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HRVATSKI SABOR

Klasa: 910-04/09-01/05

Urbroj: 65-09-02

Zagreb, 30. lipnja 2009.

**ZASTUPNICAMA I ZASTUPNICIMA
HRVATSKOGA SABORA**

**PREDSJEDNICAMA I PREDSJEDNICIMA
RADNIH TIJELA**

Na temelju članaka 137. i 153. Poslovnika Hrvatskoga sabora u prilogu upućujem *Prijedlog zakona o potvrđivanju Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlanskog ugovora, s Konačnim prijedlogom zakona*, koji je predsjedniku Hrvatskoga sabora dostavila Vlada Republike Hrvatske, aktom od 29. lipnja 2009. godine uz prijedlog da se sukladno članku 159. Poslovnika Hrvatskoga sabora predloženi Zakon donese po hitnom postupku.

Uz zakonski prijedlog, Vlada Republike Hrvatske dostavlja i prethodno mišljenje Predsjednika Republike Hrvatske i Vrhovnog zapovjednika Oružanih snaga Republike Hrvatske, sukladno članku 7. stavku 2. točki 25. Zakona o obrani (Narodne novine, br. 33/2002, 58/2002 i 76/2007).

Za svoje predstavnike, koji će u njezino ime sudjelovati u radu Hrvatskoga sabora i njegovih radnih tijela, Vlada je odredila Branka Vukelića, ministra obrane, te Matu Rabotega, Željka Goršića i Pjera Šimunovića, državne tajnike Ministarstva obrane.

PREDSJEDNIK

Luka Bebić



P.Z. br. 395

VLADA REPUBLIKE HRVATSKE

Klasa: 910-04/09-05/09
Urbroj: 5030106-09-1

Zagreb, 29. lipnja 2009.

REPUBLIKA HRVATSKA
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PREDSJEDNIKU HRVATSKOGA SABORA

Predmet: Prijedlog zakona o potvrđivanju Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora, s Konačnim prijedlogom zakona

Na temelju članka 84. Ustava Republike Hrvatske i članaka 129. i 159. Poslovnika Hrvatskoga sabora, Vlada Republike Hrvatske podnosi Prijedlog zakona o potvrđivanju Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora, s Konačnim prijedlogom zakona za hitni postupak

Uz Prijedlog zakona, Vlada Republike Hrvatske dostavlja i Prethodno mišljenje Predsjednika Republike Hrvatske i Vrhovnog zapovjednika Oružanih snaga Republike Hrvatske, sukladno članku 7. stavku 2. točki 25. Zakona o obrani (Narodne novine, br. 33/2002, 58/2002 i 76/2007).

Za svoje predstavnike, koji će u njezino ime sudjelovati u radu Hrvatskoga sabora i njegovih radnih tijela, Vlada je odredila Branka Vukelića, ministra obrane, te Matu Rabotega, Željka Goršića i Pjera Šimunovića, državne tajnike u Ministarstvu obrane.

Prilog: 1



**PRIJEDLOG ZAKONA O POTVRĐIVANJU PROTOKOLA O PRAVNOM
POLOŽAJU MEĐUNARODNIH VOJNIH ZAPOVJEDNIŠTAVA USPOSTAVLJENIH
NA TEMELJU SJEVERNOATLANTSKOG UGOVORA,
S KONAČNIM PRIJEDLOGOM ZAKONA**



PRIJEDLOG ZAKONA O POTVRĐIVANJU PROTOKOLA O PRAVNOM POLOŽAJU MEĐUNARODNIH VOJNIH ZAPOVJEDNIŠTAVA USPOSTAVLJENIH NA TEMELJU SJEVERNOATLANTSKOG UGOVORA

I. USTAVNA OSNOVA

Ustavna osnova za donošenje Zakona o potvrđivanju Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora, sadržana je u članku 139. stavku 1. Ustava Republike Hrvatske.

II. OCJENA STANJA I CILJ KOJI SE DONOŠENJEM ZAKONA ŽELI POSTIĆI

Članstvo Republike Hrvatske u Organizaciji Sjevernoatlantskog ugovora (u daljnjem tekstu NATO) bilo je njezin vanjskopolitički i sigurnosni prioritet koji je ostvaren pristupanjem Sjevernoatlantskom ugovoru. Nakon što je postala punopravna članica NATO-a 01. travnja 2009. godine od Republike Hrvatske očekuje se da pristupi određenom broju međunarodnih ugovora koji čine pravnu stečevinu NATO-a, a vezano uz koje je potrebno provođenje unutarnjih pravnih postupaka u narednom razdoblju.

Za pristupanje Protokolu o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora, sastavljenom u Parizu 28. kolovoza 1952. godine, potrebno je prethodno odobrenje Sjevernoatlantskog vijeća na razini kojeg je postupak dovršen 9. travnja 2009. godine nakon čega je Republika Hrvatska pozvana da pristupi odnosnom Protokolu.

Republika Hrvatska će potvrđivanjem Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora ispuniti unutarnje pravne uvjete za primjenu njegovih odredaba koje uređuju poseban pravni položaj međunarodnih vojnih zapovjedništava te time nadopunjuje odredbe Sporazuma između stranaka Sjevernoatlantskog ugovora o pravnom položaju njihovih snaga (NATO SOFA), sastavljenog u Londonu 19. lipnja 1951. godine. Ovime će se stvoriti pravni okvir za interoperabilnost s ministarstvima obrane i oružanim snagama ostalih država članica NATO-a na ovom pravnom području.

III. OSNOVNA PITANJA KOJA SE PREDLAŽU UREDITI ZAKONOM

Ovim Zakonom potvrđuje se Protokol o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora kako bi njegove odredbe, u smislu članka 140. Ustava Republike Hrvatske, postale dio unutarnjeg pravnog poretka Republike Hrvatske.

Protokolom o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora uređuje se pravni položaj međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora te utvrđuju prava i obveze države šiljateljice i države na čijem se državnom području nalaze odnosna međunarodna vojna zapovjedništava uspostavljena na temelju Sjevernoatlantskog ugovora.

IV. OCJENA SREDSTAVA POTREBNIH ZA PROVEDBU ZAKONA

Za provedbu ovoga Zakona nije potrebno osigurati dodatna financijska sredstva iz državnog proračuna Republike Hrvatske budući će se odvijati kroz aktivnosti Ministarstva obrane te će se koristiti sredstva iz državnog proračuna Republike Hrvatske namijenjena radu Ministarstva obrane i Oružanih snaga Republike Hrvatske.

V. PRIJEDLOG ZA DONOŠENJE ZAKONA PO HITNOM POSTUPKU

Temelj za donošenje ovoga Zakona po hitnom postupku nalazi se u članku 159. Poslovnika Hrvatskoga sabora (Narodne novine, broj 6/02- pročišćeni tekst, 41/02, 91/03, 58/04, 39/08 i 86/08) i to u drugim osobito opravdanim državnim razlozima. Naime, s obzirom na razloge navedene u točkama II. i III. ovoga Prijedloga, uzimajući u obzir da je Republika Hrvatska u travnju 2009. godine postala punopravna članica NATO-a te da je Sjevernoatlantsko vijeće odobrilo Rezoluciju kojom se Republika Hrvatska, kao država članica NATO-a, poziva da što skorije pristupi, uz ostale instrumente, i Protokolu o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora, cijeni se da postoji interes da Republika Hrvatska što skorije okonča svoj unutarnji pravni postupak, kako bi polaganjem svoje isprave o pristupu postala strankom Protokola odnosno kako bi isti u odnosu na Republiku Hrvatsku stupio na snagu. Stupanjem na snagu Protokola u odnosima Republike Hrvatske i država članica NATO-a uspostavlja se pravni okvir kojim se uređuje pravni položaj međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora na državnim područjima država članica NATO-a kao i njihovog osoblja, što je važan temelj za nastavak međunarodne obrambene suradnje Republike Hrvatske u novom statusu.

S obzirom na prirodu postupka potvrđivanja međunarodnih ugovora, kojim država i formalno izražava spremnost da bude vezana već sklopljenim međunarodnim ugovorom, kao i na činjenicu da se u ovoj fazi postupka, ne može mijenjati ili dopunjavati tekst međunarodnog ugovora, predlaže se da se ovaj Zakon raspravi i prihvati po hitnom postupku, objedinjavajući prvo i drugo čitanje.

VI. KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU PROTOKOLA O PRAVNOM POLOŽAJU MEĐUNARODNIH VOJNI ZAPOVJEDNIŠTAVA USPOSTAVLJENIH NA TEMELJU SJEVERNOATLANTSKOG UGOVORA

Na temelju članka 16. Zakona o sklapanju i izvršavanju međunarodnih ugovora (Narodne novine, broj 28/96), a polazeći od članka 139. stavka 1. Ustava Republike Hrvatske, predlaže se pokretanje postupka za donošenje Zakona o potvrđivanju Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora.

Tekst Konačnog prijedloga zakona o potvrđivanju Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora glasi:

**KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU PROTOKOLA O
PRAVNOM POLOŽAJU MEĐUNARODNIH VOJNIH ZAPOVJEDNIŠTAVA
USPOSTAVLJENIH NA TEMELJU SJEVERNOATLANTSKOG UGOVORA**

Članak 1.

Potvrđuje se Protokol o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora, sastavljen u Parizu, dana 28. kolovoza 1952. godine, u izvorniku na engleskom i francuskom jeziku.

Članak 2.

Tekst Protokola iz članka 1. ovoga Zakona, u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik, glasi:

**PROTOKOL O PRAVNOM POLOŽAJU MEĐUNARODNIH
VOJNIH ZAPOVJEDNIŠTAVA USPOSTAVLJENIH NA TEMELJU
SJEVERNOATLANTSKOG UGOVORA**

Stranke Sjevernoatlantskog ugovora potpisane u Washingtonu 4. travnja 1949.,

uzimajući u obzir da se međunarodna vojna zapovjedništva mogu osnivati na njihovim državnim područjima posebnim dogovorima na temelju Sjevernoatlantskog ugovora, i

želeći utvrditi pravni položaj takvih zapovjedništava i njihovog osoblja u okviru područja Sjevernoatlantskog ugovora,

sporazumjele su se o ovom Protokolu uz Sporazum, potpisan u Londonu 19. lipnja 1951., o pravnom položaju njihovih snaga:

ČLANAK 1.

U ovom Protokolu izraz

- (a) "Sporazum" znači Sporazum kojeg su potpisale stranke Sjevernoatlantskog ugovora u Londonu, dana 19. lipnja 1951., o pravnom položaju njihovih snaga;
- (b) "vrhovno zapovjedništvo" znači Vrhovno zapovjedništvo savezničkih snaga u Europi, Zapovjedništvo vrhovnog savezničkog zapovjednika za Atlantik i svako s njima izjednačeno međunarodno vojno zapovjedništvo uspostavljeno na temelju Sjevernoatlantskog ugovora;

- (c) "savezničko zapovjedništvo" znači bilo koje vrhovno zapovjedništvo i bilo koje međunarodno vojno zapovjedništvo uspostavljeno na temelju Sjevernoatlantskog ugovora koje je neposredno podređeno vrhovnom zapovjedništvu;
- (d) "Sjevernoatlantsko vijeće" znači Vijeće koje je osnovano člankom 9. Sjevernoatlantskog ugovora ili bilo koje od njegovih pomoćnih tijela koje je ovlašteno djelovati u njegovo ime.

ČLANAK 2.

Sukladno sljedećim odredbama ovoga Protokola, Sporazum će se primjenjivati na savezničko zapovjedništvo na državnom području stranke ovoga Protokola na području Sjevernoatlantskog ugovora, i na vojno i civilno osoblje takvog zapovjedništva i članove njihovih obitelji koji su obuhvaćeni definicijama iz točaka (a), (b) i (c) stavka 1. članka 3. ovoga Protokola, kada je takvo osoblje prisutno na bilo kojem takvom državnom području u svezi s njihovim službenim dužnostima ili, u slučaju članova njihovih obitelji, službenim dužnostima njihovih supružnika ili roditelja.

ČLANAK 3.

1. U svrhu primjene Sporazuma na savezničko zapovjedništvo, izrazi "snage" "civilna komponenta" i "član obitelji", gdje god se pojavljuju u Sporazumu, imat će sljedeća značenja:

- (a) "snage" znače osoblje pridodano savezničkom zapovjedništvu koje pripada kopnenoj vojsci, mornarici ili zrakoplovstvu oružanih snaga bilo koje stranke Sjevernoatlantskog ugovora;
- (b) "civilna komponenta" znači civilno osoblje, koji nisu osobe bez državljanstva, niti su državljani države koja nije stranka Sporazuma, niti su državljani države primateljice, niti u njoj imaju prebivalište, (i) koji su pridodani savezničkim zapovjedništvima i zaposleni su u oružanim snagama stranke Sjevernoatlantskog ugovora ili (ii) u takvim kategorijama civilnog osoblja zaposlenog u savezničkom zapovjedništvu sukladno odluci Sjevernoatlantskog vijeća;
- (c) "član obitelji" znači supružnika pripadnika snaga ili civilne komponente kako su utvrđeni u točkama (a) i (b) ovoga stavka, ili dijete tog pripadnika koje on ili ona uzdržava.

2. Savezničko zapovjedništvo znači snage u svrhu članka II. stavka 2. članka V., stavka 10. članka VII., stavaka 2., 3., 4., 7. i 8. članka IX. i članka XIII. Sporazuma.

ČLANAK 4.

Prava i obveze koje Sporazum daje ili nameće državi šiljateljici ili njezinim vlastima glede njezinih snaga ili njihovih civilnih komponenti ili članova njihovih obitelji bit će, glede savezničkog zapovjedništva i njegovog osoblja i članova njihovih obitelji na koje se primjenjuje Sporazum u skladu s člankom 2. ovoga Protokola, dodijeljeni ili pridodani odgovarajućem vrhovnom zapovjedništvu i vlastima, osim što će

- (a) pravo koje je člankom VII. Sporazuma dano vojnim vlastima države šiljateljice da ostvaruju kaznenu i stegovnu nadležnost biti dodijeljeno vojnim vlastima države, ako ih ima, čijem vojnom zakonodavstvu osoba podliježe;
- (b) obveze nametnute državi šiljateljici ili njezinim vlastima člankom II., stavkom 4. članka III., stavcima 5. (a) i 6. (a) članka VII., stavcima 9. i 10. članka VIII. i člankom XIII. Sporazuma, biti pridodane i savezničkom zapovjedništvu i svakoj državi kojoj pripadaju oružane snage ili bilo koji pripadnik ili zaposlenik oružanih snaga, ili član obitelji takvog pripadnika ili zaposlenika, na koju se to odnosi;
- (c) u svrhu stavaka 2. (a) i 5. članka 3. i članka XIV. Sporazuma država šiljateljica biti, u slučaju pripadnika snaga ili članova njihovih obitelji, država čijim oružanim snagama on pripada, ili u slučaju pripadnika civilne komponente i članova njihovih obitelji, država, ako takva postoji, u čijim je oružanim snagama pripadnik zaposlen;
- (d) obveze nametnute državi šiljateljici na temelju stavaka 6. i 7. članka VIII. Sporazuma biti pridodane državi čijim oružanim snagama osoba pripada čije djelo ili propust je dovelo do potraživanja ili, u slučaju pripadnika civilne komponente, državi u čijim je oružanim snagama zaposlen ili, ako nema takve države, savezničkom zapovjedništvu čiji je pripadnik odnosna osoba.

I država, ukoliko postoji, na koju se obveze iz ovoga stavka odnose, i odnosno savezničko zapovjedništvo imaju prava države šiljateljice u svezi s imenovanjem arbitra na temelju stavka 8. članka VIII.

ČLANAK 5.

Svaki pripadnik savezničkog zapovjedništva imat će osobnu iskaznicu koju je izdalo zapovjedništvo s imenom i prezimenom, datumom i mjestom rođenja, državljanstvom, činom ili redom, brojem (ako postoji), fotografijom i rokom važenja. Ova iskaznica mora se pokazati na zahtjev.

ČLANAK 6.

1. Obveze odricanja od potraživanja nametnute ugovornim strankama člankom VIII. Sporazuma odnosit će se na savezničko zapovjedništvo i na bilo koju stranku ovoga Protokola na koju se to odnosi.

2. U svrhe stavaka 1. i 2. članka VIII. Sporazuma,

- (a) imovina u vlasništvu savezničkog zapovjedništva ili stranke ovoga Protokola koju koristi savezničko zapovjedništvo smatra se imovinom u vlasništvu ugovorne stranke koju koriste njezine oružane snage;
- (b) šteta koju je prouzročio pripadnik snaga ili civilne komponente kako su utvrđeni u stavku 1. članka 3. ovoga Protokola ili bilo koji zaposlenik savezničkog zapovjedništva smatrat će se štetom koju je prouzročio pripadnik ili zaposlenik oružanih snaga ugovorne stranke;
- (c) definicija izraza “vlasništvo ugovorne stranke” u stavku 3. članka VIII. primjenjuje se u odnosu na savezničko zapovjedništvo.

3. Potraživanja na koja se primjenjuje stavak 5. članka VIII. Sporazuma uključuje potraživanja (osim ugovornih potraživanja i potraživanja na koja se primjenjuju stavci 6. ili 7. toga članka) koja proizlaze iz djela ili propusta bilo kojeg zaposlenika savezničkog zapovjedništva, ili iz bilo kojeg drugog djela, propusta ili događaja za koje je savezničko zapovjedništvo pravno odgovorno, i koja su prouzročila štetu na državnom području države primateljice trećoj strani, koja nije niti jedna od stranaka ovoga Protokola.

ČLANAK 7.

1. Oslobođenje od plaćanja poreza odobreno temeljem članka X. Sporazuma pripadnicima snaga ili civilne komponente glede njihovih plaća i primanja primijenit će se, što se tiče osoblja savezničkog zapovjedništva u okviru definicija iz stavka 1. (a) i (b) (i) članka 3. ovoga Protokola, na plaće i primanja isplaćena od strane oružanih snaga kojima pripadaju ili čiji su zaposlenici, osim što ovaj stavak ne oslobađa bilo kojeg takvog pripadnika ili zaposlenika od oporezivanja od strane države čiji je on državljanin.

2. Kategorije zaposlenika savezničkog zapovjedništva koje utvrdi Sjevernoatlantsko vijeće oslobođene su od oporezivanja plaća i primanja koje im je isplatilo savezničko zapovjedništvo u njihovom svojstvu takvih zaposlenika. Međutim, bilo koja stranka ovoga Protokola može sklopiti sporazum sa savezničkim zapovjedništvom gdje će takva stranka zaposliti i dodijeliti savezničkom zapovjedništvu sve svoje državljane (osim, ako stranka tako želi, osoba koje nemaju stalno prebivalište na njezinom državnom području) koji će služiti kao osoblje savezničkog zapovjedništva i isplaćivati plaće i primanja takvim osobama iz svojih sredstava prema utvrđenoj tablici. Tako isplaćene plaće i primanja odnosna stranka može oporezivati ali se na njih neće plaćati porezi ni jednoj drugoj stranci. Ako takav sporazum sklopi bilo koja stranka ovoga Protokola i nakon toga bude izmijenjen ili okončan, stranke ovoga Protokola neće dalje biti vezane prvom rečenicom ovoga stavka da oslobode od oporezivanja plaće i primanja isplaćena njihovim državljanima.

ČLANAK 8.

1. U svrhu olakšavanja uspostave, izgradnje, održavanja i djelovanja savezničkih zapovjedništava, ova će zapovjedništva, u mjeri u kojoj je to moguće, biti oslobođena od plaćanja carina i poreza, koji se odnose na njihove troškove u interesu zajedničke obrane i njihovoga službenog i isključivog boljitka, te će svaka stranka ovoga Protokola započeti pregovore s bilo kojim savezničkim zapovjedništvom koje djeluje na njezinom državnom području u smislu sklapanja sporazuma radi provedbe ove odredbe.

2. Savezničko zapovjedništvo ima prava dodijeljena snagama temeljem članka XI. Sporazuma pod istim uvjetima.

3. Odredbe u stavcima 5. i 6. članka XI. Sporazuma ne primjenjuju se na državljane država primateljica, osim ako oni pripadaju oružanim snagama stranke ovoga Protokola koja nije država primateljica.

4. Izraz "carine i porezi" u ovom članku ne obuhvaća naknade za pružene usluge.

ČLANAK 9.

Osim ako Sjevernoatlantsko vijeće ne odluči drugačije,

(a) svaka imovina stečena iz međunarodnih sredstava savezničkog zapovjedništva u okviru njegovog kapitalnog proračuna koja više nije potrebna zapovjedništvu bit će rashodovana sukladno postupcima koje odobri Sjevernoatlantsko vijeće, a prihodi će biti raspodijeljeni ili pripisani strankama Sjevernoatlantskog ugovora u omjerima u kojima su sudjelovale u kapitalnim troškovima zapovjedništva. Država primateljica ima pravo prvenstva prilikom stjecanja tako rashodovanih nekretnina na njezinom državnom području, pod uvjetom da njezina ponuda nije nepovoljnija od ponude bilo koje treće strane;

(b) svako zemljište, zgrade ili fiksne instalacije koje je država primateljica dala na korištenje savezničkom zapovjedništvu bez naknade (osim nominalne) i koje više nisu potrebne zapovjedništvu vratit će se državi primateljici, a svako povećanje ili smanjenje vrijednosti imovine koju je država primateljica dala na korištenje, nastalo uslijed njezinog korištenja od strane zapovjedništva utvrdit će Sjevernoatlantsko vijeće (uzimajući u obzir sve primjenjive propise države primateljice), te će raspodijeliti između ili pripisati ili teretiti stranke Sjevernoatlantskog ugovora u omjerima u kojima su one pridonosile kapitalnim troškovima zapovjedništva.

ČLANAK 10.

Svako vrhovno zapovjedništvo ima pravnu sposobnost; ima sposobnost sklapati ugovore te stjecati i raspolagati imovinom. Država primateljica može međutim ostvarivanje ove sposobnosti uvjetovati posebnim dogovorima između nje i vrhovnog zapovjedništva ili bilo kojeg podređenog savezničkog zapovjedništva koje djeluje u ime vrhovnog zapovjedništva.

ČLANAK 11.

1. Sukladno odredbama članka VIII. Sporazuma, vrhovno zapovjedništvo može sudjelovati u sudskom postupku kao tužitelj ili tuženi. Međutim, država primateljica i vrhovno zapovjedništvo ili bilo koje podređeno savezničko zapovjedništvo koje je dobilo od njega ovlast, mogu se sporazumjeti da će država primateljica zastupati vrhovno zapovjedništvo u svakom sudskom postupku u kojem je to zapovjedništvo stranka pred sudovima države primateljice.

2. U odnosu na bilo koje savezničko zapovjedništvo neće se poduzimati nikakve mjere ovrhe ili mjere usmjerene na oduzimanje ili preuzimanje njegove imovine ili sredstava, osim u svrhe stavka 6.(a) članka VII. i članka XIII. Sporazuma.

ČLANAK 12.

1. Radi omogućavanja upravljanja njegovim međunarodnim proračunom, savezničko zapovjedništvo moći će držati bilo koju valutu i upravljati računima u bilo kojoj valuti.

2. Stranke ovoga Protokola će, na zahtjev savezničkog zapovjedništva, olakšati prijenos sredstava takvog zapovjedništva iz jedne države u drugu i zamjenu valute koju posjeduje savezničko zapovjedništvo u bilo koju drugu valutu, kada je to potrebno radi izlaženja u susret bilo kojem savezničkom zapovjedništvu.

ČLANAK 13.

Arhivi i drugi službeni dokumenti savezničkog zapovjedništva pohranjeni u objektima koje koristi to zapovjedništvo ili u posjedu bilo kojeg odgovarajuće ovlaštenog pripadnika zapovjedništva nepovredivi su, osim ukoliko se zapovjedništvo odreklo ovoga imuniteta. Zapovjedništvo će, na zahtjev države primateljice i u nazočnosti predstavnika te države, potvrditi vrstu bilo kojih dokumenata radi potvrde da oni podliježu imunitetu prema ovom članku.

ČLANAK 14.

1. Ovaj Protokol u cijelosti, ili njegov dio ili dio Sporazuma može se primijeniti, po odluci Sjevernoatlantskog vijeća, na svako međunarodno vojno zapovjedništvo ili organizaciju (koja nije uključena u definicije u točkama (b) i (c) članka 1. ovoga Protokola) koje je uspostavljeno na temelju Sjevernoatlantskog ugovora.

2. Po početku rada Europske obrambene zajednice, ovaj Protokol može se primijeniti na osoblje europskih obrambenih snaga pridruženih savezničkom zapovjedništvu i na članove njihovih obitelji u vremenu i na način kako utvrdi Sjevernoatlantsko vijeće.

ČLANAK 15.

Sve razlike između stranaka ovoga Protokola ili između bilo koje takve stranke i bilo kojeg savezničkog zapovjedništva u svezi s tumačenjem i primjenom ovoga Protokola, rješavat će se pregovorima između stranaka u sporu bez obraćanja trećem. Osim ukoliko izričitom odredbom ovoga Protokola ili Sporazuma nije određeno drugačije, razlike koje se ne mogu riješiti neposrednim pregovorima podnijet će se Sjevernoatlantskom vijeću.

ČLANAK 16.

1. Članci XV. i XVII. do XX. Sporazuma primjenjuju se u odnosu na ovaj Protokol, kao da su njegov sastavni dio, no na način da se Protokol može izmijeniti, suspendirati, ratificirati, pristupiti mu, otkazati ili proširiti u skladu s tim odredbama neovisno o Sporazumu.

2. Ovaj Protokol može se dopuniti dvostranim ugovorom između države primateljice i vrhovnog zapovjedništva, a vlasti države primateljice i vrhovnog zapovjedništva mogu se sporazumjeti o primjeni, upravnim sredstvima prije ratifikacije, bilo kojih odredaba ovoga Protokola ili Sporazuma kako je njime primijenjen.

U potvrdu gore navedenog, dolje potpisani opunomoćenici potpisali su ovaj Protokol.

Sastavljeno u Parizu 28. kolovoza 1952., na engleskom i francuskom jeziku, pri čemu su oba teksta jednako vjerodostojna, u jednom izvorniku koji će biti pohranjen u arhivu Vlade Sjedinjenih Američkih Država. Vlada Sjedinjenih Američkih Država dostavit će njegove ovjerene preslike svim državama potpisnicama i državama koje mu pristupe.

PROTOCOL ON THE STATUS OF INTERNATIONAL
MILITARY HEADQUARTERS SET UP PURSUANT TO
THE NORTH ATLANTIC TREATY

The Parties to the North Atlantic Treaty signed in Washington on 4th April, 1949,

Considering that international military Headquarters may be established in their territories, by separate arrangement, under the North Atlantic Treaty, and

Desiring to define the status of such Headquarters and of the personnel thereof within the North Atlantic Treaty area,

Have agreed to the present Protocol to the Agreement signed in London on 19th June, 1951, regarding the Status of their Forces:

ARTICLE 1

In the present Protocol the expression

- (a) "the Agreement" means the Agreement signed in London on 19th June, 1951, by the Parties to the North Atlantic Treaty regarding the status of their Forces;
- (b) "Supreme Headquarters" means Supreme Headquarters Allied Powers in Europe, Headquarters of the Supreme Allied Commander Atlantic and any equivalent international military Headquarters set up pursuant to the North Atlantic Treaty;
- (c) "Allied Headquarters" means any Supreme Headquarters and any international military Headquarters set up pursuant to the North Atlantic Treaty which is immediately subordinate to a Supreme Headquarters;
- (d) "North Atlantic Council" means the Council established by Article 9 of the North Atlantic Treaty or any of its subsidiary bodies authorised to act on its behalf.

ARTICLE 2

Subject to the following provisions of this Protocol, the Agreement shall apply to Allied Headquarters in the territory of a Party to the present Protocol in the North Atlantic Treaty area, and to the military and civilian personnel of such Headquarters and their dependents included in the definitions in sub-paragraphs (a), (b) and (c) of paragraph 1 of Article 3 of this Protocol, when such personnel are present in any such territory in connection with their official duties or, in the case of dependents, the official duties of their spouse or parent.

ARTICLE 3

1. For the purpose of applying the Agreement to an Allied Headquarters the expressions “force”, “civilian component” and “dependent”, wherever they occur in the Agreement shall have the meanings set out below :

- (a) “force” means the personnel attached to the Allied Headquarters who belong to the land, sea or air armed services of any Party to the North Atlantic Treaty;
- (b) “civilian component” means civilian personnel who are not stateless persons, nor nationals of any State which is not a Party to the Treaty, nor nationals of, nor ordinarily resident in the receiving State, and who are (i) attached to the Allied Headquarters and in the employ of an armed service of a Party to the North Atlantic Treaty or (ii) in such categories of civilian personnel in the employ of the Allied Headquarters as the North Atlantic Council shall decide;
- (c) “dependent” means the spouse of a member of a force or civilian component, as defined in sub-paragraphs (a) and (b) of this paragraph, or a child of such member depending on him or her support.

2. An Allied Headquarters shall be considered to be a force for the purposes of Article II, paragraph 2 of Article V, paragraph 10 of Article VII, paragraphs 2,3,4,7 and 8 of Article IX, and Article XIII, of the Agreement.

ARTICLE 4

The rights and obligations which the Agreement gives to or imposes upon the sending State or its authorities in respect of its forces or their civilian components or dependents shall, in respect of an Allied Headquarters and its personnel and their dependents to whom the Agreement applies in accordance with Article 2 of the present Protocol, be vested in or attached to the appropriate Supreme Headquarters and the authorities responsible under it, except that

- (a) the right which is given by Article VII of the Agreement to the military authorities of the sending State to exercise criminal and disciplinary jurisdiction shall be vested in the military authorities of the State, if any, to whose military law the person concerned is subject;
- (b) the obligations imposed upon the sending state or its authorities by Article II, paragraph 4 of Article III, paragraphs 5 (a) and 6 (a) of Article VII paragraphs 9 and 10 of Article VIII, and Article XIII, of the Agreement, shall attach both to the Allied Headquarters and to any State whose armed service, or any member or employee of whose armed service, or the dependent of such member or employee, is concerned;

- (c) for the purposes of paragraphs 2 (a) and 5 of Article III, and Article XIV, of the Agreement the sending State shall be, in the case of members of a force and their dependents, the State to whose armed service the member belongs, or, in the case of members of a civilian component and their dependents, the State, if any, by whose armed service the member is employed;
- (d) the obligations imposed on the sending State by virtue of paragraphs 6 and 7 of Article VIII of the Agreement shall attach to the State to whose armed service the person belongs whose act or omission has given rise to the claim or, in the case of a member of a civilian component, to the State by whose armed service he is employed or, if there is no such State, to the Allied Headquarters of which the person concerned is a member.

Both the State, if any, to which obligations attach under this paragraph and the Allied Headquarters concerned shall have the rights of the sending State in connection with the appointment of an arbitrator under paragraph 8 of Article VIII.

ARTICLE 5

Every member of an Allied Headquarters shall have a personal identity card issued by the Headquarters showing names, date and place of birth, nationality, rank or grade, number (if any), photograph and period of validity. This card must be presented on demand.

ARTICLE 6

1. The obligations to waive claims imposed on the Contracting Parties by Article VIII of the Agreement shall attach both to the Allied Headquarters and to any Party to this Protocol concerned.

2. For the purposes of paragraphs 1 and 2 of Article VIII of the Agreement,

- (a) property owned by an Allied Headquarters or by a Party to this Protocol and used by an Allied Headquarters shall be deemed to be property owned by a Contracting Party and used by its armed services;
- (b) damage caused by a member of a force or civilian component as defined in paragraph 1 of Article 3 of this Protocol or by any other employee of an Allied Headquarters shall be deemed to be damage caused by a member or employee of the armed services of a Contracting Party;
- (c) the definition of the expression "owned by a Contracting Party" in paragraph 3 of Article VIII shall apply in respect of an Allied Headquarters.

3. The claims to which paragraph 5 of Article VIII of the Agreement applies shall include claims (other than contractual claims and claims to which paragraphs 6 or 7 of that Article apply) arising out of acts or omissions of any employees of an Allied Headquarters, or out of any other act, omission or occurrence for which an Allied Headquarters is legally responsible, and causing damage in the territory of a receiving State to third parties, other than any of the Parties to this Protocol.

ARTICLE 7

1. The exemption from taxation accorded under Article X of the Agreement to members of a force or civilian component in respect of their salaries and emoluments shall apply, as regards personnel of an Allied Headquarters within the definitions in paragraph 1 (a) and (b) (i) of Article 3 of this Protocol, to salaries and emoluments paid to them as such personnel by the armed service to which they belong or by which they are employed, except that this paragraph shall not exempt any such member or employee from taxation imposed by a State of which he is a national.

2. Employees of an Allied Headquarters of categories agreed by the North Atlantic Council shall be exempted from taxation on the salaries and emoluments paid to them by the Allied Headquarters in their capacity as such employees. Any Party to the present Protocol may, however, conclude an arrangement with the Allied Headquarters whereby such Party will employ and assign to the Allied Headquarters all of its nationals (except, if such Party so desires, any not ordinarily resident within its territory) who are to serve on the staff of the Allied Headquarters and pay the salaries and emoluments of such persons from its own funds, at a scale fixed by it. The salaries and emoluments so paid may be taxed by the Party concerned but shall be exempted from taxation by any other Party. If such an arrangement is entered into by any Party to the present Protocol and is subsequently modified or terminated, Parties to the present Protocol shall no longer be bound under the first sentence of this paragraph to exempt from taxation the salaries and emoluments paid to their nationals.

ARTICLE 8

1. For the purpose of facilitating the establishment, construction, maintenance and operation of Allied Headquarters, these Headquarters shall be relieved, so far as practicable, from duties and taxes, affecting expenditures by them in the interest of common defence and for their official and exclusive benefit, and each Party to the present Protocol shall enter into negotiations with any Allied Headquarters operating in its territory for the purpose of concluding an agreement to give effect to this provision.

2. An Allied Headquarters shall have the rights granted to a force under Article XI of the Agreement subject to the same conditions.

3. The provisions in paragraphs 5 and 6 of Article XI of the Agreement shall not apply to nationals of the receiving States, unless such nationals belong to the armed services of a Party to this Protocol other than the receiving State.

4. The expression "duties and taxes" in this Article does not include charges for services rendered.

ARTICLE 9

Except in so far as the North Atlantic Council may decide otherwise,

- (a) any assets acquired from the international funds of an Allied Headquarters under its capital budget and no longer required by the Headquarters shall be disposed of under arrangements approved by the North Atlantic Council and the proceeds shall be distributed among or credited to the Parties to the North Atlantic Treaty in the proportions in which they have contributed to the capital costs of the Headquarters. The receiving State shall have the prior right to acquire any immovable property so disposed of in its territory, provided that it offers terms no less favourable than those offered by any third party;
- (b) any land, buildings or fixed installations provided for the use of an Allied Headquarters by the receiving State without charge to the Headquarters (other than a nominal charge) and no longer required by the Headquarters shall be handed back to the receiving State, and any increase or loss in the value of the property provided by the receiving State resulting from its use by the Headquarters shall be determined by the North Atlantic Council (taking into consideration any applicable law of the receiving State) and distributed among or credited or debited to the Parties to the North Atlantic Treaty in the proportions in which they have contributed to the capital costs of the Headquarters.

ARTICLE 10

Each Supreme Headquarters shall possess juridical personality; it shall have the capacity to conclude contracts and to acquire and dispose of property. The receiving State may, however, make the exercise of such capacity subject to special arrangements between it and the Supreme Headquarters or any subordinate Allied Headquarters acting on behalf of the Supreme Headquarters.

ARTICLE 11

1. Subject to the provisions of Article VIII of the Agreement, a Supreme Headquarters may engage in legal proceedings as claimant or defendant. However, the receiving State and the Supreme Headquarters or any subordinate Allied Headquarters authorized by it may agree that the receiving State shall act on behalf of the Supreme Headquarters in any legal proceedings to which that Headquarters is a party before the courts of the receiving State.

2. No measure of execution or measure directed to the seizure or attachment of its property or funds shall be taken against any Allied Headquarters, except for the purposes of paragraph 6 (a) of Article VII and Article XIII of the Agreement.

ARTICLE 12

1. To enable it to operate its international budget, an Allied Headquarters may hold currency of any kind and operate accounts in any currency.

2. The Parties to the present Protocol shall, at the request of an Allied Headquarters, facilitate transfers of the funds of such Headquarters from one country to another and the conversion of any currency held by an Allied Headquarters into any other currency, when necessary to meet the requirements of any Allied Headquarters.

ARTICLE 13

The archives and other official documents of an Allied Headquarters kept in premises used by those Headquarters or in the possession of any properly authorized member of the Headquarters shall be inviolable, unless the Headquarters has waived this immunity. The Headquarters shall, at the request of the receiving State and in the presence of a representative of that State, verify the nature of any documents to confirm that they are entitled to immunity under this Article.

ARTICLE 14

1. The whole or any part of the present Protocol or of the Agreement may be applied, by decision of the North Atlantic Council, to any international military Headquarters or organization (not included in the definitions in paragraphs (b) and (c) of Article 1 of this Protocol) which is established pursuant to the North Atlantic Treaty.

2. When the European Defence Community comes into being, the present Protocol may be applied to the personnel of the European Defence Forces attached to an Allied Headquarters and their dependents at such time and in such manner as may be determined by the North Atlantic Council.

ARTICLE 15

All differences between the Parties to the present Protocol or between any such Parties and any Allied Headquarters relating to the interpretation or application of the Protocol shall be settled by negotiation between the parties in dispute without recourse to any outside jurisdiction. Except where express provision is made to the contrary in the present Protocol or in the Agreement, differences which cannot be settled by direct negotiation shall be referred to the North Atlantic Council.

ARTICLE 16

1. Articles XV and XVII to XX of the Agreement shall apply as regards the present Protocol as if they were an integral part thereof, but so that the Protocol may be reviewed, suspended, ratified, acceded to, denounced or extended in accordance with those provisions independently from the Agreement.

2. The present Protocol may be supplemented by bilateral agreement between the receiving State and a Supreme Headquarters, and the authorities of a receiving State and a Supreme Headquarters may agree to give effect, by administrative means in advance of ratification, to any provisions of this Protocol or of the Agreement as applied by it.

In witness whereof the undersigned Plenipotentiaries have signed the present Protocol.

Done in Paris this 28th day of August 1952, in the English and French languages, both texts being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the signatory and acceding States.

Članak 3.

Provedba ovoga Zakona u djelokrugu je središnjeg tijela državne uprave nadležnog za poslove obrane.

Članak 4.

Na dan stupanja na snagu ovoga Zakona, Protokol iz članka 1. ovoga Zakona nije na snazi u odnosu na Republiku Hrvatsku te će se podaci o njegovom stupanju na snagu objaviti sukladno odredbi članka 30. stavka 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora.

Članak 5.

Ovaj Zakon stupa na snagu danom objave u Narodnim novinama.

OBRAZLOŽENJE

Člankom 1. Zakona, propisuje se da Hrvatski sabor, sukladno odredbi članka 139. stavka 1. Ustava Republike Hrvatske i članka 18. Zakona o sklapanju i izvršavanju međunarodnih ugovora, potvrđuje Protokol o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora, čime se iskazuje pristanak Republike Hrvatske da bude vezana ovim Protokolom, na temelju čega će ovaj pristanak biti iskazan i na međunarodnoj razini.

Članak 2. sadrži tekst Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik.

Člankom 3. utvrđuje se da je provedba Zakona u djelokrugu središnjeg tijela državne uprave nadležnog za poslove obrane.

Člankom 4. utvrđuje se da na dan stupanja na snagu Zakona, Protokol o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora nije na snazi u odnosu na Republiku Hrvatsku te će se podaci o njegovom stupanju na snagu objaviti sukladno odredbi članka 30. stavka 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora.

Člankom 5. se, u smislu članka 89. stavka 3. Ustava Republike, a zbog postojanja osobito opravdanih državnih razloga pobliže pojašnjenih u točki V. Prijedloga zakona, određuje da ovaj Zakon stupa na snagu danom objave u Narodnim novinama, kako bi Republika Hrvatska, odmah po okončanju svog unutarnjeg pravnog postupka, mogla i na međunarodnoj razini, polaganjem svoje isprave o pristupu odnosnom Protokolu kod Vlade Sjedinjenih Američkih Država, izraziti svoj pristanak biti vezana Protokolom, što je preduvjet kako bi isti stupio na snagu za Republiku Hrvatsku te bio primjenjiv u odnosima Republike Hrvatske i ostalih država članica NATO-a.

**PRILOG - PRESLIKA TEKSTA PROTOKOLA U IZVORNIKU
NA ENGLESKOM I FRANCUSKOM JEZIKU**

PROTOCOLE SUR LE STATUT DES QUARTIERS GÉNÉRAUX MILITAIRES INTERNATIONAUX CRÉÉS EN VERTU DU TRAITÉ DE L'ATLANTIQUE NORD

Les Etats Parties au Traité de l'Atlantique Nord signé à Washington le 4 avril 1949,

Considérant que des Quartiers Généraux militaires internationaux pourront être établis sur leurs territoires par accords particuliers conclus en vertu du Traité de l'Atlantique Nord,

Désireux de définir le statut de ces Quartiers Généraux et du personnel y appartenant, lorsqu'ils se trouvent dans la région du Traité de l'Atlantique Nord,

Sont convenus du présent Protocole à la Convention sur le statut de leurs forces, signée à Londres le 19 juin 1951 :

ARTICLE 1

Dans le présent Protocole :

- (a) Par « Convention », on entend la Convention signée à Londres le 19 juin 1951 par les Etats Parties au Traité de l'Atlantique Nord sur le statut de leurs forces;
- (b) Par « Quartier Général Suprême », on entend le Quartier Général Suprême des Forces Alliées en Europe, le Quartier Général Suprême des Forces Alliées de l'Atlantique et tout autre Quartier Général équivalent institué en vertu du Traité de l'Atlantique Nord;
- (c) Par « Quartier Général Interallié », on entend tout Quartier Général Suprême et tout Quartier Général militaire international créé en vertu du Traité de l'Atlantique Nord et directement subordonné à un Quartier Général Suprême;
- (d) Par « Conseil de l'Atlantique Nord », on entend le Conseil institué en vertu de l'Article 9 du Traité de l'Atlantique Nord, ou chacun des organismes subsidiaires autorisés à agir en son nom.

ARTICLE 2

Sous réserve des dispositions ci-après du présent Protocole, la Convention s'appliquera aux Quartiers Généraux Interalliés établis sur le territoire d'un Etat Partie au présent Protocole dans la zone du Traité de l'Atlantique Nord, ainsi qu'au personnel militaire et civil de ces Quartiers Généraux et aux personnes à charge de ce personnel, compris dans les définitions des alinéas (a), (b) et (c) du paragraphe 1 de l'Article 3 du présent Protocole, lorsque ce personnel se trouve sur l'un des territoires visés ci-dessus pour l'exécution du service ou, dans le cas des personnes à charge, pour les besoins du service du conjoint ou du parent.

ARTICLE 3

1. Pour l'application de la Convention à un Quartier Général Interallié, les expressions « force », « élément civil » et « personne à charge », chaque fois qu'elles figurent dans la Convention, ont la signification suivante :

PROTOCOL ON THE STATUS OF INTERNATIONAL MILITARY HEADQUARTERS SET UP PURSUANT TO THE NORTH ATLANTIC TREATY

The Parties to the North Atlantic Treaty signed in Washington on 4th April, 1949,

Considering that international military Headquarters may be established in their territories, by separate arrangement, under the North Atlantic Treaty, and

Desiring to define the status of such Headquarters and of the personnel thereof within the North Atlantic Treaty area,

Have agreed to the present Protocol to the Agreement signed in London on 19th June, 1951, regarding the Status of their Forces :

ARTICLE 1

In the present Protocol the expression

- (a) "the Agreement" means the Agreement signed in London on 19th June, 1951, by the Parties to the North Atlantic Treaty regarding the Status of their Forces;
- (b) "Supreme Headquarters" means Supreme Headquarters Allied Powers in Europe, Headquarters of the Supreme Allied Commander Atlantic and any equivalent international military Headquarters set up pursuant to the North Atlantic Treaty;
- (c) "Allied Headquarters" means any Supreme Headquarters and any international military Headquarters set up pursuant to the North Atlantic Treaty which is immediately subordinate to a Supreme Headquarters;
- (d) "North Atlantic Council" means the Council established by Article 9 of the North Atlantic Treaty or any of its subsidiary bodies authorised to act on its behalf.

ARTICLE 2

Subject to the following provisions of this Protocol, the Agreement shall apply to Allied Headquarters in the territory of a Party to the present Protocol in the North Atlantic Treaty area, and to the military and civilian personnel of such Headquarters and their dependents included in the definitions in sub-paragraphs (a), (b) and (c) of paragraph 1 of Article 3 of this Protocol, when such personnel are present in any such territory in connection with their official duties or, in the case of dependents, the official duties of their spouse or parent.

ARTICLE 3

1. For the purpose of applying the Agreement to an Allied Headquarters the expressions "force", "civilian component" and "dependent", wherever they occur in the Agreement, shall have the meanings set out below:

- (a) Par « force », on entend le personnel affecté à un Quartier Général Interallié et qui appartient aux Armées de terre, de mer ou de l'air de tout Etat Partie au Traité de l'Atlantique Nord;
- (b) Par « élément civil », on entend le personnel civil qui n'est ni apatride, ni national d'un Etat non Partie au Traité de l'Atlantique Nord, non plus que national de l'Etat de séjour, ni une personne qui a sa résidence habituelle dans cet Etat, et (i) qui est affecté au Quartier Général Interallié et employé par l'une des Forces armées de l'un des Etats Parties au Traité de l'Atlantique Nord, ou (ii) qui appartient à certaines catégories de personnel civil employé par le Quartier Général Interallié arrêtées par le Conseil de l'Atlantique Nord;
- (c) Par « personne à charge », on entend le conjoint d'un membre d'une force ou d'un élément civil définis aux alinéas (a) et (b) du présent paragraphe ou les enfants qui sont à leur charge.

2. Un Quartier Général Interallié est considéré comme une force pour l'application de l'Article II, du paragraphe 2 de l'Article V, du paragraphe 10 de l'Article VII, des paragraphes 2, 3, 4, 7 et 8 de l'Article IX, et de l'Article XIII de la Convention.

ARTICLE 4

Les droits et obligations que la Convention confère ou impose à un Etat d'origine ou à ses autorités au sujet de ses forces, de ses éléments civils ou de leurs personnes à charge, seront, en ce qui concerne les Quartiers Généraux Interalliés, leur personnel et les personnes à charge de ce personnel auxquels s'applique la Convention en vertu de l'Article 2 du présent Protocole, conférés ou dévolus au Quartier Général Suprême approprié et aux autorités qui en relèvent, sous les réserves ci-après :

- (a) le droit qui est donné par l'Article VII de la Convention aux autorités militaires de l'Etat d'origine d'exercer les pouvoirs de juridiction pénale et disciplinaire est conféré aux autorités militaires de l'Etat dont la loi militaire s'applique éventuellement à la personne intéressée;
- (b) les obligations imposées à l'Etat d'origine ou à ses autorités par l'Article II, par le paragraphe 4 de l'Article III, par les paragraphes 5 (a) et 6 (a) de l'Article VII, par les paragraphes 9 et 10 de l'Article VIII et par l'Article XIII de la Convention incombent à la fois au Quartier Général Interallié et à l'Etat dont les forces armées, ou tout membre ou employé de ces forces armées, ou la personne à charge de ce membre ou employé sont en cause;
- (c) pour l'application des paragraphes 2 (a) et 5 de l'Article III et de l'Article XIV de la Convention, et dans le cas des membres d'une force ou des personnes à leur charge, l'Etat d'origine est l'Etat aux forces armées duquel ce membre appartient, ou, dans le cas de membres d'un élément civil ou de personnes à leur charge, l'Etat par les forces armées duquel ce membre est employé;
- (d) les obligations imposées à l'Etat d'origine en vertu des paragraphes 6 et 7 de l'Article VIII de la Convention incombent à l'Etat aux forces armées duquel appartient la personne dont l'acte ou la négligence a été à l'origine de la demande d'indemnité, ou, dans le cas d'un membre d'un élément civil, à l'Etat par les forces armées duquel il est employé, ou, à défaut d'un tel Etat, au Quartier Général Interallié auquel la personne en question appartient.

- (a) "force" means the personnel attached to the Allied Headquarters who belong to the land, sea or air armed services of any Party to the North Atlantic Treaty;
 - (b) "civilian component" means civilian personnel who are not stateless persons, nor nationals of any State which is not a Party to the Treaty, nor nationals of, nor ordinarily resident in the receiving State, and who are (i) attached to the Allied Headquarters and in the employ of an armed service of a Party to the North Atlantic Treaty or (ii) in such categories of civilian personnel in the employ of the Allied Headquarters as the North Atlantic Council shall decide;
 - (c) "dependent" means the spouse of a member of a force or civilian component, as defined in sub-paragraphs (a) and (b) of this paragraph, or a child of such member depending on him or her for support.
2. An Allied Headquarters shall be considered to be a force for the purposes of Article II, paragraph 2 of Article V, paragraph 10 of Article VII, paragraphs 2, 3, 4, 7 and 8 of Article IX, and Article XIII, of the Agreement.

ARTICLE 4

The rights and obligations which the Agreement gives to or imposes upon the sending State or its authorities in respect of its forces or their civilian components or dependents shall, in respect of an Allied Headquarters and its personnel and their dependents to whom the Agreement applies in accordance with Article 2 of the present Protocol, be vested in or attach to the appropriate Supreme Headquarters and the authorities responsible under it, except that

- (a) the right which is given by Article VII of the Agreement to the military authorities of the sending State to exercise criminal and disciplinary jurisdiction shall be vested in the military authorities of the State, if any, to whose military law the person concerned is subject;
- (b) the obligations imposed upon the sending State or its authorities by Article II, paragraph 4 of Article III, paragraphs 5 (a) and 6 (a) of Article VII, paragraphs 9 and 10 of Article VIII, and Article XIII, of the Agreement, shall attach both to the Allied Headquarters and to any State whose armed service, or any member or employee of whose armed service, or the dependent of such member or employee, is concerned;
- (c) for the purposes of paragraphs 2 (a) and 5 of Article III, and Article XIV, of the Agreement, the sending State shall be, in the case of members of a force and their dependents, the State to whose armed service the member belongs, or, in the case of members of a civilian component and their dependents, the State, if any, by whose armed service the member is employed;
- (d) the obligations imposed on the sending State by virtue of paragraphs 6 and 7 of Article VIII of the Agreement shall attach to the State to whose armed service the person belongs whose act or omission has given rise to the claim or, in the case of a member of a civilian component, to the State by whose armed service he is employed or, if there is no such State, to the Allied Headquarters of which the person concerned is a member.

Pour la désignation d'un arbitre, en application du paragraphe 8 de l'Article VIII, les droits de l'Etat d'origine sont exercés à la fois par le Quartier Général Interallié intéressé, et par l'Etat auquel incombent, le cas échéant, les obligations définies par le présent paragraphe.

ARTICLE 5

Tout membre d'un Quartier Général Interallié doit être porteur d'une carte d'identité personnelle, délivrée par ce Quartier Général, munie d'une photographie et mentionnant les nom, prénoms, date et lieu de naissance, nationalité, rang ou grade, numéro matricule s'il y a lieu, et la durée de validité de la carte. Cette carte doit être produite à toute réquisition.

ARTICLE 6

1. L'obligation de renoncer à toute demande d'indemnité imposée aux Parties Contractantes en vertu de l'Article VIII de la Convention s'applique à la fois aux Quartiers Généraux Interalliés et à tout Etat Partie au présent Protocole intéressés.

2. Pour l'application des paragraphes 1 et 2 de l'Article VIII de la Convention :

- (a) Sont considérés comme biens appartenant à la Partie Contractante et utilisés par ses forces armées tous biens appartenant à un Quartier Général Interallié ou tous biens d'un Etat Partie au présent Protocole utilisés par un Quartier Général Interallié;
- (b) Est considéré comme dommage causé par un membre des forces armées de la Partie Contractante ou par un employé de ces forces, tout dommage causé par un membre d'une force ou d'un élément civil, tels qu'ils sont définis au paragraphe 1 de l'Article 3 du présent Protocole, ou par tout autre employé d'un Quartier Général Interallié;
- (c) Les dispositions du paragraphe 3 de l'Article VIII de la Convention s'appliquent à un Quartier Général Interallié considéré comme « Partie Contractante » aux termes dudit paragraphe.

3. Les demandes d'indemnités visées au paragraphe 5 de l'Article VIII de la Convention comprendront les demandes d'indemnité (autres que celles résultant de l'application d'un contrat et que celles auxquelles les paragraphes 6 et 7 de cet Article sont applicables) du chef d'actes ou de négligences d'un employé du Quartier Général Interallié, ou de tout autre acte, négligence ou incident dont un Quartier Général Interallié est légalement responsable et qui ont causé, sur le territoire d'un Etat de séjour, des dommages à un tiers autre que l'une des Parties au présent Protocole.

ARTICLE 7

1. L'exonération d'impôts accordée en vertu de l'Article X de la Convention aux membres d'une force ou d'un élément civil en ce qui concerne leurs traitements et émoluments s'applique, dans le cas du personnel d'un Quartier Général Interallié répondant aux définitions données dans les paragraphes 1 (a) et (b) (i) de l'Article 3 du présent Protocole, aux traitements et émoluments qui leur sont payés en cette qualité par la force armée à laquelle ils appartiennent ou par laquelle ils

Both the State, if any, to which obligations attach under this paragraph and the Allied Headquarters concerned shall have the rights of the sending State in connection with the appointment of an arbitrator under paragraph 8 of Article VIII.

ARTICLE 5

Every member of an Allied Headquarters shall have a personal identity card issued by the Headquarters showing names, date and place of birth, nationality, rank or grade, number (if any), photograph and period of validity. This card must be presented on demand.

ARTICLE 6

1. The obligations to waive claims imposed on the Contracting Parties by Article VIII of the Agreement shall attach both to the Allied Headquarters and to any Party to this Protocol concerned.

2. For the purposes of paragraphs 1 and 2 of Article VIII of the Agreement,

(a) property owned by an Allied Headquarters or by a Party to this Protocol and used by an Allied Headquarters shall be deemed to be property owned by a Contracting Party and used by its armed services;

(b) damage caused by a member of a force or civilian component as defined in paragraph 1 of Article 3 of this Protocol or by any other employee of an Allied Headquarters shall be deemed to be damage caused by a member or employee of the armed services of a Contracting Party;

(c) the definition of the expression "owned by a Contracting Party" in paragraph 3 of Article VIII shall apply in respect of an Allied Headquarters.

3. The claims to which paragraph 5 of Article VIII of the Agreement applies shall include claims (other than contractual claims and claims to which paragraphs 6 or 7 of that Article apply) arising out of acts or omissions of any employees of an Allied Headquarters, or out of any other act, omission or occurrence for which an Allied Headquarters is legally responsible, and causing damage in the territory of a receiving State to third parties, other than any of the Parties to this Protocol.

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ARTICLE 7

1. The exemption from taxation accorded under Article X of the Agreement to members of a force or civilian component in respect of their salaries and emoluments shall apply, as regards personnel of an Allied Headquarters within the definitions in paragraph 1 (a) and (b) (i) of Article 3 of this Protocol, to salaries and emoluments paid to them as such personnel by the armed service to which they belong or by which they are employed, except that this paragraph

sont employés, sous réserve toutefois que l'exonération accordée en vertu de ce paragraphe aux membres ou employés en question ne s'applique pas à l'impôt mis en recouvrement par le pays dont ils ont la nationalité.

2. Les employés d'un Quartier Général Interallié appartenant aux catégories arrêtées par le Conseil de l'Atlantique Nord sont exonérés de l'impôt sur les traitements et émoluments qui leur sont versés en cette qualité par le Quartier Général Interallié. Toutefois, une Partie au présent Protocole pourra conclure avec le Quartier Général intéressé des arrangements permettant à ladite Partie de recruter et d'affecter au Quartier Général intéressé ses propres ressortissants (exception faite, si cette Partie le désire, de tout ressortissant ne résidant pas habituellement sur son territoire), devant faire partie du personnel du Quartier Général. Elle paiera dans ce cas les traitements et émoluments desdites personnes sur ses propres fonds, selon un barème déterminé par elle. Ces traitements et émoluments pourront faire l'objet d'une imposition de la part de la Partie en question mais ne pourront être imposés par une autre Partie. Si un arrangement de cette nature conclu par une des Parties au présent Protocole est par la suite modifié ou dénoncé, les Parties au présent Protocole ne seront plus obligées, en vertu de la première clause du présent paragraphe, d'exonérer de l'impôt les traitements et émoluments payés à leurs propres ressortissants.

ARTICLE 8

1. En vue de faciliter l'établissement, la construction, l'entretien et le fonctionnement des Quartiers Généraux Interalliés, ces Quartiers Généraux sont exonérés, dans toute la mesure du possible, des droits et taxes afférents aux dépenses supportées par eux dans l'intérêt de la défense commune et pour leur avantage officiel et exclusif, et chaque Partie au présent Protocole procédera à des négociations avec les Quartiers Généraux établis sur son territoire en vue de conclure un accord à cet effet.

2. Tout Quartier Général Interallié jouit des droits accordés à une force en vertu de l'Article XI de la Convention et ce, dans les mêmes conditions.

3. Les dispositions prévues aux paragraphes 5 et 6 de l'Article XI de la Convention ne s'appliquent pas aux nationaux de l'Etat de séjour, à moins que ces nationaux n'appartiennent aux forces armées d'un Etat Partie au présent Protocole autre que l'Etat de séjour.

4. L'expression « droits et taxes » employée dans cet Article ne comprend pas les taxes perçues en rémunération de services rendus.

ARTICLE 9

Sauf en cas de décision contraire du Conseil de l'Atlantique Nord :

(a) Les avoirs acquis au moyen des fonds internationaux d'un Quartier Général Interallié sur son budget en capital qui cessent d'être nécessaires à ce Quartier Général seront liquidés dans le cadre d'arrangements approuvés par le Conseil de l'Atlantique Nord et le produit de cette liquidation sera réparti entre les Parties au Traité de l'Atlantique Nord ou porté à leur crédit au prorata de leurs contributions aux dépenses en capital de ce Quartier Général. L'Etat de séjour aura priorité pour acquérir toute propriété immobilière ainsi liquidée sur son territoire, à condition qu'il n'offre pas des conditions moins avantageuses que celles proposées par un tiers;

shall not exempt any such member or employee from taxation imposed by a State of which he is a national.

2. Employees of an Allied Headquarters of categories agreed by the North Atlantic Council, shall be exempted from taxation on the salaries and emoluments paid to them by the Allied Headquarters in their capacity as such employees. Any Party to the present Protocol may, however, conclude an arrangement with the Allied Headquarters whereby such Party will employ and assign to the Allied Headquarters all of its nationals (except, if such Party so desires, any not ordinarily resident within its territory) who are to serve on the staff of the Allied Headquarters and pay the salaries and emoluments of such persons from its own funds, at a scale fixed by it. The salaries and emoluments so paid may be taxed by the Party concerned but shall be exempted from taxation by any other Party. If such an arrangement is entered into by any Party to the present Protocol and is subsequently modified or terminated, Parties to the present Protocol shall no longer be bound under the first sentence of this paragraph to exempt from taxation the salaries and emoluments paid to their nationals.

ARTICLE 8

1. For the purpose of facilitating the establishment, construction, maintenance and operation of Allied Headquarters, these Headquarters shall be relieved, so far as practicable, from duties and taxes, affecting expenditures by them in the interest of common defense and for their official and exclusive benefit, and each Party to the present Protocol shall enter into negotiations with any Allied Headquarters operating in its territory for the purpose of concluding an agreement to give effect to this provision.

2. An Allied Headquarters shall have the rights granted to a force under Article XI of the Agreement subject to the same conditions.

3. The provisions in paragraphs 5 and 6 of Article XI of the Agreement shall not apply to nationals of the receiving States, unless such nationals belong to the armed services of a Party to this Protocol other than the receiving State.

4. The expression "duties and taxes" in this Article does not include charges for services rendered.

ARTICLE 9

Except in so far as the North Atlantic Council may decide otherwise,

(a) any assets acquired from the international funds of an Allied Headquarters under its capital budget and no longer required by the Headquarters shall be disposed of under arrangements approved by the North Atlantic Council and the proceeds shall be distributed among or credited to the Parties to the North Atlantic Treaty in the proportions in which they have contributed to the capital costs of the Headquarters. The receiving State shall have the prior right to acquire any immovable property so disposed of in its territory, provided that it offers terms no less favourable than those offered by any third party;

(b) Les terrains, bâtiments ou installations fixes mis à la disposition d'un Quartier Général Interallié par l'Etat de séjour sans aucune charge pour le Quartier Général (autre qu'une charge nominale) et cessant d'être nécessaires à ce Quartier Général, seront rendus à l'Etat de séjour, et toute plus ou moins-value des biens immobiliers fournis par l'Etat de séjour résultant de leur utilisation par ce Quartier Général sera déterminée par le Conseil de l'Atlantique Nord (prenant en considération toute loi de l'Etat de séjour applicable en l'occurrence) et répartie entre les Etats Parties au Traité de l'Atlantique Nord ou portée, soit à leur crédit, soit à leur débit, au prorata de leurs contributions aux dépenses en capital de ce Quartier Général.

ARTICLE 10

Chaque Quartier Général Suprême a la capacité juridique. Il a la capacité de contracter, d'acquérir et d'aliéner. Toutefois, l'Etat de séjour peut soumettre l'exercice de cette capacité à des accords particuliers entre lui-même et le Quartier Général Suprême ou tout Quartier Général subordonné agissant au nom du Quartier Général Suprême.

ARTICLE 11

1. Sous réserve des dispositions de l'Article VIII de la Convention, un Quartier Général Suprême peut ester en justice, tant en demandant qu'en défendant. Toutefois, il pourra être convenu entre le Quartier Général Suprême ou tout Quartier Général Interallié subordonné autorisé par lui, d'une part, et l'Etat de séjour, d'autre part, que ce dernier lui sera subrogé devant les tribunaux de cet Etat pour l'exercice des actions auxquelles le Quartier Général sera Partie.

2. Aucune mesure d'exécution ou tendant soit à l'appréhension, soit à la description de biens ou fonds, ne peut être prise contre un Quartier Général Interallié, si ce n'est aux fins définies au paragraphe 6 (a) de l'Article VII et à l'Article XIII de la Convention.

ARTICLE 12

1. Pour le fonctionnement de son budget international, un Quartier Général Interallié peut détenir des devises quelconques et avoir des comptes en n'importe quelle monnaie.

2. Les Parties au présent Protocole, à la demande d'un Quartier Général Interallié, faciliteront les transferts entre les pays des fonds de ce Quartier Général et la conversion de toute devise détenue par un Quartier Général Interallié en une autre devise quelconque lorsque ces opérations seront nécessaires pour répondre aux besoins d'un Quartier Général Interallié.

ARTICLE 13

Les archives et autres documents officiels d'un Quartier Général Interallié conservés dans les locaux affectés à ce Quartier Général ou détenus par tout membre de ce Quartier Général dûment autorisé sont inviolables sauf au cas où le Quartier Général aurait renoncé à cette immunité. A la demande de l'Etat de séjour et en présence d'un Représentant de cet Etat, le Quartier Général vérifiera la nature des documents, afin de constater s'ils sont couverts par l'immunité visée au présent Article.

(b) any land, buildings or fixed installations provided for the use of an Allied Headquarters by the receiving State without charge to the Headquarters (other than a nominal charge) and no longer required by the Headquarters shall be handed back to the receiving State, and any increase or loss in the value of the property provided by the receiving State resulting from its use by the Headquarters shall be determined by the North Atlantic Council (taking into consideration any applicable law of the receiving State) and distributed among or credited or debited to the Parties to the North Atlantic Treaty in the proportions in which they have contributed to the capital costs of the Headquarters.

ARTICLE 10

Each Supreme Headquarters shall possess juridical personality; it shall have the capacity to conclude contracts and to acquire and dispose of property. The receiving State may, however, make the exercise of such capacity subject to special arrangements between it and the Supreme Headquarters or any subordinate Allied Headquarters acting on behalf of the Supreme Headquarters.

ARTICLE 11

1. Subject to the provisions of Article VIII of the Agreement, a Supreme Headquarters may engage in legal proceedings as claimant or defendant. However, the receiving State and the Supreme Headquarters or any subordinate Allied Headquarters authorised by it may agree that the receiving State shall act on behalf of the Supreme Headquarters in any legal proceedings to which that Headquarters is a party before the courts of the receiving State.

2. No measure of execution or measure directed to the seizure or attachment of its property or funds shall be taken against any Allied Headquarters, except for the purposes of paragraph 6 (a) of Article VII and Article XIII of the Agreement.

ARTICLE 12

1. To enable it to operate its international budget, an Allied Headquarters may hold currency of any kind and operate accounts in any currency.

2. The Parties to the present Protocol shall, at the request of an Allied Headquarters, facilitate transfers of the funds of such Headquarters from one country to another and the conversion of any currency held by an Allied Headquarters into any other currency, when necessary to meet the requirements of any Allied Headquarters.

ARTICLE 13

The archives and other official documents of an Allied Headquarters kept in premises used by those Headquarters or in the possession of any properly authorised member of the Headquarters shall be inviolable, unless the Headquarters has waived this immunity. The Headquarters shall, at the request of the receiving State and in the presence of a representative of that State, verify the nature of any documents to confirm that they are entitled to immunity under this Article.

ARTICLE 14

1. Tout ou partie du présent Protocole ou de la Convention peut, par décision du Conseil de l'Atlantique Nord, être appliqué à tout Quartier Général militaire international ou à toute organisation militaire internationale (n'entrant pas dans les définitions figurant aux paragraphes (b) et (c) de l'Article 1 du présent Protocole) institués en vertu du Traité de l'Atlantique Nord.

2. Lorsque la Communauté Européenne de Défense sera créée, le présent Protocole pourra être appliqué aux membres du personnel des Forces Européennes de Défense attachés à un Quartier Général Interallié et à leurs personnes à charge, dans des conditions à fixer par le Conseil de l'Atlantique Nord.

ARTICLE 15

Toute contestation entre les Parties à ce Protocole ou entre elles et un Quartier Général Interallié sur l'interprétation ou l'application du présent Protocole est réglée par négociations entre les Parties intéressées sans recours à une juridiction extérieure. Sauf dans les cas où le présent Protocole ou la Convention contiennent une disposition contraire, les contestations qui ne peuvent pas être réglées par négociations directes sont portées devant le Conseil de l'Atlantique Nord.

ARTICLE 16

1. Les Articles XV et XVII à XX de la Convention sont applicables dans le cas du présent Protocole comme s'ils en faisaient partie intégrante, mais dans des conditions telles que le présent Protocole pourra être révisé, suspendu, ratifié, signé, dénoncé ou reconduit conformément à ces dispositions indépendamment de la Convention.

2. Le présent Protocole pourra être complété par des accords bilatéraux entre l'Etat de séjour et un Quartier Général Suprême; les autorités d'un Etat de séjour et un Quartier Général Suprême pourront convenir de donner effet par des dispositions administratives, avant la ratification, à toute disposition du présent Protocole ou de la Convention que l'Etat de séjour aura décidé d'appliquer.

ARTICLE 14

1. The whole or any part of the present Protocol or of the Agreement may be applied, by decision of the North Atlantic Council, to any international military Headquarters or organisation (not included in the definitions in paragraphs (b) and (c) of Article 1 of this Protocol) which is established pursuant to the North Atlantic Treaty.

2. When the European Defence Community comes into being, the present Protocol may be applied to the personnel of the European Defence Forces attached to an Allied Headquarters and their dependents at such time and in such manner as may be determined by the North Atlantic Council.

ARTICLE 15

All differences between the Parties to the present Protocol or between any such Parties and any Allied Headquarters relating to the interpretation or application of the Protocol shall be settled by negotiation between the parties in dispute without recourse to any outside jurisdiction. Except where express provision is made to the contrary in the present Protocol or in the Agreement, differences which cannot be settled by direct negotiation shall be referred to the North Atlantic Council.

ARTICLE 16

1. Articles XV and XVII to XX of the Agreement shall apply as regards the present Protocol as if they were an integral part thereof, but so that the Protocol may be reviewed, suspended, ratified, acceded to, denounced or extended in accordance with those provisions independently from the Agreement.

2. The present Protocol may be supplemented by bilateral agreement between the receiving State and a Supreme Headquarters, and the authorities of a receiving State and a Supreme Headquarters may agree to give effect, by administrative means in advance of ratification, to any provisions of this Protocol or of the Agreement as applied by it.

En foi de quoi les plénipotentiaires soussignés ont signé le présent Protocole.

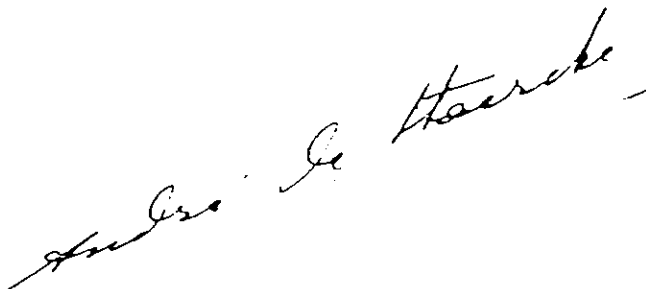
Fait à Paris, le 28 août 1952, en anglais et en français, les deux textes faisant également foi, en un simple exemplaire qui restera déposé dans les archives du Gouvernement des Etats-Unis d'Amérique. Le Gouvernement des Etats-Unis d'Amérique en transmettra des copies authentiques à tous les Etats signataires et adhérents.

In witness whereof the undersigned Plenipotentiaries have signed the present Protocol.

Done in Paris this 28th day of August 1952, in the English and French languages, both texts being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the signatory and acceding States.

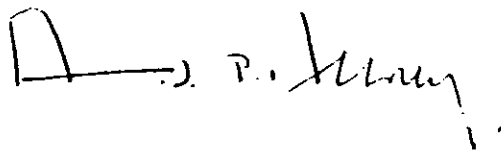
Pour le Royaume de Belgique

For the Kingdom of Belgium



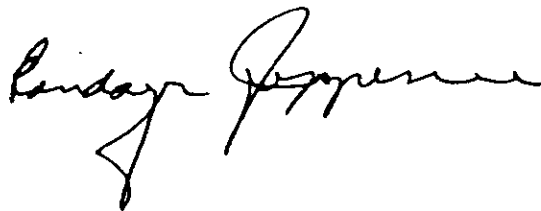
Pour le Canada

For Canada



Pour le Royaume de Danemark

For the Kingdom of Denmark



Pour les Etats-Unis d'Amérique
For the United States of America

William H. Draper, Jr.

Pour la France
For France

Henri A. Lybenny.

Pour le Royaume de Grèce
For the Kingdom of Greece

Pav. P. P. P.

Pour l'Islande
For Iceland

Guinn Petrusson

Pour l'Italie
For Italy

A. B. Brough

Pour le Grand-Duché de Luxembourg
For the Grand Duchy of Luxembourg

A. B. Brough

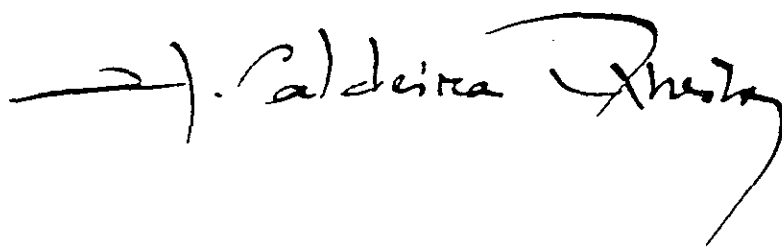
Pour le Royaume de Norvège
For the Kingdom of Norway



Pour le Royaume des Pays-Bas
For the Kingdom of the Netherlands



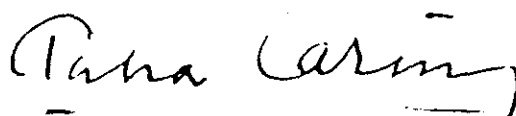
Pour le Portugal
For Portugal



Pour le Royaume-Uni de Grande-
Bretagne et d'Irlande du Nord
For the United Kingdom of Great
Britain and Northern Ireland



Pour la Turquie
For Turkey



I CERTIFY THAT the foregoing is a true copy of the Protocol on the Status of International Military Headquarters set up Pursuant to the North Atlantic Treaty signed at Paris on August 28, 1952 in the English and French languages, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, DAVID BRUCE, Acting Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington in the District of Columbia, this seventeenth day of November, 1952.



David Bruce
Acting Secretary of State

By *Barbara Hartman*
Authentication Officer
Department of State



Republika Hrvatska
Predsjednik

Na temelju članka 99. stavka 1. Ustava Republike Hrvatske i članka 7. stavka 2. točke 25. Zakona o obrani («Narodne novine», broj 33/02, 58/02 i 76/07), na prijedlog predsjednika Vlade Republike Hrvatske, dajem

Prethodno mišljenje

I.

Ovo Prethodno mišljenje daje se na Prijedlog zakona o potvrđivanju Protokola o pravnom položaju međunarodnih vojnih zapovjedništava uspostavljenih na temelju Sjevernoatlantskog ugovora, s Konačnim prijedlogom zakona, u tekstu koji je sastavni dio dopisa predsjednika Vlade Republike Hrvatske (Klasa: 910-04/09-05/09, Urbroj: 5030106-09-2 od 19. lipnja 2009.).

Prethodno mišljenje daje se radi upućivanja Hrvatskom saboru u postupak donošenja.

II.

Ovo Prethodno mišljenje stupa na snagu danom donošenja.

**PREDSJEDNIK REPUBLIKE
I VRHOVNI ZAPOVJEDNIK
ORUŽANIH SNAGA**



Jepan Mesić

**KLASA: 807-04/09-01/19
URBROJ: 71-03/1-09-02
Zagreb, 26. lipnja 2009.**