

CWraTbCH HeCOBMeCTHMHM C TaKHM ÄOrOBOPOM, TO npeMMy-mecTBeHHyo easy MiweiOT noaoaceHna aroro apyroro aoroBopa.

3. Ecan Bce yaacTHMKM npeawaymero floroBopa abjihotca Taxace yHacTHnKaMM nocaeyiomero aorosopa, ho ^ewcrBMe npe-flbiflymero aoroBopa He npepxameHo hsh He npMOcraHOBceHO b eooTBeTCTBMH co craTbeÄ 59, npeabiamwii aoroBop npMMeHaeTca TOJIBKO B TOM MCpe, B XaXOH erO nOJIOJKeHMH COBMeCTHMH >KeHMHHM nocaeyximero aoroBopa.

4., Ecan He Bce ynacTHHXH nocaeyioinero aoroBopa abjaiOTca ynacTHMKaMM npeabiamero aoroBopa:

- a) b OTHomeHwax Meacay rocyapcTBaMM-yaacTHMKaMM oöomx floroBopoB npMMeHaeTca to ace npasHao, hto h b nyHKTe 3;
- b) b OTHomeHnax Mexcay rocyflapcTBOM-ynacTHHKOM oSohx aoroBopoB h rocyflapcTBOM-yHacTHMKOM ToabKO oflHoro aoroBopa floroisop, yHacTHHXaiMH KOToporo aBaaioerca o6a rocy-aapcTBa, peryjiMpyeT HX E3anMHbie npaBa M OÖa3aTebCTBa.

5. llyHKT 4 npMMeHaeTca 6e3 ymepBa gaa CTaTbH 41, flaa jno-6opö Bonpoca o npepxameioiH mjth npHOCTaHOBJiesHM fleacTBMa aorosopa b eooTBeTCTBMH co CTaTbeä 60 hjih flaa aioSoro Bonpoca 00 OTBeTCTBeHHOCTH TOCYflapCTBa, KOTopaa MOHCeT B03HHKHyrb B pe3yabTaTe 3axjnoHeHMa wan npHMeHemis aoroBopa. noaoaceHwa KOToporo HecoBiweCTHMBi c o6a3aTeabCTBaMM flaHHoro rocy-aap-CTBa b OTHomeHHH flpyroro rocyapcTBa no MHOMy aoroBopy.

PA3ÄEJI3: TOJKOBAHME HOPOBOPOB

CTaTba 31

Oöipee npaBHjo TOaKOBaima

1. ÄoroBop floaaceH ToaicoBaTca aobpocoBecTHO B cooTBeT-CTBMM c oÖHHHbIM 3HaneHMeM, KOTopoe cjieayer npciaaBaTb Tep-MMHaM floroBopa B HX KOHTCKCTC, a Taxace B CBete obsexra M peaeö aorosopa.

2. Has peaeä ToaxoBaHwa aoröBopa xoHTexcT oxBaTMBaeT, xpoMe TexcTa, Bxawnaa npeaMbyay H npnaoaceHna:

- a) ax)6oe coraameHHe, OTHOcameeca x aoroBopy, xoTopoe Sbiao floCTHrayTO Meacay BceMH ynacTHMxaMM b cb33m c 3axaioneHMeM aorosopa;
- b) aioSou aoxyMenT, cocTasaeHHbim O^HMM Man HecxojibXMHH ynacTHHxaMH b CBb3M c 3axaioHeHweM aoroBopa H npHHaTbifi ApyrHMH ynacTHMxaMH b xanecrae aoxyMeirra, OTHOcame-ropa x floroBopy.

3. Hapaflc KOHTCXCTOM yaMTbiBaiOTca.

- a) jnoSoe nocaeflyromea coraameHHe Meacay ynacTHMxaMH OT-HOCMTeabHo ToaxoBaHMa aorosopa Man npHMeHemia ero noaoaceHMM;
- b) nocaeyioimaa npxnixa npHMeHeHna aoroBopa, xoTopaa ycTaHaBWEaeT coraanioe ynacTHMxoB OTHOcnpeJibHO ero ToaxoBaHMa;
- c) aroSbie cooTBeprByiomHe HopMbi MexcayHapoaHoro npaBa, npMMeHaeMbie b OTHomeHnax Meacay ynacTHMxaMH.

4. CneqHaabHoe 3HaneHne npmaerca TepMHHy B TOM cjiyna, ecan ycaHOBaHO, HTO ynacranXM HMCJIM Taxoe HaMepeioe.

CTaTba 32

HonoaHHTeabHbie cpeaCTBa TOaxoBaHia

B03Moa<Ho obpameHne x aonoHHWTeabHbim cpeaTBaM Toaxo-BaHMa, b tom HHcae x noaroTOSHTeabHMM MaTepwaaaM h x o6-croaTeabCTBaM 3axaK)neHxa aorosopa, htoöm noaTBepaHTb 3Ha-HeHne, Bbrraxioe H3 npHMeHemis CTaTbH 31, hbb onpeawTb 3Ha-eHMe, xopaa ToaxoBaHwe b cooTBeTCTBMM co craTbeä 31 .

- a) ocraBaeT 3HaneHHe aayMbicaeHHbim Man HeacHbim; hÄH
- b) npwBoaHT K pe3yabTaTaM, xopopwe aBaaioTca 3bho aScy-pa-HblMM HJIM Hepa3yMHbIMH.

CTaTba 33

ToaKOBaHie a^rOBopoB, ayieimHHOCTb Texcia

KOTopwx Bbiaa ydaHOBaHa

Ha a@yx Milli HecKoabKHx a3Mxax

1. Ecaw ayTeHTMHHOCTb TexcTa aorosopa Sbiaa ycTaHOBaHa Ha asyx Haw HecxoabXMx a3bixax, ero Texcr Ha xaagiom a3wxe HMeer oahHaxoByio cnay, ecan aoroBopoM He npeayMaTpuBaeTca nm yaacTHMXH ne ycaoBwaHcb, hto b caynae pacxoaceHna Meacay 3THMH TexcTaMH npeMMymecTBeHHyo cnay SyaT MMeTb xaxoä-awSo oamH onpeaeauHMM TexcT.

2. BapnaHT aoroBopa Ha a3bixax, hhom, neM Te, Ha xopopbix Sbiaa ycTaHOBaena ayTeHTHHHOerb Texcra, cnMTaeTca ayreHTMH-Hbim Toabxo b tom CHyna, ecan sto npeayMOTpeHO aoroBopoM wan eca« 06 Ptom ycaoBHancb ynacTHHXH aoroBopa.

3. IppeanoaaraerCH, HTO TepMHHbi aoroBopa HMexYT oanHaxoBoe 3HaneHMe B xaa<aöm ayTeHTMHHOM Texcre.

4. 3a HCxaroneHHeM Toro cayna, xopaa b cooTcTcTehh c nynx-tom 1 npeHMymecrBeHHyo cway HMeerT»xaxoH-aHöo oanH onpe-aeaeHHbiä Texcr, ecan cpaBHerme ayreHTMHHbix TexcroB oSnay-acHbaer pacxoacaeroie 3HaHeHMM, xopopoe He ycpaHaeTca npn-MeHOHHeM crpaTeii 31 m 32, npHHMMaeTca to 3HaneHHe, xoTopoe, c yneroM obbexTa h aeae« aöroBopa, aynme scero coraacobiaeT 3TH TexcTb.

PA3HEJI. 4: ÄOrOBOPOM M TPETEM rOCYflAPCTBA

CTaTba 34

Ofyjee npaßnao, Kaciaioeeca TpeTwx rocyapcTB

HoroBop He C03aaeT o6a3aTeabcrB Hau npaB a^a TpeTbero ro-cyapcTBa 6e3 ero Ha to coraacna.

CTaTba 35

UoroBopbi, npeayMaTpuBaiomne o6a3aTeabCTBa aaa TpeTbix rocyapcTB

O6a3aTeabCTBo rjisi TpeTbero rocyapcraa B03HMxaeT H3 noao-acejraa aoroBopa, ecan yaacTHMXM 3Toro aorosopa MMCIOT HaMe-peHHe caeaaTb STO noaoacemie cpeacrreoM C03aaHMa o6a3aTeab-CTBa m ecan rperbe rocyapcTBO onpeaeaeHHO npHHHMaer Ha ce6a b nHCbMeHHOÄ (bopMe 3TO O6a3aTeabCTBO.

CTaTba 36

UoroBopbi, npeayMaTpuBaiomne npaBa aaa TpeTbix rocyapcTB

1. IpaBO aaa Tpeibero rocyapcTBa B03HHxaeT m3 noaoaceHHa aoroBopa, ecan ynacTHHXH sroro aorosopa mmchdH HaMepeHHe nocpeaCTBOM aroro noaoaceHHa npeacraBMTb Taxoe npa@o anö TpercMy rocyapcTBy, anö rpyne rocyapcTB, x xoTopü oho npHHaaeacHT, anSo becm rocyapcrBaM n ecaw Tperce rocy-aapcTBO coraamaeTca c 3thm. Ero coraacne SyaT npeanoa-araTca ao Tex nop, noxa He Byaer HMeTca aoxa3aTeabcrB npo-TMBHoro, ecan aoroBopoM He npeayMaTpuBaeTca MHoe.

2. rocyapcTBO, noabayioeeca npaBOM Ha ocHOBaHHH nyHX-pa 1, BbioaHaeT ycaoBHa noab3oahMa 3thm npaBOM, npeayMO-TpeHHbie aoroBopoM hhm ycTaHOBaehHbie b cooTBeprBMH c aoro-BOPOM.

CTaTba 37

OTMeHa n« ii3MeHeHne o6a3aTeabCTB timt npan TpeTbix rocyapcTB

1. Ecan aaa TpeTbero rocyapcTBa B03HHxaeT o6a3aTeabCTBO b eooTBeTCTBMH co CTaTbeä 35, to 3to o6a3aTeabCTBO Moacer Ömtb