

1. Zakon o ratifikaciji Svetovne konvencije o priznavanju visokošolskih kvalifikacij (MSKPVK)

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

U K A Z

o razglasitvi Zakona o ratifikaciji Svetovne konvencije o priznavanju visokošolskih kvalifikacij (MSKPVK)

Razlašam Zakon o ratifikaciji Svetovne konvencije o priznavanju visokošolskih kvalifikacij (MSKPVK), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 28. januarja 2026.

Št. 003-02-1/2026-21

Ljubljana, dne 5. februarja 2026

Nataša Pirc Musar
predsednica
Republike Slovenije

Z A K O N

O RATIFIKACIJI SVETOVNE KONVENCIJE O PRIZNAVANJU VISOKOŠOLSKIH KVALIFIKACIJ (MSKPVK)

1. člen

Ratificira se Svetovna konvencije o priznavanju visokošolskih kvalifikacij, sestavljena v Parizu 25. novembra 2019.

2. člen

Besedilo konvencije¹ se v angleškem jeziku in prevodu v slovenskem jeziku glasi:

GLOBAL CONVENTION ON THE RECOGNITION OF QUALIFICATIONS CONCERNING HIGHER EDUCATION

PREAMBLE

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 12 to 27 November 2019 at its 40th session,

Inspired by a common will to strengthen educational, geographical, humanitarian, cultural, scientific and socio-economic ties between States Parties, and to enhance dialogue between regions and the sharing of their recognition instruments and practices,

Recalling the Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which stipulates that "the purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture",

SVETOVNA KONVENCIJA O PRIZNAVANJU VISOKOŠOLSKIH KVALIFIKACIJ

PREAMBULA

Generalna konferenca Organizacije združenih narodov za izobraževanje, znanost in kulturo, ki se je od 12. do 27. novembra 2019 sestala v Parizu na svojem 40. zasedanju,

v skupni želji za okrepitev izobraževalnih, ozemeljskih, humanitarnih, kulturnih, znanstvenih in družbenogospodarskih vezi med državami pogodbenicami ter za krepitev dialoga med regijami in za izmenjavo njihovih instrumentov in praks priznavanja,

ob sklicevanju na Ustavo Organizacije združenih narodov za izobraževanje, znanost in kulturo (Unesco), ki določa, da »je namen organizacije prispevati k miru in varnosti s spodbujanjem sodelovanja med državami na področju izobraževanja, znanosti in kulture«,

¹ Besedilo konvencije v arabskem, francoskem, kitajskem, ruskem in španskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje in evropske zadeve.

Mindful of the provisions of the Charter of the United Nations of 1945, the Universal Declaration of Human Rights of 1948, the Convention relating to the Status of Refugees of 1951 and its Protocol of 1967, the Convention relating to the Status of Stateless Persons of 1954, the UNESCO Convention against Discrimination in Education of 1960 and in particular its Article 4a, the International Covenant on Economic, Social and Cultural Rights of 1966, and the UNESCO Convention on Technical and Vocational Education of 1989,

Mindful of the UNESCO Recommendation on the Recognition of Studies and Qualifications in Higher Education of 1993; the UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel of 1997; the United Nations Declaration on the Rights of Indigenous Peoples of 2007; and the UNESCO Recommendation on Science and Scientific Researchers of 2017,

Building on the UNESCO regional conventions on the recognition of qualifications concerning higher education,

Reaffirming the States Parties' responsibility to promote inclusive and equitable quality education at all levels and life-long learning opportunities for all,

Conscious of increasing international cooperation in higher education, of the mobility of students, workers, professionals, researchers and academics, of changes in scientific research, and of the different modes, methods, developments and innovations in teaching and learning,

Considering higher education, provided by both public and private institutions, as a public good and a public responsibility, and **being aware** of the need to uphold and protect the principles of academic freedom and of the autonomy of higher-education institutions,

Convinced that the international recognition of qualifications concerning higher education will facilitate interdependent learning and knowledge development via the mobility of learners and learning, academics, scientific research and researchers, and workers and professionals and will enhance international cooperation in higher education,

Respecting the cultural diversity among the States Parties, including, inter alia, differences in educational traditions and in the values of higher education,

Desiring to respond to the need for a global convention on the recognition of qualifications concerning higher education to complement the UNESCO regional conventions on the recognition of qualifications concerning higher education, and to enhance the cohesion between them,

Convinced of the need to find common, practical and transparent solutions to improve recognition practices globally,

Convinced that this Convention will promote international mobility, as well as communication and cooperation regarding fair and transparent procedures for recognition, and quality assurance and academic integrity in higher education at a global level,

Adopts this Convention on this twenty-fifth day of November 2019.

SECTION I. DEFINITION OF TERMS

Article I

For the purposes of this Convention, the following definitions shall apply:

Access (to higher education): the right provided to any individual holding a qualification to apply and be considered for admission to a level of higher education

Admission (to higher-education institutions and programmes): the act of, or system for, allowing qualified applicants to pursue higher education at a given institution and/or in a given programme

ob upoštevanju določb Ustanovne listine Organizacije združenih narodov iz leta 1945, Splošne deklaracije o človekovih pravicah iz leta 1948, Konvencije Združenih narodov o statusu beguncev iz leta 1951 in njenega protokola iz leta 1967, Konvencije Združenih narodov o statusu oseb brez državljanstva iz leta 1954, Unescove konvencije proti diskriminaciji v izobraževanju iz leta 1960, zlasti njenega 4.a člena, Mednarodnega pakta o ekonomskih, socialnih in kulturnih pravicah iz leta 1966 ter Unescove konvencije o strokovnem in poklicnem izobraževanju iz leta 1989,

ob upoštevanju Unescovega priporočila o priznavanju visokošolskega študija in kvalifikacij iz leta 1993, Unescovega priporočila o statusu visokošolskega učnega osebja iz leta 1997, Deklaracije Združenih narodov o pravicah domorodnih ljudstev iz leta 2007 ter Unescovega priporočila o znanosti in znanstvenih raziskovalcih iz leta 2017,

na podlagi Unescovih regionalnih konvencij o priznavanju visokošolskih kvalifikacij,

s ponovno potrditvijo odgovornosti držav pogodbenic, da spodbujajo zagotavljanje vključujočega in enako kakovostnega izobraževanja na vseh ravneh ter spodbujajo priložnosti za vseživljenjsko učenje za vse,

ob zavedanju okrepljenega mednarodnega sodelovanja na področju visokošolskega izobraževanja, mobilnosti študentov, delavcev, strokovnjakov, raziskovalcev in visokošolskih učiteljev, sprememb v znanstvenem raziskovanju ter različnih načinov, metod, razvoja in inovacij na področju poučevanja in učenja,

glede na to, da je visokošolsko izobraževanje tako v javnih kakor tudi zasebnih zavodih javno dobro in javna odgovornost, ter **ob zavedanju** potrebe po podpiranju in zaščiti načel akademske svobode in neodvisnosti visokošolskih zavodov,

v prepričanju, da bo mednarodno priznavanje visokošolskih kvalifikacij olajšalo soodvisno učenje in pridobivanje znanja prek mobilnosti učencev in učenja, visokošolskih učiteljev, znanstvenega raziskovanja in raziskovalcev, delavcev in strokovnjakov ter bo okrepilo mednarodno sodelovanje na področju visokošolskega izobraževanja,

ob spoštovanju kulturne raznolikosti med državami pogodbenicami, med drugim tudi ob spoštovanju razlik v izobraževalnih tradicijah in vrednotah visokošolskega izobraževanja,

v želji, da bi se odzvali na potrebo po svetovni konvenciji o priznavanju visokošolskih kvalifikacij, ki bi dopolnjevala Unescove regionalne konvencije o priznavanju visokošolskih kvalifikacij in jih povezovala,

v prepričanju, da je treba poiskati skupne, praktične in pregledne rešitve za izboljšanje praks priznavanja na svetovni ravni,

v prepričanju, da bo ta konvencija spodbudila mednarodno mobilnost ter komunikacijo in sodelovanje v zvezi s pravičnimi in preglednimi postopki priznavanja ter zagotavljanje kakovosti in akademske integritete v visokošolskem izobraževanju na svetovni ravni,

sprejme to konvencijo petindvajsetega novembra 2019.

I. POGLAVJE – POMEN IZRAZOV

I. člen

Izrazi, uporabljeni v tej konvenciji, pomenijo:

Dostop (do visokošolskega izobraževanja): pravica posameznika s kvalifikacijo, da se prijavi za določeno raven visokošolskega izobraževanja in se njegova prijava obravnava.

Sprejem (na visokošolske zavode in v visokošolske programe): dejanje ali postopek, ki kandidatom z izpolnjenimi pogoji dovoljuje, da se izobražujejo na visokošolskem zavodu in/ali po visokošolskem programu.

Applicant:

(a) an individual submitting to the competent recognition authority a qualification, partial studies, or prior learning for assessment and/or recognition; or

(b) an entity acting with consent on behalf of an individual

Assessment: the evaluation of an applicant's qualifications, partial studies, or prior learning by a competent recognition authority engaged in the evaluation of qualifications

Competent authority: an individual or entity that has the authority, capacity, or legal power to perform a designated function

Competent recognition authority: an entity which, in accordance with the laws, regulations, policies, or practices of a State Party, assesses qualifications and/or makes decisions on the recognition of qualifications

Constituent units: official entities of a State Party to this Convention at the level of subnational jurisdictions, such as provinces, states, counties, or cantons, in accordance with Article XX b), Federal or Non-Unitary Constitutional Systems, of this Convention

Cross-border education: all modes of educational delivery which involve the movement of people, knowledge, programmes, providers and curriculum across States Parties' borders, including, but not limited to, quality-assured international joint degree programmes, cross-border higher education, transnational education, offshore education and borderless education

Displaced person: an individual forced to move from his or her locality or environment and occupational activities to another locality or environment

Formal education system: a State Party's education system, including all officially recognized entities with responsibility for education, as well as public and private education institutions at all levels recognized by a State Party's competent authorities and authorized thereby to deliver instruction and other education-related services

Formal learning: learning derived from activities within a structured learning setting, leading to a formal qualification, and provided by an education institution recognized by a State Party's competent authorities and authorized thereby to deliver such learning activities

Higher education: all types of study programmes or sets of courses of study at the post-secondary level which are recognized by the competent authorities of a State Party, or of a constituent unit thereof, as belonging to its higher-education system

Higher-education institution: an establishment providing higher education and recognized by a competent authority of a State Party, or of a constituent unit thereof, as belonging to its higher-education system

Higher-education programme: a post-secondary programme of study recognized by the competent authority of a State Party, or of a constituent unit thereof, as belonging to its higher-education system and the successful completion of which provides the student with a higher-education qualification

Informal learning: learning which occurs outside the formal education system and which results from daily life activities related to work, family, local community, or leisure

International joint degree: a type of cross-border education degree; a single degree recognized and/or authorized and conferred jointly upon completion of an integrated, coordinated and jointly offered programme, by two or more higher education institutions belonging to more than one country

Learning outcomes: a learner's acquired knowledge and skills upon completion of a learning process

Lifelong learning: a process which refers to all learning activities, whether formal, non-formal, or informal, covers the entire lifespan and has the aim of improving and developing human capacities, knowledge, skills, attitudes and competencies

Kandidat:

(a) posameznik, ki pristojnemu organu za priznavanje v ocenjevanje in/ali priznavanje predloži kvalifikacijo, dokazilo o delnem študiju ali predhodno pridobljenem znanju, ali

(b) subjekt, ki s privoljenjem posameznika deluje v njegovem imenu.

Ocenjevanje/ocenitev: ovrednotenje kandidatovih kvalifikacij, delnega študija ali predhodno pridobljenega znanja s strani pristojnega organa za priznavanje, ki izvaja ovrednotenje kvalifikacij.

Pristojni organ: posameznik ali subjekt, ki je pristojen, ima zmogljivosti ali je v skladu s predpisi pooblaščen za opravljanje določene funkcije.

Pristojni organ za priznavanje: subjekt, ki v skladu z zakoni in drugimi predpisi, politikami ali praksami države pogodbenice ocenjuje kvalifikacije in/ali odloča o priznavanju kvalifikacij.

Sestavne enote: uradni subjekti držav pogodbenic te konvencije na ravni poddržavne pristojnosti, kot so province, dežele, okrožja, kantoni, v skladu s točko (b) XX. člena, Zvezni ali decentralizirani ustavni sistemi, te konvencije.

Čezmejno izobraževanje: vse oblike izvajanja izobraževanja, ki vključujejo pretok oseb, znanja, programov, izvajalcev in učnih načrtov čez meje držav pogodbenic, vključno, med drugim, s kakovostnimi mednarodnimi skupnimi programi, čezmejnimi visokošolskim izobraževanjem, transnacionalnim izobraževanjem, *offshore* izobraževanjem in brezmejnimi izobraževanjem.

Razseljena oseba: posameznik, ki se je prisiljen preseliti iz svojega kraja ali okolja in preseliti poklicne dejavnosti v drug kraj ali okolje.

Formalni izobraževalni sistem: izobraževalni sistem države pogodbenice z vsemi uradno priznanimi subjekti, ki so pristojni za izobraževanje, ter javnimi in zasebnimi izobraževalnimi zavodi na vseh ravneh, ki jih pristojni organi države pogodbenice priznavajo ter jim podelijo dovoljenje za poučevanje in druge storitve, povezane z izobraževanjem.

Formalno učenje: učenje iz dejavnosti v strukturiranem učnem okolju, ki vodi k formalni kvalifikaciji, izvaja jih izobraževalni zavod, ki ga priznavajo pristojni organi države pogodbenice in mu podelijo dovoljenje za izvajanje tovrstnih učnih dejavnosti.

Visokošolsko izobraževanje: vse vrste študijskih programov ali sklopov študijskih programov na posekundarni ravni, ki jih pristojni organi države pogodbenice ali njene sestavne enote priznavajo kot del svojega visokošolskega sistema.

Visokošolski zavod: zavod, na katerem je omogočeno visokošolsko izobraževanje in ga pristojni organi države pogodbenice ali njene sestavne enote priznavajo kot del svojega visokošolskega sistema.

Visokošolski program: posekundarni izobraževalni program, ki ga pristojni organi države pogodbenice ali njene sestavne enote priznavajo kot del svojega visokošolskega sistema; po uspešno končanem programu dobi študent visokošolsko kvalifikacijo.

Priložnostno učenje: učenje, ki poteka zunaj formalnega izobraževalnega sistema in izhaja iz vsakodnevnih dejavnosti, povezanih z delom, družino, lokalno skupnostjo ali prostim časom.

Skupna mednarodna diploma: vrsta diplome čezmejnega izobraževanja; enotna diploma, ki jo priznavata in/ali odobrita ter jo po koncu celostnega, usklajenega in skupnega programa skupaj podelita vsaj dva visokošolska zavoda iz vsaj dveh držav.

Učni dosežki: znanje in spretnosti učenca po končanem učnem procesu.

Vseživljenjsko učenje: proces, ki zajema vse učne dejavnosti, formalne, neformalne in priložnostne, ter traja vse življenje in je namenjen izboljšanju in razvoju človeških zmogljivosti, znanja, spretnosti, vedenja in sposobnosti.

Mobility: the physical or virtual movement of individuals outside their country for the purpose of studying, researching, teaching, or working

Non-formal learning: learning achieved within an education or training framework which places an emphasis on working life and which does not belong to the formal education system

Non-traditional learning modes: formal, non-formal and informal mechanisms for the delivery of educational programmes and learning activities not primarily relying on face-to-face interaction between the educator and the learner

Partial recognition: the partial recognition of a full and completed qualification which cannot be fully recognized on account of the demonstration of substantial differences by a competent recognition authority

Partial studies: any part of a higher-education programme which has been evaluated and, while not a complete programme in itself, represents a significant acquisition of knowledge, skills, attitudes and competencies

Prior learning: the experience, knowledge, skills, attitudes and competencies which an individual has acquired as a result of formal, non-formal, or informal learning, assessed against a given set of learning outcomes, objectives, or standards

Qualification:

(a) **Higher-education qualification:** any degree, diploma, certificate, or award issued by a competent authority and attesting the successful completion of a higher-education programme or the validation of prior learning, where applicable

(b) **Qualification giving access to higher education:** any degree, diploma, certificate, or award issued by a competent authority and attesting the successful completion of an education programme or the validation of prior learning, where applicable, and giving the holder of the qualification the right to be considered for admission to higher education

Qualified applicant: an individual who has fulfilled relevant criteria and is considered eligible to apply for admission to higher education

Qualifications framework: a system for the classification, publication and organization of quality-assured qualifications according to a set of criteria

Quality assurance: an ongoing process by which the quality of a higher-education system, institution, or programme is assessed by the competent authority/authorities to assure stakeholders that acceptable educational standards are continuously being maintained and enhanced

Recognition: a formal acknowledgment by a competent recognition authority of the validity and academic level of a foreign education qualification, of partial studies, or of prior learning for the purpose of providing an applicant with outcomes including, but not limited to:

(a) the right to apply for admission to higher education; and/or

(b) the possibility to seek employment opportunities

Region: any one of the areas identified in accordance with the UNESCO definition of regions with a view to the execution by the Organization of regional activities, namely, Africa, Arab States, Asia and the Pacific, Europe, and Latin America and the Caribbean

Regional recognition conventions: the UNESCO conventions on the recognition of qualifications concerning higher education in each of the UNESCO regions, including the Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in the Arab and European States bordering on the Mediterranean

Requirements:

(a) **General requirements:** conditions which must be fulfilled for access to higher education, or to a given level thereof, or for the obtaining of a higher-education qualification at a given level

Mobilnost: fizično ali virtualno gibanje posameznikov zunaj njihove države zaradi študija, raziskovanja, poučevanja ali dela.

Neformalno učenje: učenje v okviru izobraževanja ali usposabljanja s poudarkom na poklicnem življenju, ki ni del formalnega izobraževalnega sistema.

Netradicionalni načini učenja: formalni, neformalni in priložnostni mehanizmi za izvajanje izobraževalnih programov in učnih dejavnosti, ki v glavnem ne temeljijo na neposrednem stiku med učiteljem in učencem.

Delno priznanje: delno priznanje popolne in končne kvalifikacije, ki je ni mogoče priznati v celoti, ker je pristojni organ za priznavanje dokazal bistvene razlike.

Delni študij: vsak del visokošolskega programa, ki je bil ovrednoten, in čeprav sam po sebi ni celotni program, pomeni pomembno pridobitev znanja, spretnosti, vedenja in sposobnosti.

Predhodno pridobljeno znanje: izkušnje, znanje, spretnosti, odnos in sposobnosti, ki jih je posameznik pridobil s formalnim, neformalnim ali priložnostnim učenjem ter se ocenjujejo glede na določeni nabor učnih dosežkov, ciljev in standardov.

Kvalifikacije:

(a) **visokošolska kvalifikacija:** vsaka diploma, spričevalo ali dokazilo, ki ga izda pristojni organ in potrjuje uspešno dokončanje visokošolskega programa, ali potrditev predhodno pridobljenega znanja, kadar se to lahko upošteva;

(b) **kvalifikacija, ki omogoča dostop do visokošolskega izobraževanja:** vsaka diploma, spričevalo ali dokazilo, ki ga izda pristojni organ in potrjuje uspešno dokončanje izobraževalnega programa, ali potrditev predhodno pridobljenega znanja, kadar se to lahko upošteva, in imetniku kvalifikacije podeljuje pravico, da je obravnavan za sprejem v visokošolsko izobraževanje.

Kandidat z izpolnjenimi pogoji: posameznik, ki izpolnjuje ustrezne pogoje in se šteje za upravičenega, da zaprosi za sprejem v visokošolsko izobraževanje.

Ogrodje kvalifikacij: sistem za razvrščanje, objavljane in organizacijo kakovostnih kvalifikacij glede na niz meril.

Zagotavljanje kakovosti: stalni postopek, s katerim pristojni organ/-i oceni/-jo kakovost visokošolskega sistema, zavoda ali programa z namenom zagotoviti zainteresiranim stranem, da se ustrezni izobraževalni standardi nenehno vzdržujejo in izboljšujejo.

Priznavanje/priznanje: pristojni organ za priznavanje uradno potrdi veljavnost in akademsko stopnjo kvalifikacije izobraževanja v tujini, delnega študija ali predhodno pridobljenega znanja, da se kandidatu zagotovijo možnosti, med drugim:

(a) pravica zaprositi za sprejem v visokošolsko izobraževanje in/ali

(b) iskanje zaposlitve.

Regija: katero koli območje, opredeljeno v skladu z Unescovo opredelitvijo regij za namen izvajanja regionalnih dejavnosti te organizacije, in sicer Afrika, arabske države, Azija in Pacifik, Evropa ter Latinska Amerika in Karibi.

Regionalne konvencije o priznavanju: Unescove konvencije o priznavanju kvalifikacij za visokošolsko izobraževanje v vsaki od Unescovih regij, vključno z Mednarodno konvencijo o priznavanju visokošolskega študija, diplom in stopenj v arabskih in evropskih mediteranskih državah.

Pogoji:

(a) **splošni pogoji:** pogoji, ki jih je treba izpolniti za dostop do visokošolskega izobraževanja ali ravni visokošolskega izobraževanja ali za pridobitev visokošolske kvalifikacije na določeni ravni;

(b) **Specific requirements:** conditions, in addition to the general requirements, which must be fulfilled for admission to a particular higher-education programme, or for the obtaining of a specific higher-education qualification in a particular field of study

Substantial differences: significant differences between the foreign qualification and the qualification of the State Party which would most likely prevent the applicant from succeeding in a desired activity, such as, but not limited to, further study, research activities, or employment opportunities

SECTION II. OBJECTIVES OF THE CONVENTION

Article II

Building on and enhancing the coordination, revisions and achievements of the regional recognition conventions, the objectives of this Convention are to:

1. Promote and strengthen international cooperation in higher education;

2. Support interregional initiatives, policies and innovations for international cooperation in higher education;

3. Facilitate global mobility and the achievement of merit in higher education for the mutual benefit of qualification holders, higher-education institutions, employers, and any other stakeholders of the States Parties to this Convention while understanding and respecting the diversity of the States Parties' higher-education systems;

4. Provide an inclusive global framework for the fair, transparent, consistent, coherent, timely and reliable recognition of qualifications concerning higher education;

5. Respect, uphold and protect the autonomy and diversity of higher-education institutions and systems;

6. Foster trust and confidence in the quality and reliability of qualifications through, inter alia, the promotion of integrity and ethical practices;

7. Promote a culture of quality assurance in higher-education institutions and systems, and develop the capacities necessary for ensuring reliability, consistency and complementarity in quality assurance, in qualifications frameworks and in the recognition of qualifications in order to support international mobility;

8. Promote the development, collection and sharing of accessible, up-to-date, reliable, transparent and relevant information and the dissemination of best practices among stakeholders, States Parties and regions;

9. Promote, through the recognition of qualifications, inclusive and equitable access to quality higher education and support lifelong learning opportunities for all, including refugees and displaced persons;

10. Foster globally the optimal use of human and educational resources with a view to promoting education for sustainable development, and contribute to structural, economic, technological, cultural, democratic and social development for all societies.

SECTION III. BASIC PRINCIPLES FOR THE RECOGNITION OF QUALIFICATIONS CONCERNING HIGHER EDUCATION

Article III

For the recognition of qualifications concerning higher education, this Convention establishes the following principles:

1. Individuals have the right to have their qualifications assessed for the purpose of applying for admission to higher education studies or seeking employment opportunities.

2. Recognition of qualifications should be transparent, fair, timely and non-discriminatory in accordance with the rules and regulations of each State Party, and should be affordable.

(b) **posebni pogoji:** pogoji, ki jih je treba poleg splošnih pogojev izpolniti za sprejem v posamezni visokošolski program ali za pridobitev določene visokošolske kvalifikacije na posameznem študijskem področju.

Bistvene razlike: pomembne razlike med tujo kvalifikacijo in kvalifikacijo države pogodbenice, ki bi kandidatu najverjetneje preprečile uspeh v želeni dejavnosti, kot so, med drugim, nadaljnji študij, raziskovalne dejavnosti ali zaposlitev.

II. POGLAVJE – CILJI KONVENCIJE

II. člen

Na podlagi in ob izboljševanju usklajevanja, pregledovanja in uresničevanja regionalnih konvencij o priznavanju so cilji te konvencije:

1. spodbujati in okrepiti mednarodno sodelovanje na področju visokošolskega izobraževanja;

2. podpirati medregionalne pobude, politike in inovacije za mednarodno sodelovanje na področju visokošolskega izobraževanja;

3. olajšati svetovno mobilnost in doseganje odličnosti v visokošolskem izobraževanju v obojestransko korist imetnikov kvalifikacij, visokošolskih zavodov, delodajalcev in drugih zainteresiranih strani iz držav pogodbenic te konvencije ob hkratnem razumevanju in spoštovanju raznolikosti visokošolskih sistemov držav pogodbenic;

4. zagotoviti vključujoči okvir na svetovni ravni za pravično, pregledno, dosledno, usklajeno, pravočasno in zanesljivo priznavanje visokošolskih kvalifikacij;

5. spoštovati, ohranjati in varovati neodvisnost in raznolikost visokošolskih zavodov in sistemov;

6. spodbujati zaupanje v kakovost in zanesljivost kvalifikacij, med drugim s spodbujanjem integritete in etičnih praks;

7. spodbujati kulturo zagotavljanja kakovosti v visokošolskih zavodih in sistemih ter razvijati zmogljivosti, potrebne za zagotavljanje zanesljivosti, doslednosti in medsebojnega dopolnjevanja pri zagotavljanju kakovosti v ogrodjih kvalifikacij in pri priznavanju kvalifikacij z namenom podpreti mednarodno mobilnost;

8. spodbujati razvoj, zbiranje in deljenje dostopnih, svežih, zanesljivih, preglednih in ustreznih informacij ter širjenje najboljših praks med zainteresiranimi stranmi, državami pogodbenicami in regijami;

9. s priznavanjem kvalifikacij spodbujati vključujoč in enak dostop do kakovostnega visokošolskega izobraževanja ter podpirati možnosti vseživljenjskega učenja za vse, vključno z begunci in razseljenimi osebami;

10. spodbujati optimalno rabo človeških virov in virov izobraževanja na svetovni ravni z namenom spodbujati izobraževanje za trajnostni razvoj ter prispevati k strukturnemu, gospodarskemu, tehnološkemu, kulturnemu, demokratičnemu in družbenemu razvoju vseh družb.

III. POGLAVJE – TEMELJNA NAČELA ZA PRIZNAVANJE VISOKOŠOLSKIH KVALIFIKACIJ

III. člen

Za priznavanje visokošolskih kvalifikacij konvencija določa naslednja načela:

1. Posamezniki imajo pravico, da se njihove kvalifikacije ocenijo za namen, da zaprosijo za sprejem v visokošolski študij ali za iskanje zaposlitve.

2. Priznavanje kvalifikacij mora biti pregledno, pravično, pravočasno, nediskriminatorno in v skladu s pravili in predpisi vsake države pogodbenice, mora pa biti tudi cenovno dostopno.

3. Recognition decisions are based on trust, clear criteria, and fair, transparent and non-discriminatory procedures, and underline the fundamental importance of equitable access to higher education as a public good which may lead to employment opportunities.

4. Recognition decisions are based on appropriate, reliable, accessible and up-to-date information on higher-education systems, institutions, programmes and quality assurance mechanisms which has been provided through the competent authorities of the States Parties, official national information centres, or similar entities.

5. Recognition decisions are made with due respect for the diversity of higher-education systems worldwide.

6. Competent recognition authorities undertaking recognition assessments shall do so in good faith, giving clear reasons for decisions, and have mechanisms for appealing recognition decisions.

7. Applicants seeking recognition of their qualifications provide adequate and accurate information and documentation on their achieved qualifications in good faith, and have the right to appeal.

8. States Parties commit to adopting measures to eradicate all forms of fraudulent practices regarding higher education qualifications by encouraging the use of contemporary technologies and networking activities among States Parties.

SECTION IV. OBLIGATIONS OF THE STATES PARTIES TO THE CONVENTION

This Convention establishes the following obligations for the States Parties:

Article IV. Recognition of Qualifications Giving Access to Higher Education

1. Each State Party shall recognize, for the purposes of access to its higher-education system, the qualifications and documented or certified prior learning acquired in other States Parties which meet the general requirements for access to higher education in those States Parties, unless substantial differences can be shown between the general requirements for access in the State Party in which the qualification was obtained and those in the State Party in which recognition of the qualification is sought. Alternatively, it shall be sufficient for a State Party to enable the holder of a qualification issued in another State Party to obtain an assessment of that qualification.

2. Qualifications acquired through recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms will be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to similar qualifications acquired through traditional learning modes.

3. Where a qualification gives access only to specific types of institutions or programmes of higher education in the State Party in which the qualification was obtained, each State Party shall grant holders of such qualifications access to similar specific types of institutions or programmes belonging to its higher-education system, if available, unless substantial differences can be shown.

Article V. Recognition of Higher-Education Qualifications

1. Each State Party shall recognize a higher-education qualification conferred in another State Party, unless substantial differences can be shown between the qualification for which recognition is sought and the corresponding qualification in the State Party in which recognition is sought. Alternatively, it shall be sufficient for a State Party to enable the holder of a higher-education qualification issued in another State Party to obtain an assessment of that qualification, upon the request of the holder.

3. Odločitve o priznavanju temeljijo na zaupanju, jasnih merilih ter pravičnih, preglednih in nediskriminatorskih postopkih ter poudarjajo temeljni pomen enakega dostopa do visokošolskega izobraževanja kot javnega dobra, ki lahko vodi v zaposlitev.

4. Odločitve o priznavanju temeljijo na ustreznih, zanesljivih, dostopnih in svežih informacijah o visokošolskih sistemih, zavodih, programih in mehanizmi zagotavljanja kakovosti, ki so jih zagotovili pristojni organi držav pogodbenic, uradni nacionalni informacijski centri ali podobni subjekti.

5. Odločitve o priznavanju se sprejemajo ob spoštovanju raznolikosti visokošolskih sistemov po vsem svetu.

6. Pristojni organi za priznavanje postopek priznavanja izvajajo v dobri veri, pri čemer za odločitve navedejo jasne razloge, in imajo vzpostavljene mehanizme za pritožbe zoper odločitve o priznavanju.

7. Kandidati, ki zaprosijo za priznavanje svojih kvalifikacij, predložijo ustrezne in natančne informacije ter dokumentacijo o pridobljenih kvalifikacijah v dobri veri in imajo pravico do pritožbe.

8. Države pogodbenice se zavezujejo, da bodo sprejele ukrepe za odpravo vseh oblik goljufivega ravnanja v zvezi z visokošolskimi kvalifikacijami s spodbujanjem uporabe sodobnih tehnologij in dejavnosti mrežnega povezovanja med državami pogodbenicami.

IV. POGLAVJE – OBVEZNOSTI DRŽAV POGODBENIC KONVENCIJE

Konvencija za države pogodbenice določa naslednje obveznosti:

IV. člen – Priznavanje kvalifikacij, ki omogočajo dostop do visokošolskega izobraževanja

1. Vsaka država pogodbenica za dostop do svojega visokošolskega sistema prizna kvalifikacije in dokumentirano oziroma potrjeno predhodno pridobljeno znanje, pridobljeno v drugih državah pogodbenicah, ki izpolnjuje splošne pogoje za dostop do visokošolskega izobraževanja v teh državah pogodbenicah, razen če je mogoče dokazati bistvene razlike med splošnimi pogoji za dostop v državi pogodbenici, v kateri je bila kvalifikacija pridobljena, in splošnimi pogoji v državi pogodbenici, v kateri se zaprosi za priznavanje kvalifikacije. Zadostuje tudi, da država pogodbenica imetniku kvalifikacije, izdane v drugi državi pogodbenici, omogoči ocenitev te kvalifikacije.

2. Kvalifikacije, pridobljene s priznanimi netradicionalnimi načini učenja, za katere veljajo primerljivi mehanizmi zagotavljanja kakovosti, se ocenjujejo v skladu s pravili in predpisi države pogodbenice ali njene sestavne enote, in sicer po enakih merilih, kakor veljajo za podobne kvalifikacije, pridobljene s tradicionalnimi načini učenja.

3. Kadar kvalifikacija omogoča dostop samo do posebnih vrst visokošolskih zavodov ali programov v državi pogodbenici, v kateri je bila pridobljena, vsaka država pogodbenica imetnikom takšnih kvalifikacij omogoči dostop do podobnih posebnih vrst zavodov ali programov, ki so del njenega visokošolskega sistema, če ti obstajajo, razen če je mogoče dokazati bistvene razlike.

V. člen – Priznavanje visokošolskih kvalifikacij

1. Vsaka država pogodbenica prizna visokošolsko kvalifikacijo, pridobljeno v drugi državi pogodbenici, razen če je mogoče dokazati bistvene razlike med kvalifikacijo, za katero se zaprosi priznavanje, in ustrezno kvalifikacijo v državi pogodbenici, v kateri se zaprosi za priznavanje. Zadostuje tudi, da država pogodbenica imetniku visokošolske kvalifikacije, izdane v drugi državi pogodbenici, na zahtevo imetnika omogoči ocenitev te kvalifikacije.

2. Higher-education qualifications acquired through recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms and which are considered a part of the higher-education system of a State Party will be assessed according to the rules and regulations of the State Party in which recognition is sought, or of the constituent unit thereof, using the same criteria as those applied to similar qualifications acquired through traditional learning modes.

3. Higher-education qualifications acquired through cross-border education with international joint degrees or through any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, shall be assessed according to the rules and regulations of the State Party in which recognition is sought, or of the constituent unit thereof, using the same criteria as those applied to qualifications acquired through programmes undertaken in a single country.

4. Recognition in a State Party of a higher-education qualification issued in another State Party shall have at least one of the following outcomes:

(a) It shall provide the holder with the right to apply for admission to further higher education under the same conditions as those applicable to holders of higher-education qualifications of the State Party in which recognition is sought; and/or

(b) It shall provide the holder with the right to use the title associated with a higher-education qualification in accordance with the laws or regulations of the State Party, or of the constituent unit thereof, in which recognition is sought. In addition, assessment and recognition may enable qualified applicants to seek employment opportunities subject to the laws and regulations of the State Party, or of the constituent unit thereof, in which recognition is sought.

5. Where a competent recognition authority can demonstrate substantial differences between the qualification for which recognition is sought and the corresponding qualification in the State Party in which recognition is sought, the competent recognition authority shall seek to establish whether partial recognition may be granted.

6. Each State Party may make the recognition of higher-education qualifications acquired through cross-border education or through foreign educational institutions operating in its jurisdiction contingent upon specific requirements of the legislation or regulations of the State Party, or of the constituent unit thereof, or upon specific agreements concluded with the State Party of origin of such institutions.

Article VI. Recognition of Partial Studies and Prior Learning

1. Each State Party may recognize, for the purpose of the completion of a higher-education programme or the continuation of higher education studies, where appropriate, and taking into account the legislation of the States Parties regarding access, documented or certified partial studies or documented or certified prior learning acquired in another State Party, unless substantial differences can be shown between the partial studies or prior learning and the part of the higher-education programme they or it would replace in the State Party in which recognition is sought. Alternatively, it shall be sufficient for a State Party to enable an individual who has undertaken documented or certified partial studies or documented or certified prior learning in another State Party to obtain an assessment of these partial studies or this prior learning, upon the request of the individual concerned.

2. Documented or certified partial completion of higher-education programmes delivered by recognized non-traditional learning modes which are subject to comparable quality assurance mechanisms and which are considered a part of the higher-education system of a State Party shall be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to partial studies delivered by traditional learning modes.

2. Visokošolske kvalifikacije, pridobljene s priznanimi netradicionalnimi načini učenja, za katere veljajo primerljivi mehanizmi zagotavljanja kakovosti in ki se štejejo za del visokošolskega sistema države pogodbenice, bodo ocenjene v skladu s pravili in predpisi države pogodbenice, v kateri se zaprosi za priznavanje, ali njene sestavne enote, in sicer po enakih merilih, kakor veljajo za podobne kvalifikacije, pridobljene s tradicionalnimi načini učenja.

3. Visokošolske kvalifikacije, pridobljene s čezmejnimi izobraževanjem z mednarodno skupno diplomo ali drugim skupnim programom, ki se izvaja v več kakor eni državi, od katerih je vsaj ena država pogodbenica te konvencije, se ocenjujejo v skladu s pravili in predpisi države pogodbenice, v kateri se zaprosi za priznavanje, ali njene sestavne enote, in sicer po enakih merilih, kakor veljajo za kvalifikacije, pridobljene s programi, ki se izvajajo v eni državi.

4. Priznanje visokošolske kvalifikacije, ki je bila izdana v drugi državi pogodbenici, pomeni vsaj eno od naslednjega:

(a) imetniku zagotovi pravico, da zaprosi za sprejem v nadaljnje visokošolsko izobraževanje pod enakimi pogoji, kakor veljajo za imetnike visokošolskih kvalifikacij države pogodbenice, v kateri se zaprosi za priznavanje, in/ali

(b) imetniku zagotovi pravico do uporabe naslova, povezanega z visokošolsko kvalifikacijo, v skladu z zakoni ali predpisi države pogodbenice ali njene sestavne enote, v kateri se zaprosi za priznavanje.

Poleg tega lahko ocenitev in priznanje kandidatom z izpolnjenimi pogoji omogočita iskanje zaposlitve, za katero veljajo zakoni in drugi predpisi države pogodbenice ali njene sestavne enote, v kateri se zaprosi za priznavanje.

5. Kadar pristojni organ za priznavanje lahko dokaže bistvene razlike med kvalifikacijami, za katere se zaprosi za priznavanje, in ustreznimi kvalifikacijami v državi pogodbenici, v kateri se zaprosi za priznavanje, pristojni organ za priznavanje skuša ugotoviti, ali je mogoče odobriti delno priznanje.

6. Vsaka država pogodbenica lahko prizna visokošolske kvalifikacije, pridobljene s čezmejnimi izobraževanjem ali v tujih izobraževalnih zavodih, ki delujejo v njeni pristojnosti, ob upoštevanju posebnih zahtev zakonov ali drugih predpisov države pogodbenice ali njene sestavne enote, ali po posebnem sporazumu, sklenjenem z državo pogodbenico, iz katere izvirajo takšni zavodi.

VI. člen – Priznavanje delnega študija in predhodno pridobljenega znanja

1. Vsaka država pogodbenica lahko za potrebe dokončanja visokošolskega programa ali nadaljevanja visokošolskega študija po potrebi in ob upoštevanju zakonodaje držav pogodbenic glede dostopa prizna dokumentirani oziroma potrjeni delni študij ali dokumentirano oziroma potrjeno predhodno pridobljeno znanje, pridobljeno v drugi državi pogodbenici, razen če je mogoče dokazati bistvene razlike med delom visokošolskega programa in delnim študijem ali predhodno pridobljenim znanjem, ki bi ga nadomestila v državi pogodbenici, v kateri se zaprosi za priznavanje. Zadostuje tudi, da država pogodbenica posamezniku, ki je opravil dokumentirani oziroma potrjeni delni študij ali pridobil dokumentirano oziroma potrjeno predhodno pridobljeno znanje v drugi državi pogodbenici, na njegovo zahtevo omogoči, da pridobi ocenitev tega delnega študija ali predhodno pridobljenega znanja.

2. Dokumentirani oziroma potrjeni delno končani visokošolski programi, ki se izvajajo s priznanimi netradicionalnimi načini učenja, za katere veljajo primerljivi mehanizmi zagotavljanja kakovosti in ki se štejejo za del visokošolskega sistema države pogodbenice, se ocenjujejo v skladu s pravili in predpisi države pogodbenice ali njene sestavne enote, in sicer po enakih merilih kakor za delni študij, ki se izvaja s tradicionalnimi načini učenja.

3. Documented or certified partial completion of higher-education programmes delivered through cross-border education with international joint degrees or any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, will be assessed according to the rules and regulations of the State Party, or of the constituent unit thereof, using the same criteria as those applied to partial studies acquired in a single country.

Article VII. Recognition of Partial Studies and Qualifications Held by Refugees and Displaced Persons

Each State Party shall take the necessary and feasible steps, within its education system and in conformity with its constitutional, legislative and regulatory provisions, to develop reasonable procedures for assessing fairly and efficiently whether refugees and displaced persons fulfil the relevant requirements for access to higher education, to further higher-education programmes, or to the seeking of employment opportunities, including in cases where partial studies, prior learning, or qualifications acquired in another country cannot be proven by documentary evidence.

Article VIII. Information for Assessment and Recognition

1. Each State Party shall establish transparent systems for the complete description of the qualifications and learning outcomes obtained in its territory.

2. Each State Party, to the extent feasible based on its constitutional, legislative and regulatory situation and structure, shall put in place an objective and reliable system for the approval, recognition and quality assurance of its higher-education institutions in order to promote confidence and trust in its higher-education system.

3. Each State Party shall establish and maintain a national information centre or similar entities to provide access to relevant, accurate and up-to-date information about its higher-education system.

4. Each State Party shall encourage the use of technologies to ensure easy access to information.

5. Each State Party shall:

(a) Provide access to authoritative and accurate information on its higher-education systems, qualifications, quality assurance, and qualification frameworks, if applicable;

(b) Facilitate the dissemination of and access to accurate information on the other States Parties' higher-education systems, qualifications, and qualifications giving access to higher education;

(c) Give advice and information, where appropriate, on recognition matters, including criteria and procedures for the assessment of qualifications, and the development of materials for good recognition practices in accordance with the laws, regulations and policies of the State Party; and

(d) Ensure the provision, within a reasonable time, of adequate information on any institution belonging to its higher-education system, and on any programme operated by such institutions, with a view to enabling the competent authorities of other States Parties to ascertain whether the quality of the qualifications issued by these institutions justifies recognition in the State Party in which recognition is sought.

Article IX. Assessment of an Application

1. In the first instance, the responsibility for providing adequate information rests with the applicant, who shall provide such information in good faith.

2. Each State Party shall ensure that the institutions belonging to its education system provide to the extent available, upon request, within a reasonable time frame and free of charge, relevant information to the holder of a qualification or to the institution or the competent recognition authorities of the State Party in which recognition is sought.

3. Dokumentirani oziroma potrjeni delno končani visokošolski programi, ki se izvajajo s čezmejnimi izobraževanjem z mednarodno skupno diplomom, ali kateri koli drug skupni program, ki se izvaja v več kakor eni državi, od katerih je vsaj ena država pogodbenica te konvencije, bodo ocenjeni v skladu s pravili in predpisi države pogodbenice ali njene sestavne enote, in sicer po enakih merilih, kakor veljajo za delni študij, pridobljen v eni državi.

VII. člen – Priznavanje delnega študija in kvalifikacij beguncev ali razseljenih oseb

Vsaka država pogodbenica v svojem izobraževalnem sistemu v skladu z ustavnimi, zakonskimi in drugimi določbami sprejme potrebne in izvedljive ukrepe za vzpostavitev smiselnih postopkov, da lahko pravično in učinkovito oceni, ali begunci in razseljene osebe izpolnjujejo ustrezne pogoje za dostop do visokošolskega izobraževanja, do nadaljnjih visokošolskih programov ali iskanja zaposlitve, tudi če delnega študija, predhodno pridobljenega znanja ali kvalifikacij, pridobljenih v drugi državi, ni mogoče dokazati z ustreznimi listinami.

VIII. člen – Informacije za ocenjevanje in priznavanje

1. Vsaka država pogodbenica vzpostavi pregleden sistem za celotni opis kvalifikacij in učnih dosežkov, pridobljenih na njenem ozemlju.

2. Vsaka država pogodbenica, kolikor je to mogoče glede na njeno ustavno, zakonodajno in regulativno stanje ter ureditev, vzpostavi objektivni in zanesljiv sistem za odobritev, priznavanje in zagotavljanje kakovosti njenih visokošolskih zavodov, da bi povečala zaupanje v svoj visokošolski sistem.

3. Vsaka država pogodbenica ustanovi in vzdržuje nacionalni informacijski center ali podobne subjekte, da zagotovi dostop do ustreznih, natančnih in svežih informacij o svojem visokošolskem sistemu.

4. Vsaka država pogodbenica spodbuja uporabo tehnologij za zagotovitev enostavnega dostopa do informacij.

5. Vsaka država pogodbenica:

(a) zagotovi dostop do verodostojnih in natančnih informacij o svojih visokošolskih sistemih, kvalifikacijah, zagotavljanju kakovosti in ogroditvah kvalifikacij, kadar je to mogoče;

(b) olajšuje razširjanje natančnih informacij o visokošolskih sistemih, kvalifikacijah in kvalifikacijah, ki omogočajo dostop do visokošolskega izobraževanja drugih držav pogodbenic, ter dostop do njih;

(c) po potrebi daje nasvete in informacije o zadevah v zvezi s priznavanjem, vključno z merili in postopki za ocenjevanje kvalifikacij, ter o pripravi gradiva za dobre prakse priznavanja v skladu s svojimi zakoni, drugimi predpisi in politikami ter

(d) zagotovi, da se v razumnem roku pripravijo ustrezne informacije o katerem koli zavodu, ki pripada njenemu visokošolskemu sistemu, in o katerem koli programu, ki ga izvajajo takšni zavodi, da se pristojnim organom drugih držav pogodbenic omogoči, da preverijo, ali kakovost kvalifikacij, ki jih izdajo ti zavodi, upravičuje priznavanje v državi pogodbenici, v kateri se zaprosi zanj.

IX. člen – Ocenjevanje vloge

1. Za zagotavljanje ustreznih informacij je odgovoren predvsem kandidat, ki takšne informacije zagotovi v dobri veri.

2. Vsaka država pogodbenica zagotovi, da zavodi, ki so del njenega izobraževalnega sistema, imetniku kvalifikacije ali zavodu ali pristojnim organom za priznavanje države pogodbenice, v kateri se zaprosi za priznavanje, na njihovo zahtevo v razumnem roku in brezplačno zagotovijo ustrezne informacije, če so na voljo.

3. Each State Party shall ensure that the body undertaking assessment for the purposes of recognition demonstrates the reasons for which an application does not fulfil requirements or demonstrates where substantial differences are identified.

Article X. Information on the Competent Recognition Authorities

1. Each State Party shall provide the depository of this Convention with official notification of the competent authorities that make decisions on recognition matters in its jurisdiction.

2. Where there are central competent recognition authorities of a State Party, they shall immediately be bound by the provisions of this Convention and shall take the necessary measures to ensure the implementation of the provisions of this Convention in the jurisdiction of said State Party.

3. Where the competence to make decisions on recognition matters lies with the constituent units, the State Party shall furnish the depository with a brief statement on its constitutional situation or structure at the time of signature or when depositing its instrument of ratification, acceptance, approval, or accession, and on any changes thereafter. In such cases, the competent recognition authorities of the constituent units so designated shall take, to the extent feasible within the State Party's constitutional situation and structure, the necessary measures to ensure the implementation of the provisions of this Convention within the State Party's jurisdiction.

4. Where the competence to make decisions on recognition matters lies with individual higher-education institutions or other entities, each State Party or constituent unit thereof, according to its constitutional situation or structure, shall transmit the text of this Convention to these institutions or entities and shall take all the necessary steps to encourage the favourable consideration and application of its provisions.

5. The provisions of paragraphs 2, 3 and 4 of this Article shall apply, *mutatis mutandis*, to the obligations of the States Parties under this Convention.

Article XI. Additional Requirements for Admission to Higher-Education Programmes

1. Where admission to particular higher-education programmes is dependent on the fulfilment of specific requirements in addition to the general requirements for access, the competent authorities of the State Party concerned may impose the same specific requirements on holders of qualifications obtained in other States Parties or assess whether applicants with qualifications obtained in other States Parties fulfil the equivalent requirements.

2. Where qualifications giving access to higher education in one State Party are issued only in combination with additional qualifying examinations as a prerequisite for access, the other States Parties may make access conditional on these requirements or offer an alternative for satisfying such additional requirements within their own education systems.

3. Without prejudice to the provisions of Article IV, admission to a given higher-education institution, or to a given programme within such an institution, may be restricted or selective, according to fair and transparent regulations.

4. With respect to paragraph 3 of the present article, admission procedures shall be designed with a view to ensuring that the assessment of foreign qualifications is carried out according to the principles of transparency, fairness and non-discrimination described in Article III.

5. Without prejudice to the provisions of Article IV, admission to a given higher-education institution may be based on the condition of the demonstration by the qualification holder of sufficient competence in the language or languages of instruction of the institution concerned, or in other specified languages.

6. For the purpose of admission to higher-education programmes, each State Party may make the recognition of qualifications issued by foreign educational institutions operating in its jurisdiction contingent upon specific requirements of the

3. Vsaka država pogodbenica zagotovi, da organ, ki izvaja presojo za namene priznavanja, dokaže obstoj razlogov, zaradi katerih vloga ne izpolnjuje pogojev, ali dokaže, kje so bile ugotovljene bistvene razlike.

X. člen – Informacije o pristojnih organih za priznavanje

1. Vsaka država pogodbenica depozitarju te konvencije zagotovi uradno obvestilo o pristojnih organih, ki v njeni pristojnosti sprejemajo odločitve o zadevah v zvezi s priznavanjem.

2. Kadar ima država pogodbenica osrednji pristojni organ za priznavanje, ga nemudoma zavezujejo določbe te konvencije in sprejme potrebne ukrepe, da se v pristojnosti navedene države pogodbenice zagotovi izvajanje določb te konvencije.

3. Kadar je za sprejemanje odločitev o zadevah v zvezi s priznavanjem pristojna sestavna enota, država pogodbenica depozitarju ob podpisu ali deponiranju listine o ratifikaciji, sprejetju, odobritvi ali pristopu predloži kratko izjavo o svojem ustavnem stanju ali ureditvi in o vseh naknadnih spremembah. V takšnih primerih pristojni organi za priznavanje tako določenih sestavnih enot, kolikor je to mogoče glede na ustavno stanje in ureditev države pogodbenice, sprejmejo potrebne ukrepe, da se v njeni pristojnosti zagotovi izvajanje določb te konvencije.

4. Kadar so za sprejemanje odločitev o zadevah v zvezi s priznavanjem pristojni posamezni visokošolski zavodi ali drugi subjekti, jim vsaka država pogodbenica ali njena sestavna enota v skladu s svojim ustavnim stanjem ali ureditvijo pošlje besedilo te konvencije in sprejme vse potrebne ukrepe, da spodbudi upoštevanje in uporabo njenih določb.

5. Določbe drugega, tretjega in četrtega odstavka tega člena se smiselno uporabljajo tudi za obveznosti držav pogodbenic po tej konvenciji.

XI. člen – Dodatni pogoji za sprejem v visokošolske programe

1. Kadar je sprejem v določene visokošolske programe poleg splošnih pogojev za dostop odvisen tudi od izpolnjevanja posebnih pogojev, lahko pristojni organi zadevne države pogodbenice določijo enake posebne pogoje za imetnike kvalifikacij, pridobljenih v drugih državah pogodbenicah, ali ocenijo, ali kandidati s kvalifikacijami, pridobljenimi v drugih državah pogodbenicah, izpolnjujejo enakovredne pogoje.

2. Kadar se kvalifikacije, ki omogočajo dostop do visokošolskega izobraževanja v eni državi pogodbenici, izdajo le v povezavi z dodatnimi izpiti kot prvim pogojem za dostop, lahko tudi druge države pogodbenice za dostop določijo te pogoje ali ponudijo drugo možnost za izpolnjevanje takšnih dodatnih pogojev v okviru lastnega izobraževalnega sistema.

3. Ne glede na določbe IV. člena se lahko sprejem v visokošolski zavod ali program v okviru takšnega zavoda v skladu s pravičnimi in preglednimi predpisi omeji ali je selektiven.

4. V zvezi s tretjim odstavkom tega člena se sprejemni postopki določijo tako, da se zagotovi ocenjevanje tujih kvalifikacij v skladu z načeli preglednosti, pravičnosti in nediskriminatornosti iz III. člena.

5. Ne glede na določbe IV. člena je lahko za sprejem v visokošolski zavod določen pogoj, da imetnik kvalifikacije izkaže zadovoljivo znanje učnega jezika ali jezikov zadevnega zavoda ali zadovoljivo znanje drugih določenih jezikov.

6. Vsaka država pogodbenica lahko za sprejem v visokošolske programe prizna kvalifikacije, ki jih izdajo tuji izobraževalni zavodi, ki delujejo v njeni pristojnosti, ob upoštevanju posebnih pogojev iz zakonov in drugih predpisov države po-

legislation and regulations of the State Party or the constituent unit thereof, or upon specific agreements concluded with the State Party of origin of such institutions.

SECTION V. IMPLEMENTATION STRUCTURES AND COOPERATION

Article XII. Implementation Structures

The States Parties agree to implement this Convention through or in cooperation with:

1. National implementation structures;
2. Networks of national implementation structures;
3. National, regional and global organizations for accreditation, quality assurance, qualification frameworks, and recognition of qualifications;
4. The Intergovernmental Conference of the States Parties;
5. Regional recognition convention committees.

Article XIII. National Implementation Structures

1. In order to facilitate the recognition of higher-education qualifications, the States Parties undertake to implement this Convention through relevant organizations, including national information centres or similar entities.

2. Each State Party will notify the Secretariat of the Intergovernmental Conference of the States Parties of its national implementation structures and of any modification in this regard.

3. National implementation structures should form and actively participate in networks.

Article XIV. Networks of National Implementation Structures

1. Under the auspices of the Intergovernmental Conference of the States Parties, the networks shall be composed of national implementation structures of the States Parties and shall uphold and assist with the practical implementation of this Convention.

2. The networks shall provide information exchange, capacity building and technical support to the States Parties upon request.

3. The networks shall seek to strengthen the interregional cooperation under this Convention and uphold links to the Intergovernmental Conference of the States Parties.

4. States Parties may participate in existing regional networks established through the regional recognition conventions or create new networks. Participation in existing regional networks shall be subject to the agreement of the relevant regional recognition convention committees.

Article XV. The Intergovernmental Conference of the States Parties

1. An Intergovernmental Conference of the States Parties, hereinafter referred to as "the Conference", shall be established.

2. The Conference shall be composed of representatives of all States Parties to this Convention.

3. The States which are not States Parties to this Convention and the heads of the regional recognition convention committees shall be invited to participate in the meetings of the Conference as observers.

4. Representatives of relevant international and regional organizations, as well as representatives of governmental and non-governmental organizations active in the field of recognition of higher-education qualifications, may also be invited to attend meetings of the Conference as observers.

5. The Conference shall meet in ordinary sessions at least every two years. It may meet in extraordinary sessions if it so decides or at the request of at least one third of the States Par-

ty, godbenice ali njene sestavne enote ali posebnih sporazumov, sklenjenih z državo pogodbenico, iz katere takšni zavodi izvirajo.

V. POGLAVJE – IZVEDBENI ORGANI IN SODELOVANJE

XII. člen – Izvedbeni organi

Države pogodbenice se strinjajo, da konvencijo izvajajo prek ali v sodelovanju z:

1. nacionalnimi izvedbenimi organi;
2. mrežami nacionalnih izvedbenih organov;
3. nacionalnimi, regionalnimi in svetovnimi organizacijami za akreditacijo, zagotavljanje kakovosti, ogrođa kvalifikacij in priznavanje kvalifikacij;
4. Medvladno konferenco držav pogodbenic;
5. odbori regionalnih konvencij o priznavanju.

XIII. člen – Nacionalni izvedbeni organi

1. Z namenom olajšati priznavanje visokošolskih kvalifikacij se države pogodbenice zavezujejo, da bodo to konvencijo izvajale prek ustreznih organizacij, vključno z nacionalnimi informacijskimi centri ali podobnimi subjekti.

2. Vsak država pogodbenica bo obvestila sekretariat Medvladne konference držav pogodbenic o svojih nacionalnih izvedbenih organih in vseh spremembah v zvezi s tem.

3. Nacionalni izvedbeni organi morajo vzpostaviti mreže in v njih aktivno sodelovati.

XIV. člen – Mreže nacionalnih izvedbenih organov

1. Mreže pod okriljem Medvladne konference držav pogodbenic so sestavljene iz nacionalnih izvedbenih organov držav pogodbenic ter podpirajo in pomagajo pri praktičnem izvajanju te konvencije.

2. Mreže državam članicam na njihovo zahtevo zagotavljajo izmenjavo informacij, krepitev zmogljivosti in tehnično podporo.

3. Mreže si v skladu s konvencijo prizadevajo za krepitev medregionalnega sodelovanja in podpirajo povezave z Medvladno konferenco držav pogodbenic.

4. Države pogodbenice lahko sodelujejo v obstoječih regionalnih mrežah, vzpostavljenih na podlagi regionalnih konvencij o priznavanju, ali vzpostavijo nove mreže. O sodelovanju v obstoječih regionalnih mrežah se dogovori z ustreznimi odbori regionalnih konvencij o priznavanju.

XV. člen – Medvladna konferenca držav pogodbenic

1. Ustanovi se Medvladna konferenca držav pogodbenic (v nadaljnjem besedilu: konferenca).

2. Konferenco sestavljajo predstavniki vseh držav pogodbenic te konvencije.

3. Države, ki niso države pogodbenice te konvencije, in vodje odborov regionalnih konvencij o priznavanju se povabijo, da na zasedanjih konference sodelujejo kot opazovalci.

4. Predstavniki ustreznih mednarodnih in regionalnih organizacij ter vladnih in nevladnih organizacij, dejavnih na področju priznavanja visokošolskih kvalifikacij, se tudi lahko povabijo, da se zasedanja konference udeležijo kot opazovalci.

5. Konferenca se na rednih zasedanjih sestaja vsaj vsaki dve leti. Konferenca se lahko sestane na izrednih zasedanjih, če se tako odloči ali to zahteva vsaj ena tretjina držav po-

ties. The Conference shall have an interim work programme concerning activities between sessions. The Conference shall submit a report at each of the ordinary sessions of the General Conference of UNESCO.

6. The Conference shall meet for the first time within two years of the entry into force of this Convention, and at that time it shall adopt its own rules of procedure.

7. The Conference shall promote the application of this Convention and shall oversee its implementation by adopting recommendations, declarations, models of good practices, or any relevant subsidiary text at the global or interregional level.

8. The Conference may adopt operational guidelines for the States Parties to this Convention, in consultation with the regional recognition convention committees.

9. The Conference shall support the follow-up of the activities relating to monitoring by and reporting to UNESCO's governing bodies with regard to the implementation of this Convention.

10. The Conference shall cooperate with the regional recognition convention committees under the auspices of UNESCO.

11. The Conference shall ensure that there is the necessary information exchange between the Conference and the regional recognition convention committees.

12. The Conference shall examine for adoption the draft amendments to this Convention in accordance with Article XXIII. The amendments adopted shall not undermine the principles of transparent, fair, timely and non-discriminatory recognition stated in this Convention.

13. The Secretariat of the Conference shall be provided by the Director-General of UNESCO. The Secretariat shall prepare the documentation of the Conference, draft the agenda of its meetings, and ensure the implementation of its decisions.

SECTION VI. FINAL CLAUSES

Article XVI. Ratification, Acceptance, or Approval by Member States

1. This Convention shall be subject to ratification, acceptance, or approval by Member States of UNESCO and the Holy See in accordance with their respective constitutional and legislative procedures.

2. The instruments of ratification, acceptance, or approval shall be deposited with the Director-General of UNESCO.

Article XVII. Accession

1. This Convention shall be open to accession by all States which are not members of UNESCO but which are Members of the United Nations and are invited by the General Conference of UNESCO to accede to it.

2. This Convention shall also be open to accession by territories which enjoy full internal self-government recognized as such by the United Nations, but which have not attained full independence in accordance with General Assembly resolution 1514 (XV), and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of such matters.

3. The instrument of accession shall be deposited with the Director-General of UNESCO.

Article XVIII. Entry into Force

1. This Convention shall enter into force three months after the date of deposit of the twentieth instrument of ratification, acceptance, approval, or accession, but only with regard to those States Parties which have deposited their respective instruments of ratification, acceptance, approval, or accession on or before that date.

2. This Convention shall enter into force with regard to any other State Party three months after the deposit of its instrument of ratification, acceptance, approval, or accession.

godbenic. Konferenca ima vmesni delovni program dejavnosti med posameznimi zasedanji. Konferenca na vsakem rednem zasedanju Generalne konference Unesca predloži poročilo.

6. Konferenca se prvič sestane v dveh letih od začetka veljavnosti te konvencije in takrat sprejme svoj poslovnik.

7. Konferenca spodbuja uporabo te konvencije in nadzoruje njeno izvajanje s sprejemanjem priporočil, izjav, modelov dobrih praks ali drugih ustreznih pomožnih besedil na svetovni ali medregionalni ravni.

8. Konferenca lahko po posvetovanju z odbori regionalnih konvencij o priznavanju sprejme smernice za delovanje za države pogodbenice te konvencije.

9. Konferenca podpira spremljanje dejavnosti v zvezi z nadzorovanjem in poročanjem Unescovim upravnim organom glede izvajanja te konvencije.

10. Konferenca pod okriljem Unesca sodeluje z odbori regionalnih konvencij o priznavanju.

11. Konferenca zagotovi izmenjavo potrebnih informacij med konferenco in odbori regionalnih konvencij o priznavanju.

12. Konferenca v skladu s XXIII. členom pregleda za sprejem predlagane spremembe te konvencije. Sprejete spremembe ne smejo razvrednotiti načel preglednega, pravičnega, pravočasnega in nediskriminatornega priznavanja iz te konvencije.

13. Generalni direktor Unesca vzpostavi sekretariat konference. Sekretariat pripravlja dokumentacijo konference, dnevni red njenih zasedanj in zagotavlja izvajanje njenih sklepov.

VI. POGLAVJE – KONČNE DOLOČBE

XVI. člen – Ratifikacija, sprejetje ali odobritev držav članic

1. To konvencijo morajo v skladu s svojimi ustavnimi in zakonodajnimi postopki ratificirati, sprejeti ali odobriti države članice Unesca in Sveti sedež.

2. Listine o ratifikaciji, sprejetju ali odobritvi se deponirajo pri generalnem direktorju Unesca.

XVII. člen – Pristop

1. Ta konvencija je na voljo za pristop vsem državam, ki niso članice Unesca, vendar so članice Združenih narodov in jih Generalna konferenca Unesca povabi k pristopu.

2. Ta konvencija je na voljo za pristop tudi ozemljem s polno notranjo samoupravo, ki jih kot taka priznavajo Združeni narodi, vendar niso pridobila popolne neodvisnosti v skladu z Resolucijo 1514 (XV) Generalne skupščine, in so pristojna za zadeve, ki jih ureja ta konvencija, vključno s pristojnostjo za sklepanje mednarodnih pogodb o tovrstnih zadevah.

3. Listina o pristopu se deponira pri generalnem direktorju Unesca.

XVIII. člen – Začetek veljavnosti

1. Ta konvencija začne veljati tri mesece po dnevu deponiranja dvajsete listine o ratifikaciji, sprejetju, odobritvi ali pristopu, vendar samo za tiste države pogodbenice, ki so na ta dan ali pred tem dnem deponirale svoje listine o ratifikaciji, sprejetju, odobritvi ali pristopu.

2. Za vsako drugo državo pogodbenico začne konvencija veljati tri mesece po deponiranju njene listine o ratifikaciji, sprejetju, odobritvi ali pristopu.

Article XIX. Relationship between the States Parties to this Convention and the Parties to the Regional Recognition Conventions and to other Treaties

1. The ratification of, acceptance of, approval of, or accession to of any of the regional recognition conventions shall not be a prerequisite for the ratification of, acceptance of, approval of, or accession to this Convention.

2. The States Parties to this Convention shall:

(a) Foster mutual support between this Convention and the other treaties to which they are parties, particularly the regional recognition conventions; and

(b) Take into account the relevant provisions of this Convention when interpreting and applying the regional recognition conventions to which they are parties or when entering into other international obligations.

3. Nothing in this Convention shall be interpreted as modifying the rights and obligations of the States Parties under the regional recognition conventions and any other treaties to which they are parties.

4. To ensure coherent interaction between this Convention, the regional recognition conventions, any other relevant bilateral or multilateral agreements, and any other existing or future treaty or convention to which a State Party to this Convention may be or may become a party, nothing in this Convention shall be deemed to derogate from any provisions more favourable to recognition, in particular, provisions regarding national information centres, networks and substantial differences.

Article XX. Federal or Non-Unitary Constitutional Systems

Recognizing that international agreements are equally binding on States Parties regardless of their constitutional systems, the following provisions shall apply to States Parties which have a federal or non-unitary constitutional system:

(a) With regard to the provisions of this Convention the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central Government shall be the same as for those States Parties which are not federal States;

(b) With regard to the provisions of the Convention the implementation of which comes under the jurisdiction of constituent units of a State Party, such as provinces, states, counties, or cantons, which are not obliged by the constitutional system of the federation to take legislative measures, the federal Government shall inform, as necessary, the competent authorities of the constituent units of a State Party of said provisions, with its recommendation for their adoption.

Article XXI. Denunciation

1. Any State Party to this Convention may denounce, at any time, this Convention.

2. The denunciation shall be notified by an instrument in writing deposited with the Director-General of UNESCO.

3. The denunciation shall take effect 12 months after the receipt of the instrument of denunciation. It shall in no way affect the obligations under this Convention incumbent upon the State Party denouncing the Convention until the date on which the withdrawal takes effect.

4. The denunciation of this Convention shall not have any impact with respect to:

(a) Recognition decisions taken previously under the provisions of this Convention;

(b) The recognition assessments still in progress under this Convention.

Article XXII. Depositary Functions

The Director-General of UNESCO, as the depositary of this Convention, shall inform the Member States of the Organization, the States not members of the Organization referred to in Article XVII, as well as the United Nations, of:

XIX. člen – Razmerje med državami pogodbenicami te konvencije ter pogodbenicami regionalnih konvencij o priznavanju in drugih mednarodnih pogodb

1. Ratifikacija, sprejetje, odobritev katere koli regionalne konvencije o priznavanju ali pristop k njej ne sme biti pogoj za ratifikacijo, sprejetje, odobritev te konvencije ali pristop k njej.

2. Države pogodbenice te konvencije:

(a) spodbujajo vzajemno podporo med to konvencijo in drugimi mednarodnimi pogodbami, katerih pogodbenice so, še posebej regionalnimi konvencijami o priznavanju, in

(b) pri razlagi in uporabi regionalnih konvencij o priznavanju, katerih pogodbenice so, ali pri sprejemanju drugih mednarodnih obveznosti upoštevajo ustrezne določbe te konvencije.

3. Nič v tej konvenciji se ne sme razlagati kot spreminjanje pravic in obveznosti držav pogodbenic po regionalnih konvencijah o priznavanju in po katerih koli drugih mednarodnih pogodbah, katerih pogodbenice so.

4. Za zagotovitev usklajenega vzajemnega delovanja med to konvencijo, regionalnimi konvencijami o priznavanju, vsemi drugimi ustreznimi dvostranskimi ali večstranskimi sporazumi ter vsemi drugimi veljavnimi ali prihodnjimi mednarodnimi pogodbami ali konvencijami, katerih pogodbenica je lahko ali lahko postane država pogodbenica te konvencije, se nič v tej konvenciji ne šteje za odstopanje od katerih koli ugodnejših določb o priznavanju, zlasti določb o nacionalnih informacijskih centrih, mrežah in bistvenih razlikah.

XX. člen – Zvezni ali decentralizirani ustavni sistemi

Ob upoštevanju, da so mednarodni sporazumi enako zavezujoči za države pogodbenice ne glede na njihove ustavne sisteme, veljajo za države pogodbenice, ki imajo zvezni ali decentralizirani ustavni sistem, naslednje določbe:

(a) v zvezi z določbami te konvencije, katerih izvajanje je v sodni pristojnosti zvezne ali centralne zakonodajne oblasti, so obveznosti zvezne ali centralne ravni vlade enake, kakor so obveznosti držav pogodbenic, ki niso zvezne države;

(b) v zvezi z določbami te konvencije, katerih izvajanje je v pristojnosti sestavnih enot držav pogodbenic, kot so provinice, dežele, okrožja ali kantoni v sestavi, ki jih zvezni ustavni sistem ne zavezuje, da morajo sprejemati zakonodajne ukrepe, zvezna vlada po potrebi pristojne organe sestavnih enot držav pogodbenic obvesti o teh določbah in jim priporoči, da jih sprejmejo.

XXI. člen – Odpoved

1. Vsaka država pogodbenica lahko kadar koli odpove to konvencijo.

2. Odpoved se uradno sporoči s pisno listino, ki se depozira pri generalnem direktorju Unesca.

3. Odpoved začne veljati dvanajst mesecev po prejemu listine o odpovedi. Odpoved v nobenem primeru ne vpliva na obveznosti iz te konvencije, ki jih ima država pogodbenica, ki je odpovedala konvencijo, do dneva, ko odstop začne veljati.

4. Odpoved te konvencije ne vpliva na:

(a) odločitve o priznavanju, ki so že bile sprejete v skladu z določbami te konvencije;

(b) postopke priznavanja, ki še vedno potekajo v skladu s to konvencijo.

XXIII. člen – Naloge depozitarja

Generalni direktor Unesca kot depozitar te konvencije obvesti države članice Unesca, države iz XVII. člena, ki niso članice Unesca, in tudi Združene narode o:

(a) The deposit of all the instruments of ratification, acceptance, approval, or accession provided for in Articles XVI and XVII;

(b) The denunciations provided for in Article XXI;

(c) The amendments to the Convention adopted in accordance with Article XXIII and the date on which the amendments come into force as proposed in accordance with Article XXIII.

Article XXIII. Amendments

1. A State Party to this Convention may, by written communication addressed to the Director-General of UNESCO, propose amendments to this Convention. The Director-General shall circulate such communication to all States Parties. If within six months of the date of dispatch of the communication, no less than one half of the States Parties to the Convention reply favourably to the request, the Director-General shall present such proposal to the next session of the Intergovernmental Conference of the States Parties for discussion and possible adoption.

2. Amendments shall be adopted by a two-thirds majority of States Parties present and voting.

3. Once adopted, amendments to this Convention shall be submitted to the States Parties for ratification, acceptance, approval, or accession.

4. For States Parties which have ratified, accepted, approved, or acceded to them, amendments to this Convention shall enter into force three months after the deposit by two thirds of the States Parties of the instruments referred to in paragraph 3 of this Article. Thereafter, for each State Party which ratifies, accepts, approves, or accedes to an amendment, said amendment shall enter into force three months after the date on which that State Party has deposited its instrument of ratification, acceptance, approval, or accession.

5. A State which becomes a State Party to this Convention after the entry into force of amendments in conformity with paragraph 4 of this Article shall, failing an expression of different intention, be considered to be:

(a) A State Party to this Convention as so amended; and

(b) A State Party to the unamended Convention in relation to any State Party not bound by the amendments.

Article XXIV. Registration with the United Nations

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of UNESCO.

Article XXV. Authoritative Texts

This Convention has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, all six texts being equally authoritative.

(a) deponiranju vseh listin o ratifikaciji, sprejetju, odobritvi ali pristopu iz XVI. in XVII. člena;

(b) odpovedih iz XXI. člena;

(c) spremembah konvencije, sprejetih v skladu s XXIII. členom, in o dnevu začetka veljavnosti sprememb, kakor je predlagano v skladu s XXIII. členom.

XXIII. člen – Spremembe

1. Država pogodbenica te konvencije lahko s pisnim obvestilom, naslovljenim na generalnega direktorja Unesca, predlaga spremembe te konvencije. Generalni direktor pošlje tako sporočilo vsem državam pogodbenicam. Če v šestih mesecih od dneva, ko je bilo obvestilo poslano, vsaj polovica držav pogodbenic te konvencije na zaprosilo odgovori pritrdilno, generalni direktor tak predlog predstavi na naslednjem zasedanju Medvladne konference držav pogodbenic za razpravo in morebitni sprejem.

2. Spremembe se sprejmejo z dvotretjinsko večino navzočih in glasujočih držav pogodbenic.

3. Ko so spremembe te konvencije sprejete, se pošljejo državam pogodbenicam za ratifikacijo, sprejetje, odobritev ali pristop.

4. Spremembe te konvencije za države pogodbenice, ki so jih ratificirale, sprejele, odobrile ali pristopile k njim, začnejo veljati tri mesece po tem, ko dve tretjini pogodbenic deponirata listine iz tretjega odstavka tega člena. Potem začne za vsako državo pogodbenico, ki spremembo ratificira, sprejme, odobri ali k njej pristopi, navedena sprememba veljati tri mesece po dnevu, ko je država pogodbenica deponirala svojo listino o ratifikaciji, sprejetju, odobritvi ali pristopu.

5. Država, ki v skladu s četrnim odstavkom tega člena postane država pogodbenica te konvencije po začetku veljavnosti sprememb, se, če ne izrazi drugačnega namena, šteje za:

(a) državo pogodbenico tako spremenjene konvencije in

(b) državo pogodbenico nespremenjene konvencije glede na vse države pogodbenice, ki jih te spremembe ne zavezujejo.

XXIV. člen – Registracija pri Združenih narodih

V skladu s 102. členom Ustanovne listine Organizacije združenih narodov se ta konvencija na zaprosilo generalnega direktorja Unesca registrira pri sekretariatu Združenih narodov.

XXV. člen – Verodostojna besedila

Ta konvencija je sestavljena v arabskem, kitajskem, angleškem, francoskem, ruskem in španskem jeziku, pri čemer je vseh šest besedil enako verodostojnih.

3. člen

Za izvajanje konvencije skrbi ministrstvo, pristojno za visoko šolstvo.

4. člen

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

Št. 602-04/26-1/11

Ljubljana, dne 28. januarja 2026

EPA 2738-IX

Državni zbor
Republike Slovenije
mag. Urška Klakočar Zupančič
predsednica

2. Zakon o ratifikaciji Mednarodne konvencije za nadzor in ravnanje z ladijsko balastno vodo in usedlinami, 2004 (MKNRLBVU)

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

U K A Z**o razglasitvi Zakona o ratifikaciji Mednarodne konvencije za nadzor in ravnanje z ladijsko balastno vodo in usedlinami, 2004 (MKNRLBVU)**

Razglasjam Zakon o ratifikaciji Mednarodne konvencije za nadzor in ravnanje z ladijsko balastno vodo in usedlinami, 2004 (MKNRLBVU), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 28. januarja 2026.

Št. 003-02-1/2026-19

Ljubljana, dne 5. februarja 2026

Nataša Pirc Musar
predsednica
Republike Slovenije

Z A K O N**O RATIFIKACIJI MEDNARODNE KONVENCIJE ZA NADZOR IN RAVNANJE Z LADIJSKO BALASTNO VODO IN USEDLINAMI, 2004 (MKNRLBVU)****1. člen**

Ratificira se Mednarodna konvencija za nadzor in ravnanje z ladijsko balastno vodo in usedlinami, 2004, sestavljena v Londonu 13. februarja 2004.

2. člen

Besedilo konvencije¹ se v izvirniku v angleškem in prevodu v slovenskem jeziku glasi:

INTERNATIONAL CONVENTION FOR THE CONTROL AND MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS, 2004**THE PARTIES TO THIS CONVENTION,**

RECALLING Article 196(1) of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which provides that "States shall take all measures necessary to prevent, reduce and control pollution of the marine environment resulting from the use of technologies under their jurisdiction or control, or the intentional or accidental introduction of species, alien or new, to a particular part of the marine environment, which may cause significant and harmful changes thereto,"

NOTING the objectives of the 1992 Convention on Biological Diversity (CBD) and that the transfer and introduction of Harmful Aquatic Organisms and Pathogens via ships' ballast water threatens the conservation and sustainable use of biological diversity as well as decision IV/5 of the 1998 Conference of the Parties (COP 4) to the CBD concerning the conservation and sustainable use of marine and coastal ecosystems, as well as decision VI/23 of the 2002 Conference of the Parties (COP 6) to the CBD on alien species that threaten ecosystems, habitats or species, including guiding principles on invasive species,

NOTING FURTHER that the 1992 United Nations Conference on Environment and Development (UNCED) requested the International Maritime Organization (the Organization) to consider the adoption of appropriate rules on ballast water discharge,

MINDFUL of the precautionary approach set out in Principle 15 of the Rio Declaration on Environment and Development and referred to in resolution MEPC.67(37), adopted by the Organization's Marine Environment Protection Committee on 15 September 1995,

MEDNARODNA KONVENCIJA ZA NADZOR IN RAVNANJE Z LADIJSKO BALASTNO VODO IN USEDLINAMI, 2004**POGODBENICE TE KONVENCIJE SO SE**

OB SKLICEVANJU na to, da prvi odstavek 196. člena Konvencije Združenih narodov o pomorskem mednarodnem pravu iz leta 1982 (UNCLOS) določa, da "države sprejmejo vse ukrepe, potrebne za preprečevanje, zmanjšanje in nadzor onesnaževanja morskega okolja, ki je posledica uporabe tehnologij pod njihovo pristojnostjo ali nadzorom, ali namernega ali nenamernega vnosa tujerodnih ali novih vrst v določen del morskega okolja, ki bi lahko v tem okolju povzročil večje ali škodljive spremembe",

OB UPOŠTEVANJU ciljev Konvencije o biološki raznovrstnosti (MKBR) iz leta 1992 in dejstva, da prenos in vnos škodljivih vodnih organizmov in povzročiteljev bolezni z ladijsko balastno vodo ogrožata ohranjanje in trajnost biološke raznovrstnosti, ter sklepa IV/5 Konference pogodbenic te konvencije iz leta 1998 v zvezi z ohranjanjem in trajnostno uporabo morskih in obalnih ekosistemov in sklepa VI/23 Konference pogodbenic te konvencije iz leta 2002 o tujerodnih vrstah, ki ogrožajo ekosisteme, habitate in vrste, vključno s temeljnimi načeli o invazivnih vrstah,

OB NADALJNJEM UPOŠTEVANJU, da je Konferenca Združenih narodov o okolju in razvoju (UNCED) iz leta 1992 zahtevala, da Mednarodna pomorska organizacija (organizacija) prouči sprejetje ustreznih pravil o izpustu balastne vode,

OB UPOŠTEVANJU previdnostnega pristopa iz 15. načela Deklaracije o okolju in razvoju iz Ria, omenjenega v resoluciji MEPC 67 (37), ki ga je 15. septembra 1995 sprejel Odbor za varovanje morskega okolja te organizacije,

¹ Besedilo konvencije v arabskem, francoskem, kitajskem, ruskem in španskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

ALSO MINDFUL that the 2002 World Summit on Sustainable Development, in paragraph 34(b) of its Plan of Implementation, calls for action at all levels to accelerate the development of measures to address invasive alien species in ballast water,

CONSCIOUS that the uncontrolled discharge of Ballast Water and Sediments from ships has led to the transfer of Harmful Aquatic Organisms and Pathogens, causing injury or damage to the environment, human health, property and resources,

RECOGNIZING the importance placed on this issue by the Organization through Assembly resolutions A.774(18) in 1993 and A.868(20) in 1997, adopted for the purpose of addressing the transfer of Harmful Aquatic Organisms and Pathogens,

RECOGNIZING FURTHER that several States have taken individual action with a view to prevent, minimize and ultimately eliminate the risks of introduction of Harmful Aquatic Organisms and Pathogens through ships entering their ports, and also that this issue, being of worldwide concern, demands action based on globally applicable regulations together with guidelines for their effective implementation and uniform interpretation,

DESIRING to continue the development of safer and more effective Ballast Water Management options that will result in continued prevention, minimization and ultimate elimination of the transfer of Harmful Aquatic Organisms and Pathogens,

RESOLVED to prevent, minimize and ultimately eliminate the risks to the environment, human health, property and resources arising from the transfer of Harmful Aquatic Organisms and Pathogens through the control and management of ships' Ballast Water and Sediments, as well as to avoid unwanted side-effects from that control and to encourage developments in related knowledge and technology,

CONSIDERING that these objectives may best be achieved by the conclusion of an International Convention for the Control and Management of Ships' Ballast Water and Sediments,

HAVE AGREED as follows:

Article 1

Definitions

For the purpose of this Convention, unless expressly provided otherwise:

1 "Administration" means the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of any State, the Administration is the Government of that State. With respect to floating platforms engaged in exploration and exploitation of the sea-bed and subsoil thereof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploration and exploitation of its natural resources, including Floating Storage Units (FSUs) and Floating Production Storage and Offloading Units (FPSOs), the Administration is the Government of the coastal State concerned.

2 "Ballast Water" means water with its suspended matter taken on board a ship to control trim, list, draught, stability or stresses of the ship.

3 "Ballast Water Management" means mechanical, physical, chemical, and biological processes, either singularly or in combination, to remove, render harmless, or avoid the uptake or discharge of Harmful Aquatic Organisms and Pathogens within Ballast Water and Sediments.

4 "Certificate" means the International Ballast Water Management Certificate.

5 "Committee" means the Marine Environment Protection Committee of the Organization.

6 "Convention" means the International Convention for the Control and Management of Ships' Ballast Water and Sediments.

ZAVEDAJOČ SE TUDI, da Svetovni vrh o trajnostnem razvoju iz leta 2002 v točki b štirinadesetega odstavka svoje- ga izvedbenega načrta poziva k dejanjem na vseh ravneh za spodbujanje oblikovanja ukrepov v zvezi z invazivnimi tujero- dnimi vrstami v balastni vodi,

ZAVEDAJOČ SE, da je nenadzorovan izpust balastne vode in usedlin z ladij povzročil prenos škodljivih vodnih orga- nizmov in povzročiteljev bolezni, ki škodujejo okolju, zdravju ljudi, stvarjem in virom,

OB SPOZNANJU pomembnosti, ki jo je temu vpra- šanju namenila organizacija s sprejetjem sklepov skupščine A.774 (18) leta 1993 in A.868 (20) leta 1997 glede prenosa škodljivih vodnih organizmov in povzročiteljev bolezni,

OB SPOZNANJU, da je več držav sprejelo enostranske ukrepe za preprečevanje, zmanjševanje in dokončno odpravo tveganja zaradi vnosa škodljivih vodnih organizmov in pov- zročiteljev bolezni z ladjami, ki vplujejo v njihova pristanišča, in da tudi to vprašanje, ki je pomembno za ves svet, zahteva ukrepe na podlagi predpisov, veljavnih po vsem svetu, sku- paj s smernicami za njihovo učinkovito izvajanje in enotno razlago,

V ŽELJI, da se nadaljuje razvoj varnejšega in učinkovitej- šega ravnanja z balastno vodo, ki bo omogočilo stalno prepre- čevanje, zmanjševanje in dokončno odpravo prenosa škodljivih vodnih organizmov in povzročiteljev bolezni,

TRDNO ODLOČENE, da z nadzorom in ustreznim ravna- njem z ladijsko balastno vodo in usedlinami preprečijo, zmanj- šajo in dokončno odpravijo tveganje za okolje, zdravje ljudi, stvari in vire zaradi prenosa škodljivih vodnih organizmov in povzročiteljev bolezni ter da preprečijo nezaželene stranske učinke takega nadzora in spodbudijo razvoj znanja in tehnolo- gije v zvezi s tem,

GLEDE NA TO, da bi bilo te cilje najlažje doseči s skleni- tvijo Mednarodne konvencije za nadzor in ravnanje z ladijsko balastno vodo in usedlinami,

DOGOVORILE:

1. člen

Pomen izrazov

V tej konvenciji, razen če ni izrecno določeno drugače:

1. "pristojni organ" pomeni vlado države, pod pristojnostjo katere plove ladja. Za ladjo, ki je upravičena pluti pod zastavo države, je pristojni organ vlada te države. Za plavajoče plošča- di, namenjene raziskovanju in izkoriščanju morskega dna in njegovega podzemlja ob obali, nad katero ima obalna država suverene pravice pri raziskovanju in izkoriščanju naravnih vi- rov, vključno s plavajočimi skladiščnimi enotami in plavajočimi proizvodnimi, skladiščnimi in pretovornimi enotami, je pristojni organ vlada te obalne države;

2. "balastna voda" pomeni vodo s snovmi v suspenziji, načrpano na ladjo za uravnavanje naklona, ugreza, stabilnosti in napetosti ladje;

3. "ravnanje z balastno vodo" pomeni posamezne ali kombi- nirane mehanske, fizikalne, kemijske in biološke postopke za odstranjevanje, odpravljanje škodljivosti ali preprečevanje zaje- manja ali izpusta škodljivih vodnih organizmov in povzročiteljev bolezni v balastni vodi in usedlinah;

4. "spričevalo" pomeni mednarodno spričevalo o ravnanju z balastno vodo;

5. "odbor" pomeni Odbor za varstvo morskega okolja organizacije;

6. "konvencija" pomeni Mednarodno konvencijo za nadzor in ravnanje z ladijsko balastno vodo in usedlinami;

7 "Gross tonnage" means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969 or any successor Convention.

8 "Harmful Aquatic Organisms and Pathogens" means aquatic organisms or pathogens which, if introduced into the sea including estuaries, or into fresh water courses, may create hazards to the environment, human health, property or resources, impair biological diversity or interfere with other legitimate uses of such areas.

9 "Organization" means the International Maritime Organization.

10 "Secretary-General" means the Secretary-General of the Organization.

11 "Sediments" means matter settled out of Ballast Water within a ship.

12 "Ship" means a vessel of any type whatsoever operating in the aquatic environment and includes submersibles, floating craft, floating platforms, FSUs and FPSOs.

Article 2

General Obligations

1 Parties undertake to give full and complete effect to the provisions of this Convention and the Annex thereto in order to prevent, minimize and ultimately eliminate the transfer of Harmful Aquatic Organisms and Pathogens through the control and management of ships' Ballast Water and Sediments.

2 The Annex forms an integral part of this Convention. Unless expressly provided otherwise, a reference to this Convention constitutes at the same time a reference to the Annex.

3 Nothing in this Convention shall be interpreted as preventing a Party from taking, individually or jointly with other Parties, more stringent measures with respect to the prevention, reduction or elimination of the transfer of Harmful Aquatic Organisms and Pathogens through the control and management of ships' Ballast Water and Sediments, consistent with international law.

4 Parties shall endeavour to co-operate for the purpose of effective implementation, compliance and enforcement of this Convention.

5 Parties undertake to encourage the continued development of Ballast Water Management and standards to prevent, minimize and ultimately eliminate the transfer of Harmful Aquatic Organisms and Pathogens through the control and management of ships' Ballast Water and Sediments.

6 Parties taking action pursuant to this Convention shall endeavour not to impair or damage their environment, human health, property or resources, or those of other States.

7 Parties should ensure that Ballast Water Management practices used to comply with this Convention do not cause greater harm than they prevent to their environment, human health, property or resources, or those of other States.

8 Parties shall encourage ships entitled to fly their flag, and to which this Convention applies, to avoid, as far as practicable, the uptake of Ballast Water with potentially Harmful Aquatic Organisms and Pathogens, as well as Sediments that may contain such organisms, including promoting the adequate implementation of recommendations developed by the Organization.

9 Parties shall endeavour to co-operate under the auspices of the Organization to address threats and risks to sensitive, vulnerable or threatened marine ecosystems and biodiversity in areas beyond the limits of national jurisdiction in relation to Ballast Water Management.

Article 3

Application

1 Except as expressly provided otherwise in this Convention, this Convention shall apply to:

7. "bruto tonaža" pomeni bruto tonažo, izračunano v skladu s predpisi o merjenju tonaže iz priloge I k Mednarodni konvenciji o izmeritvi ladij, 1969, ali katere koli naslednje konvencije;

8. "škodljivi vodni organizmi in povzročitelji bolezni" pomenijo vodne organizme in povzročitelje bolezni, ki lahko ob vnosu v morje, vključno z rečnimi ustji, ali v tekoče sladke vode povzročijo tveganje za okolje, zdravje ljudi, stvari ali vire, ogrozijo biološko raznovrstnost ali škodljivo vplivajo na drugo zakonito uporabo takih območij;

9. "organizacija" pomeni Mednarodno pomorsko organizacijo;

10. "generalni sekretar" pomeni generalnega sekretarja organizacije;

11. "usedline" pomenijo snovi, ki se usedajo iz balastne vode na ladji;

12. "ladja" pomeni plovila vseh vrst, ki se uporabljajo v vodnem okolju, vključno s podvodnimi plovili, plavajočimi plovili, plavajočimi ploščadmi, plavajočimi skladiščnimi enotami in plavajočimi proizvodnimi, skladiščnimi in pretovornimi enotami.

2. člen

Splošne obveznosti

1. Pogodbenice se zavezujejo, da bodo v celoti izvajale določbe te konvencije in njene priloge, da bi z nadzorom in ravnanjem z ladijsko balastno vodo in usedlinami preprečile, zmanjšale in dokončno odpravile prenos škodljivih vodnih organizmov in povzročiteljev bolezni.

2. Priloga h konvenciji je njen sestavni del. Če ni izrecno drugače določeno, je sklicevanje na to konvencijo hkrati sklicevanje na njeno prilogo.

3. Nobena določba v tej konvenciji se ne razlaga tako, kot da pogodbenica ne sme sama ali skupaj z drugimi pogodbenicami sprejemati strožjih ukrepov za preprečevanje, zmanjševanje ali odpravljanje prenosa škodljivih vodnih organizmov in povzročiteljev bolezni z nadzorom in ustreznim ravnanjem z ladijsko balastno vodo in usedlinami v skladu z mednarodnim pravom.

4. Pogodbenice si prizadevajo sodelovati, da bi učinkovito izvajale, upoštevale in uveljavljale to konvencijo.

5. Pogodbenice se zavezujejo, da bodo stalno spodbujale izboljšave ravnanja z ladijsko balastno vodo in standardov za preprečevanje, zmanjševanje in dokončno odpravo prenosa škodljivih vodnih organizmov in povzročiteljev bolezni z nadzorom in ustreznim ravnanjem z ladijsko balastno vodo in usedlinami.

6. Pogodbenice si pri izvajanju te konvencije prizadevajo, da ne bi škodljivo vplivale na okolje, zdravje ljudi, stvari ali vire v svojih in drugih državah.

7. Pogodbenice bi morale zagotoviti, da ravnanje z balastno vodo v skladu s to konvencijo okolju, zdravju ljudi, stvarjem ali virom v njihovih ali drugih državah prinaša več koristi, kot povzroča škode.

8. Pogodbenice spodbujajo ladje, ki plovejo pod njihovo zastavo in na katere se nanaša ta konvencija, da v čim večji meri preprečijo zajemanje morebitno škodljivih vodnih organizmov in povzročiteljev bolezni ter usedlin, ki bi lahko vsebovale take organizme; hkrati jih tudi spodbujajo, da ustrezno izvajajo priporočila organizacije.

9. Pri ravnanju z balastno vodo si pogodbenice pod pokroviteljstvom organizacije prizadevajo sodelovati ob grožnjah in tveganju za občutljive, ranljive ali ogrožene morske ekosisteme in biološko raznovrstnost na območjih zunaj meja državne pristojnosti.

3. člen

Uporaba

1. Če v tej konvenciji ni izrecno drugače določeno, se uporablja za:

- (a) ships entitled to fly the flag of a Party; and
- (b) ships not entitled to fly the flag of a Party but which operate under the authority of a Party.

2 This Convention shall not apply to:

- (a) ships not designed or constructed to carry Ballast Water;

(b) ships of a Party which only operate in waters under the jurisdiction of that Party, unless the Party determines that the discharge of Ballast Water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent or other States;

(c) ships of a Party which only operate in waters under the jurisdiction of another Party, subject to the authorization of the latter Party for such exclusion. No Party shall grant such authorization if doing so would impair or damage their environment, human health, property or resources, or those of adjacent or other States. Any Party not granting such authorization shall notify the Administration of the ship concerned that this Convention applies to such ship;

(d) ships which only operate in waters under the jurisdiction of one Party and on the high seas, except for ships not granted an authorization pursuant to sub-paragraph (c), unless such Party determines that the discharge of Ballast Water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent or other States;

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

(f) permanent Ballast Water in sealed tanks on ships, that is not subject to discharge.

3 With respect to ships of non-Parties to this Convention, Parties shall apply the requirements of this Convention as may be necessary to ensure that no more favourable treatment is given to such ships.

Article 4

Control of the Transfer of Harmful Aquatic Organisms and Pathogens Through Ships' Ballast Water and Sediments

1 Each Party shall require that ships to which this Convention applies and which are entitled to fly its flag or operating under its authority comply with the requirements set forth in this Convention, including the applicable standards and requirements in the Annex, and shall take effective measures to ensure that those ships comply with those requirements.

2 Each Party shall, with due regard to its particular conditions and capabilities, develop national policies, strategies or programmes for Ballast Water Management in its ports and waters under its jurisdiction that accord with, and promote the attainment of the objectives of this Convention.

Article 5

Sediment Reception Facilities

1 Each Party undertakes to ensure that, in ports and terminals designated by that Party where cleaning or repair of ballast tanks occurs, adequate facilities are provided for the reception of Sediments, taking into account the Guidelines developed by the Organization. Such reception facilities shall operate without causing undue delay to ships and shall provide for the safe disposal of such Sediments that does not impair or damage their environment, human health, property or resources or those of other States.

2 Each Party shall notify the Organization for transmission to the other Parties concerned of all cases where the facilities provided under paragraph 1 are alleged to be inadequate.

- a) ladje, ki plovejo pod zastavo pogodbenice, in
- b) ladje, ki ne plovejo pod zastavo pogodbenice, so pa v njeni pristojnosti.

2. Konvencija se ne uporablja za:

- a) ladje, ki niso zasnovane ali zgrajene za prevoz balastne vode;

b) ladje posamezne pogodbenice, ki plovejo izključno v vodah pod pristojnostjo te pogodbenice, razen če pogodbenica določi, da bi izpusť balastne vode s takih ladij škodoval okolju, zdravju ljudi, stvarjem ali virom teh, sosednjih ali drugih držav;

c) ladje posamezne pogodbenice, ki plovejo izključno v vodah pod pristojnostjo druge pogodbenice, za kar so pridobile njeno dovoljenje. Nobena pogodbenica ne izda takega dovoljenja, če bi s tem škodovala okolju, zdravju ljudi, stvarjem ali virom teh, sosednjih ali drugih držav. Pogodbenica, ki ne izda takega dovoljenja, mora uradno obvestiti pristojni organ te ladje, da zanjo velja ta konvencija;

d) ladje, ki plovejo izključno v vodah pod pristojnostjo ene pogodbenice in na odprtem morju, razen za ladje, ki jim ni bilo izdano dovoljenje v skladu s pododstavkom c, če ta pogodbenica ne določi, da bi izpusť balastne vode s takih ladij škodoval okolju, zdravju ljudi, stvarjem ali virom teh, sosednjih ali drugih držav;

e) vojno ladjo, vojno pomožno ladjo ali drugo ladjo, ki je v lasti države ali jo ta upravlja in se trenutno uporablja samo za vladne negospodarske namene. Vsaka pogodbenica pa s sprejetjem ustreznih ukrepov, ki ne vplivajo na dejavnosti in zmožnosti delovanja ladij, katerih lastnica je ali jih upravlja, zagotovi, da take ladje plovejo skladno s to konvencijo, če je to mogoče in izvedljivo, in

f) stalno balastno vodo v zaprtih ladijskih rezervoarjih, ki se ne izpušča.

3. Za ladje držav, ki niso pogodbenice te konvencije, pogodbenice uveljavljajo zahteve iz te konvencije, ki so potrebne, da se prepreči ugodnejša obravnava takih ladij.

4. člen

Nadzor nad prenosom škodljivih vodnih organizmov in povzročiteljev bolezni z ladijsko balastno vodo in usedlinami

1. Vsaka pogodbenica zahteva, da ladje, na katere se konvencija nanaša in plovejo pod njeno zastavo ali so v njeni pristojnosti, izpolnjujejo zahteve, določene v tej konvenciji, vključno z veljavnimi standardi in zahtevami v prilogi, ter sprejme ustrezne ukrepe, s katerimi zagotovi, da ladje ravna jo v skladu z navedenimi zahtevami.

2. Vsaka pogodbenica v skladu s svojimi posebnimi zahtevami in zmožnostmi oblikuje državne politike, strategije ali programe za ravnanje z balastno vodo v svojih pristaniščih in vodah v njeni pristojnosti, ki so v skladu s to konvencijo, in spodbuja uresničevanje njenih ciljev.

5. člen

Naprave za sprejem usedlin

1. Vsaka pogodbenica se zaveže zagotoviti, da so pristanišča in terminali, ki jih je določila za čiščenje ali popravilo balastnih rezervoarjev, opremljena z ustreznimi napravami za sprejem usedlin ob upoštevanju smernic, ki jih je pripravila organizacija. Take sprejemne naprave delujejo brez nepotrebne zadrževanja ladij in zagotovijo varno odlaganje usedlin, ki ne škoduje okolju, zdravju ljudi, stvarjem ali virom teh in drugih držav.

2. Vsaka pogodbenica uradno obvesti organizacijo o vseh domnevno neustreznih napravah iz prvega odstavka, organizacija pa o tem obvesti druge pogodbenice, na katere se to nanaša.

Article 6*Scientific and Technical Research and Monitoring*

1 Parties shall endeavour, individually or jointly, to:

(a) promote and facilitate scientific and technical research on Ballast Water Management; and

(b) monitor the effects of Ballast Water Management in waters under their jurisdiction.

Such research and monitoring should include observation, measurement, sampling, evaluation and analysis of the effectiveness and adverse impacts of any technology or methodology as well as any adverse impacts caused by such organisms and pathogens that have been identified to have been transferred through ships' Ballast Water.

2 Each Party shall, to further the objectives of this Convention, promote the availability of relevant information to other Parties who request it on:

(a) scientific and technology programmes and technical measures undertaken with respect to Ballast Water Management; and

(b) the effectiveness of Ballast Water Management deduced from any monitoring and assessment programmes.

Article 7*Survey and certification*

1 Each Party shall ensure that ships flying its flag or operating under its authority and subject to survey and certification are so surveyed and certified in accordance with the regulations in the Annex.

2 A Party implementing measures pursuant to Article 2.3 and Section C of the Annex shall not require additional survey and certification of a ship of another Party, nor shall the Administration of the ship be obligated to survey and certify additional measures imposed by another Party. Verification of such additional measures shall be the responsibility of the Party implementing such measures and shall not cause undue delay to the ship.

Article 8*Violations*

1 Any violation of the requirements of this Convention shall be prohibited and sanctions shall be established under the law of the Administration of the ship concerned, wherever the violation occurs. If the Administration is informed of such a violation, it shall investigate the matter and may request the reporting Party to furnish additional evidence of the alleged violation. If the Administration is satisfied that sufficient evidence is available to enable proceedings to be brought in respect of the alleged violation, it shall cause such proceedings to be taken as soon as possible, in accordance with its law. The Administration shall promptly inform the Party that reported the alleged violation, as well as the Organization, of any action taken. If the Administration has not taken any action within 1 year after receiving the information, it shall so inform the Party which reported the alleged violation.

2 Any violation of the requirements of this Convention within the jurisdiction of any Party shall be prohibited and sanctions shall be established under the law of that Party. Whenever such a violation occurs, that Party shall either:

(a) cause proceedings to be taken in accordance with its law; or

(b) furnish to the Administration of the ship such information and evidence as may be in its possession that a violation has occurred.

3 The sanctions provided for by the laws of a Party pursuant to this Article shall be adequate in severity to discourage violations of this Convention wherever they occur.

6. člen*Znanstvene in tehnične raziskave in spremljanje*

1. Pogodbenice si posamezno ali skupaj prizadevajo:

a) spodbujati in omogočati znanstvene in tehnične raziskave ravnanja z balastno vodo in

b) spremljati učinke ravnanja z balastno vodo v vodah v njihovi pristojnosti.

Take raziskave in spremljanje bi morale vključevati opazovanje, meritve, vzorčenje, ocene in analize učinkovitosti in škodljivih učinkov tehnologij ali metodologij ter škodljivih vplivov, ki jih povzročajo taki organizmi in povzročitelji bolezni, za katere je bilo ugotovljeno, da so bili prineseni z ladijsko balastno vodo.

2. Za uresničevanje ciljev te konvencije vse pogodbenice skrbijo za razpoložljivost ustreznih informacij za druge pogodbenice, ki zanje zaprosijo:

a) o znanstvenih in tehnoloških programih ter tehničnih ukrepih, sprejetih v zvezi z ravnanjem z balastno vodo, in

b) o učinkovitosti ravnanja z balastno vodo, ugotovljeni na podlagi programov spremljanja in ocenjevanja.

7. člen*Pregledi in izdajanje spričeval*

1. Vsaka pogodbenica zagotovi, da so ladje, ki plovejo pod njeno zastavo ali so v njeni pristojnosti ter jih je treba pregledati in zanje izdati spričevala, pregledane in so spričevala zanje izdana v skladu s pravili v prilogi.

2. Pogodbenica, ki izvaja dodatne ukrepe iz tretjega odstavka 2. člena in poglavja C priloge, ne more zahtevati dodatnega pregleda in potrditve ladje druge pogodbenice, pristojnemu organu ladje pa ni treba pregledati in potrditi dodatnih ukrepov, ki jih je uvedla druga pogodbenica. Preverjanje dodatnih ukrepov je naloga pogodbenice, ki te ukrepe izvaja, in ladji ne sme povzročiti nepotrebne zamude.

8. člen*Kršitve*

1. Prepovedana je vsaka kršitev te konvencije, kazni pa se določijo v skladu z zakonodajo pristojnega organa ladje ne glede na to, kje kršitev nastane. Če je pristojni organ obveščen o taki kršitvi, raziše zadevo in lahko pogodbenico, ki je sporočila kršitev, prosi za dodatne dokaze o domnevni kršitvi. Če pristojni organ meni, da je dovolj dokazov za uvedbo postopka v zvezi z domnevno kršitvijo, čim prej sproži postopek v skladu s svojo zakonodajo. Pristojni organ o sprejetih ukrepih nemudoma obvesti pogodbenico, ki je sporočila domnevno kršitev, in organizacijo. Če pristojni organ ne ukrepa v enem letu od prejetja informacije, o tem obvesti pogodbenico, ki je sporočila domnevno kršitev.

2. Prepovedana je vsaka kršitev te konvencije v pristojnosti pogodbenice, kazni pa se določijo v skladu z njeno zakonodajo. Kadar nastane taka kršitev, pogodbenica:

a) sproži postopek v skladu s svojo zakonodajo ali

b) predloži pristojnemu organu ladje podatke in dokaze, ki jih ima v zvezi s kršitvijo.

3. Kazni, ki jih določa zakonodaja pogodbenice v skladu s tem členom, so primerno stroge, da odvrčajo od kršitev te konvencije, kjer koli nastanejo.

Article 9*Inspection of Ships*

1 A ship to which this Convention applies may, in any port or offshore terminal of another Party, be subject to inspection by officers duly authorized by that Party for the purpose of determining whether the ship is in compliance with this Convention. Except as provided in paragraph 2 of this Article, any such inspection is limited to:

- (a) verifying that there is onboard a valid Certificate, which, if valid shall be accepted; and
- (b) inspection of the Ballast Water record book, and/or
- (c) a sampling of the ship's Ballast Water, carried out in accordance with the guidelines to be developed by the Organization. However, the time required to analyse the samples shall not be used as a basis for unduly delaying the operation, movement or departure of the ship.

2 Where a ship does not carry a valid Certificate or there are clear grounds for believing that:

- (a) the condition of the ship or its equipment does not correspond substantially with the particulars of the Certificate; or
- (b) the master or the crew are not familiar with essential shipboard procedures relating to Ballast Water Management, or have not implemented such procedures;

a detailed inspection may be carried out.

3 In the circumstances given in paragraph 2 of this Article, the Party carrying out the inspection shall take such steps as will ensure that the ship shall not discharge Ballast Water until it can do so without presenting a threat of harm to the environment, human health, property or resources.

Article 10*Detection of Violations and Control of Ships*

1 Parties shall co-operate in the detection of violations and the enforcement of the provisions of this Convention.

2 If a ship is detected to have violated this Convention, the Party whose flag the ship is entitled to fly, and/or the Party in whose port or offshore terminal the ship is operating, may, in addition to any sanctions described in Article 8 or any action described in Article 9, take steps to warn, detain, or exclude the ship. The Party in whose port or offshore terminal the ship is operating, however, may grant such a ship permission to leave the port or offshore terminal for the purpose of discharging Ballast Water or proceeding to the nearest appropriate repair yard or reception facility available, provided doing so does not present a threat of harm to the environment, human health, property or resources.

3 If the sampling described in Article 9.1(c) leads to a result, or supports information received from another port or offshore terminal, indicating that the ship poses a threat to the environment, human health, property or resources, the Party in whose waters the ship is operating shall prohibit such ship from discharging Ballast Water until the threat is removed.

4 A Party may also inspect a ship when it enters the ports or offshore terminals under its jurisdiction, if a request for an investigation is received from any Party, together with sufficient evidence that a ship is operating or has operated in violation of a provision in this Convention. The report of such investigation shall be sent to the Party requesting it and to the competent authority of the Administration of the ship concerned so that appropriate action may be taken.

Article 11*Notification of Control Actions*

1 If an inspection conducted pursuant to Article 9 or 10 indicates a violation of this Convention, the ship shall be notified. A report shall be forwarded to the Administration, including any evidence of the violation.

2 In the event that any action is taken pursuant to Article 9.3, 10.2 or 10.3, the officer carrying out such action

9. člen*Inšpekcijski pregled ladij*

1. Ladjo, za katero velja ta konvencija, lahko v katerem koli pristanišču ali predobalnem terminalu druge pogodbenice pregledajo osebe, ki jih je ta pogodbenica pravilno pooblastila za ugotavljanje, ali je vse v zvezi z ladjo skladno s to konvencijo. Razen v primerih iz drugega odstavka tega člena je tak inšpekcijski pregled omejen:

- a) na preverjanje, ali je na ladji spričevalo, ki se, če je veljavno, sprejme, in
- b) na inšpekcijski pregled knjige o balastni vodi in/ali
- c) na vzorčenje ladijske balastne vode, opravljeno v skladu s smernicami, ki jih pripravi organizacija. Čas, potreben za analizo vzorcev, pa ne sme biti vzrok za nepotrebno zadrževanje delovanja, premikov ali odplutja ladje.

2. Če na ladji ni veljavnega spričevala ali če se upravičeno sumi:

- a) da se stanje ladje ali njene opreme bistveno razlikuje od podatkov v spričevalu ali
- b) da poveljnik ladje ali posadka niso seznanjeni z osnovnimi postopki v zvezi z ravnanjem z balastno vodo ali takih postopkov niso izvajali,

se lahko opravi podroben inšpekcijski pregled.

3. V primerih iz drugega odstavka člena pogodbenice, ki opravlja inšpekcijski pregled, sprejme ukrepe, s katerimi zagotovi, da ladja ne izpusti balastne vode, dokler tega ne more storiti brez ogrožanja okolja, zdravja ljudi, stvari ali virov.

10. člen*Odkrivanje kršitev in nadzor nad ladjami*

1. Pogodbenice sodelujejo pri odkrivanju kršitev in uveljavljanju določb te konvencije.

2. Če se ugotovi, da je ladja kršila to konvencijo, lahko pogodbenica, pod zastavo katere plove ladja, in/ali pogodbenica, v katere pristanišču ali predobalnem terminalu je ladja, poleg vseh kazni iz 8. člena ali ukrepov iz 9. člena sprejme ukrepe, s katerimi opozori, zadrži ali umakne ladjo iz pristanišča. Pogodbenica, v katere pristanišču ali predobalnem terminalu je ladja, pa ji lahko dovoli, da zapusti pristanišče ali predobalni terminal, da bi izpustila balastno vodo ali nadaljevala pot do najbližje primerne razpoložljive ladjedelnice za popravila ali sprejemne naprave, če to ne ogroža okolja, zdravja ljudi, stvari ali virov.

3. Če izsledki vzorčenja iz pododstavka c prvega odstavka 9. člena pokažejo, da ladja ogroža okolje, zdravje ljudi, stvari ali vire, ali potrjujejo informacije iz drugega pristanišča ali predobalnega terminala, pogodbenica, v vodah katere plove ladja, ladji prepove izpust balastne vode, dokler grožnja ni odstranjena.

4. Pogodbenica lahko tudi pregleda ladjo, ko vpluje v pristanišče ali predobalni terminal, ki je v njeni pristojnosti, če druga pogodbenica predlaga preiskavo in predloži zadostne dokaze, da ladja krši ali je kršila določbe te konvencije. Poročilo o taki preiskavi se pošlje pogodbenici, ki jo je predlagala, in ustrezni službi pristojnega organa te ladje, da bi se sprejeli ustrezni ukrepi.

11. člen*Obveščanje o ukrepih pri nadzoru*

1. Če je pri pregledu, opravljenem po 9. ali 10. členu konvencije, ugotovljena kršitev konvencije, je o tem treba uradno obvestiti ladjo. Poročilo se skupaj z vsemi dokazi o kršitvi pošlje pristojnemu organu.

2. Če se sprejmejo ukrepi po tretjem odstavku 9. člena ali drugem ali tretjem odstavku 10. člena, oseba, ki izvaja tak

shall forthwith inform, in writing, the Administration of the ship concerned, or if this is not possible, the consul or diplomatic representative of the ship concerned, of all the circumstances in which the action was deemed necessary. In addition, the recognized organization responsible for the issue of certificates shall be notified.

3 The port State authority concerned shall, in addition to parties mentioned in paragraph 2, notify the next port of call of all relevant information about the violation, if it is unable to take action as specified in Article 9.3, 10.2 or 10.3 or if the ship has been allowed to proceed to the next port of call.

Article 12

Undue Delay to Ships

1 All possible efforts shall be made to avoid a ship being unduly detained or delayed under Article 7.2, 8, 9 or 10.

2 When a ship is unduly detained or delayed under Article 7.2, 8, 9 or 10, it shall be entitled to compensation for any loss or damage suffered.

Article 13

Technical Assistance, Co-operation and Regional Co-operation

1 Parties undertake, directly or through the Organization and other international bodies, as appropriate, in respect of the control and management of ships' Ballast Water and Sediments, to provide support for those Parties which request technical assistance:

- (a) to train personnel;
- (b) to ensure the availability of relevant technology, equipment and facilities;
- (c) to initiate joint research and development programmes; and

(d) to undertake other action aimed at the effective implementation of this Convention and of guidance developed by the Organization related thereto.

2 Parties undertake to co-operate actively, subject to their national laws, regulations and policies, in the transfer of technology in respect of the control and management of ships' Ballast Water and Sediments.

3 In order to further the objectives of this Convention, Parties with common interests to protect the environment, human health, property and resources in a given geographical area, in particular, those Parties bordering enclosed and semi-enclosed seas, shall endeavour, taking into account characteristic regional features, to enhance regional co-operation, including through the conclusion of regional agreements consistent with this Convention. Parties shall seek to co-operate with the Parties to regional agreements to develop harmonized procedures.

Article 14

Communication of information

1 Each Party shall report to the Organization and, where appropriate, make available to other Parties the following information:

- (a) any requirements and procedures relating to Ballast Water Management, including its laws, regulations, and guidelines for implementation of this Convention;
- (b) the availability and location of any reception facilities for the environmentally safe disposal of Ballast Water and Sediments; and
- (c) any requirements for information from a ship which is unable to comply with the provisions of this Convention for reasons specified in regulations A-3 and B-4 of the Annex.

2 The Organization shall notify Parties of the receipt of any communications under the present Article and circulate to all Parties any information communicated to it under subparagraphs 1(b) and (c) of this Article.

ukrep, nemudoma pisno obvesti pristojni organ ladje, če pa to ni mogoče, konzula ali diplomatskega predstavnika ladje o vseh okoliščinah, zaradi katerih so se ukrepi zdeli potrebni. Poleg tega je treba uradno obvestiti organizacijo, pristojno za izdajo spričeval.

3. Vpletena uprava države pristanišča uradno obvesti o vseh pomembnih informacijah o kršitvi poleg pogodbenic iz drugega odstavka tega člena tudi naslednje pristanišče postanka, če sama ne more ukrepati, kot je določeno v tretjem odstavku 9. člena ali v drugem ali tretjem odstavku 10. člena, ali če je bilo ladji dovoljeno, da nadaljuje pot v naslednje pristanišče postanka.

12. člen

Nepotrebno zadrževanje ladij

1. Po najboljših močeh si je treba prizadevati, da bi se izognili nepotrebemu zadrževanju ladje po drugem odstavku 7. člena, 8., 9. ali 10. členu.

2. Če je ladja po nepotrebem zadržana po drugem odstavku 7. člena, 8., 9. ali 10. členu, je upravičena do nadomestila za vso izgubo ali škodo, ki jo je imela.

13. člen

Tehnična pomoč, sodelovanje in regionalno sodelovanje

1. Pogodbenice se zavezujejo, da bodo neposredno ali prek organizacije in drugih mednarodnih organov zagotavljale pomoč pri nadzoru in ravnanju z ladijsko balastno vodo in usedlinami vsem pogodbenicam, ki bodo zaprosile za tehnično pomoč v zvezi:

- a) z usposabljanjem osebja,
- b) z zagotavljanjem razpoložljivosti ustrezne tehnologije, opreme in objektov,
- c) z uvajanjem skupnih raziskovalnih in razvojnih programov in
- d) z drugimi ukrepi za učinkovito izvajanje te konvencije in smernic, ki jih je v zvezi s tem pripravila organizacija.

2. Pogodbenice se zavezujejo, da bodo ob upoštevanju svoje notranje zakonodaje, predpisov in usmeritev dejavno sodelovale pri prenosu tehnologije za nadzor in ravnanje z ladijsko balastno vodo in usedlinami.

3. Za uresničevanje ciljev te konvencije si pogodbenice, ki imajo skupne interese za zaščito okolja, zdravja ljudi, stvari in virov na določenem zemljepisnem območju, zlasti tiste, ki mejijo na zaprta in polzaprta morja, ob upoštevanju značilnih regionalnih posebnosti prizadevajo spodbujati regionalno sodelovanje, tudi sklepanje regionalnih sporazumov v skladu s to konvencijo. Pogodbenice si prizadevajo sodelovati s pogodbenicami regionalnih sporazumov zaradi usklajevanja postopkov.

14. člen

Sporočanje informacij

1. Vsaka pogodbenica poroča organizaciji, in kadar je primerno, omogoči dostop tudi drugim pogodbenicam do informacij:

- a) o vseh zahtevah in postopkih v zvezi z ravnanjem z balastno vodo, tudi do svojih zakonov, predpisov in smernic za izvajanje te konvencije;
- b) o razpoložljivosti in kraju sprejemnih naprav za okoljsko varno odlaganje balastne vode in usedlin;
- c) o vseh zahtevah za informacije z ladje, ki zaradi vzrokov iz pravil A-3 in B-4 iz priloge ni sposobna izpolnjevati določb te konvencije.

2. Organizacija uradno obvesti pogodbenice o sprejetju vseh sporočil po tem členu in vsem pogodbenicam razpošlje vse informacije, ki so ji bile sporočene po pododstavkih b in c prvega odstavka tega člena.

Article 15*Dispute Settlement*

Parties shall settle any dispute between them concerning the interpretation or application of this Convention by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice.

Article 16*Relationship to International Law and Other Agreements*

Nothing in this Convention shall prejudice the rights and obligations of any State under customary international law as reflected in the United Nations Convention on the Law of the Sea.

Article 17*Signature, Ratification, Acceptance, Approval and Accession*

1 This Convention shall be open for signature by any State at the Headquarters of the Organization from 1 June 2004 to 31 May 2005 and shall thereafter remain open for accession by any State.

2 States may become Parties to the Convention by:

- (a) signature not subject to ratification, acceptance, or approval; or
- (b) signature subject to ratification, acceptance, or approval, followed by ratification, acceptance or approval; or
- (c) accession.

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

4 If a State comprises two or more territorial units in which different systems of law are applicable in relation to matters dealt with in this Convention, it may at the time of signature, ratification, acceptance, approval, or accession declare that this Convention shall extend to all its territorial units or only to one or more of them and may modify this declaration by submitting another declaration at any time.

5 Any such declaration shall be notified to the Depositary in writing and shall state expressly the territorial unit or units to which this Convention applies.

Article 18*Entry into Force*

1 This Convention shall enter into force twelve months after the date on which not less than thirty States, the combined merchant fleets of which constitute not less than thirty-five percent of the gross tonnage of the world's merchant shipping, have either signed it without reservation as to ratification, acceptance or approval, or have deposited the requisite instrument of ratification, acceptance, approval or accession in accordance with Article 17.

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

3 Any instrument of ratification, acceptance, approval or accession deposited after the date on which this Convention enters into force shall take effect three months after the date of deposit.

4 After the date on which an amendment to this Convention is deemed to have been accepted under Article 19, any instrument of ratification, acceptance, approval or accession deposited shall apply to this Convention as amended.

15. člen*Reševanje sporov*

Pogodbenice vse medsebojne spore zaradi razlage ali uporabe te konvencije rešujejo s pogajanji, poizvedbo, mediacijo, spravo, arbitražo, sodno poravnavo, s pomočjo regionalnih agencij ali dogovorov ali na drug miroljuben način po svoji izbiri.

16. člen*Razmerje do mednarodnega prava in drugih sporazumov*

Nobena določba te konvencije ne vpliva na pravice in obveznosti države po običajnem mednarodnem pravu, kot je določeno v Konvenciji Združenih narodov o pomorskem mednarodnem pravu.

17. člen*Podpis, ratifikacija, sprejetje, odobritev in pristop*

1. Konvencija je na voljo za podpis državam na sedežu organizacije od 1. junija 2004 do 31. maja 2005, potem pa je na voljo za pristop tudi drugim državam.

2. Države lahko postanejo pogodbenice te konvencije:

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

3. Postopek ratifikacije, sprejetja, odobritve ali pristopa je končan z deponiranjem listine pri generalnem sekretarju.

4. Če država obsega dve ali več ozemeljskih enot, v katerih veljajo različni pravni sistemi v zvezi z vprašanji iz te konvencije, lahko ob podpisu, ratifikaciji, sprejetju, odobritvi ali pristopu izjavi, da bo konvencija obsegala vse njene ozemeljske enote ali samo eno ali več ter lahko to izjavo spremeni tako, da kadar koli predloži drugo izjavo.

5. O vsaki taki izjavi, ki izrecno navaja ozemeljsko enoto ali enote, na katere se nanaša ta konvencija, je treba pisno uradno obvestiti depozitarja.

18. člen*Začetek veljavnosti*

1. Konvencija začne veljati dvanaest mesecev po dnevu, ko je najmanj trideset držav, katerih skupno trgovsko ladjevje zajema vsaj petintrideset odstotkov bruto tonaže svetovnega trgovskega ladjevja, podpisalo to konvencijo brez pridržka glede ratifikacije, sprejetja ali odobritve ali deponiralo zahtevane listine o ratifikaciji, sprejetju, odobritvi ali pristopu po 17. členu.

2. Za države, ki so deponirale listino o ratifikaciji, sprejetju, odobritvi ali pristopu v zvezi s konvencijo, potem ko so bile izpolnjene zahteve za začetek njene veljavnosti, vendar pred dnem začetka veljavnosti, začne ratifikacija, sprejetje, odobritev ali pristop veljati z dnem začetka veljavnosti te konvencije ali tri mesece po dnevu deponiranja listine, pri čemer se upošteva poznejši datum.

3. Listina o ratifikaciji, sprejetju, odobritvi ali pristopu, ki je deponirana po dnevu začetka veljavnosti te konvencije, začne veljati tri mesece po dnevu deponiranja.

4. Po dnevu, za katerega se šteje, da je bila sprememba te konvencije sprejeta po 19. členu, se vsaka deponirana listina o ratifikaciji, sprejetju, odobritvi ali pristopu nanaša na spremenjeno konvencijo.

Article 19*Amendments*

1 This Convention may be amended by either of the procedures specified in the following paragraphs.

2 Amendments after consideration within the Organization:

(a) Any Party may propose an amendment to this Convention. A proposed amendment shall be submitted to the Secretary-General, who shall then circulate it to the Parties and Members of the Organization at least six months prior to its consideration.

(b) An amendment proposed and circulated as above shall be referred to the Committee for consideration. Parties, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Committee for consideration and adoption of the amendment.

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

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

(e) An amendment shall be deemed to have been accepted in the following circumstances:

(i) An amendment to an article of this Convention shall be deemed to have been accepted on the date on which two-thirds of the Parties have notified the Secretary-General of their acceptance of it.

(ii) An amendment to the Annex shall be deemed to have been accepted at the end of twelve months after the date of adoption or such other date as determined by the Committee. However, if by that date more than one-third of the Parties notify the Secretary-General that they object to the amendment, it shall be deemed not to have been accepted.

(f) An amendment shall enter into force under the following conditions:

(i) An amendment to an article of this Convention shall enter into force for those Parties that have declared that they have accepted it six months after the date on which it is deemed to have been accepted in accordance with subparagraph (e)(i).

(ii) An amendment to the Annex shall enter into force with respect to all Parties six months after the date on which it is deemed to have been accepted, except for any Party that has:

(1) notified its objection to the amendment in accordance with subparagraph (e)(ii) and that has not withdrawn such objection; or

(2) notified the Secretary-General, prior to the entry into force of such amendment, that the amendment shall enter into force for it only after a subsequent notification of its acceptance.

(g) (i) A Party that has notified an objection under subparagraph (f)(ii)(1) may subsequently notify the Secretary-General that it accepts the amendment. Such amendment shall enter into force for such Party six months after the date of its notification of acceptance, or the date on which the amendment enters into force, whichever is the later date.

(ii) If a Party that has made a notification referred to in subparagraph (f)(ii)(2) notifies the Secretary-General of its acceptance with respect to an amendment, such amendment shall enter into force for such Party six months after the date of its notification of acceptance, or the date on which the amendment enters into force, whichever is the later date.

3 Amendment by a Conference:

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

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

19. člen*Spremembe*

1. Ta konvencija se lahko spremeni s postopki iz naslednjih odstavkov.

2. Spremembe po obravnavi v organizaciji:

a) vsaka pogodbenica lahko predlaga spremembo konvencije. Predlagana sprememba se predloži generalnemu sekretarju, ki jo nato razpošlje pogodbenicam in članicam organizacije vsaj šest mesecev pred njeno obravnavo;

b) sprememba, ki je bila predlagana in razposlana, kakor je opisano, se predloži v obravnavo odboru. Pogodbenice, ki so ali niso članice organizacije, imajo pravico sodelovati pri postopkih odbora za obravnavo in sprejetje spremembe;

c) spremembe se sprejmejo z dvetretjinsko večino prisotnih pogodbenic, ki glasujejo v odboru, če je pri glasovanju prisotna vsaj ena tretjina pogodbenic;

d) generalni sekretar pošlje spremembe, sprejete v skladu s pododstavkom c, pogodbenicam v sprejetje;

e) sprememba se šteje za sprejeto ob teh okoliščinah:

i) sprememba člena konvencije se šteje za sprejeto z dnem, ko dve tretjini pogodbenic uradno obvestita generalnega sekretarja o sprejetju spremembe;

ii) sprememba priloge se šteje za sprejeto po dvanajstih mesecih po dnevu sprejetja ali datumu, ki ga določi odbor. Če pa do datuma več kot ena tretjina pogodbenic uradno obvesti generalnega sekretarja, da se s spremembo ne strinjajo, se šteje, da sprememba ni bila sprejeta;

f) sprememba začne veljati pod temi pogoji:

i) sprememba člena konvencije začne veljati za tiste pogodbenice, ki so izjavile, da so jo sprejele, šest mesecev po dnevu, za katerega se šteje, da je bila sprejeta po točki i pododstavka e;

ii) sprememba priloge začne veljati za vse pogodbenice šest mesecev po dnevu, za katerega se šteje, da je bila sprejeta, razen za pogodbenico, ki je:

1) uradno sporočila svoj ugovor do spremembe po točki ii pododstavka e in svojega ugovora ni umaknila ali

2) uradno obvestila generalnega sekretarja pred začetkom veljavnosti take spremembe, da bo sprememba zanjo začela veljati šele po poznejšem uradnem obvestilu o njenem sprejetju;

g) i) pogodbenica, ki je sporočila ugovor v skladu s podtočko 1 točke ii pododstavka f, lahko pozneje uradno obvesti generalnega sekretarja, da sprejema spremembo. Taka sprememba začne zanjo veljati šest mesecev po dnevu uradnega obvestila o sprejetju ali dnevu, ko začne sprememba veljati, pri čemer se upošteva poznejši datum;

ii) če pogodbenica, ki je poslala uradno obvestilo po podtočki 2 točke ii pododstavka f, uradno obvesti generalnega sekretarja o sprejetju spremembe, taka sprememba začne veljati zanjo šest mesecev po datumu njenega uradnega obvestila o sprejetju ali dnevu, ko začne sprememba veljati, pri čemer se upošteva poznejši datum.

3. Sprememba, sprejeta na konferenci:

a) na pobudo ene od pogodbenic, s katero se strinja vsaj ena tretjina pogodbenic, organizacija skliče konferenco pogodbenic zaradi obravnave spremembe konvencije;

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

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

4 Any Party that has declined to accept an amendment to the Annex shall be treated as a non-Party only for the purpose of application of that amendment.

5 Any notification under this Article shall be made in writing to the Secretary-General.

6 The Secretary-General shall inform the Parties and Members of the Organization of:

(a) any amendment that enters into force and the date of its entry into force generally and for each Party; and

(b) any notification made under this Article.

Article 20

Denunciation

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

2 Denunciation shall be effected by written notification to the Depositary, to take effect one year after receipt or such longer period as may be specified in that notification.

Article 21

Depositary

1 This Convention shall be deposited with the Secretary-General, who shall transmit certified copies of this Convention to all States which have signed this Convention or acceded thereto.

2 In addition to the functions specified elsewhere in this Convention, the Secretary-General shall:

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

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

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

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

(b) as soon as this Convention enters into force, transmit the text thereof to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

Article 22

Languages

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

DONE AT LONDON this thirteenth day of February, two thousand and four.

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

c) če konferenca ne odloči drugače, se šteje sprememba za sprejeto in začne veljati v skladu s postopki iz pododstavka e oziroma f drugega odstavka tega člena.

4. Pogodbenica, ki je zavrnila sprejetje spremembe k prilogi, se obravnava kot nepogodbenica samo glede te spremembe.

5. Vsako uradno obvestilo po tem členu se v pisni obliki pošlje generalnemu sekretarju.

6. Generalni sekretar obvesti pogodbenice in članice organizacije:

a) o vsaki spremembi, ki začne veljati, in dnevu začetka veljavnosti na splošno in za vsako pogodbenico in

b) o vsakem uradnem obvestilu po tem členu.

20. člen

Odpoved

1. Vsaka pogodbenica lahko odpove konvencijo kadar koli po poteku dveh let od dneva, ko je začela zanjo veljati.

2. Konvencija se odpove s pisnim uradnim obvestilom depozitarju, ki začne veljati eno leto po sprejetju ali daljšem obdobju, če je tako navedeno v uradnem obvestilu.

21. člen

Depozitar

1. Konvencija se deponira pri generalnem sekretarju, ki pošlje njene overjene kopije vsem državam, ki so konvencijo podpisale ali k njej pristopile.

2. Poleg opravljanja nalog, opredeljenih drugje v tej konvenciji, generalni sekretar:

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

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

ii) o dnevu začetka veljavnosti te konvencije in

iii) o deponiranju listine o odpovedi konvencije skupaj z dnem prejetja in dnem začetka veljavnosti odpovedi in

b) takoj ko začne konvencija veljati, pošlje njeno overjeno kopijo Sekretariatu Združenih narodov v registracijo in objavo po 102. členu Ustanovne listine Združenih narodov.

22. člen

Jeziki

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

SESTAVLJENO V LONDONU trinajstega februarja dva tisoč štiri.

V DOKAZ NAVEDENEGA so podpisani, ki so jih za to pravilno pooblastile njihove vlade, podpisali to konvencijo.

ANNEX

REGULATIONS FOR THE CONTROL AND MANAGEMENT OF SHIPS'
BALLAST WATER AND SEDIMENTS

SECTION A - GENERAL PROVISIONS

Regulation A-1
Definitions

For the purposes of this Annex:

- 1 "Anniversary date" means the day and the month of each year corresponding to the date of expiry of the Certificate.
- 2 "Ballast Water Capacity" means the total volumetric capacity of any tanks, spaces or compartments on a ship used for carrying, loading or discharging Ballast Water, including any multi-use tank, space or compartment designed to allow carriage of Ballast Water.
- 3 "Company" means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the International Safety Management Code¹.
- 4 "Constructed" in respect of a ship means a stage of construction where:
 - .1 the keel is laid; or
 - .2 construction identifiable with the specific ship begins;
 - .3 assembly of the ship has commenced comprising at least 50 tonnes or 1 percent of the estimated mass of all structural material, whichever is less; or
 - .4 the ship undergoes a major conversion.
- 5 "Major conversion" means a conversion of a ship:
 - .1 which changes its ballast water carrying capacity by 15 percent or greater, or
 - .2 which changes the ship type, or
 - .3 which, in the opinion of the Administration, is projected to prolong its life by ten years or more, or
 - .4 which results in modifications to its ballast water system other than component replacement-in-kind. Conversion of a ship to meet the provisions of regulation D-1 shall not be deemed to constitute a major conversion for the purpose of this Annex.
- 6 "From the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with international law except that, for the purposes of the Convention, "from the nearest land" off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in

latitude 11°00' S, longitude 142°08' E
to a point in latitude 10°35' S, longitude 141°55' E
thence to a point latitude 10°00' S, longitude 142°00' E
thence to a point latitude 9°10' S, longitude 143°52' E

¹ Refer to the ISM Code adopted by the Organization by resolution A.741(18), as amended.

thence to a point latitude 9°00' S, longitude 144°30' E
thence to a point latitude 10°41' S, longitude 145°00' E
thence to a point latitude 13°00' S, longitude 145°00' E
thence to a point latitude 15°00' S, longitude 146°00' E
thence to a point latitude 17°30' S, longitude 147°00' E
thence to a point latitude 21°00' S, longitude 152°55' E
thence to a point latitude 24°30' S, longitude 154°00' E
thence to a point on the coast of Australia
in latitude 24°42' S, longitude 153°15' E.

7 "Active Substance" means a substance or organism, including a virus or a fungus, that has a general or specific action on or against Harmful Aquatic Organisms and Pathogens.

Regulation A-2 *General Applicability*

Except where expressly provided otherwise, the discharge of Ballast Water shall only be conducted through Ballast Water Management in accordance with the provisions of this Annex.

Regulation A-3 *Exceptions*

The requirements of regulation B-3, or any measures adopted by a Party pursuant to Article 2.3 and Section C, shall not apply to:

- 1 the uptake or discharge of Ballast Water and Sediments necessary for the purpose of ensuring the safety of a ship in emergency situations or saving life at sea; or
- 2 the accidental discharge or ingress of Ballast Water and Sediments resulting from damage to a ship or its equipment:
 - .1 provided that all reasonable precautions have been taken before and after the occurrence of the damage or discovery of the damage or discharge for the purpose of preventing or minimizing the discharge; and
 - .2 unless the owner, Company or officer in charge wilfully or recklessly caused damage; or
- 3 the uptake and discharge of Ballast Water and Sediments when being used for the purpose of avoiding or minimizing pollution incidents from the ship; or
- 4 the uptake and subsequent discharge on the high seas of the same Ballast Water and Sediments; or
- 5 the discharge of Ballast Water and Sediments from a ship at the same location where the whole of that Ballast Water and those Sediments originated and provided that no mixing with unmanaged Ballast Water and Sediments from other areas has occurred. If mixing has occurred, the Ballast Water taken from other areas is subject to Ballast Water Management in accordance with this Annex.

Regulation A-4 *Exemptions*

1 A Party or Parties, in waters under their jurisdiction, may grant exemptions to any requirements to apply regulations B-3 or C-1, in addition to those exemptions contained elsewhere in this Convention, but only when they are:

- .1 granted to a ship or ships on a voyage or voyages between specified ports or locations; or to a ship which operates exclusively between specified ports or locations;

- .2 effective for a period of no more than five years subject to intermediate review;
 - .3 granted to ships that do not mix Ballast Water or Sediments other than between the ports or locations specified in paragraph 1.1; and
 - .4 granted based on the Guidelines on risk assessment developed by the Organization.
- 2 Exemptions granted pursuant to paragraph 1 shall not be effective until after communication to the Organization and circulation of relevant information to the Parties.
- 3 Any exemptions granted under this regulation shall not impair or damage the environment, human health, property or resources of adjacent or other States. Any State that the Party determines may be adversely affected shall be consulted, with a view to resolving any identified concerns.
- 4 Any exemptions granted under this regulation shall be recorded in the Ballast Water record book.

Regulation A-5
Equivalent compliance

Equivalent compliance with this Annex for pleasure craft used solely for recreation or competition or craft used primarily for search and rescue, less than 50 metres in length overall, and with a maximum Ballast Water capacity of 8 cubic metres, shall be determined by the Administration taking into account Guidelines developed by the Organization.

SECTION B – MANAGEMENT AND CONTROL REQUIREMENTS FOR SHIPS

Regulation B-1
Ballast Water Management Plan

Each ship shall have on board and implement a Ballast Water Management plan. Such a plan shall be approved by the Administration taking into account Guidelines developed by the Organization. The Ballast Water Management plan shall be specific to each ship and shall at least:

- 1 detail safety procedures for the ship and the crew associated with Ballast Water Management as required by this Convention;
- 2 provide a detailed description of the actions to be taken to implement the Ballast Water Management requirements and supplemental Ballast Water Management practices as set forth in this Convention;
- 3 detail the procedures for the disposal of Sediments:
 - .1 at sea; and
 - .2 to shore;
- 4 include the procedures for coordinating shipboard Ballast Water Management that involves discharge to the sea with the authorities of the State into whose waters such discharge will take place;
- 5 designate the officer on board in charge of ensuring that the plan is properly implemented;
- 6 contain the reporting requirements for ships provided for under this Convention; and
- 7 be written in the working language of the ship. If the language used is not English, French or Spanish, a translation into one of these languages shall be included.

Regulation B-2
Ballast Water Record Book

- 1 Each ship shall have on board a Ballast Water record book that may be an electronic record system, or that may be integrated into another record book or system and, which shall at least contain the information specified in Appendix II.
- 2 Ballast Water record book entries shall be maintained on board the ship for a minimum period of two years after the last entry has been made and thereafter in the Company's control for a minimum period of three years.
- 3 In the event of the discharge of Ballast Water pursuant to regulations A-3, A-4 or B-3.6 or in the event of other accidental or exceptional discharge of Ballast Water not otherwise exempted by this Convention, an entry shall be made in the Ballast Water record book describing the circumstances of, and the reason for, the discharge.
- 4 The Ballast Water record book shall be kept readily available for inspection at all reasonable times and, in the case of an unmanned ship under tow, may be kept on the towing ship.
- 5 Each operation concerning Ballast Water shall be fully recorded without delay in the Ballast Water record book. Each entry shall be signed by the officer in charge of the operation concerned and each completed page shall be signed by the master. The entries in the Ballast Water record book shall be in a working language of the ship. If that language is not English, French or Spanish the entries shall contain a translation into one of those languages. When entries in an official national language of the State whose flag the ship is entitled to fly are also used, these shall prevail in case of a dispute or discrepancy.
- 6 Officers duly authorized by a Party may inspect the Ballast Water record book on board any ship to which this regulation applies while the ship is in its port or offshore terminal, and may make a copy of any entry, and require the master to certify that the copy is a true copy. Any copy so certified shall be admissible in any judicial proceeding as evidence of the facts stated in the entry. The inspection of a Ballast Water record book and the taking of a certified copy shall be performed as expeditiously as possible without causing the ship to be unduly delayed.

Regulation B-3
Ballast Water Management for Ships

- 1 A ship constructed before 2009:
 - .1 with a Ballast Water Capacity of between 1500 and 5000 cubic metres, inclusive, shall conduct Ballast Water Management that at least meets the standard described in regulation D-1 or regulation D-2 until 2014, after which time it shall at least meet the standard described in regulation D-2;
 - .2 with a Ballast Water Capacity of less than 1500 or greater than 5000 cubic metres shall conduct Ballast Water Management that at least meets the standard described in regulation D-1 or regulation D-2 until 2016, after which time it shall at least meet the standard described in regulation D-2.
- 2 A ship to which paragraph 1 applies shall comply with paragraph 1 not later than the first intermediate or renewal survey, whichever occurs first, after the anniversary date of delivery of the ship in the year of compliance with the standard applicable to the ship.
- 3 A ship constructed in or after 2009 with a Ballast Water Capacity of less than 5000 cubic metres shall conduct Ballast Water Management that at least meets the standard described in regulation D-2.
- 4 A ship constructed in or after 2009, but before 2012, with a Ballast Water Capacity of 5000 cubic metres or more shall conduct Ballast Water Management in accordance with paragraph 1.2.

5 A ship constructed in or after 2012 with a Ballast Water Capacity of 5000 cubic metres or more shall conduct Ballast Water Management that at least meets the standard described in regulation D-2.

6 The requirements of this regulation do not apply to ships that discharge Ballast Water to a reception facility designed taking into account the Guidelines developed by the Organization for such facilities.

7 Other methods of Ballast Water Management may also be accepted as alternatives to the requirements described in paragraphs 1 to 5, provided that such methods ensure at least the same level of protection to the environment, human health, property or resources, and are approved in principle by the Committee.

Regulation B-4 *Ballast Water Exchange*

1 A ship conducting Ballast Water exchange to meet the standard in regulation D-1 shall:

- .1 whenever possible, conduct such Ballast Water exchange at least 200 nautical miles from the nearest land and in water at least 200 metres in depth, taking into account the Guidelines developed by the Organization;
- .2 in cases where the ship is unable to conduct Ballast Water exchange in accordance with paragraph 1.1, such Ballast Water exchange shall be conducted taking into account the Guidelines described in paragraph 1.1 and as far from the nearest land as possible, and in all cases at least 50 nautical miles from the nearest land and in water at least 200 metres in depth.

2 In sea areas where the distance from the nearest land or the depth does not meet the parameters described in paragraph 1.1 or 1.2, the port State may designate areas, in consultation with adjacent or other States, as appropriate, where a ship may conduct Ballast Water exchange, taking into account the Guidelines described in paragraph 1.1.

3 A ship shall not be required to deviate from its intended voyage, or delay the voyage, in order to comply with any particular requirement of paragraph 1.

4 A ship conducting Ballast Water exchange shall not be required to comply with paragraphs 1 or 2, as appropriate, if the master reasonably decides that such exchange would threaten the safety or stability of the ship, its crew, or its passengers because of adverse weather, ship design or stress, equipment failure, or any other extraordinary condition.

5 When a ship is required to conduct Ballast Water exchange and does not do so in accordance with this regulation, the reasons shall be entered in the Ballast Water record book.

Regulation B-5 *Sediment Management for Ships*

1 All ships shall remove and dispose of Sediments from spaces designated to carry Ballast Water in accordance with the provisions of the ship's Ballast Water Management plan.

2 Ships described in regulation B-3.3 to B-3.5 should, without compromising safety or operational efficiency, be designed and constructed with a view to minimize the uptake and undesirable entrapment of Sediments, facilitate removal of Sediments, and provide safe access to allow for Sediment removal and sampling, taking into account guidelines developed by the Organization. Ships described in regulation B-3.1 should, to the extent practicable, comply with this paragraph.

Regulation B-6 *Duties of Officers and Crew*

Officers and crew shall be familiar with their duties in the implementation of Ballast Water Management particular to the ship on which they serve and shall, appropriate to their duties, be familiar with the ship's Ballast Water Management plan.

SECTION C – SPECIAL REQUIREMENTS IN CERTAIN AREAS

Regulation C-1 *Additional Measures*

1 If a Party, individually or jointly with other Parties, determines that measures in addition to those in Section B are necessary to prevent, reduce, or eliminate the transfer of Harmful Aquatic Organisms and Pathogens through ships' Ballast Water and Sediments, such Party or Parties may, consistent with international law, require ships to meet a specified standard or requirement.

2 Prior to establishing standards or requirements under paragraph 1, a Party or Parties should consult with adjacent or other States that may be affected by such standards or requirements.

3 A Party or Parties intending to introduce additional measures in accordance with paragraph 1 shall:

- .1 take into account the Guidelines developed by the Organization.
- .2 communicate their intention to establish additional measure(s) to the Organization at least 6 months, except in emergency or epidemic situations, prior to the projected date of implementation of the measure(s). Such communication shall include:
 - .1 the precise co-ordinates where additional measure(s) is/are applicable;
 - .2 the need and reasoning for the application of the additional measure(s), including, whenever possible, benefits;
 - .3 a description of the additional measure(s); and
 - .4 any arrangements that may be provided to facilitate ships' compliance with the additional measure(s).
- . 3 to the extent required by customary international law as reflected in the United Nations Convention on the Law of the Sea, as appropriate, obtain the approval of the Organization.

4 A Party or Parties, in introducing such additional measures, shall endeavour to make available all appropriate services, which may include but are not limited to notification to mariners of areas, available and alternative routes or ports, as far as practicable, in order to ease the burden on the ship.

5 Any additional measures adopted by a Party or Parties shall not compromise the safety and security of the ship and in any circumstances not conflict with any other convention with which the ship must comply.

6 A Party or Parties introducing additional measures may waive these measures for a period of time or in specific circumstances as they deem fit.

Regulation C-2

Warnings Concerning Ballast Water Uptake in Certain Areas and Related Flag State Measures

1 A Party shall endeavour to notify mariners of areas under their jurisdiction where ships should not uptake Ballast Water due to known conditions. The Party shall include in such notices the precise coordinates of the area or areas, and, where possible, the location of any alternative area or areas for the uptake of Ballast Water. Warnings may be issued for areas:

- .1 known to contain outbreaks, infestations, or populations of Harmful Aquatic Organisms and Pathogens (e.g., toxic algal blooms) which are likely to be of relevance to Ballast Water uptake or discharge;
- .2 near sewage outfalls; or
- .3 where tidal flushing is poor or times during which a tidal stream is known to be more turbid.

2 In addition to notifying mariners of areas in accordance with the provisions of paragraph 1, a Party shall notify the Organization and any potentially affected coastal States of any areas identified in paragraph 1 and the time period such warning is likely to be in effect. The notice to the Organization and any potentially affected coastal States shall include the precise coordinates of the area or areas, and, where possible, the location of any alternative area or areas for the uptake of Ballast Water. The notice shall include advice to ships needing to uptake Ballast Water in the area, describing arrangements made for alternative supplies. The Party shall also notify mariners, the Organization, and any potentially affected coastal States when a given warning is no longer applicable.

Regulation C-3

Communication of Information

The Organization shall make available, through any appropriate means, information communicated to it under regulations C-1 and C-2.

SECTION D - STANDARDS FOR BALLAST WATER MANAGEMENT

Regulation D-1

Ballast Water Exchange Standard

1 Ships performing Ballast Water exchange in accordance with this regulation shall do so with an efficiency of at least 95 percent volumetric exchange of Ballast Water.

2 For ships exchanging Ballast Water by the pumping-through method, pumping through three times the volume of each Ballast Water tank shall be considered to meet the standard described in paragraph 1. Pumping through less than three times the volume may be accepted provided the ship can demonstrate that at least 95 percent volumetric exchange is met.

Regulation D-2

Ballast Water Performance Standard

1 Ships conducting Ballast Water Management in accordance with this regulation shall discharge less than 10 viable organisms per cubic metre greater than or equal to 50 micrometres in minimum dimension and less than 10 viable organisms per milliliter less than 50 micrometres in minimum dimension and greater than or equal to 10 micrometres in minimum dimension; and discharge of the indicator microbes shall not exceed the specified concentrations described in paragraph 2.

2 Indicator microbes, as a human health standard, shall include:

- .1 Toxicogenic *Vibrio cholerae* (O1 and O139) with less than 1 colony forming unit (cfu) per 100 milliliters or less than 1 cfu per 1 gram (wet weight) zooplankton samples ;
- .2 *Escherichia coli* less than 250 cfu per 100 milliliters;
- .3 Intestinal Enterococci less than 100 cfu per 100 milliliters.

Regulation D-3

Approval requirements for Ballast Water Management systems

1 Except as specified in paragraph 2, Ballast Water Management systems used to comply with this Convention must be approved by the Administration taking into account Guidelines developed by the Organization.

2 Ballast Water Management systems which make use of Active Substances or preparations containing one or more Active Substances to comply with this Convention shall be approved by the Organization, based on a procedure developed by the Organization. This procedure shall describe the approval and withdrawal of approval of Active Substances and their proposed manner of application. At withdrawal of approval, the use of the relevant Active Substance or Substances shall be prohibited within 1 year after the date of such withdrawal.

3 Ballast Water Management systems used to comply with this Convention must be safe in terms of the ship, its equipment and the crew.

Regulation D-4

Prototype Ballast Water Treatment Technologies

1 For any ship that, prior to the date that the standard in regulation D-2 would otherwise become effective for it, participates in a programme approved by the Administration to test and evaluate promising Ballast Water treatment technologies, the standard in regulation D-2 shall not apply to that ship until five years from the date on which the ship would otherwise be required to comply with such standard.

2 For any ship that, after the date on which the standard in regulation D-2 has become effective for it, participates in a programme approved by the Administration, taking into account Guidelines developed by the Organization, to test and evaluate promising Ballast Water technologies with the potential to result in treatment technologies achieving a standard higher than that in regulation D-2, the standard in regulation D-2 shall cease to apply to that ship for five years from the date of installation of such technology.

3 In establishing and carrying out any programme to test and evaluate promising Ballast Water technologies, Parties shall:

- .1 take into account Guidelines developed by the Organization, and
- .2 allow participation only by the minimum number of ships necessary to effectively test such technologies.

4 Throughout the test and evaluation period, the treatment system must be operated consistently and as designed.

Regulation D-5

Review of Standards by the Organization

1 At a meeting of the Committee held no later than three years before the earliest effective date of the standard set forth in regulation D-2, the Committee shall undertake a review which includes a determination of whether appropriate technologies are available to achieve the standard, an assessment of the criteria in paragraph 2, and an assessment of the socio-economic effect(s) specifically in relation to the developmental needs of developing countries, particularly small island developing States. The Committee shall also undertake periodic reviews, as appropriate, to examine the applicable requirements for ships described in regulation B-3.1 as well as any other aspect of Ballast Water Management addressed in this Annex, including any Guidelines developed by the Organization.

2 Such reviews of appropriate technologies shall also take into account:

- .1 safety considerations relating to the ship and the crew;
- .2 environmental acceptability, i.e., not causing more or greater environmental impacts than they solve;
- .3 practicability, i.e., compatibility with ship design and operations;
- .4 cost effectiveness, i.e., economics; and

- .5 biological effectiveness in terms of removing, or otherwise rendering not viable, Harmful Aquatic Organisms and Pathogens in Ballast Water.

3 The Committee may form a group or groups to conduct the review(s) described in paragraph 1. The Committee shall determine the composition, terms of reference and specific issues to be addressed by any such group formed. Such groups may develop and recommend proposals for amendment of this Annex for consideration by the Parties. Only Parties may participate in the formulation of recommendations and amendment decisions taken by the Committee.

4 If, based on the reviews described in this regulation, the Parties decide to adopt amendments to this Annex, such amendments shall be adopted and enter into force in accordance with the procedures contained in Article 19 of this Convention.

SECTION E - SURVEY AND CERTIFICATION REQUIREMENTS FOR BALLAST WATER MANAGEMENT

Regulation E-1 *Surveys*

1 Ships of 400 gross tonnage and above to which this Convention applies, excluding floating platforms, FSUs and FPSOs, shall be subject to surveys specified below:

- .1 An initial survey before the ship is put in service or before the Certificate required under regulation E-2 or E-3 is issued for the first time. This survey shall verify that the Ballast Water Management plan required by regulation B-1 and any associated structure, equipment, systems, fitting, arrangements and material or processes comply fully with the requirements of this Convention.
- .2 A renewal survey at intervals specified by the Administration, but not exceeding five years, except where regulation E-5.2, E-5.5, E-5.6, or E-5.7 is applicable. This survey shall verify that the Ballast Water Management plan required by regulation B-1 and any associated structure, equipment, systems, fitting, arrangements and material or processes comply fully with the applicable requirements of this Convention.
- .3 An intermediate survey within three months before or after the second Anniversary date or within three months before or after the third Anniversary date of the Certificate, which shall take the place of one of the annual surveys specified in paragraph 1.4. The intermediate surveys shall ensure that the equipment, associated systems and processes for Ballast Water Management fully comply with the applicable requirements of this Annex and are in good working order. Such intermediate surveys shall be endorsed on the Certificate issued under regulation E-2 or E-3.
- .4 An annual survey within three months before or after each Anniversary date, including a general inspection of the structure, any equipment, systems, fittings, arrangements and material or processes associated with the Ballast Water Management plan required by regulation B-1 to ensure that they have been maintained in accordance with paragraph 9 and remain satisfactory for the service for which the ship is intended. Such annual surveys shall be endorsed on the Certificate issued under regulation E-2 or E-3.
- .5 An additional survey either general or partial, according to the circumstances, shall be made after a change, replacement, or significant repair of the structure, equipment, systems, fittings, arrangements and material necessary to achieve full compliance with this Convention. The survey shall be such as to ensure that any such change, replacement, or significant repair has been effectively made, so that the ship complies with the requirements of this Convention. Such surveys shall be endorsed on the Certificate issued under regulation E-2 or E-3.

2 The Administration shall establish appropriate measures for ships that are not subject to the provisions of paragraph 1 in order to ensure that the applicable provisions of this Convention are complied with.

3 Surveys of ships for the purpose of enforcement of the provisions of this Convention shall be carried out by officers of the Administration. The Administration may, however, entrust the surveys either to surveyors nominated for the purpose or to organizations recognized by it.

4 An Administration nominating surveyors or recognizing organizations to conduct surveys, as described in paragraph 3 shall, as a minimum, empower such nominated surveyors or recognized organizations² to:

- .1 require a ship that they survey to comply with the provisions of this Convention; and
- .2 carry out surveys and inspections if requested by the appropriate authorities of a port State that is a Party.

5 The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognized organizations, for circulation to Parties for the information of their officers.

6 When the Administration, a nominated surveyor, or a recognized organization determines that the ship's Ballast Water Management does not conform to the particulars of the Certificate required under regulation E-2 or E-3 or is such that the ship is not fit to proceed to sea without presenting a threat of harm to the environment, human health, property or resources such surveyor or organization shall immediately ensure that corrective action is taken to bring the ship into compliance. A surveyor or organization shall be notified immediately, and it shall ensure that the Certificate is not issued or is withdrawn as appropriate. If the ship is in the port of another Party, the appropriate authorities of the port State shall be notified immediately. When an officer of the Administration, a nominated surveyor, or a recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organization any necessary assistance to carry out their obligations under this regulation, including any action described in Article 9.

7 Whenever an accident occurs to a ship or a defect is discovered which substantially affects the ability of the ship to conduct Ballast Water Management in accordance with this Convention, the owner, operator or other person in charge of the ship shall report at the earliest opportunity to the Administration, the recognized organization or the nominated surveyor responsible for issuing the relevant Certificate, who shall cause investigations to be initiated to determine whether a survey as required by paragraph 1 is necessary. If the ship is in a port of another Party, the owner, operator or other person in charge shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such report has been made.

8 In every case, the Administration concerned shall fully guarantee the completeness and efficiency of the survey and shall undertake to ensure the necessary arrangements to satisfy this obligation.

9 The condition of the ship and its equipment, systems and processes shall be maintained to conform with the provisions of this Convention to ensure that the ship in all respects will remain fit to proceed to sea without presenting a threat of harm to the environment, human health, property or resources.

10 After any survey of the ship under paragraph 1 has been completed, no change shall be made in the structure, any equipment, fittings, arrangements or material associated with the Ballast Water Management plan required by regulation B-1 and covered by the survey without the sanction of the Administration, except the direct replacement of such equipment or fittings.

² Refer to the guidelines adopted by the Organization by resolution A.739(18), as may be amended by the Organization, and the specifications adopted by the Organization by resolution A.789(19), as may be amended by the Organization.

Regulation E-2*Issuance or Endorsement of a Certificate*

1 The Administration shall ensure that a ship to which regulation E-1 applies is issued a Certificate after successful completion of a survey conducted in accordance with regulation E-1. A Certificate issued under the authority of a Party shall be accepted by the other Parties and regarded for all purposes covered by this Convention as having the same validity as a Certificate issued by them.

2 Certificates shall be issued or endorsed either by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the Certificate.

Regulation E-3*Issuance or Endorsement of a Certificate by Another Party*

1 At the request of the Administration, another Party may cause a ship to be surveyed and, if satisfied that the provisions of this Convention are complied with, shall issue or authorize the issuance of a Certificate to the ship, and where appropriate, endorse or authorize the endorsement of that Certificate on the ship, in accordance with this Annex.

2 A copy of the Certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

3 A Certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as a Certificate issued by the Administration.

4 No Certificate shall be issued to a ship entitled to fly the flag of a State which is not a Party.

Regulation E-4*Form of the Certificate*

The Certificate shall be drawn up in the official language of the issuing Party, in the form set forth in Appendix I. If the language used is neither English, French nor Spanish, the text shall include a translation into one of these languages.

Regulation E-5*Duration and Validity of the Certificate*

1 A Certificate shall be issued for a period specified by the Administration that shall not exceed five years.

2 For renewal surveys:

.1 Notwithstanding the requirements of paragraph 1, when the renewal survey is completed within three months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing Certificate.

.2 When the renewal survey is completed after the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing Certificate.

.3 When the renewal survey is completed more than three months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of completion of the renewal survey.

3 If a Certificate is issued for a period of less than five years, the Administration may extend the validity of the Certificate beyond the expiry date to the maximum period specified in paragraph 1,

provided that the surveys referred to in regulation E-1.1.3 applicable when a Certificate is issued for a period of five years are carried out as appropriate.

4 If a renewal survey has been completed and a new Certificate cannot be issued or placed on board the ship before the expiry date of the existing Certificate, the person or organization authorized by the Administration may endorse the existing Certificate and such a Certificate shall be accepted as valid for a further period which shall not exceed five months from the expiry date.

5 If a ship at the time when the Certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the Certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No Certificate shall be extended for a period longer than three months, and a ship to which such extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new Certificate. When the renewal survey is completed, the new Certificate shall be valid to a date not exceeding five years from the date of expiry of the existing Certificate before the extension was granted.

6 A Certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new Certificate shall be valid to a date not exceeding five years from the date of expiry of the existing Certificate before the extension was granted.

7 In special circumstances, as determined by the Administration, a new Certificate need not be dated from the date of expiry of the existing Certificate as required by paragraph 2.2, 5 or 6 of this regulation. In these special circumstances, the new Certificate shall be valid to a date not exceeding five years from the date of completion of the renewal survey.

8 If an annual survey is completed before the period specified in regulation E-1, then:

- .1 the Anniversary date shown on the Certificate shall be amended by endorsement to a date which shall not be more than three months later than the date on which the survey was completed;
- .2 the subsequent annual or intermediate survey required by regulation E-1 shall be completed at the intervals prescribed by that regulation using the new Anniversary date;
- .3 the expiry date may remain unchanged provided one or more annual surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation E-1 are not exceeded.

9 A Certificate issued under regulation E-2 or E-3 shall cease to be valid in any of the following cases:

- .1 if the structure, equipment, systems, fittings, arrangements and material necessary to comply fully with this Convention is changed, replaced or significantly repaired and the Certificate is not endorsed in accordance with this Annex;
- .2 upon transfer of the ship to the flag of another State. A new Certificate shall only be issued when the Party issuing the new Certificate is fully satisfied that the ship is in compliance with the requirements of regulation E-1. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the Certificates carried by the ship before the transfer and, if available, copies of the relevant survey reports;
- .3 if the relevant surveys are not completed within the periods specified under regulation E-1.1; or

.4 if the Certificate is not endorsed in accordance with regulation E-1.1.

APPENDIX I

FORM OF INTERNATIONAL BALLAST WATER MANAGEMENT CERTIFICATE

INTERNATIONAL BALLAST WATER MANAGEMENT CERTIFICATE

Issued under the provisions of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (hereinafter referred to as "the Convention") under the authority of the Government of

.....
(full designation of the country)

by
(full designation of the competent person or
organization authorized under the provisions
of the Convention)

Particulars of ship¹

Name of ship

Distinctive number or letters

Port of registry

Gross Tonnage

IMO number²

Date of Construction

Ballast Water Capacity (in cubic metres)

Details of Ballast Water Management Method(s) Used

Method of Ballast Water Management used

Date installed (if applicable)

Name of manufacturer (if applicable)

¹ Alternatively, the particulars of the ship may be placed horizontally in boxes.

² IMO Ship Identification Number Scheme adopted by the Organization by resolution A.600(15).

The principal Ballast Water Management method(s) employed on this ship is/are:

- ☐ in accordance with regulation D-1
- ☐ in accordance with regulation D-2
(describe)
- ☐ the ship is subject to regulation D-4

THIS IS TO CERTIFY:

1 That the ship has been surveyed in accordance with regulation E-1 of the Annex to the Convention; and

2 That the survey shows that Ballast Water Management on the ship complies with the Annex to the Convention.

This certificate is valid until subject to surveys in accordance with regulation E-1 of the Annex to the Convention.

Completion date of the survey on which this certificate is based: dd/mm/yyyy

Issued at
(Place of issue of certificate)

.....
(Date of issue)

.....
Signature of authorized official issuing the certificate

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEY(S)

THIS IS TO CERTIFY that a survey required by regulation E-1 of the Annex to the Convention the ship was found to comply with the relevant provisions of the Convention:

Annual survey: Signed
(Signature of duly authorized official)
Place
Date.....
(Seal or stamp of the authority, as appropriate)

Annual*/Intermediate survey*: Signed
(Signature of duly authorized official)
Place
Date.....
(Seal or stamp of the authority, as appropriate)

Annual*/Intermediate survey*: Signed
(Signature of duly authorized official)
Place
Date.....
(Seal or stamp of the authority, as appropriate)

Annual survey: Signed
(Signature of duly authorized official)
Place
Date.....
(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

**ANNUAL / INTERMEDIATE SURVEY
IN ACCORDANCE WITH REGULATION E-5.8.3**

THIS IS TO CERTIFY that, at an annual / intermediate* survey in accordance with regulation E-5.8.3 of the Annex to the Convention, the ship was found to comply with the relevant provisions of the Convention:

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID
FOR LESS THAN 5 YEARS WHERE REGULATION E-5.3 APPLIES**

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation E-5.3 of the Annex to the Convention, be accepted as valid until.....

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN
COMPLETED AND REGULATION E-5.4 APPLIES**

The ship complies with the relevant provisions of the Convention and this Certificate shall, in accordance with regulation E-5.4 of the Annex to the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

**ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE UNTIL REACHING THE
PORT OF SURVEY OR FOR A PERIOD OF GRACE
WHERE REGULATION E-5.5 OR E-5.6 APPLIES**

This Certificate shall, in accordance with regulation E-5.5 or E-5.6* of the Annex to the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT FOR ADVANCEMENT OF ANNIVERSARY DATE
WHERE REGULATION E-5.8 APPLIES**

In accordance with regulation E-5.8 of the Annex to the Convention the new Anniversary date is

Signed
(Signature of authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

In accordance with regulation E-5.8 of the Annex to the Convention the new Anniversary date is

Signed
(Signature of duly authorized official)

Place

Date.....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

APPENDIX II

FORM OF BALLAST WATER RECORD BOOK

INTERNATIONAL CONVENTION FOR THE CONTROL AND
MANAGEMENT OF SHIPS' BALLAST WATER AND SEDIMENTS

Period From: To:

Name of Ship

IMO number

Gross tonnage

Flag

Total Ballast Water capacity (in cubic metres)

The ship is provided with a Ballast Water Management plan ☐

Diagram of ship indicating ballast tanks:

1 Introduction

In accordance with regulation B-2 of the Annex to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, a record is to be kept of each Ballast Water operation. This includes discharges at sea and to reception facilities.

2 Ballast Water and Ballast Water Management

"Ballast Water" means water with its suspended matter taken on board a ship to control trim, list, draught, stability, or stresses of a ship. Management of Ballast Water shall be in accordance with an approved Ballast Water Management plan and taking into account Guidelines³ developed by the Organization.

3 Entries in the Ballast Water Record Book

Entries in the Ballast Water record book shall be made on each of the following occasions:

3.1 When Ballast Water is taken on board:

- .1 Date, time and location port or facility of uptake (port or lat/long), depth if outside port
- .2 Estimated volume of uptake in cubic metres
- .3 Signature of the officer in charge of the operation.

3.2 Whenever Ballast Water is circulated or treated for Ballast Water Management purposes:

- .1 Date and time of operation
- .2 Estimated volume circulated or treated (in cubic metres)
- .3 Whether conducted in accordance with the Ballast Water Management plan

³ Refer to the Guidelines for the control and management of ships' ballast water to minimize the transfer of harmful aquatic organisms and pathogens adopted by the Organization by resolution A.868(20).

- .4 Signature of the officer in charge of the operation
- 3.3 When Ballast Water is discharged into the sea:
 - .1 Date, time and location port or facility of discharge (port or lat/long)
 - .2 Estimated volume discharged in cubic metres plus remaining volume in cubic metres
 - .3 Whether approved Ballast Water Management plan had been implemented prior to discharge
 - .4 Signature of the officer in charge of the operation.
- 3.4 When Ballast Water is discharged to a reception facility:
 - .1 Date, time, and location of uptake
 - .2 Date, time, and location of discharge
 - .3 Port or facility
 - .4 Estimated volume discharged or taken up, in cubic metres
 - .5 Whether approved Ballast Water Management plan had been implemented prior to discharge
 - .6 Signature of officer in charge of the operation
- 3.5 Accidental or other exceptional uptake or discharges of Ballast Water:
 - .1 Date and time of occurrence
 - .2 Port or position of the ship at time of occurrence
 - .3 Estimated volume of Ballast Water discharged
 - .4 Circumstances of uptake, discharge, escape or loss, the reason therefore and general remarks.
 - .5 Whether approved Ballast Water Management plan had been implemented prior to discharge
 - .6 Signature of officer in charge of the operation
- 3.6 Additional operational procedure and general remarks

4 Volume of Ballast Water

The volume of Ballast Water onboard should be estimated in cubic metres. The Ballast Water record book contains many references to estimated volume of Ballast Water. It is recognized that the accuracy of estimating volumes of ballast is left to interpretation.

RECORD OF BALLAST WATER OPERATIONS

SAMPLE BALLAST WATER RECORD BOOK PAGE

Name of Ship:

Distinctive number or letters

Date	Item (number)	Record of operations/signature of officers in charge

Signature of master

PRILOGA

PRAVILA ZA NADZOR IN RAVNANJE Z LADIJSKO BALASTNO
VODO IN USEDLINAMI

POGLAVJE A – SPLOŠNE DOLOČBE

Pravilo A-1
Pomen izrazov

V tej prilogi:

- 1 "obletnica" pomeni dan in mesec vsakega leta, ki ustrezata datumu poteka spričevala;
- 2 "količina balastne vode" pomeni skupno volumetrično zmogljivost vseh rezervoarjev ali prostorov na ladji za prevoz, zajem ali izpust balastne vode, vključno z vsemi večnamenskimi rezervoarji ali prostori, namenjenimi za njen prevoz;
- 3 "podjetje" pomeni lastnika ladje ali katero koli drugo organizacijo ali osebo, kot je upravljavec ali zakupnik prazne ladje, ki je od lastnika ladje prevzel odgovornost za delovanje ladje in se je pri tem strinjal, da prevzame vse naloge in odgovornosti, ki jih nalaga Mednarodni kodeks za varno upravljanje ladij¹;
- 4 "zgrajen" v zvezi z ladjo pomeni stopnjo gradnje, na kateri:
 - 1 je kobilica položena ali
 - 2 se je začela gradnja, značilna za posamezno ladjo, ali
 - 3 je bilo od začetka sestavljanja ladje uporabljenih vsaj 50 ton ali 1 odstotek ocenjene mase vsega gradbenega materiala, kar je manj, ali
 - 4 na ladji poteka večja predelava;
- 5 "večja predelava" pomeni predelavo ladje,
 - 1 s katero se za 15 odstotkov ali več spremeni njena nosilna zmogljivost za balastno vodo ali
 - 2 s katero se spremeni vrsta ladje ali
 - 3 ki je po mnenju pristojnega organa namenjena podaljšanju življenjske dobe za deset ali več let ali
 - 4 katere posledica je sprememba sistema za balastno vodo, ne le zamenjava sestavnih delov. Predelava ladje zaradi izpolnjevanja določb pravila D-1 se ne šteje za večjo predelavo po tej prilogi;
- 6 "od najbližjega kopnega" pomeni od temeljne črte, od katere je v skladu z mednarodnim pravom določeno teritorialno morje tega ozemlja, razen da po tej konvenciji "od najbližjega kopnega" severovzhodne obale Avstralije pomeni od črte, potegnjene od točke na obali Avstralije na
11° 00' južne zemljepisne širine, 142° 08' vzhodne zemljepisne dolžine,
do točke na 10° 35' južne zemljepisne širine, 141° 55' vzhodne zemljepisne dolžine,
od tam do točke na 10° 00' južne zemljepisne širine, 142° 00' vzhodne zemljepisne dolžine,
od tam do točke na 9° 10' južne zemljepisne širine, 143° 52' vzhodne zemljepisne dolžine,
od tam do točke na 9° 00' južne zemljepisne širine, 144° 30' vzhodne zemljepisne dolžine,

¹ Sklic na Mednarodni kodeks za varno upravljanje ladij, ki ga je sprejela organizacija s sklepom A.741(1), s spremembami.

od tam do točke na 10° 41' južne zemljepisne širine, 145° 00' vzhodne zemljepisne dolžine,
od tam do točke na 13° 00' južne zemljepisne širine, 145° 00' vzhodne zemljepisne dolžine,
od tam do točke na 15° 00' južne zemljepisne širine, 146° 00' vzhodne zemljepisne dolžine,
od tam do točke na 17° 30' južne zemljepisne širine, 147° 00' vzhodne zemljepisne dolžine,
od tam do točke na 21° 00' južne zemljepisne širine, 152° 55' vzhodne zemljepisne dolžine,
od tam do točke na 24° 30' južne zemljepisne širine, 154° 00' vzhodne zemljepisne dolžine,
od tam pa do točke na obali Avstralije
na 24° 42' južne zemljepisne širine, 153° 15' vzhodne zemljepisne dolžine;

7 "aktivna snov" pomeni snov ali organizem, vključno z virusom ali glivico s splošnim ali posebnim učinkom na škodljive vodne organizme in povzročitelje bolezni.

Pravilo A-2
Splošna veljavnost

Razen če ni izrecno določeno drugače, se balastna voda izpušča samo tako, kot je v tej prilogi določeno za ravnanje z balastno vodo.

Pravilo A-3
Izjeme

Zahteve pravila B-3 ali dodatni ukrepi, ki jih pogodbenica sprejme v skladu s tretjim odstavkom 2. člena in poglavjem C, ne veljajo:

- 1 za zajetje ali izpust balastne vode in usedlin, potreben za zagotovitev varnosti ladje v izrednih razmerah ali za reševanje življenj na morju, ali
- 2 za nenameren izpust ali vdor balastne vode in usedlin zaradi okvare ladje ali njene opreme:
 - 1 če so bili pred okvaro in po njenem nastanku ali odkritju ali izpustu sprejeti vsi ustrezni varnostni ukrepi za preprečitev in zmanjšanje posledic izpusta in
 - 2 če lastnik, podjetje ali pristojni častnik ni namerno ali iz malomarnosti povzročil okvare ali
- 3 za zajetje in izpust balastne vode in usedlin zaradi preprečitve ali zmanjšanja onesnaževanja z ladje ob nesreči ali
- 4 za zajetje in poznejši izpust iste balastne vode in usedlin na odprtem morju ali
- 5 za izpust balastne vode in usedlin z ladje na istem kraju, s katerega izvira celotna količina te balastne vode in usedlin, in ob pogoju, da ne pride do mešanja z nepredelano balastno vodo in usedlinami z drugih območij. Če je do mešanja prišlo, za balastno vodo z drugih območij velja ravnanje z balastno vodo v skladu s to prilogo.

Pravilo A-4
Izjeme

1 Pogodbenica ali pogodbenice lahko v vodah, ki so v njihovi pristojnosti,odobrijo izjeme od zahtev za uporabo pravila B-3 ali C-1 poleg izjem, ki so navedene drugje v tej konvenciji, vendar samo:

- 1 kadar so odobrene za eno ali več ladij na eni ali več poteh med določenimi pristanišči ali kraji ali za ladjo, ki plove izključno med določenimi pristanišči ali kraji;
- 2 kadar so veljavne največ pet let, pri čemer je potreben vmesni pregled;
- 3 kadar so odobrene za ladje, ki ne mešajo balastne vode ali usedlin, razen med pristanišči ali kraji iz točke 1 prvega odstavka;

- 4 kadar so odobrene na podlagi smernic o oceni tveganja, ki jih je pripravila organizacija.
- 2 Izjeme, odobrene po prvem odstavku, začnejo veljati šele, ko so bile sporočene organizaciji in ko so bile pogodbenice ustrezno obveščene o njih.
- 3 Izjeme, odobrene po tem pravilu, ne smejo škodovati okolju, zdravju ljudi, stvarjem ali virom sosednjih ali drugih držav. Z vsako državo, za katero pogodbenica ugotovi, da bi bila lahko oškodovana, se opravi posvetovanje, da se razrešijo vse ugotovljene težave.
- 4 Vse izjeme, odobrene po tem pravilu, se vpišejo v knjigo o balastni vodi.

Pravilo A-5

Enakovredna obravnava

Za plovila za prosti čas, ki se uporabljajo izključno za rekreacijo ali tekmovanja, ali plovila, ki se v glavnem uporabljajo za iskanje in reševanje, dolga manj kot 50 m in z največjo količino balastne vode 8 kubičnih metrov, pristojni organ ob upoštevanju smernic, ki jih pripravi organizacija, določi s to prilogo skladne zahteve.

POGLAVJE B – ZAHTEVE V ZVEZI Z RAVNANJEM IN NADZOROM ZA LADJE

Pravilo B-1

Načrt ravnanja z balastno vodo

Vsaka ladja mora imeti na krovu načrt ravnanja z balastno vodo in ga izvajati. Načrt odobri pristojni organ ob upoštevanju smernic, ki jih je pripravila organizacija. Vsaka ladja ima lasten načrt ravnanja z balastno vodo, ki mora najmanj:

- 1 podrobno navajati varnostne postopke za ravnanje z balastno vodo za ladjo in posadko, kot zahteva konvencija;
- 2 podrobno navajati ukrepe, ki jih je treba sprejeti za izpolnjevanje zahtev pri ravnanju z balastno vodo, in dodatne postopke pri ravnanju z balastno vodo, kot je določeno v konvenciji;
- 3 podrobno navajati postopke za odlaganje usedlin:
 - 1 na morju in
 - 2 na obali;
- 4 navajati postopke za usklajevanje ravnanja z balastno vodo – kadar se z ladje izpušča v morje – z organi države, v vode katere se izpušča;
- 5 vsebovati ime častnika na ladji, ki je odgovoren za pravilno izvajanje načrta;
- 6 navajati zahteve za poročanje za ladje, kot so določene po tej konvenciji, in
- 7 biti napisan v delovnem jeziku ladje. Če uporabljeni jezik ni angleščina, francoščina ali španščina, mora biti preveden v enega od teh jezikov.

Pravilo B-2

Knjiga o balastni vodi

- 1 Vsaka ladja mora imeti na krovu knjigo o balastni vodi, ki je lahko v elektronski obliki ali pa je vključena v drugo knjigo ali sistem in vsebuje najmanj podatke iz dodatka II.
- 2 Knjiga o balastni vodi se hrani na ladji najmanj dve leti po zadnjem vpisu, potem pa v podjetju še najmanj tri leta.

3 Če pride do izpusta balastne vode v skladu s pravilom A-3, A-4 ali šestim odstavkom pravila B-3 ali do nenamernega ali izrednega izpusta balastne vode, za katerega konvencija ne predvideva izjem, se vpiše v knjigo o balastni vodi z opisom okoliščin in vzrokov za izpust.

4 Knjiga o balastni vodi mora biti v katerem koli razumnem trenutku na voljo za pregled; za vlečeno ladjo brez posadke se lahko hrani na krovu vlečne ladje.

5 Vsak postopek v zvezi z balastno vodo se v celoti nemudoma vpiše v knjigo o balastni vodi. Vsak vpis podpiše častnik, pristojen za tak postopek, vsako izpolnjeno stran pa podpiše poveljnik ladje. Vpisi v knjigi o balastni vodi morajo biti v delovnem jeziku ladje. Če ta jezik ni angleščina, francoščina ali španščina, morajo biti vpisi prevedeni v enega od teh jezikov. Kadar se uporabljajo tudi vpisi v uradnem jeziku države, pod zastavo katere ladja plove, ob sporu ali razlikah v razlagi prevladajo ti vpisi.

6 Osebe, ki jih pogodbenica pravilno pooblasti, lahko pregledajo knjigo o balastni vodi na krovu vsake ladje, za katero velja to pravilo, medtem ko je ladja v njenem pristanišču ali predobalnem terminalu, in lahko naredijo kopijo katerega koli vpisa ter zahtevajo od poveljnika ladje, da potrdi, da gre za verodostojno kopijo. Vsaka tako overjena kopija je sprejemljiva v katerem koli sodnem postopku kot dokaz dejstev, navedenih v vpisu. Knjiga o balastni vodi se pregleda in overjene kopije se pridobijo kar najhitreje brez nepotrebnega zadrževanja ladje.

Pravilo B-3

Ravnanje z balastno vodo

1 Pri ladji, zgrajeni pred letom 2009:

- 1 s količino balastne vode vključno od 1500 do 5000 kubičnih metrov mora ravnanje z balastno vodo do leta 2014 izpolnjevati najmanj standard iz pravila D-1 ali D-2, po tem pa najmanj standard iz pravila D-2;
- 2 s količino balastne vode manj kot 1500 ali več kot 5000 kubičnih metrov mora ravnanje z balastno vodo do leta 2016 izpolnjevati najmanj standard iz pravila D-1 ali D-2, po tem pa najmanj standard iz pravila D-2.

2 Ladja, za katero velja prvi odstavek, mora ravnati skladno z njim najmanj do prvega vmesnega ali ponovnega pregleda – kar je prej – po enem letu dobave ladje v letu uskladtve s standardom za to ladjo.

3 Ladja, zgrajena v letu 2009 ali pozneje, s količino balastne vode manj kot 5000 kubičnih metrov, ravna z balastno vodo tako, da je izpolnjen najmanj standard iz pravila D-2.

4 Ladja, zgrajena v letu 2009 ali pozneje, vendar pred letom 2012, s količino balastne vode 5000 kubičnih metrov ali več, ravna z balastno vodo v skladu s točko 2 prvega odstavka.

5 Ladja, zgrajena v letu 2012 ali pozneje, s količino balastne vode 5000 kubičnih metrov ali več, ravna z balastno vodo tako, da je izpolnjen najmanj standard iz predpisa D-2.

6 Zahteve tega pravila ne veljajo za ladje, ki izpustijo balastno vodo v sprejemno napravo, zasnovano v skladu s smernicami, ki jih je pripravila organizacija.

7 Kot nadomestna rešitev za zahteve iz prvega do petega odstavka se lahko sprejmejo tudi drugačni načini ravnanja, če zagotavljajo najmanj enako raven zaščite okolja, zdravja ljudi, stvari in virov ter jih odbor načelno odobri.

Pravilo B-4

Izmenjava balastne vode

1 Ladja, ki izmenjava balastno vodo zaradi izpolnjevanja standarda iz pravila D-1:

- 1 po možnosti izmenja balastno vodo vsaj 200 navtičnih milj od najbližjega kopnega in v vodi z vsaj 200 metrov globine ob upoštevanju smernic, ki jih je pripravila organizacija;
 - 2 kadar ladja ne more izmenjati balastne vode v skladu s točko 1 prvega odstavka, jo izmenja ob upoštevanju smernic iz točke 1 prvega odstavka in čim dlje od najbližjega kopnega ter vedno vsaj 50 navtičnih milj od najbližjega kopnega in v vodi z vsaj 200 metrov globine.
- 2 Na morskih območjih, na katerih razdalja od najbližjega kopnega ali globina ne izpolnjuje zahtev iz točk 1 ali 2 prvega odstavka, lahko država pristanišča po posvetovanju s sosednjimi ali drugimi državami določi območja, na katerih lahko ladja izmenja balastno vodo ob upoštevanju smernic iz točke 1 prvega odstavka.
- 3 Ladji ni treba spremeniti smeri svoje predvidene poti ali je preložiti na poznejši čas, zato da bi ravnala v skladu s posebnimi zahtevami iz prvega odstavka.
- 4 Ladji, ki izmenjava balastno vodo, ni treba ravnati v skladu s prvim ali drugim odstavkom, če poveljnik ladje razumno odloči, da bi taka izmenjava ogrozila stabilnost ali varnost ladje, njene posadke ali njenih potnikov zaradi neugodnega vremena, oblike plovila ali napetosti, napake na opremi ali drugega izrednega stanja.
- 5 Kadar se od ladje zahteva, da izmenja balastno vodo, pa tega ne stori v skladu s tem pravilom, je treba razloge vpisati v knjigo o balastni vodi.

Pravilo B-5

Ravnanje z usedlinami

- 1 Vse ladje odstranjujejo in odlagajo usedline iz prostorov, namenjenih za prevoz balastne vode, v skladu z določbami ladijskega načrta za ravnanje z balastno vodo.
- 2 Ladje iz tretjega do petega odstavka pravila B-3 morajo biti zasnovane in zgrajene tako, da se zagotovijo čim manjše zajemanje in nezaželeno ujetje usedlin, njihovo lažje odstranjevanje ter varen dostop za odstranjevanje in vzorčenje usedlin, pri čemer se upoštevajo smernice, ki jih je pripravila organizacija, ne da bi to vplivalo na varnost ali učinkovitost ladje. Tudi ladje iz prvega odstavka pravila B-3 morajo biti čim bolj usklajene s tem odstavkom.

Pravilo B-6

Naloge častnikov in posadke

Častniki in posadka morajo biti seznanjeni s svojimi nalogami pri ravnanju z balastno vodo, ki velja za ladjo, na kateri delajo, in v skladu s svojimi nalogami z ladijskim načrtom ravnanja z balastno vodo.

POGLAVJE C – POSEBNE ZAHTEVE NA NEKATERIH OBMOČJIH

Pravilo C-1

Dodatni ukrepi

- 1 Če pogodbenica sama ali skupaj z drugimi ugotovi, da so poleg ukrepov iz poglavja B potrebni dodatni ukrepi, da se prepreči, zmanjša ali odpravi prenos škodljivih vodnih organizmov in povzročiteljev bolezni z ladijsko balastno vodo in usedlinami, lahko pogodbenica ali pogodbenice skladno z mednarodnim pravom zahtevajo, da ladje izpolnjujejo poseben standard ali zahtevo.
- 2 Pred določitvijo standardov ali zahtev iz prvega odstavka se pogodbenica ali pogodbenice posvetujejo s sosednjimi ali drugimi državami, ki bi jih ti standardi ali zahteve lahko prizadeli.
- 3 Pogodbenica ali pogodbenice, ki nameravajo uvesti dodatne ukrepe v skladu s prvim odstavkom:
 - 1 upoštevajo smernice, ki jih je pripravila organizacija;

- 2 razen ob izrednem stanju ali epidemiji sporočijo organizaciji svojo namero o določitvi dodatnega ukrepa ali ukrepov vsaj šest mesecev pred načrtovanim datumom izvajanja ukrepa ali ukrepov. V sporočilu se:
 - 1 navedejo natančne koordinate območja, na katerem se uporablja(jo) dodatni ukrep(i);
 - 2 utemeljijo potrebnost in vzroki za uporabo dodatnega ukrepa ali ukrepov, po možnosti tudi koristi, ki jih prinaša(jo);
 - 3 opiše(jo) dodatni ukrep(i);
 - 4 navedejo morebitni dogovori, s katerimi se ladjam olajša ravnanje v skladu z dodatnim ukrepom ali ukrepi;
- 3 pridobijo odobritev organizacije, kot to zahteva običajno mednarodno pravo, kar izhaja iz Konvencije Združenih o pomorskem mednarodnem pravu.
- 4 Pogodbenica ali pogodbenice si pri uvajanju dodatnih ukrepov po možnosti prizadevajo dati na razpolago vse ustrezne storitve, ki lahko vključujejo, niso pa omejene samo na obveščanje pomorščakov o razpoložljivih območjih in nadomestnih poteh ali pristaniščih, da bi razbremenile ladjo.
- 5 Dodatni ukrepi, ki jih pogodbenica ali pogodbenice sprejmejo, ne smejo ogroziti varnosti ladje in v nobenih okoliščinah ne smejo biti v nasprotju s katero koli drugo konvencijo, po kateri se mora ladja ravnati.
- 6 Pogodbenica ali pogodbenice, ki uvajajo dodatne ukrepe, se jim lahko za nekaj časa ali v posebnih okoliščinah odrečejo, kot se jim zdi primerno.

Pravilo C-2

Opozorila v zvezi z zajemanjem balastne vode na nekaterih območjih in s tem povezani ukrepi države zastave ladje

- 1 Pogodbenica si prizadeva uradno obvestiti pomorščake o območjih, ki so v njeni pristojnosti, na katerih ladje zaradi znanih razmer ne smejo zajemati balastne vode. Pogodbenica v taka obvestila vključi natančne koordinate območja ali območij in po možnosti nadomestno območje ali območja za zajetje balastne vode. Opozorila se lahko izdajo za območja:
 - 1 za katera je znano, da se na njih pojavljajo izbruhi, napadi ali škodljivi vodni organizmi ali povzročitelji bolezni (npr. cvetenje strupenih alg) in so verjetno pomembni za zajemanje ali izpust balastne vode;
 - 2 v bližini izlivov odpadnih vod ali
 - 3 na katerih je plimsko spiranje slabo, ali za čas, ko je znano, da je plimski tok bolj kalen.
- 2 Poleg obveščanja pomorščakov o območjih v skladu z določbami prvega odstavka pogodbenica uradno obvesti organizacijo in vse morebitno prizadete obalne države o vsakem območju iz prvega odstavka ter o trajanju predvidene veljavnosti takega opozorila. Obvestilo za organizacijo in vse morebitno prizadete obalne države vključuje natančne koordinate območja ali območij in po možnosti vsa nadomestna območja za zajemanje balastne vode. Obvestilo vključuje priporočilo z opisom nadomestnih načinov za ladje, ki morajo zajeti balastno vodo na takem območju. Pogodbenica tudi uradno obvesti pomorščake, organizacijo in vse morebitno prizadete obalne države o prenehanju veljavnosti opozorila.

Pravilo C-3

Sporočanje podatkov

Organizacija na vse primerne načine da na razpolago informacije, ki jih je prejela na podlagi pravil C-1 in C-2 tega poglavja.

POGLAVJE D – STANDARDI ZA RAVNANJE Z BALASTNO VODO

Pravilo D-1

Standard za izmenjavo balastne vode

1 Ladje, ki izmenjavajo balastno vodo v skladu s tem pravilom, morajo zagotavljati najmanj 95 odstotkov volumetrične izmenjave balastne vode.

2 Za ladje, ki izmenjavajo balastno vodo s prečrpavanjem, se za izmenjavo s prečrpanjem trikratne prostornine posameznega balastnega rezervoarja šteje, da izpolnjuje standard iz prvega odstavka. Prečrpavanje manj kot trikratne prostornine je sprejemljivo, če ladja lahko dokaže, da je izpolnjena zahteva po 95-odstotni volumetrični izmenjavi.

Pravilo D-2

Standard kakovosti balastne vode

1 Ladje, ki ravnaajo z balastno vodo v skladu s tem pravilom, ne smejo izpustiti na kubični meter več kot 10 organizmov, ki so sposobni preživeti in so enaki ali večji od 50 mikrometrov, na mililiter pa ne več kot 10 organizmov, ki so sposobni preživeti in so manjši od 50 mikrometrov in večji ali enaki 10 mikrometrom; izpust indikatorskih mikroorganizmov, ne sme presegati določenih koncentracij navedenih v drugem odstavku.

2 Indikatorski mikroorganizmi, kot standard za zdravje ljudi, morajo vključevati:

- 1 toksikogeni *Vibrio cholerae* (O1 in O139) z manj kot eno formirajočo kolonijo (cfu), v 100 mililitrih ali manj kot 1 cfu na 1 gram (mokre mase) vzorcev zooplanktona;
- 2 *Escherichia coli* – manj kot 250 cfu v 100 mililitrih;
- 3 črevesni enterokoki – manj kot 100 cfu v 100 mililitrih.

Pravilo D-3

Zahteve za odobritev sistemov za ravnanje z balastno vodo

1 Sisteme ravnanja z balastno vodo, ki se uporabljajo zaradi izvajanja te konvencije, mora odobriti pristojni organ v skladu s smernicami, ki jih je pripravila organizacija, razen za sisteme iz drugega odstavka.

2 Sisteme za ravnanje z balastno vodo, ki zaradi izvajanja te konvencije uporabljajo aktivne snovi ali pripravke, ki vsebujejo eno ali več aktivnih snovi, odobri organizacija na podlagi postopka, ki ga je sprejela sama. V tem postopku so opisani odobritev in preklic odobritve aktivnih snovi ter predlagani način uporabe. Če je odobritev preklicana, je uporaba ene ali več takih aktivnih snovi prepovedana v enem letu po dnevu preklica.

3 Sistemi ravnanja z balastno vodo, ki se uporabljajo zaradi izvajanja te konvencije, morajo biti varni za ladjo, njeno opremo in posadko.

Pravilo D-4

Poskusna tehnologija za ravnanje z balastno vodo

1 Če ladja pred dnem, ko bi standard iz pravila D-2 sicer zanjo začel veljati, sodeluje v programu, ki ga je odobril pristojni organ za testiranje in oceno obetavnih tehnologij za obdelavo balastne vode, začne standard iz pravila D-2 zanjo veljati šele pet let po dnevu, ko bi ladja ta standard sicer morala začeti upoštevati.

2 Če ladja po dnevu, ko je zanjo začel veljati standard iz pravila D-2, sodeluje v programu, ki ga je odobril pristojni organ ob upoštevanju smernic, ki jih je sprejela organizacija za testiranje in oceno obetavnih tehnologij za obdelavo balastne vode, pri katerih obstaja možnost doseganja višjega

standarda od tistega v pravilu D-2, standard iz pravila D-2 zanjo ne velja pet let od dneva namestitve take tehnologije.

3 Pogodbenice pri oblikovanju in izvajanju programa za testiranje in oceno obetavnih tehnologij za balastno vodo:

- 1 upoštevajo smernice, ki jih je pripravila organizacija, in
- 2 dovolijo sodelovanje samo najmanjšemu številu ladij, ki še zadostuje za učinkovito testiranje takih tehnologij.

4 Sistem za obdelavo balastne vode mora v celotnem testnem in ocenjevalnem obdobju delovati dosledno in tako, kot je bil zasnovan.

Pravilo D-5

Pregled standardov v organizaciji

1 Na zasedanju odbora, sklicanega najpozneje tri leta pred dnem začetka veljavnosti standarda iz pravila D-2, odbor opravi pregled, ki vključuje ugotovitev o razpoložljivosti ustreznih tehnologij za izpolnjevanje standarda, oceno meril iz drugega odstavka in oceno družbenogospodarskih učinkov, zlasti v zvezi s potrebami držav v razvoju, še posebno majhnih otoških držav v razvoju. Po potrebi odbor opravi tudi občasne preglede, da bi preveril veljavne zahteve za ladje iz prvega odstavka pravila B-3 ter druge vidike ravnanja z balastno vodo iz te priloge, vključno s smernicami, ki jih je pripravila organizacija.

2 Pregledi ustreznih tehnologij upoštevajo tudi:

- 1 vprašanja varnosti v zvezi z ladjo in posadko;
- 2 okoljsko sprejemljivost, tj., da take tehnologije ne povzročajo več škode za okolje, kot je lahko preprečijo;
- 3 uporabnost, tj. združljivost z ladijsko zasnovo in delovanjem;
- 4 stroškovno učinkovitost, tj. ekonomičnost, in
- 5 biološko učinkovitost v smislu odstranjevanja ali drugačne onesposobitve preživetja škodljivih vodnih organizmov in povzročiteljev bolezni v balastni vodi.

3 Odbor lahko za opravljanje pregleda oziroma pregledov iz prvega odstavka oblikuje skupino ali skupine. Odbor določi sestavo, pristojnosti in naloge ter posebna vprašanja, ki naj bi jih take skupine obravnavale. Skupine lahko oblikujejo predloge za spremembo te priloge in jih priporočijo v obravnavo pogodbenicam. Pri oblikovanju priporočil in odločitev o spremembah, ki jih sprejme odbor, lahko sodelujejo samo pogodbenice.

4 Če se pogodbenice na podlagi pregledov iz tega pravila odločijo, da bodo sprejele spremembe priloge, se spremembe sprejmejo in začnejo veljati v skladu s postopki iz 19. člena te konvencije.

POGLAVJE E – ZAHTEVE V ZVEZI S PREGLEDI IN SPRIČEVALI ZA RAVNANJE Z BALASTNO VODO

Pravilo E-1

Pregledi

1 Na ladjah z bruto tonažo 400 ali več, za katere velja ta konvencija, brez plavajočih ploščadi, plavajočih enot za skladiščenje in plavajočih enot za proizvodnjo, skladiščenje in pretovarjanje, je treba opraviti te preglede:

- 1 začetni pregled je treba opraviti, preden ladja začne pluti ali preden je prvič izdano spričevalo iz pravila E-2 ali E-3. S tem pregledom se preveri, ali načrt ravnanja z

balastno vodo iz pravila B-1 in s tem povezani zgradba, oprema, sistemi, napeljave, ureditve in material ali postopki v celoti izpolnjujejo zahteve konvencije;

- 2 obnovitveni pregled je treba opraviti v presledkih, ki jih določi pristojni organ, a ne presegajo pet let, razen kadar velja drugi, peti, šesti ali sedmi odstavek pravila E-5.. S tem pregledom se preveri, ali načrt ravnanja z balastno vodo iz pravila B-1 in s tem povezani zgradba, oprema, sistemi, napeljave, ureditve in material ali postopki v celoti izpolnjujejo veljavne zahteve konvencije;
- 3 vmesni pregled je treba opraviti v treh mesecih pred drugo obletnico ali v treh mesecih po njej ali pa v treh mesecih pred tretjo obletnico spričevala ali v treh mesecih po njej, pri čemer se pregled opravi kot eden od letnih pregledov iz točke 4 prvega odstavka. S tem pregledom se zagotovi, da oprema in povezani sistemi ter postopki za ravnanje z balastno vodo v celoti izpolnjujejo veljavne zahteve te priloge in so v dobrem stanju. Vmesni pregledi se potrdijo na spričevalu, izdanem po pravilu E-2 ali E-3;
- 4 letni pregled je treba opraviti v treh mesecih pred vsako obletnico ali v treh mesecih po njej; pregled vključuje splošni pregled zgradbe, vse opreme, sistemov, napeljav, ureditev in materiala ali postopkov, povezanih z načrtom ravnanja z balastno vodo po pravilu B-1, s katerim se zagotovi, da so bili vzdrževani v skladu z devetim odstavkom in so še vedno v zadovoljivem stanju za dejavnost ladje. Letni pregledi se potrdijo na spričevalu, izdanem po pravilu E-2 ali E-3;
- 5 dodatni pregled, ki je glede na okoliščine splošni ali delni, je treba opraviti po spremembi, zamenjavi ali večjem popravilu zgradbe, opreme, sistemov, napeljav, ureditev in materiala, potrebnih za doseganje popolnega izpolnjevanja te konvencije. Pregled mora zagotoviti, da je bila vsaka taka sprememba, zamenjava ali večje popravilo učinkovito, tako da ladja izpolnjuje zahteve te konvencije. Pregledi se potrdijo na spričevalu, izdanem po pravilu E-2 ali E-3.

2 Pristojni organ določi ustrezne ukrepe za ladje, za katere ne veljajo določbe prvega odstavka, da zagotovi izpolnjevanje ustreznih določb konvencije.

3 Preglede ladij za uveljavljanje določb te konvencije opravljajo uradniki pristojnega organa. Pristojni organ pa lahko zaupa preglede tudi za to imenovanim inšpektorjem ali organizacijam, katerih pristojnost priznava.

4 Pristojni organ, ki imenuje inšpektorje ali prizna pristojnost organizacij za opravljanje pregledov iz tretjega odstavka tega pravila, imenovane inšpektorje ali priznane organizacije pooblasti najmanj za to², da:

- 1 zahtevajo, da ladja, ki jo pregledajo, izpolnjuje določbe te konvencije in
- 2 opravijo preglede in inšpekcije, če jih zahtevajo ustrezni organi države pristanišča, ki je pogodbenica.

5 Pristojni organ uradno obvesti organizacijo o posebnih nalogah in pogojih iz pooblastil imenovanim inšpektorjem ali priznanim organizacijam, da jih razpošlje pogodbenicam, ki obvestijo svoje uradnike.

6 Kadar pristojni organ, imenovani inšpektor ali priznana organizacija ugotovi, da se ravnanje z balastno vodo ladje ne ujema s podatki v spričevalu po pravilu E-2 ali E-3 ali da bi ladja po odplutju lahko ogrozila okolje, zdravje ljudi, stvari ali vire, inšpektor ali organizacija nemudoma zagotovi sprejem ukrepov, s katerimi se doseže skladnost s konvencijo. Takoj se ustrezno uradno obvesti inšpektor ali organizacija, ki zagotovi, da se spričevalo ne izda ali se odvzame. Če je ladja v pristanišču druge pogodbenice, se o tem nemudoma uradno obvestijo ustrezni organi države pristanišča. Ko je uradnik pristojnega organa, imenovani inšpektor ali priznana organizacija uradno obvestila ustrezne

² Glej smernice, ki jih je organizacija sprejela s sklepom A.739 (18) in jih organizacija lahko spremeni, in specifikacije, ki jih je organizacija sprejela s sklepom A.789(19) in jih organizacija lahko spremeni.

organe države pristanišča, vlada te države pomaga uradniku, inšpektorju ali organizaciji pri izpolnjevanju njihovih obveznosti iz tega pravila, vključno z ukrepi iz 9. člena konvencije.

7 Kadar se zgodi nesreča ali je na ladji odkrita okvara, ki bistveno vpliva na zmožnost ladje za ravnanje z balastno vodo v skladu s konvencijo, lastnik, upravljavec ali druga oseba, odgovorna za ladjo, to čim prej sporoči pristojnemu organu, priznani organizaciji ali imenovanemu inšpektorju, pristojnemu za izdajo spričevala, ki sproži preiskavo, s katero se ugotovi, ali je potreben pregled, kot ga določa prvi odstavek tega pravila. Če je ladja v pristanišču druge pogodbenice, lastnik, upravljavec ali druga odgovorna oseba to nemudoma sporoči tudi ustreznim organom države pristanišča, imenovani inšpektor ali priznana organizacija pa preveri, ali je bilo tako sporočilo poslano.

8 Pristojni organ vedno v celoti jamči za popolnost in učinkovitost pregleda in se zaveže, da bo zagotovil vse potrebno za izpolnitev te obveznosti.

9 Stanje ladje ter njena oprema, sistemi in postopki se vzdržujejo v skladu z določbami konvencije, da se zagotovi, da je ladja v vseh pogledih zmožna odpluti, ne da bi pri tem ogrožala okolje, zdravje ljudi, stvari ali vire.

10 Ko je bil opravljen pregled iz prvega odstavka, se brez dovoljenja pristojnega organa pri zgradbi, opremi, napeljavi, ureditvi ali materialu, povezanem z načrtom ravnanja z balastno vodo, ki ga zahteva pravilo B-1 in za katerega velja pregled, ne sme opraviti nobena sprememba, razen neposredne zamenjave take opreme ali napeljave.

Pravilo E-2

Izdaja ali potrditev spričevala

1 Pristojni organ zagotovi, da se za ladjo, za katero velja pravilo E-1, po uspešno opravljenem pregledu v skladu s pravilom E-1 izda spričevalo. Spričevalo, ki ga izda ena pogodbenica, druge pogodbenice sprejmejo in ga za namen te konvencije štejejo za enakovrednega spričevalu, ki bi ga izdale same.

2 Spričevala izda ali potrdi pristojni organ ali druga oseba ali organizacija, ki jo pristojni organ za to pravilno pooblasti. V vsakem primeru pristojni organ prevzame vso odgovornost za spričevalo.

Pravilo E-3

Izdaja ali potrditev spričevala druge pogodbenice

1 Na zahtevo pristojnega organa lahko druga pogodbenica odredi pregled ladje in če se prepriča, da so določbe konvencije izpolnjene, izda ali odobri izdajo spričevala za ladjo in po potrebi potrdi ali odobri potrditev spričevala na ladji v skladu s to prilogo.

2 Kopija spričevala in kopija poročila o pregledu se čim prej pošljeta pristojnemu organu, ki je zahteval pregled.

3 Tako izdano spričevalo vsebuje izjavo, da je bilo izdano na zahtevo pristojnega organa, in ima enako moč in je enako priznано kot spričevalo, ki ga izda pristojni organ.

4 Spričevalo se ne izda ladji, ki plove pod zastavo države, ki ni pogodbenica.

Pravilo E-4

Obrazec za spričevalo

Spričevalo je sestavljeno v uradnem jeziku pogodbenice, ki ga izda, v obliki obrazca iz dodatka I. Če uporabljeni jezik ni angleščina, francoščina ali španščina, je besedilu priložen prevod v enega od teh jezikov.

Pravilo E-5

Trajanje in veljavnost spričevala

1 Spričevalo se izda za obdobje, ki ga določi pristojni organ in ni daljše od pet let.

2 Za obnovitvene preglede velja:

- 1 če je obnovitveni pregled opravljen v treh mesecih pred dnem poteka veljavnega spričevala, novo spričevalo ne glede na zahteve prvega odstavka velja od dneva dokončanja obnovitvenega pregleda do datuma, ki ni poznejši od pet let od dneva poteka veljavnega spričevala;
- 2 če je obnovitveni pregled opravljen po dnevu poteka veljavnega spričevala, novo spričevalo velja od dneva dokončanja obnovitvenega pregleda do datuma, ki ni poznejši od pet let od dneva poteka veljavnega spričevala;
- 3 če je obnovitveni pregled opravljen več kot tri mesece pred dnem poteka veljavnega spričevala, novo spričevalo velja od dneva dokončanja obnovitvenega pregleda do datuma, ki ni poznejši od pet let od dneva dokončanja obnovitvenega pregleda.

3 Če je spričevalo izdano za manj kot pet let, lahko pristojni organ podaljša veljavnost spričevala po dnevu poteka veljavnosti do najdaljšega mogočega obdobja iz prvega odstavka, pri čemer morajo biti ustrezno opravljeni pregledi iz točke 3 prvega odstavka pravila E-1, ki se uporablja, kadar je spričevalo izdano za pet let.

4 Če je bil obnovitveni pregled opravljen in novega spričevala ni mogoče izdati ali dati na ladjo pred datumom poteka veljavnega spričevala, lahko oseba ali organizacija, ki jo pooblasti pristojni organ, potrdi veljavno spričevalo, spričevalo pa se sprejme kot veljavno za nadaljnje obdobje, ki ni daljše od pet mesecev od dneva poteka veljavnosti.

5 Če ladja v času, ko spričevalo poteče, ni v pristanišču, v katerem je treba opraviti pregled, lahko pristojni organ podaljša obdobje veljavnosti spričevala, vendar se podaljšanje odobri samo zato, da ladja dokonča svojo pot v pristanišče, v katerem bo opravljen pregled, in še to samo takrat, ko je to primerno in upravičeno. Nobeno spričevalo se ne podaljša za več kot za tri mesece in ladja, ki ji je bilo odobreno tako podaljšanje, po prihodu v pristanišče, v katerem bo opravljen pregled, na podlagi tega podaljšanja ne sme zapustiti tega pristanišča brez pridobitve novega spričevala. Ko je obnovitveni pregled opravljen, novo spričevalo velja do datuma, ki ni poznejši od pet let od dneva poteka veljavnosti spričevala, preden je bilo odobreno podaljšanje.

6 Spričevalo, izdano ladji, ki plove na kratkih progah, ki ni bilo podaljšano v skladu s predhodnimi določbami tega pravila, lahko pristojni organ podaljša za obdobje do enega meseca od dneva poteka veljavnosti, navedenega na spričevalu. Ko je obnovitveni pregled opravljen, novo spričevalo velja do datuma, ki ni poznejši od pet let od dneva poteka veljavnosti spričevala, preden je bilo odobreno podaljšanje.

7 V posebnih okoliščinah, ki jih določi pristojni organ, ni treba, da je novo spričevalo datirano z dnem poteka prejšnjega spričevala v skladu s točko 2 drugega odstavka ali petim ali šestim odstavkom tega pravila. V teh posebnih okoliščinah novo spričevalo velja do datuma, ki ni poznejši od pet let od dneva dokončanja obnovitvenega pregleda.

8 Če je letni pregled opravljen pred obdobjem iz pravila E-1:

- 1 se datum, naveden na spričevalu, s potrditvijo spremeni v datum, ki ni več kot tri mesece poznejši od dneva opravljenega pregleda;
- 2 se poznejši letni ali vmesni pregled iz pravila E-1 opravi v presledkih, ki jih določa to pravilo glede na nov datum;
- 3 datum poteka veljavnosti lahko ostane nespremenjen, če se opravi en ali več letnih pregledov, kot je potrebno, tako da najdaljši presledki med pregledi, ki jih predpisuje pravilo E-1, niso preseženi.

9 Spričevalo, izdano v skladu s pravilom E-2 ali E-3, preneha veljati v vsakem od teh primerov:

- 1 če so bili zgradba, oprema, sistemi, napeljave, ureditve in material, potrebni za izpolnjevanje zahtev konvencije, spremenjeni, zamenjani ali bistveno popravljeni, spričevalo pa ni potrjeno v skladu s to prilogo;
- 2 ob prenosu ladje pod zastavo druge države. Novo spričevalo se izda samo, če je pogodbenica, ki ga izdaja, popolnoma prepričana, da ladja izpolnjuje zahteve iz pravila E-1. Ob prenosu ladje med pogodbenicama – če to zahteva druga pogodbenica v treh mesecih po prenosu – pogodbenica, pod zastavo katere je pred tem ladja plula, čim prej pošlje pristojnemu organu kopije spričeval, ki jih je imela ladja pred prenosom, in če so na voljo, tudi kopije poročil o pregledih;
- 3 če ustrezni pregledi niso opravljeni v rokih iz prvega odstavka pravila E-1 ali
- 4 če spričevalo ni potrjeno v skladu s prvim odstavkom pravila E-1.

DODATEK I

OBRAZEC MEDNARODNEGA SPRIČEVALA O RAVNANJU Z BALASTNO VODO

MEDNARODNO SPRIČEVALO O RAVNANJE Z BALASTNO VODO

izdano po Mednarodni konvenciji za nadzor in ravnanje z ladijsko balastno vodo in usedlinami (v nadaljevanju konvencija) po pooblastilu vlade

.....
(polno ime države)

izdajatelj
(polno ime pristojne osebe ali organizacije,
pooblaščen po tej konvenciji)

podatki o ladji¹

ime ladje

razločevalna številka ali črke

pristanišče vpisa

bruto tonaža

številka IMO²

datum gradnje

količina balastne vode (v kubičnih metrih)

podatki o uporabljenih načinih za ravnanje z balastno vodo

uporabljeni način ravnanja z balastno vodo

datum uvedbe (po potrebi)

ime proizvajalca (po potrebi)

¹ Podatki o ladji se lahko navedejo tudi vodoravno v okvirčkih.

² Sistem ladijskih identifikacijskih števil IMU, ki ga je sprejela s sklepom A.600(15) .

glavni načini ravnanja z balastno vodo na tej ladji so:

- ☐ v skladu s pravilom D-1
- ☐ v skladu s pravilom D-2
(opis)
- ☐ za ladjo se uporablja pravilo D-4

S TEM POTRJUJEMO:

1. da je bila ladja pregledana v skladu s pravilom E-1 priloge h konvenciji in
2. da je pregled pokazal, da je ravnanje z balastno vodo na ladji usklajeno s priložo h konvenciji.

To spričevalo velja do ob upoštevanju pregledov v skladu s pravilom E-1 priloge h konvenciji.

Datum dokončanja pregleda, na podlagi katerega je izdano spričevalo: dan/mesec/leto

Izdano v
(kraj izdaje spričevala)

.....
(datum izdaje)

.....
(podpis pooblaščenega uradnika, ki je izdal spričevalo)

(Pečat ali žig organa, kot je ustrezno)

**LETNI/VMESNI PREGLED
V SKLADU S TOČKO 3 OSMEGA ODSTAVKA PRAVILA E-5**

S TEM POTRJUJEMO, da je bilo ob letnem/vmesnem* pregledu iz točke 3 osmega odstavka pravila E-5 priloge h konvenciji ugotovljeno, da ladja izpolnjuje zahteve konvencije:

podpisani:
(podpis pooblaščenega uradnika)

kraj:

datum:

(pečat ali žig organa, kot je ustrezno)

**POTRDITEV PODALŽSANJA VELJAVNOSTI SPRIČEVALA,
VELJAVNEGA MANJ KOT 5 LET, KADAR SE UPORABI TRETJI ODSTAVEK PRAVILA E-5**

Ladja izpolnjuje zahteve konvencije in to spričevalo se v skladu s tretjim odstavkom pravila E-5 priloge h konvenciji velja do

podpisani:
(podpis pooblaščenega uradnika)

kraj:

datum:

(Pečat ali žig organa, kot je ustrezno)

**POTRDITEV SPRIČEVALA O OPRAVLJENEM OBNOVITVENEM
PREGLEDU OB UPORABI ČETRTEGA ODSTAVKA PRAVILA E-5**

Ladja izpolnjuje zahteve konvencije in to spričevalo se v skladu s četrnim odstavkom pravila E-5 priloge h konvenciji velja do

podpisani:
(podpis pooblaščenega uradnika)

kraj:

datum:

(pečat ali žig organa, kot je ustrezno)

* prečrtajte neustrezno

**POTRDITEV PODALJŠANJA VELJAVNOSTI SPRIČEVALA DO VPLUTJA
V PRISTANIŠČE PREGLEDA ALI ZA DOVOLJENO PREKORAČITEV ROKA,
OB UPORABI PETEGA ALI ŠESTEGA ODSTAVKA PRAVILA E-5**

Spričevalo se v skladu s petim ali šestim* odstavkom pravila E-5 priloge h konvenciji velja do

podpisani:
(podpis pooblaščenega uradnika)

kraj:

datum:

(pečat ali žig organa, kot je ustrezno)

**POTRDITEV PREMAKNITVE OBLETNICE
OB UPORABI OSMEGA ODSTAVKA PRAVILA E-5**

V skladu z osmim odstavkom pravila E-5 priloge h konvenciji je nov datum
podpisani:
(podpis pooblaščenega uradnika)

kraj:

datum:

(pečat ali žig organa, kot je ustrezno)

V skladu z osmim odstavkom predpisa E-5 priloge h konvenciji je novi datum
podpisani:
(podpis pooblaščenega uradnika)

kraj:

datum:

(pečat ali žig organa, kot je ustrezno)

* prečrtajte neustrezno

DODATEK II**OBRAZEC KNJIGE O BALASTNI VODI****MEDNARODNA KONVENCIJA ZA NADZOR IN RAVNANJE Z
LADIJSKO BALASTNO VODO IN USEDLINAMI**

obdobje od: do:

ime ladje

številka IMO

bruto tonaža

zastava

skupna količina balastne vode (v kubičnih metrih)

ladja ima načrt ravnanja z balastno vodo



shema ladje, ki prikazuje rezervoarje za balastno vodo:

1 Uvod

V skladu s pravilom B-2 priloge k Mednarodni konvenciji za nadzor in ravnanje z ladijsko balastno vodo in usedlinami je treba zapisati vsak postopek z balastno vodo. To vključuje izpuste na morju in v sprejemne objekte.

2 Balastna voda in ravnanje z njo

"Balastna voda" pomeni vodo s snovmi v suspenziji, zajeto na ladjo za uravnavanje naklona, ugreza, stabilnosti ali napetosti ladje. Z balastno vodo je treba ravnati v skladu z odobrenim načrtom ravnanja z balastno vodo in ob upoštevanju smernic³, ki jih je pripravila organizacija.

³ Sklic na smernice za nadzor in ravnanje z ladijsko balastno vodo za zmanjšanje prenašanje škodljivih vodnih organizmov in povzročiteljev bolezni, ki jih je organizacija sprejela s sklepom A.868 (20).

3 Vpisi v knjigo o balastni vodi

V knjigo o balastni vodi se vpišejo:

3.1 ob zajetju balastne vode:

- 1 datum, čas in kraj pristanišča ali objekta zajetja (pristanišče ali zemljepisna širina/dolžina), globina, če je zunaj pristanišča,
- 2 ocenjena prostornina zajetja v kubičnih metrih,
- 3 podpis častnika, pristojnega za postopek;

3.2 ob vsakem kroženju ali obdelavi balastne vode za ravnanje z njo:

- 1 datum in čas postopka,
- 2 ocenjena prostornina vode, ki kroži ali se obdeluje (v kubičnih metrih),
- 3 ali poteka v skladu z načrtom ravnanja z balastno vodo,
- 4 podpis častnika, pristojnega;

3.3 ob izpustu balastne vode v morje:

- 1 datum, čas in kraj pristanišča ali objekta izpusta (pristanišče ali zemljepisna širina/dolžina),
- 2 ocenjena prostornina izpusta v kubičnih metrih in preostala prostornina vode v kubičnih metrih,
- 3 ali je bil izveden odobreni načrt ravnanja z balastno vodo,
- 4 podpis častnika, pristojnega za postopek;

3.4 ob izpustu balastne vode v sprejemni objekt:

- 1 datum, čas in kraj zajetja,
- 2 datum, čas in kraja izpusta,
- 3 pristanišče ali objekt,
- 4 ocenjena prostornina izpusta ali zajetja v kubičnih metrih,
- 5 ali je bil pred izpustom izveden odobreni načrt ravnanja z balastno vodo,
- 6 podpis častnika, pristojnega za postopek;

3.5 ob nenamernem ali drugem izrednem zajetju ali izpustu balastne vode:

- 1 datum in čas,
- 2 pristanišče ali položaj ladje v času,
- 3 ocenjena prostornina izpusta balastne vode,
- 4 okoliščine zajetja, izpusta, uhajanja ali izgube, razlog za to in splošne opombe,
- 5 ali je bil pred izpustom izveden odobreni načrt ravnanja z balastno vodo,

6 podpis častnika, pristojnega za postopek;

3.6 dodatni postopek in splošne opombe.

4 Prostornina balastne vode

Prostornino balastne vode na ladji je treba oceniti v kubičnih metrih. Knjiga o balastni vodi vsebuje številne sklice na ocenjeno prostornino balastne vode. Velja, da je natančnost ocenjevanja prostornine balasta odvisna od razlage.

ZAPIS POSTOPKOV Z BALASTNO VODO

ZGLED STRANI IZ KNJIGE O BALASTNI VODI

ime ladje:

razločevalna številka ali črke:

datum	številka	zapis postopkov/podpis pristojnih častnikov

podpis poveljnika

3. člen

Za izvajanje konvencije skrbi ministrstvo, pristojno za upravljanje voda, skupaj z ministrstvom, pristojnim za varovanje okolja, in ministrstvom, pristojnim za pomorski promet.

4. člen

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

Št. 326-04/26-2/11

Ljubljana, dne 28. januarja 2026

EPA 2735-IX

Državni zbor
Republike Slovenije
mag. Urška Klakočar Zupančič
predsednica

3. **Zakon o ratifikaciji Konvencije o odpravi nasilja in nadlegovanja v svetu dela, 2019 (Konvencija MOD št. 190), kot je bila spremenjena s Konvencijo o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191) (MKONNSD)**

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

U K A Z

o razglasitvi Zakona o ratifikaciji Konvencije o odpravi nasilja in nadlegovanja v svetu dela, 2019 (Konvencija MOD št. 190), kot je bila spremenjena s Konvencijo o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191) (MKONNSD)

Razglašam Zakon o ratifikaciji Konvencije o odpravi nasilja in nadlegovanja v svetu dela, 2019 (Konvencija MOD št. 190), kot je bila spremenjena s Konvencijo o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191) (MKONNSD), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 28. januarja 2026.

Št. 003-02-1/2026-20

Ljubljana, dne 5. februarja 2026

Nataša Pirc Musar
predsednica
Republike Slovenije

Z A K O N

O RATIFIKACIJI KONVENCIJE O ODPRAVI NASILJA IN NADLEGOVANJA V SVETU DELA, 2019 (KONVENCIJA MOD ŠT. 190), KOT JE BILA SPREMENJENA S KONVENCIJO O SPREMENBAH STANDARDOV ZARADI PRIZNANJA VARNEGA IN ZDRAVEGA DELOVNEGA OKOLJA ZA TEMELJNO NAČELO, 2023 (KONVENCIJA MOD ŠT. 191) (MKONNSD)

1. člen

Ratificira se Konvencija o odpravi nasilja in nadlegovanja v svetu dela, 2019 (Konvencija MOD št. 190), sprejeta na 108. zasedanju Generalne konference Mednarodne organizacije dela v Ženevi 21. junija 2019, kot je bila spremenjena s Konvencijo o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191), sprejeta na 111. zasedanju Generalne konference Mednarodne organizacije dela v Ženevi 12. junija 2023.

2. člen

Besedilo konvencije¹ se v izvorniku v angleškem jeziku in prevodu v slovenskem jeziku glasi:

CONVENTION

CONCERNING THE ELIMINATION OF VIOLENCE AND HARASSMENT IN THE WORLD OF WORK

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 108th (Centenary) Session on 10 June 2019, and

Recalling that the Declaration of Philadelphia affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity, and

Reaffirming the relevance of the fundamental Conventions of the International Labour Organization, and

Recalling other relevant international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Convention on the Rights of Persons with Disabilities, and

KONVENCIJA

O ODPRAVI NASILJA IN NADLEGOVANJA V SVETU DELA

Generalna konferenca Mednarodne organizacije dela,

ki jo je v Ženevi sklical Administrativni svet Mednarodnega urada za delo in se je 10. junija 2019 sestala na svojem stoosmem zasedanju (ob stoletnici),

ob sklicevanju na to, da Filadelfijska deklaracija potrjuje, da imajo vsi ljudje, ne glede na raso, prepričanje ali spol, pravico do materialne blaginje in duhovnega razvoja v razmerah svobode in dostojanstva, ekonomske varnosti in enakih možnosti;

ob ponovni potrditvi pomena temeljnih konvencij Mednarodne organizacije dela;

ob sklicevanju na druge ustrezne mednarodne instrumente, kot so Splošna deklaracija človekovih pravic, Mednarodni pakt o državljanskih in političnih pravicah, Mednarodni pakt o ekonomskih, socialnih in kulturnih pravicah, Mednarodna konvencija o odpravi vseh oblik rasne diskriminacije, Konvencija o odpravi vseh oblik diskriminacije žensk, Mednarodna konvencija o varstvu pravic vseh delavcev migrantov in njihovih družinskih članov ter Konvencija o pravicah invalidov;

¹ Besedilo konvencije v francoskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje in evropske zadeve.

Recognizing the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment, and

Recognizing that violence and harassment in the world of work can constitute a human rights violation or abuse, and that violence and harassment is a threat to equal opportunities, is unacceptable and incompatible with decent work, and

Recognizing the importance of a work culture based on mutual respect and dignity of the human being to prevent violence and harassment, and

Recalling that Members have an important responsibility to promote a general environment of zero tolerance to violence and harassment in order to facilitate the prevention of such behaviours and practices, and that all actors in the world of work must refrain from, prevent and address violence and harassment, and

Acknowledging that violence and harassment in the world of work affects a person's psychological, physical and sexual health, dignity, and family and social environment, and

Recognizing that violence and harassment also affects the quality of public and private services, and may prevent persons, particularly women, from accessing, and remaining and advancing in the labour market, and

Noting that violence and harassment is incompatible with the promotion of sustainable enterprises and impacts negatively on the organization of work, workplace relations, worker engagement, enterprise reputation, and productivity, and

Acknowledging that gender-based violence and harassment disproportionately affects women and girls, and recognizing that an inclusive, integrated and gender-responsive approach, which tackles underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations, is essential to ending violence and harassment in the world of work, and

Noting that domestic violence can affect employment, productivity and health and safety, and that governments, employers' and workers' organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence, and

Having decided upon the adoption of certain proposals concerning violence and harassment in the world of work, which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-first day of June of the year two thousand and nineteen the following Convention, which may be cited as the Violence and Harassment Convention, 2019:

I. DEFINITIONS

Article 1

1. For the purposes of this Convention:

(a) the term "violence and harassment" in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment;

(b) the term "gender-based violence and harassment" means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.

2. Without prejudice to subparagraphs (a) and (b) of paragraph 1 of this Article, definitions in national laws and regulations may provide for a single concept or separate concepts.

ob priznavanju pravice vsakogar do sveta dela brez nasilja in nadlegovanja, vključno nasilja in nadlegovanja zaradi spola;

ob spoznanju, da lahko nasilje in nadlegovanje v svetu dela pomenita kršitev ali zlorabo človekovih pravic ter da nasilje in nadlegovanje ogrožata enake možnosti ter sta nesprejemljiva in nezdružljiva z dostojnim delom;

ob priznavanju pomena delovne kulture, ki temelji na vzajemnem spoštovanju in dostojanstvu ljudi, z namenom preprečiti nasilje in nadlegovanje;

ob sklicevanju na to, da imajo članice pomembno odgovornost spodbujati splošno okolje ničelne strpnosti do nasilja in nadlegovanja s ciljem omogočiti preprečevanje takšnega vedenja in praks, ter na to, da se morajo vsi udeleženi v svetu dela vzdržati nasilja in nadlegovanja, ju preprečevati in odpravljati;

ob zavedanju, da nasilje in nadlegovanje v svetu dela vplivata na duševno, telesno in spolno zdravje, dostojanstvo ter družinsko in družbeno okolje posameznika;

ob spoznanju, da nasilje in nadlegovanje vplivata tudi na kakovost javnih in zasebnih storitev ter lahko osebam, zlasti ženskam, preprečita dostop do trga dela ter obstanek in napredovanje na njem;

ob ugotovitvi, da sta nasilje in nadlegovanje nezdružljiva s spodbujanjem trajnostnih podjetij ter negativno vplivata na organizacijo dela, odnose na delovnem mestu, zavzetost delavcev, ugled podjetja in produktivnost;

ob zavedanju, da nasilje in nadlegovanje zaradi spola nesorazmerno prizadeneta ženske in dekleta, ter ob spoznanju, da je vključujoče in celostno delovanje, ki upošteva enakost spolov in obravnava temeljne vzroke in dejavnike tveganja, vključno s spolnimi stereotipi, večkratnimi in presečnimi oblikami diskriminacije ter neenakimi odnosi moči med spoloma, ključno za odpravo nasilja in nadlegovanja v svetu dela;

ob ugotovitvi, da nasilje v družini lahko vpliva na zaposlovanje, produktivnost ter zdravje in varnost in da lahko vlade, organizacije delodajalcev in delavcev ter institucije trga dela v okviru drugih ukrepov pomagajo prepoznati posledice nasilja v družini, se nanje odzvati in jih reševati;

po odločitvi, da sprejme nekatere predloge v zvezi z nasiljem in nadlegovanjem v svetu dela pod peto točko dnevnega reda zasedanja;

po odločitvi, da se ti predlogi oblikujejo kot mednarodna konvencija,

sprejema enaindvajsetega junija leta dva tisoč devetnajst to konvencijo, ki se lahko imenuje Konvencija o nasilju in nadlegovanju, 2019:

I. POMEN IZRAZOV

1. člen

1. V tej konvenciji:

(a) se izraz "nasilje in nadlegovanje" v svetu dela nanaša na vrsto nesprejemljivih vedenj in ravnanj ali nevarnosti le-teh, bodisi posameznih bodisi ponavljajočih se, katerih namen je povzročiti telesno, psihološko, spolno ali ekonomsko škodo oziroma ki jo povzročijo ali bi jo verjetno povzročila, ter vključuje tudi nasilje in nadlegovanje zaradi spola;

(b) izraz "nasilje in nadlegovanje zaradi spola" pomeni nasilje in nadlegovanje, ki sta usmerjena na osebe zaradi njihovega biološkega ali družbenega spola ali ki nesorazmerno prizadeneta osebe določenega biološkega ali družbenega spola, in vključuje spolno nadlegovanje.

2. Brez poseganja v pododstavka a in b prvega odstavka tega člena sta izraza v notranjih zakonih in drugih predpisih lahko opredeljena kot en pojem ali več pojmov.

II. SCOPE

Article 2

1. This Convention protects workers and other persons in the world of work, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer.

2. This Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas.

Article 3

This Convention applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work:

(a) in the workplace, including public and private spaces where they are a place of work;

(b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;

(c) during work-related trips, travel, training, events or social activities;

(d) through work-related communications, including those enabled by information and communication technologies;

(e) in employer-provided accommodation; and

(f) when commuting to and from work.

III. CORE PRINCIPLES

Article 4

1. Each Member which ratifies this Convention shall respect, promote and realize the right of everyone to a world of work free from violence and harassment.

2. Each Member shall adopt, in accordance with national law and circumstances and in consultation with representative employers' and workers' organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work. Such an approach should take into account violence and harassment involving third parties, where applicable, and includes:

(a) prohibiting in law violence and harassment;

(b) ensuring that relevant policies address violence and harassment;

(c) adopting a comprehensive strategy in order to implement measures to prevent and combat violence and harassment;

(d) establishing or strengthening enforcement and monitoring mechanisms;

(e) ensuring access to remedies and support for victims;

(f) providing for sanctions;

(g) developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and

(h) ensuring effective means of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies.

3. In adopting and implementing the approach referred to in paragraph 2 of this Article, each Member shall recognize the different and complementary roles and functions of governments, and employers and workers and their respective organizations, taking into account the varying nature and extent of their respective responsibilities.

II. PODROČJE UPORABE

2. člen

1. Ta konvencija varuje delavce in druge osebe v svetu dela, vključno z zaposlenimi, kot jih opredeljujeta notranje pravo in praksa, ter osebami, ki opravljajo delo, ne glede na njihov pogodbeni status, osebami, ki se usposabljaajo, vključno s pripravniki in vajenci, delavci, ki jim preneha delovno razmerje, prostovoljci, iskalci zaposlitve in kandidati za zaposlitev ter posamezniki, ki izvajajo pristojnosti, dolžnosti ali odgovornosti delodajalca.

2. Ta konvencija se uporablja v vseh sektorjih, tako zasebnih kot javnih, v formalnem in neformalnem gospodarstvu, tako v mestih kot na podeželju.

3. člen

Ta konvencija se uporablja za nasilje in nadlegovanje v svetu dela, ki se pojavita med delom, v povezavi z njim ali zaradi njega:

(a) na delovnem mestu, vključno z javnimi in zasebnimi prostori, ki se uporabljajo kot kraj dela;

(b) v prostorih, kjer delavec prejema plačilo, ima odmor ali malica ali ki jih uporablja za sanitarije, prostore za umivanje in preoblačenje;

(c) na z delom povezanih izletih, potovanjih, usposabljanjih, dogodkih ali družbenih dejavnostih;

(d) med z delom povezanim komuniciranjem, vključno s tistim, ki ga omogočajo informacijske in komunikacijske tehnologije;

(e) v nastanitvi, ki jo zagotovi delodajalec;

(f) na poti na delo in z dela.

III. TEMELJNA NAČELA

4. člen

1. Vsaka članica, ki ratificira to konvencijo, spoštuje, spodbuja in uresničuje pravico vsakogar do sveta dela brez nasilja in nadlegovanja.

2. Vsaka članica sprejme, v skladu z notranjim pravom in okoliščinami ter ob posvetovanju z reprezentativnimi organizacijami delodajalcev in delavcev, vključujoč in celostni način delovanja, ki upošteva enakost spolov, za preprečevanje ter odpravo nasilja in nadlegovanja v svetu dela. Tak način delovanja naj po potrebi upošteva tudi nasilje in nadlegovanje, v katera so vpletene tretje osebe, in pri tem:

(a) zakonsko prepove nasilje in nadlegovanje;

(b) zagotovi, da ustrezne politike obravnavajo nasilje in nadlegovanje;

(c) sprejme celovito strategijo za izvajanje ukrepov za preprečevanje nasilja in nadlegovanja ter za boj proti njima;

(d) vzpostavi ali okrepi mehanizme za uveljavljanje in spremljanje;

(e) zagotovi dostop do pravnih sredstev in podporo žrtvam;

(f) določi sankcije;

(g) razvija orodja, smernice, izobraževanje in usposabljanje ter ozaveščanje v ustreznih dostopnih oblikah;

(h) zagotavlja učinkovita sredstva za inšpekcijske preglede in preiskave primerov nasilja in nadlegovanja, tudi prek inšpektoratov za delo ali drugih pristojnih organov.

3. Pri sprejemanju in izvajanju načina delovanja iz drugega odstavka tega člena vsaka članica priznava različne in dopolnjujoče se vloge in naloge vlad ter delodajalcev in delavcev in njihovih organizacij, pri čemer upošteva različno naravo ter obseg njihovih odgovornosti.

Article 5

With a view to preventing and eliminating violence and harassment in the world of work, each Member shall respect, promote and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, the elimination of discrimination in respect of employment and occupation, and a safe and healthy working environment, as well as promote decent work.

Article 6

Each Member shall adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work.

IV. PROTECTION AND PREVENTION

Article 7

Without prejudice to and consistent with Article 1, each Member shall adopt laws and regulations to define and prohibit violence and harassment in the world of work, including gender-based violence and harassment.

Article 8

Each Member shall take appropriate measures to prevent violence and harassment in the world of work, including:

- (a) recognizing the important role of public authorities in the case of informal economy workers;
- (b) identifying, in consultation with the employers' and workers' organizations concerned and through other means, the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment; and
- (c) taking measures to effectively protect such persons.

Article 9

Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to:

- (a) adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment;
- (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health;
- (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and
- (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned in relation to the policy referred to in subparagraph (a) of this Article.

V. ENFORCEMENT AND REMEDIES

Article 10

Each Member shall take appropriate measures to:

- (a) monitor and enforce national laws and regulations regarding violence and harassment in the world of work;

5. člen

Z namenom preprečevanja in odpravljanja nasilja in nadlegovanja v svetu dela vsaka članica spoštuje, spodbuja ter uresničuje temeljna načela in pravice pri delu, in sicer svobodo združevanja in dejansko priznanje pravice do kolektivnega dogovarjanja, odpravo vseh oblik prisilnega ali obveznega dela, dejansko odpravo dela otrok, odpravo diskriminacije glede zaposlovanja in poklicev ter varno in zdravo delovno okolje, ter spodbuja dostojno delo.

6. člen

Vsaka članica sprejme zakone in druge predpise ter politike, ki zagotavljajo pravico do enakosti in nediskriminacije pri zaposlovanju in poklicih, vključno za delavke ter tudi za delavce in druge osebe, ki pripadajo ranljivi skupini ali skupini v ranljivem položaju ali več takim skupinam ter jih nasilje in nadlegovanje v svetu dela nesorazmerno prizadeneta.

IV. ZAŠČITA IN PREPREČEVANJE

7. člen

Brez poseganja v 1. člen in v skladu z njim vsaka članica sprejme zakone in druge predpise za opredelitev in prepoved nasilja in nadlegovanja v svetu dela, tudi nasilja in nadlegovanja zaradi spola.

8. člen

Vsaka članica sprejme ustrezne ukrepe za preprečevanje nasilja in nadlegovanja v svetu dela in pri tem:

- (a) prizna pomembno vlogo, ki jo imajo organi javne uprave za delavce v neformalnem gospodarstvu;
- (b) ob posvetovanju z zadevnimi organizacijami delodajalcev in delavcev ter z drugimi sredstvi opredeli dejavnosti ali poklice in ureditve dela, v katerih so delavci in druge zadevne osebe bolj izpostavljeni nasilju in nadlegovanju;

- (c) sprejme ukrepe za učinkovito zaščito teh oseb.

9. člen

Vsaka članica sprejme zakone in druge predpise, ki od delodajalcev zahtevajo, da skladno s svojo odgovornostjo sprejmejo ustrezne ukrepe za preprečevanje nasilja in nadlegovanja v svetu dela, vključno nasilja in nadlegovanja zaradi spola, ter zlasti, kolikor je to razumno izvedljivo, da:

- (a) ob posvetovanju z delavci in njihovimi predstavniki sprejmejo in izvajajo politiko proti nasilju in nadlegovanju na delovnem mestu;
- (b) upoštevajo nasilje in nadlegovanje ter s tem povezana psihosocialna tveganja pri zagotavljanju varnosti in zdravja pri delu;
- (c) opredelijo nevarnosti ter ocenijo tveganje nasilja in nadlegovanja, pri čemer delavci in njihovi predstavniki sodelujejo, ter sprejmejo ukrepe za njihovo preprečevanje in obvladovanje;
- (d) delavcem in drugim zadevnim osebam v ustreznih dostopnih oblikah zagotovijo informacije in usposabljanje o ugotovljenih nevarnostih in tveganju nasilja in nadlegovanja ter o s tem povezanih ukrepih za preprečevanje in zaščito, tudi o pravicah in odgovornostih delavcev in drugih zadevnih oseb v zvezi s politiko iz pododstavka a tega člena.

V. IZVAJANJE IN PRAVNA SREDSTVA

10. člen

Vsaka članica sprejme ustrezne ukrepe:

- (a) za spremljanje in izvajanje notranjih zakonov in drugih predpisov v zvezi z nasiljem in nadlegovanjem v svetu dela;

(b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as:

(i) complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level;

(ii) dispute resolution mechanisms external to the workplace;

(iii) courts or tribunals;

(iv) protection against victimization of or retaliation against complainants, victims, witnesses and whistle-blowers; and

(v) legal, social, medical and administrative support measures for complainants and victims;

(c) protect the privacy of those individuals involved and confidentiality, to the extent possible and as appropriate, and ensure that requirements for privacy and confidentiality are not misused;

(d) provide for sanctions, where appropriate, in cases of violence and harassment in the world of work;

(e) provide that victims of gender-based violence and harassment in the world of work have effective access to gender-responsive, safe and effective complaint and dispute resolution mechanisms, support, services and remedies;

(f) recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work;

(g) ensure that workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to life, health or safety due to violence and harassment, without suffering retaliation or other undue consequences, and the duty to inform management; and

(h) ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment in the world of work, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life, health or safety, subject to any right of appeal to a judicial or administrative authority which may be provided by law.

VI. GUIDANCE, TRAINING AND AWARENESS-RAISING

Article 11

Each Member, in consultation with representative employers' and workers' organizations, shall seek to ensure that:

(a) violence and harassment in the world of work is addressed in relevant national policies, such as those concerning occupational safety and health, equality and non-discrimination, and migration;

(b) employers and workers and their organizations, and relevant authorities, are provided with guidance, resources, training or other tools, in accessible formats as appropriate, on violence and harassment in the world of work, including on gender-based violence and harassment; and

(c) initiatives, including awareness-raising campaigns, are undertaken.

VII. METHODS OF APPLICATION

Article 12

The provisions of this Convention shall be applied by means of national laws and regulations, as well as through collective agreements or other measures consistent with national practice, including by extending or adapting existing occupational safety and health measures to cover violence and harassment and developing specific measures where necessary.

(b) za zagotovitev lahkega dostopa do ustreznih in učinkovitih pravnih sredstev, varnih, pravičnih in učinkovitih mehanizmov ter postopkov za prijavo in za reševanje sporov v primerih nasilja in nadlegovanja v svetu dela, kot so:

(i) pritožbeni in preiskovalni postopki, ter če je to primerno, mehanizmi za reševanje sporov na delovnem mestu;

(ii) mehanizmi za reševanje sporov zunaj delovnega mesta;

(iii) sodišča;

(iv) zaščita pritožnikov, žrtev, prič in žvižgačev pred viktimizacijo ali povračilnimi ukrepi proti njim;

(v) pravni, socialni, zdravstveni in upravni ukrepi podpre pritožnikom in žrtvam;

(c) za varstvo zasebnosti vpletenih posameznikov in zaupnosti, kolikor je to mogoče in ustrezno, ter za zagotovitev, da se zahteve glede zasebnosti in zaupnosti ne zlorabijo;

(d) za sankcije, če je to primerno, v primerih nasilja in nadlegovanja v svetu dela;

(e) za zagotovitev, da imajo žrtve nasilja in nadlegovanja zaradi spola v svetu dela učinkovit dostop do varnih in učinkovitih mehanizmov za pritožbe in reševanje sporov ter do podpore, storitev in pravnih sredstev, ki upoštevajo enakost spolov;

(f) za prepoznavanje učinkov nasilja v družini, in kolikor je to razumno izvedljivo, ublažitev njegovih posledic v svetu dela;

(g) za zagotovitev, da imajo delavci pravico zapustiti delovno okolje, za katero upravičeno menijo, da pomeni neposredno in resno nevarnost za življenje, zdravje ali varnost zaradi nasilja in nadlegovanja, ne da bi utrpeli povračilne ukrepe ali druge neupravičene posledice, ter dolžnost obvestiti poslovodstvo;

(h) za zagotovitev, da so inšpektorati za delo in drugi ustrezni organi, odvisno od primera, pooblaščen za obravnavanje nasilja in nadlegovanja v svetu dela, vključno z odreditvijo ukrepov s takojšnjo veljavnostjo in odreditvijo ustavitve dela v primerih neposredne nevarnosti za življenje, zdravje ali varnost, ob upoštevanju morebitne pravice do pritožbe pri sodnem ali upravnem organu, ki je lahko določena z zakonom.

VI. USMERJANJE, USPOSABLJANJE IN OZAVEŠČANJE

11. člen

Vsaka članica ob posvetovanju z reprezentativnimi organizacijami delodajalcev in delavcev skuša zagotoviti, da:

(a) se nasilje in nadlegovanje v svetu dela obravnava v ustreznih državnih politikah, kot so politike v zvezi z varnostjo in zdravjem pri delu, enakostjo in nediskriminacijo ter migracijami;

(b) so delodajalcem in delavcem ter njihovim organizacijam in ustreznim organom na voljo smernice, viri, usposabljanje ali druga orodja za preprečevanje nasilja in nadlegovanja v svetu dela, tudi nasilja in nadlegovanja zaradi spola, in sicer v ustreznih dostopnih oblikah;

(c) se izvajajo pobude, vključno s kampanjami za ozaveščanje.

VII. NAČINI UPORABE

12. člen

Določbe te konvencije se izvajajo z notranjimi zakoni in drugimi predpisi ter kolektivnimi pogodbami ali drugimi ukrepi, skladnimi z notranjo prakso, vključno z razširitvijo ali prilagoditvijo veljavnih ukrepov varnosti in zdravja pri delu, da sta zajeta nasilje in nadlegovanje, ter po potrebi z razvojem posebnih ukrepov.

VIII. FINAL PROVISIONS

Article 13

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 14

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification is registered.

Article 15

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention within the first year of each new period of ten years under the terms provided for in this Article.

Article 16

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and denunciations that have been communicated by the Members of the Organization.

2. When notifying the Members of the Organization of the registration of the second ratification that has been communicated, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article 17

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and denunciations that have been registered in accordance with the provisions of the preceding Articles.

Article 18

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 19

1. Should the Conference adopt a new Convention revising this Convention, then, unless the new Convention otherwise provides:

(a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 15 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

VIII. KONČNE DOLOČBE

13. člen

Listine o ratifikaciji te konvencije se pošljejo generalnemu direktorju Mednarodnega urada za delo v registracijo.

14. člen

1. Ta konvencija zavezuje samo tiste članice Mednarodne organizacije dela, katerih ratifikacije so registrirane pri generalnem direktorju Mednarodnega urada za delo.

2. Veljati začne dvanajst mesecev po dnevu, ko sta pri generalnem direktorju registrirani ratifikaciji dveh članic.

3. Potem začne ta konvencija veljati za vsako članico dvanajst mesecev po dnevu registracije njene ratifikacije.

15. člen

1. Članica, ki je ratificirala to konvencijo, jo lahko odpove po poteku desetih let po dnevu, ko je prvič začela veljati, z aktom, ki ga pošlje v registracijo generalnemu direktorju Mednarodnega urada za delo. Odpoved začne veljati eno leto po dnevu registracije.

2. Vsaka članica, ki je ratificirala to konvencijo in v enem letu po poteku desetletnega obdobja iz prejšnjega odstavka ne uveljavi pravice do odpovedi po tem členu, ostane zavezana za nadaljnje desetletno obdobje, potem pa jo lahko pod pogoji iz tega člena odpove v prvem letu vsakega novega desetletnega obdobja.

16. člen

1. Generalni direktor Mednarodnega urada za delo uradno obvesti vse članice Mednarodne organizacije dela o registraciji vseh ratifikacij in odpovedi, ki so jih poslale članice organizacije.

2. Ko generalni direktor uradno obvesti članice organizacije o registraciji druge ratifikacije, ki je bila poslana, jih opozori tudi na dan začetka veljavnosti te konvencije.

17. člen

Generalni direktor Mednarodnega urada za delo zaradi registracije v skladu s 102. členom Ustanovne listine Organizacije združenih narodov sporoči generalnemu sekretarju Združenih narodov vse podatke o vseh ratifikacijah in odpovedih, registriranih v skladu z določbami prejšnjih členov.

18. člen

Kadar meni, da je treba, Administrativni svet Mednarodnega urada za delo predloži Generalni konferenci poročilo o izvajanju te konvencije in prouči, ali je primerno na dnevni red konference uvrstiti vprašanje o spremembi celotne konvencije ali njenega dela.

19. člen

1. Če konferenca sprejme novo konvencijo, ki to konvencijo spreminja, in če z novo konvencijo ni določeno drugače:

(a) ratifikacija nove, spremenjene konvencije, ki jo ratificira posamezna članica, zanjo *ipso iure* povzroči takojšnjo odpoved te konvencije ne glede na določbe 15. člena, če in ko nova, spremenjena konvencija začne veljati;

(b) od dneva začetka veljavnosti nove, spremenjene konvencije ta konvencija članicam ni več na voljo za ratifikacijo.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 20

The English and French versions of the text of this Convention are equally authoritative.

The text of the Convention as here presented is the consolidated version prepared by the Office of the Convention as modified by the Safe and Healthy Working Environment (Consequential Amendments) Convention, 2023 (No. 191).

2. Ta konvencija vsekakor še naprej velja v sedanji obliki in vsebini za tiste članice, ki so jo ratificirale, niso pa ratificirale spremenjene konvencije.

20. člen

Angleška in francoska različica besedila te konvencije sta enako verodostojni.

Zgornje besedilo je prečiščena različica konvencije, ki jo je pripravil Urad konvencije, kot je bila spremenjena s Konvencijo o varnem in zdravem delovnem okolju (posledične spremembe), 2023 (št. 191).

3. člen

Za izvajanje konvencije skrbi ministrstvo, pristojno za delo.

4. člen

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

Št. 102-01/26-1/12

Ljubljana, dne 28. januarja 2026

EPA 2737-IX

Državni zbor
Republike Slovenije
mag. Urška Klakočar Zupančič
predsednica

4. Zakon o ratifikaciji Konvencije o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191) (MKSVZDO)

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

U K A Z

o razglasitvi Zakona o ratifikaciji Konvencije o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191) (MKSVZDO)

Razglasjam Zakon o ratifikaciji Konvencije o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191) (MKSVZDO), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 28. januarja 2026.

Št. 003-02-1/2026-17

Ljubljana, dne 5. februarja 2026

Nataša Pirc Musar
predsednica
Republike Slovenije

Z A K O N

**O RATIFIKACIJI KONVENCIJE O SPREMENBAH STANDARDOV ZARADI PRIZNANJA VARNEGA IN ZDRAVEGA DELOVNEGA OKOLJA ZA TEMELJNO NAČELO, 2023
(KONVENCIJA MOD ŠT. 191) (MKSVZDO)**

1. člen

Ratificira se Konvencija o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191), sprejeta na 111. zasedanju Generalne konference Mednarodne organizacije dela v Ženevi 12. junija 2023.

2. člen

Besedilo konvencije¹ se v izvorniku v angleškem jeziku in prevodu v slovenskem jeziku glasi:

**Convention concerning Amendments
to Standards Consequential to the Recognition
of a Safe and Healthy Working Environment
as a Fundamental Principle**

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 111th Session on 5 June 2023,

Recalling the resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work, adopted at its 110th Session (June 2022),

Having decided to adopt certain proposals with regard to the amendment of the Worst Forms of Child Labour Convention, 1999 (No. 182), the Maternity Protection Convention, 2000 (No. 183), the Maritime Labour Convention, 2006, as amended, the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), the Work in Fishing Convention, 2007 (No. 188), the Domestic Workers Convention, 2011 (No. 189), the Violence and Harassment Convention, 2019 (No. 190), and the Protocol of 2014 to the Forced Labour Convention, 1930, for the purpose of introducing therein certain amendments consequential upon the adoption of the resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work,

**Konvencija o spremembah standardov zaradi
priznanja varnega in zdravega delovnega okolja
za temeljno načelo**

Generalna konferenca Mednarodne organizacije dela,

ki jo je v Ženevi sklical Administrativni svet Mednarodnega urada za delo in se je 5. junija 2023 sestala na 111. zasedanju,

ob sklicevanju na resolucijo o vključitvi varnega in zdravega delovnega okolja v okvir temeljnih načel in pravic pri delu MOD, ki jo je sprejela na svojem 110. zasedanju (junij 2022),

po odločitvi, da sprejme nekatere predloge glede spremembe Konvencije o najhujših oblikah dela otrok, 1999 (št. 182), Konvencije o varstvu materinstva, 2000 (št. 183), Konvencije o delu v pomorstvu, 2006, s spremembami, Konvencije o spodbujanju varnosti in zdravja pri delu, 2006 (št. 187), Konvencije o delu v ribištvu, 2007 (št. 188), Konvencije o delavcih v gospodinjstvu, 2011 (št. 189), Konvencije o nasilju in nadlegovanju, 2019 (št. 190), ter Protokola iz leta 2014 h Konvenciji o prisilnem delu, 1930, zato da se vanje vključijo nekatere spremembe, ki so posledica sprejetja resolucije o vključitvi varnega in zdravega delovnega okolja v okvir temeljnih načel in pravic pri delu MOD,

¹ Besedilo konvencije v francoskem in španskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje in evropske zadeve.

Considering that these proposals must take the form of an international Convention,

adopts this 12 June 2023 the following Convention, which may be cited as the Safe and Healthy Working Environment (Consequential Amendments) Convention, 2023:

Article 1

1. The words "the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022" shall be substituted for the words "the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998" or any variant contained in the Preamble of the Worst Forms of Child Labour Convention, 1999 (No. 182), the Maternity Protection Convention, 2000 (No. 183), the Maritime Labour Convention, 2006, as amended, the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), the Work in Fishing Convention, 2007 (No. 188), the Domestic Workers Convention, 2011 (No. 189), and the Protocol of 2014 to the Forced Labour Convention, 1930.

2. The words "the Occupational Safety and Health Convention, 1981 (No. 155)" and "the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)" shall be added in chronological order in the third preambular paragraph of the Maritime Labour Convention, 2006, as amended, the fifth preambular paragraph of the Work in Fishing Convention, 2007 (No. 188), and the twelfth preambular paragraph of the Protocol of 2014 to the Forced Labour Convention, 1930.

3. The words "a safe and healthy working environment" shall be added as a new subparagraph (e) of Article III of the Maritime Labour Convention, 2006, as amended; as a new subparagraph (e) of Article 3(2) of the Domestic Workers Convention, 2011 (No. 189); and in Article 5 of the Violence and Harassment Convention, 2019 (No. 190), after the words "employment and occupation".

4. The words "the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022" shall be substituted for the words "the ILO Declaration on Social Justice for a Fair Globalization" or any variant contained in the Preamble of the Domestic Workers Convention, 2011 (No. 189), and the Protocol of 2014 to the Forced Labour Convention, 1930.

Article 2

1. Any Member of the International Labour Organization which, after the date of entry into force of this Convention, communicates to the Director-General of the International Labour Office its formal ratification of any of the Conventions, or of the Protocol, referred to in Article 1 shall be considered to have ratified that Convention or the Protocol as amended by this Convention.

2. Upon ratifying this Convention, each Member recognizes that it shall continue to be bound by the provisions of any of the Conventions or the Protocol referred to in Article 1 that it has previously ratified, as amended by this Convention.

Article 3

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 4

1. Subject to paragraph 3 of this Article, this Convention shall come into force on the date on which the ratifications of two Members of the International Labour Organization have been registered with the Director-General of the International Labour Office.

2. Thereafter, this Convention shall come into force for any Member on the date on which its ratification is registered.

3. This Convention shall come into force for the Maritime Labour Convention, 2006, as amended, in accordance with Article XIV of the latter.

glede na to, da morajo biti ti predlogi oblikovani kot mednarodna konvencija,

sprejema 12. junija 2023 to konvencijo, ki se imenuje Konvencija o varnem in zdravem delovnem okolju (posledične spremembe), 2023:

1. člen

1. V preambuli Konvencije o najhujših oblikah dela otrok, 1999 (št. 182), Konvencije o varstvu materinstva, 2000 (št. 183), Konvencije o delu v pomorstvu, 2006, s spremembami, Konvencije o spodbujanju varnosti in zdravja pri delu, 2006 (št. 187), Konvencije o delu v ribištvu, 2007 (št. 188), Konvencije o delavcih v gospodinjstvu, 2011 (št. 189), ter Protokola iz leta 2014 h Konvenciji o prisilnem delu, 1930, se besedilo "Deklaracija MOD o temeljnih načelih in pravicah pri delu ter njenem nadaljevanju, 1998" ali katera koli različica tega besedila nadomesti z besedilom "Deklaracija MOD o temeljnih načelih in pravicah pri delu (1998), kot je bila spremenjena leta 2022".

2. V tretji odstavek preambule Konvencije o delu v pomorstvu, 2006, s spremembami, peti odstavek preambule Konvencije o delu v ribištvu, 2007 (št. 188), in dvanajsti odstavek preambule Protokola iz leta 2014 h Konvenciji o prisilnem delu, 1930, se v kronološkem zaporedju dodata besedili "Konvencija o varnosti in zdravju pri delu, 1981 (št. 155)" in "Konvencija o spodbujanju varnosti in zdravja pri delu, 2006 (št. 187)".

3. Besedilo "varno in zdravo delovno okolje" v ustreznih sklonih se doda kot novo točko (e) v III. člen Konvencije o delu v pomorstvu, 2006, s spremembami; novo točko (e) v drugi odstavek 3. člena Konvencije o delavcih v gospodinjstvu, 2011 (št. 189), ter za besedilom "zaposlovanja in poklicev" v 5. členu Konvencije o nasilju in nadlegovanju, 2019 (št. 190).

4. V preambuli Konvencije o delavcih v gospodinjstvu, 2011 (št. 189), in Protokola iz leta 2014 h Konvenciji o prisilnem delu, 1930, se besedilo "Deklaracija MOD o socialni pravičnosti za pravično globalizacijo" ali katera koli različica tega besedila nadomesti z besedilom "Deklaracija MOD o socialni pravičnosti za pravično globalizacijo (2008), kot je bila spremenjena leta 2022".

2. člen

1. Šteje se, da vsaka članica Mednarodne organizacije dela, ki po začetku veljavnosti te konvencije generalnemu direktorju Mednarodnega urada za delo pošlje svojo listino o ratifikaciji konvencije ali protokola iz 1. člena, jo oziroma ga ratificira, kot je bila spremenjena oziroma bil spremenjen s to konvencijo.

2. Ob ratifikaciji te konvencije vsaka članica prizna, da jo še naprej zavezujejo določbe vsake konvencije ali protokola iz 1. člena, ki jo oziroma ga je že ratificirala, kot so bile spremenjene s to konvencijo.

3. člen

Listine o ratifikaciji te konvencije se pošljejo generalnemu direktorju Mednarodnega urada za delo v registracijo.

4. člen

1. Ob upoštevanju tretjega odstavka tega člena ta konvencija začne veljati z dnem, ko sta pri generalnem direktorju Mednarodnega urada za delo registrirani ratifikaciji dveh članic Mednarodne organizacije dela.

2. Potem začne ta konvencija veljati za vsako članico z dnem registracije njene ratifikacije.

3. Ta konvencija začne za Konvencijo o delu v pomorstvu, 2006, s spremembami, veljati v skladu z njenim XIV. členom.

Article 5

The entry into force of this Convention shall close any of the Conventions, or the Protocol, referred to in Article 1 to further ratification in their non-amended version.

Article 6

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and declarations that have been communicated by the Members of the Organization.

2. The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and declarations that have been registered in accordance with the provisions of the preceding Articles.

Article 7

1. Should the Conference adopt a new Convention revising this Convention, then, unless the new Convention otherwise provides:

(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 8

The English, French and Spanish versions of the text of this Convention are equally authoritative.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organization during its 111th Session which was held at Geneva and declared closed on 16 June 2023.

IN FAITH WHEREOF we have appended our signatures this 16 June 2023:

The President of the Conference,
ALI BIN SAMIKH AL MARRI

*The Director-General of the International
Labour Office,*
GILBERT F. HOUNGBO

5. člen

Z začetkom veljavnosti te konvencije nespremenjene različice konvencij in protokola iz 1. člena niso več na voljo za ratifikacijo.

6. člen

1. Generalni direktor Mednarodnega urada za delo uradno obvesti vse članice Mednarodne organizacije dela o registraciji vseh ratifikacij in izjav, ki so mu jih poslale članice organizacije.

2. Generalni direktor Mednarodnega urada za delo zaradi registracije v skladu s 102. členom Ustanovne listine Organizacije združenih narodov sporoči generalnemu sekretarju Združenih narodov vse podatke o vseh ratifikacijah in izjavah, registriranih v skladu z določbami prejšnjih členov.

7. člen

1. Če konferenca sprejme novo konvencijo, ki spreminja to konvencijo, in če z novo konvencijo ni določeno drugače:

(a) ratifikacija nove, spremenjene konvencije, ki jo ratificira posamezna članica, zanjo *ipso iure* povzroči takojšnjo odpoved te konvencije, če in ko nova, spremenjena konvencija začne veljati;

(b) od dneva začetka veljavnosti nove, spremenjene konvencije ta konvencija članicam ni več na voljo za ratifikacijo.

2. Ta konvencija vsekakor še naprej velja v sedanji obliki in vsebini za tiste članice, ki so jo ratificirale, niso pa ratificirale spremenjene konvencije.

8. člen

Angleška, francoska in španska različica besedila te konvencije so enako verodostojne.

Zgornje besedilo je verodostojno besedilo konvencije, ki jo je pravilno sprejela Generalna konferenca Mednarodne organizacije dela na svojem 111. zasedanju, ki je bilo v Ženevi in se je končalo 16. junija 2023.

V POTRDITEV TEGA sva to podpisala 16. junija 2023:

predsednik konference
ALI BIN SAMIKH AL MARRI

*generalni direktor Mednarodnega urada
za delo*
GILBERT F. HOUNGBO

3. člen

Za izvajanje konvencije skrbi ministrstvo, pristojno za delo.

4. člen

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

Št. 160-01/26-1/10
Ljubljana, dne 28. januarja 2026
EPA 2732-IX

Državni zbor
Republike Slovenije
mag. Urška Klakočar Zupančič
predsednica

5. Zakon o ratifikaciji Sporazuma o ustanovitvi večstranskega investicijskega sklada IV in Sporazuma o upravljanju večstranskega investicijskega sklada IV (MSUVIS)

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

U K A Z**o razglasitvi Zakona o ratifikaciji Sporazuma o ustanovitvi Večstranskega investicijskega sklada IV in Sporazuma o upravljanju Večstranskega investicijskega sklada IV (MSUVIS)**

Razlašam Zakon o ratifikaciji Sporazuma o ustanovitvi Večstranskega investicijskega sklada IV in Sporazuma o upravljanju Večstranskega investicijskega sklada IV (MSUVIS), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 28. januarja 2026.

Št. 003-02-1/2026-18

Ljubljana, dne 5. februarja 2026

Nataša Pirc Musar
predsednica
Republike Slovenije

Z A K O N**O RATIFIKACIJI SPORAZUMA O USTANOVITVI VEČSTRANSKEGA INVESTICIJSKEGA SKLADA IV IN SPORAZUMA O UPRAVLJANJU VEČSTRANSKEGA INVESTICIJSKEGA SKLADA IV (MSUVIS)****1. člen**

Ratificirata se Sporazum o ustanovitvi Večstranskega investicijskega sklada IV in Sporazum o upravljanju Večstranskega investicijskega sklada IV, sestavljena v Punta Cani v Dominikanski republiki 10. marca 2024.

2. člen

Sporazuma se v izvorniku v angleškem jeziku in prevodu v slovenskem jeziku glasita:

AGREEMENT ESTABLISHING THE MULTILATERAL INVESTMENT FUND IV

WHEREAS, the Multilateral Investment Fund (the "MIF I") was created by the Agreement Establishing the Multilateral Investment Fund, dated February 11, 1992, which was renewed until December 31, 2007;

WHEREAS, the Multilateral Investment Fund II (the "MIF II") was created by the Agreement Establishing the Multilateral Investment Fund II, dated April 9, 2005 (the "MIF II Agreement"), which entered into force on March 13, 2007, at which time the MIF I terminated and the assets and liabilities of the MIF I were assumed by the MIF II;

WHEREAS, the MIF II Agreement was renewed until December 31, 2020, pursuant to Article V, Section 2 thereof;

WHEREAS, the Multilateral Investment Fund III (the "MIF III") was established by the Agreement Establishing the Multilateral Investment Fund III, dated April 2, 2017 (the "MIF III Agreement"), which entered into force on March 12, 2019, at which time the assets and liabilities of the MIF II became governed by the MIF III; and

WHEREAS, the MIF III Agreement was renewed until March 12, 2026, pursuant to Article V, Section 2 thereof;

WHEREAS, in recognition of the vital role of entrepreneurial innovation in addressing development challenges, fostering opportunities for poor and vulnerable populations, catalyzing dynamic economic growth, mitigating climate change, and advancing gender equality and diversity in the Latin American and Caribbean region, the donors and prospective donors listed in Schedule A of this restated Agreement Establishing the Multilateral Investment Fund IV (the "MIF IV Agreement") (each, a "Prospective Donor") desire to provide for an enhanced value proposition for MIF III (the "MIF IV") in the Inter-American Development Bank (the "Bank"), which shall govern the assets and liabilities of the MIF III, and support the continuation of its activities;

SPORAZUM O USTANOVITVI VEČSTRANSKEGA INVESTICIJSKEGA SKLADA IV

KER je bil Večstranski investicijski sklad (v nadaljnjem besedilu: VIS I) vzpostavljen s Sporazumom o ustanovitvi Večstranskega investicijskega sklada z dne 11. februarja 1992, ki je bil podaljšán do 31. decembra 2007;

KER je bil Večstranski investicijski sklad II (v nadaljnjem besedilu: VIS II) vzpostavljen s Sporazumom o ustanovitvi Večstranskega investicijskega sklada II z dne 9. aprila 2005 (v nadaljnjem besedilu: sporazum o VIS II), ki je začel veljati 13. marca 2007, ko je VIS I prenehal ter je njegova sredstva in obveznosti prevzel VIS II;

KER je bil sporazum o VIS II podaljšán do 31. decembra 2020 na podlagi 2. razdelka svojega V. člena;

KER je bil Večstranski investicijski sklad III (v nadaljnjem besedilu: VIS III) ustanovljen s Sporazumom o ustanovitvi Večstranskega investicijskega sklada III z dne 2. aprila 2017 (v nadaljnjem besedilu: sporazum o VIS III), ki je začel veljati 12. marca 2019, ko je VIS III začel upravljati sredstva in obveznosti VIS II, in

KER je bil sporazum o VIS III podaljšán do 12. marca 2026 na podlagi 2. razdelka svojega V. člena;

KER ob priznavanju ključne vloge podjetniške inovativnosti pri spoprijemanju z razvojnimi izzivi, pri ustvarjanju priložnosti za revne in ranljive skupine prebivalstva, pri spodbujanju dinamične gospodarske rasti, blaženju podnebnih sprememb ter uveljavljanju enakosti spolov in raznolikosti v latinskoameriški in karibski regiji donatorji in morebitni donatorji iz priloge A tega prenovljenega Sporazuma o ustanovitvi Večstranskega investicijskega sklada IV (v nadaljnjem besedilu: sporazum o VIS IV) (v nadaljnjem besedilu posamezno: morebitni donator) želijo omogočiti predlagani dvig vrednosti za VIS III (v nadaljnjem besedilu: VIS IV) v Medameriški razvojni banki (v nadaljnjem besedilu: banka), ki upravlja sredstva in obveznosti VIS III ter podpira nadaljevanje njegovih dejavnosti;

WHEREAS, a multisource funding model to enhance the sustainability of the Multilateral Investment Fund (the "Fund") has been devised to provide a more diversified funding base where donor contributions may be complemented by Bank net profit distributions (the "Income Transfers"), and the Fund may implement measures to increase its self-generated income while boosting resource mobilization from third-party organizations; and

WHEREAS, the Prospective Donors intend for the Fund to continue to complement the work of the Bank, the Inter-American Investment Corporation (the "IIC") and other partners pursuant to the terms contemplated herein, and the administration of the Fund by the Bank to continue pursuant to the Agreement for the Administration of the Multilateral Investment Fund IV (the "MIF IV Administration Agreement"),

NOW, THEREFORE, the Prospective Donors hereby agree as follows:

ARTICLE I

GENERAL PURPOSE AND FUNCTIONS

Section 1. General Purpose.

The general purpose of the MIF IV is to promote sustainable and inclusive development through the private sector by identifying, supporting, testing and piloting scalable entrepreneurial innovations that address development challenges and seeking to create opportunities for the poor and vulnerable populations, stimulate economic growth and productivity, address climate change, and advance gender equality and diversity in the regional developing member countries of the Bank and the developing member countries of the Caribbean Development Bank (the "CDB").

Section 2. Functions.

To implement its purpose, the MIF IV shall have the following functions:

- (a) identify, test, promote and support private-sector driven innovation in the region seeking to create opportunities for poor and vulnerable populations;
- (b) promote the adoption of high impact innovation in the region, through replication and scaling;
- (c) seek to ensure that innovations that are replicated are effective and have significant development impact;
- (d) mobilize resources and crowd-in partners for scale;
- (e) promote knowledge creation and learning;
- (f) operate in close alignment with the Bank and the IIC as a means to enhance effectiveness;
- (g) address climate change, environment, gender equality and diversity, in the full range of its activities;
- (h) enhance its development effectiveness through the establishment of specific goals and measurable results;
- (i) seek to increase self-generated income in line with the objectives of enhancing long-term financial sustainability;
- (j) adopt risk levels in accordance with its mandate to test the success and failure of innovative solutions;
- (k) complement the work in the region of the Bank, the IIC and other partners; and
- (l) strengthen synergies with the Bank and IIC.

ARTICLE II

CONTRIBUTIONS TO THE FUND

Section 1. Instruments of Acceptance and Contribution.

(a) As soon as reasonably possible after its ratification, acceptance or approval of this MIF IV Agreement, each Prospective Donor shall deposit with the Bank an instrument indicating that it has so ratified, accepted or approved this MIF IV Agreement (an "Instrument of Acceptance"), and also, or as soon as possible thereafter, an instrument in which it agrees to pay to the Fund (an "Instrument of Contribution") the amount set forth next to its name in Schedule A of this MIF IV Agreement ("Schedule A") (any such contribution a "Schedule

KER je bil zasnovan model financiranja iz več virov za večjo vzdržnost Večstranskega investicijskega sklada (v nadaljnjem besedilu: sklad), da se zagotovijo bolj raznovrstni viri financiranja, pri katerih se prispevki donatorjev lahko dopolnjujejo z delitvijo čistega dobička banke (v nadaljnjem besedilu: prenosi prihodka), in sklad lahko izvede ukrepe za povečanje lastnega prihodka ob krepitvi privabljanja virov tretjih organizacij, in

KER je namen morebitnih donatorjev, da sklad še naprej dopolnjuje delo banke, Medameriške investicijske korporacije (v nadaljnjem besedilu: MIK) in drugih partnerjev pod pogoji, predvidenimi v tem sporazumu, ter da banka še naprej upravlja sklad na podlagi Sporazuma o upravljanju Večstranskega investicijskega sklada IV (v nadaljnjem besedilu: sporazum o upravljanju VIS IV),

SE morebitni donatorji dogovorijo:

I. ČLEN

SPLOŠNI NAMEN IN NALOGE

1. razdelek: Splošni namen

Splošni namen VIS IV je prek zasebnega sektorja spodbujati trajnostni in vključujoči razvoj s prepoznavanjem, podpiranjem, preizkušanjem in poskusnim izvajanjem razširljivih podjetniških inovacij, ki rešujejo razvojne izzive, ter si prizadevati ustvarjati priložnosti za revne in ranljive skupine prebivalstva, spodbujati gospodarsko rast in produktivnost, se spoprijemati s podnebnimi spremembami ter podpirati enakost spolov in raznolikost v državah v razvoju v regiji, ki so članice banke, in državah v razvoju, ki so članice Karibske razvojne banke (v nadaljnjem besedilu: KRB).

2. razdelek: Naloge

VIS IV za izpolnjevanje svojega namena opravlja te naloge:

- (a) prepoznavna, preizkuša, spodbuja in podpira inovacije zasebnega sektorja v regiji z namenom ustvarjati priložnosti za revne in ranljive skupine prebivalstva;
- (b) spodbuja sprejemanje inovacij, ki imajo velik vpliv v regiji, z njihovim reproduciranjem in razširjanjem;
- (c) prizadeva si zagotoviti, da so inovacije, ki se reproducirajo, učinkovite in pomembno vplivajo na razvoj;
- (d) privablja vire in partnerje za povečevanje obsega;
- (e) spodbuja ustvarjanje znanja in učenje;
- (f) deluje v tesnem sodelovanju z banko in MIK za večjo učinkovitost;
- (g) pri vseh svojih dejavnostih obravnava podnebne spremembe, okolje, enakost spolov in raznolikost;
- (h) krepi svojo razvojno učinkovitost z določanjem izrecnih ciljev in merljivih rezultatov;
- (i) prizadeva si povečati lastni prihodek v skladu s ciljem okrepiti dolgoročno finančno vzdržnost;
- (j) prevzema stopnje tveganja v skladu s svojo nalogo preizkušati uspešnost in neuspešnost inovativnih rešitev;
- (k) dopolnjuje delo, ki ga v regiji opravljajo banka, MIK in drugi partnerji, ter
- (l) krepi sodelovanje z banko in MIK.

II. ČLEN

PRISPEVKI V SKLAD

1. razdelek: Listine o sprejetju in o prispevku

(a) Vsak morebitni donator po ratifikaciji, sprejetju ali odobritvi tega sporazuma o VIS IV, takoj ko je razumno mogoče, pri banki deponira listino, ki potrjuje, da je ratificiral, sprejel ali odobril ta sporazum o VIS IV (v nadaljnjem besedilu: listina o sprejetju), ter čim prej po tem tudi listino, s katero soglaša, da bo v sklad vplačal (v nadaljnjem besedilu: listina o prispevku) znesek, naveden ob njegovem imenu v prilogi A tega sporazuma o VIS IV (v nadaljnjem besedilu: priloga A) (vsak tak prispevek v nadaljnjem besedilu: prispevek iz pri-

A Contribution”), whereupon a Prospective Donor shall become a Donor under this MIF IV Agreement.

(b) Each Donor shall pay its Schedule A Contribution in four equal annual installments (an “Unqualified Contribution”) as indicated in its Instrument of Contribution. The first installment is due and payable within 60 days after the date this MIF IV Agreement enters into force, pursuant to Article V, Section 1 (the “MIF IV Effective Date”). Each Donor shall pay the second, third and fourth installments within 60 days of the one-, two- and three-years’ anniversary of the MIF IV Effective Date, respectively. Donors may make advance payments. Any Donor that deposits an Instrument of Contribution more than 60 days after the MIF IV Effective Date shall within 60 days after its deposit of such instrument pay the first installment and any subsequent installment which has become due.

(c) Notwithstanding the provisions of paragraph (b) of this Section regarding Unqualified Contributions, as an exceptional case, a Donor may provide in its Instrument of Contribution that payment of all installments is subject to subsequent budgetary appropriations, and in which it undertakes to seek to obtain the necessary appropriations to pay the full amount of each installment by the payment dates referred to in paragraph (b) (a “Qualified Contribution”). Payment of an installment due after any such date shall be made within 30 days after the requisite appropriations have been obtained.

(d) The Donors Committee may, by a vote of at least two-thirds of Donors representing not less than three-quarters of the total voting power of Donors, approve that the Fund accept contributions (in addition to initial Schedule A Contributions or Income Transfers) (“Individual Additional Contributions”) by Donors that are borrowing countries or by Founding Donors, on such terms as the Donors Committee may determine. Donors may pay in Individual Additional Contributions, in general, in accordance with Article II, Section 1, paragraph (b). If applicable, a Donor may exceptionally provide in its Instrument of Contribution pertaining to such Individual Additional Contributions that its new contribution is a Qualified Contribution as described in paragraph (c) of this Section 1.

(e) If the Instruments of Acceptance and Contribution corresponding to the Schedule A Contributions are not deposited within 3 years from the MIF IV Effective Date, then the Secretary of the Bank shall send a notification to the relevant Donors and/or Prospective Donors, advising that such deposit should be made within 12 months from the date of such notification. To the extent that the Instruments of Acceptance and Contribution are not deposited within the timeframe established in the referenced notification, the Donors Committee shall initiate a process to secure new contributions (“Substitute Contributions”) from Donors that opt to participate to cover the relevant portion of the respective Schedule A Contributions as described in paragraph (f) below. The Donors Committee may exceptionally approve temporary exemptions from such Schedule A Contribution substitution in special and well-justified circumstances. Donors and/or Prospective Donors which have not deposited their respective Instruments of Acceptance and Contribution or are not current with the payments of their Schedule A Contributions shall not be eligible to make said Substitute Contributions.

(f) Schedule A Contributions by borrowing countries may only be substituted by borrowing country Donors, except that if Substitute Contributions by borrowing country Donors are absent or insufficient to cover the relevant portion of Schedule A Contributions, Donors that contributed to MIF I (“Founding Donors”) may make Substitute Contributions to cover any gap. Schedule A Contributions by non-borrowing countries may only be substituted by non-borrowing countries which are Founding Donors, except that if Substitute Contributions by non-borrowing Founding Donors are absent or insufficient to cover the relevant portion of Schedule A Contributions, any Founding Donor may make Substitute Contributions to cover any gap. If the total combined amounts of intended Substitute Contributions exceed the relevant portion of Schedule A Con-

tributions, s čimer morebitni donator postane donator po tem sporazumu o VIS IV.

(b) Vsak donator svoj prispevek iz priloge A plača v štirih enakih letnih obrokih (v nadaljnjem besedilu: prispevek brez pridržka), kot je navedeno v njegovi listini o prispevku. Prvi obrok je treba plačati v 60 dneh od dne, ko začne veljati ta sporazum o VIS IV v skladu s 1. razdelkom V. člena (v nadaljnjem besedilu: začetek veljavnosti VIS IV). Vsak donator plača drugi, tretji in četrti obrok v 60 dneh od prve, druge oziroma tretje obletnice začetka veljavnosti VIS IV. Donatorji lahko vplačajo predplačila. Donator, ki deponira listino o prispevku več kot 60 dni po začetku veljavnosti VIS IV, plača prvi obrok in morebitne zapadle nadaljnje obroke v 60 dneh od deponiranja te listine.

(c) Ne glede na določbe odstavka (b) tega razdelka o prispevkih brez pridržka donator lahko izjemoma v svoji listini o prispevku določi, da je plačilo vseh obrovkov odvisno od poznejše odobrenih proračunskih sredstev, in se zaveže, da si bo prizadeval pridobiti potrebna odobrena sredstva za plačilo celotnega zneska vsakega obroka do dneva plačila, navedenega v odstavku (b) (v nadaljnjem besedilu: prispevek s pridržkom). Plačilo zapadlega obroka po tem dnevu se izvede v 30 dneh od pridobitve potrebnih odobrenih sredstev.

(d) Odbor donatorjev lahko z glasovi vsaj dveh tretjin donatorjev, ki predstavljajo najmanj tri četrtine vseh glasovalnih pravic donatorjev, odobri, da sklad (poleg začetnih prispevkov iz priloge A ali prenosov prihodka) sprejme prispevke (v nadaljnjem besedilu: posamezni dodatni prispevki) donatorjev, ki so države posojiljemalke, ali donatorjev ustanoviteljev, pod morebitnimi pogoji, ki jih določi odbor donatorjev. Donatorji na splošno lahko plačajo posamezne dodatne prispevke v skladu z odstavkom (b) 1. razdelka II. člena. Po potrebi pa donator lahko izjemoma v svoji listini o prispevku, ki se nanaša na posamezne dodatne prispevke, določi, da je njegov novi prispevke prispevek s pridržkom, kot je opisan v odstavku (c) tega razdelka.

(e) Če se listine o sprejetju in o prispevku, ki se nanašajo na prispevke iz priloge A, ne deponirajo v treh letih od začetka veljavnosti VIS IV, sekretar banke pošlje uradno obvestilo zadevnim donatorjem in/ali morebitnim donatorjem z opozorilom, da bi bilo treba listine deponirati v 12 mesecih od datuma tega uradnega obvestila. Če listine o sprejetju in o prispevku niso deponirane v roku, določenem v navedenem uradnem obvestilu, odbor donatorjev začne postopek za zagotovitev novih prispevkov (v nadaljnjem besedilu: nadomestni prispevki) od donatorjev, ki se odločijo sodelovati, da se pokrije ustrezni delež prispevkov iz priloge A, kot je opisano v odstavku (f) spodaj. Odbor donatorjev lahko izjemoma odobri začasne izjeme pri taki nadomestitvi prispevkov iz priloge A v posebnih in zares upravičenih okoliščinah. Donatorji in/ali morebitni donatorji, ki niso deponirali svojih listin o sprejetju in o prispevku ali niso plačali vseh svojih zapadlih prispevkov iz priloge A, niso upravičeni do plačila navedenih nadomestnih prispevkov.

(f) Prispevke iz priloge A držav posojiljemalk lahko nadomestijo le donatorji, ki so države posojiljemalke; če nadomestnih prispevkov donatorjev, ki so države posojiljemalk, ni ali ti ne zadoščajo za kritje ustreznega deleža prispevkov iz priloge A, pa nadomestne prispevke za kritje morebitne razlike lahko plačajo donatorji, ki so prispevali v VIS I (v nadaljnjem besedilu: donatorji ustanovitelji). Prispevke iz priloge A držav, ki niso posojiljemalke, lahko nadomestijo le države, ki niso posojiljemalke in so donatorji ustanovitelji; če nadomestnih prispevkov donatorjev ustanoviteljev, ki niso posojiljemalci, ni ali ti ne zadoščajo za kritje ustreznega deleža prispevkov iz priloge A, pa nadomestne prispevke za kritje morebitne razlike lahko plača kateri koli donator ustanovitelj. Če skupni znesek predvidenih nadomestnih prispevkov preseže ustrezni

tributions, the relevant portion of Schedule A Contributions subject to substitution shall be allocated proportionally on a pro-rata basis with respect to the relevant Donor's intended Substitute Contributions. All Substitute Contributions by the relevant Donors should be determined within 180 days following the 12-month period referenced in paragraph (e) above, or another period to be determined by the Donors Committee. If applicable, a Donor may exceptionally provide in its Instrument of Contribution pertaining to Substitute Contributions that the Substitute Contribution is a Qualified Contribution as described in paragraph (c) of this Section 1. The Donors Committee shall have the authority to approve and/or make any decisions necessary to implement the process described in paragraph (e) above and in this paragraph.

(g) The payment of any Schedule A Contribution shall be subject to the prior payment of remaining contributions toward MIF III ("Remaining MIF III Contributions").

(h) Portions of any Remaining MIF III Contributions that are paid in on or after the MIF IV Effective Date shall not be considered for the purpose of calculation of voting power under Article IV, Section 4, paragraph (b).

(i) The Donors Committee may at such time as it deems appropriate in the light of the schedule of payments of the Schedule A Contributions and the Fund's operations, review the adequacy of its resources and, if it deems it desirable, in consultation with the Boards of Governors of the Bank and the IIC, authorize a general increase in the Donor contributions ("General Additional Contributions") which shall entail new contributions from Donors that opt to participate, on such terms and conditions as the Donors Committee shall determine, by a vote of at least two-thirds of the Donors representing not less than three-quarters of the total voting power of the Donors, and following the pledging process approved to determine the amounts of Schedule A Contributions; provided that any deviation from such process shall require the approval of the Donors Committee. If applicable, a Donor may exceptionally provide in its Instrument of Contribution pertaining to such General Additional Contribution that its new contribution is a Qualified Contribution as described in paragraph (c) of this Section 1.

Section 2. Measures to incentivize timely payment.

(a) Any Donor which pays the full amount of its Schedule A Contribution within one year of the MIF IV Effective Date may reduce such payment by 5% of the total amount of its Schedule A Contribution. Such reduction shall be 3% if the total amount is received within two years of the MIF IV Effective Date. For the purpose of calculation of voting power under Article IV, Section 4, in the case of such advanced payments, voting power shall be calculated based on those amounts originally payable as of the date of each annual installment set forth in paragraph (b) of Section 1.

(b) Failure by a Donor to pay any portion of its respective Schedule A Contribution by the second anniversary from the MIF IV Effective Date shall result in the temporary inability of such Donor to have its representative fulfill the role of individual speaker or speaker of a country cluster (as applicable, pursuant to Article IV, Section 3, paragraph (b)) at Donors Committee meetings. In such case, the Secretary of the Bank shall send a notification to Donors indicating which Donors are subject to said measure as of the following Donors Committee meeting. Said measure shall be lifted by notice of the Secretary of the Bank once all pending payments have been made in full. If a Donor subject to this measure is part of a country cluster and would otherwise be fulfilling the role of speaker, such speaker role shall be fulfilled by another Donor from the respective cluster until the measure is lifted. Donors subject to this measure shall nevertheless retain all other rights as Donors, including the right to vote, the right to receive information, the right to attend meetings (without a voice) and the right to submit an individual written statement which shall be attached to the minutes of the respective Donors Committee meeting, if the relevant Donor so requests. This measure shall apply regardless of whether the relevant Donor has deposited its respective Instruments of Acceptance and Contribution.

delež prispevkov iz priloge A, se ustrezni delež prispevkov iz priloge A, ki se nadomešča, dodeli sorazmerno glede na predvidene nadomestne prispevke zadevnega donatorja. Vsi nadomestni prispevki zadevnih donatorjev bi se morali določiti v 180 dneh po 12-mesečnem obdobju iz odstavka (e) zgoraj ali v drugem obdobju, ki ga določi odbor donatorjev. Po potrebi pa donator lahko izjemoma v svoji listini o prispevku, ki se nanaša na nadomestne prispevke, določi, da je nadomestni prispevek prispevek s pridržkom, kot je opisan v odstavku (c) tega razdelka. Odbor donatorjev je pristojen, da odobri in/ali sprejme vse odločitve, potrebne za izvedbo postopka, opisanega v odstavku (e) zgoraj in tem odstavku.

(g) Pogoji za plačilo prispevka iz priloge A je predhodno plačilo preostalih prispevkov v VIS III (v nadaljnjem besedilu: preostali prispevki VIS III).

(h) Deleži preostalih prispevkov VIS III, ki se plačajo ob začetku veljavnosti VIS IV ali po njem, se ne upoštevajo pri izračunu števila glasovalnih pravic po odstavku (b) 4. razdelka IV. člena.

(i) Odbor donatorjev lahko, ko se mu zdi primerno glede na razpored plačil prispevkov iz priloge A in dejavnosti sklada, pregleda ustreznost sredstev sklada ter, če se mu zdi zaželeno, ob posvetovanju z odboroma guvernerjev banke in MIK dovoli splošno povečanje prispevkov donatorjev (v nadaljnjem besedilu: splošni dodatni prispevki), ki vključujejo nove prispevke donatorjev, ki se odločijo sodelovati, pod pogoji, ki jih določi odbor donatorjev z glasovi vsaj dveh tretjin donatorjev, ki predstavljajo najmanj tri četrtine vseh glasovalnih pravic donatorjev, ter po opravljenem postopku dajanja zavezi, odobrenem za določitev zneskov prispevkov iz priloge A; pod pogojem, da je za vsako odstopanje od tega postopka potrebna odobritev odbora donatorjev. Po potrebi pa donator lahko izjemoma v svoji listini o prispevku, ki se nanaša na splošni dodatni prispevek, določi, da je njegov novi prispevek prispevek s pridržkom, kot je opisan v odstavku (c) tega razdelka.

2. razdelek: Ukrepi za spodbujanje pravočasnih plačil

(a) Donator, ki plača celotni znesek svojega prispevka iz priloge A v enem letu od začetka veljavnosti VIS IV, lahko plačilo zmanjša za 5% skupnega zneska svojega prispevka iz priloge A. Če se celotni znesek prejme v dveh letih od začetka veljavnosti VIS IV, tako zmanjšanje znaša 3%. V primeru takih vnaprejšnjih plačil se pri izračunu števila glasovalnih pravic po odstavku (b) 4. razdelka IV. člena število glasovalnih pravic izračuna na podlagi prvotnih zneskov, zapadlih na dan vsakega letnega obroka, določenega v odstavku (b) 1. razdelka.

(b) Če donator ne plača deleža svojega prispevka iz priloge A do druge obletnice začetka veljavnosti VIS IV, začasno ne bo imel možnosti, da njegov predstavnik opravlja vlogo posameznega govornika ali govornika skupine držav (kot velja na podlagi odstavka (b) 3. razdelka IV. člena) na sejah odbora donatorjev. V takem primeru sekretar banke pošlje uradno obvestilo donatorjem, v katerem navede, za katere donatorje od naslednje seje odbora donatorjev velja navedeni ukrep. Navedeni ukrep se odpravi z obvestilom sekretarja banke, ko so vsa zapadla plačila v celoti izvedena. Če je donator, za katerega velja ta ukrep, del skupine držav in bi drugače opravljal vlogo govornika, to vlogo do odprave ukrepa opravlja drug donator iz te skupine. Donatorji, za katere velja ta ukrep, kljub vsemu ohranijo vse druge pravice donatorjev, tudi pravico do glasovanja, pravico prejemati informacije, pravico udeleževati se sej (brez oglašanja) in pravico predložiti posamezno pisno izjavo, ki se na zahtevo donatorja predlagatelja izjave priloži zapisniku ustrezne seje odbora donatorjev. Ukrep se uporabi ne glede na to, ali je donator deponiral svojo listino o sprejetju in o prispevku.

(c) For the purpose of calculation of voting power pursuant to Article IV, Section 4, any Schedule A Contributions that are not paid in a timely manner shall be subject to an adjustment factor of 0.80 commencing after the second anniversary the MIF IV Effective Date, and 0.70 after the fifth anniversary of the MIF IV Effective Date. This adjustment factor shall be applied to the amount of Schedule A Contributions that is not paid on time, and the resulting amount shall be considered for the purpose of calculating the voting power of the relevant Donor during the term of this MIF IV Agreement. Schedule A Contributions paid on time shall not be subject to an adjustment factor and shall be considered at face value for the purpose of calculation of voting power. The application of the referenced adjustment factors shall be based on the payment schedule described in this MIF IV Agreement, regardless of when the relevant Donor deposits the corresponding Instruments of Acceptance and Contribution.

(d) From the second anniversary of the MIF IV Effective Date, non-reimbursable financing with MIF IV resources shall only be approved for Donors with no pending Schedule A Contribution payments, including for the purposes of regional operations. This restriction shall not apply to (i) operations for the generation of knowledge with regional benefits or (ii) to operations in fragile countries, as determined by the Donors Committee. This measure shall apply regardless of whether the relevant Donor has deposited its respective Instruments of Acceptance and Contribution.

Section 3. Payments.

(a) Payments due under this Article shall be made in any freely convertible currency or in a Special Drawing Rights (a "SDR") component currency or in non-negotiable non-interest-bearing promissory notes (or similar securities) denominated in such currency to be paid on demand to meet the four installment dates (a "Paid-in Contribution"). Payments to the Fund in a freely convertible currency, which are transferred from a trust fund of a Donor, shall be deemed to be paid towards the amount due from that Donor when transferred.

(b) Such payments shall be made to an account or accounts established specially for that purpose by the Bank, and such notes shall be deposited in that account or with the Bank, as the Bank shall determine.

(c) To determine amounts due for each Donor paying in a convertible currency other than the U.S. dollar, the U.S. dollar amount opposite its name in Schedule A shall be converted into the currency of payment at the IMF representative exchange rate for that currency calculated by averaging those rates on a daily basis during the six-month period ending on December 31, 2023.

ARTICLE III

OPERATIONS OF THE FUND

Section 1. General.

The Fund has a distinct role within its association with the Bank and the IIC and should complement and support their activities as directed by the Donors Committee. To carry out its purpose the Fund shall, where appropriate, draw on the strategies and policies of the Bank and the IIC, and the programs for the respective country.

Section 2. Operations.

To carry out its purpose, the Fund shall provide financing in the form of grants, loans, guarantees, quasi-equity and equity or any combination thereof; or other financial instruments, as the Fund may require in order to fulfill its purpose. The level of grants within the Fund's program of operations will be determined by the Donors Committee, and the total amount of non-reimbursable financing approved in any given year shall not exceed the total amount of reimbursable financing that is approved in such year, in line with the goal of enhanced financial sustainability. The Fund may also provide advisory services, including fee-based advisory services. Financing and

(c) Pri izračunu števila glasovalnih pravic na podlagi 4. razdelka IV. člena se za vse prispevke iz priloge A, ki niso plačani pravočasno, po drugi obletnici začetka veljavnosti VIS IV uporabi prilagoditveni faktor 0,80, po peti obletnici začetka veljavnosti VIS IV pa prilagoditveni faktor 0,70. Prilagoditveni faktor se uporabi za znesek prispevka iz priloge A, ki ni plačan pravočasno, tako izračunani znesek pa se upošteva pri izračunu števila glasovalnih pravic tega donatorja v času veljavnosti tega sporazuma o VIS IV. Prilagoditveni faktor se ne uporablja za pravočasno plačane prispevke iz priloge A, ki se pri izračunu števila glasovalnih pravic upoštevajo taki, kot so navedeni. Uporaba navedenih prilagoditvenih faktorjev temelji na razporedu plačil, opisanem v tem sporazumu o VIS IV, ne glede na to, kdaj donator deponira svoji listini o sprejetju in o prispevku.

(d) Od druge obletnice začetka veljavnosti VIS IV se nepovratno financiranje s sredstvi VIS IV odobri le donatorjem brez neplačanih zapadlih prispevkov iz priloge A, tudi za namene regionalnih dejavnosti. Ta omejitev se ne uporablja za (i) dejavnosti za ustvarjanje znanja, koristnega za regijo, ali (ii) dejavnosti v nestabilnih državah, kot določi odbor donatorjev. Ukrep se uporabi ne glede na to, ali je donator deponiral svoji listini o sprejetju in o prispevku.

3. razdelek: Plačila

(a) Plačila, zapadla po tem členu, se izvedejo v kateri koli prosto zamenljivi valuti ali sestavljeni valuti posebne pravice črpanja (SDR) ali v netržnih neobrestovanih zadolžnicah (ali podobnih vrednostnih papirjih) v taki valuti, ki se plačajo na zahtevo za izpolnitev štirih obročnih rokov (v nadaljnjem besedilu: vplačani prispevek). Šteje se, da je s plačili v sklad v prosto zamenljivi valuti, ki se prenesejo iz skrbniškega sklada donatorja, plačan del dolgovanega zneska donatorja, ko so plačila prenesena.

(b) Taka plačila se izvedejo na račun ali račune, ki jih banka odpre posebej za ta namen, zadolžnice pa se deponirajo na isti račun oziroma pri banki, kot določi banka.

(c) Za določitev dolgovanih zneskov vsakega donatorja, ki plačuje v zamenljivi valuti, ki ni ameriški dolar, se znesek v ameriških dolarjih ob njegovem imenu v prilogi A pretvori v valuto plačila po povprečju dnevnih reprezentativnih menjalnih tečajev Mednarodnega denarnega sklada za to valuto v šestmesečnem obdobju, ki se je končalo 31. decembra 2023.

III. ČLEN

DEJAVNOSTI SKLADA

1. razdelek: Splošno

Sklad ima posebno vlogo pri sodelovanju z banko in MIK ter bi moral dopolnjevati in podpirati njune dejavnosti po navodilih odbora donatorjev. Sklad se za izpolnjevanje svojega namena po potrebi opira na strategije in politike banke in MIK ter programe za posamezne države.

2. razdelek: Dejavnosti

Sklad za izpolnjevanje svojega namena zagotovi financiranje v obliki nepovratnih sredstev, posojil, poroštva, nepravlega lastniškega kapitala in lastniškega kapitala ali kombinacije teh oblik ali druge finančne instrumente, kot je potrebno za izpolnitev namena sklada. Raven nepovratnih sredstev v programu dejavnosti sklada določi odbor donatorjev, skupni znesek nepovratnega financiranja, odobrenega v posameznem letu, pa ne sme presegati skupnega zneska povratnega financiranja, odobrenega za isto leto, v skladu s ciljem okrepljene finančne vzdržnosti. Sklad lahko zagotavlja tudi svetovalne storitve, vključno s plačljivimi svetovalnimi storitvami. Storitve financi-

advisory services may be provided to private sector entities, as well as governments, government agencies, sub-national entities, non-governmental organizations, or others, to support operations that further the Fund's purpose.

Section 3. Principles for Fund Operations.

(a) Financing from the Fund shall be provided under the terms and conditions of this MIF IV Agreement consistent with the rules set out in Articles III, IV and VI of the Agreement Establishing the Inter-American Development Bank (the "Charter"), and, where appropriate, the policies of the Bank and the IIC applicable to their own operations. All regional developing member countries of the Bank and the CDB are potentially eligible recipients of financing from the Fund to the extent that they are eligible beneficiaries of financing from the Bank.

(b) The Fund shall continue its practice of sharing the cost of operations with executing agencies, encouraging appropriate counterpart funding and adhering to the principle of not crowding out private sector activities.

(c) In deciding on providing grant funds, the Donors Committee shall pay particular attention to the commitment of specific member countries to the mandate established for the MIF IV, the potential to create opportunities for the poor and vulnerable populations, climate change and promotion of gender equality and diversity, and the implementation of the guiding principles for the Fund's activities.

(d) Financing in the territories of countries which are members of the CDB, but not the Bank, shall be conducted in consultation and agreement with, or through, the CDB and under such conditions, consistent with the principles of this Section, as the Donors Committee shall decide.

(e) Fund resources shall not be used to finance or pay for project expenses which have been incurred prior to the date the Fund resources may be available.

(f) Grants may be made available on a basis which permits contingent recovery of funds disbursed in appropriate cases.

(g) The Fund shall not be used to finance any undertaking in the territory of a regional developing member country of the Bank if that member objects to such financing.

(h) Fund operations shall include specific goals and measurable results. The developmental impact of the Fund's operations shall be measured in accordance with a results framework that takes into account the purpose and functions of the Fund as stated in Article I, and is to reflect best practices to the effect of:

i. The measurement of project-level and fund-level results and impacts, the Fund's efficiency, the degree of innovation, and the success at scaling-up innovation, lesson learning and knowledge;

ii. a framework for evaluating project-level and portfolio results and impacts, and the appropriate measurement and evaluation tools; and

iii. public dissemination of results.

(i) Fund operations shall aim to achieve specific results and contribute to broader impacts across the region, aiming to address poverty and vulnerability, support gender equality and diversity, and/or climate and environment objectives, and adopt corresponding operational targets for these objectives. Likewise, Fund operations shall aim to generate benefits such as better access to quality essential services, education and health, through the creation of new or better-quality jobs, through the expansion of financial services, and/or through better technology and climate resilience, with a target for people benefitted. Fund operations shall also aim to benefit firms in the micro, small and medium enterprise and startup segments, for example by improving their productivity, business performance, and resilience to climate change, with a target for firms benefitted. In addition, Fund operations shall aim to scale the reach of their impact with a target for scaled projects.

(j) Fund operations shall be designed and executed in order to maximize efficiency and development impact. The

ranja in svetovanja se lahko zagotavljajo zasebnim subjektom ter vladam, vladnim agencijam, poddržavnim subjektom, nevladnim organizacijam ali drugim, da se podprejo dejavnosti, ki prispevajo k izpolnjevanju namena sklada.

3. razdelek: Načela dejavnosti sklada

(a) Sklad zagotavlja financiranje pod pogoji iz tega sporazuma o VIS IV v skladu s pravili iz III., IV. in VI. člena Sporazuma o ustanovitvi Medameriške razvojne banke (v nadaljnjem besedilu: statut) ter po potrebi v skladu s politikami banke in MIK, ki veljajo za njune dejavnosti. Vse države v razvoju v regiji, ki so članice banke in KRB, so možne upravičenke do financiranja iz sklada, če so upravičene, da jih financira banka.

(b) Sklad si še naprej deli stroške dejavnosti z izvršnimi agencijami ob spodbujanju ustreznega partnerskega financiranja in upoštevanju načela neizrinjanja dejavnosti zasebnega sektorja.

(c) Odbor donatorjev je pri odločanju o zagotavljanju nepovratnih sredstev posebej pozoren na zavezanost posameznih držav članic nalogi, določeni za VIS IV, možnosti za ustvarjanje priložnosti za revne in ranljive skupine prebivalstva, na podnebne spremembe, spodbujanje enakosti spolov in raznolikosti ter upoštevanje vodilnih načel za dejavnosti sklada.

(d) Financiranje na ozemljih držav, ki so članice KRB, a niso članice banke, se opravi ob posvetovanju s KRB in z njenim soglasjem ali po KRB ter pod pogoji, skladnimi z načeli tega razdelka, kot odloči odbor donatorjev.

(e) Sredstva sklada se ne uporabljajo za financiranje ali plačevanje projektnih stroškov, ki so nastali pred datumom razpoložljivosti sredstev sklada.

(f) Nepovratna sredstva so lahko na voljo na podlagi, ki omogoča pogojno povrnitev izplačanih sredstev v ustreznih primerih.

(g) Sklad se ne uporablja za financiranje dejavnosti na ozemlju države v razvoju v regiji, ki je članica banke, če ta članica financiranju nasprotuje.

(h) Dejavnosti sklada morajo vključevati izrecne cilje in merljive rezultate. Razvojni vpliv dejavnosti sklada se meri v skladu z okvirom rezultatov, ki upošteva namen in naloge sklada iz I. člena ter mora odražati najboljše prakse, in sicer z:

i. meritvijo rezultatov in vplivov na ravni projekta in na ravni sklada, učinkovitosti sklada, stopnje inovativnosti ter uspeha pri razširjanju inovacij, učenja in znanja;

ii. okvirom za ocenjevanje rezultatov in vplivov na ravni projekta in portfelja ter ustreznimi merilnimi in ocenjevalnimi orodji;

iii. seznanjanjem javnosti z rezultati.

(i) Namen dejavnosti sklada je doseči določene rezultate in prispevati k širšim učinkom v vsej regiji, da se odpravita revščina in ranljivost ter podprejo enakost spolov in raznolikost in/ali podnebni in okoljski cilji, ter sprejeti ustrezne operativne cilje za te namene. Poleg tega je namen dejavnosti sklada ustvariti koristi, kot so boljši dostop do kakovostnih nučnih storitev, izobraževanja in zdravja za ustvarjanjem novih ali boljših delovnih mest, širjenjem finančnih storitev in/ali boljše tehnologije ter podnebno odpornostjo, ciljno za ljudi, ki to potrebujejo. Namen dejavnosti sklada je tudi koristiti mikro, malim in srednje velikim podjetjem in zagonskim podjetjem, na primer z izboljšanjem njihove produktivnosti, poslovne uspešnosti in odpornosti proti podnebnim spremembam, ciljno za podjetja, ki to potrebujejo. Poleg tega je namen dejavnosti sklada razširiti svoj vpliv ciljno za razširjene projekte.

(j) Dejavnosti sklada se oblikujejo in izvajajo tako, da se čim bolj povečata učinkovitost in razvojni vpliv. Odbor donator-

Donors Committee may approve partnering with local entities for project preparation and execution.

ARTICLE IV

THE DONORS COMMITTEE

Section 1. Composition.

Each Donor may participate in and appoint a representative to meetings of the Donors Committee.

Section 2. Responsibilities.

The Donors Committee shall be responsible for the provision of high-level strategic guidance, operational direction and comprehensive oversight across all Fund affairs, and the approval of proposals for operations of the Fund and shall seek to maximize the Fund's comparative advantage through operations with high developmental benefits, efficiency, innovation, and impact in accordance with the functions of the Fund as specified in Article I, Section 2. The Donors Committee shall consider operations that follow such functions and decline to consider, or phase out, those that do not. In the fulfilling of its responsibilities, the Donors Committee shall strive for efficiencies and focus its attention on strategic matters, which could involve delegating authority for the approval of certain operations under a threshold to be defined by Donors.

Section 3. Meetings.

(a) The Donors Committee shall meet at the principal office of the Bank as often as the business of the Fund requires. The Secretary of the Bank (serving as Secretary of the Committee) or any Donors Committee Representative may call a meeting. As necessary the Donors Committee shall determine its organization, rules of operation and procedures. A quorum for any meeting of the Donors Committee shall be a majority of the total number of representatives representing not less than three-fourths of the total voting power of the Donors. Prospective Donors may attend meetings of the Donors Committee as observers.

(b) The 3 borrowing Donors with the largest share of voting power in the Fund may each designate an individual speaker for the purposes of Donors Committee meetings. Similarly, the 3 non-borrowing Donors with the largest share of voting power in the Fund may each designate an individual speaker for the purposes of Donors Committee meetings. For the purpose of designation of each of the 6 individual speakers, should two or more Donors have the same voting power, the sum of each such Donor's contributions to MIF I, MIF II and MIF III (as applicable) shall be considered. The other Donors may designate up to 7 speakers which shall each represent a country cluster for the purposes of Donors Committee meetings. Any Donor country that is part of a cluster and whose representative is not the designated country cluster speaker may submit individual written statements on any matter addressed in a Donors Committee meeting, which shall be attached to the respective minutes if the relevant Donor so requests. Representatives who are not speakers may attend meetings and may exceptionally make an oral statement during a meeting. Voting on all issues shall be exercised by individual Donor countries based on corresponding voting power pursuant to Section 4 of this Article IV. The establishment of country clusters shall be a collaborative effort among Donors, with a focus on achieving a balanced representation of both borrowing and non-borrowing donors, as well Donors with relative larger and smaller shares of contributions.

(c) Upon the MIF IV Effective Date, the Donors Committee shall be organized with individual and cluster speakers as described in paragraph (b) above. For the purpose of designation of individual speakers, voting power shall be calculated using the formula described in Section 4 of this Article IV, except that the definition of "B" shall be understood as one fourth of the total amount of Schedule A Contributions and the definition of "C" shall be understood as one seventh of the expected total amount of Income Transfers. Only Donors that have paid in full

jev lahko odobri partnerstvo z lokalnimi subjekti za pripravo in izvedbo projektov.

IV. ČLEN

ODBOR DONATORJEV

1. razdelek: Sestava

Vsak donator lahko sodeluje na sejah odbora donatorjev in imenuje predstavnika za udeležbo na sejah.

2. razdelek: Pristojnosti

Odbor donatorjev je pristojen za zagotavljanje strateških smernic, operativnih usmeritev in celovitega nadzora nad vsemi zadevami sklada na visoki ravni in za odobritev predlogov za dejavnosti sklada ter si prizadeva čim bolj povečati primerjalno prednost sklada z dejavnostmi z veliko razvojno koristjo, učinkovitostjo, inovativnostjo in vplivom v skladu z nalogami sklada, določenimi v 2. razdelku I. člena. Odbor donatorjev obravnava dejavnosti, ki so v skladu s temi nalogami, dejavnosti, ki niso, pa ne obravnava ali jih opusti. Pri izvajanju svojih pristojnosti si odbor donatorjev prizadeva za učinkovitost in svojo pozornost namenja strateškim zadevam, kar lahko vključuje prenos pristojnosti za odobritev nekaterih dejavnosti pod pragom, ki ga določijo donatorji.

3. razdelek: Seje

(a) Odbor donatorjev se sestaja na sedežu banke tako pogosto, kot to zahteva poslovanje sklada. Sejo lahko skliče sekretar banke (ki deluje kot sekretar odbora) ali kateri koli predstavnik v odboru donatorjev. Odbor donatorjev določi svojo organiziranost, poslovnik in postopke, kot je to potrebno. Seja odbora donatorjev je sklepčna, če je navzoča večina vseh predstavnikov, ki predstavljajo najmanj tri četrtine vseh glasovalnih pravic donatorjev. Morebitni donatorji se lahko udeležijo sej odbora donatorjev kot opazovalci.

(b) Trije donatorji posojiljemalci z največjim deležem glasovalnih pravic v skladu lahko imenujejo vsak svojega posameznega govornika za seje odbora donatorjev. Trije donatorji, ki niso posojiljemalci, z največjim deležem glasovalnih pravic v skladu prav tako lahko imenujejo vsak svojega posameznega govornika za seje odbora donatorjev. Če imata dva donatorja ali ima več donatorjev enako število glasovalnih pravic, se pri imenovanju vsakega od šestih posameznih govorcev upošteva vsota prispevkov vsakega od teh donatorjev v VIS I, VIS II in VIS III (kot je primerno). Drugi donatorji lahko imenujejo do sedem govorcev, od katerih vsak predstavlja skupino držav za namene sej odbora donatorjev. Država donator, ki je del skupine in katere predstavnik ni imenovani govorec skupine držav, lahko predloži posamezne pisne izjave o kateri koli zadevi, obravnavani na seji odbora donatorjev, ki se na njeno zahtevo priložijo ustreznemu zapisniku. Predstavniki, ki niso govorci, se lahko udeležujejo sej in lahko na seji izjemoma dajo ustno izjavo. Posamezne države donatorji glasujejo o vseh vprašanjih na podlagi ustreznega števila glasovalnih pravic v skladu s 4. razdelkom tega člena. Skupine držav se ustanovijo s sodelovanjem med donatorji in s ciljem doseči uravnoteženo zastopanost donatorjev posojiljemalcev in tistih, ki niso posojiljemalci, ter donatorjev z večjim deležem prispevkov in tistih z manjšim deležem.

(c) Ob začetku veljavnosti VIS IV se odbor donatorjev organizira s posameznimi govorci in govorci skupin držav, kot je opisano v odstavku (b) zgoraj. Pri imenovanju posameznih govorcev se število glasovalnih pravic izračuna po formuli iz 4. razdelka tega člena, samo da je "B" enak eni četrtini skupnega zneska prispevkov iz priloge A, "C" pa eni sedmini pričakovanega skupnega zneska prenosov prihodka. V tem primeru so do imenovanja posameznega govornika ali govornika za skupino držav upravičeni le donatorji, ki so v celoti plačali

any Remaining MIF III Contributions shall be eligible to designate an individual or cluster speaker at this instance. Upon the third anniversary of the MIF IV Effective Date, the Donors Committee shall be reorganized as follows: for the purpose of designation of individual speakers, voting power shall be calculated using the formula described in Section 4 of this Article IV, except that the definition of "B" shall be understood as the total amount of Schedule A Contributions with Instruments of Acceptance deposited, and the definition of "C" shall be understood as the amount of Income Transfers then already effected. Upon the sixth anniversary of the MIF IV Effective Date, the Donors Committee shall be reorganized as follows: for the purpose of designation of individual speakers, voting power shall be calculated using the formula described in Section 4 of this Article IV, except that the definition of "B" shall be understood as the amount of Schedule A Contributions that has been paid in, and the definition of "C" shall be understood as the amount of Income Transfers effected.

Section 4. Voting.

(a) The Donors Committee shall attempt to reach decisions by consensus. In cases where a decision cannot be reached by consensus after reasonable efforts, and unless otherwise specified in this MIF IV Agreement, the Donors Committee shall reach decisions by a two-thirds majority of the total voting power.

(b) The total voting power of each Donor shall consist of:

(i) An amount equal to (A) the sum of MIF III's "Estimated Fund Balance and Net Present Value Methodology" as of the last day of the MIF III Agreement, multiplied by the Donor's MIF III Voting Power (as defined below), plus (B) such Donor's paid-in Schedule A Contribution, plus (C) the total of Income Transfers made, multiplied by such Donor's proportional share thereof. This sum is to be divided by:

The sum of MIF III's "Estimated Fund Balance and Net Present Value Methodology" as of the last day of the MIF III Agreement, plus the total paid in Schedule A Contributions, plus Income Transfers made.

(ii) "MIF III Voting Power" is the sum of the Donor's proportional contribution to MIF I and MIF II multiplied by \$120,600,000, plus such Donor's paid-in contributions to MIF III. This sum is to be divided by:

The Donor's total paid-in contributions to MIF III as of the last day of the MIF III Agreement, plus \$120,600,000.

(iii) Voting power shall be adjusted quarterly as of the MIF IV Effective Date.

(iv) Voting power shall be subject to an adjustment factor pursuant to Article II, Section 2, paragraph (c), if applicable.

Section 5. Reporting and Evaluation.

When approved by the Donors Committee, the annual information statement submitted under Article V, Section 2(a) of the MIF IV Administration Agreement shall be forwarded to the Bank's Board of Executive Directors. The Donors Committee may request that an independent evaluation by the Bank's Office of Evaluation and Oversight or by another evaluator as deemed appropriate by the Donors Committee be carried out no later than the fourth anniversary of the MIF IV Effective Date, and at least every five years thereafter, payable with resources of the Fund, to review Fund results in light of the purpose and functions of this MIF IV Agreement; this evaluation shall continue to include an assessment of the results of project groups, based on benchmarks and indicators, for aspects such as relevance, effectiveness, efficiency, innovation, sustainability and additionality, and progress, with regard to the implementation of recommendations approved by the Donors Committee. Donors shall meet to discuss each such independent evaluation no later than the following annual meeting of the Board of Governors of the Bank.

vse preostale prispevke za VIS III. Ob tretji obletnici začetka veljavnosti VIS IV se odbor donatorjev reorganizira tako: pri imenovanju posameznih govorcev se število glasovalnih pravic izračuna po formuli iz 4. razdelka tega člena, samo da je "B" enak skupnemu znesku prispevkov iz priloge A z deponiranimi listinami o sprejetju, "C" pa znesku takrat že opravljenih prenosov prihodka. Ob šesti obletnici začetka veljavnosti VIS IV se odbor donatorjev reorganizira tako: pri imenovanju posameznih govorcev se število glasovalnih pravic izračuna po formuli iz 4. razdelka tega člena, samo da je "B" enak znesku vplačanih prispevkov iz priloge A, "C" pa znesku opravljenih prenosov prihodka.

4. razdelek: Glasovanje

(a) Odbor donatorjev poskuša odločitve sprejemati soglasno. Odločitve, ki jih z razumnimi prizadevanji ni mogoče sprejeti soglasno, sprejema z dvotretjinsko večino skupnega števila glasovalnih pravic, razen če v tem sporazumu o VIS IV ni določeno drugače.

(b) Skupno število glasovalnih pravic vsakega donatorja je sestavljeno:

(i) Znesek, enak vsoti (A) zneska, določenega za VIS III po "metodologiji ocenjenega salda sklada in neto sedanje vrednosti" na zadnji dan sporazuma o VIS III, pomnoženega z donatorjevim številom glasovalnih pravic po VIS III (kot so opredeljene v nadaljevanju), (B) zneska donatorjevih vplačanih prispevkov iz priloge A ter (C) skupnega zneska opravljenih prenosov prihodka, pomnoženega z donatorjevim sorazmernim deležem tega zneska. Ta vsota se deli z:

vsoto zneska, določenega za VIS III po "metodologiji ocenjenega salda sklada in neto sedanje vrednosti" na zadnji dan sporazuma o VIS III, skupnega zneska vplačanih prispevkov iz priloge A ter zneska opravljenih prenosov prihodka.

(ii) "Število glasovalnih pravic VIS III" je vsota donatorjevega sorazmernega prispevka v VIS I in VIS II, pomnoženega s 120.600.000 USD, in njegovih vplačanih prispevkov v VIS III. Ta vsota se deli z:

vsoto skupnega zneska donatorjevih vplačanih prispevkov v VIS III na zadnji dan sporazuma o VIS III in 120.600.000 USD.

(iii) Število glasovalnih pravic se prilagodi četrtno od začetka veljavnosti VIS IV.

(iv) Po potrebi se za število glasovalnih pravic uporabi prilagoditveni faktor na podlagi odstavka (c) 2. razdelka II. člena.

5. razdelek: Poročanje in ocenjevanje

Letno poročilo, predloženo po odstavku (a) 2. razdelka V. člena sporazuma o upravljanju VIS IV, se, potem ko ga odobri odbor donatorjev, pošlje odboru izvršnih direktorjev banke. Odbor donatorjev lahko zahteva, da urad banke za ocenjevanje in nadzor ali drug ocenjevalec, kot je po mnenju odbora donatorjev primerno, najpozneje do četrte obletnice začetka veljavnosti VIS IV in nato vsaj vsakih pet let opravi neodvisno ocenjevanje, ki se plača s sredstvi sklada, da se pregledajo rezultati sklada glede na namen in naloge iz tega sporazuma o VIS IV; to ocenjevanje še naprej vključuje presojo rezultatov projektnih skupin na podlagi meril in kazalnikov za vidike, kot so ustreznost, učinkovitost, smotnost, inovativnost, vzdržnost in dodatnost, ter napredka glede na izvajanje priporočil, ki jih je odobril odbor donatorjev. Donatorji se sestanejo za obravnavo vsakega takega neodvisnega ocenjevanja najpozneje ob naslednjem letnem zasedanju odbora guvernerjev banke.

ARTICLE V**TERM OF THE MIF IV AGREEMENT****Section 1. Entry into Force.**

This MIF IV Agreement shall enter into force on any date on which Prospective Donors representing at least 60% of the total new contribution amounts to the MIF IV set forth in Schedule A Contributions have deposited their Instruments of Acceptance and Contribution, whereupon the MIF III Agreement shall be restated as this MIF IV Agreement and all assets and liabilities of the MIF III shall be governed by MIF IV.

Section 2. Term of this MIF IV Agreement.

This MIF IV Agreement shall remain in force for a period of seven years as of the Effective Date, and may be renewed for additional periods of up to seven years. Prior to the end of the initial period or any renewal period, the Donors Committee shall consult with the Bank about the advisability of extending the operations of the Fund for the renewal period. At that time, the Donors Committee, acting by a vote of at least two-thirds of the Donors representing not less than three-quarters of the total voting power of the Donors, may extend this MIF IV Agreement for the agreed upon renewal period. The renewal of the MIF IV period would not represent an extension of the schedule of Income Transfers.

Section 3. Termination by the Bank or the Donors Committee.

This MIF IV Agreement shall terminate in the event that the Bank suspends or terminates its own operations under Article X of the Charter. This MIF IV Agreement shall also terminate in the event that the Bank terminates the MIF IV Administration Agreement under Article VI, Section 3 thereof. The Donors Committee may decide to terminate this MIF IV Agreement at any time by a vote of at least two-thirds of the Donors representing not less than three-quarters of the total voting power of the Donors.

Section 4. Distribution of Fund Assets.

Upon termination of this MIF IV Agreement, the Donors Committee may direct the Bank to make a distribution of assets to Donors after all the liabilities of the Fund are discharged or provided for. Any such distribution of remaining assets shall be made in proportion to each Donor's voting power under Article IV, Section 4. Balances remaining in any notes or similar securities shall be canceled to the extent payment thereunder is not required to meet Fund liabilities. Alternatively, the Donors Committee may, in consultation with the Board of Governors of the Bank, decide to reallocate assets for alternative purposes consistent with the purpose of the Fund.

ARTICLE VI**GENERAL PROVISIONS****Section 1. Adherence of new Donors to this MIF IV Agreement.**

(a) This MIF IV Agreement may be adhered to by any member of the Bank which is not listed on Schedule A. Any such country may adhere to this MIF IV Agreement and become a Donor by (i) depositing an Instrument of Acceptance and an Instrument of Contribution in an amount, and on dates and conditions, approved by the Donors Committee, which shall reach decision by a vote of at least two-thirds of the Donors representing not less than three-quarters of the total voting power of the Donors, or (ii) depositing a letter of adhesion to the MIF IV Agreements associated with Income Transfers.

(b) Adherence to this MIF IV Agreement by non-members of the Bank shall be subject to such other conditions as the Donors Committee may establish, including, without limitation, with respect to participation in the Donors Committee and appointment of a representative.

Section 2. Amendment.

(a) This MIF IV Agreement may be amended by the Donors Committee, which shall reach decision by a vote of

V. ČLEN**OBDOBJE VELJAVNOST SPORAZUMA O VIS IV****1. razdelek: Začetek veljavnosti**

Ta sporazum o VIS IV začne veljati z dnem, ko svoje listine o sprejetju in o prispevku deponirajo morebitni donatorji, ki predstavljajo vsaj 60% skupnih zneskov novih prispevkov za VIS IV, navedenih med prispevki v prilogi A; na isti dan se sporazum o VIS III prenovi v ta sporazum o VIS IV, vsa sredstva in obveznosti VIS III pa upravlja VIS IV.

2. razdelek: Obdobje veljavnosti tega sporazuma o VIS IV

Ta sporazum o VIS IV velja sedem let od začetka veljavnosti in se lahko podaljšuje za dodatna obdobja, dolga do sedem let. Pred koncem začetnega obdobja ali obdobja podaljšanja se odbor donatorjev posvetuje z banko o smiselnosti podaljšanja dejavnosti sklada za obdobje podaljšanja. Takrat odbor donatorjev z glasovi vsaj dveh tretjin donatorjev, ki predstavljajo najmanj tri četrtine vseh glasovalnih pravic donatorjev, lahko podaljša ta sporazum o VIS IV za dogovorjeno obdobje podaljšanja. Podaljšanje obdobja VIS IV ni podaljšanje razporeda prenosa prihodkov.

3. razdelek: Odpoved s strani banke ali odbora donatorjev

Ta sporazum o VIS IV preneha veljati, če banka začasno prekine svoje poslovanje ali preneha poslovati v skladu z X. členom statuta. Ta sporazum o VIS IV preneha veljati tudi, če banka odpove sporazum o upravljanju VIS IV v skladu s 3. razdelkom njegovega VI. člena. Odbor donatorjev se lahko kadar koli odloči, da odpove ta sporazum o VIS IV z glasovi vsaj dveh tretjin donatorjev, ki predstavljajo najmanj tri četrtine vseh glasovalnih pravic donatorjev.

4. razdelek: Razdelitev sredstev sklada

Ob prenehanju veljavnosti tega sporazuma o VIS IV odbor donatorjev lahko banki naloži, da razdeli sredstva donatorjem, potem ko so obveznosti sklada poravnane ali je zagotovljena njihova poravnava. Taka razdelitev preostalih sredstev se opravi sorazmerno s številom glasovalnih pravic donatorja po 4. razdelku IV. člena. Preostali saldo v zadolžnicah ali podobnih vrednostnih papirjih se prekliče, tako da njihovo plačilo ni potrebno za poplačilo obveznosti sklada. Odbor donatorjev se lahko tudi odloči, ob posvetovanju z odborom guvernerjev banke, da sredstva prerazporedi za druge namene v skladu z namenom sklada.

VI. ČLEN**SPLOŠNE DOLOČBE****1. razdelek: Pristop novih donatorjev k temu sporazumu o VIS IV**

(a) K temu sporazumu o VIS IV lahko pristopi katera koli članica banke, ki ni navedena v prilogi A. Taka država lahko pristopi k temu sporazumu o VIS IV in postane donator, tako da (i) deponira listino o sprejetju in listino o prispevku v znesku, na dneve in pod pogoji, ki jih odobri odbor donatorjev z glasovi vsaj dveh tretjin donatorjev, ki predstavljajo najmanj tri četrtine vseh glasovalnih pravic donatorjev, ali (ii) deponira pismo o pristopu k sporazumoma o VIS IV, povezano s prenosi prihodka.

(b) Za pristop nečlanice banke k temu sporazumu o VIS IV veljajo morebitni drugi pogoji, ki jih določi odbor donatorjev, med drugim tudi pogoji o sodelovanju v odboru donatorjev in imenovanju predstavnika.

2. razdelek: Sprememba

(a) Ta sporazum o VIS IV lahko spremeni odbor donatorjev, ki o tem odloči z glasovi vsaj dveh tretjin donatorjev, ki

at least two-thirds of the Donors representing not less than three-quarters of the total voting power of the Donors. The approval of all Donors shall be required for an amendment to this Section, to the provisions of Section 3 of this Article which limit the liabilities of Donors, or an amendment which increases the financial or other obligation of Donors, or an amendment to Article V, Section 3.

(b) Notwithstanding the provisions of paragraph (a) of this Section, any amendment which increases the existing obligations of the Donors under this MIF IV Agreement or involves new obligations of the Donors shall take effect for each Donor which has notified its acceptance in writing to the Bank.

Section 3. Limitations on Liability.

In the operations of the Fund, the financial liability of the Bank shall be limited to the resources and reserves (if any) of the Fund, and the liability of Donors as Donors shall be limited to the unpaid portion of their respective contributions that has become due and payable.

Section 4. Withdrawal.

(a) After full payment under a Qualified Contribution or an Unqualified Contribution, any Donor may withdraw from this MIF IV Agreement by delivering to the Bank at its principal office written notice of its intention to do so. Such withdrawal shall become finally effective on the date specified in the notice but in no event less than 6 months after the notice is delivered to the Bank. However, at any time before the withdrawal becomes finally effective, the Donor may notify the Bank in writing of the cancellation of its notice of intention to withdraw.

(b) When a Donor has withdrawn from this MIF IV Agreement, it shall remain liable for all its obligations under this MIF IV Agreement, which shall have been in effect before the effective date of its notice of withdrawal.

(c) Arrangements for settling respective claims and obligations, entered into by the Bank and a Donor pursuant to Article VII, Section 7 of the MIF IV Administration Agreement, shall be subject to approval by the Donors Committee.

Section 5. Donors in Schedule A.

Notwithstanding anything to the contrary in this MIF IV Agreement, all countries listed on Schedule A shall have the treatment afforded to "Donors" under this MIF IV Agreement immediately upon the MIF IV Effective Date.

IN WITNESS WHEREOF, this MIF IV Agreement is done in English, French, Portuguese and Spanish texts which are equally authentic and which shall be deposited in the archives of the Bank, and the Bank shall transmit a duly certified copy to each of the Prospective Donors listed in Schedule A of this MIF IV Agreement.

Done in Punta Cana, Dominican Republic, on the 10th day of March, 2024.

predstavljajo najmanj tri četrtine vseh glasovalnih pravic donatorjev. Za spremembo tega razdelka ali določb 3. razdelka tega člena, ki omejujejo obveznosti donatorjev, ali za spremembo, ki poveča finančno ali drugo obveznost donatorjev, ali za spremembo 3. razdelka V. člena je potrebna odobritev vseh donatorjev.

(b) Ne glede na določbe odstavka (a) tega člena začne sprememba, ki poveča veljavne obveznosti donatorjev po tem sporazumu o VIS IV ali vključuje nove obveznosti donatorjev, veljati za vsakega donatorja, ki je banko pisno obvestil o njenem sprejetju.

3. razdelek: Omejitve odgovornosti

Pri dejavnostih sklada je finančna odgovornost banke omejena na sredstva in (morebitne) rezerve sklada, odgovornost donatorjev kot donatorjev pa je omejena na neplačani delež njihovih zapadlih prispevkov.

4. razdelek: Odstop

(a) Vsak donator po plačilu celotnega prispevka s pridržkom ali prispevka brez pridržka lahko odstopi od tega sporazuma o VIS IV, tako da banki na njenem sedežu predloži pisno obvestilo, da namerava odstopiti. Tak odstop postane dokončno veljaven z dnem, navedenim v obvestilu, v vsakem primeru pa najmanj šest mesecev po predložitvi obvestila banki. Donator pa lahko kadar koli pred dnevom, ko odstop postane dokončno veljaven, banko pisno uradno obvesti o preklicu svojega obvestila, da namerava odstopiti.

(b) Ko donator odstopi od tega sporazuma o VIS IV, je še vedno odgovoren za vse svoje obveznosti po tem sporazumu o VIS IV, ki so veljale pred dnem začetka veljavnosti njegovega obvestila o odstopu.

(c) Za dogovor banke in donatorja o poravnavi njunih terjatev in obveznosti, ki ga skleneta na podlagi 7. razdelka VII. člena sporazuma o upravljanju VIS IV, je potrebna odobritev odbora donatorjev.

5. razdelek: Donatorji v prilogi A

Ne glede na kar koli v tem sporazumu o VIS IV, ki je morada določeno drugače, se vse države iz priloge A z dnem veljavnosti VIS IV obravnavajo kot "donatorji" po sporazumu o VIS IV.

V POTRDI TEV TEGA je ta sporazum o VIS IV sestavljen v angleškem, francoskem, portugalskem in španskem jeziku, pri čemer so vsa besedila enako verodostojna in se deponirajo v arhivu banke, banka pa pošlje overjeni izvod vsakemu morebitnemu donatorju, navedenemu v prilogi A tega sporazuma o VIS IV.

Sestavljeno v Puntí Caní, Dominikanska republika, 10. marca 2024.

SCHEDULE A **

CONTRIBUTION QUOTAS OF PROSPECTIVE DONORS
TO THE MULTILATERAL INVESTMENT FUND IV¹

Country	U.S. Dollar Equivalent of Contribution ²	
Argentina	\$ 12,450,592.89	*
Bahamas	\$ 2,075,098.81	
Barbados	\$ 2,075,098.81	
Belize	\$ 691,699.60	*
Bolivia	\$ 2,075,098.81	*
Brazil	\$ 12,450,592.89	*
Canada	\$ 2,218,124.44	
Chile	\$ 6,916,996.05	
China	\$ 8,700,000.00	*
Colombia	\$ 7,608,695.65	
Costa Rica	\$ 2,766,798.42	*
Dominican Republic	\$ 4,150,197.63	*
Ecuador	\$ 4,150,197.63	
El Salvador	\$ 2,766,798.42	*
France	\$ -	
Guatemala	\$ 2,766,798.42	*
Guyana	\$ 691,699.60	
Haiti	\$ 138,339.92	
Honduras	\$ 3,458,498.02	
Israel	\$ 3,000,000.00	
Italy	\$ -	
Jamaica	\$ 1,383,399.21	*
Japan	\$ 40,000,000.00	*
Korea	\$ 4,000,000.00	*
Mexico	\$ 12,450,592.89	*
Netherlands	\$ -	
Nicaragua	\$ -	
Panama	\$ 5,533,596.84	
Paraguay	\$ 4,565,217.39	*
Peru	\$ 6,916,996.05	*
Portugal	\$ -	
Spain	\$ 34,331,875.56	
Suriname	\$ 691,699.60	
Sweden	\$ 3,350,000.00	*
Switzerland	\$ 2,400,000.00	*
Trinidad and Tobago	\$ 2,075,098.81	*
United Kingdom	\$ -	
United States of America	\$ -	
Uruguay	\$ 4,150,197.63	*
Venezuela	\$ -	
Total:	\$ 203,000,000.00	

PRILOGA A**

KVOTE PRISPEVKOV MOREBITNIH DONATORJEV
ZA VEČSTRANSKI INVESTICIJSKI SKLAD IV³

Država	Prispevek, izražen v ameriških dolarjih ⁴	
Argentina	12.450.592,89 USD	*
Bahami	2.075.098,81 USD	
Barbados	2.075.098,81 USD	
Belize	691.699,60 USD	*
Bolivija	2.075.098,81 USD	*
Brazilijska	12.450.592,89 USD	*
Kanada	2.218.124,44 USD	
Čile	6.916.996,05 USD	
Kitajska	8.700.000,00 USD	*
Kolumbija	7.608.695,65 USD	
Kostarika	2.766.798,42 USD	*
Dominikanska republika	4.150.197,63 USD	*
Ekvador	4.150.197,63 USD	
Salvador	2.766.798,42 USD	*
Francija	- USD	
Gvatemala	2.766.798,42 USD	*
Gvajana	691.699,60 USD	
Haiti	138.339,92 USD	
Honduras	3.458.498,02 USD	
Izrael	3.000.000,00 USD	
Italija	- USD	
Jamajka	1.383.399,21 USD	*
Japonska	40.000.000,00 USD	*
Koreja	4.000.000,00 USD	*
Mehika	12.450.592,89 USD	*
Nizozemska	- USD	
Nikaragva	- USD	
Panama	5.533.596,84 USD	
Paragvaj	4.565.217,39 USD	*
Peru	6.916.996,05 USD	*
Portugalska	- USD	
Španija	34.331.875,56 USD	
Surinam	691.699,60 USD	
Švedska	3.350.000,00 USD	*
Švica	2.400.000,00 USD	*
Trinidad in Tobago	2.075.098,81 USD	*
Združeno kraljestvo	- USD	
Združene države Amerike	- USD	
Urugvaj	4.150.197,63 USD	*
Venezuela	- USD	
Skupaj:	203.000.000,00 USD	

** If additional pledging of contributions takes place prior to the MIF IV Effective Date (per Annex 1 of document AB-3399 and CII/AB-1685) or Individual Additional Contributions are made on or after the MIF IV Effective Date (per Article 2, Section 1(d)), this Schedule A shall be updated to reflect the referred additional pledging of contributions and distributed to the Donors Committee and to the Bank and the IIC Boards of Governors for information following the MIF IV Effective Date. In such case, the referenced updated version shall be considered the final version of Schedule A.

¹ For the avoidance of doubt and as set out in the recitals to this Agreement, this Schedule A includes Donors that adhered to the MIF III Agreement and who retain their **status as "Donors" pursuant to Article VI, Section 5 of this Agreement.**

² In the case of pledges made in currencies other than U.S. dollars, calculated at IMF representative exchange rates arrived at by averaging rates on a daily basis during the six-month period ending on December 31, 2023.

* The Prospective Donor has indicated the expectation of a Qualified Contribution in accordance with Article II, Section 1 (c) of the MIF IV Agreement.

** Če se pred začetkom veljavnosti VIS IV izrazijo dodatne zaveze za prispevke (po prilogi 1 dokumenta AB-3399 in CII/AB-1685) ali se ob začetku veljavnosti VIS IV ali po njem plačajo posamezni dodatni prispevki (po odstavku (d) 1. razdelka 2. člena), se priloga A posodobi, tako da vključuje dodatne zaveze za prispevke, in pošlje odboru donatorjev ter odboroma guvernerjev banke in MIK v vednost po začetku veljavnosti VIS IV. Tako posodobljena različica se šteje za končno različico priloge A.

¹ Da ne bi bilo dvoma in kot je navedeno v preambuli tega sporazuma, ta priloga A vključuje donatorje, ki so pristopili k sporazumu o VIS III in ohranijo status "donatorjev" po 5. razdelku IV. člena tega sporazuma.

² Da ne bi bilo dvoma in kot je navedeno v preambuli tega sporazuma, ta priloga A vključuje donatorje, ki so pristopili k sporazumu o VIS III in ohranijo status "donatorjev" po 5. razdelku IV. člena tega sporazuma.

* Morebitni donator je navedel, da pričakuje prispevek s pridržkom v skladu z odstavkom (c) 1. razdelka II. člena sporazuma o VIS IV.

**AGREEMENT FOR THE ADMINISTRATION OF THE
MULTILATERAL INVESTMENT FUND IV**

WHEREAS, the Multilateral Investment Fund (the "MIF I") was created by the Agreement Establishing the Multilateral Investment Fund, dated February 11, 1992, which was renewed until December 31, 2007;

WHEREAS, the Multilateral Investment Fund II (the "MIF II") was created by the Agreement Establishing the Multilateral Investment Fund II, dated April 9, 2005 (the "MIF II Agreement"), which entered into force on March 13, 2007, at which time the MIF I terminated and the assets and liabilities of the MIF I were assumed by the MIF II;

WHEREAS, the MIF II Agreement was renewed until December 31, 2020, pursuant to Article V, Section 2 thereof, and was restated by the Agreement Establishing the Multilateral Investment Fund III, dated April 2, 2017, which entered into force on March 12, 2019 (the "MIF III Agreement");

WHEREAS the Multilateral Investment Fund (the "Fund") is administered by the Inter-American Development Bank (the "Bank") pursuant to the Agreement for the Administration of the Multilateral Investment Fund II dated as of April 9, 2005, as restated by the Agreement for the Administration of the Multilateral Investment Fund III dated as of April 2, 2017 which entered into force on March 12, 2019 (the "MIF III Administration Agreement");

WHEREAS, the MIF III Agreement has been renewed until March 12, 2026 pursuant to Article V, Section 2 thereof, and the MIF III Administration Agreement was concurrently renewed, and shall remain in force as long as the MIF III Agreement remains in force, as contemplated in Article VI, Section 2 thereof;

WHEREAS, as of the date of its entry into force, the Agreement Establishing the Multilateral Investment Fund IV (the "MIF IV Agreement") will have been adopted by the donors and the prospective donors listed in Schedule A to the MIF IV Agreement (each, a "Prospective Donor" and, upon adherence thereto as contemplated in Article II, Section 1(a) thereof or pursuant to Article VI, Section 5 thereof, a "Donor"), to provide for a renewed MIF (the "Fund") in the Bank and ensure the continuation of its activities beyond March 12, 2026;

WHEREAS, the Donors also wish to amend and restate the MIF III Agreement and adopt this Agreement for the Administration of the Multilateral Investment Fund IV (the "MIF IV Administration Agreement"), which, upon the entry into force of the MIF IV Agreement, shall replace the MIF III Administration Agreement;

WHEREAS, the Fund can continue to complement the work of the Bank, the InterAmerican Investment Corporation (the "IIC") and other partners pursuant to the terms of the MIF IV Agreement; and

WHEREAS, the Bank, to fulfill its purposes and in pursuit of its objectives, has agreed to continue to administer the Fund pursuant to and in accordance with the MIF IV Agreement,

NOW, THEREFORE, the Bank and the Donors hereby agree as follows:

**ARTICLE I
ADMINISTRATION OF THE FUND**

The Bank shall continue to be the administrator of the Fund. The Bank shall administer the Fund and carry out its operations in accordance with the MIF IV Agreement and provide depositary and other services in connection therewith. In the administration of the Fund, the Bank shall endeavor to seek synergies and promote efficiencies among the Bank, the IIC and the Fund. The Bank shall maintain the Office of the Multilateral Investment Fund as the office within the Bank organization entrusted with administering and carrying out Fund operations and programs as contemplated in this MIF IV Administration Agreement.

**SPORAZUM O UPRAVLJANJU VEČSTRANSKEGA
INVESTICIJSKEGA SKLADA IV**

KER je bil Večstranski investicijski sklad (v nadaljnjem besedilu: VIS I) vzpostavljen s Sporazumom o ustanovitvi Večstranskega investicijskega sklada z dne 11. februarja 1992, ki je bil podaljšán do 31. decembra 2007;

KER je bil Večstranski investicijski sklad II (v nadaljnjem besedilu: VIS II) vzpostavljen s Sporazumom o ustanovitvi Večstranskega investicijskega sklada II z dne 9. aprila 2005 (v nadaljnjem besedilu: sporazum o VIS II), ki je začel veljati 13. marca 2007, ko je VIS I prenehal ter je njegova sredstva in obveznosti prevzel VIS II;

KER je bil sporazum o VIS II podaljšán do 31. decembra 2020 na podlagi 2. razdelka svojega V. člena in prenovljen s Sporazumom o ustanovitvi Večstranskega investicijskega sklada III z dne 2. aprila 2017, ki je začel veljati 12. marca 2019 (v nadaljnjem besedilu: sporazum o VIS III);

KER Večstranski investicijski sklad (v nadaljnjem besedilu: sklad) upravlja Medameriška razvojna banka (v nadaljnjem besedilu: banka) na podlagi Sporazuma o upravljanju Večstranskega investicijskega sklada II z dne 9. aprila 2005, kot je bil prenovljen s Sporazumom o upravljanju Večstranskega investicijskega sklada III z dne 2. aprila 2017, ki je začel veljati 12. marca 2019 (v nadaljnjem besedilu: sporazum o upravljanju VIS III);

KER je bil sporazum o VIS III podaljšán do 12. marca 2026 na podlagi 2. razdelka svojega V. člena ter je bil hkrati podaljšán tudi sporazum o upravljanju VIS III in bo veljal, dokler bo veljal sporazum o VIS III, kot je predvideno v 2. razdelku njegovega VI. člena;

KER bodo Sporazum o ustanovitvi Večstranskega investicijskega sklada IV (v nadaljnjem besedilu: sporazum o VIS IV) z začetkom njegove veljavnosti sprejeli donatorji in morebitni donatorji iz priloge A sporazuma o VIS IV (v nadaljnjem besedilu vsak od njih "morebitni donator", po pristopu k sporazumu pa "donator", kot je predvideno v odstavku (a) 1. razdelka njegovega II. člena ali na podlagi 5. razdelka njegovega VI. člena) za zagotavljanje prenovljenega VIS (v nadaljnjem besedilu: sklad) v banki in nadaljevanja njegovih dejavnosti po 12. marcu 2026;

KER donatorji želijo tudi spremeniti in prenoviti sporazum o VIS III ter sprejeti ta Sporazum o upravljanju Večstranskega investicijskega sklada IV (v nadaljnjem besedilu: sporazum o upravljanju VIS IV), ki bo ob začetku veljavnosti sporazuma o VIS IV nadomestil sporazum o upravljanju VIS III;

KER sklad še naprej lahko dopolnjuje delo banke, Medameriške investicijske korporacije (v nadaljnjem besedilu: MIK) in drugih partnerjev v skladu s pogoji sporazuma o VIS IV ter

KER je banka za izpolnjevanje svojega namena in ureničevanje svojih ciljev privolila, da še naprej upravlja sklad na podlagi sporazuma o VIS IV in v skladu z njim,

SE banka in donatorji dogovorijo:

**I. ČLEN
UPRAVLJANJE SKLADA**

Banka je še naprej upravljaivec sklada. Banka upravlja sklad in izvaja njegove dejavnosti v skladu s sporazumom o VIS IV ter zagotavlja storitve depozitarja in druge s skladom povezane storitve. Pri upravljanju sklada si banka prizadeva iskati možnosti za sodelovanje in spodbuja učinkovitost med banko, MIK in skladom. Banka ohrani Urad za Večstranski investicijski sklad kot del organizacije banke, katerega naloga je upravljati in izvajati dejavnosti in programe sklada, kot je predvideno v tem sporazumu o upravljanju VIS IV.

ARTICLE II OPERATIONS OF THE FUND

Section 1. Operations.

(a) In administering the Fund and carrying out its operations, the Bank shall undertake the following duties:

(i) to identify, develop, prepare and propose, or arrange for the identification, development and preparation of, operations to be financed with the resources of the Fund according to its purpose and functions as established in the MIF IV Agreement, Article I, Sections 1 and 2, and taking into consideration the risk profile of operations to be financed with the resources of the Fund and the activities of the Bank and the IIC;

(ii) to prepare, or make available, memoranda or information requested by the Donors Committee, to be transmitted or made available to the Board of Executive Directors of the Bank not less than every quarter for its information;

(iii) to present proposals for specific operations to the Donors Committee for final approval;

(iv) to identify and present areas of strategic focus, consistent with the MIF IV Agreement, for consideration by the Donors Committee;

(v) to execute and oversee, or arrange for the execution and oversight, of all operations approved by the Donors Committee and others under the Fund's administration;

(vi) to implement a system for measuring results of operations based on the criteria contemplated in Article III, Section 3(h) of the MIF IV Agreement;

(vii) to administer the accounts of the Fund, including investment of the funds as specified in Article IV, Section 1(c) hereof;

(viii) to disseminate lessons learned from Fund operations and activities for the purposes of furthering the sharing of knowledge, improving project design, building the capacity of private-sector partners and engaging the private sector in the development process; and

(ix) to mobilize third-party resources that will help boost the Fund's operations and their overall impact.

(b) Subject to approval of the Donors Committee, the Bank may request that the IIC administer or execute operations or individual programs when those operations and programs fall within the capabilities and expertise of the IIC.

Section 2. Chairman and Secretary.

The President of the Bank shall be the Chairman ex officio of the Donors Committee. The Secretary of the Bank shall be secretary of the Donors Committee and shall provide secretarial services, facilities and other support services to facilitate the work of the Donors Committee. In that capacity the Secretary shall also call meetings of the Donors Committee, and at a minimum of 14 days prior to a meeting shall distribute the principal documents for the meeting and an agenda to the representative of each Donor designated pursuant to Article IV, Section 1 of the MIF IV Agreement.

ARTICLE III DEPOSITARY FUNCTIONS

Section 1. Depositary for Agreements and Documents.

The Bank shall be depositary for this MIF IV Administration Agreement, the MIF IV Agreement, the Instruments of Acceptance and Contribution (as defined in Article II, Section 1(a) of the MIF IV Agreement) and all other Fund-related documents.

Section 2. Establishment of Accounts.

The Bank shall establish an account or accounts of the Bank as administrator of the Fund, to receive payments from Donors pursuant to Article II, Section 2 of the MIF IV Agreement. The Bank shall administer such accounts in accordance with this MIF IV Administration Agreement.

II. ČLEN DEJAVNOSTI SKLADA

1. razdelek: Dejavnosti

(a) Banka pri upravljanju sklada in izvajanju njegovih dejavnosti opravlja te naloge:

(i) prepoznavna, razvija, pripravlja in predlaga ali uredi prepoznavanje, razvijanje in pripravljanje dejavnosti, ki se bodo financirale s sredstvi sklada v skladu z njegovim namenom in nalogami, določenimi v 1. in 2. razdelku I. člena sporazuma o VIS IV, ob upoštevanju profila tveganja dejavnosti, ki se bodo financirale s sredstvi sklada, ter dejavnosti banke in MIK;

(ii) pripravlja ali daje na voljo opomnike ali informacije, ki jih zahteva odbor donatorjev, da se pošljejo ali dajo na voljo odboru izvršnih direktorjev banke v seznanitev najmanj vsako četrletje;

(iii) predlaga predloge za posebne dejavnosti odboru donatorjev v končno odobritev;

(iv) prepoznavna in predstavlja področja strateške usmeritve v skladu s sporazumom o VIS IV za obravnavo v odboru donatorjev;

(v) izvaja in nadzoruje vse dejavnosti, ki jih odobrijo odbor donatorjev in drugi v okviru upravljanja sklada, ali uredi njihovo izvajanje in nadzor nad njimi;

(vi) izvaja sistem merjenja rezultatov dejavnosti na podlagi meril, predvidenih v odstavku (h) 3. razdelka III. člena sporazuma o VIS IV;

(vii) upravlja račune sklada, vključno z vlaganjem sredstev, kot je določeno v odstavku (c) 1. razdelka IV. člena tega sporazuma;

(viii) razširja izkušnje, pridobljene pri dejavnostih sklada, za nadaljnje širjenje znanja, boljše načrtovanje projektov, krepitev zmogljivosti partnerjev iz zasebnega sektorja in za vključevanje zasebnega sektorja v razvojni proces ter

(ix) privablja tretje vire, ki bodo pomagali okrepiti dejavnosti sklada in njihov skupni vpliv.

(b) Ob odobritvi odbora donatorjev banka lahko zahteva, da MIK upravlja ali izvaja dejavnosti ali posamezne programe, kadar so te dejavnosti in programi v okviru zmogljivosti, znanja in izkušenj MIK.

2. razdelek: Predsednik in sekretar

Predsednik banke je predsednik odbora donatorjev po uradni dolžnosti. Sekretar banke je sekretar odbora donatorjev in zagotavlja storitve sekretariata, sredstva in druge podporne storitve za lažje delo odbora donatorjev. V tej funkciji sekretar tudi sklicuje seje odbora donatorjev ter najmanj 14 dni pred sejo pošlje glavne dokumente za sejo in dnevni red predstavniku vsakega donatorja, imenovanemu na podlagi 1. razdelka IV. člena sporazuma o VIS IV.

III. ČLEN NALOGE DEPOZITARJA

1. razdelek: Depozitar za sporazume in dokumente

Banka je depozitar tega sporazuma o upravljanju VIS IV, sporazuma o VIS IV, listin o sprejetju in o prispevku (kot so opredeljene v odstavku (a) 1. razdelka II. člena sporazuma o VIS IV) ter drugih s skladom povezanih dokumentov.

2. razdelek: Odprtje računov

Banka si kot upravljavca sklada odpre račun ali več računov za prejetje plačil donatorjev na podlagi 2. razdelka II. člena sporazuma o VIS IV. Banka te račune upravlja v skladu s tem sporazumom o upravljanju VIS IV.

ARTICLE IV**AUTHORITY OF THE BANK AND OTHER MATTERS****Section 1. Basic Authority.**

(a) The Bank represents that it has authority under Article VII, Section 1(v) of the Agreement Establishing the Inter-American Development Bank (the "Charter") to carry out the provisions of this MIF IV Administration Agreement and that the activities undertaken pursuant hereto will help fulfill the purposes of the Bank.

(b) Except as provided otherwise in this MIF IV Administration Agreement, the Bank shall have the authority to perform all acts and enter into all contracts necessary to carry out its functions hereunder.

(c) The Bank shall invest monies of the Fund, not needed in its operations, in the same type of securities in which it invests its own funds under its investment authority.

Section 2. Standard of Care.

The Bank shall exercise the same care in the discharge of its functions under this MIF IV Administration Agreement as it exercises with respect to the administration and management of its own affairs.

Section 3. Expenses.

(a) The Bank, the IIC and the Fund shall each bear the expenses of their own activities and shall reimburse each other, as appropriate, when undertaking activities on behalf of another.

(b) The Bank shall be reimbursed from the Fund for both direct and indirect costs for its activities related to the Fund and those of the IIC, including costs identified in service level agreements with the Bank or the IIC, remuneration of the staff of the Bank or the IIC for the time actually dedicated to the administration of the Fund, travel, per diem, communication expenses and other similar, directly-identifiable expenses, calculated and recorded separately as expenses of administering the Fund and carrying out its operations.

(c) The procedure for determining and calculating the expenses to be reimbursed to the Bank, and the criteria governing reimbursement of the costs described in this Section is to be agreed by the Bank and the Donors Committee and may be reviewed from time to time at the proposal of the Bank or the Donors Committee, and the application of any changes resulting from such review shall require agreement of the Bank and the Donors Committee.

Section 4. Cooperation with National and International Organizations.

In the administration of the Fund, the Bank may consult and cooperate with national and international organizations, both public and private, operating in the fields of social and sustainable economic development, when that would help achieve the purpose of the Fund or maximize efficiency in the use of the resources of the Fund.

Section 5. Project Evaluation.

In addition to the evaluations requested by the Donors Committee, the Bank shall evaluate the portfolio of operations it has undertaken under this MIF IV Administration Agreement, with project, thematic and portfolio reviews, and will report on the results of these reviews to the Donors Committee.

ARTICLE V**ACCOUNTING AND REPORTING****Section 1. Separation of Accounts.**

The Bank shall account for the resources and operations of the Fund in such a way as to permit the identification of the assets, liabilities, income, costs and expenses pertaining to the Fund separate and independent of all other operations of the Bank. The accounting system used shall also permit the identification and recording of the origin of the various resources received by virtue of this MIF IV Administration Agreement and the funds generated by them, as well as their application. The

IV. ČLEN**POOBLASTILA BANKE IN DRUGE ZADEVE****1. razdelek: Osnovno pooblastilo**

(a) Banka izjavlja, da je po odstavku (v) 1. razdelka VII. člena Sporazuma o ustanovitvi Medameriške razvojne banke (v nadaljnjem besedilu: statut) pooblaščen za izvajanje določb tega sporazuma o upravljanju VIS IV ter da bodo dejavnosti na podlagi tega sporazuma pomagale pri izpolnjevanju njenega namena.

(b) Če v tem sporazumu o upravljanju VIS IV ni določeno drugače, je banka pooblaščen za opravljanje vseh dejanj in sklepanje vseh pogodb, potrebnih za opravljanje njenih nalog po tem sporazumu.

(c) Banka vlaga denarna sredstva sklada, ki niso potrebna za njegove dejavnosti, v vrednostne papirje enake vrste, kot so tisti, v katere vlaga svoja sredstva po svojih pooblastilih za vlaganje.

2. razdelek: Standard skrbnosti

Banka opravlja svoje naloge po tem sporazumu o upravljanju VIS IV z enako skrbnostjo, kot upravlja in vodi svoje lastne zadeve.

3. razdelek: Stroški

(a) Banka, MIK in sklad krijejo stroške vsak svojih dejavnosti in drug drugemu po potrebi povrnejo stroške dejavnosti, izvedenih v imenu drugega.

(b) Sklad banki povrne neposredne in posredne stroške njenih dejavnosti, povezanih s skladom, ter dejavnosti MIK, vključno s stroški, določenimi v sporazumih z banko ali MIK o ravni storitev, plačilom osebja banke ali MIK za čas, dejansko porabljen za upravljanje sklada, s stroški potovanj, dnevnici, stroški komunikacij in drugimi podobnimi neposredno določljivimi stroški, ki se izračunajo ter evidentirajo ločeno kot stroški upravljanja sklada in izvajanja njegovih dejavnosti.

(c) Banka in odbor donatorjev se dogovorita o postopku za določanje in izračunavanje stroškov, ki se povrnejo banki, ter o merilih za povračilo stroškov iz tega razdelka, ki se na predlog banke ali odbora donatorjev lahko občasno pregledajo, pri čemer je za uvedbo kakršnih koli sprememb zaradi takega pregleda potrebno soglasje banke in odbora donatorjev.

4. razdelek: Sodelovanje z nacionalnimi in mednarodnimi organizacijami

Banka se pri upravljanju sklada lahko posvetuje in sodeluje z javnimi in zasebnimi nacionalnimi ter mednarodnimi organizacijami, ki delujejo na področju družbenega in trajnostnega gospodarskega razvoja, kadar ji to pomaga pri izpolnjevanju namena sklada ali poveča učinkovitost uporabe sredstev sklada.

5. razdelek: Ocenjevanje projektov

Poleg ocenjevanj, ki jih zahteva odbor donatorjev, banka ocenjuje portfelj dejavnosti, ki jih je prevzela po tem sporazumu o upravljanju VIS IV, s pregledi projektov, tem in portfelja ter o rezultatih teh pregledov poroča odboru donatorjev.

V. ČLEN**RAČUNOVODENJE IN POROČANJE****1. razdelek: Ločitev računov**

Banka prikaže vire in dejavnosti sklada tako, da je mogoče določiti sredstva, obveznosti, prihodek in stroške sklada ločeno ter neodvisno od drugih dejavnosti banke. Uporabljeni računovodski sistem mora omogočiti tudi določitev in evidentiranje izvora različnih sredstev, prejetih na podlagi tega sporazuma o upravljanju VIS IV, in sredstev, ustvarjenih na njihovi podlagi, ter njihove uporabe. Poslovne knjige sklada se vodijo v ameriških dolarjih in za ta namen se valute pretvarjajo po

books of the Fund shall be kept in dollars of the United States of America, for which purpose translations between currencies shall be made at the rate of exchange in effect and used by the Bank at the time of each transaction.

Section 2. Reporting.

(a) As long as the present MIF IV Administration Agreement shall remain in force, the Administration of the Bank shall present the following information each year in an annual information statement to the Donors Committee within 180 days after the close of its fiscal year:

(i) a statement of assets and liabilities of the Fund, a statement of cumulative receipts and expenditures to the Fund and a statement of the origin and use of resources of the Fund, with such explanatory notes as may be pertinent;

(ii) information on the progress and results of the projects, programs and other operations of the Fund and on the status of applications presented to the Fund; and

(iii) information on the results of Fund operations based on the criteria contemplated in Article III, Section 3(i) of the MIF IV Agreement.

(b) The statements referred to in paragraph (a) of this Section shall be prepared according to the accounting principles used by the Bank in its own operations or any accounting principles approved by the Donors Committee, and shall be presented together with an opinion issued by the same independent firm of public accountants as designated by the Board of Governors of the Bank for the auditing of the financial statements of the Bank. The fees of the independent firm of accountants shall be charged to the resources of the Fund.

(c) The Bank shall produce an annual report and quarterly reports containing information with respect to the receipts and disbursement of, and balances in, the Fund.

(d) The Donors Committee may also require the Bank, or the firm of public accountants referred to in paragraph (b), to provide other reasonable information concerning the operations of the Fund and the audit statements presented.

ARTICLE VI

TERM OF THE MIF IV ADMINISTRATION AGREEMENT

Section 1. Entry into Force.

This MIF IV Administration Agreement shall enter into force on the date the MIF IV Agreement enters into force.

Section 2. Duration.

(a) This MIF IV Administration Agreement shall remain in force as long as the MIF IV Agreement remains in force. Upon termination of the MIF IV Agreement, or upon termination of this MIF IV Administration Agreement under Section 3 of this Article, this MIF IV Administration Agreement nevertheless shall remain in force until the Bank completes duties relating to the winding up of Fund operations or the settlement of accounts pursuant to Article VI, Section 4(a) of the MIF IV Agreement.

(b) Prior to the end of the initial period contemplated in Article V, Section 2 of the MIF IV Agreement, the Bank shall consult with the Donors Committee about the advisability of extending the operations of the Fund for the renewal period specified thereunder.

Section 3. Termination by the Bank.

The Bank shall terminate this MIF IV Administration Agreement in the event that it suspends its own operations under Article X of its Charter, or in the event that it terminates its operations under that Article of its Charter. The Bank shall terminate this MIF IV Administration Agreement in the event the MIF IV Agreement is amended so as to require the Bank, in fulfilling the obligations of this MIF IV Administration Agreement, to act in contravention of its Charter.

Section 4. Winding up of Fund Operations.

Upon termination of the MIF IV Agreement the Bank shall cease all operations under this MIF IV Administration Agreement, except those incidents to the orderly realization,

veljavnem menjalnem tečaju, ki ga banka uporablja v času transakcije.

2. razdelek: Poročanje

(a) Dokler velja ta sporazum o upravljanju VIS IV, uprava banke vsako leto v 180 dneh po koncu svojega poslovnega leta v letnem poročilu za odbor donatorjev predloži te informacije:

(i) izkaz stanja sklada, izkaz kumulativnih prejemkov in izdatkov sklada ter izkaz izvora in uporabe sredstev sklada s potrebnimi obrazložitvami;

(ii) informacije o napredku in rezultatih projektov, programov in drugih dejavnosti sklada ter o stanju vlog, predloženih skladu, in

(iii) informacije o rezultatih dejavnosti sklada na podlagi meril, predvidenih v odstavku (i) 3. razdelka III. člena sporazuma o VIS IV.

(b) Izrazi iz odstavka (a) tega razdelka se pripravijo v skladu z računovodskimi načeli, ki jih banka uporablja za svoje dejavnosti, ali katerimi koli računovodskimi načeli, ki jih odobri odbor donatorjev, in se predložijo skupaj z mnenjem neodvisnega računovodskega podjetja, ki ga je odbor guvernerjev banke določil za opravljanje revizij računovodskih izkazov banke. Plačilo neodvisnega računovodskega podjetja gre v breme sredstev sklada.

(c) Banka pripravi letno poročilo in četrletna poročila, ki vsebujejo informacije o prejemkih, izplačilih in saldi sklada.

(d) Odbor donatorjev lahko tudi zahteva, da banka ali neodvisno računovodsko podjetje iz odstavka (b) zagotovi druge razumne informacije o dejavnostih sklada in predloženih revidiranih izkazih.

VI. ČLEN

OBDOBJE VELJAVNOSTI SPORAZUMA O UPRAVLJANJU VIS IV

1. razdelek: Začetek veljavnosti

Ta sporazum o upravljanju VIS IV začne veljati z dnem začetka veljavnosti sporazuma o VIS IV.

2. razdelek: Trajanje

(a) Ta sporazum o upravljanju VIS IV velja, dokler velja sporazum o VIS IV. Ob prenehanju sporazuma o VIS IV ali prenehanju tega sporazuma o upravljanju VIS IV po 3. razdelku tega člena ta sporazum o upravljanju VIS IV kljub temu še velja, dokler banka ne izpolni nalog v zvezi s prenehanjem dejavnosti sklada ali poravnavo računov na podlagi odstavka (a) 4. razdelka VI. člena sporazuma o VIS IV.

(b) Pred koncem začetnega obdobja, predvidenega v 2. razdelku V. člena sporazuma o VIS IV, se banka posvetuje z odborom donatorjev o smiselnosti podaljšanja dejavnosti sklada za obdobje podaljšanja, določeno po istem razdelku.

3. razdelek: Odpoved s strani banke

Banka odpove ta sporazum o upravljanju VIS IV, če začasno prekine svoje poslovanje po X. členu statuta ali preneha poslovati v skladu z njim. Banka odpove ta sporazum o upravljanju VIS IV, če se sporazum o VIS IV spremeni tako, da bi morala pri izpolnjevanju obveznosti po tem sporazumu o upravljanju VIS IV ravnati v nasprotju s statutom.

4. razdelek: Prenehanje dejavnosti sklada

Ob prenehanju sporazuma o VIS IV banka preneha izvajati vse dejavnosti po tem sporazumu o upravljanju VIS IV, razen glede urejenega unovčenja, zaščite in ohranjanja sred-

conservation and preservation of assets and the settlement of obligations. After all relevant liabilities of the Fund are discharged or provided for, the Bank shall make such allocations or distributions of remaining assets as directed by the Donors Committee under Article V, Section 4 of the MIF IV Agreement.

ARTICLE VII GENERAL PROVISIONS

Section 1. Contracts and Documents of the Bank on behalf of the Fund.

In the contracts it signs in administering the resources of the Fund and carrying out its operations, and in all other Fund-related documents, the Bank shall indicate clearly that it is acting as the administrator of the Fund.

Section 2. Responsibilities of the Bank and the Donors.

The earnings, profits or benefits arising from financing, investment and other operations carried out with the resources of the Fund shall in no case benefit the Bank. No financing, investment or operation of any kind carried out with the resources of the Fund shall involve the financial obligation or responsibility of the Bank to the Donors, and accordingly, any loss or deficit that may arise as a result of an operation shall not entitle the Donors to claim indemnification from the Bank, except in cases in which the Bank has departed from the written instructions of the Donors Committee or has failed to act with the same care as it takes in the management of its own resources.

Section 3. Adherence to this MIF IV Administration Agreement.

Any member of the Bank which is not listed on Schedule A of the MIF IV Agreement or any nonmember of the Bank may adhere to this MIF IV Administration Agreement after adhering to the MIF IV Agreement. Adherence to this MIF IV Administration Agreement shall be subject to the terms and conditions established by the Donors Committee.

Section 4. Amendment.

This MIF IV Administration Agreement may be amended only by agreement between the Bank and the Donors Committee, which shall reach decision by a vote of at least two-thirds of the Donors representing three-quarters of the total voting power of the Donors. The approval of all Donors shall be required for an amendment to this Section or which involves any financial or other obligations of Donors.

Section 5. Settlement of Disputes.

Any disputes arising under this MIF IV Administration Agreement between the Bank and the Donors Committee, which are not resolved by consultation, shall be settled by arbitration pursuant to Annex A hereof. Any arbitral award shall be final and shall be implemented by a Donor, Donors, or the Bank in accordance with its or their constitutional procedures or the Charter, respectively.

Section 6. Limitations on Liability.

In the operations of the Fund, the financial liability of the Bank shall be limited to the resources and reserves (if any) of the Fund, and the liability of Donors as Donors shall be limited to the unpaid portion of their respective contributions that has become due and payable under the MIF IV Agreement.

Section 7. Withdrawal of a Donor from the MIF IV Agreement.

On the date its notice of withdrawal has become effective under Article VI, Section 4(a) of the MIF IV Agreement, a Donor submitting such a notice shall be deemed to have withdrawn from this MIF IV Administration Agreement. Without prejudice to Article VI, Section 4(b) of the MIF IV Agreement, the Bank, subject to the approval of the Donors Committee, shall enter into an arrangement with such a Donor for the settlement of their respective claims and obligations.

IN WITNESS WHEREOF, this MIF IV Administration Agreement is done in English, French, Portuguese and Spanish texts which are equally authentic and which shall be depos-

ted ter poravnave obveznosti. Ko so vse zadevne obveznosti sklada poravnane ali je zagotovljena njihova poravnava, banka preostala sredstva dodeli ali razdeli, kot ji naloži odbor donatorjev po 4. razdelku V. člena sporazuma o VIS IV.

VII. ČLEN SPLOŠNE DOLOČBE

1. razdelek: Pogodbe in dokumenti banke v imenu sklada

Banka v pogodbah, ki jih podpiše pri upravljanju sredstev sklada in izvajanju njegovih dejavnosti, ter v vseh drugih s skladom povezanih dokumentih jasno navede, da deluje kot upravljavec sklada.

2. razdelek: Obveznosti banke in donatorjev

Banka v nobenem primeru ne sme imeti koristi od prihodka, dobička ali ugodnosti, pridobljenih z dejavnostmi financiranja in vlaganja ter drugimi dejavnostmi, ki se izvajajo s sredstvi sklada. Nobeno financiranje, naložba ali dejavnost, ki se izvede s sredstvi sklada, ne vključuje finančne obveznosti ali odgovornosti banke do donatorjev in v skladu s tem nobena izguba ali primanjkljaj, nastal zaradi dejavnosti, ne daje donatorjem pravice, da od banke terjajo odškodnino, razen v primerih, ko banka ni ravnala v skladu s pisnimi navodili odbora donatorjev ali ni ukrepala z enako skrbnostjo kot pri upravljanju svojih virov.

3. razdelek: Pristop k temu sporazumu o upravljanju VIS IV

K temu sporazumu o upravljanju VIS IV lahko pristopi katera koli članica banke, ki ni navedena v prilogi A sporazuma o VIS IV, ali katera koli nečlanica banke, potem ko pristopi k sporazumu o VIS IV. Za pristop k temu sporazumu o upravljanju VIS IV veljajo pogoji, ki jih določi odbor donatorjev.

4. razdelek: Sprememba

Ta sporazum o upravljanju VIS IV se lahko spremeni le s sporazumom med banko in odborom donatorjev, ki odloči z glasovi vsaj dveh tretjin donatorjev, ki predstavljajo najmanj tri četrtine vseh glasovalnih pravic donatorjev. Za spremembo tega razdelka ali spremembo, ki vključuje kakršno koli finančno ali drugo obveznost donatorjev, je potrebna odobritev vseh donatorjev.

5. razdelek: Reševanje sporov

Spori med banko in odborom donatorjev, ki izhajajo iz tega sporazuma o upravljanju VIS IV in se ne rešijo s posvetovanjem, se rešujejo z arbitražo na podlagi priloge A tega sporazuma. Vsaka arbitražna odločba je dokončna in jo donator, donatorji ali banka izvrši v skladu s svojimi ustavnimi postopki oziroma statutom.

6. razdelek: Omejitve odgovornosti

Pri dejavnostih sklada je finančna odgovornost banke omejena na sredstva in (morebitne) rezerve sklada, odgovornost donatorjev kot donatorjev pa je omejena na neplačani delež njihovih zapadlih prispevkov po sporazumu o VIS IV.

7. razdelek: Odstop donatorja od sporazuma o VIS IV

Z dnem, ko donatorjevo obvestilo o odstopu začne veljati po odstavku (a) 4. razdelka VI. člena sporazuma o VIS IV, se šteje, da je donator, ki je predložil to obvestilo, odstopil od sporazuma o upravljanju VIS IV. Brez poseganja v odstavek (b) 4. razdelka VI. člena sporazuma o VIS IV banka, ob odobritvi odbora donatorjev, z navedenim donatorjem sklene dogovor o poravnavi njunih terjatev in obveznosti.

V POTRDI TE TA je ta sporazum o upravljanju VIS IV sestavljen v angleškem, francoskem, portugalskem in španskem jeziku, pri čemer so vsa besedila enako verodostojna in

ited in the archives of the Bank, and the Bank shall transmit a duly certified copy to each of the Prospective Donors listed in Schedule A of the Agreement Establishing the Multilateral Investment Fund IV.

Done in Punta Cana, Dominican Republic, on the 10th day of March, 2024.

ANNEX A ARBITRATION PROCEDURES

ARTICLE I COMPOSITION OF THE TRIBUNAL

The Arbitration Tribunal to resolve disputes under Article VII, Section 5 of the Agreement for the Administration of the Multilateral Investment Fund IV (the "MIF IV Administration Agreement") shall be composed of three members to be appointed in the following manner: one by the Bank, another by the Donors Committee, and a third, hereinafter called the "Referee", by direct agreement between the parties or through their respective arbitrators. If the parties or the arbitrators fail to agree on who shall be the Referee, or if one of the parties should not designate an arbitrator, the Referee shall be appointed, at the request of either party, by the Secretary General of the Organization of American States. If either of the parties fails to appoint an arbitrator, one shall be appointed by the Referee. If either of the appointed arbitrators or Referee is unwilling or unable to act or continue to act, a successor shall be appointed in the same manner as for the original appointment. The successor shall have the same functions and faculties as the predecessor.

ARTICLE II INITIATION OF THE PROCEDURE

In order to submit the dispute to arbitration, the claimant shall address to the other party a written communication setting forth the nature of the claim, the satisfaction or compensation which it seeks, and the name of the arbitrator it appoints. The party receiving such communication shall, within 45 days, notify the adverse party of the name of the person it appoints as arbitrator. If within 30 days after delivery of such notification to the claimant, the parties have not agreed as to the person who is to act as Referee, either party may request the Secretary General of the Organization of American States to make the appointment.

ARTICLE III CONVENING OF THE TRIBUNAL

The Arbitration Tribunal shall be convened in Washington, District of Columbia, United States of America, on the date designated by the Referee, and, once convened, shall meet on the dates which the Tribunal itself shall establish.

ARTICLE IV PROCEDURE

(a) The tribunal shall be competent to hear only the matters in dispute. It shall adopt its own procedures (which may be the procedures of a renowned arbitration association) and may on its own initiative designate whichever experts it considers necessary. In any case, it shall give the parties the opportunity to make oral presentations.

(b) The Tribunal shall proceed *ex aequo et bono*, basing itself on the terms of the MIF IV Administration Agreement, and shall issue an award even if either party should fail to appear or present its case.

(c) The award shall be in writing and shall be adopted with the concurrent vote of at least two members of the Tribunal. It shall be handed down within approximately 60 days from the

se deponirajo v arhivu banke, banka pa pošlje overjeni izvod vsakemu morebitnemu donatorju, navedenemu v prilogi A Sporazuma o ustanovitvi Večstranskega investicijskega sklada IV.

Sestavljeno v Puntí Cani, Dominikanska republika, 10. marca 2024.

PRILOGA A ARBITRAŽNI POSTOPEK

I. ČLEN SESTAVA SODIŠČA

Arbitražno sodišče za reševanje sporov po 5. razdelku VII. člena Sporazuma o upravljanju Večstranskega investicijskega sklada IV (v nadaljnjem besedilu: sporazum o upravljanju VIS IV) sestavljajo trije člani, ki se imenujejo tako: enega imenuje banka, enega odbor donatorjev, tretji, ki je v nadaljnjem besedilu naveden kot "predsednik", pa se imenuje z neposrednim dogovorom med strankama ali po njunih arbitrih. Če se stranki ali arbitra ne dogovorita o tem, kdo bo predsednik, ali če ena od strank ne imenuje arbitra, predsednika na zaprosilo katere koli stranke imenuje generalni sekretar Organizacije ameriških držav. Če katera od strank ne imenuje arbitra, ga imenuje predsednik. Če kateri od imenovanih arbitrov ali predsednik ne želi ali ne more opravljati te naloge ali je ne more več opravljati, se naslednik imenuje na enak način kot predhodnik. Naslednik ima enake naloge in pristojnosti kot predhodnik.

II. ČLEN ZAČETEK POSTOPKA

Za predložitev spora arbitraži pritožnik drugi stranki pošlje pisno sporočilo, v katerem navede vrsto tožbenega zahtevka, zahtevano zadoščenje ali odškodnino ter ime arbitra, ki ga imenuje. Stranka, ki prejme tako sporočilo, v 45 dneh uradno obvesti nasprotno stranko o imenu osebe, ki jo imenuje za arbitra. Če se v 30 dneh po dostavi takega uradnega obvestila pritožniku stranki ne sporazumeta o osebi, ki naj bi delovala kot predsednik, lahko katera koli stranka zaprosi generalnega sekretarja Organizacije ameriških držav, da ga imenuje.

III. ČLEN SKLIC SODIŠČA

Arbitražno sodišče se skliče v Washingtonu, Zvezno okrožje Kolumbija, Združene države Amerike, na dan, ki ga določi predsednik, nato se sestaja na dni, ki jih samo določi.

IV. ČLEN POSTOPEK

(a) Sodišče je pristojno le za obravnavanje spornih zadev. Sodišče določi svoja pravila postopka (ki so lahko pravila postopka priznanega arbitražnega združenja) in lahko na svojo pobudo imenuje izvedence, ki so po njegovem mnenju potrebni. V vsakem primeru da strankama priložnost za ustne predstavitve.

(b) Sodišče odloča po načelu *ex aequo et bono* na podlagi pogojev sporazuma o upravljanju VIS IV in izda odločbo, tudi če katera od strank ne pride na obravnavo ali ne predstavi svoje zadeve.

(c) Odločba je pisna in se sprejme, če zanjo glasujeta vsaj dva člana sodišča. Izreče se v približno 60 dneh od dneva imenovanja predsednika, razen če sodišče ne določi, da je

date on which the Referee has been appointed, unless the Tribunal determines that, due to special and unforeseen circumstances, such period should be extended. The award shall be notified to the parties by means of a communication signed by at least two members of the Tribunal.

ARTICLE V COSTS

The fees of each arbitrator shall be paid by the party which appointed such arbitrator and the fees of the Referee shall be paid by both parties in equal proportion. Prior to the convening of the Tribunal, the parties shall agree on the remuneration of the other persons who by mutual agreement they deem should take part in the arbitration proceedings. If such agreement is not reached in a timely manner, the Tribunal itself shall determine the compensation which may be reasonable for such persons under the circumstances. Each party shall defray its own expenses in the arbitration proceedings, but the expenses of the Tribunal shall be borne equally by the parties. Any doubt regarding the division of costs or the manner in which they are to be paid shall be determined, without appeal, by the Tribunal. Any fees or expenses due from the Donors Committee under this Article shall be paid from the Fund administered under the MIF IV Administration Agreement.

treba zaradi posebnih in nepredvidenih okoliščin to obdobje podaljšati. Stranki sta o odločbi uradno obveščeni s sporočilom, ki ga podpišeta vsaj dva člana sodišča.

V. ČLEN STROŠKI

Plačilo arbitra krije stranka, ki ga je imenovala, plačilo predsednika pa krijeta obe stranki v enakih deležih. Pred skličenjem sodišča se stranki dogovorita o plačilu drugih oseb, za katere soglasno menita, da bi morale sodelovati v arbitražnem postopku. Če takega soglasja ne dosežeta pravočasno, sodišče samo določi razumno nadomestilo za te osebe glede na okoliščine. Vsaka stranka krije svoje stroške v arbitražnem postopku, stroške sodišča pa enakovredno krijeta obe. O vsakem dvomu glede delitve stroškov ali načina njihovega plačila brez pritožbe odloči sodišče. Plačila ali stroški, ki jih po tem členu dolguje odbor donatorjev, se krijejo iz sklada, ki se upravlja po sporazumu o upravljanju VIS IV.

3. člen

(1) Za izvajanje sporazumov skrbi ministrstvo, pristojno za finance, ki v imenu in za račun Republike Slovenije skrbi za uresničevanje vseh pravic in obveznosti, ki izhajajo iz članstva Republike Slovenije v Večstranskem investicijskem skladu IV in je pristojno tudi za komuniciranje s skrbnikom Večstranskega investicijskega sklada IV.

(2) Minister, pristojen za finance, izda vse potrebne listine in opravi vse potrebno za uresničevanje pravic in obveznosti iz prejšnjega odstavka.

4. člen

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

Št. 411-05/26-2/10
Ljubljana, dne 28. januarja 2026
EPA 2734-IX

Državni zbor
Republike Slovenije
mag. Urška Klakočar Zupančič
predsednica

6. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Svetom ministrov Republike Albanije o sodelovanju pri varstvu pred naravnimi in drugimi nesrečami (BALVNDN)

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

U K A Z

o razglasitvi Zakona o ratifikaciji Sporazuma med Vlado Republike Slovenije in Svetom ministrov Republike Albanije o sodelovanju pri varstvu pred naravnimi in drugimi nesrečami (BALVNDN)

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Svetom ministrov Republike Albanije o sodelovanju pri varstvu pred naravnimi in drugimi nesrečami (BALVNDN), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 28. januarja 2026.

Št. 003-02-1/2026-14

Ljubljana, dne 5. februarja 2026

Nataša Pirc Musar
predsednica
Republike Slovenije

Z A K O N

O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN SVETOM MINISTROV REPUBLIKE ALBANIJE O SODELOVANJU PRI VARSTVU PRED NARAVNIMI IN DRUGIMI NESREČAMI (BALVNDN)

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in Svetom ministrov Republike Albanije o sodelovanju pri varstvu pred naravnimi in drugimi nesrečami, podpisan v Bruslju 13. junija 2024.

2. člen

Besedilo sporazuma se v izvirniku v angleškem jeziku in prevodu v slovenskem jeziku glasi:

AGREEMENT

between

the Government of the Republic of Slovenia

and

**the Council of Ministers of the Republic of Albania
on cooperation in protection against natural and other
disasters**

The Government of the Republic of Slovenia and the Council of Ministers of the Republic of Albania (hereinafter referred to as "the Parties");

Convinced of the necessity of mutual cooperation in preventing and mitigating the consequences of natural and other disasters (hereinafter referred to as "disasters");

Considering the role of the European Union, the United Nations, and other international organisations in terms of protection against natural and other disasters;

Have agreed as follows:

Article 1

Purpose of the Agreement

(1) This Agreement shall regulate the framework conditions for cooperation in disaster prevention and preparedness, for the voluntary provision of mutual assistance in the event of disasters in the territory of the other Party, and other forms of mutual cooperation.

(2) Cooperation between the Parties shall follow the principles of reciprocity and shall be conducted within the capacities of the Parties.

Article 2

Areas of Cooperation

(1) Cooperation between the Parties shall mainly include the following areas:

a) Exchange of scientific and technical knowledge, and the transfer of expertise and experience in protection against disasters;

SPORAZUM

med

Vlado Republike Slovenije

in

**Svetom ministrov Republike Albanije
o sodelovanju pri varstvu pred naravnimi in drugimi
nesrečami**

Vlada Republike Slovenije in Svet ministrov Republike Albanije (v nadaljnjem besedilu: pogodbenika) sta se

v prepričanju o nujnosti sodelovanja pri preprečevanju in zmanjševanju posledic naravnih in drugih nesreč (v nadaljnjem besedilu: nesreče),

ob upoštevanju vloge Evropske unije, Združenih narodov in drugih mednarodnih organizacij pri varstvu pred naravnimi in drugimi nesrečami

dogovorila:

1. člen

Namen sporazuma

(1) Ta sporazum ureja okvirne pogoje sodelovanja pri preprečevanju nesreč in zagotavljanju pripravljenosti, prostovoljni medsebojni pomoči ob nesrečah na ozemlju drugega pogodbenika in druge oblike medsebojnega sodelovanja.

(2) Sodelovanje med pogodbenikoma poteka po načelih vzajemnosti in v okviru zmogljivosti pogodbenikov.

2. člen

Področja sodelovanja

(1) Pogodbenika sodelujeta predvsem na teh področjih:

(a) izmenjava znanstvenih in tehničnih znanj ter prenos strokovnega znanja in izkušenj na področju varstva pred nesrečami;

- b) Education and training of personnel who participate in protection and rescue activities;
- c) The development and production of protection and rescue equipment;
- d) Mutual notification of disaster risks and their consequences;
- e) Assistance in the event of disasters in protection and rescue, as well as the mitigation and elimination of their consequences.

(2) For the implementation of this Agreement and the realisation of cooperation in the areas referred to in the preceding paragraph, the Parties may conclude implementing arrangements.

(3) The Parties shall advance cooperation between national authorities, governmental and non-governmental institutions, and organisations engaged in protection against natural and other disasters.

Article 3

Definition of Terms

The terms used in this Agreement shall have the following meaning:

- a) "Natural and other disasters" are disasters caused by natural forces, industrial activity or human activities, excluding war, which endanger life, property and the environment, and significantly worsen living conditions;
- b) "Data and information on hazards" are data on natural and other disasters whose purpose is the early notification of imminent danger and the implementation of protection and other measures in ensuring security for people, property and the environment;
- c) "Rescue and disaster relief" are the activities of all rescue forces and resources whose purpose is the direct and indirect mitigation and elimination of the consequences of disasters;
- d) "Rescue teams and individual experts" are appropriately trained and equipped teams and individuals designated by the sending State for the provision of assistance;
- e) "Protection, rescue, and other equipment" are means of personal and collective protection, including medication and medical devices, rescue equipment, means of transport (vehicles, vessels and aircraft), and technical and other means used by rescue teams and individual experts providing assistance;
- f) "Humanitarian aid" is food, potable water, medications, medical devices and other items intended for free distribution to the affected or at-risk population as assistance in mitigating the consequences of disasters;
- g) The "receiving State" is the Party whose competent authorities request disaster relief from the other Party;
- h) The "sending State" is the Party whose competent authorities grant the other Party's request for assistance;
- i) A "country of transit" is a country whose territory is crossed by rescue teams, individual experts and equipment for the needs of the Parties.

Article 4

Competent Authorities

(1) The competent authorities for the implementation of this Agreement shall be:

- in the Republic of Albania: the Ministry of Defence – National Agency for Civil Protection;
- in the Republic of Slovenia: the Ministry of Defence – Administration of the Republic of Slovenia for Civil Protection and Disaster Relief.

(2) The competent authorities shall meet as necessary for the efficient implementation of the Agreement.

(3) In implementing this Agreement, the competent authorities shall be authorised to establish direct contact and connections. In this regard, the competent authorities shall exchange

- (b) izobraževanje in usposabljanje osebja, ki sodeluje pri dejavnostih zaščite in reševanja;
- (c) razvoj in proizvodnja zaščitne in reševalne opreme;

(d) medsebojno obveščanje o tveganjih za nesreče in o njihovih posledicah;

(e) pomoč pri zaščiti in reševanju ob nesrečah ter zmanjševanju in odpravljanju njihovih posledic.

(2) Za izvajanje tega sporazuma in uresničevanje sodelovanja na področjih iz prejšnjega odstavka lahko pogodbenika skleneta izvedbene dogovore.

(3) Pogodbenika spodbujata sodelovanje med državnimi organi, vladnimi in nevladnimi institucijami ter organizacijami, ki so dejavne na področju varstva pred naravnimi in drugimi nesrečami.

3. člen

Pomen izrazov

Izrazi, uporabljeni v tem sporazumu, pomenijo:

- a) »naravne in druge nesreče« so nesreče, ki jih povzročijo naravne sile, industrijska dejavnost ali človekova dejavnost, razen vojne, ki ogrozijo življenje, premoženje in okolje ter bistveno poslabšajo življenjske razmere;
- b) »podatki in informacije o nevarnostih« so podatki o naravnih in drugih nesrečah, katerih namen je zgodnje obveščanje o pretečih nevarnostih ter izvajanje zaščitnih in drugih ukrepov pri zagotavljanju varnosti ljudi, premoženja in okolja;
- c) »reševanje in pomoč ob nesrečah« so dejavnosti vseh reševalnih sil in sredstva za neposredno in posredno zmanjševanje ter odpravljanje posledic nesreč;
- d) »reševalne ekipe in posamezni strokovnjaki« so ustrezno usposobljeni in opremljeni skupine in osebe, ki jih država pošiljateljica določi za zagotavljanje pomoči;
- e) »zaščitna in reševalna ter druga oprema« so sredstva za osebno in skupinsko zaščito, vključno z zdravili in medicinskimi pripomočki, reševalna oprema, prevozna sredstva (vozila, plovila in zrakoplovi) ter tehnična in druga sredstva, ki jih uporabljajo reševalne ekipe in posamezni strokovnjaki, ki zagotavljajo pomoč;
- f) »človekoljubna pomoč« so hrana, pitna voda, zdravila, medicinski pripomočki in drugo blago, namenjeno brezplačni razdelitvi prizadetemu ali ogroženemu prebivalstvu kot pomoč pri zmanjševanju posledic nesreč;
- g) »država prejemnica« je pogodbenik, katerega pristojni organi zaprosijo drugega pogodbenika za pomoč ob nesreči;
- h) »država pošiljateljica« je pogodbenik, katerega pristojni organi ugodijo prošnji drugega pogodbenika za pomoč;
- i) »transitna država« je država, po ozemlju katere poteka prehod reševalnih ekip, posameznih strokovnjakov in opreme za potrebe pogodbenikov.

4. člen

Pristojna organa

(1) Pristojna organa za izvajanje tega sporazuma sta:

- v Republiki Albaniji: Ministrstvo za obrambo – Državna agencija za civilno zaščito;
- v Republiki Sloveniji: Ministrstvo za obrambo – Uprava Republike Slovenije za zaščito in reševanje.

(2) Pristojna organa se za učinkovito izvajanje tega sporazuma sestajata po potrebi.

(3) Pri izvajanju tega sporazuma pristojna organa vzpostavita neposredne stike in povezave. V zvezi s tem pristojna organa izmenjata naslove ter podatke o telekomunikacijskih

addresses and data on telecommunication links (telephone, fax and email) and points of contact.

(4) The Parties shall inform each other in writing of any changes to the competent authorities and their addresses, telecommunication links and points of contact, no later than 30 days following the date of the change.

Article 5

Cooperation between Humanitarian Organisations

The Parties shall encourage cooperation between their humanitarian organisations in the field of protection against disasters.

Article 6

Exchange of Knowledge and Experience

(1) The Parties shall inform each other of scientific and technical findings and experience for the purpose of anticipating and eliminating the consequences of disasters, as well as achieving more efficient protection and rescue, and shall ensure the exchange and transfer of expertise and experience in protection against disasters.

(2) The Parties shall exchange information on applicable national law in the area of protection against disasters.

(3) The Parties shall also strive for the efficient use of the results and findings of scientific and technical cooperation on protection against disasters in economic and other forms of cooperation.

Article 7

Education and Training

The Parties shall promote mutual cooperation in the education and training of personnel who participate in protection and rescue activities, particularly in the following manner:

a) Through the establishment of direct links and cooperation between educational organisations and the exchange of lecturers, instructors and other experts;

b) Through the organisation of education and training of personnel;

c) Through the exchange of educational and teaching materials or equipment, and of experience gained during protection and rescue activities;

d) Through the organisation of joint exercises in protection and rescue.

Article 8

Development and Production of Protection and Rescue Equipment

The Parties shall encourage cooperation between government institutions and business entities in the technological development and production of protection and rescue equipment.

Article 9

Notification of Threats and Disasters

(1) The competent authorities of the Parties shall notify each other of threats and disasters that may threaten or affect either Party.

(2) The notification of a threat or disaster shall contain a description of the threat or disaster, information on the location, time, scale and consequences of the disaster, and the protective measures taken.

(3) In the event of a disaster, the competent authorities of the Parties shall also inform each other about the required and available assistance and the possibilities and manner of its provision.

(4) The notification of a threat or disaster may be communicated in writing or orally in the English language. An oral notification must be confirmed in writing.

(5) The competent authorities referred to in paragraph 1 of Article 4 of this Agreement shall be responsible for the notification of threats and disasters and for sending and receiving requests for assistance.

povezavah (telefon, telefaks in elektronska pošta) in točkah za stike.

(4) Pogodbenika se pisno obvestita o vseh spremembah pristojnih organov in njihovih naslovov, telekomunikacijskih povezav in točk za stike najpozneje v 30 dneh od dneva spremembe.

5. člen

Sodelovanje med človekoljubnimi organizacijami

Pogodbenika spodbujata sodelovanje med njunimi človekoljubnimi organizacijami na področju varstva pred nesrečami.

6. člen

Izmenjava znanja in izkušenj

(1) Pogodbenika se za predvidevanje in odpravljanje posledic nesreč ter učinkovitejšo zaščito in reševanje obveščata o znanstvenih in tehničnih ugotovitvah in izkušnjah ter zagotavljata izmenjavo in prenos strokovnega znanja in izkušenj s področja varstva pred nesrečami.

(2) Pogodbenika si izmenjujeta informacije o veljavnem notranjem pravu na področju varstva pred nesrečami.

(3) Pogodbenika si prizadevata tudi za učinkovito uporabo izsledkov in ugotovitev znanstvenega in tehničnega sodelovanja o varstvu pred nesrečami pri gospodarskem in drugem sodelovanju.

7. člen

Izobraževanje in usposabljanje

Pogodbenika spodbujata medsebojno sodelovanje pri izobraževanju in usposabljanju osebja, ki sodeluje pri dejavnostih zaščite in reševanja, in sicer zlasti z:

a) vzpostavljanjem neposrednih povezav in sodelovanja med izobraževalnimi organizacijami ter izmenjavo predavateljev, inštruktorjev in drugih strokovnjakov;

b) organiziranjem izobraževanja in usposabljanja osebja;

c) izmenjavo izobraževalnega in učnega gradiva in sredstev ter izkušenj, pridobljenih med dejavnostmi zaščite in reševanja;

d) organiziranjem skupnih vaj na področju zaščite in reševanja.

8. člen

Razvoj in proizvodnja zaščitne in reševalne opreme

Pogodbenika spodbujata sodelovanje med vladnimi institucijami in gospodarskimi subjekti na področju tehnološkega razvoja in proizvodnje zaščitne in reševalne opreme.

9. člen

Obveščanje o ogroženosti in nesrečah

(1) Pristojna organa pogodbenikov se obveščata o ogroženosti in nesrečah, ki bi lahko grozile kateremu od pogodbenikov ali ga prizadele.

(2) Obvestilo o ogroženosti ali nesreči vsebuje: opis ogroženosti ali nesreče, podatke o kraju, času, obsegu in posledicah nesreče ter sprejetih zaščitnih ukrepih.

(3) Pristojna organa pogodbenikov se ob nesreči obvestita tudi o potrebni in razpoložljivi pomoči ter o možnostih in oblikah zagotavljanja pomoči.

(4) Obvestilo o ogroženosti ali nesreči se lahko sporoči pisno ali ustno v angleškem jeziku. Ustno obvestilo je treba pisno potrditi.

(5) Za obveščanje o ogroženosti in nesrečah ter za vlaganje in sprejemanje prošelj za pomoč sta pristojna organa iz prvega odstavka 4. člena tega sporazuma.

Article 10**Providing Assistance**

(1) The competent authority of the Party affected by a disaster may request assistance from the competent authority of the other Party. Assistance may include rescue teams and individual experts, protection and rescue equipment, and humanitarian aid.

(2) The request for assistance referred to in paragraph 1 of this Article must contain information on the type and scope of the required assistance, information on the institutions and people with whom contact is to be established and which are responsible for accepting particular types of assistance, and a proposal for the manner of providing assistance.

(3) In addition to the information referred to in paragraph 2 of this Article, a request for humanitarian aid in the form of medication and medical devices must include a list of all the necessary documents required by the receiving State for medication and medical devices crossing its borders.

(4) Assistance shall be provided in accordance with the regulations of the Parties.

Article 11**Crossing the State Border and Stay in the Territory of the Other Party**

(1) In order to provide faster and more efficient assistance in protection and rescue and in the elimination of a disaster's consequences, the Parties shall grant rescue teams and individual experts providing assistance a simplified procedure for crossing the state border, taking into account the applicable entry conditions.

(2) Members of rescue teams and individual experts may – in accordance with the applicable regulations of both Parties – enter the territory of the Parties without a visa when performing the tasks referred to in point e, paragraph 1 of Article 2 of this Agreement. Members of rescue teams and individual experts must carry a document that enables them to be present in the receiving State's territory, and a list of all rescue team members and individual experts.

(3) The competent authorities shall agree on the time and location of crossing the state border, on the manner of arrival and departure, and on the duration of the stay of rescue teams and individual experts providing assistance in the territory of the other Party.

(4) Members of rescue teams and individual experts providing assistance must carry relevant official documents that prove their identity at all times.

(5) Members of rescue teams and individual experts providing assistance shall be entitled to wear their uniforms in the territory of the other Party.

(6) It shall be prohibited to bring weapons, ammunition or explosive ordnance into the territory of the other Party.

(7) The facilities created for this purpose shall be in accordance with the legislation of the receiving State.

Article 12**Transit Assurance**

(1) When a third country is providing disaster relief to a Party in accordance with the relevant agreements concluded between them, where the other Party is acting only as a country of transit, the provisions of Article 11 of this Agreement shall apply, as appropriate, to crossing the state border and to the stay of rescue teams and individual experts providing assistance in the territory of the other Party.

(2) The competent authorities of the Parties shall, within the shortest time possible, inform each other of transit requirements, specify implementation procedures, and, if necessary, provide the rescue teams and individual experts with an appropriate escort during transit, in accordance with their national legislation.

10. člen**Zagotavljanje pomoči**

(1) Pristojni organ pogodbenika, ki ga je prizadela nesreča, lahko zaprosi za pomoč pristojni organ drugega pogodbenika. Pomoč lahko vključuje reševalne ekipe in posamezne strokovnjake, zaščitno in reševalno opremo ter človekoljubno pomoč.

(2) Zaposilo za pomoč iz prvega odstavka tega člena mora vsebovati: podatke o vrsti in obsegu potrebne pomoči ter o organih in osebah, s katerimi se vzpostavi stik in ki so odgovorni za sprejem posamezne vrste pomoči, ter predlog o oblikah zagotavljanja pomoči.

(3) Zaposilo za človekoljubno pomoč v obliki zdravil in medicinskih pripomočkov mora poleg podatkov iz drugega odstavka tega člena vsebovati seznam vseh potrebnih dokumentov, ki jih za zdravila in medicinske pripomočke ob prehodu svoje meje zahteva država prejemnica.

(4) Pomoč se zagotavlja v skladu s predpisi pogodbenikov.

11. člen**Prestop državne meje in prisotnost na ozemlju drugega pogodbenika**

(1) Zaradi hitrejšega in učinkovitejšega zagotavljanja pomoči pri zaščiti in reševanju ter odpravljanju posledic nesreč pogodbenika reševalnim ekipam in posameznim strokovnjakom, ki zagotavljajo pomoč, ob upoštevanju veljavnih vstopnih pogojev zagotovita poenostavljeni postopek za prestop državne meje.

(2) Člani reševalnih ekip in posamezni strokovnjaki lahko na ozemlje pogodbenikov vstopijo brez vizumov, v skladu s predpisi pogodbenikov, kadar izvajajo naloge iz točke e prvega odstavka 2. člena tega sporazuma. Člani reševalnih ekip in posamezni strokovnjaki morajo imeti pri sebi dokument, ki jim omogoča prisotnost na ozemlju države prejemnice, ter seznam vseh članov reševalne ekipe in posameznih strokovnjakov.

(3) Pristojna organa se dogovorita o času in kraju prestopa državne meje, načinu prihoda in odhoda ter trajanju prisotnosti reševalnih ekip in posameznih strokovnjakov, ki zagotavljajo pomoč na ozemlju drugega pogodbenika.

(4) Člani reševalnih ekip in posamezni strokovnjaki, ki zagotavljajo pomoč, morajo imeti pri sebi ves čas ustrezne uradne dokumente, ki dokazujejo njihovo identiteto.

(5) Člani reševalnih ekip in posamezni strokovnjaki, ki zagotavljajo pomoč, imajo na ozemlju drugega pogodbenika pravico nositi svojo uniformo.

(6) Na ozemlje drugega pogodbenika ni dovoljeno vnašati orožja, streliva in eksplozivnih sredstev.

(7) Objekti, ki so vzpostavljeni za ta namen, so v skladu z zakonodajo države prejemnice.

12. člen**Zagotavljanje tranzita**

(1) Kadar pogodbeniku ob nesrečah zagotavlja pomoč tretja država, s katero ima ta pogodbenik sklenjene ustrezne sporazume, in je drug pogodbenik le tranzitna država, se za prestop državne meje in prisotnost reševalnih ekip in strokovnjakov, ki zagotavljajo pomoč na ozemlju drugega pogodbenika, smiselno uporabljajo določbe 11. člena tega sporazuma.

(2) Pristojna organa pogodbenikov se v skladu z notranjo zakonodajo v najkrajšem možnem času obvestita o tranzitnih zahtevah, opredelita izvedbene postopke in po potrebi reševalnim ekipam in posameznim strokovnjakom med tranzitom zagotovita ustrezno spremstvo.

Article 13**Security Clearance**

(1) No security clearance shall be required for rescue team members and individual experts staying and working in the facilities or districts of facilities requiring special supervision of the movement of personnel when they perform the tasks under this Agreement.

(2) Before arrival, the sending State must provide the receiving State with a list of names of all the rescue team members and individual experts.

Article 14**Temporary Import and Export of Protection, Rescue and Other Equipment**

(1) In the event of disasters, the Parties shall simplify the procedures concerning the temporary import, export and transportation of protection, rescue and other equipment across the state border. When crossing the state border, the rescue team leader and individual expert must submit only a list of protection, rescue and other equipment to the competent authority of the receiving State.

(2) Rescue teams and individual experts providing assistance may only take such protection, rescue and other equipment across the state border as is required for their own provision and operation.

(3) No international prohibitions or restrictions applicable to the import and export of commercial goods shall apply to the temporary import and export of protection, rescue and other equipment. Should the protection, rescue and other equipment go unused, it must be returned to the sending State. In the event of protection, rescue and other equipment remaining as aid in the receiving State, the competent authority of the receiving State must be notified of the type, quantity and location of said equipment. This authority shall relay this information to the relevant customs authorities. In this case, the regulations of the receiving State shall apply, in accordance with its internal legislation.

(4) The provisions of paragraph 3 of this Article shall also apply to the import of medicinal products containing narcotics and psychotropic substances into the receiving State, and to the return of unused quantities thereof to the sending State. The import and export of narcotics and psychotropic substances within international agreements shall not be considered to be the import and export of goods in foreign trade. Medicinal products containing narcotics and psychotropic substances may only be imported in the quantities required for urgent medical assistance and used under the supervision of medical professionals with proper medical training in accordance with the regulations of the sending State and based on the list of these medicinal products, or prescription for these medicines.

(5) The Parties shall simplify the procedures concerning the temporary import, export and transportation of protection, rescue and other equipment across the state border for conducting joint education and training in protection and rescue under Article 7 of this Agreement.

Article 15**Use of Aircraft and Vessels**

(1) Aircraft and vessels may be used for the emergency transportation of rescue teams or individual experts providing assistance, of protection, rescue and other equipment, and of other types of assistance in accordance with this Agreement.

(2) The competent authority of the receiving State must be informed immediately about the provision of disaster relief and the use of aircraft and vessels for protection and rescue, and given detailed information on the types and codes of the aircraft or vessels, their crews, cargo and other required parameters. The receiving State shall specify the time, the planned flight or navigation route, and the location of the arrival.

13. člen**Varnostno preverjanje oseb**

(1) Članov reševalnih ekip in posameznih strokovnjakov, ki so prisotni in delajo v objektih in okoliških objektov, kjer se zahteva poseben nadzor nad gibanjem oseb, se, kadar izvajajo naloge iz tega sporazuma, varnostno ne preverja.

(2) Država pošiljateljica mora državi prejemnici pred prihodom posredovati poimenski seznam vseh članov reševalnih ekip in posameznih strokovnjakov.

14. člen**Začasni uvoz in izvoz zaščitne in reševalne ter druge opreme**

(1) Ob nesrečah pogodbenika poenostavi postopke v zvezi z začasnim uvozom, izvozom in prevozom zaščitne in reševalne ter druge opreme čez državno mejo. Pri prestopu državne meje morata vodja reševalne ekipe in posamezni strokovnjak pristojnemu organu države prejemnice predložiti le seznam zaščitne in reševalne ter druge opreme.

(2) Reševalne ekipe in posamezni strokovnjaki, ki zagotavljajo pomoč, lahko čez državno mejo prenesejo le zaščitno in reševalno ter drugo opremo, potrebno za njihovo oskrbo in delovanje.

(3) Za začasni uvoz in izvoz zaščitne in reševalne ter druge opreme ob začasnem uvozu in izvozu ne veljajo mednarodne prepovedi in omejitve, ki veljajo za uvoz in izvoz blaga v blagovnem prometu. Če se zaščitna in reševalna ter druga oprema ne porabi, jo je treba vrniti državi pošiljateljici. Če zaščitna in reševalna ter druga oprema ostane v državi prejemnici kot pomoč, je treba vrsto, količino in lokacijo opreme sporočiti pristojnemu organu države prejemnice. Ta organ o tem obvesti pristojne carinske organe. V tem primeru veljajo predpisi države prejemnice v skladu z notranjo zakonodajo.

(4) Določbe tretjega odstavka tega člena se uporabljajo tudi za uvoz zdravil, ki vsebujejo narkotične in psihotropne snovi, v državo prejemnico in tudi za vračilo neporabljenih količin teh državi pošiljateljici. Uvoz in izvoz narkotičnih in psihotropnih snovi v okviru mednarodnih sporazumov se ne štejeta za uvoz in izvoz blaga v zunanji trgovini. Zdravila, ki vsebujejo narkotične in psihotropne snovi, se lahko uvozijo le v količini, potrebni za nujno medicinsko pomoč, in se uporabljajo le pod nadzorom ustrezno usposobljenega zdravstvenega osebja v skladu s predpisi države pošiljateljice in na podlagi seznama oziroma recepta za ta zdravila.

(5) Pogodbenika poenostavi postopke v zvezi z začasnim uvozom, izvozom in prevozom zaščitne in reševalne ter druge opreme čez državno mejo za izvajanje skupnih izobraževanj in usposabljanj na področju zaščite in reševanja iz 7. člena tega sporazuma.

15. člen**Uporaba zrakoplovov in plovil**

(1) Zrakoplovi in plovila se lahko uporabljajo za nujni prevoz reševalnih ekip ali posameznih strokovnjakov, ki zagotavljajo pomoč, zaščitne in reševalne ter druge opreme, in drugih vrst pomoči po tem sporazumu.

(2) O zagotavljanju pomoči ter uporabi zrakoplovov in plovil pri zaščiti in reševanju je treba nemudoma obvestiti pristojni organ države prejemnice in mu sporočiti natančne podatke o vrsti in oznakah zrakoplovov ali plovil, njihovih posadkah, tovoru ter druge potrebne podatke. Čas, načrtovani let ali plovno pot ter kraj pristanka določi država prejemnica.

(3) The provisions of Article 11 of this Agreement related to crossing the state border apply as appropriate to aircraft and vessel crews, and to rescue teams and individual experts providing assistance. The provisions of Article 12 of this Agreement shall apply to transport of aircraft and vessels, protection and rescue equipment, and disaster relief.

(4) The laws and regulations of one Party governing entry into and departure from its territory of aircraft engaged in humanitarian and search and rescue operations and the operation and navigation of such aircraft while within its territory, shall be applied to aircraft of the other Party. Each flight plan must contain the required information concerning the planned aircraft flight or part thereof and must be submitted to Air Traffic Service units. The Parties shall be bound by the standards and guidelines applicable in an individual state.

(5) The regulations of the Parties with regard to navigation on inland waterways and international regulations and standards shall apply to the use of vessels.

Article 16

Use of Military Aircraft and Military Vessels

The use of military aircraft and military vessels for the purposes of this Agreement shall only be permitted in agreement with the receiving State.

Article 17

Responsible Management Authorities

(1) The competent authorities of the receiving State shall, in all cases, be responsible for the management of rescue operations and the provision of assistance.

(2) The authorities referred to in paragraph 1 of this Article shall only entrust tasks to the heads of rescue teams and individual experts of the sending State, who shall in turn inform their subordinates of the details of the tasks' execution.

Article 18

Receiving State Support for Rescue Teams' and Individual Experts' Operations

The authorities of the receiving State shall provide comprehensive support to the rescue teams and individual experts of the sending State who are performing protection and rescue tasks and providing assistance.

Article 19

Costs of Assistance

(1) The sending State shall not be entitled to claim reimbursement of costs for the provided assistance from the receiving State. This shall also apply to any costs incurred through the use, damage or loss of protection, rescue and other equipment, including means of transport.

(2) The costs of assistance provided by legal or natural persons through the sending State shall be covered by the receiving State. The receiving State must request this assistance directly and agree to reimburse the costs of the assistance provided.

(3) The means of transport used for the provision of assistance shall be exempt from payment for the use of the transport infrastructure and possible charges or other contributions.

(4) If rescue teams and individual experts providing assistance run out of the supplies they brought with them, the receiving State shall cover the costs of their upkeep, accommodation and the required supplies until the completion of their task of assistance. If necessary, suitable logistical support and medical care shall be provided to them.

(5) Before arriving in the receiving State's territory, rescue teams and individual experts providing assistance must have appropriate health insurance to cover potential treatment costs.

(3) Za posadke zrakoplovov in plovil in za reševalne ekipe ter posamezne strokovnjake, ki zagotavljajo pomoč, se v zvezi s prestopom državne meje smiselno uporabljajo določbe 11. člena tega sporazuma. Določbe 12. člena tega sporazuma se uporabljajo za prevoz zrakoplovov in plovil, zaščitne in reševalne opreme ter sredstev pomoči.

(4) Zakoni in predpisi enega pogodbenika, ki urejajo vstop na njegovo ozemlje in odhod z njega za zrakoplove, ki sodelujejo v humanitarnih operacijah in operacijah reševanja in iskanja, ter upravljanje in navigacijo takšnih zrakoplovov na njegovem ozemlju, se uporabljajo za zrakoplove drugega pogodbenika. Vsak načrt leta mora vsebovati potrebne podatke, ki se nanašajo na načrtovani let ali na del leta zrakoplova ter jih je treba poslati službam zračnega prometa. Za pogodbenika so obvezni standardi in pravila letenja, ki veljajo v vsaki posamezni državi.

(5) Pri uporabi plovil veljajo predpisi pogodbenikov s področja plovbe po celinskih plovnih poteh ter mednarodni predpisi in standardi.

16. člen

Uporaba vojaških zrakoplovov in vojaških plovil

Uporaba vojaških zrakoplovov in vojaških plovil za namene tega sporazuma je dovoljena le v soglasju z državo prejemnico.

17. člen

Pristojni organi za vodenje

(1) Za vodenje operacij reševanja in zagotavljanje pomoči so v vseh primerih pristojni organi države prejemnice.

(2) Organi iz prvega odstavka tega člena zaupajo naloge izključno vodjem reševalnih ekip in posameznim strokovnjakom države pošiljateljice, ti pa svoje podrejene seznani s podrobnostmi izvajanja.

18. člen

Podpora države prejemnice pri delu reševalnih ekip in posameznih strokovnjakov

Organi države prejemnice zagotovijo celostno podporo reševalnim ekipam in posameznim strokovnjakom države pošiljateljice, ki opravljajo naloge zaščite, reševanja ter zagotavljanja pomoči.

19. člen

Stroški zagotavljanja pomoči

(1) Država pošiljateljica od države prejemnice nima pravice zahtevati povračila stroškov za dano pomoč. To velja tudi za stroške, ki bi nastali zaradi uporabe, poškodbe ali izgube zaščitne in reševalne ter druge opreme, vključno s prevoznimi sredstvi.

(2) Stroške pomoči, ki jo zagotavlja pravna ali fizična oseba prek države pošiljateljice, krije država prejemnica. To pomoč mora država prejemnica neposredno zahtevati in se strinjati z nadomestitvijo stroškov za dano pomoč.

(3) Prevozna sredstva, ki se uporabljajo pri zagotavljanju pomoči, so oproščena plačila za uporabo prometne infrastrukture in morebitnih dajatev ali drugih prispevkov.

(4) Če reševalne ekipe in posamezni strokovnjaki, ki zagotavljajo pomoč, porabijo zaloge, ki so jih pripeljali s seboj za svojo oskrbo, jim stroške za oskrbo, nastanitev in potrebne zaloge do zaključka izvajanja pomoči krije država prejemnica. Po potrebi se jim zagotovita ustrezna logistična podpora in zdravstvena oskrba.

(5) Reševalne ekipe in posamezni strokovnjaki, ki zagotavljajo pomoč, morajo biti še pred prihodom na ozemlje države prejemnice ustrezno zdravstveno zavarovani za kritje morebitnih stroškov zdravljenja.

Article 20**Reimbursements and Damages**

(1) The Parties shall renounce all claims for reimbursement for damage to protection, rescue and other equipment, provided that the said damage was caused by the rescue team or individual expert assisting in performing the rescue and disaster relief tasks under this Agreement, and that the damage was not intentional.

(2) The Parties shall renounce every entitlement to reimbursement in the case of personal injuries and permanent consequences for health, and in the case of the death of a participant in a rescue operation, if this occurs during the performance of rescue tasks under this Agreement, except in cases where the damage is inflicted intentionally.

(3) In the case of damage inflicted on third persons when performing tasks covered by this Agreement, the receiving State shall assume responsibility as if the damage was caused by its own rescue teams and individual experts providing assistance, except in cases where the damage is inflicted intentionally by the sending State's rescue teams or individual experts providing assistance.

(4) The damage liabilities specified in paragraphs 1, 2 and 3 of this Article shall arise upon arrival in the territory or airspace of the receiving State, and continue until departure from its territory or airspace.

(5) The Parties shall also implement the provisions of this Article in the event that they are countries of transit.

Article 21**Protection of Information and Data**

The information and data obtained while performing tasks under this Agreement, with the exception of information and data that is not permitted to be exchanged, published or freely disseminated in accordance with the Parties' legislation, may be exchanged, published or transmitted to other legal and natural persons in accordance with the regulations of both Parties, unless otherwise agreed upon by the competent authorities for the implementation of this Agreement.

Article 22**Use of Information and Communication Means**

(1) The competent authorities of the Parties shall provide information and communication links, in particular telephone, radio and other links with rescue teams and individual experts providing assistance in accordance with this Agreement, while respecting internationally agreed upon rules of communication. The Parties' competent authorities shall also provide internet access.

(2) The Parties shall exchange lists of radio frequencies authorised for use in their territories for the purposes of mutual communication, based on the prior obtainment of radio licences.

Article 23**Impact of this Agreement on Other Agreements**

This Agreement does not prejudice the rights and obligations of the Parties arising from other international agreements.

Article 24**Settlement of Disputes**

The Parties shall resolve disputes concerning the interpretation or implementation of this Agreement exclusively by mutual consultation and negotiation.

Article 25**Amendments**

(1) This Agreement may be amended by the written agreement of both Parties. Any amendments to the Agreement shall enter into force in accordance with of Article 26, paragraph 2.

20. člen**Nadomestila in odškodnine**

(1) Pogodbenika se odpovedujeta vsem zahtevkom za nadomestilo škode na zaščitni in reševalni ter drugi opremi, če je škodo povzročila reševalna ekipa ali posamezni strokovnjak, ki pomaga pri nalogah reševanja in pomoči ob nesrečah po tem sporazumu, in škoda ni bila povzročena namerno.

(2) Pogodbenika se odpovedujeta vsem pravicam do nadomestila v primeru telesnih poškodb, trajnih posledic za zdravje ali smrti udeleženca v reševalni operaciji, če se to zgodi med opravljanjem nalog reševanja po tem sporazumu, razen če to ni bilo povzročeno namerno.

(3) Če je bila pri opravljanju nalog iz tega sporazuma povzročena škoda tretji osebi, prevzame odgovornost država prejemnica, kot če bi to škodo povzročile njene reševalne ekipe in posamezni strokovnjaki, ki zagotavljajo pomoč, razen če so reševalne ekipe ali posamezni strokovnjaki države pošiljateljice, ki zagotavljajo pomoč, škodo povzročili namerno.

(4) Odškodninska odgovornost, določena v prvem, drugem in tretjem odstavku tega člena, nastane ob prihodu na ozemlje ali vstopu v zračni prostor države prejemnice in traja do zapustitve njenega ozemlja ali zračnega prostora.

(5) Pogodbenika izvajata določbe tega člena tudi, kadar sta tranzitni državi.

21. člen**Varovanje informacij in podatkov**

Informacije in podatki, pridobljeni pri izvajanju nalog iz tega sporazuma, razen informacij in podatkov, ki se skladno z zakonodajo pogodbenikov ne smejo izmenjevati, objavljati ali prosto širiti, se lahko izmenjujejo in v javnosti objavljajo oziroma posredujejo drugim pravnim in fizičnim osebam skladno s predpisi obeh pogodbenikov, razen če se pristojna organa za izvajanje tega sporazuma ne dogovorita drugače.

22. člen**Uporaba informacijsko-komunikacijskih sredstev**

(1) Pristojna organa pogodbenikov zagotovita informacijsko-komunikacijske povezave, zlasti telefonske, radijske in druge zveze, z reševalnimi ekipami in posameznimi strokovnjaki, ki zagotavljajo pomoč po tem sporazumu, ob upoštevanju mednarodno dogovorjenih pravil komuniciranja. Pristojna organa pogodbenikov zagotavljata tudi dostop do interneta.

(2) Pogodbenika si izmenjata sezname radijskih frekvenc, ki jih je za potrebe medsebojnega komuniciranja dovoljeno uporabljati na njunih ozemljih, ob predhodni pridobitvi radijskih dovoljenj.

23. člen**Vpliv tega sporazuma na druge sporazume**

Ta sporazum ne posega v pravice in obveznosti pogodbenikov, ki izhajajo iz drugih mednarodnih sporazumov.

24. člen**Reševanje sporov**

Spore v zvezi z razlago ali izvajanjem tega sporazuma pogodbenika rešujeta izključno s posvetovanji in pogajanji.

25. člen**Spremembe**

(1) Ta sporazum se lahko spremeni na podlagi pisnega soglasja pogodbenikov. Spremembe sporazuma začnejo veljati v skladu z drugim odstavkom 26. člena.

(2) Written notices from the Parties concerning changes to the data on the competent authorities and their addresses, telecommunication links and points of contact shall not be regarded as amendments to this Agreement.

Article 26

Entry into Force and Termination

(1) This Agreement is concluded for an indefinite period of time.

(2) This Agreement shall enter into force on the date of the receipt of the last of the written notifications by which the Parties inform each other that the internal legal requirements, necessary for its entry into force, have been fulfilled.

(3) Each Party may terminate this Agreement at any time in writing through diplomatic channels by giving a three months written notice of termination to the other Party.

(4) The termination of this Agreement shall not prejudice the obligations concerning its implementation which are still applicable at the date of its termination.

Done at Brussels on 13 June 2024 in two originals in the English language.

**For the Government of
the Republic of Slovenia
Marjan Šarec (s)**

**For the Council
of Ministers of the
Republic of Albania
Niko Peleshi (s)**

(2) Pisna obvestila pogodbenikov o spremembah podatkov pristojnih organov in njihovih naslovov, telekomunikacijskih povezav in točk za stike se ne štejejo za spremembo tega sporazuma.

26. člen

Začetek in prenehanje veljavnosti

(1) Ta sporazum je sklenjen za nedoločen čas.

(2) Ta sporazum začne veljati z dnem prejema zadnjega od pisnih uradnih obvestil, s katerima se pogodbenika obvestita, da so izpolnjeni notranjepravni pogoji, potrebni za začetek njegove veljavnosti.

(3) Vsak pogodbenik lahko ta sporazum odpove s trimesečnim pisnim uradnim obvestilom o odpovedi po diplomatski poti.

(4) Prenehanje veljavnosti tega sporazuma ne vpliva na izpolnitev obveznosti glede njegovega izvajanja, ki na dan prenehanja veljavnosti še veljajo.

Sestavljeno v Bruslju 13. junija 2024 v dveh izvirnikih v angleškem jeziku.

**Za Vlado
Republike Slovenije
Marjan Šarec, l.r.**

**Za Svet ministrov
Republike Albanije
Niko Peleshi, l.r.**

3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za varstvo pred naravnimi in drugimi nesrečami.

4. člen

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

Št. 212-07/23-9/12

Ljubljana, dne 28. januarja 2026

EPA 895-IX

Državni zbor
Republike Slovenije
mag. Urška Klakočar Zupančič
predsednica

7. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ukrajine o tehničnem in finančnem sodelovanju (BUATFS)

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

U K A Z**o razglasitvi Zakona o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ukrajine o tehničnem in finančnem sodelovanju (BUATFS)**

Razlašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ukrajine o tehničnem in finančnem sodelovanju (BUATFS), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 28. januarja 2026.

Št. 003-02-1/2026-16

Ljubljana, dne 5. februarja 2026

Nataša Pirc Musar
predsednica
Republike Slovenije

Z A K O N**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO UKRAJINE O TEHNIČNEM IN FINANČNEM SODELOVANJU (BUATFS)****1. člen**

Ratificira se Sporazum med Vlado Republike Slovenije in Vlado Ukrajine o tehničnem in finančnem sodelovanju, podpisan v Kijevu 30. oktobra 2025.

2. člen

Besedilo sporazuma¹ se v izvirniku v slovenskem in angleškem jeziku glasi:

**SPORAZUM
MED
VLADO REPUBLIKE SLOVENIJE
IN
VLADO UKRAJINE
O TEHNIČNEM IN FINANČNEM SODELOVANJU**

Vlada Republike Slovenije in Vlada Ukrajine (v nadaljnjem besedilu: pogodbenici) sta se

OB PRIZNAVANJU evropske perspektive Ukrajine in razumevanju, da mora Ukrajina kot država kandidatka za članstvo v Evropski uniji izvesti potrebne reforme za prilagoditev pravnemu redu Evropske unije, da bi postala država članica Evropske unije,

OB SKLICEVANJU na smernice Odbora za razvojno pomoč OECD in sodelovanje med Evropsko unijo in Vlado Ukrajine ter ob potrditvi prizadevanj mednarodne skupnosti v Ukrajini,

V ŽELJI, da Republika Slovenija prispeva h gospodarskemu in družbenemu razvoju Ukrajine na podlagi ciljev trajnostnega razvoja iz Agende za trajnostni razvoj do leta 2030 in k doseganju njenih razvojnih ciljev s podporo mednarodnih organizacij, finančnih institucij in drugih donatorjev;

OB UPOŠTEVANJU pomembnosti pristopa, ki temelji na človekovih pravicah, s čimer bi prispevali k spodbujanju demokracije in človekovih pravic, miru, varnosti, blaginje in stabilnosti,

Z NAMENOM vzpostaviti pravno podlago za partnersko in pregledno razvojno sodelovanje med Vlado Republike Slovenije in Vlado Ukrajine, ki bo prispevalo k trajnostnemu gospodarskemu in družbenemu razvoju ter blaginji Ukrajine,

V PRIZADEVANJU, da bi okrepili dvostranske odnose ter spodbujali tehnično in finančno sodelovanje med državama, dogovorili:

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA
AND
THE GOVERNMENT OF UKRAINE
ON TECHNICAL AND FINANCIAL COOPERATION**

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

RECOGNISING Ukraine's European perspective and understanding the need for Ukraine as a European Union candidate country to implement the necessary reforms to align with the European Union acquis in order to become a Member State of the European Union;

RECALLING the guidelines of the OECD Development Assistance Committee (DAC) and the cooperation between the European Union and the Government of Ukraine, and reaffirming the efforts of the international community in Ukraine;

DESIRING that the Republic of Slovenia contributes to the economic and social development of Ukraine on the basis of the sustainable development goals of the 2030 Agenda for Sustainable Development and to the achievement of its development goals with the support of international organisations, financial institutions and other donors;

CONSIDERING the importance of a human rights-based approach to contribute to the promotion of democracy and human rights, peace, security, prosperity and stability;

AIMING to establish a legal basis between the Government of the Republic of Slovenia and the Government of Ukraine, based on partnership and transparency in development cooperation, with a view to contributing to the sustainable economic and social development and welfare of Ukraine;

COMMITTED to enhancing bilateral relations and fostering technical and financial cooperation between the two countries, HAVE AGREED as follows:

¹ Besedilo sporazuma v ukrajinskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje in evropske zadeve.

1. člen

Pomen izrazov

V tem sporazumu:

a) **projekt** pomeni sklop vložkov, dejavnosti in rezultatov, o katerih se dogovorijo udeleženci, da bi uresničili konkretne cilje v določenem časovnem okviru, z določenim proračunom, izvedbenimi postopki in na določenem območju,

b) **tehnična pomoč** med drugim vključuje prenos znanja, mentorstvo, svetovanje, dobavo opreme in materiala ter pomoč pri uvajanju novih tehnologij, ki so potrebne za uspešno izvedbo programov in projektov,

c) **finančna pomoč** med drugim vključuje prispevke za financiranje dobave blaga, opreme in materiala ter dela in storitev, potrebnih za uspešno izvedbo programov in/ali projektov,

d) **program razvojnega sodelovanja** je večletni dokument, ki povzema izbrana prednostna področja financiranja, konkretne cilje, pričakovane rezultate in časovni okvir pomoči ter okvirna dodeljena finančna sredstva v celoti in po posameznih prednostnih področjih,

e) **nacionalni koordinator** je kontaktna točka vsake pogodbenice za dejavnosti na področju razvojnega sodelovanja po tem sporazumu. Nacionalni koordinator Vlade Republike Slovenije je Ministrstvo za zunanje in evropske zadeve Republike Slovenije, nacionalni koordinator Vlade Ukrajine je Sekretariat Kabineta ministrov Ukrajine.

2. člen

Področja razvojnega sodelovanja

Ciljna področja razvojnega sodelovanja so:

a) posodobitev infrastrukture in pomoč na področju urbanizma, obnove, energetske učinkovitosti, izboljšanja in varstva okolja ter izboljšanja zmogljivosti za odzivanje na naravne in druge nesreče,

b) upravljanje javnih financ, organizacije in ustanove za boj proti korupciji ter politike in upravljanje v javnem sektorju,

c) preprečevanje in reševanje sporov, mir in varnost, zlasti civilno delovanje za izgradnjo miru in protiminsko delovanje,

d) znanost, raziskave, tehnologija in inovacije,

e) kmetijstvo, zeleni prehod in varstvo okolja, zlasti biotske raznovrstnosti,

f) voda in komunalna ureditev, zlasti kanalizacijski sistemi in sistemi za čiščenje odpadnih voda,

g) energetika,

h) telekomunikacije,

i) decentralizacija in posodobitev javne uprave in lokalne samouprave,

j) podpiranje izgradnje demokratičnih institucij,

k) podpiranje vladavine prava,

l) podpiranje izboljšav socialnih politik,

m) zdravstveno varstvo, vključno s programi zdravstvene rehabilitacije,

n) spodbujanje gospodarske obnove, razvoja in naložb,

o) podpiranje izobraževanja in poklicnega usposabljanja,

p) štipendiranje,

q) podpiranje Ukrajine pri prilagajanju zakonodaje pravniemu redu EU,

r) usposabljanje in izobraževanje za javno upravo,

s) krepitev vloge civilne družbe.

3. člen

Načrtovanje in finančna sredstva

1. V okviru razvojnega sodelovanja Vlada Republike Slovenije Vladi Ukrajine zagotavlja tehnično in finančno pomoč,

Article 1

Definitions

For the purposes of this Agreement, the following definitions shall apply:

a) **Project** means a set of inputs, activities and outputs agreed upon between the participants to reach specific objectives within a defined timeframe, budget, implementation modalities and locations.

b) **Technical assistance** includes, inter alia, transfer of know-how, coaching, consultation, supply of equipment and materials, and support for the introduction of new technologies necessary for the successful implementation of programmes and/or projects.

c) **Financial assistance** includes, inter alia, grants to finance the supply of goods, equipment and materials, works and services necessary for the successful implementation of the programmes and/or projects.

d) **Development Cooperation Programme** means a multiannual document, summarising the priority areas selected for financing, the specific objectives, the expected results and the timeframe of the support, as well as the indicative financial allocation, overall and for each priority area.

e) **National Coordinator** means the contact point of each Party for development cooperation activities covered by this Agreement. The National Coordinator of the Government of the Republic of Slovenia is the Ministry of Foreign and European Affairs of the Republic of Slovenia, the National Coordinator of the Government of Ukraine is Secretariat of the Cabinet of Ministers of Ukraine.

Article 2

Areas of Development Cooperation

1. The target areas of development cooperation are as follows:

a) Modernisation of infrastructure and assistance in the field of urban development, rehabilitation, energy efficiency, improvement and protection of the environment, and improved capacity to respond to natural and other disasters;

b) Public finance management, anti-corruption organisations and institutions, and public sector policy and governance;

c) Conflict prevention and resolution, peace and security, especially civilian peace-building and mine action;

d) Science, research, technology and innovation;

e) Agriculture, green transition, environmental protection, especially biodiversity;

f) Water and sanitation, especially wastewater system and wastewater management systems;

g) Energy;

h) Telecommunications;

i) Decentralisation, modernisation of public administration and local self government;

j) Support for the building of democratic institutions;

k) Support for the rule of law;

l) Support for the improvement of social policies;

m) Health care, including medical rehabilitation

ki se določi na podlagi vrednosti načrtovanih programov in projektov.

2. Programi in projekti razvojnega sodelovanja na podlagi sporazuma so usklajeni z načeli lastništva, lokalizacije in potrebami Ukrajine. Vsa komunikacija s slovensko stranjo v zvezi s tem sporazumom se naslovi na Veleposlaništvo Republike Slovenije v Ukrajini. Vsa komunikacija z ukrajinsko stranjo v zvezi s tem sporazumom se naslovi na Veleposlaništvo Ukrajine v Republiki Sloveniji.

3. Za izvajanje dogovorjenih projektov in programov lahko pogodbenici skleneta ločene memorandume o soglasju.

4. Pogodbenici se medsebojno v celoti obveščata o projektih ali programih, ki se izvajajo v okviru sporazuma. Na zahtevo pogodbenici prek nacionalnih koordinatorjev izmenjata mnenja o napredku projektov ali programov, ki se financirajo v okviru sporazuma, med njihovo pripravo in v prvem letu izvajanja.

6. člen**Pravice strokovnjakov**

1. Ukrajinska pogodbenica na podlagi povabila državnega organa, podjetja ali organizacije, ki je prejemnik pomoči, nemudoma zagotovi brezplačno izdajo dolgoročnih vizumov za slovenske strokovnjake, ki so dodeljeni programu in/ali projektu tehnične in/ali finančne pomoči v okviru tega sporazuma, ter za njihove družinske člane.

2. Ukrajinska pogodbenica slovenskim strokovnjakom in njihovim družinskim članom brezplačno zagotovi vse potrebne dokumente, kot so dovoljenja za začasno prebivanje, ter brez nerazumnega odlašanja in v skladu z ukrajinsko zakonodajo uredi vse formalnosti.

3. Ukrajinska pogodbenica zagotovi, da imajo slovenski strokovnjaki za osebne potrebe pravico odpreti in uporabljati bančni račun v Ukrajini, stanja pa morajo biti prosto prenosljiva v evre (EUR) ali katero koli drugo konvertibilno valuto v skladu z zahtevami devizne

Sestavljeno v Kijevu dne 30. oktobra 2025 v dveh izvirnikih v slovenskem, ukrajinskem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. Ob razlikah v razlagi prevlada angleško besedilo.

Done at Kyiv on 30 October 2025 in two originals, each in the Slovenian, Ukrainian and English languages, all texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

**Za Vlado
Republike Slovenije
Tanja Fajon, l.r.**

**Za Vlado
Ukrajine
Andrij Sibiha, l.r.**

**For the
Government of the
Republic of Slovenia
Tanja Fajon (s)**

**For the
Government of Ukraine
Andrij Sibiha (s)**

3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za mednarodno razvojno sodelovanje.

4. člen

8. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Uzbekistan o sodelovanju v izobraževanju, znanosti in kulturi (BUZIZK)

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

U K A Z

o razglasitvi Zakona o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Uzbekistan o sodelovanju v izobraževanju, znanosti in kulturi (BUZIZK)

Razglasjam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Uzbekistan o sodelovanju v izobraževanju, znanosti in kulturi (BUZIZK), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 28. januarja 2026.

Št. 003-02-1/2026-15

Ljubljana, dne 5. februarja 2026

- s krepitvijo akademskega sodelovanja med visokošolskimi ustanovami v obeh državah;
- z izmenjavo informacij o izobraževalnih sistemih;
- z uvedbo podpornih sistemov za sodelujoče v programih mobilnosti, tudi glede usmeritve, jezikovnega usposabljanja in možnosti za mentorstvo, za zagotavljanje čim boljše izkušnje bivanja v tujini;
- s spodbujanjem stikov in izmenjav na področju uprizoritvenih umetnosti (glasba, gledališče, ples), književnosti, uporabnih in upodabljalnih umetnosti, fotografije, arhitekture, javnih zbirk (muzeji, knjižnice, arhivi) in drugih umetnostnih zvrsti ter med skupinami ustvarjalcev;
- s spodbujanjem neposrednega sodelovanja med knjižnicami in arhivi;
- s prirejanjem izobraževalnih, znanstvenih in kulturnih dogodkov v izobraževalnih in kulturnih ustanovah obeh držav, tudi seminarjev in predavanj, knjižnih razstav in sejmov ter drugih dogodkov, s katerimi je mogoče predstaviti dosežke obeh držav;
- s podporo vsem oblikam sodelovanja v izobraževanju

organizacijskih pogojev za izvajanje dejavnosti po sporazumu in njegovih izvedbenih programih.

8. člen

Sporazum ne vpliva na pravice in obveznosti pogodbenic iz drugih mednarodnih pogodb, katerih pogodbenici sta njuni državi.

9. člen

Spore glede razlage ali izvajanja sporazuma pogodbenici rešujeta s pogajanjem in z medsebojnim posvetovanjem po diplomatski poti.

10. člen

Sporazum se lahko kadarkoli spremeni s pisnim soglasjem pogodbenic. Spremembe začnejo veljati v skladu s prvim odstavkom 11. člena.

11. člen

1. Sporazum začne veljati trideseti (30) dan po prejemu zadnjega od pisnih uradnih obvestil pogodbenic po diplomats

Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb

9. Obvestilo o začetku veljavnosti Sporazuma v okviru Konvencije Združenih narodov o pomorskem mednarodnem pravu glede ohranjanja in trajnostne rabe morske biotske raznovrstnosti na območjih zunaj nacionalne jurisdikcije za Republiko Slovenijo

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, 30/18 – ZKZaš, 83/25 – ZOUL in 112/25) Ministrstvo za zunanje in evropske zadeve

s p o r o č a,

da je 17. januarja 2026 začel za Republiko Slovenijo veljati Sporazum v okviru Konvencije Združenih narodov o pomorskem mednarodnem pravu glede ohranjanja in trajnostne rabe morske biotske raznovrstnosti na območjih zunaj nacionalne jurisdikcije, sprejet v New Yorku 19. septembra 2023 in objavljen v Uradnem listu Evropske unije UL L št. 2024/1831 z dne 19. 7. 2024.

Ljubljana, dne 2. februarja 2026

Ministrstvo za zunanje in evropske zadeve

10. Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Vlado Federativne republike Brazilije o izmenjavi in medsebojnem varovanju tajnih podatkov za Republiko Slovenijo

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, 30/18 – ZKZaš, 83/25 – ZOUL in 112/25) Ministrstvo za zunanje in evropske zadeve

s p o r o č a,

da je 1. februarja 2026 začel za Republiko Slovenijo veljati Sporazum med Vlado Republike Slovenije in Vlado Federativne republike Brazilije o izmenjavi in medsebojnem varovanju tajnih podatkov, sklenjen 11. aprila 2023 v Riu de Janeiru in objavljen v Uradnem listu RS – Mednarodne pogodbe, št. 8/24.

Ljubljana, dne 2. februarja 2026

Ministrstvo za zunanje in evropske zadeve

VSEBINA

1.	Zakon o ratifikaciji Svetovne konvencije o priznavanju visokošolskih kvalifikacij (MSKPVK)	1
2.	Zakon o ratifikaciji Mednarodne konvencije za nadzor in ravnanje z ladijsko balastno vodo in usedlinami, 2004 (MKNRLBVU)	14
3.	Zakon o ratifikaciji Konvencije o odpravi nasilja in nadlegovanja v svetu dela, 2019 (Konvencija MOD št. 190), kot je bila spremenjena s Konvencijo o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191) (MKONNSD)	67
4.	Zakon o ratifikaciji Konvencije o spremembah standardov zaradi priznanja varnega in zdravega delovnega okolja za temeljno načelo, 2023 (Konvencija MOD št. 191) (MKSVDZO)	74
5.	Zakon o ratifikaciji Sporazuma o ustanovitvi večstranskega investicijskega sklada IV in Sporazuma o upravljanju večstranskega investicijskega sklada IV (MSUVIS)	77
6.	Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Svetom ministrov Republike Albanije o sodelovanju pri varstvu pred naravnimi in drugimi nesrečami (BALVNDN)	95
7.	Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Ukrajine o tehničnem in finančnem sodelovanju (BUATFS)	103
8.	Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Republike Uzbekistan o sodelovanju v izobraževanju, znanosti in kulturi (BUZIZK)	108
	<i>Obvestila o začetku oziroma prenehanju veljavnosti mednarodnih pogodb</i>	
9.	Obvestilo o začetku veljavnosti Sporazuma v okviru Konvencije Združenih narodov o pomorskem mednarodnem pravu glede ohranjanja in trajnostne rabe morske biotske raznovrstnosti na območjih zunaj nacionalne jurisdikcije za Republiko Slovenijo	111
10.	Obvestilo o začetku veljavnosti Sporazuma med Vlado Republike Slovenije in Vlado Federativne republike Brazilije o izmenjavi in medsebojnem varovanju tajnih podatkov za Republiko Slovenijo	111

