

**9. Zakon o ratifikaciji Konvencije o ustanovitvi Evropske organizacije za jedrske raziskave in priloženega finančnega protokola ter Protokola o privilegijih in imunitetah Evropske organizacije za jedrske raziskave (MKEOJR)**

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

### U K A Z

**o razglasitvi Zakona o ratifikaciji Konvencije o ustanovitvi Evropske organizacije za jedrske raziskave in priloženega finančnega protokola ter Protokola o privilegijih in imunitetah Evropske organizacije za jedrske raziskave (MKEOJR)**

Razlašam Zakon o ratifikaciji Konvencije o ustanovitvi Evropske organizacije za jedrske raziskave in priloženega finančnega protokola ter Protokola o privilegijih in imunitetah Evropske organizacije za jedrske raziskave (MKEOJR), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 25. aprila 2025.

Št. 003-02-1/2025-103  
Ljubljana, dne 3. maja 2025

**Nataša Pirc Musar**  
predsednica  
Republike Slovenije

### Z A K O N

**O RATIFIKACIJI KONVENCIJE O USTANOVITVI EVROPSKE ORGANIZACIJE ZA JEDRSKE RAZISKAVE IN PRILOŽENEGA FINANČNEGA PROTOKOLA TER PROTOKOLA O PRIVILEGIJAH IN IMUNITETAH EVROPSKE ORGANIZACIJE ZA JEDRSKE RAZISKAVE (MKEOJR)**

#### 1. člen

Ratificirata se Konvencija o ustanovitvi Evropske organizacije za jedrske raziskave in priloženi finančni protokol, sestavljena v Parizu 1. julija 1953 ter Protokol o privilegijih in imunitetah Evropske organizacije za jedrske raziskave, sestavljen v Ženevi 18. marca 2004.

#### 2. člen

Konvencija in priloženi finančni protokol ter protokol o privilegijih in imunitetah<sup>1</sup> se v izvorniku v angleškem jeziku in prevodu v slovenskem jeziku glasita:

<sup>1</sup> Besedilo konvencije in priloženega finančnega protokola ter protokola o privilegijih in imunitetah v francoskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje in evropske zadeve.

**CONVENTION  
for the Establishment of a European Organization  
for Nuclear Research**

THE STATES parties to this Convention,  
CONSIDERING the Agreement open for signature at Geneva on the fifteenth of February, 1952, constituting a Council of Representatives of European States for planning an international laboratory and organizing other forms of co-operation in nuclear research;

CONSIDERING the Supplementary Agreement signed at Paris on the thirtieth of June, 1953, prolonging the said Agreement; and

DESIRING, pursuant to section 2 of Article III of the said Agreement of the fifteenth of February, 1952, to conclude a Convention for the Establishment of a European Organization for Nuclear Research, including the establishment of an international laboratory for the purpose of carrying out an agreed programme of research of a pure scientific and fundamental character relating to high-energy particles;

HAVE AGREED as follows:

**Article I**

**Establishment of the Organization**

1. A European Organization for Nuclear Research (hereinafter referred to as "the Organization") is hereby established.

2. The seat of the Organization shall be at Geneva, unless the Council referred to in Article IV subsequently decides by a two-thirds majority of all the Member States to transfer it to the place where another of the Laboratories referred to in subparagraph (a) of paragraph 2 of Article II is situated.

**Article II**

**Purposes**

1. The Organization shall provide for collaboration among European States in nuclear research of a pure scientific and fundamental character, and in research essentially related thereto. The Organization shall have no concern with work for military requirements and the results of its experimental and theoretical work shall be published or otherwise made generally available.

2. The Organization shall, in the collaboration referred to in paragraph 1 above, confine its activities to the following:

(a) the construction and operation of one or more international laboratories (hereinafter referred to as "the Laboratories") for research on high-energy particles, including work in the field of cosmic rays; each Laboratory shall include:

(i) one or more particle accelerators;

(ii) the necessary ancillary apparatus for use in the research programmes carried out by means of the machines referred to in (i) above;

(iii) the necessary buildings to contain the equipment referred to in (i) and (ii) above and for the administration of the Organization and the fulfilment of its other functions;

(b) the organization and sponsoring of international co-operation in nuclear research, including co-operation outside the Laboratories; this co-operation may include in particular:

(i) work in the field of theoretical nuclear physics;

(ii) the promotion of contacts between, and the interchange of, scientists, the dissemination of information, and the provision of advanced training for research workers;

(iii) collaborating with and advising other research institutions;

(iv) work in the field of cosmic rays.

3. The programmes of activities of the Organization shall be:

(a) the programme carried out at its Laboratory at Geneva including a proton synchrotron for energies above ten gigaelectronvolts ( $10^{10}$  eV) and a synchro-cyclotron for energies of six hundred million electronvolts ( $6 \times 10^8$  eV);

**KONVENCIJA  
o ustanovitvi Evropske organizacije  
za jedrske raziskave**

DRŽAVE POGODBENICE te konvencije so se,  
OB UPOŠTEVANJU sporazuma, ki je bil na voljo za podpis v Ženevi petnajstega februarja 1952 in s katerim je bil ustanovljen Svet predstavnikov evropskih držav za načrtovanje mednarodnega laboratorija in organizacijo drugih oblik sodelovanja na področju jedrskih raziskav;

OB UPOŠTEVANJU dopolnilnega sporazuma, podpisanega v Parizu tridesetega junija 1953, ki podaljšuje navedeni sporazum, in

V ŽELJI, da se v skladu z drugim odstavkom III. člena navedenega sporazuma z dne petnajstega februarja 1952 sklene Konvencija o ustanovitvi Evropske organizacije za jedrske raziskave, vključno z ustanovitvijo mednarodnega laboratorija za izvajanje dogovorjenega programa raziskav povsem znanstvenega in temeljnega značaja v zvezi z visokoenergijskimi delci,

DOGOVORILE:

**I. člen**

**Ustanovitev organizacije**

1. Ustanovi se Evropska organizacija za jedrske raziskave (v nadaljnjem besedilu: organizacija).

2. Sedež organizacije je v Ženevi, razen če svet iz IV. člena naknadno z dvotretjinsko večino glasov vseh držav članic ne odloči, da se prenese v kraj, kjer je eden od laboratorijev iz pododstavka (a) drugega odstavka II. člena.

**II. člen**

**Namen**

1. Organizacija zagotavlja sodelovanje med evropskimi državami pri jedrskih raziskavah povsem znanstvenega in temeljnega značaja ter pri bistveno povezanih raziskavah. Organizacija se ne ukvarja z delom za vojaške potrebe, rezultati njenega eksperimentalnega in teoretičnega dela pa se objavijo ali so kako drugače splošno dostopni.

2. Organizacija v okviru sodelovanja iz prvega odstavka omeji svoje dejavnosti na:

(a) izgradnjo in delovanje enega mednarodnega laboratorija ali več mednarodnih laboratorijev (v nadaljnjem besedilu: laboratoriji) za raziskave visokoenergijskih delcev, vključno z delom na področju kozmičnih žarkov; vsak laboratorij vključuje:

(i) en pospeševalnik delcev ali več pospeševalnikov delcev;

(ii) potrebna pomožna sredstva za uporabo v raziskovalnih programih, ki se izvajajo s pomočjo naprav iz točke (i);

(iii) potrebne stavbe za namestitev opreme iz točk (i) in (ii) ter za upravljanje organizacije in izpolnjevanje njenih drugih nalog;

(b) organizacijo in sponzoriranje mednarodnega sodelovanja na področju jedrskih raziskav, vključno s sodelovanjem zunaj laboratorijev; to sodelovanje lahko vključuje zlasti:

(i) delo na področju teoretične jedrske fizike;

(ii) spodbujanje stikov med znanstveniki in njihovo izmenjavo, razširjanje informacij in zagotavljanje izpopolnjevanja za raziskovalce;

(iii) sodelovanje z drugimi raziskovalnimi ustanovami in svetovanje tem ustanovam;

(iv) delo na področju kozmičnih žarkov.

3. Programi dejavnosti organizacije so:

(a) program, ki se izvaja v njenem laboratoriju v Ženevi, vključno s protonskim sinhrotronom za energije nad deset gigaelektronvoltov ( $10^{10}$  eV) in sinhrociklotronom za energije šeststo milijonov elektronvoltov ( $6 \times 10^8$  eV);

(b) the programme for the construction and operation of the intersecting storage rings connected to the proton synchrotron described in sub-paragraph (a) above;

(c) the programme for the construction and operation of a Laboratory to include a proton synchrotron for energies of about three hundred giga-electronvolts ( $3 \times 10^{11}$  eV);

(d) any other programme failing within the terms of paragraph 2 above.

4. The programmes referred to in sub-paragraph (c) and (d) of paragraph 3 above shall require approval by the Council by a two-thirds majority of all the Member States. In giving such approval, the Council shall define the programme, and this definition shall include those administrative, financial and other provisions necessary for the proper management of the programme.

5. Any change to the definition of a programme shall require approval by the Council by a two-thirds majority of all the Member States.

6. Until the bringing into operation of the accelerator referred in sub-paragraph (c) of paragraph 3 above, the date of which shall be determined by the Council by a two-thirds majority of all the Member States, the basic programme of the Organization shall be that referred to in sub-paragraph (a) of that paragraph. From that date, the programme referred to in sub-paragraph (c) shall also become part of the basic programme, and the Council may, by a two-thirds majority of all the Member States, decide that the programme referred to in sub-paragraph (a), provided that no Member State participating in that programme votes to the contrary, is no longer part of the basic programme.

7. The Laboratories shall co-operate to the fullest possible extent with laboratories and institutes in the territories of Member States within the scope of their programmes of activities. So far as is consistent with the aims of the Organization, the Laboratories shall seek to avoid duplicating research work which is being carried out in the said laboratories or institutes.

### Article III

#### Conditions of Membership

1. States which are parties to the Agreement of the fifteenth of February, 1952, referred to in the Preamble hereto, or which have contributed in money or in kind to the Council thereby established and actually participated in its work, shall have the right to become members of the Organization by becoming parties to this Convention in accordance with the provisions of Article XV, XVI and XVII.

2. (a) Other States may be admitted to the Organization by the Council referred to in Article IV by a unanimous decision of all the Member States.

(b) If a State wishes to join the Organization in accordance with the provisions of the preceding sub-paragraph, it shall notify the President of the Council. The President shall inform all Member States of this request at least three months before its discussed by the Council. States accepted by the Council may become members of the Organization by acceding to this Convention in accordance with the provisions of Article XVII.

3. Each Member State shall signify in writing to the President of the Council those programmes of activities in which it wishes to participate. No State shall be entitled to become or to remain a member of the Organization unless it participates in at least one of the programmes of activities forming part of the basic programme.

4. The Council may, by a two-thirds majority of all the Member States, determine a minimum initial period of participation in any programme of activities together with a limit on the expenditure that may be incurred for that programme during that period. Once this period of participation and limit of expenditure have been so determined, the Council may, by the same majority, change either provided that no Member State

(b) program za izgradnjo in delovanje sekajočih se shranjevalnih obročev, povezanih s protonskim sinhrotronom, opisanim v pododstavku (a);

(c) program za izgradnjo in delovanje laboratorija, ki bo vključeval protonski sinhrotron za energije približno tristo giga-elektronvoltov ( $3 \times 10^{11}$  eV);

(d) kateri koli drug program, ki spada v okvir drugega odstavka.

4. Programe iz pododstavkov (c) in (d) tretjega odstavka mora odobriti svet z dvotretjinsko večino glasov vseh držav članic. Svet pri taki odobritvi opredeli program, ta opredelitev pa vključuje tiste upravne, finančne in druge določbe, ki so potrebne za pravilno upravljanje programa.

5. Vsako spremembo opredelitve programa mora odobriti svet z dvotretjinsko večino glasov vseh držav članic.

6. Do začetka delovanja pospeševalnika iz pododstavka (c) tretjega odstavka, za katerega datum določi svet z dvotretjinsko večino glasov vseh držav članic, je osnovni program organizacije tisti iz pododstavka (a) tretjega odstavka. Od tega datuma naprej postane del osnovnega programa tudi tisti iz pododstavka (c), svet pa lahko z dvotretjinsko večino glasov vseh držav članic odloči, da program iz pododstavka (a) ni več del osnovnega programa, če nobena država članica, ki sodeluje v tem programu, ne glasuje proti.

7. Laboratoriji v okviru svojih programov dejavnosti v največji možni meri sodelujejo z laboratoriji in inštituti na ozemljih držav članic. Kolikor je to v skladu s cilji organizacije, si laboratoriji prizadevajo preprečiti podvajanje raziskovalnega dela, ki se izvaja v navedenih laboratorijih ali inštitutih.

### III. člen

#### Pogoji za članstvo

1. Države, ki so pogodbenice sporazuma z dne 15. februarja 1952, navedenega v preambuli te konvencije, ali ki so v denarju ali v naravi prispevale v tako ustanovljeni svet in dejansko sodelovale pri njegovem delu, imajo pravico postati članice organizacije tako, da postanejo pogodbenice te konvencije v skladu z določbami XV., XVI. in XVII. člena.

2. (a) Druge države lahko v organizacijo sprejme svet iz IV. člena s soglasno odločitvijo vseh držav članic.

(b) Če se država želi pridružiti organizaciji v skladu z določbami prejšnjega pododstavka, o tem uradno obvesti predsednika sveta. Predsednik o tej prošnji obvesti vse države članice vsaj tri mesece pred obravnavo v svetu. Države, ki jih sprejme svet, lahko postanejo članice organizacije s pristopom k tej konvenciji v skladu z določbami XVII. člena.

3. Vsaka država članica predsedniku sveta pisno sporoči, pri katerih programih dejavnosti želi sodelovati. Nobena država nima pravice postati ali ostati članica organizacije, če ne sodeluje v vsaj enem od programov dejavnosti, ki so del osnovnega programa.

4. Svet lahko z dvotretjinsko večino glasov vseh držav članic določi najkrajše začetno obdobje sodelovanja v katerem koli programu dejavnosti skupaj z omejitvijo izdatkov, ki lahko nastanejo v okviru tega programa v tem obdobju. Ko sta tako določena obdobje sodelovanja in omejitev izdatkov, lahko svet z enako večino glasov spremeni katero koli od njiju, če nobena država članica, ki sodeluje v programu, ne

participating in the programme votes to the contrary. Subject to any such minimum period of participation, a Member State may at any time give notice in writing to the President of the Council of withdrawal from any programme, and such withdrawal shall take effect at the end of the financial year following that in which notice is given, or on such later date as the Member State proposes.

5. In the event that a programme of activities comes to an end, the Council shall be responsible for its liquidation, subject to any agreement which may be made at the time between the Member States participating in that programme, and subject also to the relevant terms of any agreement which exists between the Organization and the States on the territories of which the programme is being carried out. Any surplus shall be distributed among those Member States which are participating in the programme at the time of its termination, in proportion to the total contributions actually made by them in respect of that programme. In the event of a deficit, this shall be met by the same Member States in the same proportions as those in which their contributions in respect of the programme have been assessed for the financial year then current.

6. Member States shall facilitate, for the purposes of the activities of the Organization, the exchange of persons and of relevant scientific and technical information, provided that nothing in this paragraph shall:

(a) affect the application to any person of the laws and regulations of Member States relating to entry into, residence in, or departure from, their territories; or

(b) require any Member State to communicate, or to permit the communication of, any information in its possession in so far as it considers that such communication would be contrary to the interests of its security.

#### **Article IV**

##### **Organs**

The Organization shall consist of a Council and, in respect of each Laboratory, a Director-General, assisted by a staff.

#### **Article V**

##### **The Council**

1. The Council shall be composed of not more than two delegates from each Member State who may be accompanied at meetings of the Council by advisers.

2. The Council shall, subject to the provisions of this Convention:

(a) determine the Organization's policy in scientific, technical and administrative matters;

(b) approve the programmes of activities of the Organization;

(c) adopt, by a two-thirds majority of Member States represented and voting, the parts of the budget which apply to the different programmes of activities and determine the financial arrangements of the Organization in accordance with the Financial Protocol annexed to this Convention;

(d) review expenditures and approve and publish audited annual accounts of the Organization;

(e) decide on the staff establishments required;

(f) publish an annual report or reports;

(g) have such other powers and perform such other functions as may be necessary for the purposes of this Convention.

3. The Council shall meet at least once a year at such places as it shall decide.

4. Each Member State shall have one vote in the Council.

5. Except where otherwise provided in this Convention, decisions of the Council shall be taken by a simple majority of Member States represented and voting.

6. Where this Convention or the Financial Protocol annexed thereto provides that a matter requires approval by the Council by a two-thirds majority of all the Member States, and this matter relates directly to any programme of activities, the

glasuje proti. Ob upoštevanju takega najkrajšega obdobja sodelovanja lahko država članica kadar koli pisno obvesti predsednika sveta o izstopu iz katerega koli programa, tak izstop pa začne veljati na koncu finančnega leta, ki sledi letu, v katerem je bilo obvestilo dano, ali na poznejši datum, ki ga predlaga država članica.

5. Če se program dejavnosti konča, je svet odgovoren za njegov zaključek ob upoštevanju morebitnih sporazumov, v tistem času sklenjenih med državami članicami, ki sodelujejo v tem programu, in tudi ob upoštevanju ustreznih pogojev iz katerega koli sporazuma med organizacijo in državami, na ozemlju katerih se program izvaja. Morebitni presežek se razdeli med tiste države članice, ki sodelujejo v programu ob njegovem prenehanju, sorazmerno s skupnimi prispevki, ki so jih dejansko prispevale za ta program. V primeru primanjkljaja ga pokrijejo iste države članice v deležih, sorazmernih z odmerjenimi prispevki za program za takratno tekoče finančno leto.

6. Države članice za namene dejavnosti organizacije omogočajo izmenjavo oseb ter ustreznih znanstvenih in tehničnih informacij, pod pogojem, da nič v tem odstavku ne:

(a) vpliva na uporabo zakonov in drugih predpisov držav članic za katero koli osebo v zvezi z vstopom na njihova ozemlja, bivanjem na njih ali odhodom z njih ali

(b) zahteva od katere koli države članice, da sporoči ali dovoli sporočanje katerih koli informacij, s katerimi razpolaga, če meni, da bi bilo tako sporočanje v nasprotju z interesi njene varnosti.

#### **IV. člen**

##### **Organi**

Organizacijo sestavljajo svet in za vsak laboratorij generalni direktor, ki mu pomaga osebje.

#### **V. člen**

##### **Svet**

1. Svet sestavljajo po največ dva delegata iz vsake države članice, ki jih na sejah sveta lahko spremljajo svetovalci.

2. Svet ob upoštevanju določb te konvencije:

(a) določa politiko organizacije v znanstvenih, tehničnih in upravnih zadevah;

(b) odobri programe dejavnosti organizacije;

(c) z dvotretjinsko večino glasov držav članic, ki so zastopane in glasujejo, sprejme dele proračuna, ki se nanašajo na različne programe dejavnosti, in določi finančno ureditev organizacije v skladu s finančnim protokolom, ki je priložen tej konvenciji;

(d) pregleda odhodke ter odobri in objavi revidirane letne računovodske izkaze organizacije;

(e) odloča o potrebnih zaposlitvah osebja;

(f) objavi letno poročilo ali poročila;

(g) ima druga pooblastila in opravlja druge naloge, ki so potrebne za namene te konvencije.

3. Svet se sestane vsaj enkrat letno na krajih, ki jih sam določi.

4. Vsaka država članica ima v svetu en glas.

5. Če ni v tej konvenciji drugače določeno, se odločitve sveta sprejemajo z navadno večino držav članic, ki so zastopane in glasujejo.

6. Kadar ta konvencija ali priloženi finančni protokol za neko zadevo določa, da jo mora svet odobriti z dvotretjinsko večino glasov vseh držav članic, in se ta zadeva neposredno nanaša na kateri koli program dejavnosti, večina vključuje tudi

majority shall include also a two-thirds majority of all the Member States participating in that programme.

7. Except where this Convention or the Financial Protocol annexes thereto provides that a matter requires approval by the Council unanimously or by a two-thirds majority of all the Member States, no Member State shall be entitled to vote in regard to any matter falling within the limits of a programme as defined by the Council by virtue of Article II unless it participates in that programme or unless the matter affects directly any programme in which it participates.

8. A Member State shall not be entitled to vote in the Council if the amount of its unpaid contributions to the Organization exceeds the amount of the contributions due from it for the current financial year and the immediately preceding financial year. Similarly, it shall not be entitled to vote in the Council in respect of a particular programme of activities if the amount of its unpaid contributions to that programme exceeds the amount of the contributions due from it for the current financial year and the immediately preceding financial year. The Council nevertheless may, by a two-thirds majority of all the Member States, permit such Member State to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the State concerned.

9. For the discussions of any matter in the Council, the presence of delegates from a majority of the Member States entitled to vote on that matter shall be necessary to constitute a quorum.

10. Subject to the provisions of this Convention, the Council shall adopt its own rules of procedure.

11. The Council shall elect a president and two vice-presidents who shall hold office for one year and may be re-elected on not more than two consecutive occasions.

12. The Council shall establish a Scientific Policy Committee and a Finance Committee, and such other subordinate bodies as may be necessary for the purposes of the Organization, and in particular for the execution and co-ordination of its different programmes. The creation and the terms of reference of such bodies shall be determined by the Council by a two-thirds majority of all the Member States. Subject to the provisions of this Convention and of the Financial Protocol annexed thereto, such sub-ordinate bodies shall adopt their own rules of procedure.

13. Pending the deposit of their instruments of ratification or accession, the States mentioned in paragraph 1 of Article III may be represented at meetings of the Council and take part in its work until the thirty-first of December, 1954. This right shall not include the right to vote, unless the State concerned has contributed to the Organization in accordance with the provisions of paragraph 1 of Article 4 of the Financial Protocol annexed to this Convention.

#### **Article VI**

##### **Directors-General and Staff**

1. (a) The Council shall, by a two-thirds majority of all the Member States, appoint for each Laboratory a Director-General for a defined period and may, by the same majority, dismiss him. In respect of the Laboratory under his direction, each Director-General shall be the chief executive officer of the Organization and its legal representative. He shall, in regard to financial administration, act in accordance with the provisions of the Financial Protocol annexed to this Convention. The Council may, by a two-thirds majority of all the Member States, delegate to the Directors-General, either separately or jointly, authority to act on behalf of the Organization in other matters. Each Director-General shall also submit an annual report to the Council and shall attend, without the right to vote, all its meetings.

(b) The Council may postpone the appointment of a Director-General for such period as it considers necessary, either on the entry into force of this Convention or on the occurrence of a

dvotretjinsko večino glasov vseh držav članic, ki sodelujejo v tem programu.

7. Razen o zadevah, za katere ta konvencija ali priloženi finančni protokol določa, da jih mora odobriti svet soglasno ali z dvotretjinsko večino glasov vseh držav članic, nobena država članica ni upravičena do glasovanja o zadevah, ki spadajo v okvir programa, kot ga je opredelil svet na podlagi II. člena, razen če ne sodeluje v tem programu ali če se zadeve neposredno ne nanašajo na program, v katerem sodeluje.

8. Država članica ni upravičena do glasovanja v svetu, če znesek njenih neplačanih prispevkov organizaciji presega znesek prispevkov, ki jih mora plačati za tekoče finančno leto in prejšnje finančno leto. Prav tako ni upravičena do glasovanja v svetu v zvezi s posameznim programom dejavnosti, če znesek njenih neplačanih prispevkov za ta program presega znesek prispevkov, ki jih mora plačati za tekoče finančno leto in prejšnje finančno leto. Kljub temu lahko svet z dvotretjinsko večino glasov vseh držav članic dovoli tej državi članici glasovati, če se prepriča, da so razlog za neplačilo okoliščine, na katere ta država ne more vplivati.

9. Za razpravo o kateri koli zadevi v svetu je za sklepčnost potrebna navzočnost delegatov večine držav članic, ki so upravičene do glasovanja o tej zadevi.

10. Svet sprejme poslovnik ob upoštevanju določb te konvencije.

11. Svet izvoli predsednika in dva podpredsednika, ki opravljajo funkcijo eno leto ter so lahko ponovno izvoljeni največ dvakrat zapored.

12. Svet ustanovi odbor za znanstveno politiko in finančni odbor ter druge podrejene organe, ki so potrebni za namene organizacije, zlasti za izvajanje in usklajevanje različnih programov. Ustanovitev in pristojnosti teh organov določi svet z dvotretjinsko večino glasov vseh držav članic. Ob upoštevanju določb te konvencije in priloženega finančnega protokola ti podrejene organi sprejmejo svoje poslovnike.

13. Do deponiranja svojih listin o ratifikaciji ali pristopu so države iz prvega odstavka III. člena lahko zastopane na sejah sveta in sodelujejo pri njegovem delu do enaintridesetega decembra 1954. Ta pravica ne vključuje pravice do glasovanja, razen če država ni prispevala organizaciji v skladu z določbami prvega odstavka 4. člena finančnega protokola, ki je priložen tej konvenciji.

#### **VI. člen**

##### **Generalni direktorji in osebje**

1. (a) Svet z dvotretjinsko večino glasov vseh držav članic imenuje za vsak laboratorij generalnega direktorja za določeno obdobje in ga lahko z enako večino glasov razreši. Vsak generalni direktor je glavni izvršni direktor organizacije in njen zakoniti zastopnik za laboratorij, ki ga vodi. V zvezi s finančnim upravljanjem deluje v skladu z določbami finančnega protokola, ki je priložen tej konvenciji. Svet lahko z dvotretjinsko večino glasov vseh držav članic prenese na generalne direktorje ločeno ali skupaj pooblastila za delovanje v imenu organizacije v drugih zadevah. Vsi generalni direktorji predložijo svetu tudi letno poročilo in se brez pravice do glasovanja udeležujejo vseh sej sveta.

(b) Svet lahko odloži imenovanje generalnega direktorja za čas, ki se mu zdi potreben, bodisi ob začetku veljavnosti te konvencije ali pozneje, ko je na voljo pristo mesto. V tem

subsequent vacancy. In the event, it shall appoint a person to act in his stead, the person so appointed to have such powers and responsibilities as the Council may direct.

2. Each Director-General shall be assisted by such scientific, technical, administrative and clerical staff as may be considered necessary and authorized by the Council.

3. All staff shall be appointed and may be dismissed by the Council on the recommendation of the Director-General concerned. Appointments and dismissals made by the Council shall require a two-thirds majority of all the Member States. The Council may by the same majority delegate powers of appointment and dismissal to subordinate bodies established under the terms of paragraph 12 of Article V and to the Directors-General. Any such appointment and its termination shall be in accordance with the Staff Rules to be adopted by the Council of the same majority. Any persons, not members of the staff, who are invited by or on behalf of the Council to work at any Laboratory shall be subject to the authority of the Director-General concerned, and to such general conditions as may be approved by the Council.

4. The responsibilities of the Directors-General and the staff in regard to the Organization shall be exclusively international in character. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organization. Each Member State shall respect the international character of the responsibilities of the Directors-General and the staff, and not seek to influence them in the discharge of their duties.

#### Article VII

##### Financial Contributions

1. Each Member State shall contribute both to the capital expenditure and to the current operating expenses of the Organization:

(a) for the period ending on the thirty-first of December, 1956, as set out in the Financial Protocol annexed to this Convention; and, thereafter,

(b) in accordance with scales which shall be decided every three years by the Council by a two-thirds majority of all the Member States, and shall be based on the average net national income at factor cost of each Member State for the three latest preceding years for which statistics are available, except that,

(i) in respect of any programme of activities, the Council may determine, by a two-thirds majority of all the Member States, a percentage as the maximum which any Member State may be required to pay of the total amount of contributions assessed by the Council to meet the annual cost of that programme; once any such maximum percentage has been so determined, the Council may, by the same majority, change it, provided that no Member State participating in that programme votes to the contrary;

(ii) the Council may decide, by a two-thirds majority of all the Member States, to take into account any special circumstances of a Member State and adjust its contribution accordingly; for the purpose of applying this provision it shall be considered to be a special circumstance, in particular, when the national income "per capita" of a Member State is less than an amount to be decided by the Council by the same majority.

2. When participation by the Organization in a national or multinational project forms a programme of activities of the Organization, the terms of paragraph 1 above shall apply unless the Council, by a two-thirds majority of all the Member States, determines otherwise.

3. The contributions to be paid by a Member State under paragraph 1 of this Article shall be calculated in respect of, and applied only to, the programmes in which it participates.

4. (a) The Council shall require States which become parties to this Convention after the thirty-first of December, 1954, to make a special contribution towards the capital expenditure of the Organization already incurred in respect of the pro-

primeru imenuje osebo, ki deluje kot vršilec dolžnosti, pri čemer ima tako imenovana oseba pooblastila in odgovornosti, ki jih določi svet.

2. Vsakemu generalnemu direktorju pomaga znanstveno, tehnično, upravno in pisarniško osebje, ki je po mnenju sveta potrebno in ga ta odobri.

3. Svet na priporočilo generalnega direktorja imenuje vse osebje in ga lahko razreši. Za imenovanja in razrešitve, ki jih opravi svet, je potrebna dvotretjinska večina glasov vseh držav članic. Svet lahko z enako večino glasov prenese pooblastila za imenovanje in razrešitev na podrejene organe, ustanovljene v skladu s pogoji dvanajstega odstavka V. člena, ter na generalne direktorje. Vsako tako imenovanje in njegovo prenehanje mora biti v skladu s kadrovskim pravilnikom, ki ga sprejme svet z enako večino glasov. Za vse osebe, ki niso del osebja in jih svet povabi k delu v katerem koli laboratoriju ali so v njegovem imenu objavljene k delu v njem, je pristojen generalni direktor in zanje veljajo splošni pogoji, ki jih lahko odobri svet.

4. Odgovornosti generalnih direktorjev in osebja v zvezi z organizacijo so izključno mednarodnega značaja. Pri opravljanju svojih nalog ne smejo zahtevati ali prejemati navodil od katere koli vlade ali organa zunaj organizacije. Vse države članice spoštujejo mednarodni značaj odgovornosti generalnih direktorjev in osebja ter ne poskušajo vplivati nanje pri opravljanju njihovih nalog.

#### VII. člen

##### Finančni prispevki

1. Vse države članice prispevajo k investicijskim izdatkom in tekočim stroškom poslovanja, ki jih ima organizacija:

(a) za obdobje, ki se konča enaintridesetega decembra 1956, kot je določeno v finančnem protokolu, priloženem tej konvenciji, nato pa

(b) v skladu z lestvicami, ki jih vsaka tri leta določi svet z dvotretjinsko večino glasov vseh držav članic in ki temeljijo na povprečnem neto nacionalnem dohodku po stroškovnih faktorjih vsake države članice za zadnja tri predhodna leta, za katera so na voljo statistični podatki, pri čemer

(i) svet lahko v zvezi s katerim koli programom dejavnosti z dvotretjinsko večino glasov vseh držav članic določi najvišji odstotek, ki ga mora država članica plačati od skupnega zneska prispevkov, ki jih odmeri svet za kritje letnih stroškov tega programa; ko je tako določen najvišji odstotek, ga svet z enako večino glasov lahko spremeni, če nobena država članica, ki sodeluje v tem programu, ne glasuje proti;

(ii) se svet lahko z dvotretjinsko večino glasov vseh držav članic odloči, da bo upošteval posebne okoliščine države članice in ustrezno prilagodil njen prispevek; za namen uporabe te določbe se za posebno okoliščino šteje zlasti, če je nacionalni dohodek "per capita" države članice nižji od zneska, ki ga z enako večino glasov določi svet.

2. Kadar sodelovanje organizacije v nacionalnem ali večnacionalnem projektu vzpostavi program dejavnosti organizacije, se uporabljajo pogoji iz prvega odstavka, razen če svet z dvotretjinsko večino glasov vseh držav članic ne določi drugače.

3. Prispevki, ki jih mora država članica plačati v skladu s prvim odstavkom tega člena, se izračunajo za programe, v katerih sodeluje, in se uporabljajo samo zanje.

4. (a) Svet od držav, ki postanejo pogodbenice te konvencije po enaintridesetem decembru 1954, zahteva, da poleg prispevkov za prihodnje investicijske izdatke in tekoče stroške poslovanja plačajo tudi posebni prispevek za že nastale investi-

grammes in which they participate, in addition to contributing to future capital expenditure and current operating expenses. The Council shall require a similar contribution from Member States in respect of any programme in which they first participate after its commencement. The amount of this special contribution shall be fixed by the Council by a two-thirds majority of all the Member States.

(b) All contributions made in accordance with the provisions of sub-paragraph (a) above shall be applied in reducing the contributions of the other Member States in respect of the programmes concerned.

5. Contributions due under the provisions of this Article shall be paid in accordance with the Financial Protocol annexed to this Convention.

6. To the extent of the authority delegated to him under the terms of sub-paragraph (a) of paragraph 1 of Article VI, and subject to any directions given by the Council, a Director-General may accept gifts and legacies to the Organization provided that such gifts or legacies are not subject to any conditions inconsistent with the purposes of the Organization.

### **Article VIII**

#### **Co-operation with UNESCO and with other organization**

The Organization shall co-operate with the United Nations Educational, Scientific and Cultural Organization. It may also, by a decision of the Council taken by a two-thirds majority of all the Member States, co-operate with other organizations and institutions.

### **Article IX**

#### **Legal Status**

The Organization shall have legal personality in the metropolitan territories of all Member States. The Organization and the representatives of Member States on the Council, the members of any sub-ordinate bodies established under paragraph 12 of Article V, the Directors-General and the members of the staff of the Organization shall be accorded, in the metropolitan territories of Member States, by virtue of agreements to be concluded between the Organization and each Member State concerned, such privileges and immunities, if any, as they agree to be necessary for the exercise of the functions of the Organization. The agreements to be concluded between the Organization and the Member States on the territory of which the Laboratories of the Organization shall be established shall contain, in addition to provisions concerning privileges and immunities, provisions regulating the special relations between the Organization and those Member States.

### **Article X**

#### **Amendments**

1. The Council may recommend amendments of this Convention to Member States. Any Member State which wishes to propose an amendment shall notify the President of Council thereof. The President shall inform all Member States of any amendment so notified at least three months before it is discussed by the Council.

2. Any amendment of this Convention recommended by the Council shall require acceptance in writing by all Member States. It shall come into force thirty days after the President has received notifications of acceptance from all Member States. The President shall inform all Member States and the Director-General of the United Nations Educational, Scientific and Cultural Organization of the date on which the amendment shall thus come into force.

3. The Council may amend the Financial Protocol annexed to this Convention by a two-thirds majority of all the Member States provided that such amendment does not conflict with the Convention. Any such amendment shall come into force on date to be decided by the Council by the same major-

ity of the votes of the Organization in the programme, in which they participate, in addition to contributing to future capital expenditure and current operating expenses. The Council shall require a similar contribution from Member States in respect of any programme in which they first participate after its commencement. The amount of this special contribution shall be fixed by the Council by a two-thirds majority of all the Member States.

(b) Vsi prispevki, plačani v skladu z določbami pododstavka (a), se uporabijo pri zmanjšanju prispevkov drugih držav članic v zvezi s temi programi.

5. Prispevki, ki jih je treba poravnati v skladu z določbami tega člena, se plačajo v skladu s finančnim protokolom, ki je priložen tej konvenciji.

6. Generalni direktor lahko v okviru pooblastil, ki so mu bila podeljena v skladu s pododstavkom (a) prvega odstavka VI. člena, in ob upoštevanju navodil sveta sprejema darila in zapuščino organizaciji, če za taka darila ali zapuščino ne veljajo pogoji, ki niso v skladu z nameni organizacije.

### **VIII. člen**

#### **Sodelovanje z UNESCO in drugimi organizacijami**

Organizacija sodeluje z Organizacijo Združenih narodov za izobraževanje, znanost in kulturo. S sklepom sveta, ki ga sprejme z dvotretjinsko večino glasov vseh držav članic, lahko sodeluje tudi z drugimi organizacijami in institucijami.

### **IX. člen**

#### **Pravni status**

Organizacija ima pravno osebnost na matičnih ozemljih vseh držav članic. Organizaciji in predstavnikom držav članic v svetu, članom vseh podrejenih organov, ustanovljenih v skladu z dvanajstim odstavkom V. člena, generalnim direktorjem in članom osebja organizacije se na matičnih ozemljih držav članic na podlagi sporazumov, ki se sklenejo med organizacijo in državami članicami, podelijo morebitni privilegiji in imunitete, ki so po njihovem mnenju potrebni za opravljanje nalog organizacije. Sporazumi, ki jih sklenejo organizacija in države članice, na ozemlju katerih se ustanovijo laboratoriji organizacije, vsebujejo poleg določb o privilegijih in imunitetah tudi določbe, ki urejajo posebne odnose med organizacijo in temi državami članicami.

### **X. člen**

#### **Spremembe**

1. Svet lahko državam članicam priporoči spremembe te konvencije. Vsaka država članica, ki želi predlagati spremembo, o tem uradno obvesti predsednika sveta. Predsednik obvesti vse države članice o vsaki tako priglašeni spremembi najmanj tri mesece pred obravnavo v svetu.

2. Za vsako spremembo te konvencije, ki jo priporoči svet, je potrebno pisno soglasje vseh držav članic. Veljati začne trideset dni po tem, ko predsednik prejme uradno obvestilo o sprejetju od vseh držav članic. Predsednik obvesti vse države članice in generalnega direktorja Organizacije Združenih narodov za izobraževanje, znanost in kulturo o datumu začetka veljavnosti spremembe.

3. Svet lahko z dvotretjinsko večino glasov vseh držav članic spremeni finančni protokol, ki je priložen tej konvenciji, če taka sprememba ni v nasprotju s konvencijo. Vsaka taka sprememba začne veljati na dan, ki ga z enako večino glasov določi svet. Predsednik sveta obvesti vse države članice

ity. The President of Council shall inform all Member States and the Director-General of the United Nations Educational, Scientific and Cultural Organization of each such amendment and of the date on which it shall come into force.

**Article XI**  
**Disputes**

Any dispute between two or more Member States concerning the interpretation or application of this Convention which is not settled by the good offices of the of the Council shall be submitted to the International Court of Justice, unless the Member States concerned agree on some other mode of settlement.

**Article XII**  
**Withdrawal**

After this Convention has been in force for seven years, a Member State may, subject to the provisions of paragraph 4 of Article III, give notice in writing to the President of Council of withdrawal from the Organization and such withdrawal shall take effect at the end of the financial year following that in which notice is given, or at such later date as the Member State proposes.

**Article XIII**  
**Non-fulfilment of Obligations**

If a Member fails to fulfil its obligations under this Convention, it shall cease to be a member of the Organization on a decision of the Council taken by a two-thirds majority of all the Member States.

**Article XIV**  
**Dissolution**

The Organization shall be dissolved if at any time there are less than five Member States. It may be dissolved at any time by agreement between the Member States. Subject to any agreement which may be made between Member States at the time of dissolution, the State on the territory of which the seat of the Organization is at that time established shall be responsible for the liquidation, and the surplus shall be distributed among those States which are members of the Organization at the time of the dissolution in proportion to the contributions actually made by them from the dates of their becoming parties to this Convention. In the event of a deficit, this shall be met by the existing Member States in the same proportions as those in which their contributions have been assessed for the financial year then current.

**Article XV**  
**Signature**

This Convention and the annexed Financial Protocol, which is an integral part thereof, shall be open for signature until the thirty-first of December, 1953, by any State which satisfies the conditions laid down in paragraph 1 of Article III.

**Article XVI**  
**Ratification**

1. This Convention and the annexed Financial Protocol, shall be subject to ratification.
2. Instruments of ratification shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

**Article XVII**  
**Accession**

1. Any State, not a signatory of this Convention, which satisfies the conditions laid down in paragraphs 1 or 2 of Article III may accede to the Convention and the Financial Protocol as from the first of January, 1954.

in generalnega direktorja Organizacije Združenih narodov za izobraževanje, znanost in kulturo o vsaki taki spremembi ter o datumu začetka njene veljavnosti.

**XI. člen**  
**Spori**

Vsi spori med dvema državama članicama ali več državami članicami v zvezi z razlago ali uporabo te konvencije, ki se ne rešijo z dobrimi uslugami sveta, se predložijo Meddržavnemu sodišču, razen če se te države članice ne dogovorijo o kakšnem drugem načinu reševanja.

**XII. člen**  
**Izstop**

Po sedmih letih veljavnosti te konvencije lahko država članica ob upoštevanju določb četrtega odstavka III. člena pisno obvesti predsednika sveta o izstopu iz organizacije in tak izstop začne veljati konec finančnega leta, ki sledi letu, v katerem je bilo dano obvestilo, ali na poznejši datum, ki ga predlaga država članica.

**XIII. člen**  
**Neizpolnjevanje obveznosti**

Če država članica ne izpolnjuje svojih obveznosti iz te konvencije, preneha biti članica organizacije na podlagi sklepa sveta, sprejetega z dvotretjinsko večino glasov vseh držav članic.

**XIV. člen**  
**Razpustitev**

Organizacija se razpusti, če je v njej kadar koli manj kot pet držav članic. Razpusti se lahko kadar koli s sporazumom med državami članicami. Ob upoštevanju morebitnega sporazuma, sklenjenega med državami članicami ob razpustitvi, je za prenehanje odgovorna država, na ozemlju katere je takrat sedež organizacije, presežek pa se razdeli med države, ki so članice organizacije ob razpustitvi, sorazmerno s prispevki, ki so jih dejansko plačale od dneva, ko so postale pogodbenice te konvencije. V primeru primanjkljaja ga pokrijejo obstoječe države članice v deležih, sorazmernih z odmerjenimi prispevki za takratno tekoče finančno leto.

**XV. člen**  
**Podpis**

Ta konvencija in priloženi finančni protokol, ki je njen sestavni del, sta do enaintridesetega decembra 1953 na voljo za podpis vsem državam, ki izpolnjujejo pogoje iz prvega odstavka III. člena.

**XVI. člen**  
**Ratifikacija**

1. Ta konvencija in priloženi finančni protokol se ratificirata.
2. Listine o ratifikaciji se deponirajo pri generalnem direktorju Organizacije Združenih narodov za izobraževanje, znanost in kulturo.

**XVII. člen**  
**Pristop**

1. Vse države, ki niso podpisnice te konvencije in izpolnjujejo pogoje iz prvega ali drugega odstavka III. člena, lahko pristopijo h konvenciji in finančnemu protokolu od prvega januarja 1954.



2. Instruments of accession shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

#### **Article XVIII**

##### **Entry into force**

1. This Convention and the annexed Financial Protocol shall enter into force when seven States have ratified, or acceded to, these instruments, provided that:

(a) the total of their percentage contribution on the scale set out in the Annex to the Financial Protocol amounts to not less than seventy-five per cent; and

(b) Switzerland, being the country in which the seat of the Organization is to be established, shall be among such seven States.

2. This Convention and the annexed Financial Protocol shall enter into force for any other signatory or acceding State on the deposit of its instrument of ratification or accession, as the case may be.

#### **Article XIX**

##### **Notifications**

1. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall notify all signatory and acceding States, and all other States which took part in the Conference for the organization of studies concerning the establishment of a European Nuclear Research Laboratory held at Paris in December, 1951, and at Geneva in February, 1952, of the deposit of each instrument of ratification or accession, and of the entry into force of this Convention.

2. The President of Council shall notify all Member States and the Director-General of the United Nations Educational, Scientific and Cultural Organization of every withdrawal from, or termination of, membership.

#### **Article XX**

##### **Registration**

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall, upon the entry into force of this Convention, register it with the Secretary-General of the United Nations in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF, the undersigned representatives, having been duly authorized thereto by their respective Governments, have signed this Convention.

Done at Paris, this first day of July, 1953, in the English and French languages, both texts being equally authoritative, in a single original, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, the Director-General of which shall transmit a certified copy to all signatory and acceding States and to all other States which took part in the Conference for the organization of studies concerning the establishment of a European Nuclear Research Laboratory.

2. Listine o pristopu se deponirajo pri generalnem direktorju Organizacije Združenih narodov za izobraževanje, znanost in kulturo.

#### **XVIII. člen**

##### **Začetek veljavnosti**

1. Ta konvencija in priloženi finančni protokol začneta veljati, ko ju ratificira ali k njima pristopi sedem držav, če:

(a) skupni odstotek njihovih prispevkov po lestvici iz priloge k finančnemu protokolu znaša najmanj petinsedemdeset odstotkov in

(b) je med temi sedmimi državami Švica, ki je država, v kateri bo sedež organizacije.

2. Ta konvencija in priloženi finančni protokol začneta veljati za vsako državo podpisnico ali državo pristopnico ob deponiranju njene listine o ratifikaciji ali pristopu, odvisno od primera.

#### **XIX. člen**

##### **Uradna obvestila**

1. Generalni direktor Organizacije Združenih narodov za izobraževanje, znanost in kulturo uradno obvesti vse države podpisnice in države pristopnice ter vse druge države, ki so sodelovale na konferenci za izvedbo študij o ustanovitvi Evropskega laboratorija za jedrske raziskave v Parizu decembra 1951 in v Ženevi februarja 1952, o deponiranju vsake listine o ratifikaciji ali pristopu in o začetku veljavnosti te konvencije.

2. Predsednik sveta uradno obvesti vse države članice in generalnega direktorja Organizacije Združenih narodov za izobraževanje, znanost in kulturo o vsakem izstopu ali prenehanju članstva.

#### **XX. člen**

##### **Registracija**

Generalni direktor Organizacije Združenih narodov za izobraževanje, znanost in kulturo to konvencijo ob začetku veljavnosti registrira pri generalnem sekretarju Združenih narodov v skladu s 102. členom Ustanovne listine Organizacije združenih narodov.

V POTRDATEV TEGA so spodaj podpisani predstavniki, ki so jih za to pravilno pooblastile njihove vlade, podpisali to konvencijo.

Sestavljeno v Parizu prvega julija 1953 v angleškem in francoskem jeziku, pri čemer sta obe besedili enako verodostojni, v enem izvirmiku, ki se deponira v arhivu Organizacije Združenih narodov za izobraževanje, znanost in kulturo, katere generalni direktor pošlje overjeno kopijo vsem državam podpisnicam in pristopnicam ter vsem drugim državam, ki so sodelovale na konferenci za izvedbo študij o ustanovitvi Evropskega laboratorija za jedrske raziskave.

**FINANCIAL PROTOCOL**  
**annexed to the Convention for the Establishment**  
**of a European Organization for Nuclear Research**

THE STATES parties to the Convention for the Establishment of a European Organization for Nuclear Research (hereinafter referred to as "the Convention"),

DESIRING to make provision for the financial administration of the said Organization,

HAVE AGREED as follows:

**Article 1**  
**Budget**

(1) The financial year of the Organization shall run from the first of January to the thirty-first of December.

(2) Each Director-General shall not later than the first of September in each year submit to the Council for consideration and approval detailed estimates of income and expenditure for the following financial year.

(3) Estimates of income and expenditure shall be divided under general headings. Transfers within the budget shall not be permitted except by authority of the Finance Committee referred to in Article 3. The exact form of the estimates shall be determined by the Finance Committee on the advice of the Directors-General.

**Article 2**  
**Supplementary Budget**

The Council may require a Director-General to present supplementary or revised budget estimates if circumstances make it necessary. No proposal involving additional expenditure shall be deemed to be approved by the Council until it has approved an estimate submitted by the appropriate Director-General of the additional expenditure involved.

**Article 3**  
**Finance Committee**

(1) The Finance Committee, established by paragraph 12 of Article V of the Convention, shall be composed of representatives of all Member States.

(2) The Finance Committee shall, in reaching its decisions, follow the rules for voting and quorum prescribed for the Council in Article V of the Convention.

(3) This Committee shall examine the budget estimates of the Directors-General, after which they shall be transmitted to the Council with the Committee's report thereon.

**Article 4**  
**Contributions**

(1) For the period ending on the thirty-first of December, 1954, the Council shall make provisional budgetary arrangements, which shall be met by contributions as provided for in paragraph (1) of the Annex to this Protocol.

(2) For the financial years 1955 and 1956, approved budget expenditure shall be met by contributions from Member States, which shall be assessed in the same proportions as the percentage figures set out in paragraph (2) of the Annex to this Protocol, it being understood that the provisos mentioned in (i) and (ii) of sub-paragraph 1 of Article VII of the Convention shall apply.

(3) From the first of January, 1957, approved budget expenditure shall be met by contributions from Member States as provided for in Article VII of the Convention.

(4) When any State, whether on becoming a member of the Organization or later, first participates in a programme of activities, the contributions of the other Member States concerned shall be reassessed and the new scale shall take effect as from the beginning of the current financial year. Reimbursements shall be made, if necessary, to ensure that the contributions paid by all the Member States for that year are in conformity with the new scale.

**FINANČNI PROTOKOL,**  
**priložen Konvenciji o ustanovitvi Evropske organizacije**  
**za jedrske raziskave**

DRŽAVE POGODBENICE Konvencije o ustanovitvi Evropske organizacije za jedrske raziskave (v nadaljnjem besedilu: konvencija) so se,

V ŽELJI poskrbeti za finančno upravljanje navedene organizacije,

DOGOVORILE:

**1. člen**  
**Proračun**

(1) Finančno leto organizacije traja od prvega januarja do enaintridesetega decembra.

(2) Vsak generalni direktor vsako leto najpozneje do prvega septembra predloži svetu v obravnavo in odobritev podrobni načrt prihodkov in odhodkov za naslednje finančno leto.

(3) Načrt prihodkov in odhodkov se razdeli na splošne postavke. Prerazporeditve znotraj proračuna niso dovoljene, razen na podlagi pooblastila finančnega odbora iz 3. člena. Natančno obliko načrta prihodkov in odhodkov določi finančni odbor po nasvetu generalnih direktorjev.

**2. člen**  
**Dopolnilni proračun**

Svet lahko od generalnega direktorja zahteva, da predloži dopolnilni ali popravljeni načrt proračuna, če je to potrebno zaradi okoliščin. Šteje se, da svet ni odobril nobenega predloga, ki vključuje dodatne izdatke, dokler ne odobri načrta dodatnih izdatkov, ki ga je predložil pristojni generalni direktor.

**3. člen**  
**Finančni odbor**

(1) Finančni odbor, ustanovljen z dvanajstim odstavkom V. člena konvencije, sestavljajo predstavniki vseh držav članic.

(2) Finančni odbor pri sprejemanju odločitev upošteva pravila glasovanja in sklepčnosti, ki jih svetu predpisuje V. člen konvencije.

(3) Ta odbor prouči načrte proračuna generalnih direktorjev, nato pa jih skupaj s poročilom odbora pošlje svetu.

**4. člen**  
**Prispevki**

(1) Za obdobje, ki se konča enaintridesetega decembra 1954, svet sprejme začasni proračun, ki se napolni s prispevki, kot je določeno v prvem odstavku priloge k temu protokolu.

(2) Za finančni leti 1955 in 1956 se odobreni proračunski izdatki pokrijejo s prispevki držav članic, ki se odmerijo v deležih, sorazmernih z odstotki, določenimi v drugem odstavku priloge k temu protokolu, pri čemer se razume, da veljata klavzuli iz točk (i) in (ii) pododstavka (b) prvega odstavka VII. člena konvencije.

(3) Od prvega januarja 1957 se odobreni proračunski izdatki pokrivajo s prispevki držav članic, kot je določeno v VII. členu konvencije.

(4) Ko katera koli država, bodisi ko postane članica organizacije ali pozneje, prvič sodeluje v programu dejavnosti, se prispevki drugih držav članic, na katere se to nanaša, znova odmerijo in nova lestvica začne veljati z začetkom tekočega finančnega leta. Po potrebi se izvedejo povračila za zagotovitev, da so zneski prispevkov, ki so jih plačale vse države članice za to leto, v skladu z novo lestvico.

(5) (a) The Finance Committee shall in consultation with the Directors-General determine the terms on which payments in respect of contributions shall be made consistently with the proper financing of the Organization.

(b) Each Director-General shall thereafter notify Member States of the amount of their contributions and of the dates on which payments shall be made.

#### **Article 5**

##### **Currency of Contributions**

(1) The budget of the Organization shall be expressed in the currency of the country in which the seat of the Organization is established.

(2) The Council shall, by a two-thirds majority of all the Member States, determine the payments arrangements and the currency or currencies in which the contributions of the Member States shall be made.

#### **Article 6**

##### **Working Capital Funds**

The Council may establish working capital funds.

#### **Article 7**

##### **Financial Rules**

After consultation with the Finance Committee, the Council shall, by a two-thirds majority of all the Member States, adopt rules for the financial administration of the Organization, which shall constitute the Financial Rules.

#### **Article 8**

##### **Accounts and Auditing**

(1) Each Director-General shall keep an accurate account of all receipts and disbursements.

(2) The Council shall appoint auditors who will serve for three years in the first instance and may be reappointed. The auditors shall examine the accounts of the Organization, particularly in order to certify that the expenditure has conformed, within the limits specified in the Financial Rules, to the provisions made in the budget, and shall discharge such other functions as are set out in the Financial Rules.

(3) Each Director-General shall furnish the auditors with such information and help as they require to carry out their duties.

IN WITNESS WHEREOF, the undersigned representatives, having been duly authorized thereto by their respective Governments, have signed this Protocol.

Done at Paris, this first day of July, 1953, in the English and French languages, both texts being equally authoritative, in a single original, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, the Director-General of which shall transmit a certified copy to all signatory and acceding States and to all other States which took part in the Conference for the organization of studies concerning the establishment of a European Nuclear Research Laboratory.

(5) (a) Finančni odbor po posvetovanju z generalnimi direktorji določi pogoje, pod katerimi se izvajajo plačila prispevkov v skladu z ustreznim financiranjem organizacije.

(b) Vsak generalni direktor nato obvesti države članice o znesku njihovih prispevkov in datumih, na katere je treba izvršiti plačila.

#### **5. člen**

##### **Valuta prispevkov**

(1) Proračun organizacije je izražen v valuti države, v kateri je sedež organizacije.

(2) Svet z dvotretjinsko večino glasov vseh držav članic določi način plačila in valute, v katerih se plačujejo prispevki držav članic.

#### **6. člen**

##### **Skladi za obratna sredstva**

Svet lahko ustanovi sklade za obratna sredstva.

#### **7. člen**

##### **Finančni pravilnik**

Po posvetovanju s finančnim odborom svet z dvotretjinsko večino glasov vseh držav članic sprejme pravila za finančno upravljanje organizacije, ki sestavljajo finančni pravilnik.

#### **8. člen**

##### **Računovodstvo in revizija**

(1) Vsak generalni direktor vodi natančno evidenco vseh prejemkov in izdatkov.

(2) Svet imenuje revizorje, ki funkcijo najprej opravljajo tri leta in so nato lahko znova imenovani. Revizorji pregledajo računovodske izkaze organizacije, zlasti zato, da potrdijo, da so izdatki v mejah, določenih v finančnem pravilniku, v skladu z določbami proračuna, in opravljajo druge naloge, kot so določene v finančnem pravilniku.

(3) Vsak generalni direktor revizorjem zagotovi informacije in pomoč, ki jih potrebujejo za opravljanje svojih nalog.

V POTRDITEV TEGA so spodaj podpisani predstavniki, ki so jih za to pravilno pooblastile njihove vlade, podpisali ta protokol.

Sestavljeno v Parizu prvega julija 1953 v angleškem in francoskem jeziku, pri čemer sta obe besedili enako verodostojni, v enem izvorniku, ki se deponira v arhivu Organizacije Združenih narodov za izobraževanje, znanost in kulturo, katere generalni direktor pošlje overjeno kopijo vsem državam podpisnicam in pristopnicam ter vsem drugim državam, ki so sodelovale na konferenci za izvedbo študij o ustanovitvi Evropskega laboratorija za jedrske raziskave.

## ANNEX

(1) Contributions for the period ending on the 31st of December, 1954.

(a) The States which are parties to the Convention on the date of its entry into force, together with any other States which may become members of the Organization during the period ending on the 31st of December, 1954, shall between them contribute the whole of the sums required by such provisional budgetary arrangements as the Council may make under paragraph (1) of Article 4.

(b) The contributions of the States which are members of the Organization when the Council first makes such provisional budgetary arrangements shall be provisionally assessed on the basis set out in paragraph (2) of Article 4, subject to the provisos mentioned in (i) and (ii) of sub-paragraph (b) of paragraph 1 of Article VII of the Convention, except that in proviso (i) thirty per cent shall be deemed to be substituted for twenty-five per cent.\*

(c) The contributions of the States which become members of the Organization during the period between the first occasion on which provisional budgetary arrangements have been made and the 31st of December, 1954, shall be provisionally assessed in such a manner that the relative proportions between the provisional contributions of all Member States are the same as between the percentage figures set out in paragraph (2) of this Annex. Such contributions will serve either, as provided for in sub-paragraph (d) below, to reimburse subsequently part of the provisional contributions previously paid by the other Member States, or to meet additional budgetary appropriations approved by the Council during that period.

(d) The final contributions due for the period ending on 31st of December, 1954, from all the States which are members of the Organization on that date shall be retroactively assessed after that date on the basis of the total budget for the said period, so that they shall be those which they would have been if all these States had become parties to the Convention on the date of its entry into force. Any sum paid by a Member State in excess of its contribution thus retroactively assessed shall be placed to the credit of the Member State.

(e) If all the States specified in the scale set out in paragraph (2) of this Annex have become members of the Organization before the 31st of December, 1954, their percentage contributions to the total budget for that period shall be those set out in that scale.

(2) Scale to serve as a basis for the assessment of contributions during the period ending on the 31st of December, 1956.

	<b>Percentage</b>
Belgium . . . . .	4.88
Denmark . . . . .	2.48
France . . . . .	23.84
Federal Republic of Germany . . . . .	17.70
Greece . . . . .	0.97
Italy . . . . .	10.20
Netherlands . . . . .	3.68
Norway . . . . .	1.79
Sweden . . . . .	4.98
Switzerland . . . . .	3.71
United Kingdom of Great Britain and Northern Ireland . . . . .	23.84
Yugoslavia . . . . .	1.93
Total . . . . .	<u>100,00</u>

\* This provision refers to the original text of Article VII.1 (b) (i) of the Convention which read as follows: "No Member State shall, in respect of the basic programme, be required to pay contributions in excess of twenty-five per cent of the total amount of contributions assessed by the Council to meet the cost of the programme".

## PRILOGA

(1) Prispevki za obdobje, ki se konča 31. decembra 1954.

(a) Države, ki so pogodbenice konvencije na dan začetka njene veljavnosti, skupaj z vsemi drugimi državami, ki morda postanejo članice organizacije v obdobju, ki se konča 31. decembra 1954, prispevajo celotne zneske, ki jih zahteva začasni proračun, kot ga lahko sprejme svet na podlagi prvega odstavka 4. člena.

(b) Prispevki držav, ki so članice organizacije, ko svet prvič sprejme tak začasni proračun, se začasno odmerijo na podlagi iz drugega odstavka 4. člena, ob upoštevanju klavzul iz točk (i) in (ii) pododstavka (b) prvega odstavka VII. člena konvencije, le da se pri klavzuli (i) šteje, da se trideset odstotkov nadomesti s petindvajsetimi odstotki.\*

(c) Prispevki držav, ki postanejo članice organizacije v času med prvim sprejetjem začasnega proračuna in 31. decembrom 1954, se začasno odmerijo tako, da so relativni deleži začasnih prispevkov vseh držav članic enaki kot odstotki, določeni v drugem odstavku te priloge. Ti prispevki bodo v skladu s pododstavkom (d) namenjeni bodisi za naknadno povračilo dela začasnih prispevkov, ki so jih prej plačale druge države članice, bodisi za vplačilo dodatnih proračunskih sredstev, ki jih je v tem obdobju odobril svet.

(d) Končni prispevki, ki jih morajo za obdobje, ki se konča 31. decembra 1954, plačati vse države, ki so na ta dan članice organizacije, se po tem datumu odmerijo za nazaj na podlagi celotnega proračuna za to obdobje, tako da so točki, kot bi bili, če bi vse te države postale pogodbenice konvencije na dan začetka njene veljavnosti. Vsak znesek, ki ga plača država članica in presega njen prispevek, ki je bil tako odmerjen za nazaj, se knjiži v dobro države članice.

(e) Če vse države, določene v lestvici iz drugega odstavka te priloge, postanejo članice organizacije pred 31. decembrom 1954, so njihovi odstotki prispevkov k skupnemu proračunu za to obdobje enaki tistim, ki so določeni v tej lestvici.

(2) Lestvica, ki se uporablja kot osnova za odmero prispevkov v obdobju, ki se konča 31. decembra 1956.

	<b>Odstotek</b>
Belgija . . . . .	4,88
Danska . . . . .	2,48
Francija . . . . .	23,84
Zvezna republika Nemčija . . . . .	17,70
Grčija . . . . .	0,97
Italija . . . . .	10,20
Nizozemska . . . . .	3,68
Norveška . . . . .	1,79
Švedska . . . . .	4,98
Švica . . . . .	3,71
Združeno kraljestvo Velike Britanije in Severne Irske . . . . .	23,84
Jugoslavija . . . . .	1,93
Skupaj . . . . .	<u>100,00</u>

\* Ta določba se nanaša na prvotno besedilo točke (i) pododstavka (b) prvega odstavka VII. člena konvencije, ki se je glasilo: "Od nobene države članice se v zvezi z osnovnim programom ne sme zahtevati, da plača prispevke, ki presegajo petindvajset odstotkov skupnega zneska prispevkov, ki jih je svet odmeril za kritje stroškov tega programa."

**Protocol  
on  
the privileges and immunities  
of the European Organization  
for Nuclear Research  
2004**

**Preamble**

The States Parties to this Protocol,

**Considering** the Convention for the Establishment of a European Organization for Nuclear Research (CERN) and the Financial Protocol annexed thereto, signed on 1<sup>st</sup> July 1953, entered into force on 29 September 1954 and amended on 17 January 1971;

**Considering** that the Organization has its seat in Geneva, Switzerland, and that its status in Switzerland is defined by the Agreement between the Swiss Federal Council and the Organization dated 11 June 1955;

**Considering** that the Organization is also established in France, where its status is defined by the Agreement between the Government of the French Republic and the Organization dated 13 September 1965, as revised on 16 June 1972;

**Considering** also the Convention between the Federal Council of the Swiss Confederation and the Government of the French Republic dated 13 September 1965 concerning the extension of the Organization's site to include French territory;

**Considering** that the Organization's activities are increasingly extending into the territory of all the States Parties to the Convention, with a consequent substantial increase in the mobility of persons and goods assigned to and used for its research programmes;

**Desiring** to ensure the efficient performance of the Organization's functions assigned to it by the Convention, in particular Article II defining the Organization's purposes, and to guarantee it equal treatment on the territory of all the States Parties to the Convention;

**Having resolved** to this end, in accordance with Article IX of the Convention, to grant to the Organization the privileges and immunities necessary for the exercise of its official activities;

**Have agreed as follows:**

**Article 1  
Definitions**

For the purpose of this Protocol:

a) the "Convention" refers to the Convention for the Establishment of a European Organization for Nuclear Research and the Financial Protocol annexed thereto, signed on 1<sup>st</sup> July 1953, entered into force on 29 September 1954 and amended on 17 January 1971;

b) the "Organization" refers to the European Organization for Nuclear Research;

c) "official activities" refers to the activities of the Organization set out in the Convention, in particular its Article II, including its activities of an administrative nature;

d) "officials" refers to the "members of personnel" as defined in the Staff Rules and Regulations of the Organization;

e) "Co-operation Agreement" refers to a bilateral agreement, concluded between the Organization and a non-Member State or a scientific institute established in that State, defining the conditions governing its participation in the activities of the Organization;

f) "Association Agreement" refers to a bilateral agreement, concluded between the Organization and a State ineligible to become a Member State, establishing a close institutional partnership between that State and the Organization in order to allow it to be engaged more deeply in the activities of the Organization.

**Protokol  
o  
privilegijih in imunitetah  
Evropske organizacije  
za jedrske raziskave  
2004**

**Preambula**

Države pogodbenice tega protokola so se,

**ob upoštevanju** Konvencije o ustanovitvi Evropske organizacije za jedrske raziskave (CERN) in priloženega finančnega protokola, ki sta bila podpisana 1. julija 1953, začela veljati 29. septembra 1954 in bila spremenjena 17. januarja 1971;

**ob upoštevanju**, da ima organizacija sedež v Ženevi v Švici in da je njen status v Švici opredeljen s sporazumom med Švicarskim zveznim svetom in organizacijo z dne 11. junija 1955;

**ob upoštevanju**, da ima organizacija sedež tudi v Franciji, kjer je njen status opredeljen s sporazumom med Vlado Francoske republike in organizacijo z dne 13. septembra 1965, kot je bil spremenjen 16. junija 1972;

**ob upoštevanju** tudi Konvencije med Zveznim svetom Švicarske konfederacije in Vlado Francoske republike o razširitvi sedeža organizacije na francosko ozemlje z dne 13. septembra 1965;

**ob upoštevanju**, da se dejavnosti organizacije vse bolj širijo na ozemlje vseh držav pogodbenic konvencije, kar znatno povečuje mobilnost oseb, določenih za raziskovalne programe, in v njih uporabljenih dobrin;

**v želji**, da bi zagotovili učinkovito izvajanje nalog organizacije, ki jih tej nalaga konvencija, še zlasti II. člen, ki opredeljuje namene organizacije, in ji zagotovili enako obravnavo na ozemlju vseh držav pogodbenic konvencije;

**ob odločitvi**, da v ta namen v skladu z IX. členom konvencije organizaciji podelijo privilegije in imunitete, potrebne za izvajanje njenih uradnih dejavnosti,

**dogovorile:**

**1. člen  
Pomen izrazov**

V tem protokolu izraz:

a) "konvencija" pomeni Konvencijo o ustanovitvi Evropske organizacije za jedrske raziskave in priloženi finančni protokol, ki sta bila podpisana 1. julija 1953, začela veljati 29. septembra 1954 in bila spremenjena 17. januarja 1971;

b) "organizacija" pomeni Evropsko organizacijo za jedrske raziskave;

c) "uradne dejavnosti" pomeni dejavnosti organizacije, ki jih določa konvencija, zlasti njen II. člen, vključno z upravnimi dejavnostmi;

d) "uradniki" pomeni "člane osebja", kot jih opredeljujejo kadrovski pravilnik in predpisi organizacije;

e) "sporazum o sodelovanju" pomeni dvostranski sporazum, sklenjen med organizacijo in državo nečlanico ali znanstvenim inštitutom s sedežem v tej državi, ki določa pogoje za sodelovanje v dejavnostih organizacije;

f) "pridružitveni sporazum" pomeni dvostranski sporazum, sklenjen med organizacijo in državo, ki ne izpolnjuje pogojev za članstvo, ki vzpostavlja tesno institucionalno partnerstvo med to državo in organizacijo, da se ji omogoči večja vključenost v dejavnosti organizacije.

**Article 2****International legal personality**

1. The Organization shall have international legal personality and legal capacity on the respective territories of the States Parties to this Protocol.

2. The Organization shall in particular have the capacity to contract, to acquire and to dispose of movable and immovable property and to participate in legal proceedings.

**Article 3****Inviolability of grounds, buildings and premises**

1. The grounds, buildings and premises of the Organization shall be inviolable.

2. No agent of the public authorities may enter them without the express consent of the Director-General or his duly authorised representative.

3. In case of fire or other disaster requiring prompt protective action, where the seeking of such express consent is not practicable, the authorization of the Director-General may be considered as granted.

4. The Organization shall not allow its buildings or premises to serve as a refuge to a person wanted for committing, attempting to commit or just having committed a crime or offence or for whom a warrant of arrest or deportation order has been issued or who has been convicted of a crime or offence by the competent authorities.

**Article 4****Inviolability of archives and documents**

The archives of the Organization and all documents in whatever form held by the Organization or belonging to it, wherever located and by whomsoever held, shall be inviolable.

**Article 5****Immunity from legal process and from execution**

1. In the exercise of its official activities, the Organization shall enjoy immunity from legal process, except:

a) in so far as such immunity is waived in a particular case by the Council of the Organization;

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

c) in respect of the enforcement of an arbitration award made under Article 16 or 18 of this Protocol;

d) in respect of a counter-claim relating directly to and introduced in the procedural framework of a claim brought by the Organization.

2. The Organization's property and assets, wherever located, shall enjoy immunity from every form of requisition, confiscation, expropriation, sequestration and any other form of seizure or interference whether by executive, administrative, judicial or legislative action, except:

a) in so far as such immunity is waived in a particular case by the Council of the Organization;

b) in so far as may be temporarily necessary in connection with the prevention or investigation of accidents involving motor vehicles belonging to, or operated on behalf of, the Organization;

c) in the event of an attachment of salary, enforced for a debt of an official of the Organization, provided that such attachment results from a final and enforceable decision in accordance with the rules and regulations in force on the territory of enforcement.

**Article 6****Fiscal and customs arrangements**

1. Within the scope of its official activities, the Organization, its property and income shall be exempt from direct taxes.

**2. člen****Mednarodna pravna osebnost**

1. Organizacija ima na ozemljih držav pogodbenic tega protokola mednarodno pravno osebnost in pravno sposobnost.

2. Organizacija ima še zlasti sposobnost sklepati pogodbe, pridobivati premično in nepremično premoženje in razpolagati z njim ter sodelovati v pravnih postopkih.

**3. člen****Nedotakljivost zemljišč, stavb in prostorov**

1. Zemljišča, stavbe in prostori organizacije so nedotakljivi.

2. Noben predstavnik javnih organov ne sme vstopiti vanje brez izrecnega soglasja generalnega direktorja ali njegovega ustrezno pooblaščenega zastopnika.

3. Ob požaru ali drugi nesreči, ki zahteva takojšnje zaščitno ukrepanje, se, če iskanje takega izrecnega soglasja ni izvedljivo, dovoljenje generalnega direktorja lahko šteje za samoumevno.

4. Organizacija ne dovoli, da bi njene stavbe ali prostore kot zatočišče uporabljala oseba, ki je iskana zaradi storitve, poskusa storitve ali nedavne storitve kaznivega dejanja ali prekrška ali za katero je bil izdan nalog za prijetje ali nalog za deportacijo ali ki so jo pristojni organi obsodili za kaznivo dejanje ali prekršek.

**4. člen****Nedotakljivost arhivov in dokumentov**

Arhivi organizacije in vsi dokumenti v kakršni koli obliki, ki so v lasti organizacije ali ji pripadajo, so nedotakljivi ne glede na lokacijo, kjer so, in ne glede na to, kdo jih hrani.

**5. člen****Imuniteta pred sodnim postopkom in izvršbo**

1. Organizacija ima pri opravljanju svojih uradnih dejavnosti imuniteto pred sodnim postopkom, razen:

a) kadar ji v posameznem primeru svet organizacije imuniteto odreče;

b) pri odškodninskem zahtevku tretje osebe za škodo zaradi nesreče, povzročene z motornim vozilom, ki pripada organizaciji ali se uporablja v njenem imenu, ali zaradi prometnega prekrška, v katerem je bilo tako vozilo udeleženo;

c) pri uveljavitvi arbitražne odločbe po 16. ali 18. členu tega protokola;

d) pri nasprotni tožbi, ki je neposredno povezana s tožbo, ki jo je vložila organizacija, in je vložena v okviru tega postopka.

2. Premoženje in sredstva organizacije so ne glede na lokacijo zaščiteni pred vsemi oblikami rekvizicije, zaplembe, razlastitve, sekvestracije in vsemi drugimi oblikami odvzema ali poseganja z izvršilnim, upravnim, sodnim ali zakonodajnim dejanjem, razen:

a) kadar v posameznem primeru svet organizacije imuniteto odreče;

b) kadar je to začasno nujno za preprečitev ali preiskavo nesreč, v katerih so udeležena motorna vozila, ki pripadajo organizaciji ali se uporabljajo v njenem imenu;

c) v primeru izvršbe na plačo zaradi izterjave dolga uradnika organizacije na podlagi pravnomočne in izvršljive odločbe v skladu s pravili in predpisi, ki veljajo na ozemlju izvršbe.

**6. člen****Davčna in carinska ureditev**

1. Pri opravljanju uradnih dejavnosti so organizacija, njeno premoženje in dohodki oproščeni neposrednih davkov.

2. When, in the exercise of its official activities, the Organization makes purchases of, or uses, goods or services of substantial value, in the price of which taxes, duties or other charges are included, appropriate measures shall be taken by the State Party to this Protocol which has levied the taxes, duties or other charges to remit or reimburse the amount of such taxes, duties or other charges where they are identifiable.

3. The importation and exportation by or on behalf of the Organization of goods and materials in the exercise of its official activities shall be exempt from all import and export taxes, duties and other charges.

4. No exemption or reimbursement shall be granted for duties, taxes or other charges of any kind which only constitute remuneration for services rendered.

5. The provisions of paragraphs 2 and 3 of this Article are not applicable to the purchase or use of goods or services or the import of goods intended for the personal use of the officials and of the Director-General of the Organization.

6. Goods and materials belonging to the Organization which have been acquired or imported in accordance with the provisions of paragraph 2 or 3 of this Article shall not be sold or donated on the territory of the State which has granted the exemption except under the conditions laid down by that State.

#### Article 7

##### Free disposal of funds

The Organization may freely receive, hold and transfer any kind of funds, currency and cash; it may dispose of them freely for its official activities and hold accounts in any currency to the extent required to meet its obligations.

#### Article 8

##### Official communications

The circulation of publications and other information material, received or sent by the Organization in whatever form in the exercise of its official activities, shall not be restricted in any way.

#### Article 9

##### Privileges and immunities of the States representatives

1. The representatives of the States Parties to this Protocol shall enjoy, in the exercise of their functions and in the course of journeys to and from the place of meetings of the Organization, the following privileges and immunities:

- a) immunity from personal arrest, detention and seizure of their personal effects;
- b) immunity from legal process, even after the termination of their mission, in respect of acts, including words spoken or written, done by them in the exercise of their functions; this immunity shall not apply, however, in the case of a motor vehicle offence committed by a representative of a State Party to this Protocol, nor in the case of damage caused by a motor vehicle belonging to or driven by her or him;
- c) inviolability of all official documents in whatever form held;
- d) the right to use codes and to receive documents and correspondence by courier or sealed luggage;
- e) for them and their spouses, exemption from all measures restricting entry and aliens' registration formalities;
- f) the same facilities concerning currency and exchange regulations as those granted to the representatives of foreign Governments on temporary official missions;
- g) the same customs facilities as regards their personal luggage as those granted to diplomatic agents.

2. No State Party to this Protocol shall be obliged to accord the privileges and immunities set out in this Article to its own nationals or to persons who, at the moment of taking up their duties in that State Party, are permanent residents thereof.

2. Kadar organizacija pri opravljanju svojih uradnih dejavnosti kupi ali uporabi dobrine ali storitve večje vrednosti, njihova cena pa vključuje davke ali druge dajatve, država pogodbenica tega protokola, ki je obračunala davke ali druge dajatve, sprejme ustrezne ukrepe za odpustitev ali povračilo zneska teh davkov ali drugih dajatev, če ga je mogoče določiti.

3. Dobrine in sredstva, ki jih organizacija ali druga oseba v njenem imenu pri opravljanju uradnih dejavnosti uvozi ali izvozi, so oproščeni vseh uvoznih in izvoznih davkov ter drugih dajatev.

4. Oprostitev ali povračilo ne velja za davke ali druge dajatve, ki so zgolj plačilo za opravljene storitve.

5. Določbe drugega in tretjega odstavka tega člena ne veljajo za nakup ali uporabo dobrin ali storitev ali za uvoz dobrin za osebno rabo uradnikov in generalnega direktorja organizacije.

6. Dobrine in sredstva, ki pripadajo organizaciji in so bili pridobljeni ali uvoženi po določbah drugega ali tretjega odstavka tega člena, se ne smejo prodati ali podariti na ozemlju države, ki je odobrila oprostitvev, razen pod pogoji, ki jih določi ta država.

#### 7. člen

##### Prosto razpolaganje s finančnimi sredstvi

Organizacija lahko prosto prejema, hrani in prenaša vse vrste finančnih sredstev, valut in gotovine; z njimi lahko prosto razpolaga za opravljanje svojih uradnih dejavnosti in ima račune v kateri koli valuti v obsegu, potrebnem za izpolnjevanje svojih obveznosti.

#### 8. člen

##### Uradno sporočanje

Razširjanje publikacij in drugega gradiva, ki jih organizacija pri opravljanju svojih uradnih dejavnosti prejme ali pošlje v kakršni koli obliki, se nikakor ne sme omejevati.

#### 9. člen

##### Privilegiji in imunitete predstavnikov držav

1. Predstavniki držav pogodbenic tega protokola imajo pri opravljanju svojih nalog in na poti na kraj sestankov organizacije in z njega te privilegije in imunitete:

- a) imuniteto pred prijetjem, pridržanjem in zasegom predmetov za osebno rabo;
- b) imuniteto pred sodnimi postopki, tudi po koncu opravljanja svojih uradnih nalog, v zvezi z dejanji, vključno z izrečenimi ali zapisanimi besedami, ki jih storijo med opravljanjem nalog; ta imuniteta ne velja za prometne prekrške z motornim vozilom, ki jih stori predstavnik države pogodbenice tega protokola, niti za škodo, ki jo povzroči z motornim vozilom, ki mu pripada ali ga vozi;
- c) nedotakljivost vseh uradnih listin in dokumentov v kakršni koli obliki;
- d) pravico uporabljati šifre in prejemati dokumente in korespondenco po kurirju ali v zapečateni pošiljki;
- e) zanje in za njihove zakonce oprostitvev vseh vstopnih omejitev in prijavnih formalnosti, ki veljajo za tujce;
- f) enake ugodnosti v zvezi z valutnimi in deviznimi predpisi, kot jih imajo predstavniki tujih vlad pri opravljanju začasnih uradnih nalog;
- g) enake carinske olajšave glede osebne prtljage, kot jih imajo diplomatski predstavniki.

2. Nobena država pogodbenica tega protokola ni zavezana priznati privilegijev in imunitet iz tega člena svojim državljanom ali osebam, ki imajo ob nastopu službe v tej državi pogodbenici tam stalno prebivališče.

**Article 10****Privileges and immunities of the officials of the Organization**

1. The officials of the Organization shall enjoy immunity, even after the termination of their functions, from legal process in respect of acts, including words spoken or written done by them in the exercise of their functions and within the limits of their duties. This immunity shall not apply, however, in the case of a motor vehicle offence committed by an official of the Organization nor in the case of damage caused by a motor vehicle belonging to or driven by her or him.

2. The officials of the Organization shall enjoy the following privileges:

a) the right to import free of duty their furniture and personal effects at the time of taking up their appointment with the Organization in the State concerned and the right, on the termination of their functions in that State, to export free of duty their furniture and personal effects, subject, in both cases, to the conditions imposed by the laws and regulations of the State where the right is exercised;

b)

i) subject to the conditions and following the procedures laid down by the Council of the Organization, the officials and the Director-General of the Organization shall be subject to a tax, for the benefit of the Organization, on salaries and emoluments paid by the Organization. Such salaries and emoluments shall be exempt from national income tax;

ii) the States Parties to this Protocol shall not be obliged to exempt from income tax pensions or annuities paid by the Organization to its former officials and Directors-General in respect of their service with the Organization;

c) for themselves and the family members forming part of their household, the same exemption from immigration restrictions and aliens' registration formalities as are normally granted to officials of international organizations;

d) inviolability of all official documents, in whatever form held;

e) for themselves and the family members forming part of their household, the same repatriation facilities in time of international crisis as the members of diplomatic missions;

f) in respect of transfers of funds and currency exchange and customs facilities, the privileges generally granted to the officials of international organizations.

3. No State Party to this Protocol shall be obliged to accord the privileges and immunities referred to in paragraphs 2 a), c), e) and f) of this Article to its own nationals or to persons who, at the moment of taking up their duties in that State Party, are permanent residents thereof.

**Article 11****Social security**

The Organization and the officials employed by the Organization shall be exempt from all compulsory contributions to national social security schemes, on the understanding that such persons are provided with equivalent social protection coverage by the Organization.

**Article 12****Privileges and immunities of the Director-General**

1. In addition to the privileges and immunities provided for in Articles 10 and 11 of this Protocol, the Director-General shall enjoy throughout the duration of her or his functions the privileges and immunities granted by the Vienna Convention on Diplomatic Relations of 18 April 1961 to diplomatic agents of comparable rank.

2. No State Party to this Protocol shall be obliged to accord the privileges and immunities referred to in this Article to its own nationals or to persons who, at the moment of taking up their duties in that State Party, are permanent residents thereof.

**10. člen****Privilegiji in imunitete uradnikov organizacije**

1. Uradniki organizacije imajo, tudi po koncu opravljanja svojih nalog, imuniteto pred sodnimi postopki v zvezi z dejanji, vključno z izrečenimi ali zapisanimi besedami, ki jih storijo med opravljanjem nalog in v okviru svojih dolžnosti. Vendar pa imuniteta ne velja za prometne prekrške z motornim vozilom, ki jih stori uradnik organizacije, niti za škodo, ki jo povzroči z motornim vozilom, ki mu pripada ali ga vozi.

2. Uradniki organizacije imajo te privilegije:

a) pravico, da ob nastopu službe pri organizaciji v državi, na katero se to nanaša, brez dajatev uvozijo svoje pohištvo in predmete za osebno rabo, in pravico, da ob prenehanju opravljanja nalog v tej državi brez dajatev izvozijo svoje pohištvo in predmete za osebno rabo, vendar v obeh primerih v skladu s pogoji, ki jih določajo zakoni in predpisi države, v kateri se pravica uveljavlja;

b)

i) v skladu s pogoji in pravili postopkov, ki jih določi svet organizacije, morajo uradniki in generalni direktor organizacije plačati organizaciji davek na plače in druge prejemke, ki jih izplačuje organizacija. Te plače in prejemke so oproščeni nacionalnega davka na dohodek;

ii) državam pogodbenicam tega protokola ni treba izvesti pokojnin ali rent, ki jih organizacija izplačuje nekdanjim uradnikom in generalnim direktorjem za njihovo delo v organizaciji, od plačila nacionalnega davka na dohodek;

c) zanje in za družinske člane, s katerimi živijo v skupnem gospodinjstvu, veljajo enake izjeme pri ukrepih, ki omejujejo priseljevanje, in pri prijavnih formalnostih, ki veljajo za tujce, kot jih imajo po navadi uradniki mednarodnih organizacij;

d) nedotakljivost vseh uradnih dokumentov v kakršni koli obliki;

e) med mednarodno krizo imajo skupaj z družinskimi člani, s katerimi živijo v skupnem gospodinjstvu, enake ugodnosti pri vrnitvi v domovino, kot jih imajo člani diplomatskih predstavništav;

f) pri prenosu finančnih sredstev, menjavi valut in carinskih olajšavah imajo privilegije, kot jih imajo po navadi uradniki mednarodnih organizacij.

3. Nobena država pogodbenica tega protokola ni zavezana priznati privilegijev in imunitet iz pododstavkov a), c), e) in f) drugega odstavka tega člena svojim državljanom ali osebam, ki imajo ob nastopu službe v tej državi pogodbenici tam stalno prebivališče.

**11. člen****Socialna varnost**

Organizacija in njeni uradniki so oproščeni vseh obveznih prispevkov v okviru sistema socialne varnosti v domači državi, če jim enakovredno socialno zaščito zagotavlja organizacija.

**12. člen****Privilegiji in imunitete generalnega direktorja**

1. Generalni direktor ima poleg privilegijev in imunitet iz 10. in 11. člena tega protokola med opravljanjem funkcije tudi privilegije in imunitete, ki jih imajo diplomatski predstavniki na primerljivih položajih po Dunajski konvenciji o diplomatskih odnosih z dne 18. aprila 1961.

2. Nobena država pogodbenica tega protokola ni zavezana priznati privilegijev in imunitet po tem členu svojim državljanom ali osebam, ki imajo ob nastopu službe v tej državi pogodbenici tam stalno prebivališče.



**Article 13****Object and limits of the immunities**

1. The privileges and immunities provided for in Articles 9, 10 and 12 of this Protocol are granted solely to ensure the unimpeded functioning of the Organization and the complete independence of the persons to whom they are accorded. They are not granted for the personal benefit of the individuals concerned.

2. Such immunities may be waived:

a) in the case of the Director-General, by the Council of the Organization;

b) in the case of officials, by the Director-General or the person acting in her or his stead as provided in Article VI, paragraph 1 b), of the Convention;

c) in the case of State representatives, by the State Party concerned;

and there is a duty to do so in any particular case where they would impede the course of justice and can be waived without prejudice to the purpose for which they are accorded.

**Article 14****Co-operation with the States Parties to this Protocol**

The Organization shall co-operate with the competent authorities of the States Parties to this Protocol in order to facilitate the proper administration of justice, the observance of laws and regulations on police, public health, health and safety at work and on the environment, and to prevent any abuse of privileges, immunities and facilities provided for in this Protocol.

**Article 15****Security and public order**

1. The right of a State Party to this Protocol to take precautionary measures in the interest of its security shall not be prejudiced by any provision in this Protocol.

2. If a State Party to this Protocol considers it necessary to take measures for its security or for the maintenance of public order, it shall, except where this is not practicable, approach the Organization as rapidly as circumstances allow in order to determine, by mutual agreement, the measures necessary to protect the interests of the Organization.

3. The Organization shall co-operate with the Government of such State Party to this Protocol to avoid any prejudice to the security or public order of such State Party to this Protocol resulting from its activities.

**Article 16****Disputes of a private nature**

1. The Organization shall make provision for appropriate modes of settlement of:

a) disputes arising from contracts to which the Organization is a party;

the Organization shall include, in all written contracts into which it enters, other than those referred to in paragraph 1 d) of this Article, an arbitration clause under which any disputes arising out of the interpretation or execution of the contract shall, at the request of either party, be submitted to arbitration or, if so agreed by the parties, to another appropriate mode of settlement;

b) disputes arising out of damages caused by the Organization or involving any other non-contractual liability of the Organization;

c) disputes involving an official of the Organization who enjoys immunity from legal process, if such immunity has not been waived in accordance with the provisions of Article 5 of this Protocol;

d) disputes arising between the Organization and its officials;

the Organization shall submit all disputes arising from the application and interpretation of contracts concluded with

**13. člen****Namen in omejitve imunitet**

1. Privilegiji in imunitete iz 9., 10. in 12. člena tega protokola se podeljujejo izključno zato, da se zagotovita neovirano delovanje organizacije ter popolna neodvisnost oseb, ki so jim priznani. Privilegiji in imunitete niso podeljeni za osebno korist posameznika.

2. Te imunitete lahko odreče:

a) generalnemu direktorju svet organizacije;

b) uradnikom generalni direktor ali oseba, ki deluje kot vršilec dolžnosti, kot je določeno v pododstavku (b) prvega odstavka VI. člena konvencije;

c) svojim predstavnikom država pogodbenica;

obstaja pa dolžnost, da se to naredi v posameznem primeru, če bi imuniteta ovirala potek sodnega postopka in se lahko odreče brez poseganja v namen, za katerega je bila priznana.

**14. člen****Sodelovanje z državami pogodbenicami tega protokola**

Organizacija sodeluje s pristojnimi organi držav pogodbenic tega protokola, da zagotovi ustrezno delovanje sodnega sistema, spoštovanje zakonov in drugih predpisov o policiji, javnem zdravju, zdravju in varnosti pri delu in o okolju ter prepreči vsako zlorabo privilegijev, imunitet in ugodnosti, določenih v tem protokolu.

**15. člen****Varnost in javni red**

1. Nobena določba tega protokola ne posega v pravico države pogodbenice tega protokola, da sprejme previdnostne ukrepe, potrebne za njeno varnost.

2. Če država pogodbenica tega protokola presodi, da je treba sprejeti ukrepe za njeno varnost ali vzdrževanje javnega reda, se, razen če to ni izvedljivo, obrne na organizacijo, kakor hitro to omogočajo okoliščine, da sporazumno določi ukrepe, potrebne za zaščito interesov organizacije.

3. Organizacija sodeluje z vlado države pogodbenice tega protokola, da prepreči, da bi njene dejavnosti vplivale na varnost ali javni red države pogodbenice.

**16. člen****Zasebni spori**

1. Organizacija omogoči primerne načine reševanja:

a) sporov, ki izhajajo iz pogodb, katerih pogodbenca stran-ka je organizacija;

organizacija v vse pisne pogodbe, ki jih sklene, razen tistih iz pododstavka d) prvega odstavka tega člena, vključi arbitražno določbo, po kateri mora biti vsak spor zaradi razlage ali izvajanja pogodbe na zahtevo katere koli pogodbenice stranke predložen arbitraži ali, po dogovoru med njima, drugačnemu ustreznemu načinu reševanja sporov;

b) sporov zaradi škode, ki jo povzroči organizacija, ali glede katere koli nepogodbene odgovornosti organizacije;

c) sporov, pri katerih je udeležen uradnik organizacije, ki ima imuniteto pred sodnim postopkom, če se mu imuniteta ni odrekla na podlagi določb 5. člena tega protokola;

d) sporov med organizacijo in njenimi uradniki;

organizacija predloži vse spore, ki izhajajo iz uporabe in razlage pogodb, sklenjenih z uradniki organizacije na podlagi

officials of the Organization on the basis of the Staff Rules and Regulations of the Organization to the jurisdiction of the International Labour Organization Administrative Tribunal (ILOAT) or to any other appropriate international administrative tribunal to the jurisdiction of which the Organization is submitted following a decision by the Council.

2. For disputes for which no particular mode of settlement is specified in paragraph 1 of this Article, the Organization may resort to any mode of settlement it deems appropriate, in particular to arbitration or to referral to a national tribunal.

3. Any mode of settlement selected under this Article shall be based on the principle of due process of law, with a view to the timely, fair, impartial and binding settlement of the dispute.

#### Article 17

##### Disputes between States Parties to this Protocol

1. Any difference of opinion concerning the application or interpretation of this Protocol which is not settled amicably between the Parties may be submitted by either Party to an international Arbitration Tribunal, in accordance with Article 19 of this Protocol.

2. If a State Party to this Protocol intends to submit a dispute to arbitration, it shall notify the Director-General, who shall immediately inform each State Party to this Protocol of such notification.

#### Article 18

##### Disputes between States Parties to this Protocol and the Organization

1. Any difference of opinion between one or more States Parties to this Protocol and the Organization concerning the application or interpretation of this Protocol which is not settled amicably between the Parties (one or more State(s) Party(ies) to this Protocol constituting one Party to the dispute and the Organization constituting the other Party) may be submitted by either Party to an international Arbitration Tribunal, in accordance with Article 19 of this Protocol.

2. The Director-General shall immediately inform the other States Parties to this Protocol of the notification given by the Party applying for arbitration.

#### Article 19

##### International Arbitration Tribunal

1. The international Arbitration Tribunal referred to in Articles 17 and 18 of this Protocol ("the Tribunal") shall be governed by the provisions of this Article.

2. Each Party to the dispute shall appoint one member of the Tribunal. The members thus appointed shall jointly choose a third member, who shall be the Chairman of the Tribunal. In the event of disagreement between the members of the Tribunal on the choice of Chairman, the latter shall be appointed by the President of the International Court of Justice at the request of the members of the Tribunal.

3. If one of the Parties to the dispute fails to appoint a member of the Tribunal and has not taken steps to do so within two months following a request by the other Party, the other Party may request the President of the International Court of Justice to make the appointment.

4. The Tribunal shall determine its own procedure.

5. There shall be no right of appeal against the award of the Tribunal, which shall be final and binding on the Parties. In the event of a dispute concerning the import or scope of the award, it shall be incumbent upon the Tribunal to give an interpretation at the request of either Party.

kadrovskega pravilnika in predpisov organizacije, v reševanje Upravnemu sodišču Mednarodne organizacije dela (ILOAT) ali kateremu koli drugemu ustreznemu mednarodnemu upravnemu sodišču, katerega sodno pristojnost za organizacijo sprejme svet s sklepom.

2. Organizacija lahko za spore, za katere prvi odstavek tega člena ne določa posebnega načina reševanja, uporabi kateri koli način reševanja, ki se ji zdi primeren, še zlasti arbitražo ali predložitev nacionalnemu sodišču.

3. Kateri koli način reševanja sporov, izbran v skladu s tem členom, mora temeljiti na načelu zakonitosti postopka, da se tako zagotovi pravočasna, pravična, nepristranska in zavezujoča rešitev spora.

#### 17. člen

##### Spori med državami pogodbenicami tega protokola

1. Nesoglasja glede uporabe ali razlage tega protokola, ki jih pogodbenici ne rešita sporazumno, lahko vsaka od pogodbenic predloži v reševanje mednarodnemu arbitražnemu sodišču v skladu z 19. členom tega protokola.

2. Če namerava država pogodbenica tega protokola spor predložiti arbitraži, mora o tem uradno obvestiti generalnega direktorja, ki o tem nemudoma obvesti vse države pogodbenice tega protokola.

#### 18. člen

##### Spori med državami pogodbenicami tega protokola in organizacijo

1. Nesoglasja med eno državo pogodbenico ali več državami pogodbenicami tega protokola in organizacijo glede uporabe ali razlage tega protokola, ki jih stranki (ena država pogodbenica ali več držav pogodbenic tega protokola kot ena stranka v sporu in organizacija kot druga stranka) ne rešita sporazumno, lahko vsaka od strank predloži v reševanje mednarodnemu arbitražnemu sodišču v skladu z 19. členom tega protokola.

2. Generalni direktor nemudoma obvesti druge države pogodbenice tega protokola o uradnem obvestilu stranke, ki je vložila zahtevo za arbitražo.

#### 19. člen

##### Mednarodno arbitražno sodišče

1. Za mednarodno arbitražno sodišče iz 17. in 18. člena tega protokola (v nadaljnjem besedilu: sodišče) veljajo določbe tega člena.

2. Vsaka stranka v sporu imenuje enega člana sodišča. Imenovana člana skupaj izbereta tretjega člana, ki je predsednik sodišča. Če se člana sodišča ne moreta dogovoriti o izbiri predsednika, ga na zaprosilo članov sodišča imenuje predsednik Meddržavnega sodišča.

3. Če ena od strank v sporu ne imenuje člana sodišča in tega ne stori v dveh mesecih po zahtevi druge stranke, lahko druga stranka v sporu zaprosi predsednika Meddržavnega sodišča, naj opravi imenovanje.

4. Sodišče določi svoj postopek.

5. Pritožba zoper razsodbo sodišča, ki je za stranki v sporu dokončna in zavezujoča, ni mogoča. Če pa nastane spor zaradi vsebine ali posledic razsodbe, mora sodišče na zahtevo katere koli stranke v sporu to razložiti.

**Article 20****Implementation of the Protocol**

The Organization may, if the Council of the Organization so decides, conclude additional Agreements with one or more States Parties to this Protocol in order to implement the provisions of this Protocol.

**Article 21****Amendment Procedure**

1. Amendments to this Protocol may be proposed by any State Party to the Convention and shall be communicated by the Director-General of the Organization to the other States Parties to this Protocol.

2. The Director-General shall convene a meeting of the States Parties to this Protocol. If the meeting adopts, by a two-thirds majority of the States Parties present and voting, the proposed text of the amendment, it shall be forwarded by the Director-General to States Parties to this Protocol for acceptance in accordance with their respective constitutional requirements.

3. Any such amendment shall come into force on the thirtieth day after all States Parties to this Protocol have notified the Director-General of their ratification, acceptance or approval thereof.

**Article 22****Particular Agreements**

1. The provisions of this Protocol shall not limit or prejudice the provisions of other international agreements concluded between the Organization and a State Party to this Protocol by reason of the location in the territory of that State Party of its headquarters, regional offices, laboratories or other installations. In case of conflict between the provisions of this Protocol and those of such an international agreement, the provisions of that international agreement shall prevail.

2. Nothing in this Protocol shall preclude States Parties to this Protocol from concluding other international agreements with the Organization confirming, supplementing, extending or amplifying the provisions of this Protocol.

**Article 23****Signature, ratification and accession**

1. This Protocol shall be open for signature from 19 December 2003 until 19 December 2004 by the States Parties to the Convention and by the States which have concluded a Co-operation or an Association Agreement with the Organization.

2. This Protocol shall be subject to ratification, acceptance or approval by signatory States. The instruments of ratification, acceptance or approval shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

3. This Protocol shall remain open for accession by the States Parties to the Convention and by the States which have concluded a Co-operation or an Association Agreement with the Organization. The instruments of accession shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

**Article 24****Entry into force**

1. This Protocol shall enter into force thirty days after the date on which the twelfth instrument of ratification, acceptance, approval or accession by a State Party to the Convention is deposited.

2. For each State ratifying, accepting, approving or acceding to this Protocol after its entry into force, this Protocol shall enter into force on the thirtieth day following the deposit with

**20. člen****Izvajanje protokola**

Če svet organizacije tako odloči, lahko organizacija sklene dodatne sporazume z eno državo pogodbenico ali več državami pogodbenicami tega protokola za izvajanje njegovih določb.

**21. člen****Postopek spreminjanja**

1. Katera koli država pogodbenica konvencije lahko predlaga spremembe tega protokola, generalni direktor organizacije pa jih sporoči drugim državam pogodbenicam tega protokola.

2. Generalni direktor skliče sestanek držav pogodbenic tega protokola. Če sestanek z dvotretjinsko večino glasov držav pogodbenic, ki so prisotne in glasujejo, sprejme predlagano besedilo spremembe, ga generalni direktor pošlje državam pogodbenicam tega protokola, da ga sprejmejo v skladu s svojimi ustavnimi zahtevami.

3. Vsaka taka sprememba začne veljati trideseti dan po tem, ko so vse države pogodbenice tega protokola uradno obvestile generalnega direktorja o njeni ratifikaciji, sprejetju ali odobritvi.

**22. člen****Posebni sporazumi**

1. Določbe tega protokola ne omejujejo določb ali vplivajo na določbe drugih mednarodnih sporazumov, sklenjenih med organizacijo in državo pogodbenico tega protokola glede lokacije sedeža, regionalnih pisarn, laboratorijev ali drugih objektov na ozemlju te države pogodbenice. Ob neskladju med določbami tega protokola in določbami takega mednarodnega sporazuma prevladajo tiste iz mednarodnega sporazuma.

2. Nič v tem protokolu državam pogodbenicam tega protokola ne preprečuje, da ne bi z organizacijo sklenile drugih mednarodnih sporazumov, ki določbe tega protokola potrjujejo, dopolnjujejo, razširjajo ali poudarjajo.

**23. člen****Podpis, ratifikacija in pristop**

1. Ta protokol je na voljo za podpis od 19. decembra 2003 do 19. decembra 2004 za države pogodbenice konvencije in države, ki so z organizacijo sklenile sporazum o sodelovanju ali pridružitveni sporazum.

2. Države podpisnice ta protokol ratificirajo, sprejmejo ali odobrijo. Listine o ratifikaciji, sprejetju ali odobritvi se deponirajo pri generalnem direktorju Organizacije Združenih narodov za izobraževanje, znanost in kulturo (UNESCO).

3. K temu protokolu lahko pristopijo države pogodbenice konvencije in države, ki so z organizacijo sklenile sporazum o sodelovanju ali pridružitveni sporazum. Listine o pristopu se deponirajo pri generalnem direktorju Organizacije Združenih narodov za izobraževanje, znanost in kulturo (UNESCO).

**24. člen****Začetek veljavnosti**

1. Ta protokol začne veljati trideset dni po dnevu, ko ena od držav pogodbenic konvencije deponira dvanajsto listino o ratifikaciji, sprejetju, odobritvi ali pristopu.

2. Za vsako državo, ki ratificira, sprejme, odobri ta protokol ali pristopi k njemu po začetku njegove veljavnosti, začne ta protokol veljati trideseti dan po deponiranju listine o ratifika-

the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) of its instrument of ratification, acceptance, approval or accession.

**Article 25**  
**Notification**

The Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) shall notify all signatory and acceding States of this Protocol and the Director-General of the Organization of the deposit of each instrument of ratification, acceptance, approval or accession, of the entry into force of this Protocol, as well as of any notification of its denunciation.

**Article 26**  
**Registration**

The Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) shall, upon the entry into force of this Protocol, register it with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

**Article 27**  
**Denunciation**

Any State Party to this Protocol may, at any time, by written notification addressed to the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), denounce this Protocol. The denunciation shall take effect on the date one year after the date of receipt of such notification, unless the notification specifies a later date.

**IN WITNESS WHEREOF**, the undersigned representatives, having been duly authorized thereto by their respective Governments, have signed this Protocol.

Done at Geneva, on 18 March 2004, in the English and French languages, both texts being equally authoritative and deposited in the archives of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Director-General of which shall transmit a certified copy to all signatory and acceding States.

ciji, sprejetju, odobritvi ali pristopu pri generalnem direktorju Organizacije Združenih narodov za izobraževanje, znanost in kulturo (UNESCO).

**25. člen**  
**Uradno obvestilo**

Generalni direktor Organizacije Združenih narodov za izobraževanje, znanost in kulturo (UNESCO) uradno obvesti vse države podpisnice tega protokola in države pristopnice k temu protokolu ter generalnega direktorja organizacije o deponiranju vsake listine o ratifikaciji, sprejetju, odobritvi ali pristopu, o začetku veljavnosti tega protokola in o vsakem uradnem obvestilu o njegovi odpovedi.

**26. člen**  
**Registracija**

Generalni direktor Organizacije Združenih narodov za izobraževanje, znanost in kulturo (UNESCO) ta protokol ob začetku veljavnosti registrira pri Sekretariatu Združenih narodov za izobraževanje, znanost in kulturo (UNESCO) v skladu s 102. členom Ustanovne listine Organizacije združenih narodov.

**27. člen**  
**Odpoved**

Država pogodbenica tega protokola lahko kadar koli odpove ta protokol s pisnim uradnim obvestilom generalnemu direktorju Organizacije Združenih narodov za izobraževanje, znanost in kulturo (UNESCO). Odpoved začne veljati eno leto po datumu prejema uradnega obvestila, razen če v uradnem obvestilu ni naveden poznejši datum.

**V POTRDITEV TEGA** so spodaj podpisani predstavniki, ki so jih za to pravilno pooblastile njihove vlade, podpisali ta protokol.

Sestavljeno v Ženevi 18. marca 2004 v angleškem in francoskem jeziku, pri čemer sta obe besedili enako verodostojni in shranjeni v arhivu Organizacije Združenih narodov za izobraževanje, znanost in kulturo (UNESCO), katere generalni direktor pošlje overjeno kopijo vsem državam podpisnicam in pristopnicam.

3. člen

Za izvajanje konvencije in priloženega finančnega protokola ter protokola o privilegijih in imunitetah skrbi ministrstvo, pristojno za znanost in inovacije.

4. člen

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

Št. 630-02/25-1/10  
Ljubljana, dne 25. aprila 2025  
EPA 2018-IX

Državni zbor  
Republike Slovenije  
**mag. Urška Klakočar Zupančič**  
predsednica

## Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb

- 10. Obvestilo, da je z začetkom veljavnosti Sporazuma med Republiko Slovenijo in Republiko Avstrijo o prenehanju veljavnosti Sporazuma med Republiko Slovenijo in Republiko Avstrijo o medsebojnem spodbujanju in zaščiti naložb, sklenjenega z izmenjavo not 25. avgusta 2021, prenehal veljati Sporazum med Republiko Slovenijo in Republiko Avstrijo o medsebojnem spodbujanju in zaščiti naložb**

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 in evropske zadeve

s p o r o č a,

da je 1. maja 2022 z dnem začetka veljavnosti Sporazuma med Republiko Slovenijo in Republiko Avstrijo o prenehanju veljavnosti Sporazuma med Republiko Slovenijo in Republiko Avstrijo o medsebojnem spodbujanju in zaščiti naložb, sklenjenega z izmenjavo not 25. avgusta 2021 in objavljenega v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 5/22 (Uradni list Republike Slovenije, št. 45/22), prenehal veljati Sporazum med Republiko Slovenijo in Republiko Avstrijo o medsebojnem spodbujanju in zaščiti naložb, objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 22/01 (Uradni list Republike Slovenije, št. 82/01).

Ljubljana, dne 6. maja 2025

Ministrstvo za zunanje in evropske zadeve

## VSEBINA

9. Zakon o ratifikaciji Konvencije o ustanovitvi Evropske organizacije za jedrske raziskave in priloženega finančnega protokola ter Protokola o privilegijih in imunitetah Evropske organizacije za jedrske raziskave (MKEOJR) 31
- Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb*
10. Obvestilo, da je z začetkom veljavnosti Sporazuma med Republiko Slovenijo in Republiko Avstrijo o prenehanju veljavnosti Sporazuma med Republiko Slovenijo in Republiko Avstrijo o medsebojnem spodbujanju in zaščiti naložb, sklenjenega z izmenjavo not 25. avgusta 2021, prenehal veljati Sporazum med Republiko Slovenijo in Republiko Avstrijo o medsebojnem spodbujanju in zaščiti naložb 51

