



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
 Αρ. 2276 της 27ης ΝΟΕΜΒΡΙΟΥ 1987
ΝΟΜΟΘΕΣΙΑ

Ο περί του Πρωτοκόλλου διά την Προστασίαν της Μεσογείου Θαλάσσης κατά της Ρυπάνσεως Προερχομένης εκ Χερσαίων Πηγών (Κυρωτικός) Νόμος του 1987 εκδίδεται με δημοσίευση στην επίσημη εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 266 του 1987

**ΝΟΜΟΣ ΚΥΡΩΝ ΤΟ ΠΡΩΤΟΚΟΛΛΟΝ ΔΙΑ ΤΗΝ ΠΡΟΣΤΑΣΙΑΝ
 ΤΗΣ ΜΕΣΟΓΕΙΟΥ ΘΑΛΑΣΣΗΣ ΚΑΤΑ ΤΗΣ ΡΥΠΑΝΣΕΩΣ
 ΠΡΟΕΡΧΟΜΕΝΗΣ ΕΚ ΧΕΡΣΑΙΩΝ ΠΗΓΩΝ**

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί του Πρωτοκόλλου διά την Προστασίαν της Μεσογείου Θαλάσσης κατά της Ρυπάνσεως Προερχομένης εκ Χερσαίων Πηγών (Κυρωτικός) Νόμος του 1987 και θα ισχύη, εφαρμόζεται και ερμηνεύεται εν συσχετισμώ προς τον περί της Συμβάσεως διά την Προστασίαν της Μεσογείου Θαλάσσης κατά της Ρυπάνσεως και περί Συναφών Πρωτοκόλλων (Κυρωτικών) Νόμον του 1979.

Συνοπτικός
τίτλος.

51 του 1979.

2. Εις τον παρόντα Νόμον—

Ερμηνεία.

«Πρωτόκολλον» σημαίνει το Πρωτόκολλον διά την Προστασίαν της Μεσογείου Θαλάσσης, κατά της Ρυπάνσεως προχωρημένης εκ Χερσαίων Πηγών, γενόμενον εν Αθήναις την 17ην Μαΐου 1980, του οποίου το πρωτότυπον κείμενον εις την αγγλικήν εκτίθεται εις το Μέρος I του συνημμένου Πίνακος και η ελληνική μετάφρασις αυτού εις το Μέρος II του ίδιου Πίνακος:

Πίναξ
Μέρος I.
Μέρος II.

Νοείται ότι εν περιπτώσει αντιθέσεως μεταξύ των εν λόγω δύο κειμένων θα υπερισχύη το εις το Μέρος I του Πίνακος εκτιθέμενον αγγλικόν κείμενον.

3. Διά του παρόντος Νόμου κυρούται το Πρωτόκολλον, εις το οποίον η προσχώρησις της Κυπριακής Δημοκρατίας απεφασίσθη διά της υπ' αρ. 28.523/9 και ημερομηνίαν 7 Μαΐου 1987, Αποφάσεως του Υπουργικού Συμβουλίου.

Κύρωσις
Πρωτοκόλλου.

ΠΙΝΑΚΑΣ

(Άρθρον 2)

Μέρος Ι

PROTOCOL FOR THE PROTECTION OF
THE MEDITERRANEAN SEA AGAINST POLLUTION
FROM LAND-BASED SOURCES

The Contracting Parties to the present Protocol,
Being Parties to the Convention for the Protection of the Mediterranean Sea against
Pollution, adopted at Barcelona on 16 February 1976,

Desirous of implementing article 4, paragraph 2, and articles 8 and 15 of the said
Convention,

Noting the rapid increase of human activities in the Mediterranean Sea Area,
particularly in the fields of industrialization and urbanization, as well as the seasonal
increase in the coastal population due to tourism,

Recognizing the danger posed to the marine environment and to human health by
pollution from land-based sources and the serious problems resulting therefrom in
many coastal waters and river estuaries of the Mediterranean Sea, primarily due to the
release of untreated, insufficiently treated or inadequately disposed of domestic or
industrial discharges,

Recognizing the differences in levels of development between the coastal States, and
taking account of the economic and social imperatives of the developing countries,

Determined to take in close co-operation the necessary measures to protect the
Mediterranean Sea against pollution from land-based sources,

Have agreed as follows:

Article 1

The Contracting Parties to this Protocol (hereinafter referred to as "the Parties")
shall take all appropriate measures to prevent, abate, combat and control pollution of
the Mediterranean Sea Area caused by discharges from rivers, coastal establishments
or outfalls, or emanating from any other land-based sources within their territories.

Article 2

For the purposes of this Protocol:

- (a) "The Convention" means the Convention for the Protection of the Medi-
terranean Sea against Pollution, adopted at Barcelona on 16 February 1976;
- (b) "Organization" means the body referred to in article 13 of the Convention;
- (c) "Freshwater limit" means the place in watercourses where, at low tides and
in a period of low freshwater flow, there is an appreciable increase in salinity
due to the presence of sea-water.

Article 3

The area to which this Protocol applies (hereinafter referred to as the "Protocol
Area") shall be:

- (a) The Mediterranean Sea Area as defined in article 1 of the Convention;
- (b) Waters on the landward side of the baselines from which the breadth of the
territorial sea is measured and extending, in the case of watercourses, up to
the freshwater limit;
- (c) Saltwater marshes communicating with the sea.

Article 4

1. This Protocol shall apply:

- (a) To polluting discharges reaching the Protocol Area from land-based sources within the territories of the Parties, in particular:
 - directly, from outfalls discharging into the sea or through coastal disposal;
 - indirectly, through rivers, canals or other watercourses, including underground watercourses, or through run-off;
- (b) To pollution from land-based sources transported by the atmosphere, under conditions to be defined in an additional annex to this Protocol and accepted by the Parties in conformity with the provisions of article 17 of the Convention.

2. This Protocol shall also apply to polluting discharges from fixed man-made offshore structures which are under the jurisdiction of a Party and which serve purposes other than exploration and exploitation of mineral resources of the continental shelf and the sea-bed and its subsoil.

Article 5

1. The Parties undertake to eliminate pollution of the Protocol Area from land-based sources by substances listed in annex I to this Protocol.

2. To this end they shall elaborate and implement, jointly or individually, as appropriate, the necessary programmes and measures.

3. These programmes and measures shall include, in particular, common emission standards and standards for use.

4. The standards and the time-tables for the implementation of the programmes and measures aimed at eliminating pollution from land-based sources shall be fixed by the Parties and periodically reviewed, if necessary every two years, for each of the substances listed in annex I, in accordance with the provisions of article 15 of this Protocol.

Article 6

1. The Parties shall strictly limit pollution from land-based sources in the Protocol Area by substances or sources listed in annex II to this Protocol.

2. To this end they shall elaborate and implement, jointly or individually, as appropriate, suitable programmes and measures.

3. Discharges shall be strictly subject to the issue, by the competent national authorities, of an authorization taking due account of the provisions of annex III to this Protocol.

Article 7

1. The Parties shall progressively formulate and adopt, in co-operation with the competent international organizations, common guidelines and, as appropriate, standards or criteria dealing in particular with:

- (a) The length, depth and position of pipelines for coastal outfalls, taking into account, in particular, the methods used for pretreatment of effluents;
- (b) Special requirements for effluents necessitating separate treatment;
- (c) The quality of sea-water used for specific purposes that is necessary for the protection of human health, living resources and ecosystems;
- (d) The control and progressive replacement of products, installations and industrial and other processes causing significant pollution of the marine environment;

- (e) Specific requirements concerning the quantities of the substances listed in annexes I and II discharged, their concentration in effluents and methods of discharging them.

2. Without prejudice to the provisions of article 5 of this Protocol, such common guidelines, standards of criteria shall take into account local ecological, geographical, and physical characteristics, the economic capacity of the Parties and their need for development, the level of existing pollution and the real absorptive capacity of the marine environment.

3. The programmes and measures referred to in articles 5 and 6 shall be adopted by taking into account, for their progressive implementation, the capacity to adapt and reconvert existing installations, the economic capacity of the Parties and their need for development.

Article 8

Within the framework of the provisions of, and the monitoring programmes provided for in, article 10 of the Convention, and if necessary in co-operation with the competent international organizations, the Parties shall carry out at the earliest possible date monitoring activities in order:

- (a) Systematically to assess, as far as possible, the levels of pollution along their coasts, in particular with regard to the substances or sources listed in annexes I and II, and periodically to provide information in this respect;
- (b) To evaluate the effects of measures taken under this Protocol to reduce pollution of the marine environment.

Article 9

In conformity with article 11 of the Convention, the Parties shall co-operate as far as possible in scientific and technological fields related to pollution from land-based sources, particularly research on inputs, pathways and effects of pollutants and on the development of new methods for their treatment reduction or elimination. To this end the Parties shall, in particular, endeavour to:

- (a) Exchange scientific and technical information;
- (b) Co-ordinate their research programmes.

Article 10

1. The Parties shall, directly or with the assistance of competent regional or other international organizations or bilaterally, co-operate with a view to formulating and, as far as possible, implementing programmes of assistance to developing countries, particularly in the fields of science, education and technology, with a view to preventing pollution from land-based sources and its harmful effects in the marine environment.

2. Technical assistance would include, in particular, the training of scientific and technical personnel, as well as the acquisition, utilization and production by those countries of appropriate equipment on advantageous terms to be agreed upon among the Parties concerned.

Article 11

1. If discharges from a watercourse which flows through the territories of two or more Parties or forms a boundary between them are likely to cause pollution of the marine environment of the Protocol Area, the Parties in question, respecting the provisions of this Protocol in so far as each of them is concerned, are called upon to co-operate with a view to ensuring its full application.

2. A Party shall not be responsible for any pollution originating on the territory of a non-contacting State. However, the said Party shall endeavour to co-operate with the said State so as to make possible full application of the Protocol.

Article 12

1. Taking into account article 22, paragraph 1, of the Convention, when land-based pollution originating from the territory of one Party is likely to prejudice directly the interests of one or more of the other Parties, the Parties concerned shall, at the request of one or more of them, undertake to enter into consultation with a view to seeking a satisfactory solution.

2. At the request of any Party concerned, the matter shall be placed on the agenda of the next meeting of the Parties held in accordance with article 14 of this Protocol; the meeting may make recommendations with a view to reaching a satisfactory solution.

Article 13

1. The Parties shall inform one another through the Organization of measures taken, of results achieved and, if the case arises, of difficulties encountered in the matter shall be determined at the meetings of the Parties.

2. Such information shall include, *inter alia*: action and submission of such information

- (a) Statistical data on the authorizations granted in accordance with article 6 of this Protocol;
- (b) Data resulting from monitoring as provided for in article 8 of this Protocol;
- (c) Quantities of pollutants discharged from their territories;
- (d) Measures taken in accordance with articles 5 and 6 of this Protocol.

Article 14

1. Ordinary meetings of the Parties shall take place in conjunction with ordinary meetings of the Contracting Parties to the Convention held pursuant to article 14 of the convention. The Parties may also hold extraordinary meetings in accordance with article 14 of the Convention.

2. The functions of the meetings of the Parties to this Protocol shall be, *inter alia*:

- (a) To keep under review the implementation of this Protocol and to consider the efficacy of the measures adopted and the advisability of any other measures, in particular in the form of annexes;
- (b) To revise and amend any annex to this Protocol, as appropriate;
- (c) To formulate and adopt programmes and measures in accordance with articles 5, 6 and 15 of this Protocol;
- (d) To adopt, in accordance with article 7 of this Protocol, common guidelines, standards or criteria, in any form decided upon by the Parties;
- (e) To make recommendations in accordance with article 12, paragraph 2, of this Protocol;
- (f) To consider the information submitted by the Parties under the article 13 of this Protocol;
- (g) To discharge such other functions as may be appropriate for the application of this Protocol.

Article 15

1. The meeting of the Parties shall adopt, by a two-thirds majority, the programmes and measures for the abatement or the elimination of pollution from land-based sources which are provided for in articles 5 and 6 of this Protocol.

2. The Parties which are not able to accept a programme or measures shall inform the meeting of the Parties of the action they intend to take as regards the programme or measures concerned, it being understood that these Parties may, at any time, give their consent to the programme or measures that have been adopted.