

Official Journal

of the European Communities

ISSN 0378-6978

L 171

Volume 24

27 June 1981

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ Commission Regulation (EEC) No 1679/81 of 17 June 1981 on applications for aid from the European Agricultural Guidance and Guarantee Fund, Guidance Section, for collective projects for the restructuring of vineyards 1
-

II *Acts whose publication is not obligatory*

Council

81/462/EEC:

- ★ Council Decision of 11 June 1981 on the conclusion of the Convention on long-range transboundary air pollution 11
- Convention on long-range transboundary air pollution 13
- Resolution on long-range transboundary air pollution 18

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1679/81**of 17 June 1981****on applications for aid from the European Agricultural Guidance and Guarantee Fund,
Guidance Section, for collective projects for the restructuring of vineyards**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 458/80 of 18 February 1980 on collective projects for the restructuring of vineyards ⁽¹⁾, and in particular Article 6 (4) thereof,

Whereas applications for aid submitted in connection with the common measures for the restructuring of vineyards must contain all the information needed for the examination of projects according to the criteria in Regulation (EEC) No 458/80;

Whereas the information should be presented in an identical manner by each applicant to facilitate rapid examination and comparison of the applications;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Agricultural Structures;

Whereas the European Agricultural Guidance and Guarantee Fund (EAGGF) Committee has been consulted on the financial aspects of these measures,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for aid from the EAGGF, Guidance Section, for special programmes carried out as part of a collective project on vineyards shall contain the information and documents specified in the Annexes.
2. Applications shall be submitted in triplicate in the form indicated in the Annexes.
3. Applications which do not meet the conditions of paragraphs 1 and 2 shall not be considered.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 June 1981.

For the Commission

Antonio GIOLITTI

Member of the Commission

⁽¹⁾ OJ No L 57, 29. 2. 1980, p. 27.

PART 1

Not to be completed by the applicant

C A 2 0

C	A	2	1
1			4

C A 2 2

C A 2 3

F R
69

C	A	2	4
1			4

C	A	3	1
1			4

2

LY
8

A horizontal number line with tick marks every 1 unit. The numbers 39, 50, 60, and 69 are labeled below the line. The number 50 is circled.

C A 3 2

C A 3

F R
69

C	A	3	
---	---	---	--

Year	Number of People (Millions)
1960	10.5
1965	12.5
1970	14.5
1975	16.5
1980	18.5

C	A	3	
---	---	---	--

A horizontal number line with arrows at both ends. It is labeled with the number 9 at the left end and 18 at the right end. There are tick marks at every integer from 9 to 18, including 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18.

A horizontal number line with arrows at both ends. It is labeled with '0' at the left end and '48' at the right end. There are nine vertical tick marks between 0 and 48, dividing the segment into eight equal intervals. The tick marks are located at 6, 12, 18, 24, 30, 36, 42, and 48.

A horizontal number line with tick marks at every integer from 54 to 63. The numbers 54 and 63 are written below the first and last tick marks, respectively.

1

.....
Signature and stamp

EXPLANATORY NOTES AND INSTRUCTIONS ON THE COMPLETION OF APPLICATIONS

Preliminary remarks

Regulation (EEC) No 1679/81 is designed to specify as precisely as possible the information which the Commission needs in order to decide on the applications for aid according to the conditions and criteria laid down in Regulation (EEC) No 458/80.

In view of the multitude of situations arising, it is obviously impossible to provide for all the details of each individual case.

There will, therefore, be cases where certain information is not available or does not fully explain a particular situation. In these cases, the reasons why it is impossible to give a reply to certain questions should be given on a separate sheet. The applicant may also attach supplementary explanations if he considers it necessary in order to explain fully the details of his situation or application.

ANNEX A

General instructions

- (a) The applicant should complete lines 2 to 4.2 of Part 1 only. Do not fill in the right-hand column of each page.
- (b) The number of characters relating to one piece of information (including intermediate spaces) should not exceed the number of spaces provided for on the form. Abbreviations may be used (e.g. COOP, Ltd, ...).
One character only should be written in each space.
- (c) With the exception of amounts, information entered on the lines provided should begin with the first space on the left.
- (d) Amounts:
 - amounts should be entered in national currency ignoring decimals,
 - the triangles (▲) are used to separate milliards, millions and thousands,
 - amounts should be entered beginning with the last space on the right.

Example: £ 10 000 ... ▲ | 1 | 0 | ▲ | 0 | 0 | 0 |

Explanatory notes to the various headings ⁽¹⁾

PART 1

2. Applicant

To be filled in only if the applicant is not one of the beneficiaries.

3. Beneficiary

The beneficiary may be a cooperative, association of cooperatives, producer group or association of growers which has undertaken to draw up a restructuring scheme and to carry it out in compliance with the Regulation.

If there are several beneficiaries, the information for heading 3 must be given for each of them, specifying exactly the business name contained in the statutes.

⁽¹⁾ Paragraph numbers correspond to the headings on the form. Articles referred to in this Annex are those of Regulation (EEC) No 458/80.

- 3.1. Circle the correct reply.
- 3.7. For example, cooperative, association, S. . .
- 3.8. These are project numbers allotted by the divisions responsible for the Fund. If there are more than four applications, list them at the foot of the page.
4. Enter the month and year.
- Example:

0	4	▲	7	8
---	---	---	---	---
-

ANNEX B

1. **Brief description of the collective project for the restructuring of vineyards (maximum one page).**

Indicate in particular the location and the total area under vines concerned by the measures (henceforth referred to as the restructuring perimeters) for example a cooperative vineyard, or the vineyard situated on the territory of one or several communes, etc., and the exact area of the zones and perimeters which will be restructured, that is to say, replanted or possibly affected by new planting.

It is emphasized that a project may include new planting if it is technically necessary, but such new planting may not exceed 10 % of the total replanted and newly planted area of the project.

It is also emphasized that a collective project for restructuring vineyards producing table wines must involve at least 100 hectares of vineyards in accordance with a restructuring scheme covering the whole area of vineyards restructured and must be comprised of blocks of land under a single tenant having an area of at least two hectares.

In cases where natural conditions do not readily allow the establishment of blocks of the minimum size of two hectares, the area of replanting or new planting which does not fulfil this requirement must not exceed 10 % of the total area replanted or newly planted.

The method of calculation of these 10 % limits shall be as follows:

- If a block of two hectares pre-dating the project includes 1.5 hectares already planted in accordance with the controlling scheme and if the project comprises the replanting of 0.5 hectares according to the specifications in the scheme; these 0.5 hectares will not be taken into account in the 10 % limit, because their use will lead to the achievement of the aim of the scheme, that is to say, the creation of a block of restructured vineyards of at least two hectares.
- If a block of two hectares or under is not already planted in accordance with the controlling scheme and the project comprises the replanting of one hectare in accordance with the scheme, then this hectare will be included in the calculation of the 10 % limit because the principle of the creation of a restructured block of at least two hectares will not have been respected.

2. **Applicant ⁽¹⁾:**

- 2.1. Object of the applicant's main activities.
- 2.2. Relationship between the applicant and the collective restructuring project.
- 2.3. Attach, where appropriate:
 - memorandum and articles of association,
 - certificate of registration or extract from the trade register.

3. **Beneficiary ⁽²⁾:**

- 3.1. Object and scope of beneficiary's main activities.
- 3.2. Geographical area covered by these activities.
- 3.3. Economic situation.
- 3.4. Attach, where appropriate:
 - memorandum and articles of association,
 - certificate of registration or extract from the trade register.

⁽¹⁾ To be completed only if the applicant is not also responsible for the implementation of the collective restructuring project.

⁽²⁾ To be completed for each beneficiary.

4. Description of present situation:
 - 4.1. Geographical location of the areas concerned, showing the areas to be restructured (maps) with an indication of the areas used for the production of quality wines psr (VQPRD) and of those used for the production of table wines.
 - 4.2. Description of the needs met by the collective restructuring project; estimate of the effect of the project on production (figures), productivity and quality.
5. Measures proposed:
 - 5.1. Description of the various restructuring measures proposed with special emphasis on the compulsory provisions concerning vine varieties, alignment and spacing of rows, cultivation method, etc. (without prejudice to the provisions of Regulation (EEC) No 338/79).
 - 5.2. Varieties of wines used for the redistribution of the zones for restructuring; classify the varieties as to whether recommended, authorized, provisionally authorized, etc.
Indicate the area planted or replanted for each variety (column 2 of Tables B 1 and B 2).
Use Table B 1 for the restructuring of the vineyards of VQPRD not omitting to indicate the total area of possible new plantations.
Use Table B 2 for the restructuring of table wine vineyards not omitting to indicate, on the one hand the total area of possible new plantations, and on the other the total area of blocks of land less than two hectares (see paragraph 1).
 - 5.3. Description of the work proposed.
 - 5.4. Overall estimate and average cost per hectare to be replanted.
6. Proposed financing: complete Annex B 3.

Project No:

TABLE B 1 - VINE VARIETIES AND AREAS USED FOR NEW PLANTING OR REPLANTING OF VQPRD

Vine variety	Areas replanted or newly planted (hectares)	Of which new planting (hectares)
1	2	3
Total		

TABLE B 2 — VINE VARIETIES AND AREAS USED FOR NEW PLANTING OR REPLANTING OF TABLE WINE

Vine variety	Areas replanted or newly planted (hectares)	Of which new planting (hectares)	Of which the total area which will comprise blocks of replanted or newly planted land of less than two hectares after completion of the project
1	2	3	4
		↓	↓
Total	(1)		

(1) The total has to be equal or greater than 100 hectares.

B 3 — SCHEME FOR FINANCING THE COLLECTIVE VINEYARD RESTRUCTURING PROJECTS

Date

- | | | |
|----|---|-------|
| 1. | Beneficiary's share | _____ |
| | of which: 1.1. Own capital | |
| | 1.2. Loans ⁽¹⁾ | |
| | 1.3. Benefits in kind and work
done on own account | |
| 2. | Total amount of premiums requested | _____ |
| | of which: 2.1. EAGGF aid requested
(maximum 30 %) | |
| 3. | Total financing = total costs (1 + 2) | ===== |
- _____

⁽¹⁾ For each loan indicate the source, amount borrowed, interest rate, term and conditions for repayment. Where appropriate, indicate also the rate and duration of any grant of aid towards payment of interest and the name of the institution paying that aid. Attach supporting documents in each case.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 11 June 1981

on the conclusion of the Convention on long-range transboundary air pollution

(81/462/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the aim of the Community environment policy as stated in the Declaration of the Council of the European Communities and of the representatives of the Governments of the Member States meeting in the Council of 22 November 1973 on the programme of action of the European Communities on the environment ⁽³⁾, supplemented by the resolution of the Council of the European Communities and of the representatives of the Governments of the Member States meeting within the Council of 17 May 1977 on the continuation and implementation of a European Community policy and action programme on the environment ⁽⁴⁾, namely the improvement of the quality

and setting of life, of the surroundings and living conditions of the peoples of the Community, implies, in particular, preventing, reducing and as far as possible, eliminating pollution and nuisances as well as seeking common solutions to environmental problems with States outside the Community, particularly in international organizations;

Whereas one of the principles of the said environment policy is that, in accordance with the declaration of the United Nations Conference on the Human Environment adopted in Stockholm in 1972, care should be taken to ensure that activities carried out in one State do not cause any degradation of the environment in another;

Whereas the Community participated in the negotiations, within the framework of the Economic Commission for Europe, of a Convention and resolution on long-range transboundary air pollution;

Whereas on 14 November 1979 the Community signed the Convention on long-range transboundary air pollution and approved the resolution on long-range transboundary air pollution in which the signatories to the Convention decided to initiate the provisional implementation of the Convention, within the framework of the Economic Commission for Europe on an interim basis, and undertook to carry out the

⁽¹⁾ OJ No C 59, 10. 3. 1980, p. 71.

⁽²⁾ OJ No C 72, 24. 3. 1980, p. 25.

⁽³⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽⁴⁾ OJ No C 139, 13. 6. 1977, p. 1.

obligations of the Convention to the maximum extent possible pending its entry into force;

Whereas the Community's participation in the implementation of this Convention is necessary in order to attain one of the objectives of the Community; whereas the necessary powers are not provided for by the provisions of the Treaty other than Article 235;

Whereas the Community will participate in the implementation of the said Convention by exercising its competence as resulting from the existing common rules as well as those acquired as a result of future acts adopted by the Council, and by using the results of Community actions (research, exchange of information) in the fields concerned;

Whereas it is necessary for the Community to that extent to conclude the said Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention on long-range transboundary air pollution is hereby approved on behalf of the European Economic Community.

The texts of the said Convention and of the resolution on long-range transboundary air pollution are annexed to this Decision.

Article 2

The President of the Council shall deposit the act as provided for in Article 15 of the Convention ⁽¹⁾.

Done at Luxembourg, 11 June 1981.

For the Council

The President

L. GINJAAR

⁽¹⁾ The date of entry into force of the Convention will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

CONVENTION

on long-range transboundary air pollution

THE PARTIES TO THE PRESENT CONVENTION,

DETERMINED to promote relations and cooperation 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 cooperation, 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 cooperation in Europe,

COGNIZANT of the references in the chapter on environment of the Final Act of the Conference on security and cooperation in Europe calling for cooperation to control air pollution and its effects, including long-range transport of air pollutants, and to the development through international cooperation 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 cooperation to develop appropriate national policies and by means of exchange of information, consultation, research and monitoring, to coordinate 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 level.

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 on-going 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 cooperate 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;
- (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, sub-regional and regional policies and strategies for the control of 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;

Implementation and further development of the cooperative 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 'cooperative 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 cooperative environmental monitoring programme, based on and taking into account present and future national, sub-regional, regional and other international programmes;

⁽¹⁾ The present Convention does not contain a rule on State liability as to damage.

- (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.

Executive Body

Article 10

1. The representatives of the Contracting Parties shall, within the framework of the Senior Advisers to Economic Commission for Europe Governments on Environmental Problems, constitute the Executive Body of the present Convention, and shall meet at least annually in that capacity.

2. The Executive Body shall:

- (a) review the implementation of the present Convention;
- (b) establish, as appropriate, working groups to consider matters related to the implementation and development of the present Convention and to this end to prepare appropriate studies and other documentation and to submit recommendations to be considered by the Executive Body;

- (c) fulfil such other functions as may be appropriate under the provisions of the present Convention.

3. The Executive Body shall utilize the Steering Body for the EMEP to play an integral part in the operation of the present Convention, in particular with regard to data collection and scientific cooperation.

4. The Executive Body, in discharging its functions, shall, when it deems appropriate, also make use of information from other relevant international organizations.

Secretariat

Article 11

The Executive Secretary of the Economic Commission for Europe shall carry out, for the Executive Body, the following secretariat functions:

- (a) to convene and prepare the meetings of the Executive Body;
- (b) to transmit to the Contracting Parties reports and other information received in accordance with the provisions of the present Convention;
- (c) to discharge the functions consigned by the Executive Body.

Amendments to the Convention

Article 12

1. Any Contracting Party may propose amendments to the present Convention.

2. The text of proposed amendments shall be submitted in writing to the Executive Secretary of the Economic Commission for Europe, who shall communicate them to all Contracting Parties. The Executive Body shall discuss 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 Contracting Parties at least 90 days in advance.

3. An amendment to the present Convention shall be adopted by consensus of the representatives of the Contracting Parties, and shall enter into force for the Contracting Parties which have accepted it on the 90th day after the date on which two-thirds of the Contracting Parties have deposited their instruments of acceptance with the depositary. Thereafter, the amendment shall enter into force for any other Contracting Party on the 90th day after the date on which that Contracting Party deposits its instrument of acceptance of the amendment.

Settlement of disputes

Article 13

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

Signature

Article 14

1. The present Convention shall be open for signature at the United Nations Office at Geneva from 13 to 16 November 1979 on the occasion of the High-Level Meeting within the framework of the Economic Commission for Europe on the Protection of the Environment, 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, 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 application of international agreements in matters covered by the present 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 Convention attributes to their member States. In such cases, the member States of these organizations shall not be entitled to exercise such rights individually.

Ratification, acceptance, approval and accession

Article 15

1. The present Convention shall be subject to ratification, acceptance or approval.
2. The present Convention shall be open for accession as from 17 November 1979 by the States and organizations referred to in Article 14 (1).
3. 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 the depositary.

Entry into force

Article 16

1. The present Convention shall enter into force on the 90th day after the date of deposit of the 24th instrument of ratification, acceptance, approval or accession.
2. For each Contracting Party which ratifies, accepts or approves the present Convention or accedes thereto after the deposit of the 24th instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the 90th day after the date of deposit by such Contracting Party of its instrument of ratification, acceptance, approval or accession.

Withdrawal

Article 17

At any time after five years from the date on which the present Convention has come into force with respect to a Contracting Party, that Contracting Party may withdraw from the Convention by giving written notification to the depositary. Any such withdrawal shall take effect on the 90th day after the date of its receipt by the depositary.

Authentic texts

Article 18

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

RESOLUTION**on long-range transboundary air pollution**

The Signatories to the Convention on long-range transboundary air pollution of 13 November 1979,

Decide that they shall, within the framework of the Economic Commission for Europe and the Senior Advisers to ECE Governments on Environmental Problems, initiate, as soon as possible and on an interim basis, the provisional implementation of the Convention on long-range transboundary air pollution; they undertake to carry out the obligations arising from the Convention to the maximum extent possible pending its entry into force;

Agree that the necessary authority should be given to the Economic Commission for Europe and to its Executive Secretary to provide for a sufficient secretariat and, in the framework of the existing budgetary structure, for the appropriate financial means;

Further decide to develop without delay further cooperation in problem areas within the scope of the Convention. In particular they will seek to bring closer together their policies and strategies for combating air pollution including long-range transboundary air pollution;

Declare that such strategies and policies shall be aimed at limiting, and, as far as possible, gradually reducing and preventing air pollution, including long-range transboundary air pollution. These shall be implemented progressively and the designated competent body shall review regularly the progress achieved at national level. To this end the signatories will attach highest priority to the completion of a document setting out the strategies and policies of each of the signatories for the abatement of air pollution caused by sulphur compounds.

CONVENTION

sur la pollution atmosphérique transfrontière à longue distance

LES PARTIES À LA PRÉSENTE CONVENTION,

RÉSOLUES à promouvoir les relations et la coopération en matière de protection de l'environnement,

CONSCIENTES de l'importance des activités de la commission économique des Nations unies pour l'Europe en ce qui concerne le renforcement de ces relations et de cette coopération en particulier dans le domaine de la pollution atmosphérique, y compris le transport à longue distance des polluants atmosphériques,

RECONNAISSANT la contribution de la commission économique pour l'Europe à l'application multilatérale des dispositions pertinentes de l'acte final de la conférence sur la sécurité et la coopération en Europe,

TENANT COMPTE de l'appel contenu dans le chapitre de l'acte final de la conférence sur la sécurité et la coopération en Europe relatif à l'environnement, à la coopération en vue de combattre la pollution de l'air et les effets de cette pollution, notamment le transport de polluants atmosphériques à longue distance, et à l'élaboration, par la voie de la coopération internationale, d'un vaste programme de surveillance et d'évaluation du transport à longue distance des polluants de l'air, en commençant par le dioxyde de soufre, puis en passant éventuellement à d'autres polluants,

CONSIDÉRANT les dispositions appropriées de la déclaration de la conférence des Nations unies sur l'environnement de l'homme, et en particulier le principe 21, lequel exprime la conviction commune que, conformément à la charte des Nations unies et aux principes du droit international, les États ont le droit souverain d'exploiter leurs propres ressources selon leurs propres politiques d'environnement et ont le devoir de faire en sorte que les activités exercées dans les limites de leur juridiction et sous leur contrôle ne causent pas de dommage à l'environnement dans d'autres États ou dans des régions ne relevant d'aucune juridiction nationale,

RECONNAISSANT la possibilité que la pollution de l'air, y compris la pollution atmosphérique transfrontière, provoque à court ou à long terme des effets dommageables,

CRAIGNANT que l'augmentation prévue du niveau des émissions de polluants atmosphériques dans la région ne puisse accroître ces effets dommageables,

RECONNAISSANT la nécessité d'étudier les incidences du transport des polluants atmosphériques à longue distance et de chercher des solutions aux problèmes identifiés,

AFFIRMANT leur résolution de renforcer la coopération internationale active pour élaborer les politiques nationales nécessaires et, par des échanges d'informations, des consultations et des activités de recherche et de surveillance, de coordonner les mesures prises par les pays pour combattre la pollution de l'air, y compris la pollution atmosphérique transfrontière à longue distance,

SONT CONVENUES de ce qui suit :

Définitions

Article premier

Aux fins de la présente convention :

- a) l'expression « pollution atmosphérique » désigne l'introduction dans l'atmosphère par l'homme, directement ou indirectement, de substances ou d'énergie ayant une action nocive de nature à mettre en danger la santé de l'homme, à endommager les ressources biologiques et les écosystèmes, à détériorer les biens matériels, et à porter atteinte ou nuire aux valeurs d'agrément et aux autres utilisations légitimes de l'environnement, l'expression « polluants atmosphériques » étant entendue dans le même sens ;
- b) l'expression « pollution atmosphérique transfrontière à longue distance » désigne la pollution atmosphérique dont la source physique est comprise totalement ou en partie dans une zone soumise à la juridiction nationale d'un État et qui exerce des effets dommageables dans une zone soumise à la juridiction d'un autre État à une distance telle qu'il n'est généralement pas possible de distinguer les apports des sources individuelles ou groupes de sources d'émission.

Principes fondamentaux

Article 2

Les parties contractantes, tenant dûment compte des faits et des problèmes en cause, sont déterminées à protéger l'homme et son environnement contre la pollution atmosphérique et s'efforceront de limiter et, autant que possible, de réduire graduellement et de prévenir la pollution atmosphérique, y compris la pollution atmosphérique transfrontière à longue distance.

Article 3

Dans le cadre de la présente convention, les parties contractantes élaboreront sans trop tarder, au moyen d'échanges d'informations, de consultations et d'activités de recherche et de surveillance, des politiques et stratégies qui leur serviront à combattre les rejets de polluants atmosphériques, compte tenu des efforts déjà entrepris aux niveaux national et international.

Article 4

Les parties contractantes échangeront des informations et procéderont à des tours d'horizon sur leurs politiques, leurs activités scientifiques et les mesures

techniques ayant pour objet de combattre dans toute la mesure du possible les rejets de polluants atmosphériques qui peuvent avoir des effets dommageables, et ainsi de réduire la pollution atmosphérique, y compris la pollution atmosphérique transfrontière à longue distance.

Article 5

Des consultations seront tenues à bref délai, sur demande, entre, d'une part, la ou les parties contractantes effectivement affectées par la pollution atmosphérique transfrontière à longue distance ou qui sont exposées à un risque significatif d'une telle pollution et, d'autre part, la ou les parties contractantes sur le territoire et dans la juridiction desquels un apport substantiel à la pollution atmosphérique transfrontière à longue distance est créé ou pourrait être créé du fait d'activités qui y sont menées ou envisagées.

Gestion de la qualité de l'air

Article 6

Compte tenu des articles 2 à 5, des recherches en cours, des échanges d'informations et des activités de surveillance et de leurs résultats, du coût et de l'efficacité des mesures correctives prises localement et d'autres mesures, et pour combattre la pollution atmosphérique, en particulier celle qui provient d'installations nouvelles ou transformées, chaque partie contractante s'engage à élaborer les meilleures politiques et stratégies, y compris des systèmes de gestion de la qualité de l'air et, dans le cadre de ces systèmes, des mesures de contrôle qui soient compatibles avec un développement équilibré, en recourant notamment à la meilleure technologie disponible et économiquement applicable et à des techniques produisant peu ou pas de déchets.

Recherche et développement

Article 7

Les parties contractantes, suivant leurs besoins, entreprendront des activités concertées de recherche et/ou de développement dans les domaines suivants :

- a) techniques existantes et proposées de réduction des émissions de composés sulfureux et des principaux autres polluants atmosphériques, y compris la faisabilité technique et la rentabilité de ces techniques et leurs répercussions sur l'environnement ;

- b) techniques d'instrumentation et autres techniques permettant de surveiller et mesurer les taux d'émissions et les concentrations ambiantes de polluants atmosphériques ;
- c) modèles améliorés pour mieux comprendre le transport de polluants atmosphériques transfrontière à longue distance ;
- d) effets des composés sulfureux et des principaux autres polluants atmosphériques sur la santé de l'homme et l'environnement, y compris l'agriculture, la sylviculture, les matériaux, les écosystèmes aquatiques et autres et la visibilité, en vue d'établir sur un fondement scientifique la détermination de relations dose/effet aux fins de la protection de l'environnement ;
- e) évaluation économique, sociale et écologique d'autres mesures permettant d'atteindre les objectifs relatifs à l'environnement, y compris la réduction de la pollution atmosphérique transfrontière à longue distance ;
- f) élaboration de programmes d'enseignement et de formation concernant la pollution de l'environnement par les composés sulfureux et les principaux autres polluants atmosphériques.
- c) sur les données météorologiques et physico-chimiques relatives aux phénomènes survenant pendant le transport des polluants ;
- f) sur les données physico-chimiques et biologiques relatives aux effets de la pollution atmosphérique transfrontière à longue distance et sur l'étendue des dommages⁽¹⁾ qui, d'après ces données, sont imputables à la pollution atmosphérique transfrontière à longue distance ;
- g) sur les politiques et stratégies nationales, sous-régionales et régionales de lutte contre les composés sulfureux et les principaux autres polluants atmosphériques.

Mise en œuvre et élargissement du programme concerté de surveillance continue et d'évaluation du transport à longue distance des polluants atmosphériques en Europe

Article 9

Les parties contractantes soulignent la nécessité de mettre en œuvre le « Programme concerté de surveillance et d'évaluation du transport à longue distance des polluants atmosphériques en Europe » (ci-après dénommé EMEP) existant et, s'agissant de l'élargissement de ce programme, conviennent de mettre l'accent sur :

- a) l'intérêt pour elles de participer et de donner plein effet à l'EMEP qui, dans une première étape, est axé sur la surveillance continue du dioxyde de soufre et des substances apparentées ;
- b) la nécessité d'utiliser, chaque fois que c'est possible, des méthodes de surveillance comparables ou normalisées ;
- c) l'intérêt d'établir le programme de surveillance continue dans le cadre de programmes tant nationaux qu'internationaux. L'établissement de stations de surveillance continue et la collecte de données relèveront de la juridiction des pays où sont situées ces stations ;
- d) l'intérêt d'établir un cadre de programme concerté de surveillance continue de l'environnement qui soit fondé sur les programmes nationaux, sous-régionaux, régionaux et les autres programmes

Echanges d'informations

Article 8

Les parties contractantes échangeront, dans le cadre de l'organe exécutif visé à l'article 10 ou bilatéralement, et dans leur intérêt commun, des informations :

- a) sur les taux d'émissions, selon une périodicité à convenir, de polluants atmosphériques convenus, en commençant par le dioxyde de soufre, à partir de grilles territoriales de dimensions convenues, ou sur les flux de polluants atmosphériques convenus, en commençant par le dioxyde de soufre, qui traversent les frontières des États, à des distances et selon une périodicité à convenir ;
- b) sur les principaux changements survenus dans les politiques nationales et dans le développement industriel en général, et leurs effets possibles, qui seraient de nature à provoquer des modifications importantes de la pollution atmosphérique transfrontière à longue distance ;
- c) sur les techniques de réduction de la pollution atmosphérique agissant sur la pollution atmosphérique transfrontière à longue distance ;
- d) sur le coût prévu de la lutte à l'échelon des pays contre les émissions de composés sulfureux et des autres principaux polluants atmosphériques ;

⁽¹⁾ La présente convention ne contient pas de disposition concernant la responsabilité des États en matière de dommages.

internationaux actuels et futurs et qui en tienne compte ;

- e) la nécessité d'échanger des données sur les émissions, selon une périodicité à convenir, de polluants atmosphériques convenus (en commençant par le dioxyde de soufre) à partir de grilles territoriales de dimensions convenues, ou sur les flux de polluants atmosphériques convenus (en commençant par le dioxyde de soufre) qui traversent les frontières des États, à des distances et selon une périodicité à convenir. La méthode, y compris le modèle, employée pour déterminer les flux, ainsi que la méthode, y compris le modèle, employée pour déterminer l'existence du transport de polluants atmosphériques, d'après les émissions par grille territoriale, seront rendus disponibles et passés en revue périodiquement aux fins d'amélioration ;
 - f) leur intention de poursuivre l'échange et la mise à jour périodique des données nationales sur les émissions totales de polluants atmosphériques convenus, en commençant par le dioxyde de soufre ;
 - g) la nécessité de fournir des données météorologiques et physico-chimiques relatives aux phénomènes survenant pendant le transport ;
 - h) la nécessité d'assurer la surveillance continue des composés chimiques dans d'autres milieux tels que l'eau, le sol et la végétation, et de mettre en œuvre un programme de surveillance analogue pour enregistrer les effets sur la santé et l'environnement ;
 - i) l'intérêt d'élargir les réseaux nationaux de l'EMEP pour les rendre opérationnels à des fins de lutte et de surveillance.
- b) constituera, selon qu'il conviendra, des groupes de travail pour étudier des questions liées à la mise en œuvre et au développement de la présente convention, et à cette fin pour préparer les études et la documentation nécessaires et pour lui soumettre des recommandations ;
 - c) exercera toutes autres fonctions qui pourraient être nécessaires en vertu des dispositions de la présente convention.
3. L'organe exécutif utilisera les services de l'organe directeur de l'EMEP pour que ce dernier participe pleinement aux activités de la présente convention, en particulier en ce qui concerne la collecte de données et la coopération scientifique.
4. Dans l'exercice de ses fonctions, l'organe exécutif utilisera aussi, quand il le jugera utile, les informations fournies par d'autres organisations internationales compétentes.

Secrétariat

Article 11

Le secrétaire exécutif de la commission économique pour l'Europe assurera, pour le compte de l'organe exécutif, les fonctions suivantes :

- a) convocation et préparation des réunions de l'organe exécutif ;
- b) transmission aux parties contractantes des rapports et autres informations reçus en application des dispositions de la présente convention ;
- c) toutes autres fonctions qui pourraient lui être confiées par l'organe exécutif.

Organe exécutif

Article 10

1. Les représentants des parties contractantes constitueront, dans le cadre des conseillers des gouvernements des pays de la commission économique pour l'Europe pour les problèmes de l'environnement, l'organe exécutif de la présente convention et se réuniront au moins une fois par an en cette qualité.

2. L'organe exécutif :

- a) passera en revue la mise en œuvre de la présente convention ;

Amendements à la convention

Article 12

1. Toute partie contractante est habilitée à proposer des amendements à la présente convention.

2. Le texte des amendements proposés sera soumis par écrit au secrétaire exécutif de la commission économique pour l'Europe qui le communiquera à toutes les parties contractantes. L'organe exécutif examinera les amendements proposés à sa réunion annuelle suivante, pour autant que ces propositions aient été communiquées aux parties contractantes par le secrétaire exécutif de la commission économique pour l'Europe au moins quatre-vingt-dix jours à l'avance.

3. Un amendement à la présente convention devra être adopté par consensus des représentants des parties contractantes, et entrera en vigueur pour les parties contractantes qui l'auront accepté le quatre-vingt-dixième jour à compter de la date à laquelle les deux tiers des parties contractantes auront déposé leur instrument d'acceptation auprès du dépositaire. Par la suite, l'amendement entrera en vigueur pour toute autre partie contractante le quatre-vingt-dixième jour à compter de la date à laquelle ladite partie contractante aura déposé son instrument d'acceptation de l'amendement.

Règlement des différends

Article 13

Si un différend vient à surgir entre deux ou plusieurs parties contractantes à la présente convention quant à l'interprétation ou à l'application de la convention, lesdites parties rechercheront une solution par la négociation ou par toute autre méthode de règlement des différends qui leur soit acceptable.

Signature

Article 14

1. La présente convention sera ouverte à la signature des États membres de la commission économique pour l'Europe, des États jouissant du statut consultatif auprès de la commission économique pour l'Europe en vertu du paragraphe 8 de la résolution 36 (IV) du 28 mars 1947 du Conseil économique et social et des organisations d'intégration économique régionale constituées par des États souverains membres de la commission économique pour l'Europe et ayant compétence pour négocier, conclure et appliquer des accords internationaux dans les matières couvertes par la présente convention, à l'office des Nations unies à Genève, du 13 au 16 novembre 1979, à l'occasion de la réunion à haut niveau, dans le cadre de la commission économique pour l'Europe, sur la protection de l'environnement.

2. S'agissant de questions qui relèvent de leur compétence, ces organisations d'intégration économique régionale pourront, en leur nom propre, exercer les droits et s'acquitter des responsabilités que la présente convention confère à leurs États membres. En pareil cas, les États membres de ces organisations ne seront pas habilités à exercer ces droits individuellement.

Ratification, acceptation, approbation et adhésion

Article 15

1. La présente convention sera soumise à ratification, acceptation ou approbation.
2. La présente convention sera ouverte à l'adhésion, à compter du 17 novembre 1979, des États et organisations visés au paragraphe 1 de l'article 14.
3. Les instruments de ratification, d'acceptation, d'approbation ou d'adhésion seront déposés auprès du secrétaire général de l'Organisation des Nations unies, qui remplira les fonctions de dépositaire.

Entrée en vigueur

Article 16

1. La présente convention entrera en vigueur le quatre-vingt-dixième jour à compter de la date de dépôt du vingt-quatrième instrument de ratification, d'acceptation, d'approbation ou d'adhésion.
2. Pour chacune des parties contractantes qui ratifie, accepte ou approuve la présente convention ou y adhère après le dépôt du vingt-quatrième instrument de ratification, d'acceptation, d'approbation ou d'adhésion, la convention entrera en vigueur le quatre-vingt-dixième jour à compter de la date du dépôt par ladite partie contractante de son instrument de ratification, d'acceptation, d'approbation ou d'adhésion.

Retrait

Article 17

À tout moment après cinq années à compter de la date à laquelle la présente convention sera entrée en vigueur à l'égard d'une partie contractante, ladite partie contractante pourra se retirer de la convention par notification écrite adressée au dépositaire. Ce retrait prendra effet le quatre-vingt-dixième jour à compter de la date de réception de la notification par le dépositaire.

Textes authentiques

Article 18

L'original de la présente convention, dont les textes anglais, français et russe sont également authentiques, sera déposé auprès du secrétaire général de l'Organisation des Nations unies.

RÉSOLUTION

sur la pollution atmosphérique transfrontière à longue distance

Les signataires de la convention sur la pollution atmosphérique transfrontière à longue distance du 13 novembre 1979,

décident que, dans le cadre de la commission économique pour l'Europe et des conseillers des gouvernements des pays de la commission économique pour l'Europe pour les problèmes de l'environnement, ils commenceront, dès que possible et à titre intérimaire, à mettre en œuvre provisoirement la convention sur la pollution atmosphérique transfrontière à longue distance ; ils s'engagent à exécuter dans toute la mesure du possible les obligations découlant de la convention en attendant son entrée en vigueur ;

conviennent que la commission économique pour l'Europe et son secrétaire exécutif devront être investis des pouvoirs nécessaires pour disposer d'un secrétariat suffisant et, dans le cadre de la structure budgétaire existante, des moyens financiers correspondants ;

décident en outre de resserrer sans tarder leur coopération dans les domaines critiques relevant de la convention. En particulier, ils s'efforceront de rapprocher leurs politiques et stratégies de lutte contre la pollution atmosphérique, y compris la pollution atmosphérique transfrontière à longue distance ;

déclarent que ces stratégies et politiques viseront à limiter et, autant que possible, à réduire graduellement et prévenir la pollution atmosphérique, y compris la pollution atmosphérique transfrontière à longue distance. Elles seront appliquées progressivement et l'organe compétent désigné passera régulièrement en revue les progrès réalisés au niveau national. À cette fin, les signataires donneront un rang de priorité très élevé à l'élaboration d'un document exposant les stratégies et politiques suivies par chacun pour réduire la pollution atmosphérique causée par les composés sulfureux.
