

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

### Article 8 – Depositary functions

The Secretary General of the Council of Europe shall notify all the member States of the Council of Europe of:

- a any signature;
- b the deposit of any instrument of ratification, acceptance or approval;
- c any date of entry into force of this Protocol in accordance with Articles 4 and 7;
- d any other act, notification or communication relating to this Protocol.

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

Done at Vilnius, this 31<sup>st</sup> day of May 2002, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe.

2. Za vsako državo članico, ki pozneje izrazi svoje soglasje, da jo ta protokol zavezuje, začne ta protokol veljati prvi dan meseca po poteku treh mesecev od datuma deponiranja listine o ratifikaciji, sprejetju ali odobritvi.

### 8. člen – Naloge depozitarja

Generalni sekretar Sveta Evrope uradno obvesti vse države članice Sveta Evrope o:

- a. vsakem podpisu;
- b. deponiranju vsake listine o ratifikaciji, sprejetju ali odobritvi;
- c. vsakem datumu začetka veljavnosti tega protokola v skladu s 4. in 7. členom;
- d. vsakem drugem dejanju, uradnem obvestilu ali sporočilu v zvezi s tem protokolom.

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

Sestavljeno v Vilni dne 3. maja 2002 v angleškem in francoskem jeziku, pri čemer sta besedili enako verodostojni, v enem samem izvodu, ki se deponira v arhivu Sveta Evrope. Generalni sekretar Sveta Evrope pošlje overjeno kopijo vsaki državi članici Sveta Evrope.

### 3. člen

Za izvajanje protokola skrbi Ministrstvo za pravosodje.

### 4. člen

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

Št. 700-01/03-74/1

Ljubljana, dne 2. oktobra 2003

EPA 939-III

Predsednik  
Državnega zbora  
Republike Slovenije  
Borut Pahor l. r.

**63. Zakon o ratifikaciji Drugega protokola k Haaški konvenciji iz leta 1954 o varstvu kulturnih dobrin v primeru oboroženega spopada (M2PHKV)**

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 DRUGEGA PROTOKOLA K HAAŠKI KONVENCIJI IZ LETA 1954 O VARSTVU KULTURNIH DOBRIN V PRIMERU OBOROŽENEGA SPOPAD A (M2PHKV)**

Razglašam Zakon o ratifikaciji Drugega protokola k Haaški konvenciji iz leta 1954 o varstvu kulturnih dobrin v primeru oboroženega spopada (M2PHKV), ki ga je sprejel Državni zbor Republike Slovenije na seji 2. oktobra 2003.

Št. 001-22-89/03

Ljubljana, dne 10. oktobra 2003

Predsednik  
Republike Slovenije  
dr. Janez Drnovšek l. r.

**Z A K O N**

**O RATIFIKACIJI DRUGEGA PROTOKOLA K HAAŠKI KONVENCIJI IZ LETA 1954 O VARSTVU KULTURNIH DOBRIN V PRIMERU OBOROŽENEGA SPOPAD A (M2PHKV)**

**1. člen**

Ratificira se Drugi protokol k Haaški konvenciji iz leta 1954 o varstvu kulturnih dobrin v primeru oboroženega spopada, sestavljen 26. marca 1999 v Haagu.

**2. člen**

Protokol se v izvorniku v angleškem jeziku in v prevodu v slovenskem jeziku glasi:

**SECOND PROTOCOL**

**to the Hague Convention of 1954 for the  
Protection of Cultural Property in the Event of  
Armed Conflict  
The Hague, 26 March 1999**

The Parties;

*Conscious* of the need to improve the protection of cultural property in the event of armed conflict and to establish an enhanced system of protection for specifically designated cultural property;

*Reaffirming* the importance of the provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, done at the Hague on 14 May 1954, and emphasizing the necessity to supplement these provisions through measures to reinforce their implementation;

*Desiring* to provide the High Contracting Parties to the Convention with a means of being more closely involved in the protection of cultural property in the event of armed conflict by establishing appropriate procedures therefor;

*Considering* that the rules governing the protection of cultural property in the event of armed conflict should reflect developments in international law;

*Affirming* that the rules of customary international law will continue to govern questions not regulated by the provisions of this Protocol;

Have agreed as follows:

**DRUGI PROTOKOL**

**k Haaški konvenciji iz leta 1954 o varstvu  
kulturnih dobrin v primeru oboroženega spopada  
Haag, 26. marec 1999**

Pogodbence so se,

*zavedajoč se, da je treba* izboljšati varstvo kulturnih dobrin v primeru oboroženega spopada in vzpostaviti učinkovitejši sistem za varstvo posebej določenih kulturnih dobrin;

*ob ponovnem potrjevanju pomena* določb Konvencije o varstvu kulturnih dobrin v primeru oboroženega spopada, sestavljene v Haagu 14. maja 1954, ter ob poudarjanju, da je treba določbe dopolniti z ukrepi za njihovo učinkovitejšo izvajanje;

*v želji, da bi visokim pogodbenicam konvencije z določitvijo* ustreznih postopkov zagotovili tesnejše sodelovanje pri varstvu kulturnih dobrin v primeru oboroženega spopada;

*upoštevajoč, da je treba v pravilih o varstvu in spoštovanju* kulturnih dobrin v primeru oboroženega spopada izraziti doseženi razvoj mednarodnega prava;

*potrjujoč, da bodo pravila* običajnega mednarodnega prava še naprej urejala vprašanja, ki jih ne urejajo določbe tega protokola,

dogovorile:

Chapter 1  
Introduction

Article 1  
Definitions

For the purposes of this Protocol:

- (a) "Party" means a State Party to this Protocol;
- (b) "cultural property" means cultural property as defined in Article 1 of the Convention;
- (c) "Convention" means the Convention for the Protection of Cultural Property in the Event of Armed Conflict, done at The Hague on 14 May 1954;
- (d) "High Contracting Party" means a State Party to the Convention;
- (e) "enhanced protection" means the system of enhanced protection established by Articles 10 and 11;
- (f) "military objective" means an object which by its nature, location, purpose, or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military advantage;
- (g) "illicit" means under compulsion or otherwise in violation of the applicable rules of the domestic law of the occupied territory or of international law.
- (h) "List" means the International List of Cultural Property under Enhanced Protection established in accordance with Article 27, sub-paragraph 1(b);
- (i) "Director-General" means the Director-General of UNESCO;
- (j) "UNESCO" means the United Nations Educational, Scientific and Cultural Organization;
- (k) "First Protocol" means the Protocol for the Protection of Cultural Property in the Event of Armed Conflict done at The Hague on 14 May 1954;

Article 2

*Relation to the Convention*

This Protocol supplements the Convention in relations between the Parties.

Article 3

*Scope of application*

1. In addition to the provisions which shall apply in time of peace, this Protocol shall apply in situations referred to in Article 18 paragraphs 1 and 2 of the Convention and in Article 22 paragraph 1.

2. When one of the parties to an armed conflict is not bound by this Protocol, the Parties to this Protocol shall remain bound by it in their mutual relations. They shall furthermore be bound by this Protocol in relation to a State party to the conflict which is not bound by it, if the latter accepts the provisions of this Protocol and so long as it applies them.

Article 4

*Relationship between Chapter 3 and other provisions of the Convention and this Protocol*

The application of the provisions of Chapter 3 of this Protocol is without prejudice to:

- (a) the application of the provisions of Chapter I of the Convention and of Chapter 2 of this Protocol;
- (b) the application of the provisions of Chapter II of the Convention save that, as between Parties to this Protocol or as between a Party and a State which accepts and applies this Protocol in accordance with Article 3 paragraph 2, where cultural property has been granted both special protection and enhanced protection, only the provisions of enhanced protection shall apply.

Prvo poglavje  
Uvod

1. člen  
*Pomen izrazov*

V tem protokolu:

- (a) "pogodbenica" pomeni državo pogodbenico tega protokola;
- (b) "kulturne dobrine" pomenijo kulturne dobrine, kot so opredeljene v 1. členu konvencije;
- (c) "konvencija" pomeni Konvencijo o varstvu kulturnih dobrin v primeru oboroženega spopada, sestavljeno v Haagu 14. maja 1954;
- (d) "visoka pogodbenica" pomeni državo pogodbenico konvencije;
- (e) "razširjeno varstvo" pomeni sistem izboljšane varstva, vzpostavljenega z 10. in 11. členom;
- (f) "vojaški cilj" pomeni objekt, ki zaradi svoje narave, lokacije, namena ali uporabe pomembno prispeva k vojaški akciji in katerega popolno ali delno uničenje, zavzetje ali nevtralizacija daje v danih okoliščinah jasno vojaško prednost;
- (g) "nezakonito" pomeni to, kar je storjeno pod prisilo ali kar drugače krši veljavna pravila notranjega prava zaseđenega ozemlja ali mednarodnega prava;
- (h) "seznam" pomeni mednarodni seznam kulturnih dobrin pod razširjenim varstvom, vzpostavljen skladno s pododstavkom (b) prvega odstavka 27. člena;
- (i) "generalni direktor" pomeni generalnega direktorja Unesca;
- (j) "Unesco" pomeni Organizacijo Združenih narodov za izobraževanje, znanost in kulturo;
- (k) "Prvi protokol" pomeni Protokol o varstvu kulturnih dobrin v primeru oboroženega spopada, sestavljen v Haagu 14. maja 1954.

2. člen

*Razmerje do konvencije*

Ta protokol dopolnjuje konvencijo v razmerjih med pogodbenicami.

3. člen

*Obseg uporabe*

1. Poleg določb, ki se uporabljajo v miru, se ta protokol uporablja v okoliščinah, navedenih v prvem in drugem odstavku 18. člena in prvem odstavku 22. člena konvencije.

2. Če ta protokol ne zavezuje ene od strani v oboroženem spopadu, kljub temu zavezuje pogodbenice tega protokola pri njihovih medsebojnih odnosih. Poleg tega jih ta protokol zavezuje v razmerju do vsake države v spopadu, za katero sicer ni zavezujoč, če ta sprejema določbe tega protokola in dokler jih uporablja.

4. člen

*Povezava med tretjim poglavjem in drugimi določbami konvencije in tem protokolom*

Uporaba določb tretjega poglavja tega protokola ne vpliva na:

- (a) uporabo določb prvega poglavja konvencije in drugega poglavja tega protokola;
- (b) uporabo določb drugega poglavja konvencije, razen če se med pogodbenicami tega protokola ali med pogodbenico in državo, ki sprejema in uporablja ta protokol v skladu z drugim odstavkom 3. člena, po katerem se kulturnim dobrinam zagotavlja posebno in razširjeno varstvo; v tem primeru se uporabljajo samo določbe o razširjenem varstvu.

Chapter 2  
General provisions regarding protection

## Article 5

*Safeguarding of cultural property*

Preparatory measures taken in time of peace for the safeguarding of cultural property against the foreseeable effects of an armed conflict pursuant to Article 3 of the Convention shall include, as appropriate, the preparation of inventories, the planning of emergency measures for protection against fire or structural collapse, the preparation for the removal of movable cultural property or the provision for adequate *in situ* protection of such property, and the designation of competent authorities responsible for the safeguarding of cultural property.

## Article 6

*Respect for cultural property*

With the goal of ensuring respect for cultural property in accordance with Article 4 of the Convention:

(a) a waiver on the basis of imperative military necessity pursuant to Article 4 paragraph 2 of the Convention may only be invoked to direct an act of hostility against cultural property when and for as long as:

- i. that cultural property has, by its function, been made into a military objective; and
- ii. there is no feasible alternative available to obtain a similar military advantage to that offered by directing an act of hostility against that objective;

(b) a waiver on the basis of imperative military necessity pursuant to Article 4 paragraph 2 of the Convention may only be invoked to use cultural property for purposes which are likely to expose it to destruction or damage when and for as long as no choice is possible between such use of the cultural property and another feasible method for obtaining a similar military advantage;

(c) the decision to invoke imperative military necessity shall only be taken by an officer commanding a force the equivalent of a battalion in size or larger, or a force smaller in size where circumstances do not permit otherwise;

(d) in case of an attack based on a decision taken in accordance with sub-paragraph (a), an effective advance warning shall be given whenever circumstances permit.

## Article 7

*Precautions in attack*

Without prejudice to other precautions required by international humanitarian law in the conduct of military operations, each Party to the conflict shall:

(a) do everything feasible to verify that the objectives to be attacked are not cultural property protected under Article 4 of the Convention;

(b) take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental damage to cultural property protected under Article 4 of the Convention;

(c) refrain from deciding to launch any attack which may be expected to cause incidental damage to cultural property protected under Article 4 of the Convention which would be excessive in relation to the concrete and direct military advantage anticipated; and

(d) cancel or suspend an attack if it becomes apparent:

- (i) that the objective is cultural property protected under Article 4 of the Convention;

Drugo poglavje  
Splošne določbe o varstvu kulturnih dobrin

## 5. člen

*Varovanje kulturnih dobrin*

Pripravljalni ukrepi, sprejeti v miru, za varovanje kulturnih dobrin pred predvidljivimi učinki oboroženega spopada v skladu s 3. členom konvencije, kadar je primerno, vključujejo pripravo popisov, načrtovanje nujnih ukrepov za varstvo pred požarom ali rušenjem, pripravo na premestitev premičnih kulturnih dobrin ali zagotovitev ustreznega varstva takih dobrin na kraju samem in določitev pristojnih organov, odgovornih za varovanje kulturnih dobrin.

## 6. člen

*Spoštovanje kulturnih dobrin*

Za zagotovitev spoštovanja kulturnih dobrin v skladu s 4. členom konvencije:

(a) se pri usmeritvi sovražnega dejanja zoper kulturne dobrine lahko sklicuje na opustitev varstva zaradi neizogibne vojaške nujnosti v skladu z drugim odstavkom 4. člena konvencije, samo kadar in dokler:

- (i) je kulturna dobrina po svoji funkciji spremenjena v vojaški cilj in
- (ii) ni druge izvedljive možnosti za pridobitev podobne vojaške prednosti, kot jo daje usmeritev sovražnega dejanja zoper ta cilj;

(b) se pri uporabi kulturne dobrine v namene, ki jo bodo verjetno izpostavili uničenju ali poškodovanju, lahko sklicuje na opustitev varstva na podlagi neizogibne vojaške nujnosti v skladu z drugim odstavkom 4. člena konvencije, samo kadar in dokler ni na voljo nobene izbire med tako uporabo kulturnih dobrin in drugo možno metodo za pridobitev podobne vojaške prednosti;

(c) odločitev o sklicevanju na neizogibno vojaško nujnost sprejme le častnik, ki poveljuje enoti, enak bataljonu, ali manjši enoti, če okoliščine ne dovoljujejo drugače;

(d) v primeru napada, ki temelji na odločitvi, sprejeti v skladu s pododstavkom (a), je treba zagotoviti učinkovito vnaprejšnje opozorilo, kadar to dopuščajo okoliščine.

## 7. člen

*Previdnostni ukrepi pri napadu*

Brez vpliva na druge previdnostne ukrepe, ki jih zahteva mednarodno humanitarno pravo pri izvajanju vojaških operacij, mora vsaka stran v spopadu:

(a) ukreniti vse, kar je možno, da preveri, ali cilji, ki naj bi bili napadeni, niso kulturne dobrine, varovane po 4. členu konvencije;

(b) sprejeti vse izvedljive previdnostne ukrepe glede izbire sredstev in načinov napada, da bi se izognili in v vsakem primeru zmanjšali naključno škodo na kulturnih dobrinah, varovanih po 4. členu konvencije;

(c) vzdržati se vsakršne odločitve, da bi začela kakršen koli napad, za katerega se lahko pričakuje, da bo povzročil naključno škodo na kulturnih dobrinah, varovanih po 4. členu konvencije, ki bi bila nesorazmerna glede na pričakovano konkretno in neposredno vojaško prednost, in

(d) odpovedati se napadu ali ga začasno ustaviti, če je očitno:

- (i) da je cilj kulturna dobrina, varovana po 4. členu konvencije;

(ii) that the attack may be expected to cause incidental damage to cultural property protected under Article 4 of the Convention which would be excessive in relation to the concrete and direct military advantage anticipated.

#### Article 8

##### *Precautions against the effects of hostilities*

The Parties to the conflict shall, to the maximum extent feasible:

- (a) remove movable cultural property from the vicinity of military objectives or provide for adequate *in situ* protection;
- (b) avoid locating military objectives near cultural property.

#### Article 9

##### *Protection of cultural property in occupied territory*

1. Without prejudice to the provisions of Articles 4 and 5 of the Convention, a Party in occupation of the whole or part of the territory of another Party shall prohibit and prevent in relation to the occupied territory:

- (a) any illicit export, other removal or transfer of ownership of cultural property;
- (b) any archaeological excavation, save where this is strictly required to safeguard, record or preserve cultural property;
- (c) any alteration to, or change of use of, cultural property which is intended to conceal or destroy cultural, historical or scientific evidence.

2. Any archaeological excavation of, alteration to, or change of use of, cultural property in occupied territory shall, unless circumstances do not permit, be carried out in close co-operation with the competent national authorities of the occupied territory.

### Chapter 3 Enhanced Protection

#### Article 10

##### *Enhanced protection*

Cultural property may be placed under enhanced protection provided that it meets the following three conditions:

- (a) it is cultural heritage of the greatest importance for humanity;
- (b) it is protected by adequate domestic legal and administrative measures recognising its exceptional cultural and historic value and ensuring the highest level of protection;
- (c) it is not used for military purposes or to shield military sites and a declaration has been made by the Party which has control over the cultural property, confirming that it will not be so used.

#### Article 11

##### *The granting of enhanced protection*

1. Each Party should submit to the Committee a list of cultural property for which it intends to request the granting of enhanced protection.

2. The Party which has jurisdiction or control over the cultural property may request that it be included in the List to be established in accordance with Article 27 sub-paragraph 1(b). This request shall include all necessary information related to the criteria mentioned in Article 10. The Committee may invite a Party to request that cultural property be included in the List.

(ii) da se lahko pričakuje, da bo napad povzročil naključno škodo na kulturnih dobrinah, varovanih po 4. členu konvencije, ki bi bila nesorazmerna glede na pričakovano konkretno in neposredno vojaško prednost.

#### 8. člen

##### *Previdnostni ukrepi zoper učinke sovražnosti*

Strani v spopadu morajo v čim večji možni meri:

- (a) prestaviti premične kulturne dobrine iz bližine vojaških ciljev ali zagotoviti njihovo ustrezno varstvo na kraju samem;
- (b) se izogibati postavljanju vojaških ciljev v bližini kulturnih dobrin.

#### 9. člen

##### *Varstvo kulturnih dobrin na zasedenem ozemlju*

1. Brez vpliva na določbe 4. in 5. člena konvencije mora pogodbenica, ki zaseda celotno ozemlje ali del ozemlja druge pogodbenice, na zasedenem ozemlju prepovedati in preprečiti:

- (a) vsak nezakonit izvoz, drugo premestitev kulturne dobrine ali prenos lastništva;
- (b) vsako arheološko izkopavanje, razen če je nujno potrebno, da se kulturna dobrina zavaruje, evidentira ali ohrani;
- (c) vsako spremembo kulturne dobrine ali spremembo njene rabe, katere namen je zakriti ali uničiti kulturne, zgodovinske ali znanstvene dokaze.

2. Vsako arheološko izkopavanje, spreminjanje ali sprememba rabe kulturnih dobrin na zasedenem ozemlju se izvede v tesnem sodelovanju s pristojnimi državnimi organi zasedenega ozemlja, razen če tega ne preprečujejo okoliščine.

### Tretje poglavje Razširjeno varstvo

#### 10. člen

##### *Razširjeno varstvo*

Kulturne dobrine smejo biti pod razširjenim varstvom, če so izpolnjeni trije pogoji:

- (a) da je to kulturna dediščina, ki je izrednega pomena za človeštvo;
- (b) da so varovane z ustreznimi notranjepravnimi in upravnimi ukrepi, ki priznavajo njihovo izjemno kulturno in zgodovinsko vrednost in jim zagotavljajo najvišjo raven varstva;
- (c) da se ne uporabljajo v vojaške namene ali kot ščit za vojaške položaje in da je pogodbenica, ki ima nadzor nad kulturnimi dobrinami, dala izjavo, ki potrjuje, da jih ne bo uporabljala v ta namen.

#### 11. člen

##### *Zagotovitev razširjenega varstva*

1. Vsaka pogodbenica mora odboru iz 24. člena predložiti seznam kulturnih dobrin, za katere namerava zaprositi za zagotovitev razširjenega varstva.

2. Pogodbenica, ki ima jurisdikcijo ali nadzor nad temi kulturnimi dobrinami, lahko zaprosi, da se vključijo v seznam, ki se sestavi v skladu s pododstavkom (b) prvega odstavka 27. člena. Ta prošnja vsebuje vse potrebne podatke v zvezi z merili, omenjenimi v 10. členu. Odbor lahko povabi pogodbenico, naj zaprosi za vključitev kulturnih dobrin v seznam.

3. Other Parties, the International Committee of the Blue Shield and other non-governmental organisations with relevant expertise may recommend specific cultural property to the Committee. In such cases, the Committee may decide to invite a Party to request inclusion of that cultural property in the List.

4. Neither the request for inclusion of cultural property situated in a territory, sovereignty or jurisdiction over which is claimed by more than one State, nor its inclusion, shall in any way prejudice the rights of the parties to the dispute.

5. Upon receipt of a request for inclusion in the List, the Committee shall inform all Parties of the request. Parties may submit representations regarding such a request to the Committee within sixty days. These representations shall be made only on the basis of the criteria mentioned in Article 10. They shall be specific and related to facts. The Committee shall consider the representations, providing the Party requesting inclusion with a reasonable opportunity to respond before taking the decision. When such representations are before the Committee, decisions for inclusion in the List shall be taken, notwithstanding Article 26, by a majority of four-fifths of its members present and voting.

6. In deciding upon a request, the Committee should ask the advice of governmental and non-governmental organisations, as well as of individual experts.

7. A decision to grant or deny enhanced protection may only be made on the basis of the criteria mentioned in Article 10.

8. In exceptional cases, when the Committee has concluded that the Party requesting inclusion of cultural property in the List cannot fulfil the criteria of Article 10 subparagraph (b), the Committee may decide to grant enhanced protection, provided that the requesting Party submits a request for international assistance under Article 32.

9. Upon the outbreak of hostilities, a Party to the conflict may request, on an emergency basis, enhanced protection of cultural property under its jurisdiction or control by communicating this request to the Committee. The Committee shall transmit this request immediately to all Parties to the conflict. In such cases the Committee will consider representations from the Parties concerned on an expedited basis. The decision to grant provisional enhanced protection shall be taken as soon as possible and, notwithstanding Article 26, by a majority of four-fifths of its members present and voting. Provisional enhanced protection may be granted by the Committee pending the outcome of the regular procedure for the granting of enhanced protection, provided that the provisions of Article 10 subparagraphs (a) and (c) are met.

10. Enhanced protection shall be granted to cultural property by the Committee from the moment of its entry in the List.

11. The Director-General shall, without delay, send to the Secretary-General of the United Nations and to all Parties notification of any decision of the Committee to include cultural property on the List.

#### Article 12

##### *Immunity of cultural property under enhanced protection*

The Parties to a conflict shall ensure the immunity of cultural property under enhanced protection by refraining from making such property the object of attack or from any use of the property or its immediate surroundings in support of military action.

3. Druge pogodbenice, Mednarodni odbor Modrega štita in druge nevladne organizacije z ustreznim strokovnim znanjem lahko odboru priporočijo določene kulturne dobrine. V takih primerih se lahko odbor odloči, da povabi pogodbenico, da vključi te kulturne dobrine v seznam.

4. Niti prošnja za vključitev kulturnih dobrin, ki so na ozemlju, nad katerim si suverenost ali jurisdikcijo lasti več držav, v seznam, niti vključitev takih dobrin v seznam v nobenem primeru ne vplivata na pravice strani v sporu.

5. Po prejemu prošnje za vključitev v seznam odbor o tem obvesti vse pogodbenice. Pogodbenice lahko ugovore glede take prošnje predložijo odboru v šestdesetih dneh. Vložijo se lahko samo na podlagi meril, navedenih v 10. členu. Biti morajo konkretni in se nanašati na dejstva. Odbor obravnava ugovore in pred sprejetjem odločitve da pogodbenici, ki je zaprosila za vključitev, možnost, da nanje odgovori. Ko odbor obravnava take ugovore, se odločitve za vključitev v seznam ne glede na 26. člen sprejmejo s štiripetinsko večino članov, ki so navzoči in glasujejo.

6. Pri odločanju o prošnji mora odbor prositi za nasvet vladne in nevladne organizacije ter posamezne strokovnjake.

7. Odločitev o odobritvi ali zavrnitvi razširjenega varstva se lahko sprejme le na podlagi meril, omenjenih v 10. členu.

8. V izjemnih primerih, ko je odbor ugotovil, da pogodbenica, ki je zaprosila za vključitev kulturne dobrine v seznam, ne more izpolniti meril iz pododstavka (b) 10. člena, se lahko odbor odloči, da odobri razširjeno varstvo, če pogodbenica prosilka predloži prošnjo za mednarodno pomoč skladno z 32. členom.

9. Po izbruhu sovražnosti lahko stran v spopadu nujno zaprosi za razširjeno varstvo kulturnih dobrin, ki so pod njeno jurisdikcijo ali nadzorom, tako da predloži to prošnjo odboru. Odbor prošnjo takoj pošlje vsem stranem v spopadu. V takih primerih odbor pospešeno obravnava ugovore zadevnih pogodbenic. Odločitev za odobritev začasnega razširjenega varstva se sprejme čim prej in ne glede na 26. člen s štiripetinsko večino njegovih članov, ki so navzoči in glasujejo. Začasno razširjeno varstvo lahko odbor odobri do izida rednega postopka za odobritev razširjenega varstva, če so izpolnjene določbe pododstavkov (a) in (c) 10. člena.

10. Odbor zagotovi kulturni dobrini razširjeno varstvo od trenutka, ko je vpisana v seznam.

11. Generalni direktor takoj pošlje generalnemu sekretarju Združenih narodov in vsem pogodbenicam uradno obvestilo o vsaki odločitvi odbora, da vključi kulturno dobrino v seznam.

#### 12. člen

##### *Nedotakljivost kulturnih dobrin pod razširjenim varstvom*

Strani v spopadu morajo zagotoviti nedotakljivost kulturnih dobrin pod razširjenim varstvom, tako da ne določajo takih dobrin za cilj napada ali uporabe dobrin ali njihove neposredne okolice v podporo vojaškemu delovanju.

## Article 13

*Loss of enhanced protection*

1. Cultural property under enhanced protection shall only lose such protection:

(a) if such protection is suspended or cancelled in accordance with Article 14; or

(b) if, and for as long as, the property has, by its use, become a military objective.

2. In the circumstances of sub-paragraph 1(b), such property may only be the object of attack if:

(a) the attack is the only feasible means of terminating the use of the property referred to in sub-paragraph 1(b);

(b) all feasible precautions are taken in the choice of means and methods of attack, with a view to terminating such use and avoiding, or in any event minimising, damage to the cultural property;

(c) unless circumstances do not permit, due to requirements of immediate self-defence:

(i) the attack is ordered at the highest operational level of command;

(ii) effective advance warning is issued to the opposing forces requiring the termination of the use referred to in sub-paragraph 1(b); and

(iii) Reasonable time is given to the opposing forces to redress the situation.

## Article 14

*Suspension and cancellation of enhanced protection*

1. Where cultural property no longer meets any one of the criteria in Article 10 of this Protocol, the Committee may suspend its enhanced protection status or cancel that status by removing that cultural property from the List.

2. In the case of a serious violation of Article 12 in relation to cultural property under enhanced protection arising from its use in support of military action, the Committee may suspend its enhanced protection status. Where such violations are continuous, the Committee may exceptionally cancel the enhanced protection status by removing the cultural property from the List.

3. The Director-General shall, without delay, send to the Secretary-General of the United Nations and to all Parties to this Protocol notification of any decision of the Committee to suspend or cancel the enhanced protection of cultural property.

4. Before taking such a decision, the Committee shall afford an opportunity to the Parties to make their views known.

## Chapter 4

## Criminal responsibility and jurisdiction

## Article 15

*Serious violations of this Protocol*

1. Any person commits an offence within the meaning of this Protocol if that person intentionally and in violation of the Convention or this Protocol commits any of the following acts:

(a) making cultural property under enhanced protection the object of attack;

(b) using cultural property under enhanced protection or its immediate surroundings in support of military action;

(c) extensive destruction or appropriation of cultural property protected under the Convention and this Protocol;

## 13. člen

*Izguba razširjenega varstva*

1. Kulturne dobrine pod razširjenim varstvom izgubijo tako varstvo samo:

(a) če se tako varstvo začasno odvzame ali odpravi v skladu s 14. členom ali

(b) če in dokler so take dobrine zaradi uporabe postale vojaški cilj.

2. V okoliščinah iz pododstavka (b) prvega odstavka so lahko take dobrine cilj napada samo:

(a) če je napad edini možni način za prenehanje uporabe dobrin iz pododstavka (b) prvega odstavka;

(b) če so pri izbiri sredstev in metod napada zagotovljeni vsi možni previdnostni ukrepi, zato da se preneha s tako uporabo ter da se prepreči ali vsaj zmanjša škoda na kulturnih dobrinah;

(c) če tega ne preprečijo okoliščine, ki zahtevajo takojšnje samoobrambo:

(i) se povelje za napad izda na najvišji operativni ravni poveljstva;

(ii) se nasprotnim silam da učinkovito vnaprejšnje opozorilo, ki zahteva prenehanje uporabe, navedene v pododstavku (b) prvega odstavka, in

(iii) se da nasprotnim silam dovolj časa, da spremenijo položaj.

## 14. člen

*Začasni odvzem in odprava razširjenega varstva*

1. Če kulturna dobrina ne izpolnjuje več katerega koli merila iz 10. člena tega protokola, ji lahko odbor začasno odvzame status razširjenega varstva ali ga odpravi s črtanjem te kulturne dobrine iz seznama.

2. V primeru hude kršitve 12. člena glede kulturnih dobrin pod razširjenim varstvom, ki izhajajo iz uporabe takih dobrin v podporo vojaškemu delovanju, jim lahko odbor začasno odvzame tak status. Če se take kršitve stalno ponavljajo, lahko odbor izjemoma odpravi status razširjenega varstva s črtanjem kulturne dobrine iz seznama.

3. Generalni direktor takoj pošlje generalnemu sekretarju Združenih narodov in vsem pogodbenicam tega protokola uradno obvestilo o vsaki odločitvi odbora, da začasno odvzame ali odpravi razširjeno varstvo.

4. Preden odbor sprejme tako odločitev, da pogodbenicam možnost, da izrazijo svoje mnenje.

## Četrto poglavje

## Kazenska odgovornost in jurisdikcija

## 15. člen

*Hude kršitve tega protokola*

1. Kaznivo dejanje po tem protokolu stori vsaka oseba, ki naklepno in ob kršenju konvencije ali tega protokola stori katero koli od teh dejanj:

(a) določitev kulturne dobrine pod razširjenim varstvom za cilj napada;

(b) uporaba kulturne dobrine pod razširjenim varstvom ali njihovo neposredno okolico v podporo vojaškemu delovanju;

(c) obsežno uničevanje ali prilaščanje kulturnih dobrin, varovanih po konvenciji ali tem protokolu;

(d) making cultural property protected under the Convention and this Protocol the object of attack;

(e) Theft, pillage or misappropriation of, or acts of vandalism directed against cultural property protected under the Convention.

2. Each Party shall adopt such measures as may be necessary to establish as criminal offences under its domestic law the offences set forth in this Article and to make such offences punishable by appropriate penalties. When doing so, Parties shall comply with general principles of law and international law, including the rules extending individual criminal responsibility to persons other than those who directly commit the act.

#### Article 16 Jurisdiction

1. Without prejudice to paragraph 2, each Party shall take the necessary legislative measures to establish its jurisdiction over offences set forth in Article 15 in the following cases:

(a) when such an offence is committed in the territory of that State;

(b) when the alleged offender is a national of that State;

(c) in the case of offences set forth in Article 15 sub-paragraphs (a) to (c), when the alleged offender is present in its territory.

2. With respect to the exercise of jurisdiction and without prejudice to Article 28 of the Convention:

(a) this Protocol does not preclude the incurring of individual criminal responsibility or the exercise of jurisdiction under national and international law that may be applicable, or affect the exercise of jurisdiction under customary international law;

(b) Except in so far as a State which is not Party to this Protocol may accept and apply its provisions in accordance with Article 3 paragraph 2, members of the armed forces and nationals of a State which is not Party to this Protocol, except for those nationals serving in the armed forces of a State which is a Party to this Protocol, do not incur individual criminal responsibility by virtue of this Protocol, nor does this Protocol impose an obligation to establish jurisdiction over such persons or to extradite them.

#### Article 17 Prosecution

1. The Party in whose territory the alleged offender of an offence set forth in Article 15 sub-paragraphs 1 (a) to (c) is found to be present shall, if it does not extradite that person, submit, without exception whatsoever and without undue delay, the case to its competent authorities, for the purpose of prosecution, through proceedings in accordance with its domestic law or with, if applicable, the relevant rules of international law.

2. Without prejudice to, if applicable, the relevant rules of international law, any person regarding whom proceedings are being carried out in connection with the Convention or this Protocol shall be guaranteed fair treatment and a fair trial in accordance with domestic law and international law at all stages of the proceedings, and in no cases shall be provided guarantees less favorable to such person than those provided by international law.

(d) določitev kulturne dobrine, varovane po konvenciji ali tem protokolu, za cilj napada;

(e) tatvina, ropanje ali nezakonito prilaščanje kulturnih dobrin, varovanih po konvenciji, ali izvajanje vandalizma nad njimi.

2. Vsaka pogodbenica sprejme ukrepe, ki so po njeni oceni potrebni za to, da se kot kazniva dejanja po njeni notranji zakonodaji predvidijo kazniva dejanja, določena v tem členu, ter določi za ta kazniva dejanja ustrezne kazni. Pri tem pogodbenice uresničujejo splošna pravna načela in načela mednarodnega prava, vključno s pravili, ki širijo individualno kazensko odgovornost na osebe, ki niso neposredno storile takih dejanj.

#### 16. člen Jurisdikcija

1. Brez vpliva na drugi odstavek prejšnjega člena vsaka pogodbenica sprejme potrebne zakonske ukrepe za vzpostavitev svoje jurisdikcije glede kaznivih dejanj, navedenih v 15. členu, v teh primerih:

(a) če je tako dejanje storjeno na ozemlju te države;

(b) če je domnevni storilec državljan te države;

(c) v primeru kaznivih dejanj, navedenih v pododstavkih (a) do (c) prvega odstavka 15. člena, če je domnevni storilec na njenem ozemlju.

2. Glede izvajanja jurisdikcije in brez vpliva na 28. člen konvencije

(a) ta protokol ne preprečuje določanja individualne kazenske odgovornosti ali izvajanja jurisdikcije po veljavnem notranjem in mednarodnem pravu, niti ne vpliva na izvajanje jurisdikcije po običajnem mednarodnem pravu;

(b) razen v primerih, ko lahko država, ki ni pogodbenica tega protokola, sprejme in uporablja svoje določbe v skladu z drugim odstavkom 3. člena, se pripadnikom oboroženih sil in državljanom države, ki ni pogodbenica tega protokola, razen tistih državljanov, ki služijo v oboroženih silah države, ki je pogodbenica tega protokola, po tem protokolu ne določi individualna kazenska odgovornost, niti ta protokol ne nalaga obveznosti, da se vzpostavi jurisdikcija nad takimi osebami ali da se izročijo.

#### 17. člen Kazenski pregon

1. Če pogodbenica, za katero se ugotovi, da je domnevni storilec kaznivega dejanja, navedenega v pododstavkih (a) do (c) prvega odstavka 15. člena tega protokola, na njenem ozemlju, ne izroči te osebe, preda brez izjem in brez zavlačevanja zadevo svojim pristojnim organom zaradi kazenskega pregona po postopkih v skladu s svojim notranjim pravom, ali če je primerno, z ustreznimi pravili mednarodnega prava.

2. Brez vpliva na ustrezna pravila mednarodnega prava, če v takem primeru veljajo, se vsaki osebi, zoper katero je sprožen postopek v zvezi s konvencijo ali s tem protokolom, zagotovita poštena obravnava in pošteno sojenje v skladu z notranjim in mednarodnim pravom na vseh stopnjah postopka, kar pa zanjo ne sme biti v nobenem primeru manj ugodno od jamstva, ki ga zagotavlja mednarodno pravo.



Article 18  
Extradition

1. The offences set forth in Article 15 sub-paragraphs 1 (a) to (c) shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the Parties before the entry into force of this Protocol. Parties undertake to include such offences in every extradition treaty to be subsequently concluded between them.

2. When a Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another Party with which it has no extradition treaty, the requested Party may, at its option, consider the present Protocol as the legal basis for extradition in respect of offences as set forth in Article 15 sub-paragraphs 1 (a) to (c).

3. Parties which do not make extradition conditional on the existence of a treaty shall recognise the offences set forth in Article 15 sub-paragraphs 1 (a) to (c) as extraditable offences between them, subject to the conditions provided by the law of the requested Party.

4. If necessary, offences set forth in Article 15 sub-paragraphs 1 (a) to (c) shall be treated, for the purposes of extradition between Parties, as if they had been committed not only in the place in which they occurred but also in the territory of the Parties that have established jurisdiction in accordance with Article 16 paragraph 1.

Article 19  
Mutual legal assistance

1. Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in Article 15, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. Parties shall carry out their obligations under paragraph 1 in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, Parties shall afford one another assistance in accordance with their domestic law.

Article 20  
Grounds for refusal

1. For the purpose of extradition, offences set forth in Article 15 sub-paragraphs 1 (a) to (c), and for the purpose of mutual legal assistance, offences set forth in Article 15 shall not be regarded as political offences nor as offences connected with political offences nor as offences inspired by political motives. Accordingly, a request for extradition or for mutual legal assistance based on such offences may not be refused on the sole ground that it concerns a political offence or an offence connected with a political offence or an offence inspired by political motives.

2. Nothing in this Protocol shall be interpreted as imposing an obligation to extradite or to afford mutual legal assistance if the requested Party has substantial grounds for believing that the request for extradition for offences set forth in Article 15 sub-paragraphs 1 (a) to (c) or for mutual legal assistance with respect to offences set forth in Article 15 has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin or political opinion or that compliance with the request would cause prejudice to that person's position for any of these reasons.

18. člen  
Izročitev

1. Za kazniva dejanja, navedena v pododstavkih (a) do (c) prvega odstavka 15. člena se šteje, da spadajo med kazniva dejanja, za katera se zahteva izročitev v vsaki pogodbi o izročitvi, ki obstaja med katero koli pogodbenico, preden je začel veljati ta protokol. Pogodbenice se obvezujejo, da bodo vključile taka kazniva dejanja v vsako nadaljnjo pogodbo o izročitvi, ki jo sklenejo.

2. Ko pogodbenica pogojuje izročitev z obstojem pogodbe, prejme zahtevo za izročitev od druge pogodbenice, s katero nima sklenjene pogodbe o izročitvi, lahko po svoji presoji upošteva ta protokol kot pravno podlago za izročitev glede na kazniva dejanja, navedena v pododstavkih (a) do (c) prvega odstavka 15. člena.

3. Pogodbenice, ki ne pogojujejo izročitve z obstojem pogodbe, priznavajo kazniva dejanja, navedena v pododstavkih (a) do (c) prvega odstavka 15. člena, kot kazniva dejanja, za katera je predvidena izročitev v skladu s pogoji, predvidenimi s predpisi zaprosene pogodbenice.

4. Če je potrebno, se kazniva dejanja, navedena v pododstavkih (a) do (c) prvega odstavka 15. člena glede izročitve med pogodbenicama obravnavajo, kot da so bila storjena ne samo tam, kjer so se zgodila, temveč tudi na ozemlju, nad katerim imajo pogodbenice jurisdikcijo v skladu s prvim odstavkom 16. člena.

19. člen

Vzajemna pravna pomoč

1. Pogodbenice si čim bolj pomagajo pri preiskavah, kazenskem postopku ali postopku izročitve v zvezi s kaznivimi dejanji, navedenimi v 15. členu, vključno s pridobivanjem dokazov, potrebnih za postopek, in jih imajo na razpolago.

2. Pogodbenice izpolnjujejo obveznosti iz prvega odstavka v skladu s pogodbami ali drugimi dogovori o vzajemni pravni pomoči, če so jih sklenile. Če ni takih pogodb ali dogovorov, si pogodbenice med seboj pomagajo v skladu s svojim notranjim pravom.

20. člen

Razlogi za odklonitev

1. Za izročitev se kazniva dejanja, navedena v pododstavkih (a) do (c) prvega odstavka 15. člena, za medsebojno pravno pomoč pa vsa kazniva dejanja, navedena v 15. členu, ne štejejo za politična kazniva dejanja, niti za kazniva dejanja, povezana s političnimi kaznivimi dejanji, niti za kazniva dejanja iz političnih nagibov. Zato se prošnja za izročitev ali medsebojno pravno pomoč, ki temelji na takih kaznivih dejanjih, ne sme zavrniti zgolj iz razloga, da gre za kaznivo politično dejanje ali kaznivo dejanje, povezano s političnim kaznivim dejanjem, ali za kaznivo dejanje iz političnih nagibov.

2. Nobena določba v tem protokolu se ne sme razlagati tako, kot da nalaga obveznost izročitve ali dajanja medsebojne pravne pomoči, če ima zaprosena pogodbenica tehtne razloge za prepričanje, da se je za izročitev zaradi kaznivih dejanj, navedenih v pododstavkih (a) do (c) prvega odstavka 15. člena, ali za medsebojno pravno pomoč glede kaznivih dejanj, navedenih v 15. členu, zaprosilo zaradi kazenskega pregona ali kaznovanja osebe zaradi njene rase, vere, narodnosti, narodne pripadnosti ali političnega prepričanja ali da bi izpolnitev prošnje škodila položaju te osebe zaradi katerega od teh razlogov.

## Article 21

*Measures regarding other violations*

Without prejudice to Article 28 of the Convention, each Party shall adopt such legislative, administrative or disciplinary measures as may be necessary to suppress the following acts when committed intentionally:

(a) any use of cultural property in violation of the Convention or this Protocol;

(b) any illicit export, other removal or transfer of ownership of cultural property from occupied territory in violation of the Convention or this Protocol.

## Chapter 5

**The protection of cultural property in armed conflicts not of an international character**

## Article 22

*Armed conflicts not of an international character*

1. This Protocol shall apply in the event of an armed conflict not of an international character, occurring within the territory of one of the Parties.

2. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature.

3. Nothing in this Protocol shall be invoked for the purpose of affecting the sovereignty of a State or the responsibility of the government, by all legitimate means, to maintain or re-establish law and order in the State or to defend the national unity and territorial integrity of the State.

4. Nothing in this Protocol shall prejudice the primary jurisdiction of a Party in whose territory an armed conflict not of an international character occurs over the violations set forth in Article 15.

5. Nothing in this Protocol shall be invoked as a justification for intervening, directly or indirectly, for any reason whatever, in the armed conflict or in the internal or external affairs of the Party in the territory of which that conflict occurs.

6. The application of this Protocol to the situation referred to in paragraph 1 shall not affect the legal status of the parties to the conflict.

7. UNESCO may offer its services to the parties to the conflict.

Chapter 6  
**Institutional Issues**

## Article 23

*Meeting of the Parties*

1. The Meeting of the Parties shall be convened at the same time as the General Conference of UNESCO, and in co-ordination with the Meeting of the High Contracting Parties, if such a meeting has been called by the Director-General.

2. The Meeting of the Parties shall adopt its Rules of Procedure.

3. The Meeting of the Parties shall have the following functions:

(a) to elect the Members of the Committee, in accordance with Article 24 paragraph 1;

(b) to endorse the Guidelines developed by the Committee in accordance with Article 27 sub-paragraph 1(a);

(c) to provide guidelines for, and to supervise the use of the Fund by the Committee;

## 21. člen

*Ukrepi glede drugih kršitev*

Brez vpliva na 28. člen konvencije vsaka pogodbenica sprejme take zakonske, upravne ali disciplinske ukrepe, ki so po njenem mnenju nujni za preprečitev teh dejanj, če so storjena naklepno:

(a) kakršna koli uporaba kulturnih dobrin, ki krši konvencijo ali ta protokol;

(b) kakršen koli nezakonit izvoz, drugačna premestitev ali prenos lastništva kulturnih dobrin z zasedenega ozemlja, ki krši konvencijo ali ta protokol.

## Peto poglavje

**Varstvo kulturnih dobrin med nemednarodnimi oboroženimi spopadi**

## 22. člen

*Oboroženi nemednarodni spopadi*

1. Ta protokol se uporablja v primeru nemednarodnega oboroženega spopada in spopada, do katerega pride na ozemlju ene od pogodbenic.

2. Ta protokol se ne uporablja ob notranjih nemirih in napetostih, kot so izgredi, posamična in občasna nasilna dejanja, in drugih podobnih dejanjih.

3. Na nobeno določbo v tem protokolu se ni mogoče sklicevati z namenom, da bi vplivali na suverenost države ali odgovornost vlade, da z vsemi zakonitimi sredstvi ohranja ali znova vzpostavi javni red ali da brani enotnost in ozemeljsko celovitost države.

4. Nobena določba v tem protokolu ne sme vplivati na jurisdikcijo pogodbenice, na ozemlju katere pride do nemednarodnega oboroženega spopada glede kršitev, navedenih v 15. členu.

5. Na nobeno določbo v tem protokolu se ni mogoče sklicevati kot na opravičilo za posreden ali neposreden poseg v oborožen spopad ali notranje ali zunanje zadeve pogodbenice na ozemlju, na katerem pride do spopada, ne glede na razlog.

6. Uporaba tega protokola v primeru, navedenem v prvem odstavku, ne vpliva na pravni položaj strani v spopadu.

7. Unesco lahko stranem v spopadu ponudi svoje storitve.

Šesto poglavje  
**Institucionalne zadeve**

## 23. člen

*Sestanki pogodbenic*

1. Sestanek pogodbenic se skliče hkrati z Generalno konferenco Unesca ter je sklajena s sestankom visokih pogodbenic, če ga je generalni direktor sklical.

2. Na sestanku pogodbenic se sprejme poslovnik.

3. Na sestanku pogodbenic se opravijo te naloge:

(a) volijo se člani odbora v skladu s prvim odstavkom 24. člena;

(b) sprejmejo se smernice, ki jih je v skladu s pododstavkom (a) prvega odstavka 27. člena sestavil odbor;

(c) določijo se smernice odboru, kako naj uporablja sredstva sklada in zagotavlja nadzor nad tem;

(d) to consider the report submitted by the Committee in accordance with Article 27 sub-paragraph 1(d);

(e) to discuss any problem related to the application of this Protocol, and to make recommendations, as appropriate.

4. At the request of at least one-fifth of the Parties, the Director-General shall convene an Extraordinary Meeting of the Parties.

#### Article 24

##### *Committee for the Protection of Cultural Property in the Event of Armed Conflict*

1. The Committee for the Protection of Cultural Property in the Event of Armed Conflict is hereby established. It shall be composed of twelve Parties which shall be elected by the Meeting of the Parties.

2. The Committee shall meet once a year in ordinary session and in extra-ordinary sessions whenever it deems necessary.

3. In determining membership of the Committee, Parties shall seek to ensure an equitable representation of the different regions and cultures of the world.

4. Parties members of the Committee shall choose as their representatives persons qualified in the fields of cultural heritage, defence or international law, and they shall endeavour, in consultation with one another, to ensure that the Committee as a whole contains adequate expertise in all these fields.

#### Article 25

##### *Term of office*

1. A Party shall be elected to the Committee for four years and shall be eligible for immediate re-election only once.

2. Notwithstanding the provisions of paragraph 1, the term of office of half of the members chosen at the time of the first election shall cease at the end of the first ordinary session of the Meeting of the Parties following that at which they were elected. These members shall be chosen by lot by the President of this Meeting after the first election.

#### Article 26

##### *Rules of procedure*

1. The Committee shall adopt its Rules of Procedure.

2. A majority of the members shall constitute a quorum. Decisions of the Committee shall be taken by a majority of two-thirds of its members voting.

3. Members shall not participate in the voting on any decisions relating to cultural property affected by an armed conflict to which they are parties.

#### Article 27

##### *Functions*

1. The Committee shall have the following functions:

(a) to develop Guidelines for the implementation of this Protocol;

(b) to grant, suspend or cancel enhanced protection for cultural property and to establish, maintain and promote the List of Cultural Property under Enhanced Protection;

(c) to monitor and supervise the implementation of this Protocol and promote the identification of cultural property under enhanced protection;

(d) to consider and comment on reports of the Parties, to seek clarifications as required, and prepare its own report on the implementation of this Protocol for the Meeting of the Parties;

(d) obravnava se poročilo odbora v skladu s pododstavkom (d) prvega odstavka 27. člena;

(e) razpravlja se o katerem koli drugem vprašanju v zvezi z izvajanjem tega protokola in dajejo se priporočila, če je to ustrezno.

4. Izredni sestanek pogodbenic skliče generalni direktor na zahtevo najmanj ene petine pogodbenic.

#### 24. člen

##### *Odbor za varstvo kulturnih dobrin v primeru oboroženega spopada*

1. Ustanovi se Odbor za varstvo kulturnih dobrin v primeru oboroženega spopada. Sestavlja ga dvanajst pogodbenic, ki so izvoljene na sestanku pogodbenic.

2. Odbor se sestaja enkrat letno na redni seji, in kadar je potrebno, na izredni seji.

3. Pri opredeljevanju članstva odbora si pogodbenice prizadevajo zagotoviti enakopravno zastopanost različnih regij in kultur sveta.

4. Pogodbenice članice odbora izberejo za svoje predstavnike osebe, usposobljene za kulturno dediščino, obrambo ali mednarodno pravo, ter si ob medsebojnem posvetovanju prizadevajo zagotoviti, da ima odbor kot celota dovolj strokovnega znanja na vseh teh področjih.

#### 25. člen

##### *Mandat*

1. Pogodbenica je izvoljena za članico odbora za štiri leta in je lahko ponovno izvoljena le enkrat.

2. Ne glede na določbe prvega odstavka mandat polovice članic, izvoljenih na prvih volitvah, preneha ob koncu prvega rednega zasedanja sestanka pogodbenic, ki sledi tistemu, na katerem so bile izvoljene. Te članice so izbrane z žrebom predsednika tega sestanka po prvih volitvah.

#### 26. člen

##### *Poslovnik*

1. Odbor sprejme svoj poslovnik.

2. Za sklepčnost sestanka je potrebna navzočnost večine članic. Odločitve odbora se sprejemajo z dvetretjinsko večino članic, ki glasujejo.

3. Članice odbora ne sodelujejo pri glasovanju o katerih koli odločitvah glede kulturnih dobrin, ki jih prizadene oborožen spopad, v katerem so udeležene.

#### 27. člen

##### *Naloge*

1. Odbor ima te naloge:

(a) sestavlja smernice za izvajanje tega protokola

(b) odobrava, začasno odvzema ali odpravlja razširjeno varstvo za kulturne dobrine in sestavlja, vodi seznam kulturnih dobrin pod razširjenim varstvom in ga predstavlja javnosti;

(c) spremlja in nadzira izvajanje tega protokola in skrbi za opredeljevanje kulturnih dobrin pod razširjenim varstvom ter za seznanjanje javnosti z njimi;

(d) obravnava poročila pogodbenic in izraža svoje mnenje o njih, po potrebi pridobiva pojasnila ter pripravlja poročila o izvajanju tega protokola za skupščino pogodbenic;

(e) to receive and consider requests for international assistance under Article 32;

(f) to determine the use of the Fund;

(g) to perform any other function which may be assigned to it by the Meeting of the Parties.

2. The functions of the Committee shall be performed in co-operation with the Director-General.

3. The Committee shall co-operate with international and national governmental and non-governmental organizations having objectives similar to those of the Convention, its First Protocol and this Protocol. To assist in the implementation of its functions, the Committee may invite to its meetings, in an advisory capacity, eminent professional organizations such as those which have formal relations with UNESCO, including the International Committee of the Blue Shield (ICBS) and its constituent bodies. Representatives of the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome Centre) (ICCROM) and of the International Committee of the Red Cross (ICRC) may also be invited to attend in an advisory capacity.

#### Article 28 Secretariat

The Committee shall be assisted by the Secretariat of UNESCO which shall prepare the Committee's documentation and the agenda for its meetings and shall have the responsibility for the implementation of its decisions.

#### Article 29

##### *The Fund for the Protection of Cultural Property in the Event of Armed Conflict*

1. A Fund is hereby established for the following purposes:

(a) to provide financial or other assistance in support of preparatory or other measures to be taken in peacetime in accordance with, *inter alia*, Article 5, Article 10 sub-paragraph (b) and Article 30; and

(b) to provide financial or other assistance in relation to emergency, provisional or other measures to be taken in order to protect cultural property during periods of armed conflict or of immediate recovery after the end of hostilities in accordance with, *inter alia*, Article 8 sub-paragraph (a).

2. The Fund shall constitute a trust fund, in conformity with the provisions of the financial regulations of UNESCO.

3. Disbursements from the Fund shall be used only for such purposes as the Committee shall decide in accordance with the guidelines as defined in Article 23 sub-paragraph 3(c). The Committee may accept contributions to be used only for a certain programme or project, provided that the Committee shall have decided on the implementation of such programme or project.

4. The resources of the Fund shall consist of:

(a) voluntary contributions made by the Parties;

(b) contributions, gifts or bequests made by:

(i) other States;

(ii) UNESCO or other organizations of the United Nations system;

(iii) other intergovernmental or non-governmental organizations; and

(iv) public or private bodies or individuals;

(c) any interest accruing on the Fund;

(d) funds raised by collections and receipts from events organized for the benefit of the Fund; and

(e) all other resources authorized by the guidelines applicable to the Fund.

(e) sprejema in obravnava zaprosila za mednarodno pomoč v skladu z 32. členom;

(f) določa uporabo sredstev sklada;

(g) opravlja katero koli drugo nalogo, ki mu jo določi sestanek pogodbenic.

2. Naloge odbora se opravljajo v sodelovanju z generalnim direktorjem.

3. Odbor sodeluje z mednarodnimi in državnimi vladnimi in nevladnimi organizacijami, ki imajo podobne cilje, kot so cilji konvencije, njenega prvega protokola in tega protokola. V pomoč pri opravljanju svojih nalog lahko odbor na svoje sestanke kot svetovalce povabi ugledne strokovne organizacije, ki so povezane z Unescocom, vključno z Mednarodnim odborom Modrega ščita, in telesa, ki ga sestavljajo. Prav tako lahko k sodelovanju kot svetovalce povabi predstavnike Mednarodnega centra za študij varstva in restavriranja kulturnih dobrin (Rimski center) ter Mednarodnega odbora Rdečega križa.

#### 28. člen Sekretariat

Odboru pomaga sekretariat Unesca, ki pripravlja dokumentacijo odbora in dnevni red njegovih sestankov, ter je odgovoren za uresničevanje njegovih sklepov.

#### 29. člen

##### *Sklad za varstvo kulturnih dobrin v primeru oboroženega spopada*

1. Ustanovi se sklad z namenom, da:

(a) zagotavlja finančno ali drugo pomoč v podporo pripravljanim ali drugim ukrepom, ki naj se sprejemajo v miru, med drugim v skladu s tistimi iz 5. člena, pododstavka (b) 10. člena in 30. člena ter

(b) zagotavlja finančno ali drugo pomoč v zvezi z nujnimi, začasnimi ali drugimi ukrepi, ki naj se sprejmejo za zavarovanje kulturnih dobrin med oboroženimi spopadi ali obnovo po koncu sovražnosti, med drugim v skladu s tistimi iz pododstavka (a) 8. člena.

2. Sklad vključuje skrbniški sklad v skladu z določbami finančnega pravilnika Unesca.

3. Izplačila iz sklada se uporabljajo samo za namene, ki jih določi odbor v skladu s smernicami iz pododstavka (c) tretjega odstavka 23. člena. Odbor lahko sprejema prispevke, ki naj se uporabljajo samo za določen program ali projekt, če se predhodno odloči za izvedbo takega programa ali projekta.

4. Sredstva sklada vključujejo:

(a) prostovoljne prispevke pogodbenic;

(b) prispevke, darila ali zapuščine

(i) drugih držav;

(ii) Unesca ali drugih organizacij iz sistema Združenih narodov;

(iii) drugih medvladnih ali nevladnih organizacij;

(iv) javnih ali zasebnih organizacij ali posameznikov;

(c) obresti na sredstva sklada;

(d) denarna sredstva, zbrana na prireditvah, organiziranih v korist sklada, in

(e) vsa druga sredstva, določena v smernicah za uporabo sredstev sklada.

Chapter 7  
Dissemination of Information and International Assistance

Article 30  
Dissemination

1. The Parties shall endeavour by appropriate means, and in particular by educational and information programmes, to strengthen appreciation and respect for cultural property by their entire population.

2. The Parties shall disseminate this Protocol as widely as possible, both in time of peace and in time of armed conflict.

3. Any military or civilian authorities who, in time of armed conflict, assume responsibilities with respect to the application of this Protocol, shall be fully acquainted with the text thereof. To this end the Parties shall, as appropriate:

(a) incorporate guidelines and instructions on the protection of cultural property in their military regulations;

(b) develop and implement, in cooperation with UNESCO and relevant governmental and non-governmental organizations, peacetime training and educational programmes;

(c) communicate to one another, through the Director-General, information on the laws, administrative provisions and measures taken under sub-paragraphs (a) and (b);

(d) communicate to one another, as soon as possible, through the Director-General, the laws and administrative provisions which they may adopt to ensure the application of this Protocol.

Article 31  
International cooperation

In situations of serious violations of this Protocol, the Parties undertake to act, jointly through the Committee, or individually, in cooperation with UNESCO and the United Nations and in conformity with the Charter of the United Nations.

Article 32  
International assistance

1. A Party may request from the Committee international assistance for cultural property under enhanced protection as well as assistance with respect to the preparation, development or implementation of the laws, administrative provisions and measures referred to in Article 10.

2. A party to the conflict, which is not a Party to this Protocol but which accepts and applies provisions in accordance with Article 3, paragraph 2, may request appropriate international assistance from the Committee.

3. The Committee shall adopt rules for the submission of requests for international assistance and shall define the forms the international assistance may take.

4. Parties are encouraged to give technical assistance of all kinds, through the Committee, to those Parties or parties to the conflict who request it.

Sedmo poglavje  
Širjenje informacij in mednarodna pomoč

30. člen

Širjenje informacij

1. Pogodbenice si na ustrezne načine, zlasti pa z izobraževalnimi in informativnimi programi, prizadevajo, da bi njihovo celotno prebivalstvo bolj cenilo in spoštovalo kulturne dobrine.

2. Pogodbenice razširjajo besedilo tega protokola v največji možni meri v miru in času oboroženega spopada.

3. Vsi vojaški ali civilni organi, ki med oboroženim spopadom prevzamejo odgovornosti za uporabo tega protokola, morajo biti v celoti seznanjeni z njegovim besedilom. V ta namen pogodbenice ustrezno:

(a) vključijo smernice in navodila za varstvo kulturnih dobrin v svoje vojaške predpise;

(b) v sodelovanju z Unescom in ustreznimi vladnimi in nevladnimi organizacijami v obdobju miru razvijajo in izvajajo programe usposabljanja in izobraževanja;

(c) po generalnem direktorju si medsebojno sporočajo podatke o zakonih, upravnih predpisih in ukrepih, sprejetih v skladu s pododstavkoma (a) in (b);

(d) v čim krajšem času se po generalnem direktorju med seboj obveščajo o zakonih in upravnih določbah, ki jih sprejemajo za zagotovitev uporabe tega protokola.

31. člen

Mednarodno sodelovanje

Pogodbenice se zavezujejo, da bodo ob resnih kršitvah tega protokola začele ukrepati skupaj prek odbora ali posamično v sodelovanju z Unescom in Združenimi narodi ter v skladu z Ustanovno listino Združenih narodov.

32. člen

Mednarodna pomoč

1. Pogodbenica lahko zaprosi odbor za mednarodno pomoč glede kulturnih dobrin pod razširjenim varstvom kot tudi za pomoč v zvezi s pripravo, razvijanjem ali izvajanjem zakonov, upravnih predpisov in ukrepov, omenjenih v 10. členu tega protokola.

2. Stran v spopadu, ki ni podpisnica tega protokola, vendar sprejema in uporablja določbe tega protokola v skladu z drugim odstavkom 3. člena, lahko zaprosi odbor za ustrezno mednarodno pomoč.

3. Odbor sprejema pravila za predložitev zaprosil za mednarodno pomoč in določa možne oblike mednarodne pomoči.

4. Pogodbenice se spodbujajo, da prek odbora dajejo strokovno pomoč tistim pogodbenicam ali stranem v spopadu, ki za to zaprosijo.

## Article 33

*Assistance of UNESCO*

1. A Party may call upon UNESCO for technical assistance in organizing the protection of its cultural property, such as preparatory action to safeguard cultural property, preventive and organizational measures for emergency situations and compilation of national inventories of cultural property, or in connection with any other problem arising out of the application of this Protocol. UNESCO shall accord such assistance within the limits fixed by its programme and by its resources.

2. Parties are encouraged to provide technical assistance at bilateral or multilateral level.

3. UNESCO is authorized to make, on its own initiative, proposals on these matters to the Parties.

## Chapter 8

*Execution of this Protocol*

## Article 34

*Protecting Powers*

This Protocol shall be applied with the co-operation of the Protecting Powers responsible for safeguarding the interests of the Parties to the conflict.

## Article 35

*Conciliation procedure*

1. The Protecting Powers shall lend their good offices in all cases where they may deem it useful in the interests of cultural property, particularly if there is disagreement between the Parties to the conflict as to the application or interpretation of the provisions of this Protocol.

2. For this purpose, each of the Protecting Powers may, either at the invitation of one Party, of the Director-General, or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for the protection of cultural property, if considered appropriate, on the territory of a State not party to the conflict. The Parties to the conflict shall be bound to give effect to the proposals for meeting made to them. The Protecting Powers shall propose for approval by the Parties to the conflict a person belonging to a State not party to the conflict or a person presented by the Director-General, which person shall be invited to take part in such a meeting in the capacity of Chairman.

## Article 36

*Conciliation in absence of Protecting Powers*

1. In a conflict where no Protecting Powers are appointed the Director-General may lend good offices or act by any other form of conciliation or mediation, with a view to settling the disagreement.

2. At the invitation of one Party or of the Director-General, the Chairman of the Committee may propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for the protection of cultural property, if considered appropriate, on the territory of a State not party to the conflict.

## Article 37

*Translations and reports*

1. The Parties shall translate this Protocol into their official languages and shall communicate these official translations to the Director-General.

2. The Parties shall submit to the Committee, every four years, a report on the implementation of this Protocol.

## 33. člen

*Pomoč Unesca*

1. Pogodbenica se lahko obrne na Unesco za strokovno pomoč pri organiziranju varstva svojih kulturnih dobrin, kot so pripravljalne dejavnosti za varovanje kulturnih dobrin, preventivni in organizacijski ukrepi za nujne primere ter sestavljanje državnih popisov kulturnih dobrin, ali v zvezi s katerim koli drugim vprašanjem, ki izhaja iz uporabe tega protokola. Unesco daje tako pomoč v skladu s svojimi programi in sredstvi.

2. Pogodbenice se spodbujajo, da dajejo strokovno pomoč na dvostranski in večstranski ravni.

3. Unesco je pooblaščen, da na lastno pobudo daje predloge pogodbenicam o teh zadevah.

Osmo poglavje  
*Izvajanje protokola*

## 34. člen

*Sile zaščitnice*

Ta protokol se uporablja v sodelovanju s silami zaščitnicami, odgovornimi za varovanje interesov strani v spopadu.

## 35. člen

*Postopek poravnave*

1. Sile zaščitnice posredujejo v vseh primerih, za katere menijo, da bi bilo to v interesu kulturnih dobrin, še posebej kadar pride pri uporabi ali razlagi določb tega protokola do nesporazuma med stranmi v spopadu.

2. V ta namen sme vsaka sila zaščitnica na povabilo ene od pogodbenic, generalnega direktorja ali na svojo pobudo predlagati stranem v spopadu, da se njihovi predstavniki in še posebej organi, odgovorni za varstvo kulturnih dobrin, sestanejo, če je le mogoče, na ozemlju države, ki ni stran v spopadu. Strani v spopadu so zavezane, da uresničijo predlog za predlagani sestanek. Sile zaščitnice stranem v spopadu predlagajo v odobritev osebo, ki pripada državi, ki ni stran v spopadu, ali osebo, ki jo predlaga generalni direktor; v tem primeru se ta povabi na sestanek kot predsedujoča oseba.

## 36. člen

*Poravnava v odsotnosti sil zaščitnic*

1. V spopadu, v katerem sile zaščitnice niso določene, lahko za rešitev nesporazuma generalni direktor ponudi predloge za rešitev ali kako drugače sodeluje pri poravnavi ali posredovanju.

2. Predsednik odbora lahko na povabilo pogodbenice ali generalnega direktorja predlaga stranem v spopadu sestanek njihovih predstavnikov, še posebej organov, odgovornih za varstvo kulturnih dobrin, če je le mogoče, na ozemlju države, ki ni stran v spopadu.

## 37. člen

*Prevodi in poročila*

1. Pogodbenice prevedejo ta protokol v svoje uradne jezike in jih pošljejo generalnemu direktorju.

2. Pogodbenice vsaka štiri leta predložijo odboru poročilo o izvajanju tega protokola.

## Article 38

*State responsibility*

No provision in this Protocol relating to individual criminal responsibility shall affect the responsibility of States under international law, including the duty to provide reparation.

Chapter 9  
Final Clauses

## Article 39

*Languages*

This Protocol is drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authentic.

## Article 40

*Signature*

This Protocol shall bear the date of 26 March 1999. It shall be opened for signature by all High Contracting Parties at The Hague from 17 May 1999 until 31 December 1999.

## Article 41

*Ratification, acceptance or approval*

1. This Protocol shall be subject to ratification, acceptance or approval by High Contracting Parties which have signed this Protocol, in accordance with their respective constitutional procedures.

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

## Article 42

*Accession*

1. This Protocol shall be open for accession by other High Contracting Parties from 1 January 2000.

2. Accession shall be effected by the deposit of an instrument of accession with the Director-General.

## Article 43

*Entry into force*

1. This Protocol shall enter into force three months after twenty instruments of ratification, acceptance, approval or accession have been deposited.

2. Thereafter, it shall enter into force, for each Party, three months after the deposit of its instrument of ratification, acceptance, approval or accession.

## Article 44

*Entry into force in situations of armed conflict*

The situations referred to in Articles 18 and 19 of the Convention shall give immediate effect to ratifications, acceptances or approvals of or accessions to this Protocol deposited by the parties to the conflict either before or after the beginning of hostilities or occupation. In such cases the Director-General shall transmit the communications referred to in Article 46 by the speediest method.

## Article 45

*Denunciation*

1. Each Party may denounce this Protocol.

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

## 38. člen

*Odgovornost držav*

Nobena določba v tem protokolu ne vpliva na individualno kazensko odgovornost držav po mednarodnem pravu, vključno z dolžnostjo glede zagotovitve vojne odškodnine.

Deveto poglavje  
Končne določbe

## 39. člen

*Jeziki*

Ta protokol je sestavljen v angleškem, arabskem, francoskem, kitajskem, ruskem in španskem jeziku, pri čemer vseh šest besedil velja kot izvirnik.

## 40. člen

*Podpis*

Ta protokol je bil sestavljen 26. marca 1999. Vsem visokim pogodbenicam je na voljo za podpis v Haagu od 17. maja 1999 do 31. decembra 1999.

## 41. člen

*Ratifikacija, sprejetje ali odobritev*

1. Ta protokol morajo ratificirati, sprejeti ali odobriti visoke pogodbenice, ki so ga podpisale v skladu s svojimi ustreznimi ustavnimi postopki.

2. Listine o ratifikaciji, sprejetju ali odobritvi so deponirane pri generalnem direktorju.

## 42. člen

*Pristop*

1. Ta protokol je vsem drugim visokim pogodbenicam na voljo za pristop od 1. januarja 2000.

2. Pristop se opravi z deponiranjem listine o pristopu pri generalnem direktorju.

## 43. člen

*Začetek veljavnosti*

1. Ta protokol začne veljati tri mesece po tem, ko je bilo deponiranih dvajset listin o ratifikaciji, sprejetju, odobritvi ali pristopu.

2. Po tem datumu začne za vsako pogodbenico veljati tri mesece po deponiranju njene listine o ratifikaciji, sprejetju, odobritvi ali pristopu.

## 44. člen

*Začetek veljavnosti v razmerah oboroženega spopada*

V razmerah, opredeljenih v 18. ali 19. členu konvencije, začnejo ratifikacije, sprejetja, odobritve ali pristopi k temu protokolu, ki so jih deponirale strani v spopadu pred začetkom sovražnosti ali zasedbo ali po njej, veljati takoj. Generalni direktor o tem čim prej pošlje obvestila v skladu s 46. členom tega protokola.

## 45. člen

*Odpoved*

1. Vsaka pogodbenica lahko odpove ta protokol.

2. Odpoved se sporoči s pisnim dokumentom, deponiranim pri generalnem direktorju.

3. The denunciation shall take effect one year after the receipt of the instrument of denunciation. However, if, on the expiry of this period, the denouncing Party is involved in an armed conflict, the denunciation shall not take effect until the end of hostilities, or until the operations of repatriating cultural property are completed, whichever is the later.

**Article 46**  
**Notifications**

The Director-General shall inform all High Contracting Parties as well as the United Nations, of the deposit of all the instruments of ratification, acceptance, approval or accession provided for in Articles 41 and 42 and of denunciations provided for Article 45.

**Article 47**  
**Registration with the United Nations**

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

IN FAITH WHEREOF the undersigned, duly authorized, have signed the present Protocol.

DONE at The Hague, this twenty-sixth day of March 1999, in a single copy which shall be deposited in the archives of the UNESCO, and certified true copies of which shall be delivered to all the High Contracting Parties.

3. Odpoved začne veljati leto dni po prejemu dokumenta o odpovedi. Če je pred potekom tega roka pogodbenica, ki odpoveduje ta protokol, vpletena v oboroženi spopad, odpoved začne veljati, šele ko se sovražnosti končajo ali ko se končajo postopki vrnitve kulturnih dobrin v matično državo, kar od tega je kasnejše.

**46. člen**  
**Uradna obvestila**

Generalni direktor obvesti vse visoke pogodbenice in Združene narode o deponiranju vseh listin o ratifikaciji, sprejetju, odobritvi ali pristopu, predvidenih v 41. in 42. členu, in o odpovedih, predvidenih v 45. členu.

**47. člen**  
**Vpis v seznam pri Združenih narodih**

Na zahtevo generalnega direktorja se v skladu s 102. členom Ustanovne listine Združenih narodov ta protokol vpiše v seznam pri Sekretariatu Združenih narodov.

Da bi to potrdili, so spodaj podpisani, ki so bili za to pravilno pooblašteni, podpisali ta protokol.

Sestavljeno v Haagu 26. marca 1999 v enem izvodu, ki se deponira v arhivu Unesca in katerega overjene kopije se pošljejo vsem visokim pogodbenicam.

**3. člen**

Za izvajanje protokola skrbita Ministrstvo za kulturo in Ministrstvo za obrambo.

**4. člen**

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

Št. 612-04/03-7/1

Ljubljana, dne 2. oktobra 2003

EPA 957-III

Predsednik  
Državnega zbora  
Republike Slovenije  
Borut Pahor l. r.