

PRESIDÊNCIA DA REPÚBLICA

Decreto do Presidente da República n.º 70/94 de 13 de Setembro

O Presidente da República decreta, nos termos do artigo 138.º, alínea b), da Constituição, o seguinte:

É ratificado o Tratado sobre o Regime Céu Aberto e seus anexos, assinado em Helsínquia em 24 de Março de 1992, aprovado, para ratificação, pela Resolução da Assembleia da República n.º 57/94, em 5 de Maio de 1994.

Assinado em 8 de Agosto de 1994.

Publique-se.

O Presidente da República, MÁRIO SOARES.

Referendado em 22 de Agosto de 1994.

O Primeiro-Ministro, *Aníbal António Cavaco Silva*.

ASSEMBLEIA DA REPÚBLICA

Resolução da Assembleia da República n.º 57/94

Aprova, para ratificação, o Tratado sobre o Regime Céu Aberto

A Assembleia da República resolve, nos termos dos artigos 164.º, alínea j), e 169.º, n.º 5, da Constituição, aprovar, para ratificação, o Tratado sobre o Regime Céu Aberto e seus anexos, assinado em Helsínquia em 24 de Março de 1992, cuja versão autêntica em língua inglesa e a respectiva tradução em língua portuguesa seguem em anexo à presente resolução.

Aprovada em 5 de Maio de 1994.

O Presidente da Assembleia da República, *António Moreira Barbosa de Melo*.

TREATY ON OPEN SKIES

The States concluding this Treaty, hereinafter referred to collectively as the States Parties or individually as a State Party:

Recalling the commitments they have made in the Conference on Security and Co-Operation in Europe to promoting greater openness and transparency in their military activities and to enhancing security by means of confidence — and security-building measures;

Welcoming the historic events in Europe which have transformed the security situation from Vancouver to Vladivostok;

Wishing to contribute to the further development and strengthening of peace, stability and co-operative security in that area by the creation of an open skies regime for aerial observation;

Recognizing the potential contribution which an aerial observation regime of this type could make to security and stability in other regions as well;

Noting the possibility of employing such a regime to improve openness and transparency, to facilitate the monitoring of compliance with existing or future arms control agreements and to strengthen the capacity for conflict prevention and crisis management in the framework of the Conference on Security and Co-Operation in Europe and in other relevant international institutions;

Envisaging the possible extension of the open skies regime into additional fields, such as the protection of the environment;

Seeking to establish agreed procedures to provide for aerial observation of all the territories of States Parties, with the intent of observing a single State Party or groups of States Parties, on the basis of equity and effectiveness while maintaining flight safety;

Noting that the operation of such an open skies regime will be without prejudice to States not participating in it;

have agreed as follows:

ARTICLE I

General provisions

1 — This Treaty establishes the regime, to be known as the open skies regime, for the conduct of observation flights by States Parties over the territories of other States Parties, and sets forth the rights and obligations of the States Parties relating thereto.

2 — Each of the annexes and their related appendices constitutes an integral part of this Treaty.

ARTICLE II

Definitions

For the purposes of this Treaty:

- 1) The term «observed Party» means the State Party or group of States Parties over whose territory an observation flight is conducted or is intended to be conducted, from the time it has received notification thereof from an observing Party until completion of the procedures relating to that flight, or personnel acting on behalf of that State Party or group of States Parties;
- 2) The term «observing Party» means the State Party or group of States Parties that intends to conduct or conducts an observation flight over the territory of another State Party or group of States Parties, from the time that it has provided notification of its intention to conduct an observation flight until completion of the procedures relating to that flight, or personnel acting on behalf of that State Party or group of States Parties;
- 3) The term «group of States Parties» means two or more States Parties that have agreed to form a group for the purposes of this Treaty;
- 4) The term «observation aircraft» means an unarmed, fixed wing aircraft designated to make observation flights, registered by the relevant authorities of a State Party and equipped with