CONFERECE OF PLENIPOTENTIARIES TO ADOPT AND SIGN THE FRAMEWORK CONVENTION ON THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE CARPATHIANS

FINAL ACT

KYIV 2003
CONFERENCE OF PLENIPOTENTIARIES FOR ADOPTION AND SIGNATURE OF THE FRAMEWORK CONVENTION ON THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE CARPATHIANS

FINAL ACT
1. The Conference of Plenipotentiaries for Adoption and Signature of the Framework Convention on the Protection and Sustainable Development of the Carpathians (hereinafter – the Conference) was convened by the United Nations Environment Programme pursuant to the recommendations of the fifth meeting of government-designated experts held in Bolzano, Italy, from 20 to 21 March 2003.

2. The Conference of Plenipotentiaries took place at the International Exhibition Center in Kyiv on 20 and 22 May 2003, at the kind invitation of the Government of Ukraine.

3. The following States participated in the Conference and in the adoption of the Framework Convention on the Protection and Sustainable Development of the Carpathians and a resolution:

   The Czech Republic, Hungary, Poland, Romania, Serbia and Montenegro, Slovak Republic, Ukraine.

4. Observers from the following States and intergovernmental organizations also participated on 20 May:

   Austria, Italy, UNEP.

5. Observers from the following non-governmental organizations also attended on 20 May:

   European Mountain Forum, WWF International.

6. In the course of the inaugural ceremony, the Meeting heard a welcoming address by HE Vasyl Shevchuk, Minister of the Environment and Natural Resources of Ukraine, attached as Annex I.

7. The Conference elected by acclamation the following officers to serve as its Bureau:

   Chairperson:
   HE Vasyl Shevchuk, Minister of the Environment and Natural Resources of Ukraine;

   Vice-Chairpersons:
   Ioan Jelev, Secretary of State, Ministry of Waters and the Environment, Romania;
   Mr. Kamil Vilinovic, Director, EU Affairs Department, Ministry of the Environment, Slovakia.
8. Mr. Frits Schlingemann, Director of UNEP-Regional Office for Europe was appointed to serve as Executive Secretary of the Conference.

9. The Conference adopted the following agenda:

1. Opening of the meeting;
2. Election of Officers and Organization of the Meeting;
3. Adoption of the Agenda;
4. Introductory statements;
5. Issues with regard to the text of the Convention;
6. Adoption of the Convention;
7. Adoption of Resolution;
8. Adoption of the Final Act;
9. Arrangements of the Signing Ceremony;
10. Report of the Credentials Committee;
11. Signing Ceremony;

10. The Conference decided that its Bureau serves also as the Credentials Committee.

11. The main documents that served as the basis for the deliberations of the Conference were:

- Draft Framework Convention on the Protection and Sustainable Development of the Carpathians;
- Draft Resolution.

12. The Conference approved the recommendations of its Credentials Committee to recognize the credentials of the representatives of the participating States and of UNEP.

13. The Government of Romania made a reservation to the Framework Convention on the Protection and Sustainable Development of the Carpathians, as reflected in Annex V.

15. The Framework Convention on the Protection and Sustainable Development of the Carpathians was opened for signature on 22 May 2003. It will remain open for signature at the Office of the Depositary in Kyiv until 22 May 2004 and afterwards will be opened for accession.

16. On behalf of UNEP, the Executive Director Prof. Klaus Töpfer addressed the Conference, attached as Annex II. On behalf of WWF International, Mr. Claude Martin, Director General, also addressed the Conference.

17. The Conference was addressed by the following Heads of Delegations:

HE Libor Ambrozek, Minister of the Environment, Czech Republic;
HE Miklos Persanyi, Minister of the Environment, Hungary;
HE Krzysztof Szamalek, State Secretary, Ministry of the Environment, Poland;
HE Petru Lificiu, Minister of Waters and Environmental Protection, Romania;
HE Andjelka Mihajlov, Minister of the Environment and Natural Resources of the Republic of Serbia, Serbia & Montenegro;
HE Laszlo Miklos, Minister of the Environment, Slovak Republic;
HE Vasyl Shevchuk, Minister, Ministry of the Environment and Natural Resources, Ukraine.

18. The following observers intervened with statements during the Signing Ceremony:

HE Mr. Altero Matteoli, Minister for Environment, Italy;
HE Mr. Alois Ospelt, Minister of the Environment, Liechtenstein;
HE Josef Pröll, Minister of the Environment, Austria;
Mr. Hendrik Vygen, Director General, Ministry for Environment, Nature Conservation and Nuclear Safety, Germany (speaking as Chair of the Alpine Convention);
Mr. Achim Steiner, Director General, IUCN;


Done at ................. on ................. in one original in the English language.

The original of the Final Act shall be deposited with the Government of Ukraine.
In witness whereof the undersigned, being duly authorized thereto, have signed this Final Act:

For the Government of:

The Czech Republic

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For the Government of:

The Republic of Hungary

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For the Government of:

The Republic of Poland

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For the Government of:

Romania

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For the Council of Ministers of:

Serbia and Montenegro

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For the Government of:

The Slovak Republic

________________________________________

For the Government of:

Ukraine

________________________________________
Dear Excellencies, Ladies and Gentlemen, colleagues and friends,

It is my great honor to welcome you here, on Ukrainian land, at the inaugural ceremony of the Conference of Plenipotentiary for adoption and signature of the Framework Convention on the Protection and Sustainable Development of the Carpathians.

The Declaration on the Environment and Sustainable Development in the Carpathians and Danube Region, which was signed in April 30, 2001 in Bucharest, Romania, by countries of the region declared the intention to support the activities for the development of new intergovernmental instrument for conservation and sustainable development in the Carpathian region. According to initiative of Ukraine and support of United Nation Environment Programme (UNEP), number of important events happened, which led to the draft Carpathian Convention and mutual understanding of the Carpathian countries to adopt and sign this document.

International cooperation involved seven countries of the Carpathian region: Czech Republic, Hungary, Poland, Romania, Serbia and Montenegro, Slovakia and Ukraine, countries of Alpine region: Austria, Italy, Liechtenstein, Switzerland, other European countries, organizations UNEP, REC, EMF, non-governmental organizations etc.

First international expert meeting for the preparation of the Carpathian Convention "Cooperation for the protection and sustainable management in the Carpathians" was held in Kyiv, November 2001. During the meeting governmental, non-governmental, scientific experts presented their views concerning possible framework for setting up formal agreement between Carpathian countries in the field of conservation of the environment. The participants recommended Ukrainian government to disseminate the materials and communicate with the governments of the Carpathian countries. Consequently, Ministry of the Environment and Natural Resources of Ukraine
sent to Ministers of Carpathian countries a letter encouraging to cooperate on the way of developing legally binding document for the Carpathian region.

Presentation of the draft text of the Carpathian Convention was made by Ukraine during 3 intergovernmental meeting in Vaduz, Liechtenstein in October, 2002. Yet there were intergovernmental meetings in Geneva and Bolzano, which brought countries to common understanding practically on all positions of the Carpathian Convention.

Goal of the Carpathian Convention is to pursue a comprehensive policy and cooperate for the protection and sustainable development of the Carpathians with a view to improve the quality of life, strengthen local economies and communities; to provide conservation and restoration of unique, rare and typical natural complexes and objects of the Carpathians, which have nature-protection, aesthetic, scientific, educational, recreational and other importance, prevention from negative anthropogenic influence on mountain ecosystems, promotion of joint policy of the countries of the region for sustainable development.

The Carpathian Convention is a convention of framework type. It means that most of the articles of the Carpathian Convention are of indirect action, they specify common approach to particular problems, give political statement rather then binding provision for a country. It is in the same time weak and strong sides of the document. The most strong point of the Carpathian Convention, after it signature, is a possibility to start activities, which would serve as a catalyzer for the further development and improvement of the Carpathian Convention.

Protocols of the Carpathian Convention will cover specific sectoral issues of economic, social either nature conservation activity within the region. It will be developed by relevant expert group, which includes governmental and non-governmental experts, representatives of public organizations. Draft Protocols will be circulated among countries and after adoption at the Conference of the Parties must be ratified, acceded or approved by the Parliament of each country which is a Party to the Carpathian Convention. Procedures will be transparent, constructive and beneficial for all involved countries. It will open the room for gaining positive results from the experience accumulated by the countries of the Carpathian region during last years.

Beyond the question, it is the document in development and we are to take it into consideration. At this preliminary stage it's not worth to require the ideal document from our experts or us. It is necessary to have formally and conceptually comprehensive document, which will allow us further development and will cast "the rule of a game", current situation and commitments for cooperation in the sake of the Carpathians - Green heart of Europe.

I would suggest you during the Conference to exchange the point of views at this way, demonstrating the skills to get to the basic - crucial changes of the strategies of nature use in the Carpathian region, based upon sustainable development and coherent policies and actions.

We have nice challenge to do the right job. It develops ours and our predecessors intentions, transforms them into practical activities in strategically important region. It
gives us a chance, step by step to implement the agreements of Rio and Johannesburg, concerning new strategy of environmental practice aimed at consideration of ecosystem realities and restrictions, with looking for the prospective, and thinking to the future. Framework Convention on the Protection and Sustainable Development of the Carpathians will become such a regional synthesis, which have to synergistically implement these new approaches.

Excellencies, Ladies and Gentlemen, colleagues and friends, let me wish you a fruitful work on the way of adoption and signing the Framework Convention on the Protection and Sustainable Development of the Carpathians.

Thank you very much.
CONFERENCE OF PLENIPOTENTIARIES FOR ADOPTION AND SIGNATURE OF THE FRAMEWORK CONVENTION ON THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE CARPATHIANS

ADDRESS BY PROF. KLAUS TOEPFER
EXECUTIVE DIRECTOR
UNITED NATIONS ENVIRONMENT PROGRAMME

Excellencies, distinguished delegates, friends and colleagues,

I am delighted to be with you at this important celebration of the Signing of the Framework Convention on the Protection and Sustainable Development of the Carpathians. Please let me extend my sincere congratulations to the representatives of the Carpathian countries gathered here, for having achieved this important historic result here at the 5th Pan-European Conference “Environment for Europe”, in the beautiful city of Kyiv.

As we all are aware, the Carpathian Mountains constitute an exceptional living environment in the heart of Europe, boasting a stunning landscape of great beauty, rich in both wildlife and culture. And altogether, some 16 to 18 million people call these mountains their home, people who are depending on the natural resources of this region.

However, this ecosystem of global importance is nowadays under pressure. Growing unemployment and poverty, worsened since the transition from Communism began over a decade ago, are leading to destructive development patterns, over-exploitation of natural resources, pollution, deforestation, poaching and habitat fragmentation.

Carpathian countries have decided to address these challenges together, by creating a new framework of cooperation, destined to ensure the protection and sustainable development of this region, and the well-being of the local population. Let us just mention one example: sustainable tourism development will represent a unique chance to benefit from the exceptional natural and cultural wealth of the region, and by the same means to ensure its protection in the future.

This action also confirms one important trend: mountains, once important defenses and dividers of countries, are becoming increasingly the focus of international cooperation and joint action. To address these challenges together, also means to make another step forward in European integration, and the sustainable development of our mountain regions, constituting the beginning of a new era of cooperation between European mountain regions.
This gathering here today reminds me of my days as a German Minister, when already back in 1989, I called upon the Alpine countries to come together in the City of Berchtesgaden, in the German Alps. The first Alpine Conference recommended the development of a Convention for the Protection of the Alps, which was consequently adopted and signed by Environment Ministers in 1991 in Salzburg.

A decade later, I came back to Berchtesgaden, now representing the United Nations Environment Programme, for an international conference intended to share the experiences of the Alpine Convention, with representatives from other mountain regions of the world. It was my pleasure to welcome the representatives of the Carpathian “neighbors” there.

Together with the Government of Ukraine, which had initiated the Carpathian cooperation and requested the services of UNEP, we were proud to present the cooperation in the Carpathians, as the most advanced example of regional cooperation, without any doubt inspired by the example of the Alpine Convention.

In an astonishing rapid process of only two years, the Carpathian countries succeeded in negotiating the text of the Carpathian Convention. My friend from Ukraine, Minister Shevchuk, please let me congratulate you personally for this important achievement. This would have been impossible without the generous support by Alpine Convention countries, in particular by Italy, which as the Presidency of the Alpine Convention had taken the lead in supporting the Carpathian neighbors. My dear colleague Minister Matteoli from Italy, our gratefulness is yours.

Austria, France and Liechtenstein provided invaluable support in experience and funds, and also the Netherlands discovered their “mountainous” ambitions by supporting the Carpathian cooperation. Numerous organizations have been closely involved in the initiative, just to mention the important contributions of the WWF International, the CIPRA, the Alpine Network of Protected Areas or the European Mountain Forum, and a multitude of regional and local non-governmental organizations.

As we will be from now on striving for the full implementation of our ambitious goals, all signs are that the Convention will provide a solid framework and open forum to continue to bring together all the stakeholders involved, from Governments or international organizations, to local communities and organizations.

We are grateful to Carpathian countries for their trust in and support to UNEP, requesting us to continue our services by providing the interim secretariat to the Convention. In this function, please let me ensure you that we will do our utmost to help to further strengthen this incomparable spirit of partnership between the mountain regions, and between all the countries and organizations involved.

Excellencies, Ladies and Gentlemen, we are writing a new historic chapter in the already rich Carpathian history. One that will help strengthening cooperation and bringing development and prosperity.
“The Parties”,

ACKNOWLEDGING that the Carpathians are a unique natural treasure of great beauty and ecological value, an important reservoir of biodiversity, the headwaters of major rivers, an essential habitat and refuge for many endangered species of plants and animals and Europe's largest area of virgin forests, and AWARE that the Carpathians constitute a major ecological, economic, cultural, recreational and living environment in the heart of Europe, shared by numerous peoples and countries;

REALIZING the importance and ecological, cultural and socio-economic values of mountain regions, which prompted the United Nations General Assembly to declare 2002 the International Year of Mountains; RECOGNIZING the importance of Mountain areas, as enshrined in Chapter 13 (Sustainable Mountain Development) of the Declaration on Environment and Development (“Agenda 21”, Rio de Janeiro, 1992), and in the Plan of Implementation of the World Summit on Sustainable Development;
RECALLING the Declaration on Environment and Sustainable Development in the Carpathian and Danube Region (Bucharest, 2001);

NOTING the pertinent provisions of and principles enshrined in relevant global, regional and subregional environmental legal instruments, strategies and programmes;

AIMING at ensuring a more effective implementation of such already existing instruments, and BUILDING upon other international programmes;

RECOGNIZING that the Carpathians constitute the living environment for the local people, and ACKNOWLEDGING the contribution of the local people to sustainable social, cultural and economic development, and to preserving traditional knowledge in the Carpathians;

ACKNOWLEDGING the importance of sub-regional cooperation for the protection and sustainable development of the Carpathians in the context of the 'Environment for Europe' process;

RECOGNIZING the experience gained in the framework of the Convention on the Protection of the Alps (Salzburg, 1991) as a successful model for the protection of the environment and sustainable development of mountain regions, providing a sound basis for new partnership initiatives and further strengthening of cooperation between Alpine and Carpathian states;

BEING AWARE of the fact that efforts to protect, maintain and sustainably manage the natural resources of the Carpathians cannot be achieved by one country alone and require regional cooperation, and of the added value of transboundary cooperation in achieving ecological coherence;

Have agreed as follows:

**Article 1**

*Geographical scope*

1. The Convention applies to the Carpathian region (hereinafter referred to as the “Carpathians”), to be defined by the Conference of the Parties.

2. Each Party may extend the application of this Convention and its Protocols to additional parts of its national territory by making a declaration to the Depositary, provided that this is necessary to implement the provisions of the Convention.
Article 2

General objectives and principles

1. The Parties shall pursue a comprehensive policy and cooperate for the protection and sustainable development of the Carpathians with a view to *inter alia* improving quality of life, strengthening local economies and communities, and conservation of natural values and cultural heritage.

2. In order to achieve the objectives referred to in paragraph 1, the Parties shall take appropriate measures, in the areas covered by Articles 4 to 13 of this Convention by promoting:

   (a) the precaution and prevention principles,
   (b) the ‘polluter pays’ principle,
   (c) public participation and stakeholder involvement,
   (d) transboundary cooperation,
   (e) integrated planning and management of land and water resources,
   (f) a programmatic approach, and
   (g) the ecosystem approach.

3. To achieve the objectives set forth in this Convention and to ensure its implementation, the Parties may, as appropriate, develop and adopt Protocols.

Article 3

Integrated approach to the land resources management

The Parties shall apply the approach of the integrated land resources management as defined in Chapter 10 of the Agenda 21, by developing and implementing appropriate tools, such as integrated management plans, relating to the areas of this Convention.

Article 4

Conservation and sustainable use of biological and landscape diversity

1. The Parties shall pursue policies aiming at conservation, sustainable use and restoration of biological and landscape diversity throughout the Carpathians. The Parties shall take appropriate measures to ensure a high level of protection and sustainable use of natural and semi-natural habitats, their continuity and connectivity, and species of flora and fauna being characteristic to the Carpathians, in particular the protection of endangered species, endemic species and large carnivores.
2. The Parties shall promote adequate maintenance of semi-natural habitats, the restoration of degraded habitats, and support the development and implementation of relevant management plans.

3. The Parties shall pursue policies aiming at the prevention of introduction of alien invasive species and release of genetically modified organisms threatening ecosystems, habitats or species, their control or eradication.

4. The Parties shall develop and/or promote compatible monitoring systems, coordinated regional inventories of species and habitats, coordinated scientific research, and their networking.

5. The Parties shall cooperate in developing an ecological network in the Carpathians, as a constituent part of the Pan-European Ecological Network, in establishing and supporting a Carpathian Network of Protected Areas, as well as enhance conservation and sustainable management in the areas outside of protected areas.

6. The Parties shall take appropriate measures to integrate the objective of conservation and sustainable use of biological and landscape diversity into sectoral policies, such as mountain agriculture, mountain forestry, river basin management, tourism, transport and energy, industry and mining activities.

**Article 5**

*Spatial planning*

1. The Parties shall pursue policies of spatial planning aimed at the protection and sustainable development of the Carpathians, which shall take into account the specific ecological and socio-economic conditions in the Carpathians and their mountain ecosystems, and provide benefits to the local people.

2. The Parties shall aim at coordinating spatial planning in bordering areas, through developing transboundary and/or regional spatial planning policies and programmes, enhancing and supporting co-operation between relevant regional and local institutions.

3. In developing spatial planning policies and programmes, particular attention should, *inter alia*, be paid to:
(a) transboundary transport, energy and telecommunications infrastructure and services,
(b) conservation and sustainable use of natural resources,
(c) coherent town and country planning in border areas,
(d) preventing the cross-border impact of pollution,
(e) integrated land use planning, and environmental impact assessments.

Article 6
Sustainable and integrated water/river basin management

Taking into account the hydrological, biological and ecological, and other specificities of mountain river basins, the Parties shall:

(a) take appropriate measures to promote policies integrating sustainable use of water resources, with land-use planning, and aim at pursuing policies and plans based on an integrated river basin management approach, recognizing the importance of pollution and flood management, prevention and control, and reducing water habitats fragmentation,
(b) pursue policies aiming at sustainable management of surface and groundwater resources, ensuring adequate supply of good quality surface and groundwater as needed for sustainable, balanced and equitable water use, and adequate sanitation and treatment of waste water,
(c) pursue policies aiming at conserving natural watercourses, springs, lakes and groundwater resources as well as preserving and protecting of wetlands and wetland ecosystems, and protecting against natural and anthropogenic detrimental effects such as flooding and accidental water pollution,
(d) further develop a coordinated or joint system of measures, activities and early warning for transboundary impacts on the water regime of flooding and accidental water pollution, as well as co-operate in preventing and reducing the damages and giving assistance in restoration works.

Article 7
Sustainable agriculture and forestry

1. The Parties shall maintain the management of land traditionally cultivated in a sustainable manner, and take appropriate measures in designing and implementing their agricultural policies, taking into account the need of the protection of mountain ecosystems and landscapes, the importance of biological diversity, and the specific conditions of mountains as less favoured areas.
2. The Parties shall pursue policies aiming at developing and designing appropriate instruments, such as the crucially important agri-environmental programs in the Carpathians, enhancing integration of environmental concerns into agricultural policies and land management plans, while taking into account the high ecological importance of Carpathian mountain ecosystems, such as natural and semi-natural grasslands, as part of the ecological networks, landscapes and traditional land-use.

3. The Parties shall pursue policies aiming at promoting and supporting the use of instruments and programs, compatible with internationally agreed principles of sustainable forest management.

4. The Parties shall apply sustainable mountain forest management practices in the Carpathians, taking into account the multiple functions of forests, the high ecological importance of the Carpathian mountain ecosystems, as well as the less favourable conditions in mountain forests.

5. The Parties shall pursue policies aiming at designating protected areas in natural, especially virgin forests in sufficient size and number, with the purpose to restrict or adapt their use according to the objectives of conservation to be achieved.

6. The Parties shall promote practice of environmentally sound agricultural and forestry measures assuring appropriate retention of precipitation in the mountains with a view to better prevent flooding and increase safety of life and assets.

Article 8
Sustainable transport and infrastructure

1. The Parties shall pursue policies of sustainable transport and infrastructure planning and development, which take into account the specificities of the mountain environment, by taking into consideration the protection of sensitive areas, in particular biodiversity-rich areas, migration routes or areas of international importance, the protection of biodiversity and landscapes, and of areas of particular importance for tourism.

2. The Parties shall cooperate towards developing sustainable transport policies which provide the benefits of mobility and access in the Carpathians, while minimizing harmful effects on human health, landscapes, plants, animals, and their habitats, and incorporating sustainable transport demand management in all stages of transport planning in the Carpathians.
3. In environmentally sensitive areas the Parties shall co-operate towards developing models of environmentally friendly transportation.

Article 9

Sustainable tourism

1. The Parties shall take measures to promote sustainable tourism in the Carpathians, providing benefits to the local people, based on the exceptional nature, landscapes and cultural heritage of the Carpathians, and shall increase cooperation to this effect.

2. Parties shall pursue policies aiming at promoting transboundary cooperation in order to facilitate sustainable tourism development, such as coordinated or joint management plans for transboundary or bordering protected areas, and other sites of touristic interest.

Article 10

Industry and energy

1. The Parties shall promote cleaner production technologies, in order to adequately prevent, respond to and remediate industrial accidents and their consequences, as well as to preserve human health and mountain ecosystems.

2. The Parties shall pursue policies aiming at introducing environmentally sound methods for the production, distribution and use of energy, which minimize adverse effects on the biodiversity and landscapes, including wider use of renewable energy sources and energy-saving measures, as appropriate.

3. Parties shall aim at reducing adverse impacts of mineral exploitation on the environment and ensuring adequate environmental surveillance on mining technologies and practices.

Article 11

Cultural heritage and traditional knowledge

The Parties shall pursue policies aiming at preservation and promotion of the cultural heritage and of traditional knowledge of the local people, crafting and marketing of local goods, arts and handicrafts. The Parties shall aim at preserving the traditional
architecture, land-use patterns, local breeds of domestic animals and cultivated plant varieties, and sustainable use of wild plants in the Carpathians.

Article 12

*Environmental assessment/information system, monitoring and early warning*

1. The Parties shall apply, where necessary, risk assessments, environmental impact assessments, and strategic environmental assessments, taking into account the specificities of the Carpathian mountain ecosystems, and shall consult on projects of transboundary character in the Carpathians, and assess their environmental impact, in order to avoid transboundary harmful effects.

2. The Parties shall pursue policies, using existing methods of monitoring and assessment, aiming at promoting:

(a) cooperation in the carrying out of research activities and scientific assessments in the Carpathians,
(b) joint or complementary monitoring programmes, including the systematic monitoring of the state of the environment,
(c) comparability, complementarity and standardization of research methods and related data-acquisition activities,
(d) harmonization of existing and development of new environmental, social and economic indicators,
(e) a system of early warning, monitoring and assessment of natural and man-made environmental risks and hazards, and
(f) an information system, accessible to all Parties.

Article 13

*Awareness raising, education and public participation*

1. The Parties shall pursue policies aiming at increasing environmental awareness and improving access of the public to information on the protection and sustainable development of the Carpathians, and promoting related education curricula and programmes.

2. The Parties shall pursue policies guaranteeing public participation in decision-making relating to the protection and sustainable development of the Carpathians, and the implementation of this Convention.
Article 14

Conference of the Parties

1. A Conference of the Parties (hereinafter referred to as the “Conference”) is hereby established.

2. The Conference shall discuss common concerns of the Parties and make the decisions necessary to promote the effective implementation of the Convention. In particular, it shall:

(a) regularly review and support the implementation of the Convention and its Protocols,
(b) adopt amendments to the Convention pursuant to Article 19,
(c) adopt Protocols, including amendments thereto, pursuant to Articles 18,
(d) nominate its President and establish an intersessional executive body, as appropriate and in accordance with its Rules of Procedure,
(e) establish such subsidiary bodies, including thematic working groups, as are deemed necessary for the implementation of the Convention, regularly review reports submitted by its subsidiary bodies and provide guidance to them,
(f) approve a work program, financial rules and budget for its activities, including those of its subsidiary bodies and the Secretariat, and undertake necessary arrangements for their financing pursuant to Article 17,
(g) adopt its Rules of Procedure,
(h) adopt or recommend measures to achieve the objectives laid down in Articles 2 to 13,
(i) as appropriate, seek the cooperation of competent bodies or agencies, whether national or international, governmental or non-governmental and promote and strengthen the relationship with other relevant conventions while avoiding duplication of efforts, and
(j) exercise other functions as may be necessary for the achievement of the objectives of the Convention.

3. The first session of the Conference shall be convened not later than one year after the date of entry into force of the Convention. Unless otherwise decided by the Conference, ordinary sessions shall be held every three years.

4. Extraordinary sessions of the Conference shall be held at such other times as may be decided either by the Conference at ordinary session or at the written request of any Party, provided that, within three months of the request being communicated to all the other Parties by the Secretariat, it is supported by at least one third of the Parties.

5. The Parties may decide to admit as observers at the ordinary and extraordinary sessions of the Conference:
(a) any other State,
(b) any national, intergovernmental or non-governmental organization the activities of which are related to the Convention.

The conditions for the admission and participation of observers shall be established in the Rules of Procedure. Such observers may present any information or report relevant to the objectives of the Convention.

6. The Conference shall reach its decisions by consensus.

Article 15
Secretariat

1. A Secretariat is hereby established.

2. The functions of the Secretariat shall be:

(a) to make arrangements for sessions of the Conference and to provide them with services as required,
(b) to compile and transmit reports submitted to it,
(c) to coordinate its activities with the secretariats of other relevant international bodies and conventions,
(d) to prepare reports on the exercising of its functions under this Convention and its Protocols, including financial reports, and present them to the Conference,
(e) to facilitate research, communication and information exchange on matters relating to this Convention, and
(f) to perform other secretariat functions as may be determined by the Conference.

Article 16
Subsidiary bodies

The subsidiary bodies, including thematic working groups established in accordance with Article 14 paragraph 2 (e), shall provide the Conference, as necessary, with technical assistance, information and advice on specific issues related to the protection and sustainable development of the Carpathians.
Article 17  
Financial contributions  
Each Party shall contribute to the regular budget of the Convention in accordance with a scale of contributions as determined by the Conference.

Article 18  
Protocols  
1. Any Party may propose Protocols to the Convention.

2. The draft Protocols shall be circulated to all Parties through the Secretariat not later than six months before the Conference session at which they are to be considered.

3. The Protocols shall be adopted and signed at the Conference sessions. The entry into force, amendment of and withdrawal from the Protocols shall be done mutatis mutandis in accordance with Articles 19, 21 paragraphs 2 to 4 and Article 22 of the Convention. Only a Party to the Convention may become Party to the Protocols.

Article 19  
Amendments to the Convention  
1. Any Party may propose amendments to the Convention.

2. The proposed amendments shall be circulated to all Parties to the Convention through the Secretariat not later than six months before the Conference session at which the amendments are to be considered.

3. The Conference shall adopt the proposed amendments to the Convention by consensus.

4. The amendments to the Convention shall be subject to ratification, approval or acceptance. The amendments shall enter into force on the ninetieth day after the date of deposit of the fourth instrument of ratification, approval or acceptance. Thereafter, the amendments shall enter into force for any other Party on the ninetieth day after the date of deposit of its instrument of ratification, approval or acceptance.
Article 20

Settlement of disputes

The Parties shall settle disputes arising from the interpretation or implementation of the Convention by negotiation or any other means of dispute settlement in accordance with international law.

Article 21

Entry into force

1. This Convention shall be open for signature at the Depositary from 22 May 2003 to 22 May 2004.

2. This Convention shall be subject to ratification, acceptance, or approval by the Signatories. The Convention shall be open for accession by non-Signatories. Instruments of ratification, acceptance, approval and accession shall be deposited with the Depositary.

3. The Convention shall enter into force on the ninetieth day after the date of deposit of the fourth instrument of ratification, approval, acceptance or accession.

4. Thereafter the Convention shall enter into force for any other Party on the ninetieth day from the date of deposit of its instrument of ratification, acceptance, approval or accession.

Article 22

Withdrawal

Any Party may withdraw from the Convention by means of a notification in writing addressed to the Depositary. The withdrawal shall become effective on the one hundred eightieth day after the date of the receipt of the notification by the Depositary.

Article 23

Depositary

1. The Depositary of the Convention shall be the Government of Ukraine.

2. The Depositary shall notify all the other Parties of
(a) any signature of the Convention and its Protocols,
(b) the deposit of any instrument of ratification, acceptance, approval or accession,
(c) the date of entry into force of the Convention as well as its Protocols or amendments thereto, and the date of their entry into force for any other Party,
(d) any notifications of withdrawal from the Convention or its Protocols and the date on which such withdrawal becomes effective for a particular Party,
(e) the deposit of any declaration according to Article 1 paragraph 2.

Done at ……………….. on ………………… in one original in the English language.

The original of the Convention shall be deposited with the Depositary, which shall distribute certified copies to all Parties.
In witness whereof the undersigned, being duly authorized thereto, have signed this Convention:

For the Government of:

The Czech Republic  

For the Government of:

The Republic of Hungary 

For the Government of:

The Republic of Poland 

For the Government of:

Romania 

For the Council of Ministers of:

Serbia and Montenegro 

For the Government of:

The Slovak Republic 

For the Government of:

Ukraine
CONFERENCE OF PLENIPOTENTIARIES FOR ADOPTION AND SIGNATURE OF THE FRAMEWORK CONVENTION ON THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE CARPATHIANS

RESOLUTION

The Conference of Plenipotentiaries for Adoption and Signature of the Framework Convention on the Protection and Sustainable Development of the Carpathians,

Having met in Kyiv, Ukraine, on 20 - 22 May 2003,

Having considered the draft Framework Convention on the Protection and Sustainable Development of the Carpathians,

Welcoming the proposals of the Governments of Romania and of Ukraine to host the Secretariat of the Framework Convention on the Protection and Sustainable Development of the Carpathians,

1. Adopts the Framework Convention on the Protection and Sustainable Development of the Carpathians;

2. Calls upon the interested Countries to sign the Framework Convention on the Protection and Sustainable Development of the Carpathians, and to take all necessary steps for its early ratification, acceptance or approval;

3. Pending the entry into force of the Framework Convention on the Protection and Sustainable Development of the Carpathians, and with a view to prepare the first session of the Conference of the Parties, decides to establish an Intergovernmental Committee (IGC) consisting of the representatives of the Signatories. Non-Signatories would be invited as observers. The functions of the IGC would be confirmed at its first session and would, tentatively, include the:

   (a) preparation for the first session of the Conference of the Parties;
   (b) follow-up to the decisions and resolutions adopted at the Conference of Plenipotentiaries;
4. Decides that the Secretariat of the Framework Convention on the Protection and Sustainable Development of the Carpathians will be located in the Carpathian region;

5. Pending the decision on the location of the Secretariat and related arrangements, requests the Regional Office for Europe of the United Nations Environment Programme (UNEP), to continue to service the Convention process, including provision of interim secretariat support, such as the preparation of:

- draft rules of procedure for the Conference of the Parties;
- a work programme - budget for the implementation of the Convention;
- a proposed scale of contributions to the Convention;
- a consolidated proposal for Secretariat arrangements;

6. Requests UNEP – Regional Office for Europe, as the interim secretariat to the Convention, to prepare a comprehensive report and proposal on the scope of application of the Framework Convention on the Protection and Sustainable Development of the Carpathians, for consideration by the Conference of the Parties at its first session;

7. Decides that, in defining the scope of application of the Framework Convention on the Protection and Sustainable Development of the Carpathians, in accordance with its Article 1 para. 1, due account shall be taken of physico-geographical criteria, and other criteria and factors relevant to the implementation of the Convention;

8. Decides that in determining the scale of contributions to the regular budget of the Framework Convention on the Protection and Sustainable Development of the Carpathians, in accordance with Article 17 of the Convention, due attention will be paid to various circumstances of the countries in the context of the Convention, as used in other Conventions, including the share of the area of the Carpathians of each country;

9. Decides that pending the entry into force of the Framework Convention on the Protection and Sustainable Development of the Carpathians, and the decisions on the arrangements and funding of its Secretariat, the Signatories will make a voluntary contribution to assist in meeting the core cost of the interim Secretariat services, which will be up to USD 150.000 per year;

10. Recommends to the Governments and international organizations to promote integration of their ongoing and future activities and support related to the protection and sustainable development of the Carpathians, the work under the Framework
Convention on the Protection and Sustainable Development of the Carpathians, as well as its Protocols;

11. Welcomes the Ministerial Declaration signed by Ministers of the Alpine Countries at the VII Alpine Conference in Merano, Italy on 19 November 2002, committing to international cooperation for sustainable development of other mountain regions, first of all the Carpathians, where cooperation with the Alpine region has already been established;

12. Recommends the creation of a Carpathian Network of Protected Areas, and welcomes the cooperation and support by the Alpine Network of Protected Areas as well as the Regional Office for Europe of the United Nations Environment Programme;

13. Expresses its gratitude for the contributions by donor countries, in particular to Italy for its continuous support, and to Austria for its offer to host and support the interim arrangement, as well as to Liechtenstein, the Netherlands and France for their valuable assistance, and appeals to these and other interested donors to support and contribute to the implementation of the Framework Convention on the Protection and Sustainable Development of the Carpathians;


Kyiv, 20 - 22 May 2003
CONFERENCE OF PLENIPOTENTIARIES FOR ADOPTION AND SIGNATURE OF THE FRAMEWORK CONVENTION ON THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE CARPATHIANS

Reservation of the Government of Romania to the Framework Convention on the Protection and Sustainable Development of the Carpathians

"The Government of Romania considers the term "Carpathian region" in article 1, paragraph 1 of the Framework Convention for the Protection and Sustainable Development of the Carpathians as designating the Carpathian mountain area, which is defined, on the territory of Romania, in accordance with physico-geographical and biological criteria, as well as with socio-economic criteria related to a reduced land use potential and to the relationship of the local population with the specific physical environmental features, and also in conformity with the criteria of the European Community regarding the delimitation of alpine bio-geographical regions, based on the Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora."
In witness whereof the undersigned, being duly authorized thereto, have signed this Final Act:

For the Government of:
The Czech Republic

For the Government of:
The Republic of Hungary

For the Government of:
The Republic of Poland

For the Government of:
Romania

For the Council of Ministers of:
Serbia and Montenegro

For the Government of:
The Slovak Republic

For the Government of:
Ukraine