

# Alpine Convention

## – Importance Increasing –

The Fifth Alpine Conference met on 16 October 1998, in Bled, Slovenia.

Following a report concerning ratifications of the Convention and Protocols, the Conference appealed to the Contracting Parties to speed up the ratification process so that soon, in addition to the Convention, the Protocols could also come into force.

There was a special appeal to ratify the Protocol accepting the accession of Monaco as a Contracting Party.

The report of the Permanent Committee, concerning the activities between the Fourth and Fifth Conferences, was adopted. In this connection, a general discussion took place, where the participating Ministers or their Deputies expressed the opinions of the Contracting Parties. The representatives of observing NGOs made a number of practical proposals. In general, these were pushing for the speedier implementation of the Convention and the Protocols.

A special agenda point dealt with the implementation of the protocols not yet in force. The States promised to implement them now as far as legally possible.

Special measures were discussed in connection with the Protocol on Protection of Nature and Management of Landscape. The German delegation proposed the establishment of an *ad hoc* working group of the Permanent Committee for consultation in drafting regulations for the implementation. There was also a German proposal concerning the description of the actual situation relating to the elaboration and implementation of the objective of “quality of the environment.”

The Conference authorised the Permanent Committee, as far as necessary, to create working groups for the

implementation of the Protocols in conformity with the rules of procedure.

A long discussion developed on the relationship between the Alpine Convention and the draft European Charter for Mountainous Regions. As had been expressed in earlier meetings, there was the feeling that the latter could not only weaken, but also be in conflict with, the provisions of the Alpine Convention. The Conference underlined the necessity of avoiding the risk of legal incompatibility between the two instruments.

It stated that the Alpine Convention, together with its Protocols, gives a much more precise guidance for its field of application, so that it should be seen as a *lex specialis* when compared to the much more general European Charter. The Conference asked the Parties and Signatories to reiterate this opinion before the Council of Europe.

The Conference requested the Permanent Committee to draft a specific programme for the implementation of the Convention and its Protocols. It decided to adopt the Protocols on Soil and asked the Member States to ratify as soon as possible after signing.

The Conference decided to adopt the Energy Protocol. It then discussed the still outstanding problems with the finalisation of the Transport Protocol. Since all the initiatives in the past have not ensured a proper result, the Conference decided to institute a new working group to draft a transport protocol, starting from scratch, under the Chairmanship of Liechtenstein. In this process, the results of expert meetings which took place in March and June 1998 are to be taken into account. ➡

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It is expected that this working group will present a report to the Permanent Committee, at least six months before the next Alpine Conference.

The proposed system for monitoring and information concerning the Alps was under discussion. The Permanent Committee received the mandate to re-examine the regime at the end of the transitional period on the basis of information obtained and to make proposals for the regulation of its functioning.

The question of a permanent secretariat was again raised. Opinions were still divided. Up until now, the State Party in the Chair provides the secretariat, but several States and observing NGOs felt that a permanent secretariat would be much more successful.

The Conference has given the Permanent Committee the mandate to prepare a report for the next conference on the establishment of a permanent secretariat. This report should contain the following elements:

- 1) Definition of the objectives and tasks of the secretariat
- 2) Definition of a possible reporting system
- 3) Estimate of costs and rules for financing. And finally,
- 4) The procedure concerning the decision on the candidature for the seat of the secretariat.

The Conference also decided on a Logo for the Alpine Convention (as shown).



Delegates expressed special thanks to Slovenia, who since December 1994 has had the Chair for the Conference of the Ministers and the Permanent Committee. Following a short discussion, the Chair was transferred to Switzerland.

After the adoption of the Conference report, a very long signing procedure for the Protocols was held. Most of the representatives with plenipotentiary power from the States and the European Union signed the new Protocols and Switzerland and Liechtenstein also signed those they had not signed before.

During the celebratory glass of champagne, a general feeling of satisfaction was voiced that several problems had been solved and that the importance of the Alpine Convention had increased. Many more results in favour of the Convention can be expected. (WEB) □