Opombe pod črto:

a/ O posameznih onesnaževalih je treba poročati, če je prekoračena mejna vrednost BTEX (vsota parametrov za benzen, toluen, etilbenzen, ksilen).

b/ Polciklični aromatski ogljikovodiki (PAH) se merijo kot benzo(a)piren (50-32-8), benzo(b)fluoranten (205-99-2), benzo(k)fluoranten (207-08-9), indeno (1,2,3-cd) piren (193-39-5) (iz Protokola o obstojnih organskih onesnaževalih h Konvenciji o onesnaževanju zraka na velike razdalje prek meja).

c/ Kot anorganske spojine.

Priloga III

**DEL A
POSTOPKI ODSTRANJEVANJA ("D")**

- odlaganje v ali na zemljo (npr. odlagališče)
- obdelava v zemlji (npr. biološka razgradnja tekočih odpadkov ali gošč v zemlji)
- globinsko injektiranje (npr. odpadkov s črpalkami v vrtine, solne jaške ali naravno dana odlagališča)
- površinska zajezitev (npr. vlivanje tekočih odpadkov v jame, ribnike ali lagune)
- posebej prirejeno odlagališče (npr. odlaganje v posamezne nevpadljive obložene celice s pokrovom, ločene med seboj in od okolja)
 - izpuščanje v vodo, razen v morje/oceane
 - izpuščanje v morje/oceane, vključno z odlaganjem na morsko dno
 - biološka obdelava, ki ni določena drugje v tej prilogi, pri kateri nastanejo končne spojine ali mešanice, ki se odstranjujejo z enim od postopkov, navedenih v tem delu
 - fizikalno-kemična obdelava, ki ni določena drugje v tej prilogi, pri kateri nastanejo končne spojine ali mešanice, ki se odstranjujejo z enim od postopkov, navedenih v tem delu (npr. izparevanje, sušenje, kalcinacija, nevtralizacija, obarjanje)
 - sežiganje na kopnem
 - sežiganje na morju
 - trajno skladiščenje (npr. nameščanje posod v rudnik)
 - spajanje ali mešanje pred izvajanjem enega od postopkov, navedenih v tem delu
 - ponovno pakiranje pred izvajanjem enega od postopkov, navedenih v tem delu
 - skladiščenje do enega od postopkov, navedenih v tem delu

**DEL B
POSTOPKI PREDELAVE ("R")**

- uporaba načeloma kot gorivo ali drugače za pridobivanje energije
- pridobivanje topil/regeneracija
- recikliranje/pridobivanje organskih snovi, ki se ne uporabljajo kot topila
- recikliranje/pridobivanje kovin in njihovih spojin
- recikliranje/pridobivanje drugega anorganskega materiala
- regeneracija kislin ali baz
- predelava sestavin, ki se uporabljajo za zmanjšanje onesnaževanja
- predelava sestavin iz katalizatorjev
- ponovno rafiniranje olja in druga ponovna uporaba olja
- vnos v tla ali na tla v korist kmetijstvu ali za ekološko izboljšanje
- uporaba odpadkov, pridobljenih s katerim koli postopkom, navedenim v tem delu
- izmenjava odpadkov za predelavo s katerim koli postopkom, navedenim v tem delu
- skladiščenje odpadkov do enega od postopkov, navedenih v tem delu

**Priloga IV
ARBITRAŽA**

1. Če se spor predloži v reševanje arbitraži po drugem odstavku 23. člena tega protokola, stranka ali stranke po diplomatski poti obvestijo drugo stranko ali stranke v sporu ter sekretariat o vsebini arbitraže ter zlasti navedejo člene tega protokola, katerih razlaga ali uporaba je sporna. Sekretariat pošlje prejete podatke vsem pogodbenicam tega protokola.

2. Rzsodišče sestavljajo trije člani. Tožeča stranka ali stranke in druga stranka ali stranke v sporu imenujejo po enega rzsodnika in tako imenovana rzsodnika sporazumno določita tretjega rzsodnika, ki je predsednik rzsodišča. Ta ni državljan nobene od strank v sporu, nima običajnega prebivališča na njihovem ozemlju, ni pri njih zaposlen, niti se ni s to zadevo kakor koli drugače ukvarjal.

3. Če predsednik rzsodišča ni bil določen v dveh mesecih od imenovanja drugega rzsodnika, imenuje predsednika izvršilni sekretar Gospodarske komisije Združenih narodov za Evropo na zahtevo ene od strank v sporu v naslednjih dveh mesecih.

4. Če ena od strank v sporu ne imenuje rzsodnika v dveh mesecih od prejema obvestila iz prvega odstavka, lahko druga stranka o tem obvesti izvršilnega sekretarja Gospodarske komisije Združenih narodov za Evropo, ki v naslednjih dveh mesecih določi predsednika rzsodišča. Ko je predsednik rzsodišča določen, zahteva od stranke, ki ga ni imenovala, da to stori v dveh mesecih. Če tega ne stori v navedenem roku, predsednik o tem obvesti izvršilnega sekretarja Gospodarske komisije Združenih narodov za Evropo, ki imenuje rzsodnika v naslednjih dveh mesecih.

5. Rzsodišče odloča po mednarodnem pravu in tem protokolu.

6. Rzsodišče, ustanovljeno po tej prilogi, sestavi svoj poslovnik.

7. Rzsodišče sprejema odločitve o postopku in vsebini z večino glasov svojih članov.

8. Rzsodišče lahko sprejme vse potrebne ukrepe za ugotovitev dejstev.

9. Stranke v sporu olajšajo delo rzsodišča in mu zlasti z vsemi razpoložljivimi sredstvi:

a) zagotavljajo vso ustrezno dokumentacijo, sredstva in informacije;

b) po potrebi omogočijo vabljenje prič ali izvedencev in pridobijo njihove izjave ali mnenja.

10. Stranke in rzsodniki varujejo tajne podatke, ki jih med postopkom rzsodišča prejmejo kot tajne.

11. Na zahtevo ene od strank lahko rzsodišče priporoči začasne ukrepe za varovanje.

12. Če ena od strank v sporu ne pride na rzsodišče ali če se ji ne uspe zagovarjati, lahko druga stranka zahteva, da rzsodišče nadaljuje postopek in sprejme končno odločitev. Odsotnost stranke ali dejstvo, da se ji ni uspelo zagovarjati, ne ovira postopka. Preden rzsodišče sprejme končno odločitev, se mora prepričati, da je zahtevk dejansko in pravno dobro utemeljen.

13. Rzsodišče lahko obravnava protizahtevke, ki izhajajo neposredno iz vsebine spora, in o njih odloča.

14. Če rzsodišče zaradi posebnih okoliščin primera ne določi drugače, krijejo stroške rzsodišča, vključno z denarnim nadomestilom za njegove člane, stranke v sporu v enakih deležih. Rzsodišče vodi evidenco vseh svojih stroškov in strankam predloži končni obračun.

15. Vsaka pogodbenica tega protokola, ki ima pravni interes v zvezi z vsebino spora in jo odločitev lahko prizadene, lahko s soglasjem rzsodišča vstopi v postopek.

16. Rzsodišče izda rzsodbo v petih mesecih od dneva ustanovitve, razen če ne ugotovi, da je treba ta rok podaljšati, vendar le za obdobje, ki ne sme biti daljše od petih mesecev.

17. Rzsodbi rzsodišča se priloži obrazložitev. Rzsodba je dokončna in zavezujoča za vse stranke v sporu. Rzsodišče pošlje rzsodbo strankam v sporu in sekretariatu. Sekretariat pošlje prejete informacije vsem pogodbenicam tega protokola.

18. Morebiten spor med strankami zaradi razlage ali izvršitve rzsodbe lahko stranka predloži rzsodišču, ki jo je izdalo, če to ni več mogoče, pa drugemu rzsodišču, ki se v ta namen ustanovi na enak način kakor prvo.

3. člen

Za izvajanje protokola skrbi Ministrstvo za okolje in prostor.

4. člen

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

Št. 801-01/09-40/10
Ljubljana, dne 2. februarja 2010
EPA 813-V

Državni zbor
Republike Slovenije
mag. Vasja Klavora l.r.
Podpredsednik

3. Zakon o ratifikaciji Protokola o strateški presoji vplivov na okolje h Konvenciji o presoji čezmejnih vplivov na okolje (MPSPVO)

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 o strateški presoji vplivov na okolje h Konvenciji o presoji čezmejnih vplivov na okolje (MPSPVO)

Razglašam Zakon o ratifikaciji Protokola o strateški presoji vplivov na okolje h Konvenciji o presoji čezmejnih vplivov na okolje (MPSPVO), ki ga je sprejel Državni zbor Republike Slovenije na seji 2. februarja 2010.

Št. 003-02-2/2010-7

Ljubljana, dne 10. februarja 2010

dr. Danilo Türk l.r.
Predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI PROTOKOLA O STRATEŠKI PRESOJI VPLIVOV NA OKOLJE H KONVENCIJI O PRESOJI ČEZMEJNIH VPLIVOV NA OKOLJE (MPSPVO)

1. člen

Ratificira se Protokol o strateški presoji vplivov na okolje h Konvenciji o presoji čezmejnih vplivov na okolje, sestavljen 21. maja 2003 v Kijevu (Ukrajina).

2. člen

Besedilo protokola se v izvorniku v angleškem in v prevodu v slovenskem jeziku glasi:

**PROTOCOL
ON STRATEGIC ENVIRONMENTAL
ASSESSMENT TO THE CONVENTION ON
ENVIRONMENTAL IMPACT ASSESSMENT IN A
TRANSBOUNDARY CONTEXT**

The Parties to this Protocol,

Recognizing the importance of integrating environmental, including health, considerations into the preparation and adoption of plans and programmes and, to the extent appropriate, policies and legislation,

Committing themselves to promoting sustainable development and therefore basing themselves on the conclusions of the United Nations Conference on Environment and Development (Rio de Janeiro, Brazil, 1992), in particular principles 4 and 10 of the Rio Declaration on Environment and Development and Agenda 21, as well as the outcome of the third Ministerial Conference on Environment and Health (London, 1999) and the World Summit on Sustainable Development (Johannesburg, South Africa, 2002),

Bearing in mind the Convention on Environmental Impact Assessment in a Transboundary Context, done at Espoo, Finland, on 25 February 1991, and decision II/9 of its Parties at Sofia on 26 and 27 February 2001, in which it was decided to prepare a legally binding protocol on strategic environmental assessment,

Recognizing that strategic environmental assessment should have an important role in the preparation and adoption of plans, programmes, and, to the extent appropriate, policies and legislation, and that the wider application of the principles of environmental impact assessment to plans, programmes, policies and legislation will further strengthen the systematic analysis of their significant environmental effects,

**PROTOKOL
O STRATEŠKI PRESOJI VPLIVOV NA OKOLJE
H KONVENCIJI O PRESOJI ČEZMEJNIH
VPLIVOV NA OKOLJE**

Pogodbenice tega protokola so se ob spoznanju o pomembnosti vključevanja okolja, tudi zdravja, v pripravo in sprejemanje načrtov ter programov in v primernem obsegu politik in zakonodaje,

ob zavezi za spodbujanje trajnostnega razvoja na podlagi sklepov konference Združenih narodov o okolju in razvoju (Rio de Janeiro, Brazilija, 1992), zlasti četrtega in desetega načela Izjave iz Ria o okolju in razvoju ter Agende 21, in na podlagi tretje ministrske konference o okolju in zdravju (London, 1999) ter na podlagi svetovnega vrha o trajnostnem razvoju (Johannesburg, Južna Afrika, 2002),

ob upoštevanju Konvencije o presoji čezmejnih vplivov na okolje, sestavljene v Espooju na Finskem 25. februarja 1991, in Sklepa II/9 njenih pogodbenic iz Sofije z dne 26. in 27. februarja 2001, s katerim je bilo določeno, da se pripravi pravno zavezujoč protokol o strateški presoji vplivov na okolje,

ob spoznanju, da bi morala imeti strateška presoja vplivov na okolje pomembno vlogo pri pripravi in sprejemanju načrtov, programov in v primernem obsegu politik in zakonodaje ter da bo širša uporaba načel strateške presoje vplivov na okolje v zvezi z načrti, programi, politikami in zakonodajo še naprej krepila sistematično analiziranje njihovih pomembnih posledic za okolje,

Acknowledging the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, done at Aarhus, Denmark, on 25 June 1998, and taking note of the relevant paragraphs of the Lucca Declaration, adopted at the first meeting of its Parties,

Conscious, therefore, of the importance of providing for public participation in strategic environmental assessment,

Acknowledging the benefits to the health and well-being of present and future generations that will follow if the need to protect and improve people's health is taken into account as an integral part of strategic environmental assessment, and recognizing the work led by the World Health Organization in this respect,

Mindful of the need for and importance of enhancing international cooperation in assessing the transboundary environmental, including health, effects of proposed plans and programmes, and, to the extent appropriate, policies and legislation,

Have agreed as follows:

Article 1 OBJECTIVE

The objective of this Protocol is to provide for a high level of protection of the environment, including health, by:

(a) Ensuring that environmental, including health, considerations are thoroughly taken into account in the development of plans and programmes;

(b) Contributing to the consideration of environmental, including health, concerns in the preparation of policies and legislation;

(c) Establishing clear, transparent and effective procedures for strategic environmental assessment;

(d) Providing for public participation in strategic environmental assessment; and

(e) Integrating by these means environmental, including health, concerns into measures and instruments designed to further sustainable development.

Article 2 DEFINITIONS

For the purposes of this Protocol,

1. "Convention" means the Convention on Environmental Impact Assessment in a Transboundary Context.

2. "Party" means, unless the text indicates otherwise, a Contracting Party to this Protocol.

3. "Party of origin" means a Party or Parties to this Protocol within whose jurisdiction the preparation of a plan or programme is envisaged.

4. "Affected Party" means a Party or Parties to this Protocol likely to be affected by the transboundary environmental, including health, effects of a plan or programme.

5. "Plans and programmes" means plans and programmes and any modifications to them that are:

(a) Required by legislative, regulatory or administrative provisions; and

(b) Subject to preparation and/or adoption by an authority or prepared by an authority for adoption, through a formal procedure, by a parliament or a government.

6. "Strategic environmental assessment" means the evaluation of the likely environmental, including health, effects, which comprises the determination of the scope of an environmental report and its preparation, the carrying-out of public participation and consultations, and the taking into account of the environmental report and the results of the public participation and consultations in a plan or programme.

7. "Environmental, including health, effect" means any effect on the environment, including human health, flora, fauna, biodiversity, soil, climate, air, water, landscape, natural sites, material assets, cultural heritage and the interaction among these factors.

ob priznavanju Konvencije o dostopu do informacij, udeležbi javnosti pri odločanju in dostopu do pravnega varstva v okoljskih zadevah, sestavljene v Aarhusu na Danskem 25. junija 1998, in ob upoštevanju ustreznih odstavkov Izjave iz Lucce, sprejete na prvem zasedanju njenih pogodbenic,

zavedajoč se pomembnosti udeležbe javnosti pri strateški presoji vplivov na okolje,

ob priznavanju koristi za zdravje in blaginjo sedanjih in prihodnjih generacij, ki bodo nastale, če bo potreba po zaščiti in izboljšanju zdravja ljudi upoštevana kot del strateške presoje vplivov na okolje, ter ob priznavanju dela, ki ga v zvezi s tem opravlja Svetovna zdravstvena organizacija,

ob upoštevanju nujnosti in pomembnosti pospeševanja mednarodnega sodelovanja pri presoji čezmejnih okoljskih in zdravstvenih posledic predlaganih načrtov in programov ter v primernem obsegu politik in zakonodaje

sporazumele:

1. člen NAMEN

Namen tega protokola je zagotoviti visoko raven varstva okolja, tudi zdravja, tako da se:

a) pri oblikovanju načrtov in programov zagotovi dosledno upoštevanje okolja, tudi zdravja;

b) pri pripravi politik in zakonodaje zagotovi upoštevanje okolja, tudi zdravja;

c) vzpostavijo jasni, pregledni in učinkoviti postopki strateške presoje vplivov na okolje;

d) pri strateški presoji vplivov na okolje zagotovi udeležba javnosti in

e) okolje, tudi zdravje, tako vključi v ukrepe in instrumente, namenjene nadaljnjemu trajnostnemu razvoju.

2. člen OPREDELITEV POJMOV

V tem protokolu:

1. »konvencija« pomeni Konvencijo o presoji čezmejnih vplivov na okolje;

2. »pogodbenica« pomeni pogodbenico tega protokola, razen če ni določeno drugače;

3. »pogodbenica izvora« pomeni pogodbenico ali pogodbenice tega protokola, v katerih pristojnosti je predvidena priprava načrta ali programa;

4. »prizadeta pogodbenica« pomeni pogodbenico ali pogodbenice tega protokola, ki bi jih lahko prizadele čezmejne okoljske posledice načrtov ali programov, tudi zdravstvene;

5. »načrti in programi« pomenijo načrte in programe ter vse njihove spremembe:

a) ki jih zahtevajo zakonodajne, regulativne ali upravne določbe in

b) ki jih neki organ pripravi in/ali sprejme ali jih pripravlja za sprejetje po formalnem parlamentarnem ali vladnem postopku;

6. »strateška presoja vplivov na okolje« pomeni oceno verjetnih okoljskih posledic, tudi zdravstvenih, ki vključuje določitev obsega okoljskega poročila in njegovo pripravo, način udeležbe javnosti in posvetovanj, ob upoštevanju okoljskega poročila in rezultatov udeležbe javnosti in posvetovanj v načrtih ali programih;

7. »okoljske posledice, tudi zdravstvene« pomenijo vse posledice za okolje, tudi za zdravje ljudi, rastlinstvo, živalstvo, biotsko raznovrstnost, tla, podnebje, zrak, vodo, krajino, naravne vrednote, materialne dobrine, kulturno dediščino in medsebojni vpliv med temi dejavniki;

8. "The public" means one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organizations or groups.

Article 3

GENERAL PROVISIONS

1. Each Party shall take the necessary legislative, regulatory and other appropriate measures to implement the provisions of this Protocol within a clear, transparent framework.

2. Each Party shall endeavour to ensure that officials and authorities assist and provide guidance to the public in matters covered by this Protocol.

3. Each Party shall provide for appropriate recognition of and support to associations, organizations or groups promoting environmental, including health, protection in the context of this Protocol.

4. The provisions of this Protocol shall not affect the right of a Party to maintain or introduce additional measures in relation to issues covered by this Protocol.

5. Each Party shall promote the objectives of this Protocol in relevant international decision-making processes and within the framework of relevant international organizations.

6. Each Party shall ensure that persons exercising their rights in conformity with the provisions of this Protocol shall not be penalized, persecuted or harassed in any way for their involvement. This provision shall not affect the powers of national courts to award reasonable costs in judicial proceedings.

7. Within the scope of the relevant provisions of this Protocol, the public shall be able to exercise its rights without discrimination as to citizenship, nationality or domicile and, in the case of a legal person, without discrimination as to where it has its registered seat or an effective centre of its activities.

Article 4

FIELD OF APPLICATION CONCERNING PLANS AND PROGRAMMES

1. Each Party shall ensure that a strategic environmental assessment is carried out for plans and programmes referred to in paragraphs 2, 3 and 4 which are likely to have significant environmental, including health, effects.

2. A strategic environmental assessment shall be carried out for plans and programmes which are prepared for agriculture, forestry, fisheries, energy, industry including mining, transport, regional development, waste management, water management, telecommunications, tourism, town and country planning or land use, and which set the framework for future development consent for projects listed in annex I and any other project listed in annex II that requires an environmental impact assessment under national legislation.

3. For plans and programmes other than those subject to paragraph 2 which set the framework for future development consent of projects, a strategic environmental assessment shall be carried out where a Party so determines according to article 5, paragraph 1.

4. For plans and programmes referred to in paragraph 2 which determine the use of small areas at local level and for minor modifications to plans and programmes referred to in paragraph 2, a strategic environmental assessment shall be carried out only where a Party so determines according to article 5, paragraph 1.

5. The following plans and programmes are not subject to this Protocol:

(a) Plans and programmes whose sole purpose is to serve national defence or civil emergencies;

(b) Financial or budget plans and programmes.

8. »javnost« pomeni eno ali več fizičnih ali pravnih oseb in v skladu z notranjo zakonodajo ali prakso njihova združenja, organizacije ali skupine.

3. člen

SPLOŠNE DOLOČBE

1. Vsaka pogodbenica sprejme potrebne zakonodajne, regulativne in druge primerne ukrepe za izvajanje določb tega protokola v jasnem in preglednem okviru.

2. Vsaka pogodbenica si prizadeva, da javnosti zagotovi pomoč in dajanje usmeritev uradnih oseb in organov glede zadev iz tega protokola.

3. Vsaka pogodbenica predvidi primerno priznanje in podporo združenjem, organizacijam ali skupinam, ki spodbujajo varstvo okolja, tudi zdravja, v smislu tega protokola.

4. Določbe tega protokola ne vplivajo na pravico pogodbenice, da vztraja pri dodatnih ukrepih ali jih uvede v zvezi z vprašanji iz tega protokola.

5. Vsaka pogodbenica se zavzema za doseganje ciljev tega protokola v mednarodnih postopkih odločanja in ustreznih mednarodnih organizacijah.

6. Vsaka pogodbenica zagotavlja, da osebe, ki svoje pravice uveljavljajo v skladu z določbami tega protokola, zaradi svojega delovanja ne bodo kakor koli kaznovane, preganjane ali nadlegovane. Ta določba ne vpliva na pristojnost sodišč v državah pri določanju razumnih stroškov v sodnih postopkih.

7. Na podlagi določb tega protokola lahko javnost uveljavlja svoje pravice, ne da bi bili posamezniki diskriminirani zaradi državljanstva, narodnosti ali prebivališča, pravne osebe pa zaradi kraja registracije sedeža ali dejanskega kraja opravljanja dejavnosti.

4. člen

PODROČJE UPORABE V ZVEZI Z NAČRTI IN PROGRAMI

1. Vsaka pogodbenica zagotovi, da se strateška presoja vplivov na okolje opravi za načrte in programe iz drugega, tretjega in četrtega odstavka, ki bi verjetno imeli pomembne posledice za okolje, tudi zdravje.

2. Strateška presoja vplivov na okolje se opravi za načrte in programe, ki se pripravijo za kmetijstvo, gozdarstvo, ribištvo, energetiko, industrijo z rudarstvom, promet, regionalni razvoj, ravnanje z odpadki, upravljanje voda, telekomunikacije, turizem, prostorsko načrtovanje ali rabo zemljišč, in določa okvir za prihodnjo odobritev projektov iz priloge I in za vse druge projekte iz priloge II, za katere se po notranji zakonodaji zahteva presoja vplivov na okolje.

3. Za načrte in programe, razen tistih iz drugega odstavka, ki določajo okvir za prihodnjo odobritev projektov, se strateška presoja vplivov na okolje opravi, če se pogodbenica tako odloči v skladu s prvim odstavkom 5. člena.

4. Za načrte in programe iz drugega odstavka, ki določajo uporabo majhnih površin na lokalni ravni, in za manjše spremembe načrtov in programov iz drugega odstavka se strateška presoja vplivov na okolje opravi samo, če se pogodbenica za to odloči v skladu s prvim odstavkom 5. člena.

5. Ta protokol ne velja za:

a) načrte in programe, namenjene izključno obrambi države ali civilni zaščiti;

b) finančne ali proračunske načrte in programe.

Article 5
SCREENING

1. Each Party shall determine whether plans and programmes referred to in article 4, paragraphs 3 and 4, are likely to have significant environmental, including health, effects either through a case-by-case examination or by specifying types of plans and programmes or by combining both approaches. For this purpose each Party shall in all cases take into account the criteria set out in annex III.

2. Each Party shall ensure that the environmental and health authorities referred to in article 9, paragraph 1, are consulted when applying the procedures referred to in paragraph 1 above.

3. To the extent appropriate, each Party shall endeavour to provide opportunities for the participation of the public concerned in the screening of plans and programmes under this article.

4. Each Party shall ensure timely public availability of the conclusions pursuant to paragraph 1, including the reasons for not requiring a strategic environmental assessment, whether by public notices or by other appropriate means, such as electronic media.

Article 6
SCOPING

1. Each Party shall establish arrangements for the determination of the relevant information to be included in the environmental report in accordance with article 7, paragraph 2.

2. Each Party shall ensure that the environmental and health authorities referred to in article 9, paragraph 1, are consulted when determining the relevant information to be included in the environmental report.

3. To the extent appropriate, each Party shall endeavour to provide opportunities for the participation of the public concerned when determining the relevant information to be included in the environmental report.

Article 7
ENVIRONMENTAL REPORT

1. For plans and programmes subject to strategic environmental assessment, each Party shall ensure that an environmental report is prepared.

2. The environmental report shall, in accordance with the determination under article 6, identify, describe and evaluate the likely significant environmental, including health, effects of implementing the plan or programme and its reasonable alternatives. The report shall contain such information specified in annex IV as may reasonably be required, taking into account:

- (a) Current knowledge and methods of assessment;
- (b) The contents and the level of detail of the plan or programme and its stage in the decision-making process;
- (c) The interests of the public; and
- (d) The information needs of the decision-making body.

3. Each Party shall ensure that environmental reports are of sufficient quality to meet the requirements of this Protocol.

Article 8
PUBLIC PARTICIPATION

1. Each Party shall ensure early, timely and effective opportunities for public participation, when all options are open, in the strategic environmental assessment of plans and programmes.

2. Each Party, using electronic media or other appropriate means, shall ensure the timely public availability of the draft plan or programme and the environmental report.

3. Each Party shall ensure that the public concerned, including relevant non-governmental organizations, is identified for the purposes of paragraphs 1 and 4.

5. člen
PREVERJANJE NAČRTOV IN PROGRAMOV

1. Vsaka pogodbenica s preučitvijo posamičnih primerov ali podrobno opredelitvijo vrst načrtov in programov ali kombinacijo obojega ugotovi, ali bi načrti in programi iz tretjega in četrtega odstavka 4. člena verjetno imeli pomembne posledice za okolje, tudi zdravje. Pri tem vsaka pogodbenica vedno upošteva merila iz priloge III.

2. Vsaka pogodbenica zagotovi, da se v postopkih iz prvega odstavka opravi posvetovanje z organi, pristojnimi za okolje in zdravje, iz prvega odstavka 9. člena.

3. Vsaka pogodbenica si v ustreznem obsegu prizadeva zagotoviti možnost udeležbe javnosti pri preverjanju načrtov in programov na podlagi tega člena.

4. Vsaka pogodbenica z javnimi obvestili ali drugimi primernimi sredstvi, kot so elektronski mediji, pravočasno zagotovi dostop javnosti do ugotovitev na podlagi prvega odstavka, pri čemer navede razloge, zakaj strateška presoja vplivov na okolje ni potrebna.

6. člen
OBSEG PRESOJE VPLIVOV NA OKOLJE

1. Vsaka pogodbenica predpiše ureditev za določitev ustreznih podatkov, ki se vključijo v okoljsko poročilo v skladu z drugim odstavkom 7. člena.

2. Vsaka pogodbenica zagotovi, da se pri določanju ustreznih podatkov, ki se vključijo v okoljsko poročilo, opravi posvetovanje z organi, pristojnimi za okolje in zdravje, iz prvega odstavka 9. člena.

3. Vsaka pogodbenica si v ustreznem obsegu prizadeva zagotoviti možnost za udeležbo javnosti pri določanju ustreznih podatkov, ki se vključijo v okoljsko poročilo.

7. člen
OKOLJSKO POROČILO

1. Vsaka pogodbenica zagotovi pripravo okoljskega poročila za načrte in programe, za katere se opravi strateška presoja vplivov na okolje.

2. Okoljsko poročilo v skladu z obsegom presoje, določenim po 6. členu, opredeli, opiše in oceni verjetne pomembne okoljske, tudi zdravstvene, posledice izvajanja načrta in programa ter razumne alternative. Poročilo vsebuje take podatke iz priloge IV, kot se lahko razumno zahtevajo, pri čemer se upoštevajo:

- a) trenutno znanje in načini presoje;
- b) vsebina in raven podrobnosti načrtov ali programov ter dosežena stopnja v postopku odločanja;
- c) interes javnosti in
- d) potrebe organa odločanja po informacijah.

3. Za izpolnitev zahtev tega protokola vsaka pogodbenica zagotovi zadovoljivo kakovost okoljskega poročila.

8. člen
UDELEŽBA JAVNOSTI

1. Vsaka pogodbenica zagotovi javnosti možnost, da je dejansko, pravočasno in dovolj zgodaj, ko so še vse možnosti odprte, udeležena pri strateški presoji vplivov na okolje.

2. Vsaka pogodbenica z uporabo elektronskih medijev ali drugih primernih sredstev zagotovi pravočasen dostopnost javnosti do osnutkov načrtov ali programov ter okoljskega poročila.

3. Vsaka pogodbenica zagotovi, da se za namene prvega in četrtega odstavka javnost, tudi ustrezne nevladne organizacije, opredelijo.

4. Each Party shall ensure that the public referred to in paragraph 3 has the opportunity to express its opinion on the draft plan or programme and the environmental report within a reasonable time frame.

5. Each Party shall ensure that the detailed arrangements for informing the public and consulting the public concerned are determined and made publicly available. For this purpose, each Party shall take into account to the extent appropriate the elements listed in annex V.

Article 9

CONSULTATION WITH ENVIRONMENTAL AND HEALTH AUTHORITIES

1. Each Party shall designate the authorities to be consulted which, by reason of their specific environmental or health responsibilities, are likely to be concerned by the environmental, including health, effects of the implementation of the plan or programme.

2. The draft plan or programme and the environmental report shall be made available to the authorities referred to in paragraph 1.

3. Each Party shall ensure that the authorities referred to in paragraph 1 are given, in an early, timely and effective manner, the opportunity to express their opinion on the draft plan or programme and the environmental report.

4. Each Party shall determine the detailed arrangements for informing and consulting the environmental and health authorities referred to in paragraph 1.

Article 10

TRANSBOUNDARY CONSULTATIONS

1. Where a Party of origin considers that the implementation of a plan or programme is likely to have significant transboundary environmental, including health, effects or where a Party likely to be significantly affected so requests, the Party of origin shall as early as possible before the adoption of the plan or programme notify the affected Party.

2. This notification shall contain, inter alia:

(a) The draft plan or programme and the environmental report including information on its possible transboundary environmental, including health, effects; and

(b) Information regarding the decision-making procedure, including an indication of a reasonable time schedule for the transmission of comments.

3. The affected Party shall, within the time specified in the notification, indicate to the Party of origin whether it wishes to enter into consultations before the adoption of the plan or programme and, if it so indicates, the Parties concerned shall enter into consultations concerning the likely transboundary environmental, including health, effects of implementing the plan or programme and the measures envisaged to prevent, reduce or mitigate adverse effects.

4. Where such consultations take place, the Parties concerned shall agree on detailed arrangements to ensure that the public concerned and the authorities referred to in article 9, paragraph 1, in the affected Party are informed and given an opportunity to forward their opinion on the draft plan or programme and the environmental report within a reasonable time frame.

Article 11

DECISION

1. Each Party shall ensure that when a plan or programme is adopted due account is taken of:

(a) The conclusions of the environmental report;

(b) The measures to prevent, reduce or mitigate the adverse effects identified in the environmental report; and

(c) The comments received in accordance with articles 8 to 10.

4. Vsaka pogodbenica zagotovi, da ima javnost iz tretjega odstavka v razumnem roku možnost izraziti mnenje o osnutkih načrtov ali programov ter o okoljskem poročilu.

5. Vsaka pogodbenica zagotovi, da se podrobno predpišejo in objavijo načini obveščanja javnosti in posvetovanja z zainteresirano javnostjo. V ta namen vsaka pogodbenica v primernem obsegu upošteva podatke iz priloge V.

9. člen

POSVETOVANJE Z ORGANIZACIJAMI, PRISTOJNIMI ZA OKOLJE IN ZDRAVJE

1. Vsaka pogodbenica določi organe za posvetovanje, ki so zaradi svoje posebne odgovornosti za okolje ali zdravje verjetno povezani z okoljskimi, tudi zdravstvenimi, posledicami izvajanja načrtov ali programov.

2. Osnutek načrta ali programa in okoljsko poročilo sta na voljo organom iz prvega odstavka.

3. Vsaka pogodbenica zagotovi organom iz prvega odstavka možnost, da dejansko, pravočasno in dovolj zgodaj izrazijo mnenje o osnutku načrta ali programa ter o okoljskem poročilu.

4. Vsaka pogodbenica podrobno predpiše načine obveščanja organov, pristojnih za okolje in zdravje, iz prvega odstavka in posvetovanja z njimi.

10. člen

ČEZMEJNO POSVETOVANJE

1. Če pogodbenica izvora meni, da bi izvajanje načrta ali programa verjetno imelo pomembne čezmejne okoljske, tudi zdravstvene, posledice, ali če pogodbenica, ki bi bila lahko občutno prizadeta, tako zahteva, pogodbenica izvora pred sprejetjem načrta ali programa o tem čim prej uradno obvesti prizadeto pogodbenico.

2. Uradno obvestilo med drugim vsebuje:

a) osnutek načrta ali programa in okoljsko poročilo, vključno s podatki o verjetnih čezmejnih okoljskih, tudi zdravstvenih, posledicah, in

b) podatke o postopku odločanja z navedbo razumnega roka za odgovor s pripombami.

3. Prizadeta pogodbenica v roku, določenem v uradnem obvestilu, pogodbenici izvora sporoči, ali se želi posvetovati pred sprejetjem načrta ali programa; če je tako, pogodbenici začneta posvetovanja o verjetnih čezmejnih okoljskih, tudi zdravstvenih, posledicah izvajanja načrta ali programa ter o predvidenih ukrepih za preprečevanje, zmanjševanje ali omilitve škodljivih posledic.

4. Na morebitnih posvetovanjih se pogodbenici podrobno dogovorita o ureditvi, ki bo zagotovila, da so javnost in organi iz prvega odstavka 9. člena v prizadeti pogodbenici ustrezno obveščeni in da imajo možnost v razumnem roku izraziti mnenje o osnutku načrta ali programa in o okoljskem poročilu.

11. člen

ODLOČANJE

1. Vsaka pogodbenica zagotovi, da se po sprejetju načrta ali programa ustrezno upoštevajo:

a) ugotovitve okoljskega poročila,

b) ukrepi za preprečevanje, zmanjševanje ali omilitve škodljivih posledic, opredeljenih v okoljskem poročilu, in

c) pripombe, prejete v skladu z 8. do 10. členom.

2. Each Party shall ensure that, when a plan or programme is adopted, the public, the authorities referred to in article 9, paragraph 1, and the Parties consulted according to article 10 are informed, and that the plan or programme is made available to them together with a statement summarizing how the environmental, including health, considerations have been integrated into it, how the comments received in accordance with articles 8 to 10 have been taken into account and the reasons for adopting it in the light of the reasonable alternatives considered.

Article 12
MONITORING

1. Each Party shall monitor the significant environmental, including health, effects of the implementation of the plans and programmes, adopted under article 11 in order, inter alia, to identify, at an early stage, unforeseen adverse effects and to be able to undertake appropriate remedial action.

2. The results of the monitoring undertaken shall be made available, in accordance with national legislation, to the authorities referred to in article 9, paragraph 1, and to the public.

Article 13
POLICIES AND LEGISLATION

1. Each Party shall endeavour to ensure that environmental, including health, concerns are considered and integrated to the extent appropriate in the preparation of its proposals for policies and legislation that are likely to have significant effects on the environment, including health.

2. In applying paragraph 1, each Party shall consider the appropriate principles and elements of this Protocol.

3. Each Party shall determine, where appropriate, the practical arrangements for the consideration and integration of environmental, including health, concerns in accordance with paragraph 1, taking into account the need for transparency in decision-making.

4. Each Party shall report to the Meeting of the Parties to the Convention serving as the Meeting of the Parties to this Protocol on its application of this article.

Article 14
THE MEETING OF THE PARTIES TO THE CONVENTION
SERVING AS THE MEETING OF THE PARTIES
TO THE PROTOCOL

1. The Meeting of the Parties to the Convention shall serve as the Meeting of the Parties to this Protocol. The first meeting of the Parties to the Convention serving as the Meeting of the Parties to this Protocol shall be convened not later than one year after the date of entry into force of this Protocol, and in conjunction with a meeting of the Parties to the Convention, if a meeting of the latter is scheduled within that period. Subsequent meetings of the Parties to the Convention serving as the Meeting of the Parties to this Protocol shall be held in conjunction with meetings of the Parties to the Convention, unless otherwise decided by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to this Protocol.

2. Parties to the Convention which are not Parties to this Protocol may participate as observers in the proceedings of any session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to this Protocol. When the Meeting of the Parties to the Convention serves as the Meeting of the Parties to this Protocol, decisions under this Protocol shall be taken only by the Parties to this Protocol.

3. When the Meeting of the Parties to the Convention serves as the Meeting of the Parties to this Protocol, any member of the Bureau of the Meeting of the Parties representing a Party to the Convention that is not, at that time, a Party to this Protocol shall be replaced by another member to be elected by and from amongst the Parties to this Protocol.

2. Vsaka pogodbenica zagotovi, da se po sprejetju načrta ali programa javnost, organi iz prvega odstavka 9. člena in pogodbenice, s katerimi je bilo v skladu z 10. členom opravljeno posvetovanje, o tem obvestijo in da se jim načrt ali program da na voljo skupaj z izjavo, ki povzema, kako so bili vanj vključeni okoljski, tudi zdravstveni, vidiki, kako so bile upoštevane pripombe, prejete v skladu z 8. do 10. členom, in kateri so bili razlogi za sprejetje načrta ali programa glede na obravnavane razumne alternative.

12. člen
SPREMLJANJE

1. Vsaka pogodbenica spremlja pomembne posledice izvajanja načrtov in programov, sprejetih po 11. členu, za okolje, tudi zdravje, da bi med drugim čim prej opredelila nepredvidene škodljive posledice in lahko sprejela ustrezne omilitvene ukrepe.

2. Ugotovitve spremljanja so na voljo organom iz prvega odstavka 9. člena in javnosti v skladu z notranjo zakonodajo.

13. člen
POLITIKE IN ZAKONODAJA

1. Vsaka pogodbenica si prizadeva zagotoviti, da se pri pripravi politik in zakonodaje, ki bi verjetno imele pomembne posledice za okolje, tudi zdravje, ustrezno upošteva okolje, tudi zdravje.

2. Pri uporabi prvega odstavka vsaka pogodbenica upošteva ustrezna načela in elemente tega protokola.

3. V skladu s prvim odstavkom vsaka pogodbenica določi, kadar je to primerno, uporabne načine za upoštevanje in vključitev okolja, tudi zdravja, pri čemer upošteva, da mora biti postopek odločanja pregleden.

4. Vsaka pogodbenica o izvajanju tega člena poroča na sestanku pogodbenic konvencije, ki se šteje za sestanek pogodbenic tega protokola.

14. člen
SESTANEK POGODBENIC KONVENCIJE,
KI SE ŠTEJE ZA SESTANEK POGODBENIC
PROTOKOLA

1. Sestanek pogodbenic konvencije se šteje za sestanek pogodbenic tega protokola. Prvi sestanek pogodbenic konvencije, ki se šteje za sestanek pogodbenic tega protokola, se skliče najpozneje eno leto po datumu začetka veljavnosti tega protokola in v povezavi s sestankom pogodbenic konvencije, če je načrtovan v tem času. Naslednji sestanki pogodbenic konvencije, ki se štejejo za sestanke pogodbenic tega protokola, se organizirajo v povezavi s sestanki pogodbenic konvencije, razen če sestanek pogodbenic konvencije, ki se šteje za sestanek pogodbenic tega protokola, ne odloči drugače.

2. Pogodbenice konvencije, ki niso pogodbenice tega protokola, lahko sodelujejo kot opazovalke v razpravah na vseh sejah sestankov pogodbenic konvencije, ki se štejejo za sestanke pogodbenic tega protokola. Kadar se sestanek pogodbenic konvencije šteje za sestanek pogodbenic tega protokola, lahko odločitve po tem protokolu sprejemajo samo pogodbenice tega protokola.

3. Kadar se sestanek pogodbenic konvencije šteje za sestanek pogodbenic tega protokola, se vsak član Urada sestanka pogodbenic, ki zastopa pogodbenico konvencije, ki takrat ni pogodbenica tega protokola, nadomesti z drugim članom, ki ga med seboj izvolijo pogodbenice tega protokola.

4. The Meeting of the Parties to the Convention serving as the Meeting of the Parties to this Protocol shall keep under regular review the implementation of this Protocol and, for this purpose, shall:

(a) Review policies for and methodological approaches to strategic environmental assessment with a view to further improving the procedures provided for under this Protocol;

(b) Exchange information regarding experience gained in strategic environmental assessment and in the implementation of this Protocol;

(c) Seek, where appropriate, the services and cooperation of competent bodies having expertise pertinent to the achievement of the purposes of this Protocol;

(d) Establish such subsidiary bodies as it considers necessary for the implementation of this Protocol;

(e) Where necessary, consider and adopt proposals for amendments to this Protocol; and

(f) Consider and undertake any additional action, including action to be carried out jointly under this Protocol and the Convention, that may be required for the achievement of the purposes of this Protocol.

5. The rules of procedure of the Meeting of the Parties to the Convention shall be applied *mutatis mutandis* under this Protocol, except as may otherwise be decided by consensus by the Meeting of the Parties serving as the Meeting of the Parties to this Protocol.

6. At its first meeting, the Meeting of the Parties to the Convention serving as the Meeting of the Parties to this Protocol shall consider and adopt the modalities for applying the procedure for the review of compliance with the Convention to this Protocol.

7. Each Party shall, at intervals to be determined by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to this Protocol, report to the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on measures that it has taken to implement the Protocol.

Article 15

RELATIONSHIP TO OTHER INTERNATIONAL AGREEMENTS

The relevant provisions of this Protocol shall apply without prejudice to the UNECE Conventions on Environmental Impact Assessment in a Transboundary Context and on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Article 16

RIGHT TO VOTE

1. Except as provided for in paragraph 2 below, each Party to this Protocol shall have one vote.

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

Article 17

SECRETARIAT

The secretariat established by article 13 of the Convention shall serve as the secretariat of this Protocol and article 13, paragraphs (a) to (c), of the Convention on the functions of the secretariat shall apply *mutatis mutandis* to this Protocol.

Article 18

ANNEXES

The annexes to this Protocol shall constitute an integral part thereof.

4. Sestanek pogodbenic konvencije, ki se šteje za sestanek pogodbenic tega protokola, redno spremlja izvajanje tega protokola in zato:

a) preverja politike in metodologije pri strateški presoji vplivov na okolje zaradi nadaljnjega izboljševanja postopkov, predvidenih po tem protokol;

b) omogoča izmenjavo podatkov o izkušnjah, pridobljenih pri strateški presoji vplivov na okolje in izvajanju tega protokola;

c) zaprosi, kadar je primerno, za storitve ali vključitev pristojnih organov z ustreznim strokovnim znanjem, ki lahko prispeva h uresničevanju ciljev tega protokola;

d) ustanavlja pomožna telesa, za katera meni, da so potrebna za izvajanje tega protokola;

e) kadar je potrebno, preveri in sprejme predloge sprememb tega protokola;

f) predvidi in izvede kakršne koli druge ukrepe, tudi skupne ukrepe po tem protokolu in konvenciji, ki bi bili potrebni za uresničevanje ciljev tega protokola.

5. Za ta protokol se smiselno uporablja poslovnik za sestance pogodbenic konvencije, razen če sestanek pogodbenic, ki se šteje za sestanek pogodbenic tega protokola, soglasno ne odloči drugače.

6. Na prvem sestanku pogodbenic konvencije, ki se šteje za sestanek pogodbenic tega protokola, se preuči in določi, kako se bo pri tem protokolu uporabil postopek za pregled skladnosti s konvencijo.

7. Vsaka pogodbenica v časovnih presledkih, ki jih določi sestanek pogodbenic konvencije, ki se šteje za sestanek pogodbenic tega protokola, na sestanku pogodbenic konvencije, ki se šteje za sestanek pogodbenic protokola, poroča o ukrepih, sprejetih za izvajanje protokola.

15. člen

RAZMERJE DO DRUGIH MEDNARODNIH SPORAZUMOV

Ustrezne določbe protokola se uporabljajo brez vpliva na konvenciji UNECE o presoji čezmejnih vplivov na okolje ter o dostopu do informacij, udeležbi javnosti pri odločanju in dostopu do pravnega varstva v okoljskih zadevah.

16. člen

PRAVICA DO GLASOVANJA

1. Vsaka pogodbenica protokola ima en glas, razen če ni v drugem odstavku določeno drugače.

2. Organizacije za regionalno gospodarsko povezovanje v zadevah, za katere so pristojne, pravico do glasovanja uveljavljajo s številom glasov, ki je enako številu njihovih držav članic, ki so pogodbenic protokola. Te organizacije ne morejo uveljavljati pravice do glasovanja, če njihove države članice uveljavljajo svojo, in nasprotno.

17. člen

SEKRETARIAT

Sekretariat, ustanovljen po 13. členu konvencije, ima vlogo sekretariata tega protokola; za protokol se smiselno uporabljajo točke a do c 13. člena konvencije o nalogah sekretariata.

18. člen

PRILOGES

Priloge protokola so njegov sestavni del.

Article 19

AMENDMENTS TO THE PROTOCOL

1. Any Party may propose amendments to this Protocol.

2. Subject to paragraph 3, the procedure for proposing, adopting and the entry into force of amendments to the Convention laid down in paragraphs 2 to 5 of article 14 of the Convention shall apply, *mutatis mutandis*, to amendments to this Protocol.

3. For the purpose of this Protocol, the three fourths of the Parties required for an amendment to enter into force for Parties having ratified, approved or accepted it, shall be calculated on the basis of the number of Parties at the time of the adoption of the amendment.

Article 20

SETTLEMENT OF DISPUTES

The provisions on the settlement of disputes of article 15 of the Convention shall apply *mutatis mutandis* to this Protocol.

Article 21

SIGNATURE

This Protocol shall be open for signature at Kiev (Ukraine) from 21 to 23 May 2003 and thereafter at United Nations Headquarters in New York until 31 December 2003, by States members of the Economic Commission for Europe as well as States having consultative status with the Economic Commission for Europe pursuant to paragraphs 8 and 11 of Economic and Social Council resolution 36 (IV) of 28 March 1947, and by regional economic integration organizations constituted by sovereign States members of the Economic Commission for Europe to which their member States have transferred competence over matters governed by this Protocol, including the competence to enter into treaties in respect of these matters.

Article 22

DEPOSITARY

The Secretary-General of the United Nations shall act as the Depositary of this Protocol.

*Article 23*RATIFICATION, ACCEPTANCE, APPROVAL
AND ACCESSION

1. This Protocol shall be subject to ratification, acceptance or approval by signatory States and regional economic integration organizations referred to in article 21.

2. This Protocol shall be open for accession as from 1 January 2004 by the States and regional economic integration organizations referred to in article 21.

3. Any other State, not referred to in paragraph 2 above, that is a Member of the United Nations may accede to the Protocol upon approval by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol.

4. Any regional economic integration organization referred to in article 21 which becomes a Party to this Protocol without any of its member States being a Party shall be bound by all the obligations under this Protocol. If one or more of such an organization's member States is a Party to this Protocol, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under this Protocol. In such cases, the organization and its member States shall not be entitled to exercise rights under this Protocol concurrently.

5. In their instruments of ratification, acceptance, approval or accession, the regional economic integration organizations referred to in article 21 shall declare the extent of their competence with respect to the matters governed by this Protocol. These organizations shall also inform the Depositary of any relevant modification to the extent of their competence.

19. člen

SPREMEMBE PROTOKOLA

1. Spremembe protokola lahko predlaga vsaka pogodbenica.

2. Ob upoštevanju tretjega odstavka se postopek za predlaganje, sprejetje in začetek veljavnosti sprememb konvencije, določen v drugem do petem odstavku 14. člena konvencije, smiselno uporablja tudi za spremembe protokola.

3. Za namen protokola se tri četrtine pogodbenic, potrebne za začetek veljavnosti sprememb za pogodbenice, ki so ga ratificirale, odobrile ali sprejele, izračunajo na podlagi števila pogodbenic, navzočih ob sprejetju sprememb.

20. člen

REŠEVANJE SPOROV

Določbe 15. člena konvencije o reševanju sporov se smiselno uporabljajo tudi za ta protokol.

21. člen

PODPIS

Protokol je na voljo za podpis v Kijevu (Ukrajina) od 21. do 23. maja 2003, potem pa na sedežu Združenih narodov v New Yorku do 31. decembra 2003, in sicer za države članice Gospodarske komisije za Evropo in države, ki imajo pri Gospodarski komisiji za Evropo posvetovalni status v skladu z osmim in enajstim odstavkom resolucije 36 (IV) Ekonomsko-socialnega sveta z dne 28. marca 1947, ter za organizacije za regionalno gospodarsko povezovanje, ki jih ustanovijo suverene države članice Gospodarske komisije za Evropo in na katere so njihove države članice prenesle pristojnosti o zadevah, ki jih ureja protokol, vključno s pristojnostjo sklepanja pogodb glede teh zadev.

22. člen

DEPOZITAR

Depozitar protokola je generalni sekretar Združenih narodov.

*23. člen*RATIFIKACIJA, SPREJETJE, ODOBRITEV
IN PRISTOP

1. Države podpisnice in organizacije za regionalno gospodarsko povezovanje iz 21. člena protokol ratificirajo, sprejmejo ali odobrijo.

2. Države in organizacije za regionalno gospodarsko povezovanje iz 21. člena lahko k protokolu pristopijo po 1. januarju 2004.

3. Vse druge države, ki niso navedene v drugem odstavku in so članice Združenih narodov, lahko k protokolu pristopijo, ko to odobri sestanek pogodbenic konvencije, ki se šteje za sestanek pogodbenic protokola.

4. Vsako organizacijo za regionalno gospodarsko povezovanje iz 21. člena, ki postane pogodbenica protokola, ne da bi bila katera od njenih držav članic pogodbenica, zavezujejo vse obveznosti iz protokola. Če je ena ali več držav članic te organizacije pogodbenica protokola, se organizacija in njene države članice dogovorijo o delitvi odgovornosti za izpolnjevanje obveznosti iz protokola. V takih primerih organizacija in njene države članice ne morejo hkrati uveljavljati pravic iz protokola.

5. Organizacije za regionalno gospodarsko povezovanje iz 21. člena v svojih listinah o ratifikaciji, sprejetju, odobritvi ali pristopu navedejo obseg svoje pristojnosti glede zadev, ki jih ureja protokol. Te organizacije depozitarja obvestijo tudi o vsaki pomembni spremembi obsega svoje pristojnosti.

Article 24

ENTRY INTO FORCE

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

2. For the purposes of paragraph 1 above, any instrument deposited by a regional economic integration organization referred to in article 21 shall not be counted as additional to those deposited by States members of such an organization.

3. For each State or regional economic integration organization referred to in article 21 which ratifies, accepts or approves this Protocol or accedes thereto after the deposit of the sixteenth instrument of ratification, acceptance, approval or accession, the Protocol shall enter into force on the ninetieth day after the date of deposit by such State or organization of its instrument of ratification, acceptance, approval or accession.

4. This Protocol shall apply to plans, programmes, policies and legislation for which the first formal preparatory act is subsequent to the date on which this Protocol enters into force. Where the Party under whose jurisdiction the preparation of a plan, programme, policy or legislation is envisaged is one for which paragraph 3 applies, this Protocol shall apply to plans, programmes, policies and legislation for which the first formal preparatory act is subsequent to the date on which this Protocol comes into force for that Party.

Article 25

WITHDRAWAL

At any time after four years from the date on which this Protocol has come into force with respect to a Party, that Party may withdraw from the Protocol by giving written notification to the Depositary. Any such withdrawal shall take effect on the ninetieth day after the date of its receipt by the Depositary. Any such withdrawal shall not affect the application of articles 5 to 9, 11 and 13 with respect to a strategic environmental assessment under this Protocol which has already been started, or the application of article 10 with respect to a notification or request which has already been made, before such withdrawal takes effect.

Article 26

AUTHENTIC TEXTS

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

In witness whereof the undersigned, being duly authorized thereto, have signed this Protocol.

Done at Kiev (Ukraine), this twenty-first day of May, two thousand and three.

Annex I

LIST OF PROJECTS AS REFERRED TO IN ARTICLE 4, PARAGRAPH 2

1. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.

2. Thermal power stations and other combustion installations with a heat output of 300 megawatts or more and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).

24. člen

ZAČETEK VELJAVNOSTI

1. Protokol začne veljati devetdeseti dan po dnevu deponiranja šestnajste listine o ratifikaciji, sprejetju, odobritvi ali pristopu.

2. Za namen prvega odstavka tega člena se listina, ki jo deponirajo organizacije za regionalno gospodarsko povezovanje iz 21. členu, ne prišteje k tistim, ki so jih deponirale države članice te organizacije.

3. Za vsako državo ali organizacijo za regionalno gospodarsko povezovanje iz 21. člena, ki ratificira, sprejme ali odobri protokol ali k njemu pristopi po deponiranju šestnajste listine o ratifikaciji, sprejetju, odobritvi ali pristopu, začne protokol veljati devetdeseti dan po dnevu, ko država ali organizacija deponira svojo listino o ratifikaciji, sprejetju, odobritvi ali pristopu.

4. Ta protokol se uporablja za načrte, programe, politike in zakonodajo, pri katerih prvi uradni pripravljalni akt sledi dnevu začetka veljavnosti protokola. Če za pogodbenico, v katere pristojnosti je predvidena priprava načrta, programa, politike ali zakonodaje, velja tretji odstavek, velja protokol za načrte, programe, politike in zakonodajo, pri katerih prvi uradni pripravljalni akt sledi dnevu, ko začne protokol veljati za to pogodbenico.

25. člen

ODPOVED

Pogodbenica lahko odpove protokol s pisnim uradnim obvestilom depozitarju kadar koli po izteku štirih let od dneva, ko je protokol zanjo začel veljati. Odpoved začne veljati devetdeseti dan po tem, ko jo prejme depozitar. Nobena odpoved ne vpliva na uporabo 5. do 9., 11. in 13. člena v zvezi s strateško presojo vplivov na okolje po tem protokolu, ki že poteka, ali na uporabo 10. člena v zvezi z uradnim obvestilom ali zahtevo, ki je bila poslana, preden je ta odpoved začela veljati.

26. člen

VERODOSTOJNOST BESEDIL

Izvirnik protokola, katerega besedila v angleškem, francoskem in ruskem jeziku so enako verodostojna, se deponira pri generalnem sekretarju Združenih narodov.

V potrditev navedenega so podpisani, ki so bili za to pravilno pooblaščen, podpisali protokol.

Sestavljeno v Kijevu (Ukrajina) enaindvajsetega maja dva tisoč tri.

Priloga I

SEZNAM PROJEKTOV IZ DRUGEGA ODSTAVKA 4. ČLENA

1. Rafinerije za surovo nafto (razen podjetij, ki surovo nafto predelujejo samo v maziva) in obrati za uplinjanje in utekočinjanje 500 ton ali več premoga ali bitumenskih skrilavcev na dan.

2. Termoelektrarne in druge kurilne naprave s toplotno močjo 300 megavatov ali več ter jedrske elektrarne in drugi jedrski reaktorji (razen raziskovalnih obratov za proizvodnjo in pretvorbo cepljivih in oplodljivih snovi, katerih največja moč ne presega 1 kilovata stalne toplotne obremenitve).

3. Installations solely designed for the production or enrichment of nuclear fuels, for the reprocessing of irradiated nuclear fuels or for the storage, disposal and processing of radioactive waste.

4. Major installations for the initial smelting of cast-iron and steel and for the production of non-ferrous metals.

5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons of finished product; for friction material, with an annual production of more than 50 metric tons of finished product; and for other asbestos utilization of more than 200 metric tons per year.

6. Integrated chemical installations.

7. Construction of motorways, express roads^{*/} and lines for long-distance railway traffic and of airports^{**/} with a basic runway length of 2,100 metres or more.

8. Large-diameter oil and gas pipelines.

9. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.

10. Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes.

11. Large dams and reservoirs.

12. Groundwater abstraction activities in cases where the annual volume of water to be abstracted amounts to 10 million cubic metres or more.

13. Pulp and paper manufacturing of 200 air-dried metric tons or more per day.

14. Major mining, on-site extraction and processing of metal ores or coal.

15. Offshore hydrocarbon production.

16. Major storage facilities for petroleum, petrochemical and chemical products.

17. Deforestation of large areas.

Annex II

ANY OTHER PROJECTS REFERRED TO IN ARTICLE 4, PARAGRAPH 2

1. Projects for the restructuring of rural land holdings.
2. Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes.
3. Water management projects for agriculture, including irrigation and land drainage projects.
4. Intensive livestock installations (including poultry).
5. Initial afforestation and deforestation for the purposes of conversion to another type of land use.
6. Intensive fish farming.

^{*/} For the purposes of this Protocol:

– "Motorway" means a road specially designed and built for motor traffic, which does not serve properties bordering on it, and which:

(a) is provided, except at special points or temporarily, with separate carriageways for the two directions of traffic, separated from each other by a dividing strip not intended for traffic or, exceptionally, by other means;

(b) does not cross at level with any road, railway or tramway track, or footpath; and

(c) is specially sign posted as a motorway.

– "Express road" means a road reserved for motor traffic accessible only from interchanges or controlled junctions and on which, in particular, stopping and parking are prohibited on the running carriageway(s).

^{**/} For the purposes of this Protocol, "airport" means an airport which complies with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (annex 14).

3. Obrati, namenjeni izključno proizvodnji ali obogatitvi jedrskega goriva, ponovni obdelavi obsevanega jedrskega goriva ali skladiščenju, odstranjevanju in predelavi radioaktivnih odpadkov.

4. Večji obrati za začetno taljenje litega železa in jekla ter za proizvodnjo neželeznih kovin.

5. Obrati za pridobivanje azbesta ter za predelavo in preoblikovanje azbesta in izdelkov, ki vsebujejo azbest; za azbestno-cementne proizvode z letno proizvodnjo več kakor 20.000 ton končnih izdelkov; za torni material z letno proizvodnjo več kakor 50 ton končnih izdelkov ter za drugo uporabo azbesta v količini več kakor 200 ton na leto.

6. Sestavljeni kemijski obrati.

7. Gradnja avtocest, hitrih cest^{*} in prog za železniški promet na velikih razdaljah ter letališč^{**} z osnovno dolžino vzletne steze 2100 m ali več.

8. Naftovodi in plinovodi velikega premera.

9. Trgovska pristanišča ter celinske vodne poti in pristanišča za promet po celinskih vodnih poteh, ki dopuščajo prehod plovil z več kakor 1350 tonami.

10. Obrati za odstranjevanje odpadkov s sežigom, kemično obdelavo ali zakopavanjem strupenih in nevarnih odpadkov.

11. Veliki jezovi in zbiralniki.

12. Dejavnosti črpanja podzemne vode, kadar letna količina izčrpane vode doseže 10 milijonov kubičnih metrov ali več.

13. Proizvodnja več kakor 200 ton na zraku sušene papirne kaše ali papirja na dan.

14. Večji rudarski obrat, pridobivanje in predelovanje kovinske rude ali premoga.

15. Pridobivanje ogljikovodikov na morju.

16. Večji objekti za skladiščenje nafte, petrokemičnih in kemičnih izdelkov.

17. Krčenje gozdov na velikih površinah.

Priloga II

VSI DRUGI PROJEKTI IZ DRUGEGA ODSTAVKA 4. ČLENA

1. Projekti za prestrukturiranje kmetijskih zemljišč.
2. Projekti za uporabo neobdelane zemlje ali polnaravnih območij v intenzivne kmetijske namene.
3. Projekti upravljanja vodnih virov za kmetijstvo, vključno z namakalnimi in izsuševalnimi projekti.
4. Intenzivni obrati za rejo živali (tudi perutnine).
5. Začetno pogodovanje in krčenje gozda zaradi spremembe namembnosti zemljišč.
6. Intenzivno gojenje rib.

^{*} V tem protokolu:

– "avtocesta" pomeni cesto, posebej namenjeno in zgrajeno za motorni promet, s katere ni dostopa do zemljišča ob njej in ki:

a) je opremljena, razen na posebnih točkah ali začasno, s posebnima cestiščema za vsako smer, ločenima z vmesnim pasom, ki ni namenjen prometu, izjemoma tudi drugače;

b) se nivojsko ne križa z nobeno cesto, železniško ali tramvajsko progo ali pešpotjo in

c) je posebej opremljena z oznakami za avtocesto;

– "hitra cesta" pomeni cesto, ki je namenjena motornemu prometu, dostopna le na priključkih ali nadzorovanih križiščih in na kateri sta prepovedani zlasti ustavljanje in parkiranje na cestišču.

^{**} V tem protokolu "letališče" pomeni letališče v skladu z opredelitvijo v Čikaški konvenciji iz leta 1944 (priloga 14), s katero je bila ustanovljena Mednarodna organizacija za civilno letalstvo.

7. Nuclear power stations and other nuclear reactors* including the dismantling or decommissioning of such power stations or reactors (except research installations for the production and conversion of fissionable and fertile materials whose maximum power does not exceed 1 kilowatt continuous thermal load), as far as not included in annex I.

8. Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of 15 kilometres or more and other projects for the transmission of electrical energy by overhead cables.

9. Industrial installations for the production of electricity, steam and hot water.

10. Industrial installations for carrying gas, steam and hot water.

11. Surface storage of fossil fuels and natural gas.

12. Underground storage of combustible gases.

13. Industrial briquetting of coal and lignite.

14. Installations for hydroelectric energy production.

15. Installations for the harnessing of wind power for energy production (wind farms).

16. Installations, as far as not included in annex I, designed:

- For the production or enrichment of nuclear fuel;
- For the processing of irradiated nuclear fuel;
- For the final disposal of irradiated nuclear fuel;
- Solely for the final disposal of radioactive waste;
- Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels in a different site than the production site; or

- For the processing and storage of radioactive waste.

17. Quarries, open cast mining and peat extraction, as far as not included in annex I.

18. Underground mining, as far as not included in annex I.

19. Extraction of minerals by marine or fluvial dredging.

20. Deep drillings (in particular geothermal drilling, drilling for the storage of nuclear waste material, drilling for water supplies), with the exception of drillings for investigating the stability of the soil.

21. Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.

22. Integrated works for the initial smelting of cast iron and steel, as far as not included in annex I.

23. Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting.

24. Installations for the processing of ferrous metals (hot-rolling mills, smitheries with hammers, application of protective fused metal coats).

25. Ferrous metal foundries.

26. Installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes, as far as not included in annex I.

27. Installations for the smelting, including the alloyage, of non-ferrous metals excluding precious metals, including recovered products (refining, foundry casting, etc.), as far as not included in annex I.

28. Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process.

29. Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines.

30. Shipyards.

*/ For the purposes of this Protocol, nuclear power stations and other nuclear reactors cease to be such an installation when all nuclear fuel and other radioactively contaminated elements have been removed permanently from the installation site.

7. Jedske elektrarne in drugi jedrski reaktorji* skupaj z razstavitvijo ali razgradnjo takih jedrskih elektrarn ali reaktorjev (razen raziskovalnih objektov za proizvodnjo in pretvorbo cepljivih ali oplodljivih snovi, katerih največja moč ne presega 1 kilovata stalne toplotne obremenitve), če niso vključeni v prilogo I.

8. Gradnja nadzemnih električnih daljnovodov z nape-
tostjo 220 kilovoltov ali več in dolžino 15 kilometrov ali več ter drugi projekti za prenos električne energije po nadzemnih vodih.

9. Industrijski obrati za proizvodnjo elektrike, pare in vroče vode.

10. Industrijske naprave za prenos plina, pare in vroče vode.

11. Površinsko skladiščenje fosilnih goriv in zemeljskega plina.

12. Podzemno skladiščenje gorljivih plinov.

13. Industrijsko briketiranje premoga in lignita.

14. Obrati za proizvodnjo hidroelektrične energije.

15. Objekti za izkoriščanje moči vetra za proizvodnjo energije (vetrne elektrarne).

16. Obrati, če niso vključeni v prilogo I, namenjeni:

- proizvodnji ali obogatitvi jedrskega goriva;
- predelavi obsevanega jedrskega goriva;
- končnemu odlaganju obsevanega jedrskega goriva;
- samo končnemu odlaganju radioaktivnih odpadkov;
- samo skladiščenju obsevanega jedrskega goriva zunaj kraja proizvodnje (načrtovano za več kot 10 let) ali

- predelavi in skladiščenju radioaktivnih odpadkov.

17. Kamnolomi, površinski kopi in pridobivanje šote, kadar niso vključeni v prilogo I.

18. Podzemni rudarski obrati, če niso vključeni v prilogo I.

19. Pridobivanje rudnin z morskega ali rečnega dna.

20. Globinske vrtine (zlasti geotermalne, vrtine za skladiščenje jedrskih odpadkov, vrtine za oskrbovanje z vodo) razen vrtin za ugotavljanje trdnosti tal.

21. Površinski industrijski objekti za pridobivanje premoga, nafte, zemeljskega plina in rude ter bitumenskih skrilavcev.

22. Sestavljeni obrati za začetno taljenje litega železa in jekla, če niso vključeni v prilogo I.

23. Obrati za proizvodnjo surovega železa ali jekla (primarno ali sekundarno taljenje) skupaj s kontinuirnim litjem.

24. Obrati za predelavo železa in jekla (obradi za vroče valjanje, kovanje s kladivi, nanašanje zaščitnih prevlek iz stajenih kovin).

25. Livarne železa in jekla.

26. Obrati za proizvodnjo neželeznih neobdelanih kovin iz rude, koncentratov ali sekundarnih surovin z metalurškimi, kemičnimi ali elektrolitskimi postopki, če niso vključeni v prilogo I.

27. Obrati za taljenje, tudi legiranje, neželeznih kovin razen plemenitih kovin, vključno z izrabljenimi izdelki za predelavo (rafinacija, litje itd.), če niso vključeni v prilogo I.

28. Obrati za površinsko obdelavo kovin in plastičnih snovi z uporabo elektrolitskih ali kemičnih postopkov.

29. Izdelava in sestavljanje motornih vozil ter izdelava motorjev za motorna vozila.

30. Ladjedelnice.

* V tem protokolu se jedske elektrarne in drugi jedrski reaktorji ne štejejo več za take objekte, če so bili vse jedrsko gorivo in vsi drugi radioaktivno onesnaženi deli trajno odstranjeni iz obrata.

31. Installations for the construction and repair of aircraft.
 32. Manufacture of railway equipment.
 33. Swaging by explosives.
 34. Installations for the roasting and sintering of metallic ores.
 35. Coke ovens (dry coal distillation).
 36. Installations for the manufacture of cement.
 37. Installations for the manufacture of glass including glass fibre.
 38. Installations for smelting mineral substances including the production of mineral fibres.
 39. Manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain.
 40. Installations for the production of chemicals or treatment of intermediate products, as far as not included in annex I.
 41. Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides.
 42. Installations for the storage of petroleum, petrochemical, or chemical products, as far as not included in annex I.
 43. Manufacture of vegetable and animal oils and fats.
 44. Packing and canning of animal and vegetable products.
 45. Manufacture of dairy products.
 46. Brewing and malting.
 47. Confectionery and syrup manufacture.
 48. Installations for the slaughter of animals.
 49. Industrial starch manufacturing installations.
 50. Fish-meal and fish-oil factories.
 51. Sugar factories.
 52. Industrial plants for the production of pulp, paper and board, as far as not included in annex I.
 53. Plants for the pre treatment or dyeing of fibres or textiles.
 54. Plants for the tanning of hides and skins.
 55. Cellulose-processing and production installations.
 56. Manufacture and treatment of elastomer-based products.
 57. Installations for the manufacture of artificial mineral fibres.
 58. Installations for the recovery or destruction of explosive substances.
 59. Installations for the production of asbestos and the manufacture of asbestos products, as far as not included in annex I.
 60. Knackers' yards.
 61. Test benches for engines, turbines or reactors.
 62. Permanent racing and test tracks for motorized vehicles.
 63. Pipelines for transport of gas or oil, as far as not included in annex I.
 64. Pipelines for transport of chemicals with a diameter of more than 800 mm and a length of more than 40 km.
 65. Construction of railways and intermodal transshipment facilities, and of intermodal terminals, as far as not included in annex I.
 66. Construction of tramways, elevated and underground railways, suspended lines or similar lines of a particular type used exclusively or mainly for passenger transport.
 67. Construction of roads, including realignment and/or widening of any existing road, as far as not included in annex I.
 68. Construction of harbours and port installations, including fishing harbours, as far as not included in annex I.
 69. Construction of inland waterways and ports for inland-waterway traffic, as far as not included in annex I.
 70. Trading ports, piers for loading and unloading connected to land and outside ports, as far as not included in annex I.
31. Obrati za gradnjo in popravila zrakoplovov.
 32. Izdelava železniške opreme.
 33. Eksplozijsko litje kovin.
 34. Obrati za praženje in sintranje kovinskih rud.
 35. Koksarne (suha destilacija premoga).
 36. Cementarna.
 37. Obrati za izdelavo stekla, tudi steklenih vlaken.
 38. Obrati za taljenje mineralnih snovi, tudi za proizvodnjo mineralnih vlaken.
 39. Obrati za izdelavo keramičnih izdelkov z žganjem, zlasti strešnikov, opeke, ognjevarne opeke, ploščic, lončevine ali porcelana.
 40. Obrati za proizvodnjo kemikalij ali obdelavo vmesnih izdelkov, če niso vključeni v prilogo I.
 41. Proizvodnja pesticidov in farmacevtskih izdelkov, barv in lakov, elastomerov in peroksidov.
 42. Objekti za skladiščenje naftnih, petrokemičnih ali kemičnih izdelkov, če niso vključeni v prilogo I.
 43. Izdelava rastlinskih in živalskih olj ter maščob.
 44. Pakiranje in konzerviranje živalskih in rastlinskih izdelkov.
 45. Izdelava mlečnih izdelkov.
 46. Varjenje piva in pridobivanje slada.
 47. Izdelava slaščic in sirupov.
 48. Klavnice.
 49. Obrati za izdelavo industrijskega škroba.
 50. Tovarne ribje moke in ribjega olja.
 51. Tovarne sladkorja.
 52. Industrijski obrati za proizvodnjo papirne kaše, papirja in kartona, če niso vključeni v prilogo I.
 53. Obrati za predhodno obdelavo ali barvanje vlaken ali tekstila.
 54. Strojarne.
 55. Obrati za predelavo in proizvodnjo celuloze.
 56. Izdelava in obdelava izdelkov na osnovi elastomerov.
 57. Obrati za izdelavo umetnih mineralnih vlaken.
 58. Obrati za ponovno obdelavo ali uničevanje eksplozivnih snovi.
 59. Obrati za proizvodnjo azbesta in izdelavo azbestnih izdelkov, če niso vključeni v prilogo I.
 60. Pristanišča starih ladij.
 61. Preizkuševalnice za motorje, turbine ali reaktorje.
 62. Stalne dirkalne in preizkuševalne proge za motorna vozila.
 63. Plinovodi ali naftovodi, če niso vključeni v prilogo I.
 64. Cevovodi za prenos kemikalij s premerom, večjim od 800 mm, in dolžino, večjo od 40 km.
 65. Gradnja železnic in intermodalnih zmogljivosti za pretovarjanje ter intermodalnih terminalov, če ni vključena v prilogo I.
 66. Gradnja tramvajskih prog, nadzemnih in podzemskih železnic, visečih ali podobnih posebnih prog, ki se uporabljajo izključno ali pretežno za potniški promet.
 67. Gradnja cest, skupaj s premestitvijo in/ali razširitvijo vseh obstoječih cest, če ni vključena v prilogo I.
 68. Gradnja pristanišč in pristaniških naprav, vključno z ribiškimi pristanišči, če ni vključena v prilogo I.
 69. Gradnja celinskih vodnih poti in pristanišč za celinski vodni promet, če ni vključena v prilogo I.
 70. Trgovska pristanišča, nakladalni in razkladalni pomoli, povezani s celinskimi in zunanjimi pristanišči, če niso vključeni v prilogo I.

71. Canalization and flood-relief works.
72. Construction of airports**/ and airfields, as far as not included in annex I.
73. Waste-disposal installations (including landfill), as far as not included in annex I.
74. Installations for the incineration or chemical treatment of non-hazardous waste.
75. Storage of scrap iron, including scrap vehicles.
76. Sludge deposition sites.
77. Groundwater abstraction or artificial groundwater recharge, as far as not included in annex I.
78. Works for the transfer of water resources between river basins.
79. Waste-water treatment plants.
80. Dams and other installations designed for the holding-back or for the long-term or permanent storage of water, as far as not included in annex I.
81. Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.
82. Installations of long-distance aqueducts.
83. Ski runs, ski lifts and cable cars and associated developments.
84. Marinas.
85. Holiday villages and hotel complexes outside urban areas and associated developments.
86. Permanent campsites and caravan sites.
87. Theme parks.
88. Industrial estate development projects.
89. Urban development projects, including the construction of shopping centres and car parks.
90. Reclamation of land from the sea.

Annex III

CRITERIA FOR DETERMINING OF THE LIKELY SIGNIFICANT ENVIRONMENTAL, INCLUDING HEALTH, EFFECTS REFERRED TO IN ARTICLE 5, PARAGRAPH 1

1. The relevance of the plan or programme to the integration of environmental, including health, considerations in particular with a view to promoting sustainable development.
2. The degree to which the plan or programme sets a framework for projects and other activities, either with regard to location, nature, size and operating conditions or by allocating resources.
3. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.
4. Environmental, including health, problems relevant to the plan or programme.
5. The nature of the environmental, including health, effects such as probability, duration, frequency, reversibility, magnitude and extent (such as geographical area or size of population likely to be affected).
6. The risks to the environment, including health.
7. The transboundary nature of effects.
8. The degree to which the plan or programme will affect valuable or vulnerable areas including landscapes with a recognized national or international protection status.

**/ For the purposes of this Protocol, "airport" means an airport which complies with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (annex 14).

71. Kanalizacija in ukrepi za zmanjšanje poplavne nevarnosti.
72. Gradnja letališč** in malih letališč, če ni vključena v prilogo I.
73. Obrati za odstranjevanje odpadkov (vključno z odlagališči), če niso vključeni v prilogo I.
74. Obrati za sežig ali kemično obdelavo nenevarnih odpadkov.
75. Skladiščenje odpadnega železa, vključno z odpadnimi vozili.
76. Odlagališča blata.
77. Črpanje podzemne vode ali umetno bogatenje podzemne vode, če ni vključeno v prilogo I.
78. Objekti za prenos vode med porečji.
79. Čistilne naprave za obdelavo odpadnih voda.
80. Jezovi in drugi objekti za zadrževanje ali dolgoročno ali stalno skladiščenje vode, če niso vključeni v prilogo I.
81. Obalna dela za boj proti eroziji in morski objekti, katerih gradnja lahko spremeni obalo, na primer pristaniški nasipi, pomoli, valobrani in drugi objekti za obrambo pred morjem, razen vzdrževanja in obnove takih objektov.
82. Vodovodi za dolge razdalje.
83. Smučarske proge, vlečnice in žičnice ter z njimi povezana ureditev.
84. Marine.
85. Počitniška in hotelska naselja zunaj naseljenih območij ter z njimi povezana ureditev.
86. Stalni prostori za postavitev šotorov, bivalnih vozil in počitniških prikolic.
87. Tematski parki.
88. Projekti ureditve industrijskih območij.
89. Urbanistični projekti skupaj z gradnjo nakupovalnih središč in avtomobilskih parkirišč.
90. Pridobivanje zemljišč iz morja.

Priloga III

MERILA ZA DOLOČITEV VERJETNIH POMEMBNIH OKOLJSKIH POSLEDIC, TUDI ZDRAVSTVENIH, IZ PRVEGA ODSTAVKA 5. ČLENA

1. Ustreznost načrta ali programa z vidika vključenosti okolja, tudi zdravja, še zlasti zaradi spodbujanja trajnostnega razvoja.
2. Stopnja, do katere načrt ali program določa okvir za projekte in druge dejavnosti glede na kraj, naravo, velikost in pogoje delovanja ali z dodelitvijo sredstev.
3. Stopnja, do katere načrt ali program vpliva na druge načrte in programe, vključno s tistimi, ki so del hierarhije.
4. Okoljske težave, tudi zdravstvene, pomembne za načrt ali program.
5. Narava okoljskih posledic, tudi zdravstvenih, kot so verjetnost, trajanje, pogostost, reverzibilnost, jakost in obseg (verjetno prizadeto ozemlje ali število prebivalcev).
6. Tveganje za okolje, tudi zdravje.
7. Čezmejna narava posledic.
8. Stopnja, do katere bo načrt ali program prizadel pomembna ali ranljiva območja, vključno s krajino s prizanim notranjim ali mednarodnim statusom varovanja.

** V tem protokolu "letališče" pomeni letališče v skladu z opredelitvijo v Čikaški konvenciji iz leta 1944 (priloga 14), s katero je bila ustanovljena Mednarodna organizacija za civilno letalstvo.

Annex IV

INFORMATION REFERRED TO IN ARTICLE 7,
PARAGRAPH 2

1. The contents and the main objectives of the plan or programme and its link with other plans or programmes.
2. The relevant aspects of the current state of the environment, including health, and the likely evolution thereof should the plan or programme not be implemented.
3. The characteristics of the environment, including health, in areas likely to be significantly affected.
4. The environmental, including health, problems which are relevant to the plan or programme.
5. The environmental, including health, objectives established at international, national and other levels which are relevant to the plan or programme, and the ways in which these objectives and other environmental, including health, considerations have been taken into account during its preparation.
6. The likely significant environmental, including health, effects^{*/} as defined in article 2, paragraph 7.
7. Measures to prevent, reduce or mitigate any significant adverse effects on the environment, including health, which may result from the implementation of the plan or programme.
8. An outline of the reasons for selecting the alternatives dealt with and a description of how the assessment was undertaken including difficulties encountered in providing the information to be included such as technical deficiencies or lack of knowledge.
9. Measures envisaged for monitoring environmental, including health, effects of the implementation of the plan or programme.
10. The likely significant transboundary environmental, including health, effects.
11. A non-technical summary of the information provided.

Annex V

INFORMATION REFERRED TO IN ARTICLE 8,
PARAGRAPH 5

1. The proposed plan or programme and its nature.
2. The authority responsible for its adoption.
3. The envisaged procedure, including:
 - (a) The commencement of the procedure;
 - (b) The opportunities for the public to participate;
 - (c) The time and venue of any envisaged public hearing;
 - (d) The authority from which relevant information can be obtained and where the relevant information has been deposited for examination by the public;
 - (e) The authority to which comments or questions can be submitted and the time schedule for the transmittal of comments or questions; and
 - (f) What environmental, including health, information relevant to the proposed plan or programme is available.
4. Whether the plan or programme is likely to be subject to a transboundary assessment procedure.

^{*/} These effects should include secondary, cumulative, synergistic, short-, medium- and long-term, permanent and temporary, positive and negative effects.

3. člen

Za izvajanje protokola skrbi Ministrstvo za okolje in prostor.

4. člen

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

Št. 801-01/09-39/11
Ljubljana, dne 2. februarja 2010
EPA 804-V

Priloga IV

PODATKI IZ DRUGEGA ODSTAVKA
7. ČLENA

1. Vsebina in glavni cilji načrta ali programa ter njegova povezanost z drugimi načrti ali programi.
2. Ustrezni vidiki trenutnega stanja okolja, tudi zdravja, in verjeten nadaljnji razvoj, če se načrt ali program ne bi izvajal.
3. Značilnosti okolja, tudi zdravja, na območjih, ki bi bila verjetno pomembno prizadeta.
4. Okoljske težave, tudi zdravstvene, ki so pomembne za načrt ali program.
5. Okoljski cilji, tudi zdravstveni, določeni na mednarodni, državni in drugih ravneh, pomembni za načrt ali program, ter načini, na katere so bili ti cilji in okoljski in zdravstveni vidiki upoštevani pri pripravi načrta ali programa.
6. Verjetne pomembne okoljske posledice, tudi zdravstvene*, kot so opredeljene v sedmem odstavku 2. člena.
7. Ukrepi za preprečevanje, zmanjšanje ali omilitev kakršnih koli pomembnih škodljivih posledic za okolje, tudi zdravje, ki bi lahko nastale zaradi izvajanja načrta ali programa.
8. Navedba razlogov za izbiro obravnavanih alternativ in opis izvedbe presoje, vključno s težavami pri zbiranju potrebnih podatkov, kot so tehnične pomanjkljivosti ali pomanjkanje znanja.
9. Ukrepi, predvideni za spremljanje okoljskih, tudi zdravstvenih, posledic pri izvajanju načrta ali programa.
10. Verjetne pomembne čezmejne okoljske posledice, tudi zdravstvene.
11. Netehnični povzetek vključenih podatkov.

Priloga V

PODATKI IZ PETEGA ODSTAVKA 8. ČLENA

1. Predlagani načrt ali program in njegova narava.
2. Organ, odgovoren za njegovo sprejetje.
3. Predvideni postopek z navedbo:
 - a) dneva začetka postopka;
 - b) možnosti za udeležbo javnosti;
 - c) časa in kraja vsake predvidene javne obravnave;
 - d) organa, pri katerem je mogoče dobiti ustrezne podatke in pri katerem so shranjeni podatki, ki so na voljo javnosti;
 - e) organa, ki se mu lahko dajejo pripombe ali postavijo vprašanja, ter roka za pripombe ali vprašanja in
 - f) razpoložljivih okoljskih podatkov, tudi zdravstvenih, v zvezi s predlaganim načrtom ali program.
4. Podatki o tem, ali bo za načrt ali program verjetno treba opraviti presojo čezmejnih vplivov na okolje.

* Te posledice morajo zajemati sekundarne, kumulativne, sinergijske, kratko-, srednje- in dolgoročne, trajne in začasne ter pozitivne in negativne posledice.

Državni zbor
Republike Slovenije
mag. Vasja Klavora l.r.
Podpredsednik

4. Zakon o ratifikaciji Statuta Mednarodne agencije za obnovljivo energijo (IRENA) (MSMAOE)

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 Statuta Mednarodne agencije za obnovljivo energijo (IRENA) (MSMAOE)**

Razglašam Zakon o ratifikaciji Statuta Mednarodne agencije za obnovljivo energijo (IRENA) (MSMAOE), ki ga je sprejel Državni zbor Republike Slovenije na seji 2. februarja 2010.

Št. 003-02-2/2010-3

Ljubljana, dne 10. februarja 2010

dr. Danilo Türk l.r.
Predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI STATUTA MEDNARODNE AGENCIJE ZA OBNOVLJIVO ENERGIJO (IRENA) (MSMAOE)**

1. člen

Ratificira se Statut Mednarodne agencije za obnovljivo energijo (IRENA), sestavljen v Bonnu 26. januarja 2009.

2. člen

Besedilo Statuta Mednarodne agencije za obnovljivo energijo (IRENA) se v izvorniku v angleškem jeziku in v prevodu v slovenskem jeziku glasi:

**Statute
of the International Renewable Energy Agency
(IRENA)**

The Parties to this Statute,
desiring to promote the widespread and increased adoption and use of renewable energy with a view to sustainable development,

inspired by their firm belief in the vast opportunities offered by renewable energy for addressing and gradually alleviating problems of energy security and volatile energy prices,

convinced of the major role that renewable energy can play in reducing greenhouse gas concentrations in the atmosphere, thereby contributing to the stabilisation of the climate system, and allowing for a sustainable, secure and gentle transit to a low carbon economy,

desiring to foster the positive impact that renewable energy technologies can have on stimulating sustainable economic growth and creating employment,

motivated by the huge potential of renewable energy in providing decentralized access to energy, particularly in developing countries, and access to energy for isolated and remote regions and islands,

concerned about the serious negative implications that the use of fossil fuels and the inefficient use of traditional biomass can have on health,

convinced that renewable energy, combined with enhanced energy efficiency, can increasingly cover the anticipated steep increase in global energy needs in the coming decades,

affirming their desire to establish an international organisation for renewable energy, that facilitates the cooperation between its Members, while also establishing a close collaboration with existing organisations that promote the use of renewable energy,

have agreed as follows:

**Statut
Mednarodne agencije za obnovljivo energijo
(IRENA)**

Pogodbenice tega statuta
v želji spodbuditi široko in vedno večjo uveljavitev in rabo obnovljive energije s ciljem trajnostnega razvoja,

na podlagi trdnega prepričanja, da obnovljiva energija ponuja veliko priložnosti za začetek reševanja in postopno zmanjševanje težav glede zanesljive oskrbe z energijo in spremenljivih cen energije,

ob prepričanju, da ima lahko obnovljiva energija pomembno vlogo pri zmanjševanju koncentracij toplogrednih plinov v ozračju in s tem prispeva k ustalitvi podnebnega sistema ter omogoča trajnostni, varen in netežaven prehod v nizkoogljično gospodarstvo,

v želji povečati pozitiven vpliv, ki ga imajo tehnologije za obnovljivo energijo na spodbujanje trajnostne gospodarske rasti in ustvarjanje delovnih mest,

zaradi velikih možnosti obnovljive energije pri zagotavljanju decentraliziranega dostopa do energije, zlasti v državah v razvoju, in dostopa odrezanih in oddaljenih območjih in otokov do energije,

zaskrbljene zaradi resnih negativnih posledic za zdravje, ki jih lahko imata uporaba fosilnih goriv in neučinkovita uporaba tradicionalne biomase,

prepričane, da lahko obnovljiva energija skupaj z večjo energetske učinkovitostjo vedno bolj zadovoljuje pričakovane vse večje svetovne potrebe po energiji v prihodnjih desetletjih,

potrjujejo svojo željo ustanoviti mednarodno organizacijo za obnovljivo energijo za lažje sodelovanje med njenimi članicami in tudi za vzpostavitev tesnega sodelovanja z obstoječimi organizacijami, ki spodbujajo uporabo obnovljive energije,

so se sporazumele:

Article I**Establishment of the Agency**

A. The Parties to this Statute hereby establish the International Renewable Energy Agency (hereinafter referred to as "the Agency") in accordance with the following terms and conditions.

B. The Agency is based on the principle of the equality of all its Members and shall pay due respect to the sovereign rights and competencies of its Members in performing its activities.

Article II**Objectives**

The Agency shall promote the widespread and increased adoption and the sustainable use of all forms of renewable energy, taking into account:

a. national and domestic priorities and benefits derived from a combined approach of renewable energy and energy efficiency measures, and

b. the contribution of renewable energy to environmental preservation, through limiting pressure on natural resources and reducing deforestation, particularly tropical deforestation, desertification and biodiversity loss; to climate protection; to economic growth and social cohesion including poverty alleviation and sustainable development; to access to and security of energy supply; to regional development and to inter-generational responsibility.

Article III**Definition**

In this Statute the term "renewable energy" means all forms of energy produced from renewable sources in a sustainable manner, which include, inter alia:

1. bioenergy;
2. geothermal energy;
3. hydropower;
4. ocean energy, including inter alia tidal, wave and ocean thermal energy;
5. solar energy; and
6. wind energy.

Article IV**Activities**

A. As a centre of excellence for renewable energy technology and acting as a facilitator and catalyst, providing experience for practical applications and policies, offering support on all matters relating to renewable energy and helping countries to benefit from the efficient development and transfer of knowledge and technology, the Agency performs the following activities:

1. In particular for the benefit of its Members the Agency shall:

a. analyse, monitor and, without obligations on Members' policies, systematize current renewable energy practices, including policy instruments, incentives, investment mechanisms, best practices, available technologies, integrated systems and equipment, and success-failure factors;

b. initiate discussion and ensure interaction with other governmental and nongovernmental organisations and networks in this and other relevant fields;

c. provide relevant policy advice and assistance to its Members upon their request, taking into account their respective needs, and stimulate international discussions on renewable energy policy and its framework conditions;

d. improve pertinent knowledge and technology transfer and promote the development of local capacity and competence in Member States including necessary interconnections;

I. člen**Ustanovitev agencije**

A. Pogodbenice tega statuta ustanovijo Mednarodno agencijo za obnovljivo energijo (v nadaljnjem besedilu: agencija) v skladu z navedenimi pogoji.

B. Temeljno načelo agencije je enakost vseh njenih članic ter spoštovanje suverenih pravic in pristojnosti članic pri njihovem delovanju.

II. člen**Cilji**

Agencija spodbuja široko in vedno večjo uveljavitev in trajnostno rabo vseh oblik obnovljive energije ob upoštevanju:

a) nacionalnih prednostnih nalog in koristi, ki izhajajo iz skupne obravnave obnovljive energije in ukrepov energetske učinkovitosti, in

b) prispevka obnovljive energije za ohranitev okolja z omejevanjem pritiskov na naravne vire in z zmanjševanjem krčenja gozdov, zlasti tropskih, z zmanjševanjem širjenja puščav in upadanja biotske raznovrstnosti, za zaščito podnebja, gospodarsko rast in socialno povezanost, vključno z zmanjševanjem revščine in trajnostnim razvojem, za dostop do energije in zanesljivo oskrbo z njo, za regionalni razvoj in medgeneracijsko odgovornost.

III. člen**Opredelitev pojmov**

V tem statutu izraz »obnovljiva energija« pomeni vse oblike energije, trajnostno proizvedene iz obnovljivih virov, kar med drugim vključuje:

1. bioenergijo;
2. geotermalno energijo;
3. vodno energijo;
4. morsko energijo, kar med drugim vključuje energijo plimovanja, valovanja in morske toplote;
5. sončno energijo in
6. vetrno energijo.

IV. člen**Dejavnosti**

A. Kot center odličnosti za tehnologije za obnovljivo energijo, ki deluje kot svetovalec in usmerjevalec, prenaša izkušnje za praktično uporabo in politiko, nudi podporo vseh zadev v zvezi z obnovljivo energijo in pomaga državam do koristi od učinkovitega razvoja in prenosa znanja in tehnologij, agencija opravlja naslednje dejavnosti:

1. agencija predvsem v korist svojih članic:

a) analizira, spremlja in brez obveznosti do politike članic vzpostavlja sistem obstoječih praks na področju obnovljive energije, vključno z dokumenti politike, spodbudami, naložbenimi mehanizmi, najboljšimi praksami, razpoložljivimi tehnologijami, povezanimi sistemi in opremo ter dejavniki uspeha ali neuspeha;

b) začenja razpravo in zagotavlja sodelovanje z drugimi vladnimi in nevladnimi organizacijami in mrežami na tem in drugih ustreznih področjih;

c) na zahtevo članic jim zagotavlja ustrezne nasvete o politiki in jim ob upoštevanju njihovih potreb pomaga ter spodbuja mednarodne razprave o politiki o obnovljivi energiji in njenih okvirnih pogojih;

d) izboljšuje prenos ustreznega znanja in tehnologije ter spodbuja razvoj lokalne zmogljivosti in usposobljenosti v državah članicah, vključno s potrebnimi medsebojnimi povezavami;

e. offer capacity building including training and education to its Members;

f. provide to its Members upon their request advice on the financing for renewable energy and support the application of related mechanisms;

g. stimulate and encourage research, including on socio-economic issues, and foster research networks, joint research, development and deployment of technologies; and

h. provide information about the development and deployment of national and international technical standards in relation to renewable energy, based on a sound understanding through active presence in the relevant fora.

2. Furthermore, the Agency shall disseminate information and increase public awareness on the benefits and potential offered by renewable energy.

B. In the performance of its activities, the Agency shall:

1. act in accordance with the purposes and principles of the United Nations to promote peace and international cooperation, and in conformity with policies of the United Nations furthering sustainable development;

2. allocate its resources in such a way as to ensure their efficient utilisation with a view to appropriately address all its objectives and perform its activities for achieving the greatest possible benefit for its Members and in all areas of the world, bearing in mind the special needs of the developing countries, and remote and isolated regions and islands;

3. cooperate closely and strive for establishing mutually beneficial relationships with existing institutions and organisations in order to avoid unnecessary duplication of work and build upon and make efficient and effective use of resources and on-going activities by governments, other organisations and agencies, which aim to promote renewable energy.

C. The Agency shall:

1. submit an annual report on its activities to its Members;

2. inform Members about its policy advice after it was given; and

3. inform Members about consultation and cooperation with and the work of existing international organisations working in this field.

Article V

Work programme and projects

A. The Agency shall perform its activities on the basis of the annual work programme, prepared by the Secretariat, considered by the Council and adopted by the Assembly.

B. The Agency may, in addition to its work programme, after consultation of its Members and, in case of disagreement, after approval by the Assembly, carry out projects initiated and financed by Members subject to the availability of non-financial resources of the Agency.

Article VI

Membership

A. Membership is open to those States that are members of the United Nations and to regional intergovernmental economic integration organisations willing and able to act in accordance with the objectives and activities laid down in this Statute. To be eligible for membership to the Agency, a regional intergovernmental economic integration organisation must be constituted by sovereign States, at least one of which is a Member of the Agency, and to which its Member States have transferred competence in at least one of the matters within the purview of the Agency.

B. Such States and regional intergovernmental economic integration organisations shall become:

1. original Members of the Agency by having signed this Statute and having deposited an instrument of ratification;

e) svojim članicam nudi krepitev zmogljivosti, vključno z usposabljanjem in izobraževanjem;

f) na zahtevo članic jim zagotavlja nasvete o financiranju obnovljive energije in podpira uporabo s tem povezanih mehanizmov;

g) podpira in spodbuja raziskave, vključno o socialno-ekonomskih zadevah, raziskovalne mreže, skupne raziskave, razvoj in uporabo tehnologij in

h) na podlagi temeljitega razumevanja, pridobljenega z aktivnim sodelovanjem v ustreznih telesih, daje informacije o razvoju in uporabi nacionalnih in mednarodnih tehničnih standardov v zvezi z obnovljivo energijo;

2. poleg tega agencija razširja informacije in povečuje ozaveščenost javnosti o koristih in možnostih, ki jih daje obnovljiva energija.

B. Agencija pri svojem delovanju:

1. upošteva cilje in načela Združenih narodov za spodbujanje miru in mednarodnega sodelovanja in politiko Združenih narodov za spodbujanje trajnostnega razvoja;

2. razporeja svoja sredstva tako, da zagotovi njihovo učinkovito rabo z namenom ustrezno upoštevati vse svoje cilje in izvajati svoje dejavnosti za doseganje največje mogoče koristi za svoje članice in za vse dele sveta ob upoštevanju posebnih potreb držav v razvoju ter oddaljenih in odrezanih območij in otokov;

3. tesno sodeluje in si prizadeva za vzpostavitev medsebojno koristnih odnosov z obstoječimi institucijami in organizacijami, da ne pride do nepotrebnega podvajanja dela, in nadgrajuje ter smotrno in učinkovito uporablja vire in dejavnosti vlad, drugih organizacij in agencij, katerih cilj je spodbujanje obnovljive energije.

C. Agencija:

1. predloži letno poročilo o svojih dejavnostih svojim članicam;

2. obvešča članice o danih nasvetih o politiki in

3. obvešča članice o posvetovanju in sodelovanju z obstoječimi mednarodnimi organizacijami s tega področja in o njihovem delu.

V. člen

Delovni program in projekti

A. Agencija opravlja svoje dejavnosti na podlagi letnega delovnega programa, ki ga pripravi sekretariat, obravnava svet in sprejme skupščina.

B. Agencija lahko poleg svojega delovnega programa po posvetovanju s članicami, ob nestrinjanju pa po odobritvi skupščine, izvaja projekte, ki jih začnejo in financirajo članice, če imajo razpoložljive nefinančne vire agencije.

VI. člen

Članstvo

A. Članstvo je odprto za države članice Združenih narodov in za regionalne medvladne organizacije za gospodarsko povezovanje, ki so pripravljene in sposobne delovati v skladu s cilji in dejavnostmi, določenimi v tem statutu. Da bi regionalna medvladna organizacija za gospodarsko povezovanje izpolnjevala pogoje za članstvo v agenciji, jo morajo ustanoviti suverene države, med katerimi je vsaj ena tudi članica agencije in na katero so njene države članice prenesle pristojnost za vsaj eno področje delovanja agencije.

B. Države in regionalne medvladne organizacije za gospodarsko povezovanje postanejo:

1. ustanovitvene članice agencije s podpisom tega statuta in ob deponiranju listine o ratifikaciji;

2. other Members of the Agency by depositing an instrument of accession after their application for membership has been approved. Membership shall be regarded as approved if three months after the application has been sent to Members no disagreement has been expressed. In case of disagreement the application shall be decided on by the Assembly in accordance with Article IX paragraph H number 1.

C. In the case of any regional intergovernmental economic integration organisation, the organisation and its Member States shall decide on their respective responsibilities for the performance of their obligations under this Statute. The organisation and its Member States shall not be entitled to exercise rights, including voting rights, under the Statute concurrently. In their instruments of ratification or accession, the organisations referred to above shall declare the extent of their competence with respect to the matters governed by this Statute. These organisations shall also inform the Depositary Government of any relevant modification in the extent of their competence. In the case of voting on matters within their competence, regional intergovernmental economic integration organizations shall vote with the number of votes equal to the total number of votes attributable to their Member States which are also Members of this Agency.

Article VII

Observers

A. Observer status may be granted by the Assembly to:

1. intergovernmental and non-governmental organisations active in the field of renewable energy;
2. Signatories that have not ratified the Statute; and
3. applicants for membership whose application for membership has been approved in accordance with Article VI paragraph B number 2.

B. Observers may participate without the right to vote in the public sessions of the Assembly and its subsidiary organs.

Article VIII

Organs

A. There are hereby established as the principal organs of the Agency:

1. the Assembly;
2. the Council; and
3. the Secretariat.

B. The Assembly and the Council, subject to approval by the Assembly, may establish such subsidiary organs as they find necessary for the exercise of their functions in accordance with this Statute.

Article IX

The Assembly

A. 1. The Assembly is the supreme organ of the Agency.

2. The Assembly may discuss any matter within the scope of this Statute or relating to the powers and functions of any organ provided for in this Statute.

3. On any such matter the Assembly may:

- a. take decisions and make recommendations to any such organ; and
- b. make recommendations to the Members of the Agency, upon their request.

4. Furthermore, the Assembly shall have the authority to propose matters for consideration by the Council and request from the Council and the Secretariat reports on any matter relating to the functioning of the Agency.

B. The Assembly shall be composed of all Members of the Agency. The Assembly shall meet in regular sessions which shall be held annually unless it decides otherwise.

2. druge članice agencije z deponiranjem listine o pristopu po odobritvi njihove vloge za članstvo. Vloga za članstvo se šteje kot odobrena, če po treh mesecih od takrat, ko je bila poslana članicam, te niso izrazile nesoglasja. Ob nesoglasju o vlogi za članstvo odloča skupščina v skladu s 1. točko odstavka H IX. člena.

C. Pri regionalnih medvladnih organizacijah za gospodarsko povezovanje organizacija in njene države članice določijo svoje naloge za izvajanje obveznosti po tem statutu. Organizacija in njene države članice po tem statutu ne morejo hkrati uveljavljati pravic, vključno z glasovalnimi. V svojih listinah o ratifikaciji ali pristopu te organizacije navedejo svoje pristojnosti v zadevah po tem statutu. Te organizacije obvestijo depozitarja o vsaki pomembni spremembi svojih pristojnosti. Pri glasovanju regionalne medvladne organizacije za gospodarsko povezovanje glasujejo o zadevah v njihovi pristojnosti s številom glasov, enakem skupnemu številu glasov, ki pripada njihovim državam članicam, ki so tudi članice te agencije.

VII. člen

Opazovalke

A. Status opazovalke lahko skupščina podeli:

1. medvladnim in nevladnim organizacijam, dejavnim na področju obnovljive energije;
2. podpisnicam, ki niso ratificirale statuta, in
3. prosilkam za članstvo, katerih vloga za članstvo je bila odobrena v skladu z 2. točko odstavka B VI. člena.

B. Opazovalke lahko brez glasovalne pravice sodelujejo na javnih zasedanjih skupščine in njenih pomožnih organov.

VIII. člen

Organi

A. Glavni organi agencije so:

1. skupščina;
2. svet in
3. sekretariat.

B. Skupščina ali svet z odobritvijo skupščine lahko ustanovi pomožne organe, ki se jima zdijo potrebni za izvajanje njenih nalog v skladu s tem statutom.

IX. člen

Skupščina

A. 1. Skupščina je najvišji organ agencije.

2. Skupščina lahko razpravlja o vseh zadevah iz tega statuta ali v zvezi s pristojnostmi in nalogami katerega koli drugega organa iz tega statuta.

3. O vsaki tovrstni zadevi skupščina lahko:

- a) sprejema sklepe in daje priporočila za vsak organ in
- b) daje priporočila članicam agencije na njihovo zahtevo.

4. Poleg tega sme skupščina predlagati svetu zadeve v obravnavo in zahtevati poročila sveta in sekretariata o vseh zadevah v zvezi z delovanjem agencije.

B. Skupščino sestavljajo vse članice agencije. Sestaja se na rednih zasedanjih enkrat letno, razen če skupščina ne določi drugače.

C. The Assembly includes one representative of each Member. Representatives may be accompanied by alternates and advisors. The costs of a delegation's participation shall be borne by the respective Member.

D. Sessions of the Assembly shall take place at the seat of the Agency, unless the Assembly decides otherwise.

E. At the beginning of each regular session, the Assembly shall elect a President and such other officials as may be required, taking into account equitable geographic representation. They shall hold office until a new President and other officials are elected at the next regular session. The Assembly shall adopt its rules of procedure in conformity with this Statute.

F. Subject to Article VI paragraph C, each Member of the Agency shall have one vote in the Assembly. The Assembly shall take decisions on questions of procedure by a simple majority of the Members present and voting. Decisions on matters of substance shall be taken by consensus of the Members present. If no consensus can be reached, consensus shall be considered achieved if no more than 2 Members object, unless the Statute provides otherwise. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless the Assembly by consensus of the Members present decides otherwise, which, if no consensus can be reached, shall be considered achieved if no more than 2 Members object. A majority of the Members of the Agency shall constitute a quorum for the Assembly.

G. The Assembly shall, by consensus of the Members present:

1. elect the members of the Council;
2. adopt at its regular sessions the budget and the work programme of the Agency, submitted by the Council, and have the authority to decide on amendments of the budget and the work programme of the Agency;
3. take decisions relating to the supervision of the financial policies of the Agency, the financial rules and other financial matters and elect the auditor;
4. approve amendments to this Statute;
5. decide on the establishment of subsidiary bodies and approve their terms of reference; and
6. decide on permission to vote in accordance with Article XVII paragraph A.

H. The Assembly shall by consensus of the Members present, which if no consensus can be reached shall be considered achieved if no more than 2 Members object:

1. decide, if necessary, on applications for membership;
2. approve the rules of procedure of the Assembly and of the Council, which shall be submitted by the latter;
3. adopt the annual report as well as other reports;
4. approve the conclusion of agreements on any questions, matters or issues within the scope of this Statute; and
5. decide in case of disagreement between its Members on additional projects in accordance with Article V paragraph B.

I. The Assembly shall designate the seat of the Agency and the Director-General of the Secretariat (hereinafter referred to as "Director-General") by consensus of the Members present, or, if no consensus can be reached, by a majority vote of two thirds of the Members present and voting.

J. The Assembly shall consider and approve as appropriate at its first session any decisions, draft agreements, provisions and guidelines developed by the Preparatory Commission in accordance with the voting procedures for the respective issue as outlined in Article IX paragraphs F to I.

C. Skupščina ima po enega predstavnika vsake članice. Predstavnike lahko spremljajo namestniki in svetovalci. Stroške udeležbe delegacije krije posamezna članica.

D. Seje skupščine potekajo na sedežu agencije, razen če skupščina ne določi drugače.

E. Na začetku vsakega rednega zasedanja skupščina ob upoštevanju načela pravične geografske zastopanosti izvoli predsednika in po potrebi druge funkcionarje. Njihov mandat traja do nove izvolitve predsednika in drugih funkcionarjev na naslednjem rednem zasedanju skupščine. Skupščina sprejme svoj poslovnik v skladu s tem statutom.

F. V skladu z odstavkom C VI. člena ima vsaka članica agencije v skupščini en glas. Skupščina o postopkovnih vprašanih odloča z navadno večino glasov navzočih in glasujočih članic. Odločitve o vsebinskih zadevah se sprejmejo s soglasjem navzočih članic. Če soglasja ni mogoče doseči, se odločitev šteje za soglasno tudi, če ji ne nasprotujeta več kakor dve članici, razen če statut ne določa drugače. Ob dvomu, ali je zadeva vsebinska ali ne, se ta obravnava kot vsebinska, razen če skupščina s soglasjem navzočih članic ne odloči drugače; kadar soglasja ni mogoče doseči, se odločitev šteje za soglasno tudi, če ji ne nasprotujeta več kakor dve članici. Skupščina je sklepčna ob navzočnosti večine članic.

G. Skupščina s soglasjem navzočih članic:

1. izvoli člane sveta;
2. na svojih rednih zasedanjih sprejme proračun in delovni program agencije, ki ju predloži svet, in sme odločati o spremembah proračuna in delovnega programa agencije;
3. odloča o nadzoru finančnih usmeritev agencije, finančnih pravil in drugih finančnih zadev ter izvoli revizorja;

4. odobri spremembe tega statuta;
5. odloča o ustanovitvi pomožnih organov in odobri njihove naloge in pristojnosti in
6. odloča o glasovalni pravici v skladu z odstavkom A XVII. člena.

H. Skupščina s soglasjem navzočih članic, ki se šteje za doseženo tudi, kadar ga ni mogoče doseči, če ne nasprotujeta več kakor dve članici:

1. po potrebi odloča o vlogah za članstvo;
2. odobri poslovnika skupščine in sveta, ki ju predloži svet;
3. sprejema letno poročilo in druga poročila;
4. odobri sklepanje sporazumov o vseh vprašanih in zadevah iz tega statuta in
5. odloča ob nesoglasju svojih članic o dodatnih projektih v skladu z odstavkom B V. člena.

I. Skupščina določi sedež agencije in imenuje generalnega direktorja sekretariata (v nadaljnjem besedilu: generalni direktor) s soglasjem navzočih članic, ali če tega soglasja ni mogoče doseči, z dvotretjinsko večino navzočih in glasujočih članic.

J. Skupščina na svojem prvem zasedanju po potrebi obravnava in odobri odločitve, osnutke sporazumov, predpise in smernice, ki jih je pripravila pripravljalna komisija, v skladu s postopki glasovanja za posamezne zadeve iz odstavkov od F do I tega člena.

Article X The Council

A. The Council shall consist of at least 11 but not more than 21 representatives of the Members of the Agency, elected by the Assembly. The concrete number of representatives between 11 and 21 shall correspond to the rounded up equivalent of one third of the Members of the Agency to be calculated on the basis of the number of Members of the Agency at the beginning of the respective election for members of the Council. The members of the Council shall be elected on a rotating basis as laid down in the rules of procedure of the Assembly, with a view to ensuring effective participation of developing and developed countries and achieving fair and equitable geographical distribution and effectiveness of the Council's work. The members of the Council shall be elected for a term of two years.

B. The Council shall convene semi-annually and its meetings shall take place at the seat of the Agency, unless the Council decides otherwise.

C. The Council shall, at the beginning of each meeting for the duration until its next meeting, elect a Chairperson and such other officials from among its members as may be required. It shall have the right to elaborate its rules of procedure. Such rules of procedure have to be submitted to the Assembly for approval.

D. Each member of the Council shall have one vote. The Council shall take decisions on questions of procedure by a simple majority of its members. Decisions on matters of substance shall be taken by a majority of two thirds of its members. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless the Council, by a majority of two thirds of its members, decides otherwise.

E. The Council shall be responsible and accountable to the Assembly. The Council shall carry out the powers and functions entrusted to it under this Statute, as well as those functions delegated to it by the Assembly. In so doing, it shall act in conformity with the decisions and with due regard to the recommendations of the Assembly and assure their proper and continuous implementation.

F. The Council shall:

1. facilitate consultations and cooperation among Members;
2. consider and submit to the Assembly the draft work programme and the draft budget of the Agency;
3. approve arrangements for the sessions of the Assembly including the preparation of the draft agenda;
4. consider and submit to the Assembly the draft annual report concerning the activities of the Agency and other reports as prepared by the Secretariat according to Article XI paragraph E number 3 of this Statute;
5. prepare any other reports which the Assembly may request;
6. conclude agreements or arrangements with States, international organisations and international agencies on behalf of the Agency, subject to prior approval by the Assembly;
7. substantiate the work programme as adopted by the Assembly with a view to its implementation by the Secretariat and within the limits of the adopted budget;
8. have the authority to refer to the Assembly matters for its consideration; and
9. establish subsidiary organs, when necessary, in accordance with Article VIII paragraph B, and decide on their terms of reference and duration.

Article XI The Secretariat

A. The Secretariat shall assist the Assembly, the Council, and their subsidiary organs in the performance of their functions. It shall carry out the other functions entrusted to it under this Statute as well as those functions delegated to it by the Assembly or the Council.

X. člen Svet

A. Svet sestavlja najmanj 11, vendar ne več kakor 21 predstavnikov članic agencije, ki jih izvoli skupščina. Konkretno število predstavnikov med 11 in 21 se mora ujemati z navzgor zaokroženim številom ene tretjine članic agencije, izračunanem na podlagi števila članic agencije, na začetku vsakih volitev članov sveta. Člani sveta so izvoljeni po sistemu rotacije po poslovniku skupščine za zagotavljanje učinkovitega delovanja držav v razvoju in razvitih držav in za doseganje poštene in pravične geografske porazdelitve ter učinkovitega delovanja sveta. Člani sveta so izvoljeni za dve leti.

B. Svet se sestaja polletno na zasedanjih na sedežu agencije, razen če svet ne odloči drugače.

C. Svet na začetku vsakega zasedanja za obdobje do naslednjega zasedanja izvoli izmed svojih članov predsednika in po potrebi druge funkcionarje. Svet ima pravico oblikovati svoj poslovnik. Poslovnik mora biti predložen skupščini v odobritev.

D. Vsak član sveta ima en glas. Svet odloča o postopkovnih vprašanjih z navadno večino svojih članov. Odločitve o vsebinskih zadevah se sprejmejo z dvotretjinsko večino članov sveta. Ob dvomu, ali je zadeva vsebinska ali ne, se ta obravnava kot vsebinska, razen če svet z dvotretjinsko večino svojih članov ne odloči drugače.

E. Svet je odgovoren skupščini. Svet izvaja pooblastila in naloge po tem statutu, prav tako pa tudi naloge, ki jih nanj prenese skupščina. Pri tem mora ravnati v skladu s sklepi in dosledno upoštevati priporočila skupščine ter zagotavljati njihovo pravilno in stalno izvajanje.

F. Svet:

1. omogoča posvetovanja in sodelovanje med članicami;
2. obravnava in predloži skupščini osnutek delovnega programa in proračuna agencije;
3. odobri potek zasedanja skupščine, vključno s pripravo osnutka dnevnega reda;
4. obravnava in predloži skupščini osnutek letnega poročila o delovanju agencije in druga poročila, ki jih pripravi sekretariat v skladu s 3. točko odstavka E XI. člena tega statuta;
5. pripravi vsa druga poročila, ki jih skupščina lahko zahteva;
6. sklepa sporazume ali dogovore z državami, mednarodnimi organizacijami in mednarodnimi agencijami v imenu agencije po predhodni odobritvi skupščine;
7. podrobneje določi delovni program, kakor ga je sprejela skupščina, da ga lahko izvaja sekretariat, in upošteva omejitve sprejetega proračuna;
8. sme predlagati skupščini zadeve v njeno obravnavo in
9. po potrebi ustanovi pomožne organe v skladu z odstavkom B VIII. člena in določi njihove pristojnosti in trajanje mandata.

XI. člen Sekretariat

A. Sekretariat pomaga skupščini, svetu in njunim pomožnim organom pri opravljanju njihovih nalog. Izvaja naloge po tem statutu in tiste, ki jih nanj preneseta skupščina ali svet.

B. The Secretariat shall comprise a Director-General, who shall be its head and chief administrative officer, and such staff as may be required. The Director-General shall be appointed by the Assembly upon the recommendation of the Council for a term of four years, renewable for one further term, but not thereafter.

C. The Director-General shall be responsible to the Assembly and the Council, inter alia for the appointment of the staff as well as the organisation and functioning of the Secretariat. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff primarily from Member States and on as wide a geographical basis as possible, taking particularly into account the adequate representation of developing countries and with emphasis on gender balance. In preparing the budget the proposed recruitment shall be guided by the principle that the staff shall be kept to a minimum necessary for the proper discharge of the responsibilities of the Secretariat.

D. The Director-General or a representative designated by him or her shall participate, without the right to vote, in all meetings of the Assembly and of the Council.

E. The Secretariat shall:

1. prepare and submit to the Council the draft work programme and the draft budget of the Agency;
2. implement the Agency's work programme and its decisions;
3. prepare and submit to the Council the draft annual report concerning the activities of the Agency and such other reports as the Assembly or the Council may request;
4. provide administrative and technical support to the Assembly, the Council and their subsidiary organs;
5. facilitate communication between the Agency and its Members; and
6. circulate the policy advice after it was given to the Members of the Agency in accordance with Article IV paragraph C number 2 and prepare and submit to the Assembly and the Council a report on its policy advice for each of their sessions. The report to the Council shall include also the planned policy advice in implementing the annual work programme.

F. In the performance of their duties, the Director-General and the other members of the staff shall not seek or receive instructions from any government or from any other source external to the Agency. They shall refrain from any action that might reflect on their positions as international officers responsible only to the Assembly and the Council. Each Member shall respect the exclusively international character of the responsibilities of the Director-General and the other members of the staff and shall not seek to influence them in the discharge of their responsibilities.

Article XII The budget

A. The budget of the Agency shall be financed by:

1. mandatory contributions of its Members, which are based on the scale of assessments of the United Nations, as determined by the Assembly;
2. voluntary contributions; and
3. other possible sources

in accordance with the financial rules to be adopted by the Assembly by consensus, as laid down in Article IX paragraph G of this Statute. The financial rules and the budget shall secure a solid financial basis of the Agency and shall ensure the effective and efficient implementation of the Agency's activities, as defined by the work programme. Mandatory contributions will finance core activities and administrative costs.

B. Sekretariat sestavljajo generalni direktor, ki je njegov vodja in najvišji upravni uslužbenec, in vse potrebno osebje. Generalnega direktorja imenuje skupščina na priporočilo sveta za štiri leta z možnostjo podaljšanja za največ en mandat.

C. Generalni direktor je odgovoren skupščini in svetu, med drugim za imenovanje osebja ter za organizacijo in delovanje sekretariata. Najpomembnejše merilo pri zaposlovanju osebja in določanju pogojev zaposlitve je nujno zagotavljanje najvišjih standardov učinkovitosti, sposobnosti in neoporečnosti. Pomembno je zaposlovati predvsem osebje iz držav članic in na čim širši geografski podlagi, ob upoštevanju zlasti ustrezne zastopanosti držav v razvoju in s poudarkom na uravnoteženi zastopanosti obeh spolov. Pri pripravi proračuna se za predlagano zaposlovanje upošteva načelo najmanjšega števila osebja, potrebnega za ustrezno izpolnjevanje nalog sekretariata.

D. Generalni direktor ali predstavnik, ki ga sam izbere, sodeluje na vseh zasedanjih skupščine in sveta, brez glasovalne pravice.

E. Sekretariat:

1. pripravi in predloži svetu osnutek delovnega programa in osnutek proračuna agencije;
2. izvaja delovni program in sklepe organov agencije;
3. pripravi in predloži svetu osnutek letnega poročila delovanja agencije ter druga poročila, ki jih lahko zahtevata skupščina ali svet;
4. zagotavlja administrativno in tehnično podporo skupščini in svetu ter njunim pomožnim organom;
5. omogoča komunikacijo med agencijo in njenimi člani in
6. razpošilja nasvete o politiki, potem ko so bili dani članicam agencije v skladu z 2. točko odstavka C IV. člena, ter pripravi in predloži skupščini in svetu za vsako od njunih zasedanj poročilo o teh nasvetih. Poročilo za svet vsebuje tudi predvidene nasvete o politiki za izvajanje letnega delovnega programa.

F. Pri opravljanju svojih nalog generalni direktor in drugo osebje ne smejo iskati ali sprejeti navodil od katere koli vlade ali od katerega koli drugega vira zunaj agencije. Vzdržati se morajo vsakršnega ravnanja, ki bi utegnilo vplivati na njihov položaj mednarodnih uslužbencev, odgovornih le skupščini in svetu. Vsaka članica spoštuje izključno mednarodne značilnosti nalog generalnega direktorja in drugega osebja in ne poskuša vplivati nanje pri izpolnjevanju njihovih nalog.

XII. člen Proračun

A. Proračun agencije se financira:

1. z obveznimi prispevki njenih članic, ki temeljijo na razdelilniku Združenih narodov, ki jih določi skupščina;
2. s prostovoljnimi prispevki in
3. iz drugih možnih virov

v skladu s finančnim pravilnikom, ki ga sprejme skupščina s soglasjem, kakor to določa odstavka G IX. člena tega statuta. Finančni pravilnik in proračun zagotavljata trdno finančno podlago agencije in zagotavljata učinkovito in smotno izvajanje dejavnosti agencije, določene z delovnim programom. Z obveznimi prispevki se financirajo glavne dejavnosti in administrativni stroški.

B. The draft budget of the Agency shall be prepared by the Secretariat and submitted to the Council for examination. The Council shall either forward it to the Assembly with a recommendation for approval or return it to the Secretariat for review and re-submission.

C. The Assembly shall appoint an external auditor who shall hold office for a period of four years and who shall be eligible for re-election. The first auditor shall hold office for a period of two years. The auditor shall examine the accounts of the Agency and shall make such observations and recommendations as deemed necessary with respect to the efficiency of the management and the internal financial controls.

Article XIII

Legal personality, privileges and immunities

A. The Agency shall have international legal personality. In the territory of each Member and subject to its national legislation, it shall enjoy such domestic legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

B. Members shall decide upon a separate agreement on privileges and immunities.

Article XIV

Relations with other organizations

Subject to the approval of the Assembly the Council shall be authorised to conclude agreements on behalf of the Agency establishing appropriate relations with the United Nations and any other organisations whose work is related to that of the Agency. The provisions of this Statute shall not affect the rights and obligations of any Member deriving from any existing international treaty.

Article XV

Amendments and withdrawal, review

A. Amendments to this Statute may be proposed by any Member. Certified copies of the text of any amendment proposed shall be prepared by the Director-General and communicated by him to all Members at least ninety days in advance of its consideration by the Assembly.

B. Amendments shall come into force for all Members:

1. when approved by the Assembly after consideration of observations submitted by the Council on each proposed amendment; and

2. after all the Members have consented to be bound by the amendment in accordance with their respective constitutional processes. Members shall express their consent to be bound by depositing a corresponding instrument with the Depository referred to in Article XX paragraph A.

C. At any time after five years from the date when this Statute takes effect in accordance with paragraph D of Article XIX, a Member may withdraw from the Agency by notice in writing to that effect given to the Depository referred to in Article XX paragraph A, which shall promptly inform the Council and all Members.

D. Such withdrawal shall take effect at the end of the year in which it is expressed. Withdrawal by a Member from the Agency shall not affect its contractual obligations entered into pursuant to Article V paragraph B or its financial obligations for the year in which it withdraws.

Article XVI

Settlement of disputes

A. Members shall settle any dispute between them concerning the interpretation or application of this Statute by peaceful means in accordance with Article 2 paragraph 3 of the Charter of the United Nations and, to this end, shall seek a solution by the means indicated in Article 33 paragraph 1 of the Charter of the United Nations.

B. Osnutek proračuna agencije pripravi sekretariat in ga predloži svetu v pregled. Svet ga nato pošlje skupščini s priporočilom za odobritev ali vrne sekretariatu v ponovni pregled za ponovno predložitev.

C. Skupščina imenuje zunanjega revizorja za štiri leta z možnostjo ponovne izvolitve. Prvi revizor ima dveletni mandat. Revizor pregleda računovodske izkaze agencije in poda potrebne pripombe in priporočila glede učinkovitega upravljanja in notranjega finančnega nadzora.

XIII. člen

Subjekt mednarodnega prava, privilegiji in imunitete

A. Agencija je subjekt mednarodnega prava. Na ozemlju vsake članice ima agencija po notranji zakonodaji članice tako pravno sposobnost, kakor je potrebna za izvajanje njenih nalog in izpolnjevanje njenih ciljev.

B. Članice odločijo o ločenem sporazumu o privilegijih in imunitetah.

XIV. člen

Odnosi z drugimi organizacijami

Ob odobritvi skupščine sme svet v imenu agencije sklepati sporazume o vzpostavitvi ustreznih odnosov z Združenimi narodi in drugimi organizacijami, katerih delo je povezano z delom agencije. Določbe tega statuta ne vplivajo na pravice in obveznosti katere koli članice, ki izhajajo iz katere koli obstoječe mednarodne pogodbe.

XV. člen

Spremembe in izstop, pregled

A. Spremembe tega statuta lahko predlaga katera koli članica. Generalni direktor pripravi overjene kopije besedila predlaganih sprememb in jih sporoči vsem članicam najmanj devetdeset dni pred obravnavo v skupščini.

B. Spremembe začnejo veljati za vse članice:

1. ko jih odobri skupščina po obravnavi pripomb sveta na vsako predlagano spremembo in

2. ko se vse članice strinjajo, da jih spremembe zavezujejo v skladu z njihovimi ustavnimi postopki. Članice izrazijo svoje soglasje o zavezi z deponiranjem ustrezne listine pri depozitarju iz odstavka A XX. člena.

C. Kadar koli po petih letih od začetka veljavnosti tega statuta iz odstavka D XIX. člena lahko članica izstopi iz agencije s pisnim obvestilom depozitarju iz odstavka A XX. člena, ta pa nemudoma obvesti svet in vse članice.

D. Izstop začne učinkovati ob koncu leta, v katerem je izražen. Izstop članice iz agencije ne vpliva na njene pogodbene obveznosti iz odstavka B V. člena ali na finančne obveznosti za leto izstopa.

XVI. člen

Reševanje sporov

A. Članice medsebojne spore glede razlage ali uporabe tega statuta rešujejo z mirnimi sredstvi v skladu s tretjim odstavkom 2. člena Ustanovne listine Združenih narodov in zato poskušajo spor rešiti s sredstvi iz prvega odstavka 33. člena Ustanovne listine Združenih narodov.

B. The Council may contribute to the settlement of a dispute by whatever means it deems appropriate, including offering its good offices, calling upon the Members to a dispute to start the settlement process of their choice and recommending a time limit for any agreed procedure.

Article XVII

Temporary suspension of rights

A. Any Member of the Agency which is in arrears with its financial contributions to the Agency shall have no right to vote if its arrears reach or exceed the amount of its contributions for the two preceding years. However, the Assembly may permit this Member to vote if it is convinced that the non-payment is due to circumstances beyond the Member's control.

B. A Member which has persistently violated the provisions of this Statute or of any agreement entered into by it pursuant to this Statute may be suspended from the exercise of the privileges and rights of membership by the Assembly acting by a two-thirds majority of the Members present and voting upon recommendation of the Council.

Article XVIII

Seat of the Agency

The seat of the Agency shall be determined by the Assembly at its first session.

Article XIX

Signature, ratification, entry into force and accession

A. This Statute shall be open for signature at the Founding Conference by all States that are members of the United Nations and regional intergovernmental economic integration organisations as defined in Article VI paragraph A. It shall remain open for signature until the date this Statute enters into force.

B. For States and regional intergovernmental economic integration organisations as defined in Article VI paragraph A having not signed this Statute, this Statute shall be open for accession after their membership has been approved by the Assembly in accordance with Article VI paragraph B number 2.

C. Consent to be bound by this Statute shall be expressed by depositing an instrument of ratification or accession with the Depositary. Ratification of or accession to this Statute shall be effected by States in accordance with their respective constitutional processes.

D. This Statute shall enter into force on the thirtieth day after the date of deposit of the twenty-fifth instrument of ratification.

E. For States or regional intergovernmental economic integration organisations having deposited an instrument of ratification or accession after the entry into force of the Statute, this Statute shall enter into force on the thirtieth day after the date of deposit of the relevant instrument.

F. No reservations may be made to any of the provisions contained in this Statute.

Article XX

Depositary, registration, authentic text

A. The Government of the Federal Republic of Germany is hereby designated as the Depositary of this Statute and any instrument of ratification or accession.

B. This Statute shall be registered by the Depositary Government pursuant to Article 102 of the Charter of the United Nations.

C. This Statute, done in English, shall be deposited in the archives of the Depositary Government.

B. Svet lahko prispeva k reševanju spora s kakršnimi koli sredstvi, ki so po njegovem mnenju ustrezna, in zajemajo tudi ponujanje svojih dobrih uslug, pozivanje članic v sporu k začetku postopka reševanja po njihovi izbiri in priporočanje časovne omejitve za vsak dogovorjeni postopek.

XVII. člen

Začasni odvzem pravic

A. Članica agencije, ki zamuja s plačilom svojih finančnih prispevkov agenciji, nima glasovalne pravice, če njene zapadle finančne obveznosti dosežejo ali presežejo višino prispevkov za dve predhodni leti. Ne glede na to lahko skupščina tej članici dovoli glasovanje, če je prepričana, da je neplačilo posledica okoliščin, na katere članica nima vpliva.

B. Članici, ki vztrajno krši določbe tega statuta ali katerega koli sporazuma, sklenjenega na podlagi tega statuta, lahko skupščina z dvotretjinsko večino navzočih in glasujočih članic na priporočilo sveta začasno ukine izvajanje privilegijev in pravic iz članstva.

XVIII. člen

Sedež agencije

Sedež agencije določi skupščina na svojem prvem zasedanju.

XIX. člen

Podpis, ratifikacija, začetek veljavnosti in pristop

A. Ta statut je na voljo za podpis na ustanovni konferenci za vse države članice Združenih narodov in za regionalne medvladne organizacije za gospodarsko povezovanje iz odstavka A VI. člena. Statut ostaja na voljo za podpis do začetka veljavnosti tega statuta.

B. Države in regionalne medvladne organizacije za gospodarsko povezovanje iz odstavka A VI. člena, ki niso podpisale tega statuta, lahko pristopijo k statutu po tem, ko jim skupščina odobri članstvo, v skladu z 2. točko odstavka B VI. člena.

C. Privolitev, da je ta statut zavezujoč, se izrazi z deponiranjem listine o ratifikaciji ali pristopu pri depozitarju. Ratifikacija ali pristop k temu statutu države opravijo v skladu s svojimi ustavnimi postopki.

D. Ta statut začne veljati trideseti dan po deponiranju petindvajsete listine o ratifikaciji.

E. Za države ali regionalne medvladne organizacije za gospodarsko povezovanje, ki deponirajo listino o ratifikaciji ali pristopu po začetku veljavnosti statuta, ta začne veljati trideseti dan po deponiranju ustrezne listine.

F. Pridržki k določbam tega statuta niso mogoči.

XX. člen

Depozitar, registracija, verodostojno besedilo

A. Vlada Zvezne Republike Nemčije je s tem statutom določena za depozitarja tega statuta in vsake listine o ratifikaciji ali pristopu.

B. Ta statut se registrira pri depozitarju v skladu s 102. členom Ustanovne listine Združenih narodov.

C. Ta statut, ki je sestavljen v angleškem jeziku, se deponira v arhivu depozitarja.

D. Duly certified copies of this Statute shall be transmitted by the Depositary Government to the governments of States and to the executive organs of regional intergovernmental economic integration organisations which have signed or have been approved for membership according to Article VI paragraph B number 2.

E. The Depositary Government shall promptly inform all Signatories to this Statute of the date of each deposit of any instrument of ratification and the date of entry into force of the Statute.

F. The Depositary Government shall promptly inform all Signatories and Members of the dates on which States or regional intergovernmental economic integration organizations subsequently become Members thereto.

G. The Depositary Government shall promptly send new applications for membership to all Members of the Agency for consideration in accordance with Article VI paragraph B number 2.

IN WITNESS WHEREOF the undersigned, being duly authorised, have signed this Statute.

DONE at Bonn, this 26th January 2009, in a single original, in the English language.

Declaration of the Conference Regarding Authentic Version of the Statute

“Gathering in Bonn the 26th January 2009, the representatives of the invited States to the Founding Conference of the International Renewable Energy Agency have adopted the following declaration which shall form an integral part of the Statute:

The Statute of the International Renewable Energy Agency, signed on the 26th January 2009 in Bonn, including this declaration, shall also be authenticated in the official languages of the United Nations other than English, as well as in the language of the depositary, on the request of the respective Signatories.”^{(1), (2)}”

⁽¹⁾ The Conference notes that France has already sent to the depositary Government a French version of the Statute desiring the authentication of the Statute in the French language.

⁽²⁾ This declaration shall not be in conflict with the agreement on the working language of the Final Preparatory Conference in Madrid.

D. Pravilno overjene kopije tega statuta depozitar pošlje vladam držav in izvršilnim organom regionalnih medvladnih organizacij za gospodarsko povezovanje, ki so podpisale statut ali jim je bilo odobreno članstvo v skladu z 2. točko odstavka B VI. člena.

E. Depozitar nemudoma obvesti vse podpisnice tega statuta o datumu deponiranja vsake listine o ratifikaciji in začetku veljavnosti tega statuta.

F. Depozitar nemudoma obvesti vse podpisnice in članice o datumih, ko so države ali regionalne medvladne organizacije za gospodarsko povezovanje naknadno postale članice.

G. Depozitar nemudoma pošlje nove vloge za članstvo vsem članicam agencije v obravnavo v skladu z 2. točko odstavka B VI. člena.

V POTRDITEV NAVEDENEGA so spodaj podpisani s polnimi pooblastili podpisali ta statut.

SESTAVLJENO v Bonnu, 26. januarja 2009, v enem izvorniku v angleškem jeziku.

Deklaracija konference o verodostojnih različicah statuta

»Predstavniki držav, povabljenih na ustanovno konferenco Mednarodne agencije za obnovljivo energijo, zbrani v Bonnu 26. januarja 2009, so sprejeli naslednjo deklaracijo, ki je sestavni del statuta:

Statut Mednarodne agencije za obnovljivo energijo, podpisan 26. januarja 2009 v Bonnu, vključno s to deklaracijo, se na zahtevo za to upravičenih podpisnic, razen v angleščini, overi tudi v drugih uradnih jezikih Združenih narodov in v jeziku depozitarja.”^{(1), (2)}«

⁽¹⁾ Konferenca ugotavlja, da je Francija že poslala depozitarju francosko različico statuta z željo overitve statuta v francoščini.

⁽²⁾ Ta deklaracija ni v nasprotju z dogovorom o delovnem jeziku zaključne pripravljalne konference v Madridu.

3. člen

Za izvajanje statuta skrbi Ministrstvo za gospodarstvo.

4. člen

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

Št. 801-01/08-4/11
Ljubljana, dne 2. februarja 2010
EPA 129-V

Državni zbor
Republike Slovenije
mag. Vasja Klavora l.r.
Podpredsednik

5. Zakon o ratifikaciji Sporazuma med Republiko Slovenijo in Mednarodnim centrom za promocijo podjetij o spremembah Sporazuma med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju (MSMCPP)

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

U K A Z

o razglasitvi Zakona o ratifikaciji Sporazuma med Republiko Slovenijo in Mednarodnim centrom za promocijo podjetij o spremembah Sporazuma med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju (MSMCPP)

Razglašam Zakon o ratifikaciji Sporazuma med Republiko Slovenijo in Mednarodnim centrom za promocijo podjetij o spremembah Sporazuma med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju (MSMCPP), ki ga je sprejel Državni zbor Republike Slovenije na seji 2. februarja 2010.

Št. 003-02-2/2010-5

Ljubljana, dne 10. februarja 2010

dr. Danilo Türk l.r.
Predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI SPORAZUMA MED REPUBLIKO SLOVENIJO IN MEDNARODNIM CENTROM ZA PROMOCIJO PODJETIJ O SPREMENBAH SPORAZUMA MED SOCIALISTIČNO FEDERATIVNO REPUBLIKO JUGOSLAVIJO IN MEDNARODNIM CENTROM ZA PODJETJA V DRUŽBENI LASTNINI V DEŽELAH V RAZVOJU O SEDEŽU MEDNARODNEGA CENTRA ZA PODJETJA V DRUŽBENI LASTNINI V DEŽELAH V RAZVOJU (MSMCPP)

1. člen

Ratificira se Sporazum med Republiko Slovenijo in Mednarodnim centrom za promocijo podjetij o spremembah Sporazuma med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju, sklenjen iz izmenjavo not dne 24. novembra 2009.

2. člen

Besedilo sporazuma se v izvirniku v angleškem jeziku in prevodu v slovenskem jeziku glasi:

Ministry of foreign affairs
Republic of Slovenia

International Center
for Promotion of Enterprises

No.: ZMP-174/09

Republika Slovenija
Ministrstvo za zunanje zadeve

Mednarodni center
za promocijo podjetij
Ljubljana

Št.: ZMP-174/09

The Ministry of Foreign Affairs of the Republic of Slovenia presents its compliments to the International Center for Promotion of Enterprises in Ljubljana and, with reference to the Agreement between the Socialist Federal Republic of Yugoslavia and the International Center for Public Enterprises in Developing Countries regarding the Headquarters of the International Center for Public Enterprises in Developing Countries, signed in Belgrade on 13 July 1979, has the honour to propose the following amendments of the Agreement:

– The name of the Center shall be amended to read as follows: "International Center for Promotion of Enterprises".

– Article 13 shall be amended to read as follows:

"The Center, its claims, revenues, and other property shall be exempt from all taxes, except from the charges for public communal services.

Ministrstvo za zunanje zadeve Republike Slovenije izraža svoje spoštovanje Mednarodnemu centru za promocijo podjetij v Ljubljani in ima v zvezi s Sporazumom med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju, podpisanim v Beogradu 17. julija 1979, čast predlagati naslednje spremembe:

– naziv centra se spremeni tako, da se glasi: "Mednarodni center za promocijo podjetij";

– 13. člen se spremeni tako, da se glasi:

"Center, njegove terjatve, dohodki in drugo premoženje so oproščeni vseh davkov in taks razen davščin za javne komunalne storitve.

The Center shall be exempt from the indirect taxes on the purchase of goods and services required for the discharge of its official activities. The exemption shall be applied in accordance with the procedure provided for in the national legislation for the granting of exemptions from indirect taxes for official use of international organisations."

If these provisions are acceptable to the International Center for Promotion of Enterprises, this note and the note of the International Center for Promotion of Enterprises in reply concurring therewith shall constitute an Agreement between the Republic of Slovenia and the International Center for Promotion of Enterprises on the Amendments to the Agreement between the Socialist Federal Republic of Yugoslavia and the International Center for Public Enterprises in Developing Countries regarding the Headquarters of the International Center for Public Enterprises in Developing Countries, which shall enter into force 30 days from the date of receipt of the last written notification, by which the Parties have notified each other of the fulfilment of all legal requirements for its entry into force.

The Ministry of Foreign Affairs of the Republic of Slovenia avails itself of the opportunity to renew to the International Center for Promotion of Enterprises in Ljubljana the assurances of its highest consideration.

Ljubljana, 18 November 2009

Ministry of foreign affairs
of the Republic of Slovenia
Ljubljana

No.: SBS-09-59-L

The International Center for Promotion of Enterprises in Ljubljana presents its compliments to the Ministry of Foreign Affairs of the Republic of Slovenia and has the honour to confirm the receipt of its Note No. ZMP-174/09 of 18 November 2009, which reads as follows:

"The Ministry of Foreign Affairs of the Republic of Slovenia presents its compliments to the International Center for Promotion of Enterprises in Ljubljana and, with reference to the Agreement between the Socialist Federal Republic of Yugoslavia and the International Center for Public Enterprises in Developing Countries regarding the Headquarters of the International Center for Public Enterprises in Developing Countries, signed in Belgrade on 13 July 1979, has the honour to propose the following amendments of the Agreement:

– The name of the Center shall be amended to read as follows: "International Center for Promotion of Enterprises".

– Article 13 shall be amended to read as follows:

'The Center, its claims, revenues, and other property shall be exempt from all taxes, except from the charges for public communal services.

The Center shall be exempt from the indirect taxes on the purchase of goods and services required for the discharge of its official activities. The exemption shall be applied in accordance with the procedure provided for in the national legislation for the granting of exemptions from indirect taxes for official use of international organisations.'

If these provisions are acceptable to the International Center for Promotion of Enterprises, this note and the note of the International Center for Promotion of Enterprises in reply concurring therewith shall constitute an Agreement between the Republic of Slovenia and the International Center for Promotion of Enterprises on the Amendments to the Agreement between the Socialist Federal Republic of Yugoslavia and the International Center for Public Enterprises in Developing Countries regarding the Headquarters of the International Center for Public Enterprises in Developing Countries, which shall enter into force 30 days from the date of receipt of the last written notification, by which the Parties have notified each other of the fulfilment of all legal requirements for its entry into force.

Center je oproščen plačila posrednih davkov pri nakupih blaga in storitev, potrebnih za opravljanje uradnih dejavnosti centra. Oprostitev se lahko uveljavlja v skladu s postopkom, določenim v nacionalni zakonodaji za uveljavljanje oprostitev posrednih davkov za uradne potrebe mednarodnih organizacij."

Če so te določbe sprejemljive za Mednarodni center za promocijo podjetij, ta nota in odgovor Mednarodnega centra za promocijo podjetij, s katerim soglaša z navedenim, sestavljata Sporazum med Republiko Slovenijo in Mednarodnim centrom za promocijo podjetij o spremembah Sporazuma med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju, ki začne veljati 30 dni po prejemu zadnjega pisnega uradnega obvestila, s katerima se pogodbenici obvestita o izpolnitvi pravnih zahtev za začetek veljavnosti.

Ministrstvo za zunanje zadeve Republike Slovenije izkorišča to priložnost, da Mednarodnemu centru za promocijo podjetij v Ljubljani ponovno izrazi svoje spoštovanje.

Ljubljana, 18. novembra 2009

Ministrstvo za zunanje zadeve
Republike Slovenije
Ljubljana

Št.: SBS-09-59-L

Mednarodni center za promocijo podjetij v Ljubljani izraža svoje spoštovanje Ministrstvu za zunanje zadeve Republike Slovenije in ima čast potrditi prejem note ministrstva št. ZMP-174/09 z dne 18. novembra 2009, ki se glasi:

"Ministrstvo za zunanje zadeve Republike Slovenije izraža svoje spoštovanje Mednarodnemu centru za promocijo podjetij in ima v zvezi s Sporazumom med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju, podpisanim v Beogradu 17. julija 1979, čast predlagati naslednje spremembe:

– naziv centra se spremeni tako, da se glasi: "Mednarodni center za promocijo podjetij";

– 13. člen se spremeni tako, da se glasi:

'Center, njegove terjatve, dohodki in drugo premoženje so oproščeni vseh davkov in taks razen davščin za javne komunalne storitve.

Center je oproščen plačila posrednih davkov pri nakupih blaga in storitev, potrebnih za opravljanje uradnih dejavnosti centra. Oprostitev se lahko uveljavlja v skladu s postopkom, določenim v nacionalni zakonodaji za uveljavljanje oprostitev posrednih davkov za uradne potrebe mednarodnih organizacij.'

Če so te določbe sprejemljive za Mednarodni center za promocijo podjetij, ta nota in odgovor Mednarodnega centra za promocijo podjetij, s katerim soglaša z navedenim, sestavljata Sporazum med Republiko Slovenijo in Mednarodnim centrom za promocijo podjetij o spremembah Sporazuma med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju, ki začne veljati 30 dni po prejemu zadnjega pisnega uradnega obvestila, s katerima se pogodbenici obvestita o izpolnitvi vseh pravnih zahtev za začetek veljavnosti.

The Ministry of Foreign Affairs of the Republic of Slovenia avails itself of the opportunity to renew to the International Center for Promotion of Enterprises in Ljubljana the assurances of its highest consideration.

Ljubljana, 18 November 2009”

In reply the International Center for Promotion of Enterprises has the honour to confirm that the above mentioned provisions are acceptable to the International Center for Promotion of Enterprises and that the note of the Ministry of Foreign Affairs of the Republic of Slovenia and this note in reply shall constitute an Agreement between the International Center for Promotion of Enterprises and the Republic of Slovenia on the Amendments of the Agreement between the Socialist Federal Republic of Yugoslavia and the International Center for Public Enterprises in Developing Countries regarding the Headquarters of the International Center for Public Enterprises in Developing Countries, which shall enter into force 30 days from the date of receipt of the last written notification, by which the Parties have notified each other of the fulfilment of all legal requirements for its entry into force.

The International Center for Promotion of Enterprises has the honour to communicate that all legal requirements by the Center for the entry into force of this Agreement have been fulfilled.

The International Center for Promotion of Enterprises in Ljubljana avails itself of the opportunity to renew to the Ministry of Foreign Affairs of the Republic of Slovenia the assurances of its highest consideration.

Ljubljana, 24 November 2009

Ministrstvo za zunanje zadeve Republike Slovenije izkorišča to priložnost, da Mednarodnemu centru za promocijo podjetij v Ljubljani ponovno izrazi svoje spoštovanje.

Ljubljana, 18. novembra 2009”

V odgovor ima Mednarodni center za promocijo podjetij čast potrditi, da so navedene določbe zanj sprejemljive ter da nota Ministrstva za zunanje zadeve Republike Slovenije in ta nota sestavljata Sporazum med Mednarodnim centrom za promocijo podjetij in Republiko Slovenijo o spremembah Sporazuma med Socialistično federativno republiko Jugoslavijo in Mednarodnim centrom za podjetja v družbeni lastnini v deželah v razvoju o sedežu Mednarodnega centra za podjetja v družbeni lastnini v deželah v razvoju, ki začne veljati 30 dni po datumu prejema zadnjega pisnega uradnega obvestila, s katerima se pogodbenici uradno obvestita, da so izpolnjene vse pravne zahteve za začetek veljavnosti sporazuma.

Mednarodni center za promocijo podjetij ima čast sporočiti, da so na strani centra izpolnjene vse pravne zahteve za začetek veljavnosti sporazuma.

Mednarodni center za promocijo podjetij v Ljubljani izkorišča to priložnost, da Ministrstvu za zunanje zadeve Republike Slovenije ponovno izrazi svoje spoštovanje.

Ljubljana, 24. novembra 2009

3. člen

Za izvajanje sporazuma skrbita Ministrstvo za finance in Ministrstvo za zunanje zadeve.

4. člen

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

Št. 310-08/09-10/11
Ljubljana, dne 2. februarja 2010
EPA 712-V

Državni zbor
Republike Slovenije
mag. Vasja Klavora l.r.
Podpredsednik

6. Zakon o ratifikaciji Protokola o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Republike Avstrije o znanstveno-tehničnem sodelovanju (BATSZTS)

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
o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Republike Avstrije
o znanstveno-tehničnem sodelovanju (BATSZTS)**

Razlašam Zakon o ratifikaciji Protokola o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Republike Avstrije o znanstveno-tehničnem sodelovanju (BATSZTS), ki ga je sprejel Državni zbor Republike Slovenije na seji 2. februarja 2010.

Št. 003-02-2/2010-4
Ljubljana, dne 10. februarja 2010

dr. Danilo Türk l.r.
Predsednik
Republike Slovenije

Z A K O N

**O RATIFIKACIJI PROTOKOLA O SPREMEMBI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE
IN VLADO REPUBLIKE AVSTRIJE
O ZNANSTVENO-TEHNIČNEM SODELOVANJU (BATSZTS)**

1. člen

Ratificira se Protokol o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Republike Avstrije o znanstveno-tehničnem sodelovanju, podpisan 30. junija 2009.

2. člen

Besedilo protokola se v izvorniku v slovenskem in nemškem jeziku glasi:

**Protokol
o spremembi Sporazuma med Vlado Republike
Slovenije in Vlado Republike Avstrije
o znanstveno-tehničnem sodelovanju**

Vlada Republike Slovenije in Vlada Republike Avstrije soglašata, da se Sporazum med Vlado Republike Slovenije in Vlado Republike Avstrije o znanstveno-tehničnem sodelovanju z dne 8. maja 1998, ki zdaj velja med Vlado Republike Slovenije in Vlado Republike Avstrije, spremeni v naslednjem:

drugi odstavek 10. člena sporazuma se nadomesti z besedilom:

»Ta sporazum se sklene za nedoločen čas. Ob upoštevanju šestmesečnega odpovednega roka ga lahko vsaka pogodbenica kadar koli pisno odpove po diplomatski poti.«

Ta protokol začne veljati prvi dan prvega meseca po mesecu, v katerem sta pogodbenici druga drugo pisno po diplomatski poti obvestili, da so njihuni notranjepravni pogoji za začetek veljavnosti izpolnjeni.

SESTAVLJENO v dveh izvornikih v slovenskem in nemškem jeziku, pri čemer sta besedili enako verodostojni.

Za Vlado
Republike Slovenije:
Gregor Golobič l.r.

Za Vlado
Republike Avstrije:
Johannes Hahn l.r.

Ljubljana, dne 29. junija 2009

Na Dunaju, dne 30. junija 2009

**Protokoll
zur Änderung des Abkommens zwischen
der Regierung der Republik Slowenien und
der Regierung der Republik Österreich über
wissenschaftlich-technische Zusammenarbeit**

Die Regierung der Republik Slowenien und die Regierung der Republik Österreich sind übereingekommen das Abkommen zwischen der Regierung der Republik Slowenien und der Regierung der Republik Österreich über wissenschaftlich-technische Zusammenarbeit vom 8. Mai 1998, gegenwärtig in Kraft zwischen der Regierung der Republik Slowenien und der Regierung der Republik Österreich, wie folgt zu ändern:

Art. 10 Abs. 2 des Abkommens wird durch folgenden Wortlaut ersetzt:

„Dieses Abkommen wird auf unbestimmte Zeit abgeschlossen. Es kann jederzeit unter Einhaltung einer Kündigungsfrist von sechs Monaten von jeder Vertragspartei schriftlich auf diplomatischem Wege gekündigt werden.“

Dieses Protokoll tritt am ersten Tag des ersten Monats in Kraft, der auf den Monat folgt, in dem die Vertragsparteien einander schriftlich auf diplomatischem Weg mitgeteilt haben, dass ihre jeweiligen innerstaatlichen Voraussetzungen für das Inkrafttreten erfüllt sind.

Unterzeichnet in zwei Urschriften, jede in slowenischer und deutscher Sprache, wobei beide Texte gleichermaßen authentisch sind.

Für die
Regierung der Republik
Slowenien:
Gregor Golobič e.h.

Für die
Regierung der Republik
Österreich:
Johannes Hahn e.h.

Ljubljana, am 29. Juni 2009

Wien, am 30. Juni 2009

3. člen

Za izvajanje protokola skrbi Ministrstvo za visoko šolstvo, znanost in tehnologijo.

4. člen

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

Št. 630-02/09-4/12

Ljubljana, dne 2. februarja 2010

EPA 419-V

Državni zbor
Republike Slovenije
mag. Vasja Klavora l.r.
Podpredsednik

Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb

- 7. Obvestilo o začetku veljavnosti Konvencije med Vlado Republike Slovenije in Vlado Italijanske republike o izogibanju dvojnega obdavčevanja in preprečevanju davčnih utaj v zvezi z davki od dohodka in premoženja in prenehanju veljavnosti Sporazuma med Socialistično federativno republiko Jugoslavijo in Italijansko republiko o izogibanju dvojnemu obdavčevanju dohodka in premoženja**

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08 in 108/09) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 12. januarja 2010 začela veljati Konvencija med Vlado Republike Slovenije in Vlado Italijanske republike o izogibanju dvojnega obdavčevanja in preprečevanju davčnih utaj v zvezi z davki od dohodka in premoženja, podpisana v Ljubljani 11. septembra 2001 in objavljena v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 8/02 (Uradni list Republike Slovenije, št. 30/02). Z dnem uveljavitve te konvencije je med Republiko Slovenijo in Italijansko republiko prenehal veljati Sporazum med Socialistično federativno republiko Jugoslavijo in Italijansko republiko o izogibanju dvojnemu obdavčevanju dohodka in premoženja, podpisan v Beogradu 24. februarja 1982 (objavljen v Uradnem listu SFRJ – Mednarodne pogodbe, št. 2/83).

Ljubljana, dne 15. januarja 2010

Ministrstvo za zunanje zadeve
Republike Slovenije

- 8. Obvestilo o začetku veljavnosti Mednarodne konvencije o zatiranju dejanj jedskega terorizma**

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo 20/06 – ZNOMCMO, 76/08 in 108/09) Ministrstvo za zunanje zadeve

s p o r o č a,

da je 16. januarja 2010 za Republiko Slovenijo začela veljati Mednarodna konvencija o zatiranju dejanj jedskega terorizma, sprejeta na 59. zasedanju Generalne skupščine OZN 13. aprila 2005 in objavljena v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 18/09 (Uradni list Republike Slovenije, št. 100/09).

Ljubljana, dne 17. januarja 2010

Ministrstvo za zunanje zadeve
Republike Slovenije

- 9. Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Vlado Združenih držav Amerike o instrumentu iz tretjega odstavka 3. člena Sporazuma o medsebojni pravni pomoči med Evropsko unijo in Združenimi državami Amerike**

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08 in 108/09) Ministrstvo za zunanje zadeve

s p o r o č a,

da je 1. februarja 2010 začel veljati Sporazum med Vlado Republike Slovenije in Vlado Združenih držav Amerike o instrumentu iz tretjega odstavka 3. člena Sporazuma o medsebojni pravni pomoči med Evropsko unijo in Združenimi državami Amerike, podpisanega 25. junija 2003 v Washingtonu.

Sporazum je bil podpisan v Ljubljani, 17. oktobra 2005 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 5/06 (Uradni list Republike Slovenije, št. 25/06).

Ljubljana, dne 10. februarja 2010

Ministrstvo za zunanje zadeve
Republike Slovenije

- 10. Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Vlado Združenih držav Amerike o instrumentu iz drugega odstavka 3. člena Sporazuma o izročitvi med Evropsko unijo in Združenimi državami Amerike**

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08 in 108/09) Ministrstvo za zunanje zadeve

s p o r o č a,

da je 1. februarja 2010 začel veljati Sporazum med Vlado Republike Slovenije in Vlado Združenih držav Amerike o instrumentu iz drugega odstavka 3. člena Sporazuma o izročitvi med Evropsko unijo in združenimi državami Amerike, podpisanega 25. junija 2003, o uporabi Konvencije o izročitvi med Kraljevino Srbijo in Združenimi državami Amerike, podpisane 25. oktobra 1901.

Sporazum je bil podpisan v Ljubljani, 17. oktobra 2005 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 5/06 (Uradni list Republike Slovenije, št. 25/06).

Ljubljana, dne 10. februarja 2010

Ministrstvo za zunanje zadeve
Republike Slovenije

11. Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Svetom ministrov Republike Albanije o mednarodnem cestnem prevozu potnikov in blaga

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08 in 108/09) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 16. decembra 2009 začel za Republiko Slovenijo veljati Sporazum med Vlado Republike Slovenije in Svetom ministrov Republike Albanije o mednarodnem cestnem prevozu potnikov in blaga, sklenjen v Ljubljani dne 17. julija 2007 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 18/09 (Uradni list Republike Slovenije, št. 100/09).

Ljubljana, dne 11. februarja 2010

Ministrstvo za zunanje zadeve
Republike Slovenije

12. Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Vlado Republike San Marino o mednarodnem cestnem prevozu potnikov in blaga

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNMOMCMO, 76/08 in 108/09) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 13. januarja 2010 začel za Republiko Slovenijo veljati Sporazum med Vlado Republike Slovenije in Vlado Republike San Marino o mednarodnem cestnem prevozu potnikov in blaga, sestavljen v Ljubljani dne 24. januarja 2006 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 17 (Uradni list Republike Slovenije, št. 90/09).

Ljubljana, dne 11. februarja 2010

Ministrstvo za zunanje zadeve
Republike Slovenije

13. Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Vlado Republike Belorusije o mednarodnem cestnem prevozu potnikov in blaga

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNMOMCMO, 76/08 in 108/09) Ministrstvo za zunanje zadeve

s p o r o č a,

da je dne 15. decembra 2009 začel za Republiko Slovenijo veljati Sporazum med Vlado Republike Slovenije in Vlado Republike Belorusije o mednarodnem cestnem prevozu potnikov in blaga, sestavljen v Minsku dne 16. oktobra 2002 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 16 (Uradni list Republike Slovenije, št. 84/09).

Ljubljana, dne 11. februarja 2010

Ministrstvo za zunanje zadeve
Republike Slovenije

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