Na podlagi šestega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09, 80/10 – ZUTD, 31/15 in 30/18 – ZKZaš) Vlada Republike Slovenije izdaja

**UREDBO O RATIFIKACIJI**

**SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE**

**IN ZN (KOT JO ZASTOPA UNEP) V ZVEZI Z ORGANIZACIJO 23. REDNEGA ZASEDANJA POGODBENIC KONVENCIJE O VARSTVU MORSKEGA OKOLJA IN OBALNIH OBMOČIJ SREDOZEMLJA (BARCELONSKE KONVENCIJE) IN NJENIH PROTOKOLOV, PORTOROŽ, REPUBLIKA SLOVENIJA, 4.–8. DECEMBER 2023**

1. člen

Ratificira se Sporazum med Vlado Republike Slovenije in ZN (kot jo zastopa UNEP) v zvezi z organizacijo 23. rednega zasedanja pogodbenic Konvencije o varstvu morskega okolja in obalnih območij Sredozemlja (Barcelonske konvencije) in njenih protokolov, Portorož, Republika Slovenija, 4.–8. december 2023, podpisan v Nairobiju in Ljubljani 6. oktobra 2023.

2. člen

Besedilo sporazuma se v angleškem jeziku in slovenskem prevodu glasi[[1]](#footnote-1):

**AGREEMENT BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA AND**

**THE UNITED NATIONS**

**AS REPRESENTED BY THE UNITED NATIONS ENVIRONMENT PROGRAMME**

**REGARDING THE ORGANISATION OF THE 23RD ORDINARY MEETING OF THE CONTRACTING PARTIES**

**TO THE**

**CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT AND THE COASTAL REGION**

**OF THE**

**MEDITERRANEAN (THE “BARCELONA CONVENTION”) AND ITS PROTOCOLS**

**PORTOROZ, REPUBLIC OF SLOVENIA, ON 4-8 DECEMBER 2023**

WHEREAS the United Nations Environment Programme (hereinafter referred to as *“***UNEP***”)*, which carries out Secretariat functions for the Barcelona Convention, has accepted the invitation of the Government of the Republic of Slovenia (hereinafter referred to as “**the Government**”) to hold the 23rd Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (hereinafter referred to as “**the** **Meeting**”);

WHEREAS the Contracting Parties to the Barcelona Convention and its Protocols, in the 22nd  Meeting of the Contracting Parties, held in Antalya, Republic of Türkiye, on 7-10 December 2021, accepted with gratitude the offer by the Government of Slovenia to host the 23rd Ordinary Meeting of the Contracting Parties;

NOW THEREFORE, the Government and UNEP (collectively referred to as “**the Parties”**) have agreed as follows:

**Article I**

***Date and place of the Meeting***

1. The Meeting is scheduled to take place in **PORTOROZ, REPUBLIC OF SLOVENIA, ON 4-8 DECEMBER 2023** (opening on 4 December 2023), up to five days, with the exact final dates to be over a period confirmed by the Parties in advance of the event.

2. In the event that circumstances and concerns arise as a result of the Covid-19 pandemic whereby:

(a) UNEP and the Government mutually agree that the Meeting is unable to proceed as scheduled; or

(b) either UNEP or the Government, upon 30 days minimum advance notice in writing to the other, requests a postponement or cancellation of the Meeting;

UNEP and the Government shall consult and mutually agree on the settlement of any matters arising as a result of such postponement or cancellation of the Meeting and, in the case of a postponement, the Agreement shall remain in force and be modified to stipulate the new dates of the Meeting, once mutually agreed, by exchange of letters between UNEP and the Government.

In the event of a postponement or cancellation of the Meeting pursuant to the preceding paragraph, UNEP shall not be liable to pay or compensate the Government for any goods, services or facilities procured, or costs incurred whatsoever, in relation to or resulting from the Meeting or pursuant to this Agreement.

**Article** **II**

***Attendance at the Meeting***

3. The participants of the Meeting (hereinafter referred to as “**the** **Participants**”) shall be invited by the Executive Director of UNEP, and shall include:

1. Representatives of Member States of the United Nations;
2. Representatives of the United Nations, its intergovernmental organs, and its specialized and related agencies;
3. Selected experts invited by the United Nations and the Government, and Members of selected non-governmental and other intergovernmental organizations;
4. UNEP members (officials and experts on mission); and
5. Other persons, institutions and/or organizations invited by UNEP and the Government, including but not limited to those who have standing invitation from UNEP to participate in conferences as observers.

4. In addition, the Executive Director of UNEP, shall designate officials to service the Meeting (hereinafter referred to as “**UNEP designated officials**”).

5. The public sessions of the Meeting shall be open to representatives of information media accredited by the United Nations at its discretion after consultation with the Government.

**Article III**

***Premises, equipment, utilities and supplies***

6. The Government shall provide, at its own expense, the necessary premises, including conference rooms, office space, and related facilities as specified in Annex A to this Agreement (hereinafter referred to as “**the Premises**”). The Government shall, at its own expense, furnish, equip and maintain in good repair the Premises for the effective conduct of the Meeting. The conference rooms shall be equipped with WIFI, and for reciprocal simultaneous interpretation between five languages (English, French, Spanish, Arabic, and Slovenian if required by the Host Government). The conference rooms shall have facilities for sound recording in that number of languages as well as facilities for press, television, radio and film operations, to the extent required by the United Nations. The Premises shall remain at the disposal of UNEP 24 hours a day, from a minimum of one day prior to the Meeting until a minimum of one day after its close.

7. The Government shall provide on the Premises, an IT access point equipped as provided in Annex A for the use of Participants. Also, the Government shall provide on the Premises appropriate eating facilities on a commercial basis.

8. For the purpose of the Convention on the Privileges and Immunities of the United Nations, the Premises shall be deemed to constitute premises of the United Nations in the sense of Article II, Section 3, of the Convention, and access thereto shall be subject to UNEP’s authority and control. The Premises, including any information and communications facilities located thereon, shall be inviolable for the whole period during which the Premises are at the UNEP’s disposal. Persons empowered by Slovenian law to maintain public security and order may enter the Premises only at the request or upon explicit authorization of the UNEP whose staff shall, in such cases, provide them with the assistance required. The UNEP shall be presumed to consent to granting access in the event of a fire or other emergency warranting immediate measures of protection.

9. The Government shall bear the cost of all necessary utility services, including local telephone communications, of the secretariat of the Meeting and its communications by internet, telephone or telex with UNEP Headquarters. The Government, at its own expense, shall make arrangements for hospitality including tea and coffee breaks as specified in Annex A during the period of the Meeting, for Participants. The Government, at its own expense, and may organize side events as specified in Annex C during the period of the Meeting.

**Article IV**

***Accommodation***

10. The Government shall offer information on adequate accommodations in hotels at a reasonable proximity to the Premises and at reasonable commercial rates for UNEP to make available to Participants.

**Article V**

***Medical facilities***

11. The Government shall provide, within the Premises, medical facilities for emergency first aid appropriate for the number of Participants and UNEP designated officials. The Government shall ensure immediate transportation and admission to hospitals in case of serious emergencies.

**Article VI**

***Transport***

12. The Government shall provide information on the availability of transport, as well as location of Medical Centers and emergency numbers for UNEP to make available to Participants.

**Article VII**

***Police protection***

13. The Government shall furnish at its own expense such police protection as may be required to ensure the efficient functioning of the Meeting in an atmosphere of security and tranquillity free from interference of any kind. While such police services shall be under the direct supervision and control of a senior officer to be provided by the Government, this officer shall work in close cooperation with a designated official of UNEP.

14. Security arrangements provided through such police services shall satisfy the United Nations Enhanced Minimum Operating Security Standards as applicable in the government.

**Article** **VIII**

***Local personnel***

15. The Government shall appoint a liaison officer who shall be responsible, in consultation with UNEP, for making and carrying out the administrative, communications, personnel and logistical arrangements for the Meeting and related events as required under this Agreement. The liaison officer shall lead a coordination team consisting of personnel provided by the Government, who shall work closely with UNEP designated officials.

16. The Government, at its own expense, shall provide local support personnel necessary for the effective functioning of the Meeting, who shall be placed under the supervision of the UNEP designated officials. The exact requirements in this respect shall be stipulated in Annex B. Some of these personnel shall be available at least 2 days before the opening of the Meeting and until 1 day after its close, as required by UNEP.

**Article** **IX**

***Financial arrangements***

17. The Government, in addition to the financial obligations provided for elsewhere in this Agreement, shall, in accordance with General Assembly resolution 31/140, section I, paragraph 5, bear the actual additional costs directly or indirectly involved in holding the Meeting in PORTOROZ,REPUBLIC OF SLOVENIA,rather than at Athens. Such costs shall be construed as the actual additional costs incurred beyond the total resources allocated to organize the COP 23, as per the approved Programme of Work and Budget 2022-2023 (COP 22 Decision IG. 25/19) and shall not exceed EUR 60,000 as reported in COP 22 Decision IG. 25/19. UNEP shall make the arrangements for the travel of UNEP members in accordance with the UN Staff Regulations and Rules and its related administrative practices regarding travel standard, baggage allowances, subsistence payments and terminal expenses.

18. The Government will pay for the actual additional costs incurred beyond the total resources allocated in the Programme of Work and Budget 2022-2023 as approved by COP 22; which will cover, inter alia, the costs of goods and services under Annexes A, B and C to this Agreement. The Government will make the payments of such additional costs directly to the providers of the relevant goods and services, as soon as possible but two months before the Meeting at the latest.

19. Within three months after the Meeting, UNEP shall give the Government a detailed set of accounts showing the actual additional costs incurred by UNEP and to be borne by the Government pursuant to paragraph 17. These costs shall be expressed in United States dollars, using the United Nations official rate of exchange at the time the payments are made. UNEP, on the basis of this detailed set of accounts, shall refund to the Government any funds unspent out of the deposit or the advances required by paragraph 18. Should the actual additional costs exceed the deposit, the Government shall remit the outstanding balance within one month of the receipt of the detailed accounts.

20. The final accounts shall be subject to audit as provided in the Financial Regulations and Rules of the UN, and the final adjustment of accounts shall be subject to any observations which may arise from the audit carried out by the United Nations Board of Auditors, whose determination shall be accepted as final by UNEP and the Government.

**Article X**

***Liability***

21. The Government shall be responsible for dealing with any action, claim or other demand against the United Nations, UNEP or its members arising out of:

(a) Injury to persons or damage to or loss of property in the Premises; and

(b) Injury to persons or damage to or loss of property caused by, or incurred in using, any transport services that are provided for the Meeting by or under the control of the Government; and

(c) The employment for the Meeting of the personnel provided by the Government under paragraphs 15 and 16.

22. The Government shall indemnify and hold harmless the United Nations, UNEP and any of its members in respect of any such action, claim or other demand, except where the Government and the Secretary-General of the United Nations agree that such action, claim or other demand arises from the gross negligence or wilful misconduct of UNEP members.

**Article XI**

***Privileges and immunities***

23. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, shall be applicable in respect of the Meeting. In particular,

* 1. Representatives of States shall enjoy the privileges and immunities provided under article IV of the Convention;
  2. Officials of the United Nations, including UNEP, participating in or performing functions in connection with the Meeting shall enjoy the privileges and immunities provided under articles V and VII of the Convention; and
  3. All other Participants according to the Article II, Paragraph 3 shall enjoy the privileges and immunities accorded to experts on mission for the United Nations under articles VI and VII of the Convention.

24. The Representatives of the specialized and related agencies of the United Nations shall, as appropriate, enjoy the privileges and immunities provided by the Convention on the Privileges and Immunities of the Specialized Agencies, adopted by the General Assembly on 21 November 1947, or the Agreement on the Privileges and Immunities of the International Atomic Energy Agency of 1 July 1959.

25. Without prejudice to the preceding paragraphs, all Participants shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connection with the Meeting.

26. Personnel provided by the Government pursuant to this Agreement shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Meeting.

**Article XII**

***Right of entry and exit***

27. All Participants and UNEP designated officials shall have the right of unimpeded entry into and exit from Slovenia in accordance with procedures established by applicable regulations. Visas and entry permits, where required, shall be dealt with promptly and free of charge.

28. The Government shall provide a letter to support visa and permit applications for all Participants and UNEP designated officials. The Government shall also make arrangements to ensure that visas and/or permits for the Meeting’s duration are delivered to Participants and UNEP designated officials prior to their arrival.

**Article X****III**

***Import and export***

29. Pursuant to Article 2, Section 7 of the Convention on the Privileges and Immunities of the United Nations, the Government shall allow, free of prohibitions and restrictions, the temporary importation and exportation of all documents, publications, and equipment, for the Meeting. The Government shall waive any import or other duties and taxes on equipment and supplies required for the Meeting and shall issue without delay any necessary import and export permits for this purpose.

30. All persons referred to in paragraphs 3 to 5, shall have the right to take out of the Government at the time of their departure, without any restriction, any unexpended portions of the funds they brought into the Government in connection with the Meeting.

**Article XIV**

***Freedom of entry/exit/transit and national health regulations***

31. All persons referred to in this Agreement including all participants in the meetings, have the right of unimpeded entry into, exit from the premises of the Meeting. Also, with reference to this specific Meeting, participants and/or persons performing functions in connection with the Meeting shall be duly informed of the applicable health regulations with regard to the COVID-19 outbreak that they will be expected to comply with, prior to their entry into the territory of the Government.

**Article XV**

***Settlement of disputes***

32. The Convention on the Privileges and Immunities of the United Nations of 13 February 1946 and the Convention on the Privileges and Immunities of Specialized Agencies of 21 November 1947 shall apply in respect of the Meeting.

33. Any dispute concerning the interpretation or the application of this Agreement, except for a dispute subject to Section 30 of the Convention on the Privileges and Immunities of the United Nations or of any other applicable agreement, shall, unless the Parties otherwise agree, be resolved by negotiations or any other agreed mode of settlement. Any such dispute that is not so settled shall be submitted at the request of a Party for a final decision to a tribunal of three arbitrators, one who shall be appointed by the Secretary-General of the United Nations; one by the Government; and the third, who shall be the Chairman, by the other two arbitrators.

34. If one Party does not appoint an arbitrator within three months of the other Party having notified the name of its arbitrator, or if the first two arbitrators do not within three months of the appointment or nomination of the second one of them appoint a Chairman, then such arbitrator shall be nominated by the President of the International Court of Justice at the request of a Party to the dispute. Except as otherwise agreed by the Parties, the tribunal shall adopt its own rules of procedure, provide for the reimbursement of its members and the distribution of expenses between the Parties, and take all decisions by a two-thirds majority. Its decision on all questions of procedure and substance shall be final and, even if rendered in default of one of the parties, be binding on all of them.

**Article XVI**

***Final provisions***

35. This Agreement may be amended by written agreement of the Parties. Such amendments shall enter into force in accordance with the procedures provided in paragraph 37 of this Article.

36. Annexes to this Agreement shall constitute integral part of this Agreement. Any amendment to the Annexes, mutually agreed upon by the Parties in writing, shall enter into force in accordance with the procedures provided in paragraph 37 of this Article.

37. This Agreement shall enter into force upon the receipt by UNEP of written notification from Slovenia that all internal procedures for its entry into force have been completed. It shall remain in force for the duration of the Meeting and for such additional period as is necessary for its preparation and for all matters relating to any of it provisions to be settled.

IN WITNESS WHEREOF, the undersigned duly authorized by the respective Parties, have signed this Agreement.

DONE in Nairobi, on 6 October 2023 in two originals in the English language.

For the Government of the

Republic of Slovenia

For the United Nations Environment Programme

Uroš Brežan (s)

Minister of Natural Resources and Spatial

Planning

Inger Andersen (s)

Executive Director

**SPORAZUM MED**

**VLADO REPUBLIKE SLOVENIJE IN**

**ZDRUŽENIMI NARODI,**

**KI JIH ZASTOPA PROGRAM ZDRUŽENIH NARODOV ZA OKOLJE,**

**O ORGANIZACIJI 23. REDNEGA ZASEDANJA POGODBENIC**

**KONVENCIJE ZA VARSTVO MORSKEGA OKOLJA IN OBALNEGA OBMOČJA**

**SREDOZEMLJA (BARCELONSKA KONVENCIJA) IN NJENIH PROTOKOLOV,**

**PORTOROŽ, REPUBLIKA SLOVENIJA, 4.–8. DECEMBER 2023**

GLEDE NA TO, da je Program Združenih narodov za okolje (v nadaljnjem besedilu: **UNEP**), ki opravlja naloge sekretariata za Barcelonsko konvencijo, sprejel povabilo Vlade Republike Slovenije (v nadaljnjem besedilu: **vlada**) za 23. redno zasedanje pogodbenic Barcelonske konvencije in njenih protokolov (v nadaljnjem besedilu: **zasedanje**), in

GLEDE NA TO, da so pogodbenice Barcelonske konvencije in njenih protokolov na 22. zasedanju pogodbenic, ki je potekalo od 7. do 10. decembra 2021 v Antalyji v Republiki Turčiji, hvaležno sprejele ponudbo Republike Slovenije, da gosti 23. redno zasedanje pogodbenic, se

ZARADI TEGA vlada in UNEP (skupaj: **pogodbenika**) sporazumeta, kot sledi:

**Člen I**

***Datum in kraj zasedanja***

1. Zasedanje bo potekalo največ pet dni v **PORTOROŽU V REPUBLIKI SLOVENIJI OD 4. DO 8. DECEMBRA 2023** (odprtje bo 4. decembra 2023), končne datume pa bosta pred dogodkom potrdila pogodbenika.

2. Če bi se zaradi pandemije covida-19 pojavile okoliščine ali zaskrbljenost, pri čemer:

(a) se UNEP in vlada soglasno dogovorita, da zasedanje ne more potekati, kot je bilo dogovorjeno, ali

(b) UNEP ali vlada z najmanj 30-dnevnim predhodnim pisnim obvestilom zahteva preložitev ali odpoved zasedanja;

se UNEP in vlada posvetujeta in soglasno dogovorita glede reševanja zadev, povezanih s tako preložitvijo ali odpovedjo zasedanja – v primeru odložitve sporazum velja še naprej in se spremeni tako, da so v njem med UNEP in vlado dopisno določeni novi datumi zasedanja, ko se pogodbenika o njih dogovorita.

V primeru preložitve ali odpovedi zasedanja v skladu s prejšnjim odstavkom UNEP ni zavezan, da vladi plača ali zagotovi nadomestilo za kakršno koli nabavljeno blago, naročene storitve ali zagotovljeno opremo ali kakršne koli nastale stroške, ki so povezani z zasedanjem oziroma iz njega izhajajo ali so v skladu s sporazumom.

**Člen II**

***Udeležba na zasedanju***

3. Udeležence zasedanja (v nadaljnjem besedilu: **udeleženci**) povabi izvršni direktor UNEP in ti so:

(a) predstavniki držav članic Združenih narodov;

(b) predstavniki Združenih narodov, njihovih meddržavnih organov ter

specializiranih in povezanih agencij;

(c) izbrani strokovnjaki, ki so jih povabili Združeni narodi in vlada, ter člani izbranih

nevladnih in drugih meddržavnih organizacij;

(d) člani programa UNEP (uradniki in napoteni strokovnjaki);

(f) druge osebe, institucije in/ali organizacije, ki sta jih povabila UNEP in vlada, ki so

med drugim lahko tudi take, ki imajo stalno povabilo UNEP, da se zasedanj

udeležujejo kot opazovalke.

4. Izvršni direktor UNEP prav tako imenuje uradnike, ki bodo pomagali pri izvedbi zasedanja (v nadaljnjem besedilu: **imenovani uradniki UNEP**).

5. Odprtih delov zasedanja se lahko udeležijo predstavniki medijev, ki jih Združeni narodi akreditirajo po lastni presoji po posvetu z vlado.

**Člen III**

***Prostori, oprema, povezave in pogostitev***

6. Vlada na lastne stroške zagotovi potrebne prostore, vključno s sejnimi dvoranami, pisarnami in ustrezno opremo, kot je določeno v Prilogi A k sporazumu (v nadaljnjem besedilu: **prostori**). Vlada za učinkovito izvedbo zasedanja na svoje stroške opremi in vzdržuje te prostore v dobrem stanju. V sejnih dvoranah je na voljo brezžična spletna povezava in oprema za dvosmerno simultano tolmačenje za pet jezikov (angleščina, francoščina, španščina, arabščina in slovenščina, če tako zahteva vlada gostiteljica). Sejne dvorane imajo opremo za tonsko snemanje v teh jezikih in za potrebe tiska, televizije, radia in filma glede na zahteve Združenih narodov. Prostori so UNEP na voljo 24 ur na dan, in sicer od najmanj enega dneva pred zasedanjem do najmanj enega dneva po njegovem zaključku.

7. Vlada udeležencem v prostorih zagotovi dostopno točko za informacijsko tehnologijo, ki je opremljena v skladu s Prilogo A. Vlada v prostorih prav tako zagotovi ustrezen prostor za nakup hrane.

8. Na podlagi Konvencije o privilegijih in imunitetah Združenih narodov se bodo prostori šteli kot prostori Združenih narodov v smislu člena II odstavka 3 konvencije, zato bo za dostop do njih in nadzor nad njimi pooblaščen UNEP. Prostori, vključno z informacijsko-komunikacijskimi sredstvi, bodo nedotakljivi v celotnem obdobju, v katerem so na voljo UNEP. Osebe, ki so po slovenski zakonodaji pooblaščene za vzdrževanje javne varnosti in reda, lahko vstopijo v prostore le na zaprosilo ali z izrecnim dovoljenjem UNEP, katerega osebje jim v takih primerih zagotovi potrebno pomoč. Domneva se, da se UNEP strinja z odobritvijo dostopa v primeru požara ali drugih izrednih razmer, ki zahtevajo takojšnje zaščitne ukrepe.

9. Vlada krije stroške za vse potrebne povezave, vključno z lokalnimi telefonskimi povezavami sekretariata zasedanja in njegovo komunikacijo s sedežem UNEP prek spleta, telefona in teleksa. Vlada na zasedanju za udeležence na lastne stroške poskrbi za gostinske storitve, vključno z odmori za čaj in kavo, kot je določeno v Prilogi A. Vlada lahko med zasedanjem na lastne stroške organizira stranske dogodke, kot je določeno v Prilogi C.

**Člen IV**

***Nastanitev***

10. Vlada zagotovi informacije o ustreznih nastanitvah v hotelih, ki so sprejemljivo oddaljeni od prostorov in so na voljo po sprejemljivih cenah, da jih UNEP da na razpolago udeležencem.

**Člen V**

***Zdravstvena opremljenost***

11. Vlada v prostorih zagotovi zdravstveno opremljenost za prvo pomoč, in sicer v obsegu, ki ustreza številu udeležencev in imenovanih uradnikov UNEP. V nujnih primerih vlada zagotovi takojšen prevoz do bolnišnice in sprejem vanjo.

**Člen VI**

***Prevozi***

12. Vlada programu UNEP zagotovi informacije o razpoložljivosti prevoza in lokacije zdravstvenih ustanov ter telefonske številke za nujne primere, ki jih UNEP posreduje udeležencem.

**Člen VII**

***Policijsko varovanje***

13. Vlada na lastne stroške zagotavlja policijsko varovanje, kakršno bi bilo potrebno, da se zagotovi učinkovit potek zasedanja v varnem in mirnem vzdušju brez kakršne koli motnje. Te policijske storitve neposredno nadzoruje in preverja nadrejeni policijski uslužbenec, ki ga zagotovi vlada in ki tesno sodeluje z imenovanim uradnikom UNEP.

14. Varnostna ureditev, ki se zagotavlja s temi policijskimi storitvami, izpolnjuje zvišane minimalne operativne varnostne standarde Združenih narodov, kot bi jih uporabili za vlado.

**Člen VIII**

***Lokalno osebje***

15. Vlada imenuje osebo za zvezo, ki je po posvetovanju z UNEP odgovorna za sprejemanje in izvajanje upravnih, komunikacijskih, kadrovskih in logističnih zadev, povezanih z zasedanjem in sorodnimi dogodki, kot je določeno v sporazumu. Oseba za zvezo vodi koordinacijsko skupino, v kateri je osebje, ki ga zagotovi vlada in ki tesno sodeluje z imenovanimi uradniki UNEP.

16. Vlada na lastne stroške zagotovi lokalno osebje za podporo, ki je potrebno za učinkovit potek zasedanja in ki ga nadzorujejo imenovani uradniki UNEP. Natančne zahteve, povezane s tem, so določene v Prilogi B. Nekateri uslužbenci bodo na voljo najmanj dva dni pred začetkom zasedanja in še en dan po njegovem koncu glede na zahteve UNEP.

**Člen IX**

***Finančni dogovori***

17. Vlada poleg finančnih obveznosti, navedenih drugje v sporazumu, v skladu z Resolucijo Generalne skupščine 31/140, razdelkom I, odstavkom 5, krije dejanske dodatne stroške, ki so neposredno ali posredno povezani z izvajanjem zasedanja v PORTOROŽU v REPUBLIKI SLOVENIJI namesto v Atenah. Taki stroški se razumejo kot dejanski stroški, ki presegajo skupna sredstva, predvidena za COP 23 v skladu z odobrenim Programom dela in proračunom 2022–2023 (COP 22, Sklep IG. 25/19) in ne presegajo 60.000 EUR, kot je navedeno v COP 22, Sklep IG. 25/19. UNEP uredi vse potrebno za potovanje članov UNEP v skladu s Kadrovskimi predpisi in pravilniki ZN in s tem povezanimi administrativnimi praksami glede potovalnega standarda, stroškov za prtljago, dnevnic in stroškov prevoza s končne postaje do nastanitve in nazaj.

18. Vlada plača dejanske dodatne stroške, ki presegajo skupna sredstva, predvidena v Programu dela in proračunu, kot ga je odobril COP 22; ti stroški med drugim vključujejo stroške blaga in storitev iz prilog A, B in C sporazuma. Vlada take dodatne stroške plača neposredno ponudnikom tega blaga in storitev, in sicer čim prej, toda najpozneje dva meseca pred zasedanjem.

19. UNEP v treh mesecih po zasedanju vladi predloži podroben obračun, v katerem so navedeni dejanski dodatni stroški, ki so nastali UNEP in ki jih mora vlada kriti v skladu z odstavkom 17. Ti stroški so navedeni v ameriških dolarjih, pri čemer se uporablja uradni menjalni tečaj Združenih narodov, veljaven v času izvedbe plačila. UNEP na podlagi podrobnega obračuna vladi povrne vsa neporabljena sredstva iz pologa ali avansnih plačil, ki so zahtevana v skladu z odstavkom 18. Če bi dejanski dodatni stroški presegali polog, vlada zapadlo razliko plača v enem mesecu od prejema podrobnega obračuna.

20. Opravljena bo revizija končnih obračunov, kot je določeno v Finančnih predpisih in pravilnikih ZN, končni poračun pa se opravi na podlagi morebitnih revizijskih pripomb Revizijskega odbora Združenih narodov, katerega ugotovitve bosta kot končne sprejela UNEP in vlada.

**Člen X**

***Odgovornost***

21. Vlada je odgovorna za obravnavanje vseh tožb, zahtevkov ali drugih zahtev, vloženih proti Združenim narodom, UNEP ali njihovim članom, ki izhajajo iz:

(a) telesne poškodbe ali pa poškodovanja ali izgube premoženja v prostorih;

(b) telesne poškodbe ali pa poškodovanja ali izgube premoženja, povzročenih ali nastalih pri uporabi prevoznih storitev, ki jih za izvedbo zasedanja zagotovi vlada ali so pod njenim nadzorom;

(c) zaposlitve osebja za zasedanje, ki ga na podlagi odstavkov 15 in 16 zagotovi vlada.

22. Vlada Združenim narodom, UNEP in njegovim članom poravna škodo ter jih zavaruje pred vsakršno tovrstno tožbo, zahtevkom ali drugimi takimi zahtevami, razen kadar se vlada in generalni sekretar Združenih narodov strinjata, da taka tožba, zahtevek ali druga zahteva izhajajo iz hude malomarnosti ali namernega nepravilnega ravnanja članov UNEP.

**Člen XI**

***Privilegiji in imunitete***

23. Za zasedanje se uporablja Konvencija o privilegijih in imunitetah Združenih narodov, ki jo je sprejela Generalna skupščina 13. februarja 1946. Velja zlasti naslednje:

1. predstavniki držav imajo privilegije in imunitete, zagotovljene po členu IV konvencije;
2. uradniki Združenih narodov, vključno z UNEP, ki se udeležujejo zasedanja ali opravljajo naloge v zvezi z njim, imajo privilegije in imunitete, zagotovljene po členih V in VII konvencije;
3. vsi drugi udeleženci v skladu s členom II, odstavkom 3, imajo privilegije in imunitete, ki se podelijo strokovnjakom, napotenim za potrebe Združenih narodov, po členih VI in VII konvencije.

24. Predstavnikom specializiranih in povezanih agencij Združenih narodov se po potrebi priznajo privilegiji in imunitete po Konvenciji o privilegijih in imunitetah specializiranih agencij, ki jo je 21. novembra 1947 sprejela Generalna skupščina, ali po Sporazumu o privilegijih in imunitetah Mednarodne agencije za atomsko energijo z dne 1. julija 1959.

25. Vsi udeleženci imajo ne glede na predhodne odstavke take privilegije in imunitete ter možnosti in ugodnosti, kot so potrebni za neodvisno izvajanje njihovih funkcij, povezanih z zasedanjem.

26. Osebje, ki ga po tem sporazumu zagotovi vlada, ima imuniteto pred pravnim postopkom v zvezi z izrečenimi ali napisanimi besedami in vsakršnimi dejanji, storjenimi pri opravljanju svoje uradne vloge v zvezi z zasedanjem.

**Člen XII**

***Pravica do vstopa in izstopa***

27. Vsi udeleženci in uradniki, ki jih je imenoval UNEP, imajo pravico do neoviranega vstopa v Slovenijo in izstopa iz nje v skladu s postopki na podlagi veljavnih predpisov. Vizumi ter dovoljenja za vstop in izstop se, kadar so potrebni, obravnavajo čim prej in brezplačno.

28. Vlada vsem udeležencem in uradnikom, ki jih je imenoval UNEP, zagotovi pismo, s katerim podpre vlogo za vizum in dovoljenje za vstop. Vlada prav tako naredi vse potrebno, da zagotovi, da se vizumi in/ali dovoljenja za vstop za obdobje zasedanja udeležencem in uradnikom, ki jih je imenoval UNEP, dostavijo še pred prihodom.

**Člen XIII**

***Uvoz in izvoz***

29. Vlada v skladu s členom II, odstavkom 7, Konvencije o privilegijih in imunitetah Združenih narodov brez prepovedi in omejitev dovoli začasen uvoz in izvoz vseh dokumentov, publikacij in opreme za zasedanje. Vlada se odpoveduje vsem uvoznim ali drugim dajatvam in davkom na opremo in materiale, ki so potrebni za zasedanje, in v ta namen brez odlašanja izstavi vsa potrebna uvozna in izvozna dovoljenja.

30. Vse osebe, navedene v odstavkih od 3 do 5, imajo pravico, da ob odhodu od vlade brez omejitev dobijo vsa neporabljena sredstva, ki jih je vlada dobila od njih v povezavi z zasedanjem.

**Člen XIV**

***Prost vstop, izstop, tranzit in nacionalni zdravstveni predpisi***

31. Vse osebe, navedene v sporazumu, vključno z vsemi udeleženci zasedanja, imajo pravico do neoviranega vstopa v prostore zasedanja oziroma izstopa iz njih. V zvezi s tem konkretnim zasedanjem so vsi udeleženci in/ali osebe, ki opravljajo funkcije, povezane z zasedanjem, ustrezno obveščeni o veljavnih zdravstvenih predpisih glede izbruha covida-19, ki naj bi jih upoštevali pred vstopom na ozemlje vlade.

**Člen XV**

***Reševanje sporov***

32. Za zasedanje se uporabljata Konvencija o privilegijih in imunitetah Združenih narodov z dne 13. februarja 1946 in Konvencija o privilegijih in imunitetah specializiranih agencij z dne 21. novembra 1947.

33. Vsi spori v zvezi z razlago ali uporabo sporazuma, razen spora, za katerega velja odstavek 30 Konvencije o privilegijih in imunitetah Združenih narodov ali kateri koli drug veljaven sporazum, se, razen če se pogodbenika ne dogovorita drugače, rešujejo s pogajanji ali na kak drug dogovorjen način. Vsak tak spor, ki ni rešen, se na zahtevo pogodbenika predloži v končno odločitev razsodišču treh razsodnikov, od katerih enega imenuje generalni sekretar Združenih narodov, enega vlada, tretjega, ki je predsednik, pa imenujeta prva dva razsodnika.

34. Če en pogodbenik ne imenuje razsodnika v treh mesecih po tem, ko je razsodnika imenoval drug pogodbenik, ali če se prva dva razsodnika v treh mesecih po svojem imenovanju ne sporazumeta o tretjem razsodniku, potem tretjega razsodnika na zahtevo ene in druge stranke v sporu imenuje predsednik Meddržavnega sodišča. Razen če se pogodbenika ne dogovorita drugače, razsodišče sprejme svoja pravila postopka, poskrbi za plačilo članov razsodišča in razdelitev stroškov med pogodbenikoma; vse odločitve sprejme z dvotretjinsko večino. Vse postopkovne in vsebinske odločitve razsodišča so končne in zavezujoče za vse, tudi če so sprejete v odsotnosti enega od pogodbenikov.

**Člen XVI**

***Končne določbe***

35. Sporazum se lahko spremeni s pisnim soglasjem obeh pogodbenikov. Take spremembe začnejo veljati v skladu s postopki iz odstavka 37 tega člena.

36. Priloge k sporazumu so sestavni del sporazuma. Vse spremembe prilog, glede katerih se pogodbenika dogovorita v pisni obliki, začnejo veljati v skladu s postopki iz odstavka 37 tega člena.

37. Sporazum začne veljati, ko UNEP od Slovenije prejme pisno uradno obvestilo o tem, da so končani vsi notranji postopki, potrebni za začetek njegove veljavnosti. Sporazum velja za celotno obdobje zasedanja in še za dodatno obdobje, potrebno za pripravo zasedanja in ureditev vseh zadev, povezanih s katero koli od njegovih določb.

V POTRDITEV TEGA sta podpisana, ki sta ju pogodbenika pravilno pooblastila, podpisala ta sporazum.

SESTAVLJENO v Nairobiju 6. oktobra 2023 v dveh izvirnikih v angleškem jeziku.

Za Vlado Republike Slovenije Za Program Združenih narodov za okolje

Uroš Brežan l.r. Inger Andersen l.r.

minister za naravne vire in prostor izvršna direktorica

3. člen

Za izvajanje sporazuma skrbi ministrstvo, pristojno za ohranjanje narave.

4. člen

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

Št.

Ljubljana, dne

EVA 2025-1811-0006

Dr. Robert Golob

PREDSEDNIK VLADE

**OBRAZLOŽITEV**

Republika Slovenija je gostila 23. zasedanja držav pogodbenic Konvencije za varstvo morskega okolja in obalnega območja Sredozemlja (Barcelonska konvencija) in njenih protokolov, ki je potekalo v Portorožu, Republiki Sloveniji od 4. do 8. decembra 2023. Zasedanje je potekalo v okviru Programa Združenih narodov za okolje (UNEP) in Akcijskega načrta za Sredozemlje (UNEP/MAP).

Pogodbenice Barcelonske konvencije in njenih protokolov so na 22. zasedanju pogodbenic, ki je potekalo od 7. do 10. decembra 2021 v Antalyji v Turčiji, podprle pobudo Republike Slovenije, da gosti 23. redno zasedanje pogodbenic. S tem je Republika Slovenija tudi prevzela dvoletno predsedovanje (2023-2025) biroju Barcelonske konvencije in njenih protokolov.

Za namen izvedbe zasedanja v Republiki Sloveniji je bil sklenjen sporazum med Združenimi narodi, ki jih zastopa Program Združenih narodov za okolje (UNEP) in Republiko Slovenijo kot državo gostiteljico zasedanja.

Sporazum, ki ureja razmerja ter določa pravice in dolžnosti med pogodbenikoma, ima 16 členov in določa, da se za 23. zasedanje držav pogodbenic Barcelonske konvencije smiselno uporablja Konvencija o privilegijih in imunitetah Združenih narodov z dne 13. februarja 1946 in Konvencija o privilegijih in imunitetah specializiranih agencij z dne 21. novembra 1947.

Sporazum vključuje vse potrebne elemente, ki so ključni za uspešno organizacijo in izvedbo mednarodnega dogodka na ministrski ravni v okviru Združenih narodov  in Programa Združenih narodov za okolje (UNEP), z vsemi iz tega izhajajočimi pričakovanji in minimalnimi zahtevami glede organizacije zasedanja. Sporazum je tipske narave, ki se ga v okviru sistema Združenih narodov  sklepa z državo gostiteljico mednarodnega dogodka na ministrski ravni, kadar zasedanje poteka zunaj sedeža sekretariata.

Sporazum v skladu s tretjo alinejo šestega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09, 80/10 – ZUTD, 31/15 in 30/18 – ZKZaš) ratificira Vlada Republike Slovenije z uredbo.

Za izvajanje sporazuma skrbi ministrstvo, pristojno za naravne vire.

Za izvajanje sporazuma ni treba zagotoviti dodatnih finančnih sredstev iz proračuna, saj so sredstva zagotovljena na proračunskih postavkah Ministrstva za naravne vire in prostor Republike Slovenije.

Sporazum ne posega v pravni red Evropske unije.

Za izvajanje sporazuma ni treba izdati novih ali spreminjati že veljavnih predpisov.

1. Priloge k sporazumu so na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje in evropske zadeve. [↑](#footnote-ref-1)