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**United States of America
and
Slovenia**

Agreement between the Government of the United States of America and the Government of the Republic of Slovenia for scientific and technological cooperation (with annexes). Ljubljana, 21 June 1999

Entry into force: *17 December 1999 by notification, in accordance with article XI*

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**États-Unis d'Amérique
et
Slovénie**

Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République de Slovénie relatif à la coopération scientifique et technologique (avec annexes). Ljubljana, 21 juin 1999

Entrée en vigueur : *17 décembre 1999 par notification, conformément à l'article XI*

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[ENGLISH TEXT - TEXTE ANGLAIS]

AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA
FOR SCIENTIFIC AND TECHNOLOGICAL COOPERATION

The Government of the United States of America and the Government of the Republic of Slovenia (hereinafter referred to as "the Parties");

Recognizing the importance of science and technology in the development of prosperous national economies;

Convinced that international cooperation in science and technology will strengthen the bonds of friendship and understanding between their peoples and will advance the state of science and technology to the benefit of both countries;

Wishing to resume and extend the scientific and technological cooperation which has been developed between the two countries in the past under the 1993 Science and Technology Agreement;

Convinced of the need for further developing mutually beneficial scientific and technological cooperation; and

Recalling the Helsinki Final Act of the Conference on Security and Cooperation in Europe, and the concluding documents of follow-up meetings held in Vienna, Bonn, Madrid and Paris;

Have agreed as follows:

ARTICLE I

1. The Parties shall develop, support and facilitate scientific and technological cooperation between cooperating government organizations of their two countries on the basis of the principles of equality, overall reciprocity, and mutual benefit. This cooperation may be undertaken in such fields as basic science, environmental protection, medical sciences and health, agriculture, engineering research, energy, natural resources and their useful utilization, standards and measurements science, science and technology policy and management, and other areas of science and technology as may be agreed by the Joint Board established in accordance with Articles VIII and IX of this Agreement.

2. Cooperative activities under this Agreement may include coordinated programs and joint research projects, studies, and investigations; joint scientific courses, workshops, conferences and symposia; exchange of science and technology information and documentation in the context of cooperative activities; exchange of plant and animal genetic resources; exchange of scientists, specialists, and researchers; exchange or sharing of equipment or materials; and other forms of scientific and technological cooperation as may be agreed by the Joint Board.

ARTICLE II

Cooperation under this Agreement shall be conducted in accordance with the applicable national laws and regulations of the Parties and subject to the availability of personnel and appropriate funds.

ARTICLE III

1. Cooperative activities under this Agreement shall take place under implementing memoranda of understanding or other arrangements (hereinafter "implementing arrangements") concluded between government organizations of the two Parties (see Article X). Such implementing arrangements may cover the subjects of cooperation, procedures, funding, allocation of costs, and other relevant matters.

2. Activities previously initiated shall continue under, and be governed by, the provisions of this Agreement.

ARTICLE IV

With respect to cooperative activities under this Agreement, each Party shall, in accordance with its laws and regulations, facilitate:

- (a) prompt and efficient entry into and exit from its territory of appropriate equipment, instrumentation and project information;
- (b) prompt and efficient entry into and exit from its territory and domestic travel and work of persons participating in the implementation of this Agreement; and
- (c) provision of access to relevant geographic areas, data, materials, institutions, and persons participating in the implementation of this Agreement.

ARTICLE V

Provisions for the protection and allocation of intellectual property created or furnished in the course of cooperative activities under this Agreement are set forth in Annex A. Provisions for security of information and concerning transfer of technology are set forth in Annex B. Annexes A and B shall constitute an integral part of this Agreement.

ARTICLE VI

Scientific and technological information of a non-proprietary nature derived from the cooperative activities under this Agreement shall be made available, unless otherwise agreed in writing under implementing arrangements, to the world scientific community through customary channels and in accordance with current procedures of the cooperating government organizations.

ARTICLE VII

Nothing in this Agreement shall prejudice arrangements for scientific and technological cooperation not under this Agreement between cooperating government organizations of the Parties.

ARTICLE VIII

For the purposes of implementing this Agreement, the Parties shall establish a U.S.-Slovenia Joint Board on Scientific and Technological Cooperation (hereinafter the "Joint Board"). The Joint Board shall:

- (a) recommend to the Parties overall policies under the Agreement;
- (b) identify fields and forms of cooperation in accordance with Article I;
- (c) prepare periodic reports concerning the activities of the Joint Board and cooperative activities undertaken under this Agreement for submission to the Secretary of State of the United States of America and the Minister of Science and Technology or the Minister of Foreign Affairs of the Republic of Slovenia; and
- (d) undertake such further functions as may be agreed by the Parties.

ARTICLE IX

1. The Joint Board shall consist of four government representatives, two of whom shall be designated by, and serve at the pleasure of, the Government of the United States of America and two of whom shall be designated by, and serve at the pleasure of, the Government of the Republic of Slovenia. Each Party may designate alternate members.

2. The Joint Board shall meet periodically, alternating in the United States and Slovenia, as agreed by the Parties. Each Party will bear the expenses of its members or other participants.

3. The Joint Board shall select a chairman from among its members for a one year term.

4. The Joint Board shall act by consensus.

ARTICLE X

1. Each Party shall have an Executive Agent. The Executive Agents shall be the Department of State for the United States of America and the Ministry of Science and Technology for the Republic of Slovenia.

2. The Executive Agents shall exercise overall oversight, management and coordination of cooperative activities under this Agreement other than those carried out under implementing arrangements entered into under Article III and which are directly funded by participating government organizations.

3. The Executive Agents shall prepare working papers for sessions of the Joint Board.

ARTICLE XI

1. This Agreement shall enter into force on the date on which the Government of the Republic of Slovenia notifies the Government of the United States of America that all necessary legal requirements for entry into force of this Agreement have been fulfilled. This Agreement shall remain in force for five years. It will be automatically extended for consecutive periods of five (5) years unless terminated by at least ninety (90) days prior written notice to the other Party.

2. Either Party may terminate this Agreement at any time upon six-months prior written notice to the other Party. Unless otherwise agreed by the Parties, the termination of this Agreement shall not affect the completion of any cooperative activity undertaken under this Agreement and not fully completed at the time of the termination of this Agreement.

3. This Agreement may be amended in writing by the agreement of the Parties.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at *Ljubljana*, in duplicate, this *21* day of *June*, 1999, in the English and Slovene languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA

Norm Ely-Raphel

FOR THE GOVERNMENT OF THE
REPUBLIC OF SLOVENIA

Venc Trtnar

[SLOVENE TEXT - TEXTE SLOVÈNE]

SPORAZUM MED
VLADO ZDRUŽENIH DRŽAV AMERIKE
IN
VLADO REPUBLIKE SLOVENIJE
O ZNANSTVENEM IN TEHNOLOŠKEM SODELOVANJU

Vlada Združenih držav Amerike in Vlada Republike Slovenije (v nadaljnjem besedilu "pogodbenici") sta se

priznavajoč pomen znanosti in tehnologije za razvoj uspešnih gospodarstev obeh držav;

prepričani, da bo mednarodno sodelovanje v znanosti in tehnologiji krepilo prijateljske vezi in razumevanje med njunima narodoma ter pospešilo razvoj znanosti in tehnologije v korist obeh držav;

v želji po nadaljevanju in razširitvi znanstvenega in tehnološkega sodelovanja, ki je potekalo med državama v preteklosti na podlagi sporazuma o znanstvenem in tehnološkem sodelovanju iz leta 1993;

prepričani o nujnosti nadaljnjega razvijanja obojestransko koristnega znanstvenega in tehnološkega sodelovanja in

ob upoštevanju helsinške Sklepne listine Konference o varnosti in sodelovanju v Evropi in sklepnih dokumentov naslednjih srečanj na Dunaju, v Bonnu, Madridu in Parizu

sta se sporazumeli o naslednjem:

I. člen

1. Pogodbenici razvijata, podpirata in omogočata znanstveno in tehnološko sodelovanje med sodelujočimi vladnimi organizacijami obeh držav na podlagi načel enakosti, vzajemnosti in obojestranske koristi. To sodelovanje lahko poteka na področjih, kot so temeljne znanosti, varstvo okolja, medicinske znanosti in zdravstvo, kmetijstvo, raziskave na področju tehnike, energija, naravni viri in njihova koristna uporaba, znanost o standardih in meroslovju, znanstvena in tehnološka politika in vodenje ter druga področja znanosti in tehnologije, o katerih se dogovori Skupni odbor, ustanovljen v skladu z VIII. in IX. členom tega sporazuma.

2. Dejavnosti sodelovanja po tem sporazumu lahko vključujejo usklajene programe in skupne raziskovalne projekte, študije in raziskave; skupne znanstvene tečaje, delavnice, konferenčé in simpozije; izmenjavo znanstvenih in tehnoloških informacij ter dokumentacije v zvezi z dejavnostjo sodelovanja; izmenjavo rastlinskih in živalskih genskih virov; izmenjavo znanstvenikov, strokovnjakov in raziskovalcev; izmenjavo oziroma souporabo opreme ali materiala in druge oblike znanstvenega in tehnološkega sodelovanja, o katerih se dogovori Skupni odbor.

II. člen

Sodelovanje po tem sporazumu poteka v skladu z veljavnimi zakoni in predpisi pogodbenic in ob upoštevanju razpoložljivega osebja in ustreznih finančnih sredstev.

III. člen

1. Dejavnosti sodelovanja po tem sporazumu potekajo na podlagi memorandumov o soglasju ali drugih dogovorov o izvajanju (v nadaljnjem besedilu "dogovori o izvajanju"), sklenjenih med vladnimi organizacijami pogodbenic (glej X. člen). Taki dogovori o izvajanju lahko vključujejo predmet sodelovanja, postopke, financiranje, razdelitev stroškov in druge zadeve v zvezi s sodelovanjem.

2. Predhodno začete dejavnosti se nadaljujejo in potekajo v skladu z določbami tega sporazuma.

IV. člen

Pri dejavnostih sodelovanja po tem sporazumu vsaka pogodbenica v skladu s svojimi zakoni in predpisi omogoča:

- (a) hiter in učinkovit vnos in iznos ustrezne opreme, inštrumentov in projektnih informacij s svojega ozemlja;
- (b) hiter in učinkovit vstop oseb, udeleženih pri izvajanju tega sporazuma, na svoje ozemlje in izstop z njega ter potovanja in delo tem osebam na svojem ozemlju in
- (c) dostop do geografskih območij, podatkov, materialov, institucij, in do oseb, ki sodelujejo pri izvajanju tega sporazuma.

V. člen

Določbe o varstvu in razdelitvi intelektualne lastnine, ustvarjene ali pridobljene med sodelovanjem po tem sporazumu, so navedene v Prilogi A. Določbe o zaščiti informacij in o prenosu tehnologije so navedene v Prilogi B. Prilogi A in B sta sestavni del tega sporazuma.

VI. člen

Znanstvene in tehnološke informacije, ki niso posebej zaščitene in izhajajo iz sodelovanja po tem sporazumu, bodo na voljo svetovni znanstveni skupnosti po običajnih poteh in v skladu z rednimi postopki sodelujočih vladnih organizacij, če ne bo drugače pisno dogovorjeno z dogovori o izvajanju.

VII. člen

Določbe tega sporazuma ne vplivajo na dogovore o znanstvenem in tehnološkem sodelovanju izven tega sporazuma med sodelujočimi vladnimi organizacijami pogodbenic.

VIII. člen

Za izvajanje tega sporazuma pogodbenici ustanovita Skupni ameriško-slovenski odbor za znanstveno in tehnološko sodelovanje (v nadaljnjem besedilu "Skupni odbor"). Skupni odbor:

- (a) priporoča pogodbenicama splošno politiko po sporazumu;
- (b) določa področja in oblike sodelovanja v skladu s I. členom;
- (c) pripravlja periodična poročila o dejavnosti Skupnega odbora in dejavnostih sodelovanja po tem sporazumu ter jih daje v pregled državnemu sekretarju Združenih držav Amerike in ministru za znanost in tehnologijo ali ministru za zunanje zadeve Republike Slovenije in
- (d) opravlja druge naloge, o katerih se dogovorita pogodbenici.

IX. člen.

1. Skupni odbor sestavljajo štiri vladni predstavniki, od katerih dva imenuje Vlada Združenih držav Amerike, da jo zastopata, in dva Vlada Republike Slovenije, da jo zastopata. Vsaka stran lahko imenuje namestnike članov.

2. Skupni odbor se sestaja periodično, izmenično v Združenih državah Amerike in Sloveniji, kot se dogovorita pogodbenici. Vsaka pogodbenica krije stroške svojih članov ali drugih udeležencev.

3. Skupni odbor med svojimi člani izbere predsedujočega za enoletno obdobje.

4. Skupni odbor odloča s soglasjem.

X. člen

1. Vsaka pogodbenica ima izvršilni organ. Izvršilna organa sta Zunanje ministrstvo za Združene države Amerike in Ministrstvo za znanost in tehnologijo za Republiko Slovenijo.

2. Izvršilna organa nadzorujeta, vodita in usklajujeta dejavnosti sodelovanja po tem sporazumu, razen tistih, ki se izvajajo na podlagi dogovorov o izvajanju, sklenjenih skladno s III. členom, in ki jih neposredno financirajo sodelujoče vladne organizacije.

3. Izvršilna organa pripravljata delovno gradivo za zasedanja Skupnega odbora.

XI. člen

1. Ta sporazum začne veljati z dnem, ko Vlada Republike Slovenije obvesti Vlado Združenih držav Amerike, da so bile izpolnjene vse potrebne pravne zahteve za njegovo uveljavitev. Ta sporazum velja pet let. Samodejno se podaljšuje za zaporedna obdobja pet (5) let, če ni odpovedan vsaj devetdeset (90) dni vnaprej s pisnim obvestilom drugi pogodbenici.

2. Vsaka pogodbenica lahko ta sporazum kadar koli odpove s šestmesečnim pisnim obvestilom drugi pogodbenici. Če se pogodbenici ne dogovorita drugače, prenehanje tega sporazuma ne vpliva na dokončanje katere koli že začete dejavnosti sodelovanja po tem sporazumu, ki še ni bila končana ob prenehanju tega sporazuma.

3. Ta sporazum lahko pogodbenici spremenita pisno z dogovorom.

V POTRDITEV TEGA sta podpisana, ki sta ju za to pravilno pooblastili njihovi vladi, podpisala ta sporazum.

SESTAVLJENO v *Ljubljani*, v dveh izvornikih, dne *21. junija* 1999 v angleškem in slovenskem jeziku, pri čemer sta obe besedili enako verodostojni.

ZA VLADO
ZDRUŽENIH DRŽAV AMERIKE

Nancy Ely-Raphel

ZA VLADO
REPUBLIKE SLOVENIJE

Kec tistur