

# The Contribution of the Alpine Convention to Nature Conservation and Visitor Flows Management

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**Abstract:** The Alpine Convention, entered into force in March 1995, is an international treaty that obliges eight countries and the European Community to undertake specific measures for the protection of the natural and cultural heritage and for the sustainable development of the Alps, the largest and highest mountain region in Central Europe. One of the twelve Protocols for the implementation of the Convention is dedicated to “nature protection and countryside conservation”. It highlights the importance of protected areas and the necessity to manage human activities in order to reduce negative impacts and to guarantee biodiversity and natural processes.

## INTRODUCTION

The International Commission for the Protection of the Alps (CIPRA-International) was founded in 1952. CIPRA is a non-governmental umbrella-organisation formed by over a hundred associations and organisations from all seven alpine countries, standing in a holistic way for the conservation of the natural and cultural heritage in the Alps as well as for a sustainable development of this region.

Already in its founding documents in the early fifties CIPRA highlighted the necessity of an international treaty to guarantee the cultural and natural diversity of the alpine space. In the middle of the eighties CIPRA re-launched this idea organising first preliminary conferences and documents.

In 1989 the German minister of environment, Klaus Töpfer, overtook the initiative and invited his colleagues from all alpine States to Berchtesgaden from 9 to 10<sup>th</sup> October for the first Alpine Conference of Environment Ministers. The Declaration of Berchtesgaden became the starting point of the alpine process.

In the last twelve years the Contracting Parties (Austria, France, Germany, Italy, Liechtenstein, Monaco, Slovenia, Switzerland and the European Union) elaborated the Alpine Convention and eight Protocols. CIPRA-International participated at this work as a critic and constructive observer.

Till now the Convention on the Protection of the Alps remains the only multilateral treaty specifically devoted to the organisation of inter-regional co-operation in a mountain area. The Convention outlines the principles and urgent action fields in distinct environmental, economic and social features. It can therefore be considered the first and most detailed conception of sustainable

development of a large mountain region (cf. Agenda 21, article 13 of the Rio Conference 1992).

## CONTENTS AND STRUCTURE OF THE ALPINE CONVENTION

The Alps are not only the largest, but also the most important ecological macro-system in Europe. They are an area of an outstanding variety and diversity, in cultural as well in natural features. Biologists consider the Alps as the biggest genetic reservoir of cultivated as well of wild species in Europe, e.g. at about 40% of Europe's species of vascular plants you can find in the alpine space.

The authors of the “Convention on the protection of the Alps” (Alpine Convention) highlight right at the beginning of the treaty the natural and cultural richness of the Alps, their importance for people living there or visiting the area, the need for reinforcement of transborder co-operation and for reconciliation of economic interests with ecological requirements:

„AWARE that the Alps are one of the largest continuous unspoilt natural areas in Europe, which, with their outstanding unique and diverse natural habitat, culture and history, constitute an economic, cultural, recreational and living environment in the heart of Europe, shared by numerous peoples and countries,

RECOGNIZING that the Alps constitute the living and economic environment for the indigenous population and are also vitally important for extra-Alpine regions, being the site of important transport routes, for example,

RECOGNIZING the fact that the Alps constitute an essential habitat and last refuge for many endangered species of plants and animals

AWARE of the substantial differences existing between national legal systems, natural conditions, population distribution, agriculture and forestry, the

state and development of the economy, the volume of traffic and the nature and intensity of tourism,

AWARE that the ever-growing pressures caused by man are increasingly threatening the Alpine region and its ecological functions, and that the damage is either irreparable or rectifiable only with great effort, at considerable cost and, as a rule over a long period of time,

CONVINCED of the need for economic interests to be reconciled with ecological requirements” the Contracting Parties have agreed as follows...”

(*Alpine Convention, 1991*)

With the Alpine Convention the Contracting Parties will pursue “a comprehensive policy for the preservation and protection of the Alps” (Alpine Convention art. 2, par. 1, General Obligations). Therefore they will apply the principles of prevention, co-operation and “polluter pays” and consider the interests of all the Alpine States, their Alpine regions and the European Economic Community. The use of resources has to be prudent and sustained. Transborder co-operation will be intensified and extended both in terms of the territory and the number of subjects covered.

In order to achieve this objective the Contracting Parties will take appropriate measures in twelve priority areas that are singled out in the Convention (Alpine Convention, art. 2, par. 2):

- a) population and culture
- b) regional planning and sustainable development
- c) prevention of air-pollution
- d) soil conservation
- e) water management
- f) conservation of nature and countryside
- g) mountain farming
- h) mountain forest
- i) tourism
- j) transport
- k) energy
- l) waste management

The measures for these twelve issues must be concretised in so-called Protocols. The Alpine Convention as a framework treaty just mentions the general objectives for each issue.

The objective for the conservation of nature and countryside is regarding the Alpine Convention (art.2, par. 2. let. f):

„to protect, conserve and, where necessary, rehabilitate the natural environment and the countryside, so that ecosystems are able to function, animal and plants species, including their habitats, are preserved, nature's capacity for regeneration and sustained productivity is maintained, and the variety, uniqueness and beauty of nature and the countryside as a whole are preserved on a permanent basis“

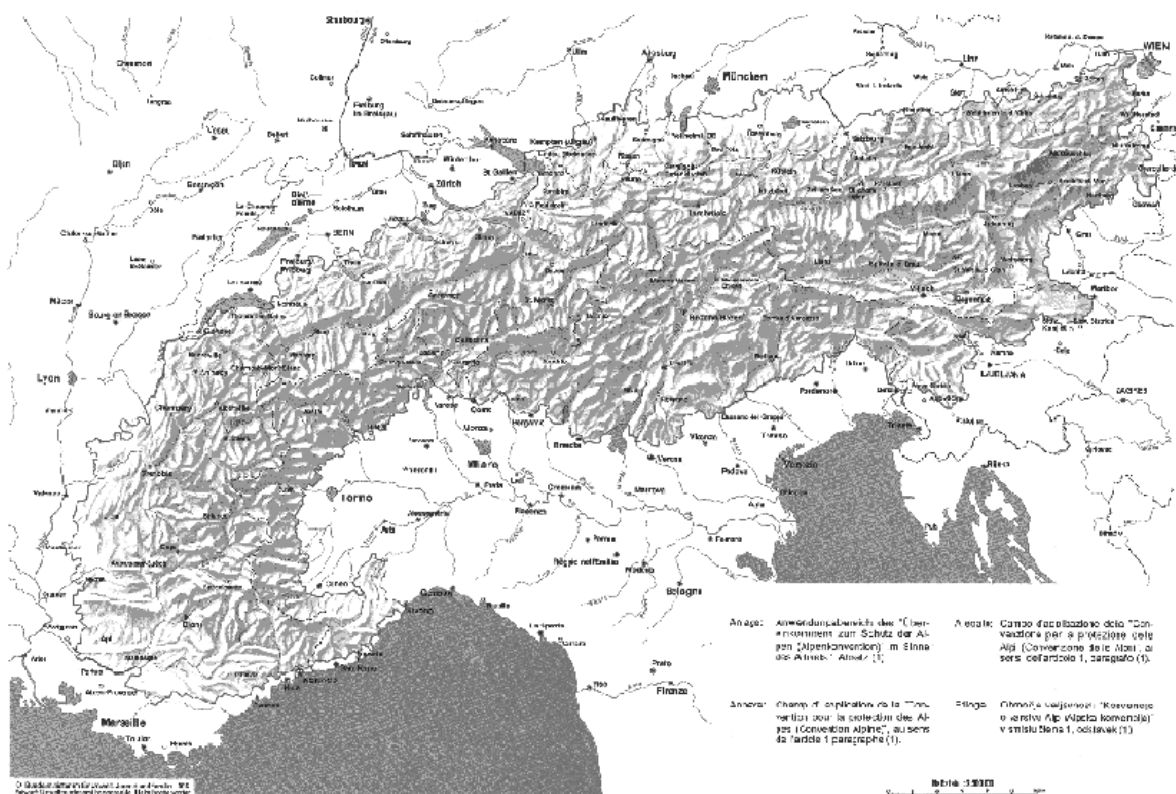
This objective formulated in letter f, paragraph 2, article 2 of the Alpine Convention was the

guideline for the elaboration of the “Protocol Conservation of Nature and Countryside” that we will describe later.

The Alpine Convention also institutionalise the co-operation among the Contracting Parties.

- The *Conference of the Contracting Parties* (art. 5, 6, 7), called *Alpine Conference*, is the most powerful organ of the Alpine Convention. It is composed by the Ministers of Environment and is held at regular intervals to discuss issues of common concern, exchange information, accept the Protocols, examine the implementation etc.. So far six Alpine Conferences have been held: Berchtesgaden October 1989, Salzburg November 1991, Chambéry December 1994, Brdo February 1996, Bled October 1998 and Lucerne October 2000.
- The *Standing Committee* (art. 8) consists of delegates of the Contracting Parties and works as an executive body. It elaborates in working groups draft Protocols and guidelines for the achievement of the purposes of the Convention. At the same time the Standing Committee has a supervisory function since it informs the Alpine Conference about the implementation of the Convention, its Protocols and the Conference's decisions. The Standing Committee meets regularly between the Alpine Conferences.
- The *Permanent Secretariat* (art. 9) would be the administrative board of the Alpine Convention. But the Ministers of Environment didn't yet establish a professional office, although the necessity of a permanent secretary is obvious to guarantee the continuation and implementation of an international treaty. As the Alpine Convention knows four official languages (French, German, Italian and Slovenian) already translation work needs a lot of resources and experiences. Since now the Chair of the Alpine Conference had to overtake the whole administrative burden of the alpine process. As the chairmanship changes every two years all administrative know-how had to be newly build up which broke the rhythm of the work.

The Alpine Convention regulates in general terms further important issues like the co-operation in research, education and information art. 3, 4) or the involvement of Alpine territorial authorities and non-governmental organisations (art. 4). There are no effective instruments to control and evaluate the implementation of the Convention apart from the



reports of the Contracting Parties addressed to the Alpine Conference.

The Alpine Convention entered into force on 6 March 1995, after three States had expressed their consent to be bound by the Convention. Meanwhile all eight Alpine States and the European Union have ratified the Convention.

So the Convention applies for the whole Alpine region. The perimeter of application is defined by a map annexed to the framework treaty. It may be extended by each Party to other parts to its territory (art. 1).

Till now, eight of twelve priority areas are concretised in Protocols. The Alpine Conference of Chambery 1994 adopted the first three Protocols:

- Protocol on Mountain Farming
- Protocol on Regional Planning and Sustainable Development
- Protocol on Nature Protection and Countryside Conservation

At the Alpine Conference of Brdo 1996 the Ministers signed the

- Protocol on Mountain Forest

Two further Protocols have been adopted at the Alpine Conference of Bled in 1998:

- Protocol on Energy
- Protocol on Soil Conservation
- Protocol on Tourism

Finally, at the Alpine Conference in Lucerne 2000 the Ministers signed the

- Protocol on Transport

None of these eight protocols were entered into force because no Contracting Party has yet ratified. That's why CIPRA-International appealed to the States to ratify the first eight Protocols of the Alpine Convention as quickly as possible, at least by the beginning of the International Year of the Mountains 2002.

The working groups for the four missing Protocols (population and culture, water management, prevention of air-pollution and waste management) are not yet installed. The Ministers decided at the last Alpine Conference to make a particular effort for the implementation and ratification of the existing Protocols rather than for the elaboration of new Protocols. CIPRA-International regretted the decision to stop the work on new Protocols, because alpine people have already been waiting for ages for the basic Protocol on Population and Culture.

### PROTOCOL ON NATURE PROTECTION AND COUNTRYSIDE CONSERVATION

In the Alpine Convention the conservation of nature and countryside is one of the priority themes among others. The Convention is not a conservationists Bible, but a conception of sustainability that tries to mitigate different interests.

The framework treaty is aware of the outstanding value of the large and unspoilt natural areas in the Alps with essential habitats and last refuges for many endangered species of plants and

animals. One objective regarding the Alpine Convention is “to preserve the variety, uniqueness and beauty of nature and countryside as a whole” (cf. Convention art 2, par. 2, letter f).

The Protocol on Nature Protection and Countryside Conservation, adopted at the Alpine Conference 1994 in Chambéry, expands the general objectives of the Alpine Convention on this issue in 27 articles.

The full text of the Protocol is available in French, German, Italian and Slovenian Language on the Internet: [www.cipra.org](http://www.cipra.org).

The goal of the Protocol (art. 1) is the protection, the management and, where necessary, the restoration of nature and countryside so that

- ecosystems are able to function,
- animal and plants species, including their habitats, are preserved,
- and nature's capacity for regeneration and sustained productivity is maintained.

Each Contracting Party obliges to take the necessary measures to achieve the goal of the Convention and the Protocol (art. 2).

The Contracting parties co-operate namely in the fields of mapping, management and surveillance of protected areas and other elements of natural and traditional cultural landscapes and of the connectivity of habitats (art 3).

The objectives of the Protocol have to be considered in the other specific policies like regional planning, mountain farming and forestry, water management, transport, tourism, education, research etc. (art. 4).

The rights and the participation of local and regional territorial units are guaranteed as they exist in the stately order (art. 5)

The Contracting Parties obliges to present the state of facts and dates that are specified in the annex, e.g. lists of species and habitats (art. 6).

Within five years after the Protocol entered into force the Contracting Parties elaborate conceptions, programmes and plans that describe the actual and the aimed state of nature and countryside (art. 7)

The Contracting Parties use the instrument of landscape planning in co-ordination with regional planning to preserve and develop the natural habitats of plants and animals as well as significant elements of natural and cultural landscapes (art. 8).

The potential impact of public and private activities and projects on nature and countryside have to be studied. Detrimental consequences of inevitable influences on the ecology have to be balanced and compensated (art 9).

The Contracting Parties aim to reduce negative impacts in the whole Alpine space and to preserve and, where necessary, to restore habitats, ecosystems and traditional cultural landscapes. As the role of mountain farming and forestry are critical they should be motivated to sustainable use by contracts remuneration (art 10).

The Contracting Parties protect and enlarge existing protected areas and establish new ones.

They promote the establishment and the management of new national parks as well as zones of rest where wildlife has priority for all other interests. Finally they study the possibilities of remuneration of the local population (art. 11).

The Contracting Parties adopt measures for the establishment of a network of national and trans-border protected areas or areas worthy of protection (art. 12).

The Contracting Parties enact measures for the long-term conservation of natural and semi-natural biotops (art 13) and species (art. 14)

The taking and trade of certain species is to be prohibited. These species are to be listed within two years after the entry into force of the Protocol (art. 15).

The Contracting Parties promote the re-introduction of native species if they don't have insupportable impacts on nature, countryside and human activities (art. 16).

The introduction of non-native species is generally prohibited. Exceptions are possible if it is proved that there will be no negative impacts on nature and countryside (art. 17). The introduction of genetically modified species is regulated in the same way (art. 18).

The Contracting Parties are free to take measures that go further than foreseen in this Protocol (art. 19).

The Contracting Parties encourage the co-operation in research and monitoring that are a useful basis for the protection of habitats, species and landscapes. In annex II are listed some priority themes for research (art. 20).

Education and information will be encouraged (art 21).

The Contracting Parties are obliged to implement this Protocol in the order of the stately legislation (art 22). They regularly address reports about all achievements to the Standing Committee (art 23) and evaluate the effectivity of the Protocol (art. 24).

The last three articles define the relation from the Protocol to the Convention (art. 25), the procedures of signing and ratifying (art. 26) and the procedures of notifying (art. 27).

The Protocol has been signed by most of the Contracting Parties, but until now no Party has ratified. It will enter into force after three Parties have ratified, that means have expressed their consent to be bound by the Protocol.

Even before the ratification France made an important effort for the implementation of the Protocol. After the first “International Conference on protected areas”, organised by the National Park les Ecrins, the “network of protected areas” with a professional team was established in Grenoble, later in Gap, to promote the international co-operation of national and regional parks, reserves of biosphere and other protected areas. The “Network of Protected Areas in the Alps” is until today the one and only official instrument for the implementation

of a Protocol of the Alpine Convention. Detailed information to the activities of the network can be found on the Internet [www.alparc.org](http://www.alparc.org).

### **PROTECTED AREAS AND VISITOR FLOWS MANAGEMENT**

The Alpine Convention and its Protocols are part of an international legislation, applicable to different countries with different legislations. That's why the specific measures in the Protocols are still formulated on a rather abstract level.

Article 11 of the Protocol "Nature Protection and Countryside Conservation" is dedicated to the protected areas. The contracting parties take all appropriate measures to avoid negative impacts or degradation in protected areas. They promote the installation of zones of rest where wildlife has absolute priority. In these zones they reduce or prohibit all activities that are not compatible with the protection goals.

In this general formulation the management of visitor flow in protected area is included. Recreation activities and traditional use may enter into conflict with the requirements of protection.

If and how the conflicts between economic interests and protection needs can be solved will be decided on, in every case, in the field. An international treaty like the Alpine Convention can only outline the problems and the principles for action, and it's organs can evaluate the progress and effectiveness of the measures undertaken in each contracting country, if a good monitoring and reporting system is installed. Until now, the contracting parties of the Alpine Convention have not established an efficient observation and information system

### **CONCLUSIONS**

The Alpine region is a (relative) natural space with ecological systems which is unique to the whole of Europe. The international community is nowadays aware of the rich cultural and natural heritage of the Alps and will protect and develop it through the Alpine Convention.

One of the twelve Protocols of the Convention is dedicated to the protection of nature and conservation of countryside. The Protocol aims to preserve the variety of habitats and species and the beauty of the landscapes.

Although the Protocol did not yet enter into force, the "Network of Protected Areas" started already 1996 with a wide range of activities for trans-border co-operation in the whole Alpine arc. The network is the first official implementation tool of the Alpine Convention. The next two years will show us if the Contracting Parties will establish further tools and install the Permanent Secretariat to continue the ambitious Alpine process...

### **REFERENCES**

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