

**1. g) Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants**

*Aarhus, 24 June 1998*

**ENTRY INTO FORCE:** 23 October 2003, in accordance with article 18(1) which reads as follows: "1. The present Protocol shall enter into force on the ninetieth day following the date on which the sixteenth instrument of ratification, acceptance, approval or accession has been deposited with the Depositary. 2. For each State and organization referred to in article 15, paragraph 1, which ratifies, accepts or approves the present Protocol or accedes thereto after the deposit of the sixteenth instrument of ratification, acceptance, approval or accession, the Protocol shall enter into force on the ninetieth day following the date of deposit by such Party of its instrument of ratification, acceptance, approval or accession."

**REGISTRATION:** 23 October 2003, No. 21623.

**STATUS:** Signatories: 36. Parties: 33.

**TEXT:** United Nations, *Treaty Series*, vol. 2230, p. 79; Document of the Economic and Social Council [EB.AIR/1998/2](#); C.N.554.2010.TREATIES-2 of 14 September 2010 (Amendments to Annexes V and VII) and C.N.844.2010.TREATIES-8 of 20 December 2010 (Entry into force of the Amendments to Annexes V and VII to the Protocol)<sup>1,2</sup>.

*Note:* (1) Open for signature at Aarhus (Denmark) from 24 to 25 June 1998, then at United Nations Headquarters until 21 December 1998, by States members of the Economic Commission for Europe as well as States having consultative status with the Commission pursuant to paragraph 8 of Economic and Social Council resolution [36 \(IV\)](#)<sup>3</sup> of 28 March 1947, and by regional economic integration organizations, constituted by sovereign States members of the Commission, which have competence in respect of the negotiation, conclusion and application of international agreements in matters covered by the Protocol, provided that the States and organizations concerned are Parties to the Convention.

(2) By Decision 2009/3, adopted on 18 December 2009 at the twenty-seventh session of the Executive Body, held in Geneva, Switzerland from 14 to 18 December 2009, the Parties adopted Amendments to Annexes V and VII to the Protocol, in accordance with paragraph 4 of article 14 of the Protocol.

In accordance with paragraphs 4 and 5, of article 14, Amendments to annexes V and VII shall be adopted by consensus of the Parties present at a session of the Executive Body. On the expiry of ninety days from the date of its communication to all Parties by the Executive Secretary of the Commission, an amendment to any such annex shall become effective for those Parties which have not submitted to the Depositary a notification in accordance with the provisions of paragraph 5 below, provided that at least sixteen Parties have not submitted such a notification.

5. Any Party that is unable to approve an amendment to annex V or VII shall so notify the Depositary in writing within ninety days from the date of the communication of its adoption. The Depositary shall without delay notify all Parties of any such notification received. A Party may at any time substitute an acceptance for its previous notification and, upon deposit of an instrument of acceptance with the Depositary, the amendment to such an annex shall become effective for that Party (See depositary notification C.N.554.2010.TREATIES-2, of 14 September 2010).

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Approval(AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Approval(AA)</i>
Armenia .....	18 Dec 1998		Croatia .....	24 Jun 1998	6 Sep 2007
Austria .....	24 Jun 1998	27 Aug 2002	Cyprus.....	24 Jun 1998	2 Sep 2004
Belgium .....	24 Jun 1998	25 May 2006	Czech Republic.....	24 Jun 1998	6 Aug 2002
Bulgaria .....	24 Jun 1998	5 Dec 2001	Denmark <sup>4</sup> .....	24 Jun 1998	6 Jul 2001 AA
Canada .....	24 Jun 1998	18 Dec 1998	Estonia .....		11 May 2005 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Approval(AA)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Acceptance(A), Approval(AA)</i>
European Union.....	24 Jun 1998	30 Apr 2004 AA	Norway .....	24 Jun 1998	16 Dec 1999
Finland.....	24 Jun 1998	3 Sep 2002 A	Poland .....	24 Jun 1998	
France .....	24 Jun 1998	25 Jul 2003 AA	Portugal.....	24 Jun 1998	
Germany .....	24 Jun 1998	25 Apr 2002	Republic of Moldova.....	24 Jun 1998	1 Oct 2002
Greece.....	24 Jun 1998		Romania.....	24 Jun 1998	5 Sep 2003
Hungary .....	18 Dec 1998	7 Jan 2004	Serbia.....		26 Mar 2012 a
Iceland .....	24 Jun 1998	29 May 2003	Slovakia .....	24 Jun 1998	30 Dec 2002 A
Ireland.....	24 Jun 1998		Slovenia .....	24 Jun 1998	15 Nov 2005
Italy.....	24 Jun 1998	20 Jun 2006	Spain.....	24 Jun 1998	15 Feb 2011
Latvia.....	24 Jun 1998	28 Oct 2004	Sweden.....	24 Jun 1998	19 Jan 2000
Liechtenstein.....	24 Jun 1998	23 Dec 2003 A	Switzerland .....	24 Jun 1998	14 Nov 2000
Lithuania.....	24 Jun 1998	16 Jun 2006	Ukraine .....	24 Jun 1998	
Luxembourg.....	24 Jun 1998	1 May 2000	United Kingdom of Great Britain and Northern Ireland.....	24 Jun 1998	2 Sep 2005
Montenegro.....		9 Feb 2012 a	United States of America.....	24 Jun 1998	
Netherlands <sup>5</sup> .....	24 Jun 1998	23 Jun 2000 A			
North Macedonia .....		1 Nov 2010 a			

***Declarations and Reservations  
(Unless otherwise indicated, the declarations were made  
upon ratification, acceptance, approval or accession.)***

**AUSTRIA**

"The Republic of Austria declares in accordance with Article 3 Paragraph 5 (a) and Annex III of the Protocol the year 1987 as a reference year for the obligations of this Paragraph.

The Republic of Austria declares in accordance with Article 12 of the Protocol that it accepts both of the means of dispute settlement mentioned in Paragraph 2 as compulsory in relation to any party accepting an obligation concerning one or both of these means of disputes settlement."

**ESTONIA**

".....the Republic of Estonia informs that in accordance with the Article 3 paragraph 5 subparagraph a of the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Persistent Organic Pollutants the Republic of Estonia chose reference years as follows:

- 1) Polycyclic aromatic hydrocarbons (PAHs)-1995;
- 2) Polychlorinated dibenzo-p-dioxins (PCDD) and polychlorinated dibenzofurans (PCDF) - 1990;
- 3) Hexachlorobenzene (HCB) - 1995."

**FINLAND**

"Pursuant to article 3 (5) of the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants, the Republic of Finland specifies 1994 as its reference year in accordance with annex III of the said Protocol."

**LIECHTENSTEIN**

"The Principality of Liechtenstein declares in accordance with Article 12, paragraph 2, of the Protocol that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any party accepting an obligation concerning one or both of these means of dispute settlement."

**LUXEMBOURG**

Article 3, paragraph 5, of [the Protocol], provides that each Party shall reduce its total annual emissions of each of the substances listed in annex III from the level of the emission in a reference year set in accordance with that annex. Annex III sets as the reference year 1990, or an alternative year from 1985 to 1995 inclusive specified by a Party upon ratification, acceptance, approval or accession.

[The Government of Luxembourg hereby declares] that the Grand Duchy of Luxembourg intends to choose 1990 as the reference year.

**NETHERLANDS**

"The Kingdom of the Netherlands declares, in accordance with paragraph 2 of Article 12 of the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants, that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any Party accepting one or both means of dispute settlement."

**NORWAY**

"1. With reference to Article 3 no 5 Litra (a) and

Annex III, Norway hereby declares that the reference year should be 1990.

2. With reference to Article 12 no 2, Norway hereby declares that, in respect of any dispute concerning the interpretation or application of the Protocol, it recognizes only the following means of dispute settlement as compulsory *ipso facto* and without special agreement, in relation to any Party accepting the same obligation:

a) Submission of the dispute to the International Court of Justice.”

#### ROMANIA

Romania declares that the reference year set in accordance with Article 3, paragraph 5 (a), and Annex III of the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants is the year 1989.

#### SERBIA

“The Republic of Serbia declares, in accordance with Article 3, paragraph 5 (a) and Annex III to the Protocol, the year 1990 as a reference year for the obligations.

The Republic of Serbia declares that, in accordance with Annex II, it wants to be considered as a State economy in transition.”

#### SLOVAKIA

“Pursuant to Article 3, paragraph 5 (a), and Annex III of the Protocol on Persistent Organic Pollutants, the Slovak Republic hereby declares the year 1990 as its reference year.”

#### SPAIN

For the purposes of Annex III of the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants, Spain selects 1990 as its reference year for the compliance with the reduction in emissions of the substances listed in that Annex.

### *Notifications under Article 14 (5)*

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#### **Notes:**

<sup>1</sup> On 10 December 2010, the Government of Canada notified the Secretary-General, in accordance with paragraph 5 of article 14 of the Protocol, that it is unable to accept the amendments to Annexes V and VII of the Protocol, transmitted by depositary notification C.N.554.2010.TREATIES-2 of 14 September 2010 (Refer to Depositary Notification C.N.803.2010.TREATIES-7 of 13 December 2010).

Subsequently, Canada notified its acceptance of the amendments. The Amendments to Annexes V and VII to the Protocol entered into force for Canada on the date of deposit of its instrument of acceptance, i.e., on 23 November 2011.

<sup>2</sup> On 2 December 2010, the Government of the Czech Republic notified the Secretary-General, in accordance with paragraph 5 of article 14 of the Protocol, that it was unable to accept the amendments to Annexes V and VII of the Protocol.

Subsequently, the Czech republic notified its acceptance of the amendments. The Amendments to Annexes V and VII to the Protocol entered into force for the Czech Republic on the date of deposit of its instrument of acceptance, i.e., on 31 March 2011.

<sup>3</sup> *Official Documents of the Economic and Social Council* (E/437), p. 36.

<sup>4</sup> On 13 December 2010, the Government of Denmark notified the Secretary-General: “ ... [U]ntil further notice the Amendments [to Annexes V and VII of the Protocol] shall not apply to Greenland.”

<sup>5</sup> For the Kingdom in Europe.

