

## รายการอ้างอิง

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ภาคผนวก

## Geneva Convention On Long-Range Transboundary Air Pollution 1979

*Concluded at Geneva on 13 November 1979*

ENTRY INTO FORCE : 16 Marce 1983, in accordance with article 16(1).  
 REGISTRATION : 16 Marce 1983, No. 21623.  
 TEXT : Doc. E/ECE (XXXIV)/L-18.  
 STATUS : Signatories: 33. Parties: 39.

Note: The Convention was adopted on 13 November 1979 by a high-level meeting within the framework of the Economic Commission for Europe on the Protection of the Environment. It was open for signature until 16 November 1979 at the United Nations Office in Geneva

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<b><i>Participant</i></b>	<b><i>Signature</i></b>	<b><i>Ratification, acceptance(A), approval(AA) accession(a), succession(d)</i></b>
Austria	13 Nov 1979	16 Dev 1982
Belarus	14 Nov1979	13 Jun1980
Belgium	13 Nov 1979	15 Jun 1982
Bosnia and Herzegovina		1 Sep 1993 d
Bulgaria	14 Nov 1979	9 Jun 1981
Canada	13 Nov 1979	15 Dec 1981
Croatia		21 Sep 1982 d
Cyprus		20 Nov 1991 a
Czech Republic		30 Sep 1993 d
Denmark	14 Nov 1979	18 Jun 1982
European Community	14 Nov 1979	15 Jul 1982 AA

Finland	13 Nov 1979	15 Apr 1981
France	13 Nov 1979	3 Nov 1981 AA
Germany	13 Nov 1979	15 Jul 1982
Greece	14 Nov 1979	30 Aug 1983
Holy See	14 Nov 1979	
Hungary	13 Nov 1979	22 Sep 1980
Iceland	13 Nov 1979	5 May 1983
Ireland	13 Nov 1979	15 Jul 1982
Italy	14 Nov 1979	15 Jul 1982
Latvia		15 Jul 1994 a
Liechtenstein	14 Nov 1979	22 Nov 1983
Lithuania		25 Jan 1994 a
Luxembourg	13 Nov 1979	15 Jul 1982
Netherlands	13 Nov 1979	15 Jul 1982 A
Norway	13 Nov 1979	13 Feb 1981
Poland	13 Nov 1979	19 Jul 1985
Portugal	14 Nov 1979	29 Sep 1980
Romania	14 Nov 1979	27 Feb 1991
Russian Federation	13 Nov 1979	22 May 1980
San Marino	14 Nov 1979	
Slovakia		28 May 1993 d
Slovenia		6 Jul 1992 d
Spain	14 Nov 1979	15 Jun 1982
Sweden	13 Nov 1979	12 Feb 1981
Switzerland	13 Nov 1979	6 May 1983
Turkey	13 Nov 1979	18 Apr 1983
Ukraine	14 Nov 1979	5 Jun 1980
United Kingdom	13 Nov 1979	15 Jun 1982
United States of America	13 Nov 1979	30 Nov 1981 A



Yugoslavia

13 Nov 1979

18 Mar 1987

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***Declarations and Reservations***

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

The Parties To The Present Convention,

*Determined To Promote Relations And Co-Operation In The Field Of Environmental Protection,*

*Aware Of The Significant 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-Rang 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 of 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 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 Nation conferent on the Human Environment, and in particular principle 21, with 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 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 solution for the problems identified,

*Affirming* their willingness to reinforce action active international co-operation to develop appropriate national policies and by means of exchange of information, consulting, 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, harms living resources and ecosystems and material property and impare or interfere with amenities and other legitimate uses of the environment, and "air pollutant" 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 exchange 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 Article 2 to 5, the ongoing research, exchange of information and monitoring are the result 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 installation, each Contracting Parties 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 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-unit 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 change 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;

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

(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 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 future development of this programme, agree to emphasize;

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

(b) the need to use comparable 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 periodic updating of national data on total emission of agreed air pollutants, starting with sulphur dioxide;

(g) the need to provide meteorological and physical-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 representative of the Contracting Parties shall, within the framework of the Senior Advisers to ECE 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 co-operation.

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 assigned by the Executive Body.

## **AMENDAMENTS 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 ninety 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 ninetieth 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 ninetieth day after the date on which that Contracting Party deposits its instrument of acceptance of the amendment.

### ***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 State 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, paragraph 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.

**Article 16.**

1. The present Convention shall enter into force on the ninetieth day after the date of deposit of the twenty-fourth instruments 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 twenty-fourth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the ninetieth 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 ninetieth 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.

## ประวัติผู้เขียน



นายธีรพล นามพลกรัง อายุ 26 ปี เริ่มเข้าศึกษาในคณะศึกษาศาสตร์ จุฬาลงกรณ์มหาวิทยาลัยในปี พุทธศักราช 2531 จนจบการศึกษาในชั้นปริญญาตรีศึกษาศาสตร์บัณฑิต ในปีพุทธศักราช 2535 และได้เข้าศึกษาต่อในระดับชั้นปริญญาตรีศึกษาศาสตร์มหาบัณฑิต จุฬาลงกรณ์มหาวิทยาลัย ในปีเดียวกัน โดยระหว่างศึกษาเข้าทำงานในบริษัท เงินทุนหลักทรัพย์นิธิภัทร จำกัด(มหาชน) ธนาคารกรุงเทพ จำกัด(มหาชน) และ บริษัท สิบบัวหลวง จำกัด