



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
 Αρ. 2643 της 1ης ΝΟΕΜΒΡΙΟΥ 1991
ΝΟΜΟΘΕΣΙΑ

Ο Κυρωτικός της Σύμβασης (1979) για τη Διαμεθοριακή Ρύπανση της Ατμόσφαιρας σε Μεγάλη Απόσταση και του Πρωτοκόλλου (1984) αυτής Νόμος του 1991 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 184 του 1991

ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΗΣ ΣΥΜΒΑΣΗΣ (1979) ΓΙΑ ΤΗ ΔΙΑΜΕΘΟΡΙΑΚΗ ΡΥΠΑΝΣΗ ΤΗΣ ΑΤΜΟΣΦΑΙΡΑΣ ΣΕ ΜΕΓΑΛΗ ΑΠΟΣΤΑΣΗ ΚΑΙ ΤΟΥ ΠΡΩΤΟΚΟΛΛΟΥ (1984) ΑΥΤΗΣ

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο Κυρωτικός της Σύμβασης (1979) για τη Διαμεθοριακή Ρύπανση της Ατμόσφαιρας σε Μεγάλη Απόσταση και του Πρωτοκόλλου (1984) αυτής Νόμος του 1991.

Συνοπτικός τίτλος.

2. Κατά την έννοια του παρόντος Νόμου—

Ερμηνεία.

«Σύμβαση» σημαίνει τη Σύμβαση του 1979 για τη Διαμεθοριακή Ρύπανση της Ατμόσφαιρας σε Μεγάλη Απόσταση, η οποία έγινε στη Γενεύη στις 13 Νοεμβρίου 1979 και της οποίας το αγγλικό πρωτότυπο εκτίθεται στο Μέρος Α του Πίνακα και σε ελληνική μετάφραση στο Μέρος Β του Πίνακα·

Πίνακας.
Μέρος Α
Μέρος Β.

«Πρωτόκολλο» σημαίνει το Πρωτόκολλο της Σύμβασης του 1979 για τη Διαμεθοριακή Ρύπανση της Ατμόσφαιρας σε Μεγάλη Απόσταση που αφορά τη Μακροπρόθεσμη Χρηματοδότηση του Προγράμματος για τη Συνεχή Παρακολούθηση και Εκτίμηση της Μεταφοράς σε Μεγάλη Απόσταση των Ατμοσφαιρικών Ρύπων στην Ευρώπη (EMEP), το οποίο έγινε στη Γενεύη στις 28 Σεπτεμβρίου 1984 και του οποίου το αγγλικό πρωτότυπο εκτίθεται στο Μέρος Α του Πίνακα και σε ελληνική μετάφραση στο Μέρος Β του Πίνακα.

Πίνακας.
Μέρος Α
Μέρος Β.
Κύρωση της Σύμβασης και του Πρωτοκόλλου.

3. —(1) Με τον παρόντα Νόμο κυρώνονται η Σύμβαση και το Πρωτόκολλο αυτής.

(2) Σε περίπτωση αντίθεσης μεταξύ των εκτιθέμενων στο Μέρος Α του Πίνακα πρωτότυπων κειμένων και των εκτιθέμενων στο Μέρος Β αυτού ελληνικών μεταφράσεων θα υπερισχύουν τα εκτιθέμενα στο Μέρος Α του Πίνακα κείμενα.

ΠΙΝΑΚΑΣ

(Άρθρο 2)

ΜΕΡΟΣ Α

CONVENTION ON LONG-RANGE TRANSBOUNDARY
AIR POLLUTION

done at Geneva, on 13 November 1979

The Parties to the present Convention,

Determined to promote relations and co-operation in the field of environmental protection,

Aware of the significance of the activities of the United Nations Economic Commission for Europe in strengthening such relations and co-operation, particularly in the field of air pollution including long-range transport of air pollutants,

Recognizing the contribution of the Economic Commission for Europe to the multilateral implementation of the pertinent provisions of the Final Act of the Conference on Security and Co-operation in Europe,

Cognizant of the references in the chapter on environment of the Final Act of the Conference on Security and Co-operation in Europe calling for co-operation to control air pollution and its effects, including long-range transport of air pollutants, and to the development through international co-operation of an extensive programme for the monitoring and evaluation of long-range transport of air pollutants, starting with sulphur dioxide and with possible extension to other pollutants,

Considering the pertinent provisions of the Declaration of the United Nations Conference on the Human Environment, and in particular principle 21, which expresses the common conviction that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction,

Recognizing the existence of possible adverse effects, in the short and long term, of air pollution including transboundary air pollution,

Concerned that a rise in the level of emissions of air pollutants within the region as forecast may increase such adverse effects,

Recognizing the need to study the implications of the long-range transport of air pollutants and the need to seek solutions for the problems identified,

Affirming their willingness to reinforce active international co-operation to develop appropriate national policies and by means of exchange of information, consultation, research and monitoring, to co-ordinate national action for combating air pollution including long-range transboundary air pollution,

Have agreed as follows:

DEFINITIONS

Article 1

For the purposes of the present Convention:

(a) "air pollution" means the introduction by man, directly or indirectly, of substances or energy into the air resulting in deleterious effects of such a

nature as to endanger human health, harm living resources and ecosystems and material property and impair or interfere with amenities and other legitimate uses of the environment, and "air pollutants" shall be construed accordingly;

(b) "long-range transboundary air pollution" means air pollution whose physical origin is situated wholly or in part within the area under the national jurisdiction of one State and which has adverse effects in the area under the jurisdiction of another State at such a distance that it is not generally possible to distinguish the contribution of individual emission sources or groups of sources.

FUNDAMENTAL PRINCIPLES

Article 2

The Contracting Parties, taking due account of the facts and problems involved, are determined to protect man and his environment against air pollution and shall endeavour to limit and, as far as possible, gradually reduce and prevent air pollution including long-range transboundary air pollution.

Article 3

The Contracting Parties, within the framework of the present Convention, shall by means of exchanges of information, consultation, research and monitoring, develop without undue delay policies and strategies which shall serve as a means of combating the discharge of air pollutants, taking into account efforts already made at national and international levels.

Article 4

The Contracting Parties shall exchange information on and review their policies, scientific activities and technical measures aimed at combating, as far as possible, the discharge of air pollutants which may have adverse effects, thereby contributing to the reduction of air pollution including long-range transboundary air pollution.

Article 5

Consultations shall be held, upon request, at an early stage between, on the one hand, Contracting Parties which are actually affected by or exposed to a significant risk of long-range transboundary air pollution and, on the other hand, Contracting Parties within which and subject to whose jurisdiction a significant contribution to long-range transboundary air pollution originates, or could originate, in connexion with activities carried on or contemplated therein.

AIR QUALITY MANAGEMENT

Article 6

Taking into account articles 2 to 5, the ongoing research, exchange of information and monitoring and the results thereof, the cost and effectiveness of local and other remedies and, in order to combat air pollution, in particular that originating from new or rebuilt installations, each Contracting Party

undertakes to develop the best policies and strategies including air quality management systems and, as part of them, control measures compatible with balanced development, in particular by using the best available technology which is economically feasible and low- and non-waste technology.

RESEARCH AND DEVELOPMENT

Article 7

The Contracting Parties, as appropriate to their needs, shall initiate and co-operate in the conduct of research into and/or development of:

(a) existing and proposed technologies for reducing emissions of sulphur compounds and other major air pollutants, including technical and economic feasibility, and environmental consequences;

(b) instrumentation and other techniques for monitoring and measuring emission rates and ambient concentrations of air pollutants;

(c) improved models for a better understanding of the transmission of long-range transboundary air pollutants;

(d) the effects of sulphur compounds and other major air pollutants on human health and the environment, including agriculture, forestry, materials, aquatic and other natural ecosystems and visibility, with a view to establishing a scientific basis for dose/effect relationships designed to protect the environment;

(e) the economic, social and environmental assessment of alternative measures for attaining environmental objectives including the reduction of long-range transboundary air pollution;

(f) education and training programmes related to the environmental aspects of pollution by sulphur compounds and other major air pollutants.

EXCHANGE OF INFORMATION

Article 8

The Contracting Parties, within the framework of the Executive Body referred to in article 10 and bilaterally, shall, in their common interests, exchange available information on:

(a) data on emissions at periods of time to be agreed upon, of agreed air pollutants, starting with sulphur dioxide, coming from grid-units of agreed size; or on the fluxes of agreed air pollutants, starting with sulphur dioxide, across national borders, at distances and at periods of time to be agreed upon;

(b) major changes in national policies and in general industrial development, and their potential impact, which would be likely to cause significant changes in long-range transboundary air pollution;

(c) control technologies for reducing air pollution relevant to long-range transboundary air pollution;

(d) the projected cost of the emission control of sulphur compounds and other major air pollutants on a national scale;

(e) meteorological and physico-chemical data relating to the processes during transmission;

(f) physico-chemical and biological data relating to the effects of long-range transboundary air pollution and the extent of the damage ^{1/} which these data indicate can be attributed to long-range transboundary air pollution;

(g) national, subregional and regional policies and strategies for the control of sulphur compounds and other major air pollutants.

IMPLEMENTATION AND FURTHER DEVELOPMENT OF THE CO-OPERATIVE
PROGRAMME FOR THE MONITORING AND EVALUATION OF THE LONG-
RANGE TRANSMISSION OF AIR POLLUTANTS IN EUROPE

Article 9

The Contracting Parties stress the need for the implementation of the existing "Co-operative programme for the monitoring and evaluation of the long-range transmission of air pollutants in Europe" (hereinafter referred to as EMEP) and, with regard to the further development of this programme, agree to emphasize:

(a) the desirability of Contracting Parties joining in and fully implementing EMEP which, as a first step, is based on the monitoring of sulphur dioxide and related substances;

(b) the need to use comparable or standardized procedures for monitoring whenever possible;

(c) the desirability of basing the monitoring programme on the framework of both national and international programmes. The establishment of monitoring stations and the collection of data shall be carried out under the national jurisdiction of the country in which the monitoring stations are located;

(d) the desirability of establishing a framework for a co-operative environmental monitoring programme, based on and taking into account present and future national, subregional, regional and other international programmes;

(e) the need to exchange data on emissions at periods of time to be agreed upon, of agreed air pollutants, starting with sulphur dioxide, coming from grid-units of agreed size; or on the fluxes of agreed air pollutants, starting with sulphur dioxide, across national borders, at distances and at periods of time to be agreed upon. The method, including the model, used to determine the fluxes, as well as the method, including the model, used to determine the transmission of air pollutants based on the emissions per grid-unit, shall be made available and periodically reviewed, in order to improve the methods and the models;

(f) their willingness to continue the exchange and periodic updating of national data on total emissions of agreed air pollutants, starting with sulphur dioxide;

(g) the need to provide meteorological and physico-chemical data relating to processes during transmission;

(h) the need to monitor chemical components in other media such as water, soil and vegetation, as well as a similar monitoring programme to record effects on health and environment;

(i) the desirability of extending the national EMEP networks to make them operational for control and surveillance purposes.

^{1/} The present Convention does not contain a rule on State liability as to damage.