

REPUBLIC OF SLOVENIA
NATIONAL ASSEMBLY

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On the basis of second paragraph of Article 3 of the Foreign Affairs Act (Official Gazette of the Republic of Slovenia No. 113/03 – official redacted text 20-06- ZNOMCMOⁱ, 76/08, 108/09 and 80/10- ZUTDⁱⁱ) and Article 112 of The National Assembly of Slovenia Rules of Procedure (Official Gazette of the Republic of Slovenia No. 92/07 – official redacted text and 105/10), in its session on 4 February 2013, the National Assembly of the Republic of Slovenia adopted the following

CONCLUSION

concerning the position of the National Assembly with regard to the amendment to the Draft Memorial of the Republic of Slovenia in the matter of the arbitration pursuant to the Arbitration Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia, signed on 4 November 2009, with starting points as presented in attachment 1A

The National Assembly proposes to the Government of the Republic of Slovenia to send to the Arbitral Tribunal the Memorial of the Republic of Slovenia in the matter of the arbitration pursuant to the Arbitration Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia, as prepared by the Ministry of Foreign Affairs in cooperation with a team of lawyers.

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The Republic of Slovenia declares that the task of the Arbitral Tribunal is to determine territorial contact of the territorial sea of the Republic of Slovenia with the High Seas (contact of Slovenia with the High Seas), i.e. the preservation of the right of Slovenia to the contact with the High Seas that it had on the date of independence on 25 June 1991.

The Republic of Slovenia will consider any decision of the Arbitral Tribunal that would not ensure territorial contact of the territorial sea of the Republic of Slovenia with the High Seas pursuant to sub-paragraph b, second paragraph of Article 3 and sub-paragraph b of Article 4 of the Arbitration Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia, which secures the realization of the vital interest of the Republic of Slovenia, as a decision *ultra vires* (in violation of the mandate of the Arbitral Tribunal).

Jakob Presečnik
Vice-President

ⁱ Secondment of Personnel to International Civilian Missions and International Organizations Act.

ⁱⁱ Labour Market Regulation Act.