

PRESIDÊNCIA DA REPÚBLICA

Decreto do Presidente da República n.º 48/2011

de 4 de Maio

O Presidente da República decreta, nos termos do artigo 135.º, alínea *b*), da Constituição, o seguinte:

É ratificado o Protocolo de 2005 Relativo ao Protocolo para a Supressão de Actos Ilícitos contra a Segurança das Plataformas Fixas Localizadas na Plataforma Continental, adoptado em Londres em 14 de Outubro de 2005, aprovado, para adesão, pela Resolução da Assembleia da República n.º 100/2011, em 4 de Março de 2011.

Assinado em 21 de Abril de 2011.

Publique-se.

O Presidente da República, ANÍBAL CAVACO SILVA.

Referendado em 28 de Abril de 2011.

O Primeiro-Ministro, *José Sócrates Carvalho Pinto de Sousa*.

ASSEMBLEIA DA REPÚBLICA

Resolução da Assembleia da República n.º 100/2011

Aprova, para adesão, o Protocolo de 2005 Relativo ao Protocolo para a Supressão de Actos Ilícitos contra a Segurança das Plataformas Fixas Localizadas na Plataforma Continental, adoptado em Londres em 14 de Outubro de 2005.

A Assembleia da República resolve, nos termos da alínea *i*) do artigo 161.º e do n.º 5 do artigo 166.º da Constituição, aprovar, para adesão, o Protocolo de 2005 Relativo ao Protocolo para a Supressão de Actos Ilícitos contra a Segurança das Plataformas Fixas Localizadas na Plataforma Continental, adoptado em Londres em 14 de Outubro de 2005, cujo texto, na versão autenticada em língua inglesa, bem como a respectiva tradução para a língua portuguesa, se publicam em anexo.

Aprovada em 4 de Março de 2011.

O Presidente da Assembleia da República, *Jaime Gama*.

PROTOCOL OF 2005 TO THE PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF FIXED PLATFORMS LOCATED ON THE CONTINENTAL SHELF

The States Parties to this Protocol:

Being Parties to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf done at Rome on 10 March 1988;

Recognizing that the reasons for which the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation was elaborated also apply to fixed platforms located on the continental shelf;

Taking account of the provisions of those Protocols;

have agreed as follows:

Article 1

For the purposes of this Protocol:

- 1) «1988 Protocol» means the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;
- 2) «Organization» means the International Maritime Organization;
- 3) «Secretary-General» means the Secretary-General of the Organization.

Article 2

Article 1, paragraph 1, of the 1988 Protocol is replaced by the following text:

«1 — The provisions of article 1, paragraphs 1 *c*), *d*), *e*), *f*), *g*), *h*) and 2 *a*), of articles 2 bis, 5, 5 bis and 7, and of articles 10 to 16, including articles 11 bis, 11 ter and 12 bis, of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, as amended by the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, shall also apply mutatis mutandis to the offences set forth in articles 2, 2 bis and 2 ter of this Protocol where such offences are committed on board or against fixed platforms located on the continental shelf.»

Article 3

1 — Article 2, paragraph 1 *d*) of the 1988 Protocol is replaced by the following text:

«*d*) Places or causes to be placed on a fixed platform, by any means whatsoever, a device or substance which is likely to destroy that fixed platform or likely to endanger its safety.»

2 — Article 2, paragraph 1 *e*) of the 1988 Protocol is deleted.

3 — Article 2, paragraph 2 of the 1988 Protocol is replaced by the following text:

«2 — Any person also commits an offence if that person threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraphs 1 *b*) and *c*), if that threat is likely to endanger the safety of the fixed platform.»

Article 4

1 — The following text is inserted as article 2 bis:

«Article 2 bis

Any person commits an offence within the meaning of this Protocol if that person unlawfully and intentionally, when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act:

a) Uses against or on a fixed platform or discharges from a fixed platform any explosive, radioactive material or BCN weapon in a manner that causes or is likely to cause death or serious injury or damage; or