

No. 25247

MULTILATERAL

Protocol to the 1979 Convention on long-range transboundary air pollution on the reduction of sulphur emissions or their transboundary fluxes by at least 30 per cent. Concluded at Helsinki on 8 July 1985

*Authentic texts: English, French and Russian.
Registered ex officio on 2 September 1987.*

MULTILATÉRAL

Protocole à la Convention sur la pollution atmosphérique transfrontière à longue distance, de 1979, relatif à la réduction des émissions de soufre ou de leurs flux transfrontières d'au moins 30 pour cent. Conclu à Helsinki le 8 juillet 1985

*Textes authentiques : anglais, français et russe.
Enregistré d'office le 2 septembre 1987.*

PROTOCOL¹ TO THE 1979 CONVENTION² ON LONG-RANGE TRANS-
BOUNDARY AIR POLLUTION ON THE REDUCTION OF SUL-
PHUR EMISSIONS OR THEIR TRANSBOUNDARY FLUXES BY
AT LEAST 30 PER CENT

The Parties,

Determined to implement the Convention on Long-range Transboundary Air Pollution,²

Concerned that the present emissions of air pollutants are causing widespread damage, in exposed parts of Europe and North America, to natural resources of vital environmental and economic importance, such as forests, soils and waters, and to materials (including historical monuments) and, under certain circumstances, have harmful effects on human health,

Aware of the fact that the predominant sources of air pollution contributing to the acidification of the environment are the combustion of fossil fuels for energy production, and the main technological processes in various industrial sectors, as well as transport, which lead to emissions of sulphur dioxide, nitrogen oxides, and other pollutants,

Considering that high priority should be given to reducing sulphur emissions, which will have positive results environmentally, on the over-all economic situation and on human health,

Recalling the decision of the United Nations Economic Commission for Europe (ECE) at its thirty-ninth session, which stresses the urgency of intensifying efforts to

¹ Came into force on 2 September 1987, i.e., the ninetieth day following the date of deposit with the Secretary-General of the United Nations of the sixteenth instrument of ratification, acceptance, approval or accession, in accordance with article 11 (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification, acceptance (A) or approval (AA)</i>	<i>State</i>	<i>Date of deposit of the instrument of ratification, acceptance (A) or approval (AA)</i>
Austria	4 June 1987	Hungary	11 September 1986
Bulgaria	26 September 1986 AA	Liechtenstein	13 February 1986
Byelorussian Soviet Socialist Republic	10 September 1986 A	Netherlands	30 April 1986 A
Canada	4 December 1985	(For the Kingdom in Europe.)	
Czechoslovakia	26 November 1986 AA	Norway	4 November 1986
Denmark	29 April 1986	Sweden	31 March 1986
Finland	24 June 1986	Ukrainian Soviet Socialist Republic	2 October 1986 A
France	13 March 1986 AA	Union of Soviet Socialist Republics	10 September 1986 A
Germany, Federal Republic of	3 March 1987		

(With a declaration of application to Berlin (West).)

Subsequently, the Protocol came into force in respect of the following State on the ninetieth day after the date of deposit of its instrument of ratification with the Secretary-General of the United Nations in accordance with article 11 (2):

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Luxembourg	24 August 1987

(With effect from 22 November 1987.)

² United Nations, *Treaty Series*, vol. 1302, p. 217.

arrive at co-ordinated national strategies and policies in the ECE region to reduce sulphur emissions effectively at national levels,

Recalling the recognition by the Executive Body for the Convention at its first session of the need to decrease effectively the total annual emissions of sulphur compounds or their transboundary fluxes by 1993-1995, using 1980 levels as the basis for calculations of reductions,

Recalling that the Multilateral Conference on the Causes and Prevention of Damage to Forests and Water by Air Pollution in Europe (Munich, 24-27 June 1984) had requested that the Executive Body for the Convention, as a matter of highest priority, adopt a proposal for a specific agreement on the reduction of annual national sulphur emissions or their transboundary fluxes by 1993 at the latest,

Noting that a number of Contracting Parties to the Convention have decided to implement reductions of their national annual sulphur emissions or their transboundary fluxes by at least 30 per cent as soon as possible and at the latest by 1993, using 1980 levels as the basis for calculation of reductions,

Recognizing, on the other hand, that some Contracting Parties to the Convention, while not signing the present Protocol at the time of its opening for signature, will nevertheless contribute significantly to the reduction of transboundary air pollution, or will continue to make efforts to control sulphur emissions, as stated in the document annexed to the report of the Executive Body at its third session,

Have agreed as follows:

Article 1. DEFINITIONS

For the purposes of the present Protocol,

1. "Convention" means the Convention on Long-range Transboundary Air Pollution, adopted in Geneva on 13 November 1979.

2. "EMEP" means the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe.

3. "Executive Body" means the Executive Body for the Convention constituted under article 10, paragraph 1 of the Convention.

4. "Geographical scope of EMEP" means the area defined in article 1, paragraph 4 of the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Long-term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), adopted in Geneva on 28 September 1984.¹

5. "Parties" means, unless the context otherwise requires, the Parties to the present Protocol.

Article 2. BASIC PROVISION

The Parties shall reduce their national annual sulphur emissions or their transboundary fluxes by at least 30 per cent as soon as possible and at the latest by 1993, using 1980 levels as the basis for calculation of reductions.

Article 3. FURTHER REDUCTIONS

The Parties recognize the need for each of them to study at the national level the necessity for further reductions, beyond those referred to in article 2, of sulphur emissions or their transboundary fluxes when environmental conditions warrant.

¹ United Nations, *Treaty Series*, vol. 1491, No. I-25638.

Article 4. REPORTING OF ANNUAL EMISSIONS

Each Party shall provide annually to the Executive Body its levels of national annual sulphur emissions, and the basis upon which they have been calculated.

Article 5. CALCULATIONS OF TRANSBOUNDARY FLUXES

EMEP shall in good time before the annual meetings of the Executive Body provide to the Executive Body calculations of sulphur budgets and also of transboundary fluxes and depositions of sulphur compounds for each previous year within the geographical scope of EMEP, utilizing appropriate models. In areas outside the geographical scope of EMEP, models appropriate to the particular circumstances of Parties therein shall be used.

Article 6. NATIONAL PROGRAMMES, POLICIES AND STRATEGIES

The Parties shall, within the framework of the Convention, develop without undue delay national programmes, policies and strategies which shall serve as a means of reducing sulphur emissions or their transboundary fluxes, by at least 30 per cent as soon as possible and at the latest by 1993, and shall report thereon as well as on progress towards achieving the goal to the Executive Body.

Article 7. AMENDMENTS TO THE PROTOCOL

1. Any Party may propose amendments to the present Protocol.

2. Proposed amendments shall be submitted in writing to the Executive Secretary of the Economic Commission for Europe who shall communicate them to all Parties. The Executive Body shall discuss the proposed amendments at its next annual meeting provided that such proposals have been circulated by the Executive Secretary of the Economic Commission for Europe to the Parties at least 90 days in advance.

3. An amendment to the present Protocol shall be adopted by consensus of the representatives of the Parties, and shall enter into force for the Parties which have accepted it on the ninetieth day after the date on which two thirds of the Parties have deposited their instruments of acceptance of the amendment. The amendment shall enter into force for any other Party on the ninetieth day after the date on which that Party deposits its instrument of acceptance of the amendment.

Article 8. SETTLEMENT OF DISPUTES

If a dispute arises between two or more Parties as to the interpretation or application of the present Protocol, they shall seek a solution by negotiation or by any other method of dispute settlement acceptable to the parties to the dispute.

Article 9. SIGNATURE

1. The present Protocol shall be open for signature at Helsinki (Finland) from 8 July 1985 until 12 July 1985 inclusive, by the member States of the Economic Commission for Europe as well as States having consultative status with the Economic Commission for Europe, pursuant to paragraph 8 of Economic and Social Council resolution 36 (IV) of 28 March 1947,¹ and by regional economic integration organizations, constituted by sovereign States members of the Economic Commission for Europe, which have competence in respect of the negotiation, conclusion and appli-

¹ United Nations, *Official Records of the Economic and Social Council, Fourth Session*, p. 10.

cation of international agreements in matters covered by the present Protocol, provided that the States and organizations concerned are Parties to the Convention.

2. In matters within their competence, such regional economic integration organizations shall, on their own behalf, exercise the rights and fulfil the responsibilities which the present Protocol attributes to their member States. In such cases, the member States of these organizations shall not be entitled to exercise such rights individually.

Article 10. RATIFICATION, ACCEPTANCE, APPROVAL AND ACCESSION

1. The present Protocol shall be subject to ratification, acceptance or approval by Signatories.

2. The present Protocol shall be open for accession as from 13 July 1985 by the States and organizations referred to in article 9, paragraph 1.

3. A State or organization acceding to the present Protocol after its entry into force shall implement Article 2 at the latest by 1993. However, if the Protocol is acceded to after 1990, Article 2 may be implemented later than 1993 by the Party concerned but not later than 1995, and such a Party shall implement Article 6 correspondingly.

4. The instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations, who will perform the functions of depositary.

Article 11. ENTRY INTO FORCE

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.

2. For each State and organization referred to in article 9, 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 after the date of deposit by such Party of its instrument of ratification, acceptance, approval, or accession.

Article 12. WITHDRAWAL

At any time after five years from the date on which the present Protocol has come into force with respect to a Party, that Party may withdraw from it by giving written notification to the depositary. Any such withdrawal shall take effect on the ninetieth day after the date of its receipt by the depositary.

Article 13. AUTHENTIC TEXTS

The original of the present Protocol, of which the English, French and Russian texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed the present Protocol.

DONE at Helsinki this eighth day of July one thousand nine hundred and eighty-five.

[For signature pages, see p. 229 of this volume.]

In the name of Austria:
Au nom de l'Autriche :
От имени Австрии:

KURT STEYRER

In the name of Belgium:
Au nom de la Belgique :
От имени Бельгии:

F. AERTS

In the name of Bulgaria:
Au nom de la Bulgarie :
От имени Болгарии:

BORIS TCHAKALOV

In the name of the Byelorussian Soviet Socialist Republic:
Au nom de la République socialiste soviétique de Biélorussie :
От имени Белорусской Советской Социалистической Республики:

YURI POKUMEIKO

In the name of Canada:
Au nom du Canada :
От имени Канады:

SUZANNE BLAIS-GRENIER

In the name of Cyprus:
Au nom de Chypre :
От имени Кипра:

In the name of Czechoslovakia:
Au nom de la Tchécoslovaquie :
От имени Чехословакии:

JAROMIR OBZINA

In the name of Denmark:
Au nom du Danemark :
От имени Дании:

CHRISTIAN CHRISTENSEN

In the name of Finland:
Au nom de la Finlande :
От имени Финляндии:

MATTI AHDE

In the name of France:
Au nom de la France :
От имени Франции:

H. BOUCHARDEAU

In the name of the Federal Republic of Germany:
Au nom de la République fédérale d'Allemagne :
От имени Федеративной Республики Германии:

KLAUS TERFLOTH
FRANZ KROPPESTEDT

In the name of the German Democratic Republic:
Au nom de la République démocratique allemande :
От имени Германской Демократической Республики:

HANS REICHEL

In the name of Hungary:
Au nom de la Hongrie :
От имени Венгрии:

ABRAHÁM KÁLMÁN URAT

In the name of Italy:
Au nom de l'Italie :
От имени Италии:

ALFREDO BIONDI

In the name of Liechtenstein:
Au nom du Liechtenstein :
От имени Лихтенштейна:

ANTON GERNER

In the name of Luxembourg:
Au nom du Luxembourg :
От имени Люксембурга:

GUY DE MUYSER

In the name of the Netherlands:
Au nom des Pays-Bas :
От имени Нидерландов:

W. J. BARON DE VOS VAN STEENWIJK

In the name of Norway:
Au nom de la Norvège :
От имени Норвегии:

RAKEL SURLIEN

In the name of Sweden:
Au nom de la Suède :
От имени Швеции:

SVANTE LUNDKVIST

In the name of Switzerland:
Au nom de la Suisse :
От имени Швейцарии:

BRUNO BÖHLEN

In the name of the Ukrainian Soviet Socialist Republic:
Au nom de la République socialiste soviétique d'Ukraine :
От имени Украинской Советской Социалистической Республики:

NIKOLAI P. SKRIPNIK

In the name of the Union of Soviet Socialist Republics:
Au nom de l'Union des Républiques socialistes soviétiques:
От имени Союза Советских Социалистических Республик:

YURI ANTONIEVICH
