

23. Zakon o ratifikaciji Sporazuma o prenehanju veljavnosti bilateralnih investicijskih pogodb med državami članicami Evropske unije (MPVBIP)

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

U K A Z

o razglasitvi Zakona o ratifikaciji Sporazuma o prenehanju veljavnosti bilateralnih investicijskih pogodb med državami članicami Evropske unije (MPVBIP)

Razglašam Zakon o ratifikaciji Sporazuma o prenehanju veljavnosti bilateralnih investicijskih pogodb med državami članicami Evropske unije (MPVBIP), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 20. novembra 2020.

Št. 003-02-9/2020-10

Ljubljana, dne 28. novembra 2020

Borut Pahor
predsednik
Republike Slovenije

Z A K O N

O RATIFIKACIJI SPORAZUMA O PRENEHANJU VELJAVNOSTI BILATERALNIH INVESTICIJSKIH POGODB MED DRŽAVAMI ČLANICAMI EVROPSKE UNIJE (MPVBIP)

1. člen

Ratificira se Sporazum o prenehanju veljavnosti bilateralnih investicijskih pogodb med državami članicami Evropske unije, sklenjen 5. maja 2020 v Bruslju.

2. člen

Besedilo sporazuma v slovenščini je objavljeno v Uradnem listu Evropske unije UL L št. 169 z dne 29. 5. 2020, str. 1 ([št. L 169 z dne 29. 5. 2020, str. 1](#))¹.

3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za gospodarski razvoj in tehnologijo.

4. člen

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

Št. 320-01/19-1/15

Ljubljana, dne 20. novembra 2020

EPA 361-VIII

Državni zbor
Republike Slovenije
Igor Zorčič
predsednik

¹ Overjena kopija besedila sporazuma v njegovih verodostojnih jezikih je na vpogled tudi v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

24. Zakon o ratifikaciji Konvencije Sveta Evrope o integriranem pristopu k varnosti, varovanju in storitvam na nogometnih tekmah in drugih športnih prireditvah (MKPVNT)

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

U K A Z**o razglasitvi Zakona o ratifikaciji Konvencije Sveta Evrope o integriranem pristopu k varnosti, varovanju in storitvam na nogometnih tekmah in drugih športnih prireditvah (MKPVNT)**

Razglašam Zakon o ratifikaciji Konvencije Sveta Evrope o integriranem pristopu k varnosti, varovanju in storitvam na nogometnih tekmah in drugih športnih prireditvah (MKPVNT), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 20. novembra 2020.

Št. 003-02-9/2020-9

Ljubljana, dne 28. novembra 2020

Borut Pahor
predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI KONVENCIJE SVETA EVROPE O INTEGRIRANEM PRISTOPU K VARNOSTI, VAROVANJU IN STORITVAM NA NOGOMETNIH TEKMAH IN DRUGIH ŠPORTNIH PRIREDITVAH (MKPVNT)**

1. člen

Ratificira se Konvencija Sveta Evrope o integriranem pristopu k varnosti, varovanju in storitvam na nogometnih tekmah in drugih športnih prireditvah, sklenjena v Saint-Denisu 3. julija 2016.

2. člen

Besedilo konvencije se v izvirniku v angleškem jeziku ter v prevodu v slovenskem jeziku glasi:

COUNCIL OF EUROPE CONVENTION ON AN INTEGRATED SAFETY, SECURITY AND SERVICE APPROACH AT FOOTBALL MATCHES AND OTHER SPORTS EVENTS**Preamble**

The member States of the Council of Europe and the other States Parties to the European Cultural Convention (ETS No. 18), signatories hereto,

Considering that the aim of the Council of Europe is to achieve greater unity among its members;

Concerned with the right to physical integrity and the legitimate expectation of individuals to attend football matches and other sports events without fear of violence, public disorder or other criminal activity;

Concerned to make football matches and other sports events enjoyable and welcoming for all citizens while also recognising that creating a welcoming environment can have a significant and positive impact on safety and security at such events;

Concerned with the need to promote the inclusion of all stakeholders in providing a safe environment at football matches and other sports events;

Concerned with the need to maintain the rule of law in and within the vicinity of football and other sports stadiums, on transit routes to and from the stadiums and in other areas frequented by many thousands of spectators;

Recognising that sport, and all agencies and stakeholders involved in organising and managing a football match or other sports event, must uphold core values of the Council of Europe, such as social cohesion, tolerance, respect and non-discrimination;

KONVENCIJA SVETA EVROPE O INTEGRIRANEM PRISTOPU K VARNOSTI, VAROVANJU IN STORITVAM NA NOGOMETNIH TEKMAH IN DRUGIH ŠPORTNIH PRIREDITVAH**Preambula**

Države članice Sveta Evrope in druge države pogodbenice Evropske kulturne konvencije (ETS št. 18), podpisnice te konvencije, so se,

glede na to, da je cilj Sveta Evrope doseči večjo enotnost med članicami;

v skrbi za pravico do telesne celovitosti in upravičenega pričakovanja posameznikov, da se udeležijo nogometnih tekem in drugih športnih prireditev brez strahu pred nasiljem, motenjem javnega reda ali drugimi kaznivimi ravnanji;

v želji, da nogometne tekme in druge športne prireditve nudijo užitek in omogočajo prijetno počutje vsem, in ob zavedanju, da lahko ustvarjanje prijetnega okolja pomembno in pozitivno vpliva na varnost in varovanje na teh prireditvah;

ob zavedanju potrebe po spodbujanju vključenosti vseh deležnikov pri zagotavljanju varnega okolja na nogometnih tekmah in drugih športnih prireditvah;

ob zavedanju potrebe po vzdrževanju vladavine prava na nogometnih in drugih športnih stadionih ter v njihovi bližini, na poteh, ki vodijo do in od stadionov, ter na drugih območjih, ki jih obiskuje več tisoč gledalcev;

ob priznavanju, da morajo šport ter vse organizacije in deležniki, ki sodelujejo pri organizaciji in upravljanju nogometne tekme ali druge športne prireditve, podpirati temeljne vrednote Sveta Evrope, kot so socialna kohezija, strpnost, spoštovanje in nediskriminacija;

Recognising variations among States regarding their constitutional, judicial, cultural and historical circumstances, and the character and severity of safety and security problems associated with football matches and other sports events;

Recognising the need to take full account of national and international legislation on matters such as data protection, rehabilitation of offenders and human rights;

Recognising that a wide range of public and private agencies and other stakeholders, including spectators, have a shared objective in making football matches and other sports events safe, secure and welcoming for individuals and recognising that their collective actions will necessarily comprise a range of interrelated and overlapping measures;

Recognising that the overlapping character of these measures requires the relevant agencies to develop effective international, national and local partnerships in order to prepare and deliver an integrated and balanced multi-agency approach to safety, security and service in connection with football matches and other sports events;

Recognising that events outside of sports stadiums can have a direct impact on events inside the stadiums and vice versa;

Recognising that consultation with key stakeholders, especially supporters and local communities, can assist the relevant agencies in reducing the risks to safety and security and in creating a welcoming atmosphere inside and outside of stadiums;

Being resolved to take common and co-operative action to reduce the risks to safety and security at football matches and other sports events in order to provide an enjoyable experience for spectators, participants and local communities;

Building upon the content of the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120), opened for signature in Strasbourg on 19 August 1985 (hereafter "Convention No. 120");

Taking into account that extensive European experience and good practices has resulted in the development of a new integrated and partnership approach towards the safety and security of spectators, reflected in particular in the Recommendation Rec (2015) 1 on Safety, Security and Service at Football Matches, and other Sports Events, adopted by the Standing Committee of the Convention No. 120 at its 40th meeting on 18 June 2015,

Have agreed as follows:

Article 1 – Scope

1 The Parties shall, within the limits of their respective constitutional provisions, take the necessary steps to give effect to the provisions of this Convention in respect of football matches or tournaments played in their territory by professional football clubs and national teams.

2 The Parties may apply the provisions of this Convention to other sports or sports events hosted in their territory, including non-professional football matches, especially in circumstances where safety or security risks are involved.

Article 2 – Aim

The aim of this Convention is to provide a safe, secure and welcoming environment at football matches and other sports events. To that end, the Parties shall:

a adopt an integrated, multi-agency and balanced approach towards safety, security and service, based upon an ethos of effective local, national and international partnerships and co-operation;

b ensure that all public and private agencies, and other stakeholders, recognise that safety, security and service provision cannot be considered in isolation, and can have a direct influence on delivery of the other two components;

c take account of good practices in developing an integrated approach to safety, security and service.

ob priznavanju razlik med državami glede njihovih ustavnih, pravosodnih, kulturnih in zgodovinskih okoliščin ter značaja in resnosti težav z varnostjo in varovanjem, povezanih z nogometnimi tekmami in drugimi športnimi prireditvami;

ob priznavanju potrebe po polnem upoštevanju notranjih in mednarodnih predpisov v zadevah, kot so varstvo podatkov, rehabilitacija storilcev kaznivih dejanj in človekove pravice;

ob priznavanju, da imajo številne javne in zasebne organizacije ter drugi deležniki, vključno z gledalci, skupen cilj, da so nogometne tekme in druge športne prireditve za posameznike varne in prijetne, in ob priznavanju, da bo njihovo skupno delovanje nujno vsebovalo mnogo med seboj povezanih in prekrivajočih se ukrepov;

ob spoznanju, da medsebojno prekrivanje teh ukrepov zahteva, da ustrezne organizacije oblikujejo učinkovita mednarodna, državna in lokalna partnerstva za pripravo in izvedbo integriranega in uravnoteženega večinstucionalnega pristopa k varnosti, varovanju in storitvam v zvezi z nogometnimi tekmami in drugimi športnimi prireditvami;

ob priznavanju, da lahko dogodki zunaj športnih stadionov neposredno vplivajo na dogajanje na stadionih in obratno;

ob priznavanju, da posvetovanje s ključnimi deležniki, še zlasti navijači in lokalnimi skupnostmi, lahko pomaga ustreznim organizacijam zmanjšati tveganja pri zagotavljanju varnosti in varovanja ter ustvariti prijetno vzdušje na stadionih in zunaj njih;

odločene, da sodelujejo in izvajajo skupne ukrepe za zmanjšanje tveganj pri zagotavljanju varnosti in varovanja na nogometnih tekmah in drugih športnih prireditvah, da bi bile v užitek gledalcem, udeležencem in lokalnim skupnostim;

izhajajoč iz vsebine Evropske konvencije o nasilju in nedostojnem vedenju gledalcev na športnih prireditvah, zlasti na nogometnih tekmah (ETS št. 120), ki je bila dana na voljo za podpis v Strasbourg 19. avgusta 1985 (v nadaljnjem besedilu: Konvencija št. 120);

ob upoštevanju, da je mnogo evropskih izkušenj in primerov dobre prakse privedlo do razvoja novega integriranega in partnerskega pristopa k varnosti in varovanju gledalcev, kar se kaže zlasti v priporočilu Rec (2015) 1 o varnosti, varovanju in storitvah na nogometnih tekmah in drugih športnih prireditvah, ki ga je sprejel Stalni komite Konvencije št. 120 na svojem 40. zasedanju 18. junija 2015,

dogovorile, kot sledi:

1. člen – Področje uporabe

1 Pogodbenice v okviru svojih ustavnih določb ukrepejo vse potrebno za izvajanje določb te konvencije v zvezi z nogometnimi tekmami ali prvenstvi, na katerih na njihovem ozemlju igrajo profesionalni nogometni klubi in državne reprezentance.

2 Pogodbenice lahko določbe te konvencije uporabljajo tudi za druge vrste športa ali druge športne prireditve, ki jih gostijo na svojem ozemlju, vključno z neprofesionalnimi nogometnimi tekmami, še posebno v okoliščinah, ko obstajajo tveganja pri zagotavljanju varnosti ali varovanja.

2. člen – Namen

Namen te konvencije je zagotoviti varno in prijetno okolje na nogometnih tekmah in drugih športnih prireditvah. Za uresničitev tega pogodbenice:

a sprejmejo integriran, večinstucionalen in uravnotežen pristop k varnosti, varovanju in storitvam, utemeljen na duhu učinkovitega lokalnega, državnega in mednarodnega partnerstva in sodelovanja;

b zagotovijo, da vse javne in zasebne organizacije ter drugi deležniki uvidijo, da varnosti, varovanja in zagotavljanja storitev ni mogoče obravnavati ločeno in da lahko vsaka od teh komponent neposredno vpliva na uresničevanje drugih dveh;

c upoštevajo primere dobre prakse pri razvoju integriranega pristopa k varnosti, varovanju in storitvam.

Article 3 – Definitions

For the purposes of this Convention, the terms:

a “safety measures” shall mean any measure designed and implemented with the primary aim of protecting the health and well-being of individuals and groups who attend, or participate in, a football match or other sports event, inside or outside of the stadium, or who reside or work in the vicinity of the event;

b “security measures” shall mean any measure designed and implemented with the primary aim of preventing, reducing the risk and/or responding to any violence or other criminal activity or disorder committed in connection with a football or other sports event, inside or outside of a stadium;

c “service measures” shall mean any measure designed and implemented with the primary aim of making individuals and groups feel comfortable, appreciated and welcome when attending a football match or other sports event, inside or outside of a stadium;

d “agency” shall mean any public or private body with a constitutional, legislative, regulatory or other responsibility in respect of the preparation and implementation of any safety, security or service measure in connection with a football match or other sports event, inside or outside of a stadium;

e “stakeholder” shall mean spectators, local communities or other interested parties who do not have legislative or regulatory responsibilities but who can play an important role in helping to make football matches or other sports events safe, secure and welcoming, inside and outside of stadiums;

f “integrated approach” shall mean recognition that, irrespective of their primary purpose, safety, security and service measures at football matches and other sports events invariably overlap, are interrelated in terms of impact, need to be balanced and cannot be designed or implemented in isolation;

g “multi-agency integrated approach” shall mean recognition that the roles and actions of each agency involved in football or other sports planning and operational activities must be co-ordinated, complementary, proportionate and designed and implemented as part of a comprehensive safety, security and service strategy;

h “good practices” shall mean measures applied in one or more countries that have proven to be very effective in meeting the stated aim or objective;

i “relevant agency” shall mean a body (public or private) involved in the organisation and/or management of a football match or other sports event held inside or outside of a sports stadium.

Article 4 – Domestic co-ordination arrangements

1 The Parties shall ensure that national and local co-ordination arrangements are established for the purpose of developing and implementing a multi-agency integrated approach to safety, security and service at national and local level.

2 The Parties shall ensure that co-ordination arrangements are established to identify, analyse and evaluate the risks pertaining to safety, security and services, and to allow the sharing of updated information on risk assessment.

3 The Parties shall ensure that the co-ordination arrangements involve all key public and private agencies responsible for safety, security and service matters connected with the event, both inside and outside of the venue where the event is taking place.

4 The Parties shall ensure that the co-ordination arrangements take full account of the safety, security and service principles set out in this Convention and that national and local strategies are developed, regularly evaluated and refined in the light of national and international experience and good practices.

3. člen – Opredelitev izrazov

Pomen izrazov v tej konvenciji:

a »varnostni ukrepi« pomenijo kakršen koli ukrep, ki se oblikuje in izvaja z glavnim namenom varovati zdravje in dobro počutje posameznikov in skupin na stadionu ali zunaj njega, ki se udeležujejo nogometne tekme ali druge športne prireditve ali sodelujejo na njej, ali posameznikov in skupin, ki prebivajo ali delajo v bližini prireditve;

b »ukrepi varovanja« pomenijo kakršen koli ukrep, ki se oblikuje in izvaja z glavnim namenom preprečiti, zmanjšati tveganje in/ali se odzvati na kakršno koli nasilje ali drugo kaznivo ravnanje ali nered na stadionu ali zunaj njega v zvezi z nogometno ali drugo športno prireditvijo;

c »storitveni ukrepi« pomenijo kakršen koli ukrep, ki se oblikuje ali izvede z glavnim namenom doseči, da se posamezniki in skupine na stadionu ali zunaj njega ob obisku nogometne tekme ali druge športne prireditve počutijo dobro, cenjene in dobrodošle;

d »organizacija« pomeni kakršen koli javni ali zasebni subjekt z ustavno, zakonodajno, ureditveno ali drugo pristojnostjo glede priprave in izvedbe kakršnega koli varnostnega ukrepa, ukrepa varovanja ali storitvenega ukrepa v zvezi z nogometno tekmo ali drugo športno prireditvijo na stadionu ali zunaj njega;

e »deležnik« pomeni gledalce, lokalne skupnosti ali druge zainteresirane, ki nimajo zakonodajnih ali ureditvenih pristojnosti, a lahko pomembno pripomorejo k temu, da nogometne tekme ali druge športne prireditve postanejo varne in prijetne na stadionu in zunaj njega;

f »integrirani pristop« pomeni priznavanje, da se varnostni ukrepi, ukrepi varovanja in storitveni ukrepi na nogometnih tekmah in drugih športnih prireditvah, ne glede na svoj prvotni namen, vedno prekrivajo, so medsebojno povezani zaradi svojega vpliva, morajo biti uravnoteženi in jih ni mogoče oblikovati ali izvajati ločeno;

g »večinstucionalni integrirani pristop« pomeni priznavanje, da morajo biti vloge in ukrepi vseh organizacij, ki sodelujejo pri načrtovanju in operativnih dejavnostih v zvezi z nogometom ali drugimi vrstami športa, usklajeni, dopolnjujoči se, sorazmerni ter oblikovani in izvajani kot del celovite varnostne strategije, strategije varovanja in storitvene strategije;

h »primeri dobre prakse« pomenijo ukrepe, ki se uporabljajo v eni ali več državah in so se izkazali kot zelo učinkoviti pri doseganju zastavljenega namena ali cilja;

i »ustrezna organizacija« pomeni (javni ali zasebni) subjekt, ki sodeluje pri pripravi in/ali upravljanju nogometne tekme ali druge športne prireditve na športnem stadionu ali zunaj njega.

4. člen – Notranji usklajevalni mehanizmi

1 Pogodbenice zagotovijo vzpostavitev državnih in lokalnih usklajevalnih mehanizmov z namenom razvoja in izvajanja večinstucionalnega integriranega pristopa k varnosti, varovanju in storitvam na državni in lokalni ravni.

2 Pogodbenice zagotovijo vzpostavitev usklajevalnih mehanizmov za ugotavljanje, analizo in oceno tveganj glede varnosti, varovanja in storitev ter za omogočanje izmenjave ažurnih informacij o oceni tveganj.

3 Pogodbenice zagotovijo, da usklajevalni mehanizmi vključujejo vse ključne javne in zasebne organizacije, ki so odgovorne za zadeve, povezane z varnostjo, varovanjem in storitvami v zvezi s prireditvijo tako na prireditvenem prostoru kot zunaj njega.

4 Pogodbenice zagotovijo, da usklajevalni mehanizmi v celoti upoštevajo načela varnosti, varovanja in storitev, ki so določena v tej konvenciji, ter da se državne in lokalne strategije razvijajo, redno ocenjujejo in izboljšujejo, upoštevajoč notranje in mednarodne izkušnje ter primere dobre prakse.

5 The Parties shall ensure that national legal, regulatory or administrative frameworks clarify the respective roles and responsibilities of the relevant agencies and that these roles are complementary, consistent with an integrated approach and widely understood at strategic and operational levels.

Article 5 – Safety, security and service in sports stadiums

1 The Parties shall ensure that national legal, regulatory or administrative frameworks require event organisers, in consultation with all partner agencies, to provide a safe and secure environment for all participants and spectators.

2 The Parties shall ensure that the competent public authorities put in place regulations or arrangements to guarantee the effectiveness of stadium licensing procedures, certification arrangements and safety regulations in general and ensure their application, monitoring and enforcement.

3 The Parties shall require the relevant agencies to ensure that stadium design, infrastructure and associated crowd management arrangements comply with national and international standards and good practices.

4 The Parties shall encourage the relevant agencies to ensure that stadiums provide an inclusive and welcoming environment for all sections of society, including children, the elderly and those with disabilities, and incorporate, in particular, the provision of appropriate sanitary and refreshment facilities and good viewing conditions for all spectators.

5 The Parties shall ensure that stadiums' operating arrangements are comprehensive; make provision for effective liaison with the police, emergency services and partner agencies; and incorporate clear policies and procedures on matters that might impact on crowd management and associated safety and security risks, in particular:

- the use of pyrotechnics;
- any violent or other prohibited behaviour; and
- any racist or other discriminatory behaviour.

6 The Parties shall require the relevant agencies to ensure that all personnel, from the public or private sectors, involved in making football matches and other sports events safe, secure and welcoming are equipped and trained to fulfil their functions effectively and in an appropriate manner.

7 The Parties shall encourage their competent agencies to highlight the need for players, coaches or other representatives of participating teams to act in accordance with key sporting principles, such as tolerance, respect and fair play, and recognise that acting in a violent, racist or other provocative manner can have a negative impact on spectator behaviour.

Article 6 – Safety, security and service in public places

1 The Parties shall encourage all agencies and stakeholders involved in organising football matches and other sports events in public spaces, including the municipal authorities, police, local communities and businesses, supporter representatives, football clubs and national associations, to work together, notably in respect of:

a assessing risk and preparing appropriate preventative measures designed to minimise disruption and provide reassurances to the local community and businesses, in particular those located in the vicinity of where the event is taking place or public viewing areas;

b creating a safe, secure and welcoming environment in public spaces that are designated for supporters to gather before and after the event, or locations in which supporters can be expected to frequent of their own volition, and along transit routes to and from the city and/or to and from the stadium.

2 The Parties shall ensure that risk assessment and safety and security measures take account of the journey to and from the stadium.

5 Pogodbenice zagotovijo, da se v notranjih pravnih, ureditvenih ali upravnih okvirih jasno določijo naloge in pristojnosti ustreznih organizacij in da se te naloge dopolnjujejo, so skladne z integriranim pristopom ter splošno razumljene na strateški in operativni ravni.

5. člen – Varnost, varovanje in storitve na športnih stadionih

1 Pogodbenice zagotovijo, da notranji pravni, ureditveni ali upravni okviri obvezujejo organizatorje prireditve, da s posvetovanjem z vsemi partnerskimi organizacijami zagotavljajo varno okolje za vse udeležence in gledalce.

2 Pogodbenice zagotovijo, da pristojni javni organi vzpostavijo predpise ali mehanizme, ki bodo zagotavljali učinkovitost postopkov izdaje dovoljenj za stadione, pravil certificiranja in varnostnih predpisov na splošno, ter zagotovijo njihovo uporabo, nadzor in uveljavitev.

3 Pogodbenice od ustreznih organizacij zahtevajo, da zagotovijo skladnost načrtovanja stadionov, infrastrukture in s tem povezanih mehanizmov obvladovanja množic z notranjimi in mednarodnimi standardi ter primeri dobre prakse.

4 Pogodbenice ustrezne organizacije spodbujajo, da poskrbijo, da stadioni postanejo vključujoče in prijetno okolje za vse družbene skupine, vključno z otroki, starejšimi in invalidi, in zlasti da vsem gledalcem zagotovijo primerne sanitarije in prostore za okrepčilo ter dobre pogoje za ogled dogodka.

5 Pogodbenice zagotovijo, da je ureditev delovanja stadionov celovita, da predpisuje učinkovito povezovanje s policijo, urgentnimi službami in partnerskimi organizacijami ter da vključuje jasne politike in postopke za zadeve, ki bi lahko vplivale na obvladovanje množic in s tem povezana tveganja pri zagotavljanju varnosti in varovanja, in sicer zlasti za:

- uporabo pirotehnik,
- nasilno ali drugo prepovedano vedenje in
- rasistično ali drugo diskriminatorno vedenje.

6 Pogodbenice od ustreznih organizacij zahtevajo, da zagotovijo, da je vse osebje iz javnega in zasebnega sektorja, ki skrbi za to, da so nogometne tekme in druge športne prireditve varne in prijetne, opremljeno in usposobljeno za učinkovito in primerno opravljanje svojih nalog.

7 Pogodbenice svoje pristojne organizacije spodbujajo k poudarjanju potrebe, da igralci, trenerji ali drugi predstavniki sodelujočih ekip ravnavajo v skladu s ključnimi športnimi načeli, kot so strpnost, spoštovanje in ferplej, in prepoznavanju negativnega vpliva nasilnega, rasističnega ali drugega izzivalnega ravnanja na vedenje gledalcev.

6. člen – Varnost, varovanje in storitve na javnih krajih

1 Pogodbenice vse organizacije in deležnike, ki sodelujejo pri organizaciji nogometnih tekem in drugih športnih prireditve na javnih krajih, vključno z občinskimi organi, policijo, lokalnimi skupnostmi in podjetji, predstavniki navijačev, nogometnimi klubi in državnimi zvezami, spodbujajo k sodelovanju zlasti pri:

a oceni tveganj in pripravi ustreznih preventivnih ukrepov za zmanjšanje motenj in dajanje zagotovil lokalni skupnosti in podjetjem, predvsem tistim v bližini prireditvenega prostora ali mest za javni ogled, in

b ustvarjanju varnega in prijetnega okolja na javnih krajih, ki so namenjeni zbiranju navijačev pred prireditvijo in po njej, ali na krajih, kjer je mogoče pričakovati spontano zbiranje navijačev, ter ob poteh v mesto in iz mesta in/ali do in od stadiona.

2 Pogodbenice zagotovijo, da ocena tveganj ter varnostni ukrepi in ukrepi varovanja upoštevajo potovanje do in od stadiona.

Article 7 – Contingency and emergency planning

The Parties shall ensure that multi-agency contingency and emergency plans are developed, and that those plans are tested and refined in regular joint exercises. National legal, regulatory or administrative frameworks shall make clear which agency is responsible for initiating, supervising and certifying the exercises.

Article 8 – Engagement with supporters and local communities

1 The Parties shall encourage all agencies to develop and pursue a policy of proactive and regular communication with key stakeholders, including supporter representatives and local communities, based on the principle of dialogue, and with the aim of generating a partnership ethos and positive co-operation as well as identifying solutions to potential problems.

2 The Parties shall encourage all public and private agencies and other stakeholders, including local communities and supporter representatives, to initiate or participate in multi-agency social, educational, crime-prevention and other community projects designed to foster mutual respect and understanding, especially among supporters, sports clubs and associations as well as agencies responsible for safety and security.

Article 9 – Police strategies and operations

1 The Parties shall ensure that policing strategies are developed, regularly evaluated and refined in the light of national and international experience and good practices, and are consistent with the wider, integrated approach to safety, security and service.

2 The Parties shall ensure that policing strategies take account of good practices including, in particular: intelligence gathering, continuous risk assessment, risk-based deployment, proportionate intervention to prevent the escalation of risk or disorder, effective dialogue with supporters and the wider community, and evidence gathering of criminal activity as well as the sharing of such evidence with the competent authorities responsible for prosecution.

3 The Parties shall ensure that the police works in partnership with organisers, supporters, local communities and other stakeholders in making football matches and other sports events safe, secure and welcoming for all concerned.

Article 10 – Prevention and sanctioning of offending behaviour

1 The Parties shall take all possible measures to reduce the risk of individuals or groups participating in, or organising incidents of violence or disorder.

2 The Parties shall, in accordance with national and international law, ensure that effective exclusion arrangements, appropriate to the character and location of risk, are in place to deter and prevent incidents of violence or disorder.

3 The Parties shall, in accordance with national and international law, co-operate in seeking to ensure that individuals committing offences abroad receive appropriate sanctions, either in the country where the offence is committed or in their country of residence or citizenship.

4 Where appropriate, and in accordance with national and international law, the Parties shall consider empowering the judicial or administrative authorities responsible to impose sanctions on individuals who have caused or contributed to incidents of football-related violence and/or disorder, with the possibility of imposing restrictions on travel to football events held in another country.

7. člen – Načrtovanje ukrepov v nepredvidljivih in nujnih primerih

Pogodbenice zagotovijo oblikovanje večinstitucionalnih načrtov ukrepov v nepredvidljivih in nujnih primerih ter njihovo preizkušanje in izpopolnjevanje na rednih skupnih vajah. V notranjih pravnih, ureditvenih in upravnih okvirih se jasno določi, katera organizacija je pristojna za pripravo, vodenje in vrednotenje vaj.

8. člen – Sodelovanje z navijači in lokalnimi skupnostmi

1 Pogodbenice vse organizacije spodbujajo k oblikovanju in udeležanju politike proaktivne in redne komunikacije s ključnimi deležniki, vključno s predstavniki navijačev in lokalnimi skupnostmi, na podlagi načela dialoga in z namenom ustvarjati duha partnerstva in pozitivno sodelovanje ter poiskati rešitve za morebitne težave.

2 Pogodbenice vse javne in zasebne organizacije ter druge deležnike, vključno s lokalnimi skupnostmi in predstavniki navijačev, spodbujajo k začenanju večinstitucionalnih družbenih in izobraževalnih projektov, projektov preprečevanja kriminalitete in drugih skupnostnih projektov, namenjenih spodbujanju medsebojnega spoštovanja in razumevanja, še posebno med navijači, športnimi klubi in združenji ter organizacijami, ki skrbijo za varnost in varovanje, ali sodelovanju v tovrstnih projektih.

9. člen – Policijske strategije in delovanje

1 Pogodbenice zagotovijo, da se strategije policijskega dela oblikujejo, redno vrednotijo in izboljšujejo ob upoštevanju notranjih in mednarodnih izkušenj ter primerov dobre prakse in da so v skladu s širšim, integriranim pristopom k varnosti, varovanju in storitvam.

2 Pogodbenice zagotovijo, da strategije policijskega dela upoštevajo primere dobre prakse, kar vključuje zlasti: zbiranje operativnih podatkov, stalno ocenjevanje tveganj, razporeditev enot glede na tveganja, sorazmerno ukrepanje za preprečitev stopnjevanja tveganj ali neredov, učinkovit dialog z navijači in širšo skupnostjo ter zbiranje dokazov o kaznivih ravnanjih in izročanje teh dokazov organom, pristojnim za pregon.

3 Pogodbenice zagotovijo, da policija partnersko sodeluje z organizatorji, navijači, lokalnimi skupnostmi in drugimi deležniki, da bodo nogometne tekme in druge športne prireditve varne in prijetne za vse.

10. člen – Preprečevanje in sankcioniranje kršitev

1 Pogodbenice sprejmejo vse mogoče ukrepe za zmanjšanje tveganja, da bi posamezniki ali skupine sodelovale pri nasilnih izgredeh ali neredih oziroma jih organizirale.

2 Za odvrčanje in preprečitev nasilnih izgrede ali neredov pogodbenice v skladu z notranjim in mednarodnim pravom zagotovijo učinkovite ukrepe izključitve, ki so primerni glede na vrsto in kraj tveganja.

3 Pogodbenice v skladu z notranjim in mednarodnim pravom sodelujejo pri prizadevanjih za zagotovitev, da se osebam, ki storijo kršitve v tujini, določijo ustrezne sankcije bodisi v državi, v kateri je bila kršitev storjena, bodisi v državi njihovega prebivanja ali državljanstva.

4 Pogodbenice po potrebi in v skladu z notranjim in mednarodnim pravom presodijo, ali bi pravosodnim oziroma upravnim organom, pristojnim za izrekanje sankcij osebam, ki so povzročile nasilne izgrede in/ali nered v zvezi z nogometom oziroma prispevale k njim, dodelile pristojnost, da imajo možnost izreči ukrepe omejitve potovanja na nogometne prireditve v drugi državi.

Article 11 – International co-operation

1 The Parties shall co-operate closely on all matters covered by this Convention and related matters, in order to maximise collaboration in respect of international events, share experiences and participate in the development of good practices.

2 The Parties shall, without prejudice to existing national provisions, in particular the allocation of powers among the different services and authorities, set up or designate a national football information point within the police force (NFIP). The NFIP shall:

a act as the direct and single contact point for exchanging general (strategic, operational and tactical) information in connection with a football match with an international dimension;

b exchange personal data in accordance with the applicable domestic and international rules;

c facilitate, co-ordinate or organise the implementation of international police co-operation in connection with football matches with an international dimension;

d be capable of fulfilling efficiently and promptly the tasks assigned to it.

3 The Parties shall further ensure that the NFIP provides a national source of expertise regarding football policing operations, supporter dynamics and associated safety and security risks.

4 Each State Party shall notify the Committee on Safety and Security at Sports Events, created by this Convention, in writing, of the name and contact details of its NFIP, and any subsequent changes with regard to it.

5 The Parties shall co-operate at international level in respect of sharing good practices and information on preventative, educational and informative projects and the establishment of partnerships with all agencies involved in the delivery of national and local initiatives, focused on or driven by the local community and supporters.

Procedural Clauses**Article 12 – Provision of information**

Each Party shall forward to the Committee on Safety and Security at Sports Events, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention, whether with regard to football or other sports.

Article 13 – Committee on Safety and Security at Sports Events

1 For the purposes of this Convention, the Committee on Safety and Security at Sports Events is hereby established.

2 Any Party to this Convention may be represented on the committee by one or more delegates representing lead governmental agencies, preferably with responsibility for sport safety and security, and the NFIP. Each Party to this Convention shall have one vote.

3 Any member State of the Council of Europe or other State Party to the European Cultural Convention which is not a Party to this Convention, as well as any non-member State which is a Party to Convention No. 120, may be represented on the committee as an observer.

4 The committee may, by unanimous decision, invite any non-member State of the Council of Europe which is not a Party to this Convention or to Convention No. 120 and any organisation interested in being represented to be an observer at one or more of its meetings.

5 The committee shall be convened by the Secretary General of the Council of Europe. Its first meeting shall be held within one year of the date on which ten member States of the Council of Europe have expressed their consent to be bound by the Convention. It shall subsequently meet at least every year after its first meeting. In addition it shall meet whenever a majority of the Parties so request.

11. člen – Mednarodno sodelovanje

1 Pogodbenice tesno sodelujejo pri vseh zadevah iz te konvencije in povezanih zadevah, da bi čim bolj okrepile sodelovanje pri mednarodnih prireditvah, izmenjevale izkušnje in skupaj razvijale primere dobre prakse.

2 Pogodbenice brez poseganja v veljavne notranje določbe, zlasti v porazdelitev pristojnosti med različnimi službami in organi, znotraj policije ustanovijo ali imenujejo državno nogometno informacijsko točko (NFIP). NFIP:

a je neposredna in edina kontaktna točka za izmenjavo splošnih (strateških, operativnih in taktičnih) informacij v zvezi z nogometno tekmo na mednarodni ravni;

b izmenjuje osebne podatke skladno z veljavnimi notranjimi in mednarodnimi predpisi;

c pospešuje, usklajuje ali organizira mednarodno policijsko sodelovanje v zvezi z nogometnimi tekmami na mednarodni ravni;

d je zmožna učinkovito in hitro opraviti dodeljene naloge.

3 Pogodbenice zagotovijo tudi, da je NFIP državni vir strokovnega znanja o policijskem delovanju v zvezi z nogometom, navigacijski dinamiki in s tem povezanih tveganjih pri zagotavljanju varnosti in varovanja.

4 Vsaka država pogodbenica s to konvencijo ustanovljeni Odbor za varnost in varovanje na športnih prireditvah uradno pisno obvesti o poimenovanju in kontaktnih podatkih svoje NFIP ter o njihovih morebitnih poznejših spremembah.

5 Pogodbenice na mednarodni ravni sodelujejo z izmenjavo primerov dobre prakse in informacij o preventivnih, izobraževalnih in informativnih projektih ter o ustanovitvi partnerstev z vsemi organizacijami, udeleženi pri izvajanju državnih in lokalnih pobud, ki so usmerjene na lokalno skupnost in navijače ali ki jih ti organizirajo.

Postopkovne določbe**12. člen – Sporočanje informacij**

Vsaka pogodbenica Odboru za varnost in varovanje na športnih prireditvah v enem od uradnih jezikov Sveta Evrope pošlje vse ustrezne informacije o zakonodajnih in drugih ukrepih, ki jih je sprejela z namenom izpolnjevanja določb te konvencije, bodisi v zvezi z nogometom bodisi v zvezi z drugimi vrstami športa.

13. člen – Odbor za varnost in varovanje na športnih prireditvah

1 Za uresničevanje namenov te konvencije se ustanovi Odbor za varnost in varovanje na športnih prireditvah.

2 Vsako pogodbenico te konvencije lahko v odboru zastopa en ali več delegatov, ki zastopajo vodilne vladne institucije, po možnosti s pristojnostjo za varnost in varovanje na področju športa, in NFIP. Vsaka pogodbenica te konvencije ima en glas.

3 Vsaka država članica Sveta Evrope ali druga država pogodbenica Evropske kulturne konvencije, ki ni pogodbenica te konvencije, in vsaka država nečlanica, ki je pogodbenica Konvencije št. 120, je v odboru lahko zastopana kot opazovalka.

4 Odbor lahko s soglasno odločitvijo povabi kot opazovalko na enega ali več sestankov katero koli državo nečlanico Sveta Evrope, ki ni pogodbenica te konvencije ali Konvencije št. 120, in katero koli organizacijo, ki bi želela biti zastopana.

5 Odbor skliče generalni sekretar Sveta Evrope. Prvi sestanek je v enem letu od dneva, ko je deset držav članic Sveta Evrope izrazilo soglasje, da jih konvencija zavezuje. Po prvem sestanku se sestaja vsaj enkrat letno. Sestane se tudi, kadar to zahteva večina pogodbenic.

6 A majority of the Parties shall constitute a quorum for holding a meeting of the committee.

7 Subject to the provisions of this Convention, the committee shall draw up and adopt by consensus its own rules of procedure.

Article 14 – Functions of the Committee on Safety and Security at Sports Events

1 The committee shall be responsible for monitoring the application of this Convention. It may in particular:

a keep under review the provisions of this Convention and examine any necessary modifications;

b hold consultations and, where appropriate, exchange information with relevant organisations;

c make recommendations to the Parties to this Convention concerning measures to be taken for its implementation;

d recommend the appropriate measures to keep the public informed about the activities undertaken within the framework of this Convention;

e make recommendations to the Committee of Ministers concerning non-member States of the Council of Europe to be invited to accede to this Convention;

f make any proposal for improving the effectiveness of this Convention;

g facilitate the collection, analysis and exchange of information, experience and good practices between States.

2 The committee, with the prior agreement of the Parties concerned, shall monitor compliance with this Convention through a programme of visits to the States Parties, in order to provide advice and support on the implementation of this Convention.

3 The committee shall also gather the information provided by States Parties according to Article 12, and transmit relevant data to all States Parties of the Convention. It may in particular inform each State Party about the nomination of a new NFIP, and circulate its contact details.

4 In order to discharge its functions, the committee may, on its own initiative, arrange for meetings of groups of experts.

Article 15 – Amendments

1 Amendments to this Convention may be proposed by a Party, the Committee on Safety and Security at Sports Events or the Committee of Ministers of the Council of Europe.

2 Any proposal for amendment shall be communicated by the Secretary General of the Council of Europe to the member States of the Council of Europe, to the other States Parties to the European Cultural Convention, to any non-member State of the Council of Europe having acceded to Convention No. 120 prior to the date of opening for signature of this Convention and to every non-member State which has acceded to or has been invited to accede to this Convention in accordance with the provisions of Article 18.

3 Any amendment proposed by a Party or the Committee of Ministers shall be communicated to the committee at least two months before the meeting at which it is to be considered. The committee shall submit its opinion on the proposed amendment to the Committee of Ministers.

4 The Committee of Ministers shall consider the proposed amendment and any opinion submitted by the committee and may adopt the amendment by the majority provided for in Article 20.d of the Statute of the Council of Europe.

5 The text of any amendment adopted by the Committee of Ministers in accordance with paragraph 4 of this article shall be forwarded to the Parties for acceptance in accordance with their respective internal procedures.

6 Any amendment adopted in accordance with paragraph 4 of this article shall come into force on the first day of the month following the expiration of a period of one month after all Parties have informed the Secretary General of their acceptance thereof.

6 Za sklepčnost sestanka odbora je potrebna večina pogodbenic.

7 Ob upoštevanju določb te konvencije odbor sestavi in soglasno sprejme svoj poslovnik.

14. člen – Naloge Odbora za varnost in varovanje na športnih prireditvah

1 Odbor je odgovoren za nadziranje uporabe te konvencije. Pri tem lahko zlasti:

a redno pregleduje določbe te konvencije in prouči morebitne potrebne spremembe;

b organizira posvetovanja in, kadar je to potrebno, izmenjuje informacije z ustreznimi organizacijami;

c daje priporočila pogodbenicam te konvencije glede ukrepov za njeno izvajanje;

d priporoča ustrezne ukrepe za obveščanje javnosti o dejavnostih, opravljenih v okviru te konvencije;

e daje priporočila Odboru ministrov glede povabil državam nečlanicam Sveta Evrope, da pristopijo k tej konvenciji;

f daje kakršne koli predloge za izboljšanje učinkovitosti te konvencije;

g pospešuje zbiranje, analizo in izmenjavo informacij, izkušenj in primerov dobre prakse med državami.

2 Odbor s predhodnim soglasjem pogodbenic nadzira spoštovanje te konvencije s programom obiskov v teh državah pogodbenicah z namenom svetovanja in podpore pri izvajanju te konvencije.

3 Odbor tudi zbira informacije, ki jih države pogodbenice sporočijo po 12. členu, in ustrezne podatke pošlje vsem državam pogodbenicam konvencije. Zlasti lahko vsako državo pogodbenico obvesti o imenovanju nove NFIP in razpošlje njene kontaktne podatke.

4 Odbor lahko z namenom izvajanja svojih nalog na lastno pobudo organizira srečanja skupin strokovnjakov.

15. člen – Spremembe

1 Spremembe te konvencije lahko predlaga pogodbenica, Odbor za varnost in varovanje na športnih prireditvah ali Odbor ministrov Sveta Evrope.

2 Generalni sekretar Sveta Evrope vsak predlog za spremembo sporoči državam članicam Sveta Evrope, drugim državam pogodbenicam Evropske kulturne konvencije, vsaki državi nečlanici Sveta Evrope, ki je pristopila h Konvenciji št. 120 pred dnevom, ko je bila dana na voljo za podpis ta konvencija, in vsaki državi nečlanici, ki je pristopila ali bila povabljenka k pristopu k tej konvenciji v skladu z določbami 18. člena.

3 Vsaka sprememba, ki jo predlaga pogodbenica ali Odbor ministrov, se odboru sporoči vsaj dva meseca pred sestankom, na katerem bo obravnavana. Odbor svoje mnenje o predlagani spremembi predloži Odboru ministrov.

4 Odbor ministrov prouči predlagano spremembo in vsako mnenje, ki ga predloži odbor, ter lahko spremembo sprejme z večino, določeno v odstavku d 20. člena Statuta Sveta Evrope.

5 Besedilo vsake spremembe, ki jo sprejme Odbor ministrov v skladu s četrtem odstavkom tega člena, se pošlje pogodbenicam v sprejetje v skladu z njihovimi notranjimi postopki.

6 Vsaka sprememba, sprejeta v skladu s četrtem odstavkom tega člena, začne veljati prvi dan meseca po poteku enega meseca od takrat, ko so vse pogodbenice generalnega sekretarja obvestile o njenem sprejetju.

Final Clauses**Article 16 – Signature**

1 This Convention shall be open for signature by the member States of the Council of Europe, the States Parties to the European Cultural Convention and any non-member State of the Council of Europe having acceded to the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120), opened for signature in Strasbourg on 19 August 1985, prior to the date of opening for signature of this Convention.

2 This Convention is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

3 No State Party to Convention No. 120 may deposit its instrument of ratification, acceptance or approval unless it has already denounced the said Convention or denounces it simultaneously.

4 When depositing its instrument of ratification, acceptance or approval in accordance with the preceding paragraph, a Contracting State may declare that it will continue to apply Convention No. 120 until the entry into force of this Convention according to the provisions of Article 17, paragraph 1.

Article 17 – Entry into force

1 The Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date on which three member States of the Council of Europe have expressed their consent to be bound by the Convention in accordance with the provisions of Article 16.

2 In respect of any Signatory State which subsequently expresses its consent to be bound by it, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 18 – Accession by non-member States

1 After the entry into force of this Convention, the Committee of Ministers of the Council of Europe, after consulting the Parties, may invite any non-member State of the Council of Europe to accede to the Convention by a decision taken by the majority provided for in Article 20.d of the Statute of the Council of Europe and by the unanimous vote of the representatives of the Contracting States entitled to sit on the Committee of Ministers.

2 In respect of any acceding State, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of the deposit of the instrument of accession with the Secretary General of the Council of Europe.

3 A Party which is not a member State of the Council of Europe shall contribute to the financing of the Committee on Safety and Security at Sports Events in a manner to be decided by the Committee of Ministers.

Article 19 – Effects of the Convention

1 In relations between a Party to this Convention and a Party to Convention No. 120 which has not ratified this Convention, Articles 4 and 5 of Convention No. 120 shall continue to apply.

2 After the entry into force of this Convention, if a State has denounced Convention No. 120 but such denunciation is not yet effective at the time of ratification of this Convention, this Convention shall apply according to the provisions of Article 17, paragraph 2.

Article 20 – Territorial application

1 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.

Končne določbe**16. člen – Podpis**

1 Ta konvencija je na voljo za podpis državam članicam Sveta Evrope, državam pogodbenicam Evropske kulturne konvencije in vsaki državi nečlanici Sveta Evrope, ki je pred dnem, ko je bila dana na voljo za podpis ta konvencija, pristopila k Evropski konvenciji o nasilju in nedostojnem vedenju gledalcev na športnih prireditvah, zlasti na nogometnih tekmah (ETS št. 120), ki je bila dana na voljo za podpis v Strasbourgu 19. avgusta 1985.

2 To konvencijo je treba ratificirati, sprejeti ali odobriti. Listine o ratifikaciji, sprejetju ali odobritvi se deponirajo pri generalnem sekretarju Sveta Evrope.

3 Država, ki je pogodbenica Konvencije št. 120, ne sme deponirati svoje listine o ratifikaciji, sprejetju ali odobritvi, če pred tem ni odpovedala omenjene konvencije ali če je ne odpove istočasno.

4 Ob deponiranju svoje listine o ratifikaciji, sprejetju ali odobritvi v skladu s prejšnjim odstavkom lahko država pogodbenica izjavi, da bo še naprej uporabljala Konvencijo št. 120 do začetka veljavnosti te konvencije, kot je določeno v prvem odstavku 17. člena.

17. člen – Začetek veljavnosti

1 Konvencija začne veljati prvi dan meseca po poteku enega meseca po dnevu, ko so tri države članice Sveta Evrope v skladu z določbami 16. člena izrazile svojo privolitev, da jih konvencija zavezuje.

2 Za vsako državo podpisnico, ki pozneje izrazi svojo privolitev, da jo konvencija zavezuje, ta začne veljati prvi dan meseca po poteku enega meseca po dnevu deponiranja listine o ratifikaciji, sprejetju ali odobritvi.

18. člen – Pristop držav nečlanic

1 Po začetku veljavnosti te konvencije lahko Odbor ministrov Sveta Evrope po posvetovanju s pogodbenicami katero koli državo, ki ni članica Sveta Evrope, povabi, da pristopi h konvenciji na podlagi odločitve, sprejete z večino, določeno v odstavku d 20. člena Statuta Sveta Evrope, in s soglasjem vseh predstavnikov držav pogodbenic, ki imajo pravico sodelovati v Odboru ministrov.

2 Za vsako državo pristopnico konvencija začne veljati prvi dan meseca po poteku enega meseca po dnevu deponiranja listine o pristopu pri generalnem sekretarju Sveta Evrope.

3 Pogodbenica, ki ni članica Sveta Evrope, prispeva k financiranju Odbora za varnost in varovanje na športnih prireditvah tako, kot odloči Odbor ministrov.

19. člen – Učinki konvencije

1 Za odnose med pogodbenico te konvencije in pogodbenico Konvencije št. 120, ki ni ratificirala te konvencije, se še naprej uporabljata 4. in 5. člen Konvencije št. 120.

2 Če država odpove Konvencijo št. 120 po začetku veljavnosti te konvencije, vendar odpoved v času ratifikacije te konvencije še ni začela veljati, se ta konvencija uporablja v skladu z določbami drugega odstavka 17. člena.

20. člen – Ozemeljska uporaba

1 Vsaka država lahko ob podpisu ali deponiranju listine o ratifikaciji, sprejetju, odobritvi ali pristopu določi ozemlje ali ozemlja, na katerih se ta konvencija uporablja.

2 Any Party may, at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory specified in the declaration. In respect of such a territory, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of receipt of said declaration by the Secretary General.

3 Any declaration made under the two preceding paragraphs may, in respect of any territory mentioned in the declaration, be withdrawn by a notification addressed to the Secretary General. This withdrawal shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 21 – Denunciation

1 Any Party may, at any time, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.

2 This denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 22 – Notifications

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, the other States Parties to the European Cultural Convention and any State which has acceded to this Convention, of:

- a any signature in accordance with Article 16;
- b the deposit of any instrument of ratification, acceptance, approval or accession in accordance with Articles 16 or 18;
- c any date of entry into force of this Convention in accordance with Articles 17 and 18;
- d any proposal for amendment or any amendment adopted in accordance with Article 15 and the date on which the amendment comes into force;
- e any declaration made under the provisions of Article 20;
- f any denunciation made in pursuance of the provisions of Article 21;
- g any other act, declaration, notification or communication relating to this Convention.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Saint-Denis, this 3rd day of July 2016 in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, to each State Party to the European Cultural Convention, and any State invited to accede to this Convention.

2 Vsaka pogodbenica lahko kadar koli pozneje z izjavo, naslovljeno na generalnega sekretarja Sveta Evrope, razširi uporabo te konvencije na katero koli drugo ozemlje, navedeno v izjavi. Za to ozemlje začne konvencija veljati prvi dan meseca po poteku enega meseca po dnevu, ko generalni sekretar prejme to izjavo.

3 Vsaka izjava, dana na podlagi prejšnjih dveh odstavkov, se lahko za vsako ozemlje, ki je v njej navedeno, umakne z uradnim obvestilom, naslovljenim na generalnega sekretarja. Umik začne veljati prvi dan meseca po poteku šestih mesecev po dnevu, ko generalni sekretar prejme uradno obvestilo.

21. člen – Odpoved

1 Vsaka pogodbenica lahko to konvencijo kadar koli odpove z uradnim obvestilom, naslovljenim na generalnega sekretarja Sveta Evrope.

2 Odpoved začne veljati prvi dan meseca po poteku šestih mesecev po dnevu, ko generalni sekretar prejme uradno obvestilo.

22. člen – Uradna obvestila

Generalni sekretar Sveta Evrope države članice Sveta Evrope, druge države pogodbenice Evropske kulturne konvencije in vsako državo, ki je pristopila k tej konvenciji, uradno obvesti o:

- a vsakem podpisu v skladu s 16. členom;
- b deponiranju vsake listine o ratifikaciji, sprejetju, odobritvi ali pristopu v skladu s 16. ali 18. členom;
- c vsakem dnevu začetka veljavnosti te konvencije v skladu s 17. in 18. členom;
- d vsakem predlogu spremembe ali o vsaki spremembi, sprejeti v skladu s 15. členom, in dnevu začetka njene veljavnosti;
- e vsaki izjavi v skladu z določbami 20. člena;
- f vsaki odpovedi v skladu z določbami 21. člena;

g vsakem drugem dejanju, izjavi, uradnem obvestilu ali sporočilu v zvezi s to konvencijo.

V potrditev tega so podpisani, ki so bili za to pravilno pooblašteni, podpisali to konvencijo.

Sklenjeno v Saint-Denisu, dne 3. julija 2016, v angleškem in francoskem jeziku, pri čemer sta obe besedili enako verodostojni, v enem izvodu, ki se hrani v arhivu Sveta Evrope. Generalni sekretar Sveta Evrope pošlje overjene kopije vsaki državi članici Sveta Evrope, vsaki državi pogodbenici Evropske kulturne konvencije in vsem državam, ki so bile povabljene, da pristopijo k tej konvenciji.

3. člen

Republika Slovenija ob deponiranju listine o ratifikaciji istočasno odpove Evropsko konvencijo o nasilju in nedostojnem vedenju gledalcev na športnih prireditvah, zlasti na nogometnih tekmah, iz leta 1985.

4. člen

Za izvajanje konvencije skrbi ministrstvo, pristojno za notranje zadeve.

5. člen

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

Št. 620-04/17-1/15

Ljubljana, dne 20. novembra 2020

EPA 2350-VII

Državni zbor
Republike Slovenije
Igor Zorčič
predsednik

25. Zakon o ratifikaciji Pridružitvenega sporazuma med Vlado Republike Slovenije in Evropsko vesoljsko agencijo (MPSEVA-1)

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 Pridružitvenega sporazuma med Vlado Republike Slovenije in Evropsko vesoljsko agencijo (MPSEVA-1)**

Razglašam Zakon o ratifikaciji Pridružitvenega sporazuma med Vlado Republike Slovenije in Evropsko vesoljsko agencijo (MPSEVA-1), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 25. novembra 2020.

Št. 003-02-9/2020-15

Ljubljana, dne 3. decembra 2020

Borut Pahor
predsednik
Republike Slovenije

Z A K O N**O RATIFIKACIJI PRIDRUŽITVENEGA SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN EVROPSKO VESOLJSKO AGENCIJO (MPSEVA-1)**

1. člen

Ratificira se Pridružitveni sporazum med Vlado Republike Slovenije in Evropsko vesoljsko agencijo, podpisan v Parizu 8. oktobra 2020 in Ljubljani 19. oktobra 2020.

2. člen

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

**Association Agreement
Between The Government of the Republic
of Slovenia And The European Space Agency**

The Government of the Republic of Slovenia (hereinafter referred to as "Slovenia"),

And

The European Space Agency (hereinafter referred to as "the Agency" or "ESA"), an intergovernmental organisation established by the Convention for the Establishment of a European Space Agency, opened for signature in Paris on 30 May 1975 and entered into force on 30 October 1980 (hereinafter referred to as "the Convention"),

hereinafter individually referred to as "Party" or collectively as "the Parties",

RECALLING that the purpose of the Agency is to provide for and to promote, for exclusively peaceful purposes, cooperation among European States in space research and technology and their space applications,

NOTING that space has become a significant factor in technological, economic, scientific and cultural development,

CONVINCED of the benefits of sustaining and enhancing the level of international cooperation in space activities for exclusively peaceful purposes,

CONSIDERING that Slovenia is, since 1 May 2004, a Member of the European Union (hereinafter referred to as "EU") and is thereby associated to the definition of an overall European Space Policy and is also participating with full rights and obligations, in the EU Copernicus and Galileo programmes,

HAVING REGARD to the successful results of the cooperation achieved under the Agreement between the Parties concerning space cooperation for peaceful purposes signed on 28 May 2008 and entered into force on 23 February 2009,

HAVING REGARD to the European Cooperating State (hereinafter referred to as "ECS") Agreement between the

**Pridružitveni sporazum
med Vlado Republike Slovenije
in Evropsko vesoljsko agencijo**

Vlada Republike Slovenije (v nadaljnjem besedilu: Slovenija),

in

Evropska vesoljska agencija (v nadaljnjem besedilu: agencija ali ESA), medvladna organizacija, ustanovljena s Konvencijo o ustanovitvi Evropske vesoljske agencije, ki je bila na voljo za podpis v Parizu 30. maja 1975 in je začela veljati 30. oktobra 1980 (v nadaljnjem besedilu: konvencija),

v nadaljnjem besedilu vsaka od njiju pogodbenica ali skupno pogodbenici, sta se

OB SKLICEVANJU na namen agencije, ki je omogočati in spodbujati sodelovanje med evropskimi državami pri vesoljskih raziskavah in tehnologiji ter njihovi uporabi v vesolju v izključno miroljubne namene,

OB UGOTOVITVI, da je vesolje postalo pomemben dejavnik v tehnološkem, gospodarskem, znanstvenem in kulturnem razvoju,

PREPRIČANI o prednostih ohranjanja in višanja ravni mednarodnega sodelovanja pri vesoljskih dejavnostih v izključno miroljubne namene,

GLEDE NA TO, da je Slovenija od 1. maja 2004 članica Evropske unije (v nadaljnjem besedilu: EU) in tako povezana z opredelitvijo celovite evropske vesoljske politike ter sodeluje pri programih EU Copernicus in Galileo z vsemi pravicami in obveznostmi,

OB UPOŠTEVANJU dosežkov sodelovanja na podlagi sporazuma o sodelovanju v vesolju v miroljubne namene, ki sta ga pogodbenici podpisali 28. maja 2008, veljati pa je začel 23. februarja 2009,

OB UPOŠTEVANJU sporazuma evropske sodelujoče države (v nadaljnjem besedilu: ESD), ki sta ga pogodbenici pod-

Parties signed on 22 January 2010 and which entered into force upon Slovenia's subscription to the Plan for European Cooperating States Charter between the Parties on 30 November 2010, and HAVING REGARD to its subsequent extension,

HAVING REGARD to the Association Agreement between the Parties signed on 5 July 2016 and which entered into force on 16 November 2016,

HAVING REGARD to the Resolution on industrial policy measures to achieve a successful integration of European states in the frame of ESA adopted by the Council of the Agency (hereinafter referred to as "Council") on 13 December 2018 (ESA/C/R/CCLXXVII/Res.1 (final)), by which the Agency introduced an improved cooperative approach designed for European non-Member States with a view to their possible accession to the Convention,

CONSIDERING the wish expressed by Slovenia to continue to strengthen its cooperation with the Agency within the frame of the above mentioned improved cooperative approach, and the acceptance by the Council of this request,

HAVING REGARD to the Convention and in particular its Articles II, XIV.1 and XIV.3,

HAVE AGREED AS FOLLOWS:

ARTICLE 1 GENERAL

1. Slovenia hereby continues to be an Associate Member of the Agency pursuant to the conditions set out here below.

2. Slovenia hereby acknowledges that the Agency may establish Cooperation and Association Agreements with other non-Member States. Slovenia further agrees that, at all levels of its cooperation with the Agency as an Associate Member, it will act in conformity with the purpose for which the Agency was created as defined in the Convention, in particular the exploration and utilisation of space for exclusively peaceful purposes.

ARTICLE 2 BENEFITS AND PARTICIPATION

1. Slovenia shall participate in and benefit from, subject to other provisions of the present Agreement, the Basic Activities executed under the Agency's General Budget, except the item "Technology Development".

2. Slovenia may participate in the Agency's optional programmes pursuant to the conditions of Article 4 below, as well as in further parts of the Agency's activities and programmes or operational activities by providing experiments or observation facilities pursuant to the conditions established in Article 7 below.

ARTICLE 3 FINANCIAL CONTRIBUTIONS

1. Slovenia shall contribute annually to the Agency's Basic Activities expenditure under the General Budget. This contribution shall represent 70% of its contribution level shown in the scale calculated on the basis used for the Member States of the Agency and adopted in accordance with Article XIII.1 of the Convention. An amount representing 70% of the latter contribution shall be used by the Agency to provide increased support in terms of training, organisation of events and advice with a view to achieve a successful integration of Slovenia in the frame of the Agency, the further development of sustainable and competitive industrial capabilities, and their integration in the space supply chain. For avoidance of doubt, Slovenia's contribution referred to in this paragraph shall start accruing on a time proportional basis from the date of entry into force of this Agreement pursuant to Article 18 below.

2. Slovenia shall contribute to the expenditure of the activities and programmes in which it participates in accordance with the provisions of Article 4 below.

3. Slovenia's contributions as provided for in this Article shall be updated and paid in conformity with the rules and procedures in force in the Agency for all Member States.

pisali 22. januarja 2010 in je začel veljati ob vključitvi Slovenije v načrt za evropsko sodelujočo državo 30. novembra 2010, in OB UPOŠTEVANJU njegovega podaljšanja,

OB UPOŠTEVANJU sporazuma o pridružitvi, ki sta ga pogodbenici podpisali 5. julija 2016 in je začel veljati 16. novembra 2016,

OB UPOŠTEVANJU Resolucije o ukrepih industrijske politike za uspešno vključevanje evropskih držav v okvir ESA, ki jo je svet agencije (v nadaljnjem besedilu: svet) sprejel 13. decembra 2018 (ESA/C/R/CCLXXVII/Res.1 (final)), s katero je agencija uvedla izboljšan način sodelovanja za evropske države nečlanice, da bi lahko pristopile h konvenciji,

OB UPOŠTEVANJU želje Slovenije še naprej krepiti sodelovanje z agencijo v okviru tega izboljšane načina sodelovanja in dejstva, da je svet prošnjo sprejel,

OB UPOŠTEVANJU konvencije, predvsem II. člena ter prvega in tretjega odstavka XIV. člena,

DOGOVORILI:

1. ČLEN SPLOŠNO

1. Slovenija ostane pridružena članica agencije v skladu s spodaj navedenimi pogoji.

2. Slovenija potrjuje, da agencija lahko sklepa sporazume o sodelovanju in pridružitvi z drugimi državami nečlanicami. Slovenija tudi soglaša, da bo na vseh ravneh sodelovanja z agencijo kot pridružena članica delovala v skladu z namenom, za katerega je bila agencija ustanovljena in je opredeljen v konvenciji, zlasti raziskovanje vesolja in njegova uporaba v izključno miroljubne namene.

2. ČLEN KORISTI IN SODELOVANJE

1. Slovenija v skladu z drugimi določbami tega sporazuma sodeluje v osnovnih dejavnostih, ki se izvajajo v okviru splošnega proračuna agencije, razen postavke tehnološki razvoj, in ima od njih koristi.

2. Slovenija lahko sodeluje v izbranih programih agencije v skladu s pogoji iz 4. člena in v nadaljnjih delih dejavnosti agencije, njenih programih ali operativnih dejavnostih z zagotavljanjem poskusov ali opazovalnih objektov in naprav po pogojih iz 7. člena.

3. ČLEN FINANČNI PRISPEVEK

1. Slovenija letno prispeva v splošni proračun agencije k izdatkom za njene osnovne dejavnosti. Prispevek znaša 70% prispevne stopnje po lestvici, izračunani na osnovi, ki se uporablja za države članice agencije in je bila sprejeta v skladu s prvim odstavkom XIII. člena konvencije. Znesek 70% navedenega prispevka agencija uporabi za povečanje pomoči pri usposabljanju, organiziranju dogodkov in svetovanju za uspešno vključitev Slovenije v okvir agencije ter za nadaljnji razvoj trajnostnih in konkurenčnih industrijskih zmogljivosti in njihovo vključevanje v vesoljsko dobavno verigo. Prispevek Slovenije iz tega odstavka, za večjo jasnost, se začne odmerjati sorazmerno z dnem začetka veljavnosti tega sporazuma v skladu z njegovim 18. členom.

2. Slovenija prispeva k izdatkom za dejavnosti in programe, v katerih sodeluje v skladu z določbami 4. člena.

3. Prispevki Slovenije, kot jih določa ta člen, se posodablajo in plačujejo, kot določajo pravila in postopki agencije, ki veljajo za vse države članice.

ARTICLE 4 PARTICIPATION IN OPTIONAL PROGRAMMES

For the purpose of the execution of each Agency optional programme for which the respective Member States concerned have unanimously approved Slovenia's participation, Slovenia shall from the date of that approval have the rights and obligations of a Participating State as set forth in the Declaration concerning the programme in question, in the applicable implementing rules and in any other decisions governing the execution of said programme. In particular, Slovenia shall contribute to cover the expenditure resulting from the execution of said programme in accordance with the provisions of the Declaration and of any subsequent revision of that Declaration by the Participating States on the occasion of meetings of the Agency's Council or of the Council's subordinate bodies. Slovenia intends to contribute to optional programmes in which it participates by the end of 2022 a minimum of 1.500.000 Euros at 2018 e.c. per year, it being understood that the sum of Slovenia's overall yearly contributions to the Agency by the aforementioned date, including Basic Activities expenditure under the General Budget referred to in Article 3.1 above and Requesting Party Activities referred to in Article 10.2 below, shall amount to a minimum of 3.000.000 Euros at current e.c.

ARTICLE 5 REPRESENTATION AND VOTING RIGHTS

Slovenija shall be represented in the meetings of the Agency's Council and subordinate bodies in accordance with the following provisions:

1. Slovenia shall have the right to be represented at open meetings of the Council of the Agency by not more than two delegates, who may be accompanied by advisors. Slovenia shall have the right to vote on questions relating to the activities and programmes in which it participates pursuant to the present Agreement, this being in its capacity of Participating State in the case of optional programmes. Slovenia shall not have the right to vote in Council on the General Budget or on matters related to it, but shall have the right to state its opinion and to be heard on other questions.

2. Slovenia shall have the right to be represented, by not more than two delegates who may be accompanied by advisors, at meetings of the subordinate bodies of the Agency, competent in any capacity to deal with the activities and programmes in which Slovenia participates. Slovenia shall also have the right to be similarly represented on the Programme Boards of the Agency concerned with those optional programmes in which Slovenia participates pursuant to Article 4 above. Slovenia shall have the right to be heard at the above meetings and to vote, in its capacity of Participating State, on issues relating to those activities and programmes.

3. For matters of common interest between the Agency and the EU, Slovenia shall be entitled to attend meetings of the Agency's subordinate bodies as an observer. For other matters, Slovenia may request to be represented in an observer capacity at meetings of any subordinate body of the Agency which is solely concerned with programmes in which Slovenia does not participate. Such request shall be accepted subject to the unanimous approval of the Agency Member States concerned.

4. Slovenia may attend Potential Participants' meetings in an observer capacity, in particular meetings dealing with the preparation of programmes related to programmes in which Slovenia participates, unless the Agency Member States concerned decide otherwise.

5. Slovenia shall not have the right to be represented at the meetings of the Council or of any subordinate bodies which are held on a restricted basis in accordance with the relevant rules of procedure. However, Slovenia may be authorised by the body concerned, either at Slovenia's request or at the request of one or more Member States, to attend discussions on certain items on the agendas of such meetings, when they involve matters of interest to Slovenia and the Agency, in order to express its opinion.

4. ČLEN UDELEŽBA V IZBIRNIH PROGRAMIH

Za izvedbo vsakega izbirnega programa agencije, v katerem udeležbo Slovenije soglasno odobrijo ustrezne države članice, ima Slovenija od dneva odobritve pravice in obveznosti sodelujoče države, določene v izjavi o tem programu, veljavnih izvedbenih pravilih in drugih odločitvah, ki urejajo njegovo izvajanje. Slovenija zlasti prispeva k plačilu izdatkov, nastalih pri izvajanju navedenega programa, v skladu z določbami izjave in vsake poznejše spremembe te izjave, ki jo sprejmejo sodelujoče države na sestankih sveta agencije ali njegovih podrejenih teles. Slovenija namerava k izbirnim programom, v katerih sodeluje do konca leta 2022, prispevati najmanj 1.500.000 evrov letno glede na gospodarsko stanje v letu 2018, pri čemer se razume, da celotni znesek letnih prispevkov Slovenije agenciji do navedenega datuma, vključno z izdatki za osnovne dejavnosti v okviru splošnega proračuna iz prvega odstavka 3. člena in dejavnosti pogodbenice prosilke iz drugega odstavka 10. člena, znaša najmanj 3.000.000 evrov glede na zdajšnje gospodarsko stanje.

5. ČLEN ZASTOPANOST IN GLASOVALNE PRAVICE

Slovenija je na sestankih sveta agencije in podrejenih teles zastopana v skladu s temi določbami:

1. Slovenija ima pravico, da jo na odprtih sestankih sveta agencije zastopata največ dva delegata, ki ju lahko spremljajo svetovalci. Slovenija ima pravico glasovati o vprašanih, ki se nanašajo na dejavnosti in programe, v katerih sodeluje v skladu s tem sporazumom, in sicer pri izbirnih programih kot sodelujoča država. Slovenija v svetu nima pravice glasovati o splošnem proračunu ali zadevah, povezanih z njim, lahko pa izrazi svoje mnenje o tem in drugih vprašanih.

2. Slovenija ima pravico, da jo na sestankih podrejenih teles agencije, ki so kakor koli pristojna za dejavnosti in programe, v katerih sodeluje, zastopata največ dva delegata, ki ju lahko spremljajo svetovalci. Slovenija ima tudi pravico, da je podobno zastopana v programskih odborih agencije, ki se ukvarjajo s tistimi izbirnimi programi, v katerih Slovenija sodeluje v skladu s 4. členom. Slovenija ima pravico, da na teh sestankih izrazi mnenje in kot sodelujoča država glasuje o vprašanih, ki se nanašajo na te dejavnosti in programe.

3. V zadevah, ki so v skupnem interesu agencije in EU, ima Slovenija pravico udeležbe na sestankih podrejenih teles agencije kot opazovalka. V drugih zadevah Slovenija lahko zaprosi, da je kot opazovalka zastopana na sestankih katerega koli podrejenega telesa agencije, ki obravnava samo programe, pri katerih Slovenija ne sodeluje. Taki prošnji se ugodi, če jo soglasno potrdijo ustrezne države članice agencije.

4. Slovenija se kot opazovalka lahko udeležuje sestankov morebitnih sodelujočih, zlasti sestankov o pripravi programov, povezanih s programi, v katerih sodeluje, razen če ustrezne države članice agencije ne odločijo drugače.

5. Slovenija nima pravice biti zastopana na sestankih sveta ali katerih koli podrejenih teles, ki so v skladu z ustreznim poslovnikom zaprti. Da bi lahko izrazila svoje mnenje, pa ji ustrezno telo na njeno prošnjo ali prošnjo ene ali več držav članic lahko odobri udeležbo v razpravah o nekaterih točkah dnevnega reda teh sestankov, če obravnavajo vprašanja v interesu Slovenije in agencije.

ARTICLE 6 ACCESS TO INFORMATION

Slovenija shall have access, to the same extent as provided to Member States, to information, including contract reports, relating to the activities and programmes in which Slovenia participates.

ARTICLE 7 USE OF FACILITIES AND SERVICES

1. Subject to the terms of Article 6 above and to the prior requirements and obligations of the Agency, Slovenia shall have access on a cost-reimbursable basis to the facilities and services of the Agency for Slovenia national space projects. The methods of calculating costs shall be those applied to the Agency's Member States when utilising the Agency facilities and services for their own space projects. In return, Slovenia shall make available its facilities and services to the Agency and its Member States on favourable terms.

2. In developing its national space potential and in planning for national space missions, Slovenia shall give preference, pursuant to the terms of Article VIII of the Convention, to the use of European space transportation systems, and of facilities, products and services belonging to, or developed or operated under the auspices of, the Agency or its Member States. Slovenia shall, further, support the Agency's efforts to promote the use of European transportation systems, facilities, products and services by those international bodies to which it belongs that employ systems or services with a space-based component. For the purpose of satisfying its facilities requirements for any given mission which are unmet on the basis of its own potential or that of its Member States, the Agency shall, subject to arrangements existing at the relevant time with other entities and on terms of parity in this matter with other Associate Members of the Agency, give detailed consideration to the appropriate Slovenian facilities with a view to their potential use.

ARTICLE 8 INTELLECTUAL PROPERTY

1. For the purposes of this Agreement "Intellectual Property" has the meaning stated in Article 2 of the Convention establishing the World Intellectual Property Organisation, done in Stockholm, 14 July 1967.

2. The Parties shall ensure adequate and effective protection of Intellectual Property as may arise from the work done under this Agreement and of any pre-existing rights that may come into play in the course of such cooperation.

3. The specific provisions concerning the rights of access, dissemination and use of intellectual property as well as of technical information and data developed under the present Agreement, shall follow the Agency's rules and procedures.

ARTICLE 9 EXCHANGE OF INFORMATION AND EXPERTS

1. With a view to identifying possible areas of cooperation, the Parties shall exchange information in the following spheres:

(a) the content of, and plan for, their current and future space programmes;

(b) matters of scientific and technical interest resulting from their space activities. In particular, Slovenia shall receive reports published and made available by the Agency, as well as information relating to the progress of the Agency programmes and to activities in which Slovenia participates under the present Agreement.

2. Provisions of any Agency information shall in all cases be subject to Slovenian observance of any proprietary rights to the information, while Slovenia further undertakes not to disseminate information that is subject to non-disclosure agreements signed with the Agency or is not otherwise generally available beyond the territories of Slovenia and the Agency's Member States, whether directly or through intermediaries operating within or outside those territories.

6. ČLEN DOSTOP DO INFORMACIJ

Slovenija ima dostop do enakega obsega informacij kot države članice, tudi do poročil o pogodbah v zvezi z dejavnostmi in programi, v katerih sodeluje.

7. ČLEN UPORABA OBJEKTOV IN NAPRAV TER STORITEV

1. Ob upoštevanju določb 6. člena ter predhodnih zahtev in obveznosti agencije ima Slovenija na podlagi vračljivih stroškov dostop do objektov in naprav ter storitev agencije za slovenske državne vesoljske projekte. Stroški se izračunavajo po metodah, ki se uporabljajo za države članice agencije za uporabo agencijinih objektov in naprav ter storitev za njihove vesoljske projekte. Agenciji in njenim državam članicam Slovenija v zameno daje na voljo svoje objekte in naprave ter storitve pod ugodnimi pogoji.

2. Slovenija pri razvoju svojih vesoljskih zmožnosti in načrtovanju nacionalnih vesoljskih misij v skladu s pogoji iz VIII. člena konvencije prednostno uporablja evropske vesoljske prevozne sisteme ter objekte, naprave, izdelke in storitve, ki pripadajo agenciji ali njenim državam članicam ali so jih te razvile ali se upravljajo pod njihovim pokroviteljstvom. Slovenija podpira tudi prizadevanje agencije za spodbujanje uporabe evropskih prevoznih sistemov, objektov, naprav, izdelkov in storitev pri tistih mednarodnih organih, ki jim pripada in uporabljajo sisteme ali storitve, povezane z vesoljem. Ob upoštevanju takrat veljavnih dogovorov z drugimi subjekti in pod enakimi pogoji, ki v tej zadevi veljajo za druge pridružene članice agencije, agencija podrobno prouči možnost uporabe ustreznih slovenskih objektov in naprav za misije, pri katerih s svojimi zmogljivostmi ali zmogljivostmi svojih držav članic ne more zadovoljiti zahtev glede objektov in naprav.

8. ČLEN INTELEKTUALNA LASTNINA

1. V tem sporazumu ima intelektualna lastnina pomen, naveden v 2. členu Konvencije o ustanovitvi Svetovne organizacije za intelektualno lastnino, sklenjene v Stockholmu 14. julija 1967.

2. Pogodbenci zagotovita primerno in učinkovito varstvo intelektualne lastnine, nastale pri delu, opravljenem po tem sporazumu, in vseh predhodnih pravic, ki se lahko uveljavijo pri tem sodelovanju.

3. Posebne določbe o pravicah do dostopa do intelektualne lastnine ter tehničnih informacij in podatkov, ki nastanejo po tem sporazumu, ter njihovega razširjanja in uporabe upoštevajo pravila in postopke agencije.

9. ČLEN IZMENJAVA INFORMACIJ IN STROKOVNJAKOV

1. Za določitev možnih področij sodelovanja si pogodbenici izmenjujeta informacije o:

(a) vsebini in načrtovanju svojih sedanjih in prihodnjih vesoljskih programov;

(b) zadevah v znanstvenem in tehničnem interesu, ki izhajajo iz njunih vesoljskih dejavnosti. Slovenija zlasti dobi poročila, ki jih objavlja in daje na voljo agencija, ter informacije v zvezi z napredovanjem programov agencije in dejavnostmi, v katerih Slovenija sodeluje po tem sporazumu.

2. V zvezi z informacijami, ki jih dobi od agencije, Slovenija vselej upošteva pravice lastništva nad informacijami, zavezuje se tudi, da ne bo razširjala informacij, za katere veljajo sporazumi o nerazkrivanju, podpisani z agencijo, ali ki niso neposredno ali po posrednikih, ki delujejo na ozemlju Slovenije in držav članic agencije ali zunaj teh ozemelj, kako drugače splošno dostopne zunaj teh ozemelj.

3. Slovenia shall not be required to communicate any information obtained outside the Agency if it considers that such communication or dissemination would be inconsistent with, or contrary to, the interests of its own agreements with third parties, or the conditions under which such information has been obtained.

The Agency shall not be required to communicate information if it considers that such communication, or dissemination, would be inconsistent with, or contrary to, the interests of its own agreements with third parties, or the conditions under which such information was obtained.

4. The Parties may establish a scheme to permit the exchange of experts concerned with work within the competence of the Agency, in conformity with the application of the laws and regulations relating to the entry into, stay in or departure from Slovenia and with the Agency's legal framework including agreements with third parties.

5. The Parties will also consult with each other when they are represented at international organisations, conferences and meetings relating to space activities, for the purpose of exchanging views on matters of mutual concern and will seek to harmonise, as appropriate, their positions on matters which are likely to have a bearing on the implementation of their common space programmes and activities.

ARTICLE 10 INDUSTRIAL POLICY

1. With respect to the geographical distribution of contracts relating to the activities and programmes in which Slovenia participates, the Agency shall:

(a) strive at providing a fair industrial return to Slovenia for activities relating to the basic activities under the General Budget, excluding Technology Development, and

(b) for optional activities and programmes, and consistent with Article 4 above, implement for Slovenia the applicable rules developed for the various activities and programmes, to the same extent as for the other Participating States.

2. In order to further develop its industrial base Slovenia shall participate in an incentive scheme in the form of Requesting Party Activities which shall be operated in accordance with the attached Annexes I and II, and which constitute an integral part of present Agreement. Such incentive scheme shall be based on full cost reimbursement and national funding. Slovenia's expenditures to Requesting Party Activities shall amount to a minimum of 500.000 Euros per year at 2018 e.c. and shall not exceed its contributions to optional programmes in which it participates pursuant to Article 4 above.

ARTICLE 11 ADDITIONAL ARRANGEMENTS

In addition to cooperation in the long-term continuing framework outlined above, the Parties may also develop arrangements for cooperating in individual bilateral projects in space activities pursued by both Parties and for the exchange of personnel. Approval of such arrangements, which shall not modify the rights and obligations of the Parties under the present Agreement, shall be subject to the Parties' relevant procedures.

ARTICLE 12 LIABILITY

For the participation of Slovenia in programmes and activities of the Agency, the ESA Council Resolution ESA/C/XXII/Res.3 of 13th December 1977 on the Agency's legal liability shall be applicable *mutatis mutandis*.

ARTICLE 13 SECURITY

Each Party shall retain the right to take all precautionary measures in the interests of its security.

3. Sloveniji ni treba sporočiti nobene informacije, pridobljene zunaj agencije, če meni, da sporočanje ali razširjanje ni v skladu z njenimi sporazumi s tretjimi stranmi ali je v nasprotju z njimi ali pogoji, pod katerimi je informacijo dobila.

Agenciji ni treba sporočiti informacije, če meni, da sporočanje ali razširjanje ni v skladu z njenimi sporazumi s tretjimi stranmi ali je v nasprotju z njimi ali pogoji, pod katerimi je informacijo dobila.

4. Pogodbenici lahko vzpostavita sistem za izmenjavo strokovnjakov za področja v pristojnosti agencije v skladu z zakoni in drugimi predpisi o vstopu v Slovenijo, prebivanju v njej ali odhodu iz nje ter s pravnim okvirom agencije, tudi sporazumi s tretjimi stranmi.

5. Poleg tega se pogodbenici posvetujeta zaradi izmenjave stališč o zadevah v skupnem interesu, kadar sta zastopani v mednarodnih organizacijah, na konferencah in sestankih v zvezi z vesoljskimi dejavnostmi, ter si prizadevata, če je to primerno, uskladiti stališča o zadevah, ki bi lahko vplivale na izvajanje njunih skupnih vesoljskih programov in dejavnosti.

10. ČLEN INDUSTRIJSKA POLITIKA

1. Glede na geografsko razporeditev pogodb o dejavnostih in programih, v katerih sodeluje Slovenija:

(a) si agencija prizadeva zagotoviti Sloveniji pošteno industrijsko povračilo za dejavnosti, povezane s temeljnimi dejavnostmi v okviru splošnega proračuna, razen tehnološkega razvoja, in

(b) agencija v skladu s 4. členom za izbirne dejavnosti in programe za Slovenijo uporablja veljavna pravila, razvita za različne dejavnosti in programe, enako kot za druge sodelujoče države.

2. Slovenija za nadaljnji razvoj svoje industrije sodeluje v sistemu spodbud, in sicer z dejavnostmi pogodbenice prosilke, ki se izvajajo v skladu s prilogama I in II, ki sta sestavni del tega sporazuma. Sistem spodbud temelji na povračilu vseh stroškov in nacionalnem financiranju. Izdatki Slovenije za dejavnosti pogodbenice prosilke znašajo najmanj 500.000 evrov letno glede na gospodarsko stanje v letu 2018 in ne presegajo njenih prispevkov za izbirne programe, v katerih sodeluje v skladu s 4. členom.

11. ČLEN DODATNI DOGOVORI

Poleg sodelovanja v navedenem dolgoročnem stalnem okviru se pogodbenici lahko dogovorita tudi za sodelovanje pri posameznih dvostranskih projektih na področju vesoljskih dejavnosti, ki jih izvajata obe, in za izmenjavo osebja. Ti dogovori, ki ne spreminjajo pravic in obveznosti pogodbenic po tem sporazumu, se odobrijo po ustreznih postopkih pogodbenic.

12. ČLEN ODGOVORNOST

Za sodelovanje Slovenije v programih in dejavnostih agencije se smiselno uporablja resolucija sveta ESE ESA/C/XXII/Res.3 z dne 13. decembra 1977 o pravni odgovornosti agencije.

13. ČLEN VARNOST

Vsaka pogodbenica obdrži pravico do sprejetja vseh predvidnostnih ukrepov, potrebnih za njeno varnost.

ARTICLE 14 PRIVILEGES AND IMMUNITIES

For the execution of the Agency's official activities undertaken within the frame of the present Agreement, Slovenia shall grant the following privileges and immunities:

1. The Agency shall have, in the territory of Slovenia, legal personality. It shall in particular have the capacity to contract, to acquire and dispose of movable and immovable property, and to be a party to legal proceedings.

2. The Agency shall have immunity from jurisdiction and execution except:

(a) where the Agency has expressly waived such immunity in a particular case;

(b) in respect of a civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to, or operated on behalf of the Agency, or in respect of a motor traffic offence involving such a vehicle;

(c) in respect of an enforcement of an arbitration award made under Article 16 below;

(d) in the event of the attachment, pursuant to a decision by a juridical authorities, of the salaries and emoluments owed by the Agency to a staff member.

3. Within the scope of its official activities, the Agency, its property and income shall be exempt from direct taxes in Slovenia. The Agency shall also be exempted from indirect taxes when purchases or services of substantial value, strictly necessary for the exercise of the official activities of the Agency within the frame of the present Agreement, are made or used, by the Agency.

4. Without prejudice to Article 13 above, goods imported or exported by the Agency or on its behalf and strictly, necessary for the exercise of its official activities shall be exempt from all import and export duties and taxes and from all import or export prohibitions and restrictions. Any such imported or exported goods may not be sold, lent or transferred with or without payment in the territory of Slovenia except according to conditions defined by Slovenia. Slovenia and the Agency shall define the procedures to be applied to the export or import of assets used in connection with their cooperation. The Agency shall cooperate with the Slovenian authorities in order to ensure that the goods imported or exported by the Agency are being used for its official activities undertaken within the frame of the present Agreement.

5. The Agency may receive and hold in Slovenia any kind of funds, currency, cash or securities; it may dispose of them freely in Slovenia for any official purpose of the Agency and hold accounts in any currency.

6. Staff members of the Agency shall be exempt from national income tax on their salaries and emoluments paid by the Agency; however, such salaries and emoluments may be taken into account by Slovenia for the purpose of assessing the amount of taxation to be applied to income from other sources.

7. The circulation of publications and other information material sent by or to the Agency shall not be restricted in any way.

ARTICLE 15 NOTIFICATION OF APPOINTED AUTHORITY AND REPRESENTATIVES

Slovenija shall notify the Agency's Director General of the name of the authority appointed to represent it for the implementation of the present Agreement, as well as the names of Slovenia's representative and advisors attending any meetings in accordance with Article 5 above.

ARTICLE 16 AMENDMENT

1. The present Agreement, including its Annex I, may be amended by mutual agreement. The Party wishing to amend a provision of this Agreement, including its Annex I, shall notify the other Party in writing. Any amendment shall enter into

14. ČLEN PRIVILEGIJI IN IMUNITETE

Slovenija prizna agenciji v zvezi z njenimi uradnimi dejavnostmi, ki jih izvaja na podlagi tega sporazuma, te privilegije in imunitete:

1. Agencija ima na ozemlju Slovenije status pravne osebe. Ima sposobnost sklepati pogodbe, pridobivati premično in nepremično premoženje in razpolagati z njim ter biti stranka v sodnem postopku.

2. Agencija uživa imuniteto v sodnih in izvršilnih postopkih, razen:

(a) kadar se v posamezni zadevi izrecno odpove imuniteti;

(b) v zvezi s civilno tožbo, ki jo vložijo tretja stran ob škodi zaradi nesreče, ki jo je povzročilo motorno vozilo, ki je v lasti agencije ali se upravlja v njenem imenu, ali v zvezi s prometnim prekrškom, v katerega je tako vozilo vpleteno;

(c) v zvezi z izvrševanjem arbitražne odločbe iz 16. člena;

(d) ob izvršbi na plačo in druge prejemke, ki jih agencija izplačuje uslužbencu, v skladu z odločbo sodnega organa.

3. Pri opravljanju uradnih dejavnosti so agencija, njeno premoženje in dohodki oproščeni neposrednih davkov v Sloveniji. Agencija je oproščena tudi posrednih davkov na nakupe ali storitve večje vrednosti, ki jih opravi ali uporabi in so nujni za opravljanje njenih uradnih dejavnosti na podlagi tega sporazuma.

4. Brez vpliva na 13. člen je blago, ki ga uvozi ali izvozi agencija ali je uvoženo ali izvoženo v njenem imenu in je nujno potrebno za opravljanje njenih uradnih dejavnosti, izvzeto iz vseh uvoznih in izvoznih dajatev in davkov ter iz vseh uvoznih ali izvoznih prepovedi in omejitev. Tako uvoženo ali izvoženo blago se na ozemlju Slovenije ne sme prodati, posoditi ali odplačno ali neodplačno prenesti, razen pod pogoji, ki jih določi Slovenija. Slovenija in agencija določita postopke, ki se uporabljajo pri izvozu ali uvozu sredstev, ki se uporabljajo v zvezi z njunim sodelovanjem. Agencija sodeluje s slovenskimi organi oblasti za zagotovitev, da se blago, ki ga uvozi ali izvozi, uporablja za njene uradne dejavnosti na podlagi tega sporazuma.

5. Agencija lahko v Sloveniji dobi in ima katera koli sredstva, valuto, gotovino ali vrednostne papirje; z njimi lahko v Sloveniji prosto razpolaga za vse uradne namene in lahko ima račune v kateri koli valuti.

6. Uslužbenci agencije so oproščeni nacionalnega davka od dohodka od plač in drugih prejemkov, ki jih izplačuje agencija, Slovenija pa te plače in druge prejemke lahko upošteva pri izračunu višine davka, ki se plača od dohodka iz drugih virov.

7. Razpošiljanje publikacij in drugega informativnega gradiva, ki ga agencija pošilja ali prejema, ni nikakor omejeno.

15. ČLEN URADNO OBVESTILO O IMENOVANEM ORGANU IN PREDSTAVNIKIH

Slovenija generalnemu direktorju agencije uradno sporoči ime organa, ki jo zastopa pri izvajanju tega sporazuma, in imena slovenskega predstavnika in svetovalcev, ki se bodo udeleževali sestankov v skladu s 5. členom.

16. ČLEN SPREMEMBA

1. Ta sporazum, vključno s prilogo I, se lahko spremeni z vzajemnim soglasjem. Pogodbenica, ki želi spremeniti določbo tega sporazuma, vključno s prilogo I, o tem uradno pisno obvesti drugo pogodbenico. Sprememba začne veljati po tem, ko

force when each Party has notified the other in writing of its acceptance of the said amendment in accordance with its own procedures.

2. Annex II of the present Agreement may be amended by mutual written agreement between the Slovenian Co-Chair and the Agency's Co-Chair nominated in accordance with section C. of Annex II of the present Agreement.

ARTICLE 17 DISPUTE RESOLUTION

Where a dispute arises in relation to the application or interpretation of this Agreement or of detailed arrangements concluded pursuant to this Agreement and which cannot be settled amicably between the Parties, such dispute shall, at the request of either Party, be submitted to arbitration. In such case, the provisions of Article XVII of the Agency's Convention shall apply mutatis mutandis unless the Parties agree otherwise.

ARTICLE 18 ENTRY INTO FORCE, DURATION, TERMINATION AND RENEWAL

1. Each Party shall notify the other Party in writing of the completion of its respective procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the second of these notifications and shall remain in force until 31 December 2024.

2. The present Agreement may be terminated upon one year's written notice by either Party before its expiry date referred to in paragraph 18.1 above.

3. Termination or expiry of the present Agreement shall not affect the validity of those rights and obligations of either Party which are meant to survive its termination or expiry or its interpretation such as, but not limited to, dispute resolution, liability, intellectual property rights, nor of additional arrangements entered into between the Parties. The participation of Slovenia in the Agency's optional programmes, or parts thereof, pursuant to Article 4 above which is effective at the time of termination of this Agreement shall remain effective until the completion of the activities under the respective programmes or parts thereof, on the understanding that completion of the respective programmes will be notified by the Agency to Slovenia. Taking into account any outstanding obligation incurred under Article 4 above, Slovenia shall contribute to the part of the common infrastructure plan in force and the part of the fixed common costs to be borne by the General Budget at a rate to be mutually agreed. Article 4 above, and this paragraph, shall remain in force and continue to produce their effects after the termination or expiry of this Agreement.

4. One year before the expiry of the present Agreement, the Parties shall proceed to a formal review of their cooperation under this Agreement. On the basis of the latter review, the Parties shall examine ways and means of continuing or further developing such cooperation including the possibility of Slovenia extending the present Agreement or being granted the status of Member State of the Agency. The granting of such a status to Slovenia shall be subject of a specific Council decision, in accordance with the Convention and on the basis of a written request to be made by Slovenia.

5. The present Agreement may be extended for further periods by mutual agreement in writing. The present Agreement shall remain in force during the time necessary to complete the procedures for such renewal.

6. Upon its entry into force, the present Agreement shall replace the Association Agreement between the Parties referred to in the preamble, it being understood that the provisions of the latter Agreement shall nevertheless continue to apply to the extent necessary to secure the implementation of any arrangements and contracts that have been concluded within the framework of said Agreement and which are still effective on the date said Agreement ceases to be in force.

pogodbenici druga drugo uradno pisno obvestita, da v skladu s svojimi postopki sprejemata to spremembo.

2. Priloga II k temu sporazumu se lahko spremeni z vzajemnim pisnim soglasjem slovenskega soproedsedujočega in agencijinega soproedsedujočega, imenovanih v skladu z oddelkom C priloge II k temu sporazumu.

17. ČLEN REŠEVANJE SPOROV

Spor glede uporabe ali razlage tega sporazuma ali podrobnejših dogovorov, sklenjenih v skladu z njim, ki ga pogodbenici ne moreta rešiti po mirni poti, se na zahtevo ene od njiju predloži arbitraži. V tem primeru se smiselno uporabijo določbe XVII. člena konvencije agencije, razen če se pogodbenici ne dogovorita drugače.

18. ČLEN ZAČETEK VELJAVNOSTI, TRAJANJE, ODPOVED IN PODALJŠANJE

1. Vsaka pogodbenica uradno pisno obvesti drugo pogodbenico o dokončanju svojih postopkov, potrebnih za začetek veljavnosti tega sporazuma. Ta sporazum začne veljati na dan drugega od teh uradnih obvestil in velja do 31. decembra 2024.

2. Vsaka pogodbenica lahko ta sporazum odpove pred datumom njegovega poteka iz prvega odstavka 18. člena, in sicer s pisnim obvestilom eno leto vnaprej.

3. Odpoved ali potek tega sporazuma ne vpliva na veljavnost pravic in obveznosti pogodbenic, ki ne ugasnejo z njegovo odpovedjo ali potekom ali z njegovo razlago, med drugim na primer v zvezi z reševanjem sporov, odgovornostjo, pravicami intelektualne lastnine, in tudi ne z dodatnimi dogovori med pogodbenicama. Slovenija še naprej sodeluje v izbirnih programih agencije ali njihovih delih po 4. členu, ki se izvajajo ob njegovi odpovedi, in sicer do dokončanja dejavnosti iz ustreznih programov ali njihovih delov, pri čemer agencija uradno obvesti Slovenijo o dokončanju teh programov. Ob upoštevanju morebitnih neporavnanih obveznosti, ki nastanejo po 4. členu, mora Slovenija prispevati k delu veljavnega skupnega infrastrukturnega načrta in k delu skupnih stalnih stroškov, ki jih krije splošni proračun, po vzajemno dogovorjeni stopnji. 4. člen in ta odstavek ostaneta v veljavi in učinkujeta tudi po odpovedi ali poteku tega sporazuma.

4. Leto dni pred potekom tega sporazuma pogodbenici uradno pregledata sodelovanje po tem sporazumu. Na podlagi pregleda proučita načine za nadaljevanje sodelovanja ali njegovo krepitev, tudi možnost, da Slovenija ta sporazum podaljša ali dobi status države članice agencije. O podelitvi tega statusa Sloveniji odloči svet s posebno odločitvijo v skladu s konvencijo in na pisno prošnjo Slovenije.

5. Ta sporazum se z vzajemnim pisnim soglasjem lahko podaljšuje za nadaljnja obdobja. V veljavi ostane, dokler je to potrebno za dokončanje postopkov za njegovo podaljšanje.

6. Z dnem začetka veljavnosti ta sporazum nadomesti pridružitveni sporazum med pogodbenicama, naveden v preambuli, določbe pridružitvenega sporazuma pa se kljub temu še naprej uporabljajo, kolikor je potrebno za zagotovitev izvajanja dogovorov in pogodb, sklenjenih na njegovi podlagi, ki so še veljavni na dan, ko pridružitveni sporazum preneha veljati.

Done in two originals in the English language. The signatories may also establish translations hereof in the French, German and Slovenian languages, which shall not, however, be considered as authoritative for the purposes of interpretation.

Sklenjeno v dveh izvornikih v angleškem jeziku. Pogodbenici lahko izvornik tega sporazuma prevedeta v francoski, nemški in slovenski jezik, ti prevodi pa se za namene razlage ne štejejo za verodostojne.

Place: Ljubljana
Date: 19 October 2020

Place: Paris
Date: 8 October 2020

Kraj: Ljubljana
Datum: 19. oktober 2020

Kraj: Pariz
Datum: 8. oktober 2020

For the Government of the
Republic of Slovenia
Zdravko Počivalšek (s)

For the European
Space Agency
Johann-Dietrich Wörner (s)

Za Vlado
Republike Slovenije
Zdravko Počivalšek l.r.

Za Evropsko
vesoljsko agencijo
Johann-Dietrich Wörner l.r.

Annex I

Framework conditions for Requesting Party Activities (hereinafter referred to as “RPA”) under Art. 10 (2)

1. Scope of the assistance provided by the Agency

The following assistance will be provided by the Agency in accordance with its standard internal practices, as further detailed in Annex II:

- a) National Programme Element (hereinafter referred to as “NPE”): Assistance to national programme for space development (maximum 50% of the budget dedicated to RPA)
- b) Industrial Incentive Scheme Element (hereinafter referred to as “IIS”)

The goals and possible content of the two elements are specified in detail in Annex II.

2. Management

The implementation of the RPA shall be overseen by a Board composed of the members identified in Annex II.

Any activity implemented under the RPA needs to be approved by both of the Co-Chairs.

The Agency Secretary shall be responsible for handling any matter arising during the implementation of the scheme, including, in particular, quarterly reports to the Board, preparation of an annual review of the activities by the Board and preparation of the decisions of the Board.

The Agency Programme Manager shall be responsible for the day-to-day implementation of the RPA.

3. Procurement provisions

The Agency shall be responsible for carrying out the procurements relating to the RPA and for negotiating, signing and managing the resulting contracts on Slovenia’s behalf. The Agency Procurement Regulations (ESA/REG/001 rev.5) shall apply with the following amendments:

- a) For “Top Down” Activities (i.e. content of the activity defined in the Invitation to Tender): Prior to the publication of any Invitation to Tender, the objective, programmatic constraints and the financial envelope of the activity shall be approved by both Co-Chairs. The Co-Chairs will be informed of the recommendation of the Tender Evaluation Board (hereinafter referred to as “TEB”). Prior to entering into negotiations for any activity of the Agency the Industrial Policy Committee shall be consulted and the relevant Agency Programme Board(s) shall be informed about the respective activity.
- b) For “Open Call” activities (i.e. content of the activity to be proposed by the tenderers within certain framework conditions defined in the Call): The programmatic constraints of each open call shall require the written approval of the Co-Chairs and shall be listed in the cover letter of the call. The TEB recommendation shall be submitted to the Co-Chairs for approval. If a Co-Chair rejects a proposal that has been recommended by the TEB, he/she shall state the reasons for this in writing. The Co-Chairs may further decide that a proposal which has not been recommended, but which has received a marking above 40 in line with the

Agency Tender Evaluation Manual (Annex III rev. 2 of the ESA/REG/001 rev.5), may be improved and resubmitted. The proposals which have been approved by the Co-Chairs shall be presented to the Industrial Policy Committee for consultation and the relevant Programme Board(s) for information prior to the Agency entering into negotiations with the selected entities.

The Agency shall be authorised to release payments and agree contractual changes in accordance with its rules and procedures. For contract changes that result in an increase of the initial contract value by more than 10%, the written approval of the Country Co-Chair will be required. For contract changes that result in an increase of the initial contract value by more than 20%, the written approval of both Co-Chairs will be required.

4. Funding and Financial Liability

In accordance with Art. 40 of the Agency Financial Regulations, all costs incurred by the Agency in the implementation of the RPA shall be borne by Slovenia. Accordingly, Slovenia shall cover the Full Costs incurred by the Agency in providing the technical and contractual management of the Project, covering in particular the amounts of the industrial contracts placed by the Agency and the Agency's internal costs, which shall be calculated on the basis of Full Costs. The yearly funding shall be provided in advance, in accordance with a payment plan to be agreed between the Parties. Any surplus at the end of the RPA shall be reimbursed to Slovenia.

5. Intellectual Property Rights

The contracts concluded by the Agency with the contractors shall state that all information, data and intellectual property rights resulting from activities carried out under the contracts concluded as a result of the Call for Proposals shall be available to:

- (a) Slovenia, for use on the basis of a free worldwide license, together with the right to grant sub-licenses for its own needs, and
- (b) the Agency, for use on the basis of a free worldwide license, together with the right to grant sub-licenses, for the purposes of the Agency's future activities and programmes.

The contracts shall further state that any transfer, by the contractors, of intellectual property rights resulting from activities carried out under the contracts to any entity located outside of Slovenia requires the prior approval of the Agency and Slovenia.

Annex II

Goals and key activities of the elements of the Requesting Party Activities (hereinafter referred to as "RPA"), reporting and reviews, Composition of the Board

A. Goals and key activities of the RPA

1. National Programme Element (hereinafter referred to as "NPE")

The goal of the NPE element is to provide a means for the country to address those aspects of space development that are not covered by the Agency's optional programmes, leading to a holistic space policy and space investment.

As the NPE implementation is through the Agency, it must follow the Agency's procurement rules and cannot be used to fund infrastructure developments/ procurements.

The key aspects that may be selected by the country to make up NPE could be, for example:

- Low Technology Readiness Level (hereinafter referred to as "TRL") technology readiness preparatory activities (e.g. TRL 1-3);
- Flight opportunities: in particular in cooperation with other national programmes;
- Space related training courses for industry (e.g. soldering, inspections etc.);
- Space science payload funding (e.g. to contribute payloads to the Agency's science missions);
- Space science activities (e.g. using the Agency's science mission data or the Space Situational Awareness Programme observation campaigns);
- National satellite/ small satellites CubeSat programmes;
- Education: Building university courses to answer to national space industry needs;
- Education: High School initiatives to encourage pursuing a carrier in space (e.g. CanSat activities);
- Support Activities e.g. support functions to the Slovenian delegation. For example, provision of an independent expert (non ESA-staff) contracted by the Agency who can support the Slovenian delegation and Slovenian industry in all matters related to ESA, in particular ESA procurement and building up of industrial capacity in the field of space activities;
- National Trainee funding;
- Secondments.

2. Industrial Incentive Scheme Element (hereinafter referred to as "IIS")

The IIS Element has three key goals:

- 1) To build competences and capabilities centred on product development that can help to ensure sustainable industrial return in the Agency's optional programmes to which Slovenia subscribes.
- 2) To build competences and capabilities centred on product development to suitably prepare the national industry for future inclusion in the Agency's optional programmes to which the country intends to subscribe within 5 years.
- 3) To build and demonstrate competences and capabilities leading to a sustainable long-term business case in the Space commercial market.

The key aspects that may be selected to make up the IIS Element could be, for example:

- Preparatory Activities e.g. market surveys, requirement definitions and demonstrators (TRL 1-3);
- Research and Development (Technology Demonstrations to enter the Agency programmes, (TRL 3-6);
- Industrial Process Development and qualification/ certification which give competitive advantage and are specific to space and relevant to the Agency optional programmes;
- Downstream applications (entry into customers supply chain, TRL 5-8).

B. Reporting and annual reviews

1. Quarterly reporting

A quarterly report shall be prepared and distributed to the co-chairs and shall cover:

- Financial situation of the programme;
- List of approved activities and their status;
- High level assessment of the performance;
- Key events or issues arising in the last 3 months.

2. Annual Review

An annual review shall be held each year and shall be attended by the RPA Board and up to three advisors per co-chair and an assistant to the secretary. Further attendees are subject to approval of both Co-chairs.

The annual review shall cover:

- The financial situation;
- The status of each approved activity;
- The planning for the year ahead (calls, events, trainings etc.);
- Discussion and agreement on the programmatic aspects of any open calls and their timing;
- Discussion and agreement on any pre-planned Top Down activities and their timing;
- A review of the performance of Slovenia against the metrics listed in the Council Resolution on industrial policy measures to achieve a successful integration of European states in the frame of the Agency adopted by the Council on 13 December 2018 (ESA/C/R/CCLXXVII/Res.1 (final)).

C. Composition of the Board

The Board established in Annex I of present Agreement shall be composed of the following members:

- the Slovenia Co-Chair;
- the Agency Co-Chair;
- the Agency Secretary; and
- the Agency Programme Manager.

The Board members shall be nominated by the Parties through an exchange of letters upon the entry into force of the Agreement.

Priloga I

Okvirni pogoji za dejavnosti pogodbenice prosilke (v nadaljnjem besedilu: DPP) po drugem odstavku 10. člena

1. Obseg pomoči, ki jo zagotavlja agencija

V skladu s svojo običajno notranjo prakso agencija zagotavlja to pomoč, ki je podrobneje opredeljena v prilogi II:

- a) del državnih programov (v nadaljnjem besedilu: DP): pomoč za državni program za vesoljski razvoj (največ 50 % proračuna, namenjenega za DPP)
- b) del načrtov industrijskih spodbud (v nadaljnjem besedilu: NIS)

Cilji in možna vsebina teh delov so podrobno določeni v prilogi II.

2. Vodenje

Izvajanje DPP nadzira odbor, ki ga sestavljajo člani, opredeljeni v prilogi II.

Vse dejavnosti, ki se izvajajo v okviru DPP, morata odobriti oba soproedsedujoča.

Sekretar agencije je odgovoren za zadeve v zvezi z izvajanjem načrta, predvsem za četrtletna poročila odboru, pripravo letnega pregleda dejavnosti odbora in pripravo odločitev odbora.

Programski vodja agencije je odgovoren za sprotno izvajanje DPP.

3. Določbe o javnih naročilih

Agencija je odgovorna za izvajanje javnih naročil v zvezi z DPP in za pogajanja o pogodbah, sklepanje pogodb in njihovo upravljanje v imenu Slovenije. Predpisi agencije o javnih naročilih (ESA/REG/001 rev.5) se uporabljajo s temi spremembami:

- a) za dejavnosti od zgoraj navzdol (vsebinska dejavnost je opredeljena v javnem razpisu): pred objavo javnega razpisa oba soproedsedujoča odobrita cilj dejavnosti, programske omejitve in finančna sredstva dejavnosti. Soproedsedujoča sta obveščena o priporočilu razpisne komisije (v nadaljnjem besedilu: RK). Pred začetkom pogajanj za katero koli dejavnost agencije se je treba posvetovati z odborom za industrijsko politiko in o tej dejavnosti obvestiti ustrezni programski odbor oziroma ustrezne programske odbore;
- b) za dejavnosti na podlagi javnega poziva (vsebinska dejavnost predlagajo ponudniki v okviru pogojev, opredeljenih v pozivu): programske omejitve javnega poziva morata pisno odobriti soproedsedujoča, navedejo se v spremnem dopisu k pozivu. Priporočilo RK se predloži soproedsedujočima v odobritev. Soproedsedujoči, ki zavrne predlog, ki ga je priporočila RK, pisno navede razloge za svojo odločitev. Soproedsedujoča lahko odločita, da se predlog, ki ni bil priporočen, a je v skladu s priložnikom agencije za ocenjevanje ponudb (priloga III rev. 2 ESA/REG/001 rev.5) dobil oceno več kot 40, lahko izboljša in znova predloži. Preden agencija začne pogajanja z izbranimi subjekti, se predlogi, ki sta jih odobrila soproedsedujoča, predložijo v posvet odboru za industrijsko politiko in v vednost ustreznemu programskemu odboru oziroma ustreznim programskim odborom.

Agencija je v skladu s svojimi pravili in postopki pooblaščen za odobritev plačil in dogovarjanje o spremembah pogodbe. Spremembe pogodbe, ki povzročijo več kot

10-odstotno zvišanje njene prvotne vrednosti, mora pisno odobriti sopredsedujoči države. Spremembe pogodbe, ki povzročijo več kot 20-odstotno zvišanje njene prvotne vrednosti, morata pisno odobriti oba sopredsedujoča.

4. Financiranje in finančna odgovornost

V skladu s 40. členom finančnih pravil agencije Slovenija krije vse stroške, ki jih ima agencija pri izvajanju DPP. V skladu s tem Slovenija poravnava vse stroške agencije za zagotavljanje tehničnega in pogodbenega upravljanja projekta, kar vključuje predvsem zneske za industrijske pogodbe, ki jih uredi agencija, in notranje stroške agencije, ki se izračunajo na podlagi celotnih stroškov. Letno financiranje se zagotovi vnaprej v skladu z načrtom plačil, o katerem se dogovorita pogodbenici. Morebitni presežek ob koncu DPP se povrne Sloveniji.

5. Pravice intelektualne lastnine

V pogodbah, ki jih agencija sklene z izvajalci, se navede, da so vse informacije, podatki in pravice intelektualne lastnine, ki nastanejo pri dejavnostih, izvedenih po pogodbah, sklenjenih na podlagi pozivov za zbiranje predlogov, na voljo:

- (a) Sloveniji za uporabo na podlagi brezplačne svetovne licence, skupaj s pravico podeljevanja podlicenc za lastne potrebe, in
- (b) agenciji za uporabo na podlagi brezplačne svetovne licence, skupaj s pravico podeljevanja podlicenc za njene prihodnje dejavnosti in programe.

V pogodbah se določi tudi, da morata izvajalčev prenos pravic intelektualne lastnine, ki nastanejo pri dejavnostih, izvedenih po pogodbah, na subjekt s sedežem zunaj Slovenije predhodno odobriti agencija in Slovenija.

Priloga II

Cilji in ključne aktivnosti delov dejavnosti pogodbenice prosilke (v nadaljnjem besedilu: DPP), poročanje in pregledi, sestava odbora

A. Cilji in ključne dejavnosti DPP

1. Del državni program (v nadaljnjem besedilu: DP)

Cilj DP je državi zagotoviti sredstva za obravnavo vidikov vesoljskega razvoja, ki niso vključeni v izbirne programe agencije, za celovito vesoljsko politiko in naložbe v vesolje.

DP se izvaja prek agencije, zato mora upoštevati njena pravila o javnem naročanju in se ne sme uporabljati za financiranje razvoja/nakupa infrastrukture.

Ključni vidiki, ki jih država lahko izbere za DP, so na primer:

- nižja raven tehnološke pripravljenosti (v nadaljnjem besedilu: RTP) pripravljalne dejavnosti za tehnološko pripravljenost (npr. RTP 1–3);
- omogočanje izstrelitev: predvsem v sodelovanju z drugimi državnimi programi;
- usposabljanja v zvezi z vesoljem za industrijo (npr. varjenje, inšpekcije itn.);
- financiranje koristnega znanstvenega tovora v vesolju (npr. prispevanje koristnega tovora k znanstvenim misijam agencije);
- dejavnosti vesoljske znanosti (npr. uporaba podatkov znanstvenih misij agencije ali opazovalnih dejavnosti Programa za spremljanje razmer v vesolju);
- programi državnih satelitov/malih satelitov CubeSat;
- izobraževanje: priprava študijskih programov v skladu s potrebami vesoljske industrije v državi;
- izobraževanje: srednješolske pobude za spodbujanje kariernih poti v zvezi z vesoljem (npr. dejavnosti CanSat);
- podporne dejavnosti, na primer podporne funkcije za slovensko delegacijo. Na primer zagotavljanje neodvisnega strokovnjaka (oseba, ki ni zaposlena v ESI), s katerim agencija sklene pogodbo za podporo slovenski delegaciji in slovenski industriji v vseh zadevah, povezanih z ESO, predvsem z njenimi javnimi naročili in povečevanjem industrijskih zmogljivosti na področju vesoljskih dejavnosti;
- financiranje njenih pripravnikov;
- napotitve.

2. Del načrt industrijskih spodbud (v nadaljnjem besedilu: NIS)

NIS ima tri ključne cilje:

1. krepitev sposobnosti in zmogljivosti za razvoj proizvodov, ki lahko pomagajo zagotoviti vzdržno industrijsko povračilo v izbirnih programih agencije, v katere je vključena Slovenija;
2. krepitev sposobnosti in zmogljivosti za razvoj proizvodov za ustrezno pripravo domače industrije na prihodnjo vključitev v izbirne programe agencije, v katere se namerava država vključiti v petih letih;
3. ustvarjanje in izkazovanje sposobnosti in zmogljivosti za trajnostno dolgoročno poslovno študijo na komercialnem vesoljskem trgu.

Ključni vidiki, ki jih je mogoče izbrati kot NIS, so na primer:

- pripravljalne dejavnosti, npr. raziskave trga, opredelitve zahtev in predstavitve (RTP 1–3);
- raziskave in razvoj (predstavitev tehnologij za vključitev v programe agencije, RTP 3–6);

- razvoj industrijskih procesov in kvalifikacije/certificiranja, ki zagotavljajo konkurenčno prednost, so značilni za vesolje in pomembni za izbirne programe agencije;
- nadaljnje aplikacije (vstop v dobavno verigo strank, RTP 5–8).

B. Poročanje in letni pregledi

1. Četrtno poročanje

Četrtno poročilo se pripravi in pošlje sopredsedujočima ter vključuje:

- finančno stanje programa;
- seznam odobrenih dejavnosti in njihov status;
- splošno oceno uspešnosti;
- ključne dogodke ali vprašanja iz zadnjih treh mesecev.

2. Letni pregled

Letni pregled se opravi vsako leto, udeležijo se ga člani odbora DPP, največ trije svetovalci vsakega sopredsedujočega in pomočnik sekretarja. Prisotnost drugih oseb odobrita sopredsedujoča.

Letni pregled vključuje:

- finančno stanje;
- status posameznih odobrenih dejavnosti;
- načrtovanje za prihodnje leto (razpisi, dogodki, usposabljanja itn.);
- razpravo in dogovor o programskih vidikih javnih pozivov in njihovem časovnem okviru;
- razpravo in dogovor o vseh vnaprej načrtovanih dejavnostih od zgoraj navzdol in njihovem časovnem okviru;
- pregled uspešnosti Slovenije glede na merila, navedena v resoluciji sveta o ukrepih industrijske politike za uspešno vključevanje evropskih držav v okvir agencije, ki jo je svet sprejel 13. decembra 2018 (ESA/C/R/CCLXXVII/Res.1 (final)).

C. Sestava odbora

Odbor, ustanovljen s prilogo I k temu sporazumu, sestavljajo:

- slovenski sopredsedujoči,
- agencijin sopredsedujoči,
- sekretar agencije in
- programski vodja agencije.

Člane odbora imenujeta pogodbenici z izmenjavo pisem ob začetku veljavnosti tega sporazuma.

3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za gospodarski razvoj in tehnologijo.

4. člen

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

Št. 630-02/20-5/15

Ljubljana, dne 25. novembra 2020

EPA 1314-VIII

Državni zbor
Republike Slovenije
Igor Zorčič
predsednik

Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb

26. Obvestilo o začetku veljavnosti Dogovora med Vlado Republike Slovenije in Zvezno vlado Republike Avstrije o uveljavitvi novih mejnih listin za mejne sektorje I do VII na skupni državni meji

Na podlagi drugega odstavka 77. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09, 80/10 – ZUTD, 31/15 in 30/18 – ZKZaš) Ministrstvo za zunanje zadeve

s p o r o č a,

da je 1. oktobra 2020 začel veljati Dogovor med Vlado Republike Slovenije in Zvezno vlado Republike Avstrije o uveljavitvi novih mejnih listin za mejne sektorje I do VII na skupni državni meji, sklenjen v Ljubljani 23. junija 2020 in objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 4/20 (Uradni list Republike Slovenije, št. 108/20).

Ljubljana, dne 5. oktobra 2020

Ministrstvo za zunanje zadeve
Republike Slovenije

VSEBINA

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