

I. General remarks

The structure of the document is not clear. We propose to consider/discuss the change the structure like below:

- chapter on reasons and goals (Preamble),
- chapter listing specific condition of Carpathians that are strictly connected with transport activity (infrastructure and traffic) which should be base (kind of rules) for transport planning and managing,
- chapter on solutions for common (on different levels) solving transport issues like sharing information on strategies, plans, best practices, common support of planning even on local level, identification of BATs, harmonization solutions like trip or journey planners, common monitoring or control methods, use of external financial instruments, guides and training, utilization of existing instruments, procedures and bodies, etc.
- final chapter on formal (procedural) issues like implementation, monitoring, evaluation, notification etc.

In our opinion present draft of “Protocol on sustainable development of the Carpathians” does not respond to major challenges of this specific region. In our opinion it represents a combination of randomly chosen transport-related issues which should be given a particular attention by signatory countries. The reasons for selecting topics to be part of the future “Protocol...” are not known for us and need better clarification. In this respect see also the Comment [zn1] that was sent to you earlier by Mr.Zbigniew Niewiadomski (UNEP/GRID).

Additionally what is important for the Parties, it should be attached some kind of information on potential impact of the Protocol implementation (financial, legal, social, economic) on Party or regional level (at least in categories of impact).

Draft Protocol on Sustainable Transport and Infrastructure to the Framework Convention on the Protection and Sustainable Development of the Carpathians

Comment [zn1]: general comment: further in the text of the draft Protocol the understanding of the term “infrastructure” is limited to ‘transport infrastructure’ (probably due to the formulation of Article 8.1 of the Carpathian Convention), while other kinds of technical infrastructure may also be quite important, taking into account the overall goal of the CC, its environmental focus, and the multitude of sectoral policies to be influenced by this Protocol (***Integration of the objectives of ... into sectoral policies***) pursuant to CC Article 4.6 (“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.”). CC Article 5.3 (a) on spatial planning explicitly mentions three kinds of infrastructure (“transport, energy and telecommunications infrastructure”) – which would add e.g. power plants and electrical power network, or gas pipelines, storage tanks and distribution terminals. Taking into account other sectoral policies - other relevant kinds of infrastructure would be e.g. water management, water supply, sanitation and sewage processing /waste water disposal infrastructure, drainage and irrigation, flood control, solid waste management infrastructure (incl. waste incinerators and landfills). Moreover, the term infrastructure includes also ‘tourist, recreational and sport infrastructure’ - please see Article 16.6 of the CC Sustainable Tourism Protocol (inspired by Article 6.4(a) and Article 11 of the Alpine Tourism Protocol).

THE PARTIES TO THIS PROTOCOL,

IN ACCORDANCE with their tasks, arising from the Framework Convention on the Protection and Sustainable Development of the Carpathians, hereinafter referred to as the “Carpathian Convention” (Kyiv, 2003), of pursuing a comprehensive policy and cooperating for the protection and sustainable development of the Carpathians;

IN COMPLIANCE with their obligations under Article 8 of the Framework Convention on the Protection and Sustainable Development of the Carpathians;

AWARE that the ecosystems and landscapes of the Carpathians are of the high value, specific and particularly sensitive;

Comment [p2]: INSERTED by A. Sieminski

CONVICED that the local population must be able to determine its own social, cultural and economic development plan and take part in its implementation in the existing institutional framework;

AWARE that the present potential of modes of sustainable transport is to some extent not used sufficiently;

AWARE that not enough account is taken of the importance of infrastructures for more environmentally-friendly transport system or of the transnational compatibility and operability of the various means of transport;

Comment [zn3]: the only place where ‘infrastructure’ appears in the preamble, solely linked to transport system – which confirms the previous comment.

AWARE that it is therefore necessary to optimize such transport systems by a major strengthening of the network in the intra-Carpathians and trans-Carpathians taking into account the specific environmental needs of the Carpathian region;

Comment [zn4]: (1) no real need to quote the legal mandate for the WG to develop the Protocol in the text of the Protocol – none of the previous CC Protocols refers to a COP Decision; (2) a reference to Decision COP3/5 may potentially be dangerous here, taking into account the limited thematic scope of this draft Protocol – which does not include industry and energy (“*The Conference of the Parties 1. Adopts the revised Terms of Reference of the Working Group on Sustainable Industry, Energy, Transport and Infrastructure, and calls for the development of a Protocol on Sustainable Industry, Energy, Transport and Infrastructure*”)

HAVE AGREED AS FOLLOWS:

CHAPTER I

OBJECTIVES, GEOGRAPHICAL SCOPE AND DEFINITIONS

Article 1

Deleted: RECALLING Decision COP 3/5 on “Sustainable transport and infrastructure, Article 8 of the Carpathian Convention”, taken by the Third Meeting of the Conference of the Parties to the Framework Convention on the Protection and Sustainable Development of the Carpathians;

General objectives and principles

1. In accordance with Article 8 of the Carpathian Convention, the objective of the Protocol on Sustainable Transport and Infrastructure (hereinafter referred to as “the Protocol”) is to enhance and facilitate cooperation of the Parties for the development of sustainable transport and infrastructure in the Carpathians for the benefit of present and future generation, with the objective to contribute to economic and social development of the region, while mitigating possible negative ecological, environmental and socio-economic impacts of transport and infrastructure development.
2. To achieve the above objectives, the Parties shall:
 - a) pursue policies of sustainable transport and infrastructure planning and development, which take into account the specificities of the mountain environment;
 - b) cooperate towards developing sustainable transport policies which provide the benefits of mobility and access in the Carpathians;
 - c) cooperate towards developing models of environmentally friendly transportation in environmentally sensitive areas.
 - d) limit the negative environmental impact of the infrastructural network;
 - e) assure infrastructural functionality of the transport network;
 - f) improve urban, rural, remote areas and touristic accessibility;
 - g) adopt management systems for sustainable transport;
 - h) improve safety;
 - i) consider ecological connectivity between protected areas;
 - j) foster transnational cooperation in the transport sector focused on complementary and the most sustainable solutions.

Comment [zn5]: this should be the most important added value of the Protocol – therefore Articles in CHAPTER III of this Protocol (SPECIFIC MEASURES) should include as many subjects and suggestions for the future cooperation and activities to be jointly undertaken by the Parties (in the field of transport and infrastructure) as possible. Currently the only suggestion for such is present in proposed Article 14.3 (“The Parties shall cooperate on marketing and promoting the Carpathians region as the destinations of sustainable transport”) while the remaining Articles define commitments of ‘particular/ single Parties’, with no suggestions for their cooperation at the regional scale.

Comment [zn6]: suggested addition, reflecting objectives of the C. Convention.

Comment [zn7]: please see below: all 3 paragraphs of Article 8 are referred to, and should probably be further elaborated in corresponding Articles ?

Comment [zn8]: excerpt from C.C. Article 8.1

Comment [zn9]: excerpt from C.C. Article 8.2

Comment [zn10]: excerpt from C.C. Article 8.3

Comment [zn11]: WG to decide whether to limit the general directions / guidelines for future actions to those directly resulting from the original contents of C. Convention Article 8, and further extend these 3 paragraphs in Chapter III (“Specific measures”); most probably these detailed bullet points (covered by the above 3) can be used for developing relevant Articles in Chapter III (“Specific measures”)

Article 2 *Geographical scope*

1. This Protocol applies to the Carpathian region (hereinafter referred to as “The Carpathians”), as defined by the Conference of the Parties.
2. Each Party may extend the application of this Protocol to additional parts of its national territory by making a declaration to the Depository.

Article 3 *Definitions*

For the purposes of this Protocol:

- a) “Conservation” means a series of measures required to maintain the natural habitats and the populations of species of wild fauna and flora at a favorable conservation status;
- b) “Best available techniques” (BAT), shall mean the most effective and advanced stage in the development of activities and their methods of operation which indicate the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole: “best” shall mean most effective in achieving a high general level of protection of the environment as a whole; “available techniques” shall mean those developed on a scale which allows implementation in the relevant sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the operator or user;
- c) “Conference of the Parties” means the Conference of the Parties to the Carpathian Convention;
- d) “Environmental quality objectives” means objectives which describe the environmental quality level to be attained, with due regard for the effects on ecosystems. They lay down (updateable) quality criteria for the protection of the natural and cultural heritage from a material, geographical and time-related viewpoint;
- e) “Environmental quality standards” means specific standards which enable the environmental quality objectives to be met. They determine the objectives applicable to certain parameters, the measuring procedures or the overall requirements;
- f) “Environmental quality indicators” are indicators which make it possible to measure or evaluate the present state of environmental damage and to forecast any change;
- g) “External cost” means costs which are not borne by the user of goods or services. They include the cost of infrastructure where use is free, the cost of environmental pollution and noise and the costs of damage to people and property caused by transport;
- h) “Intelligent transport system” (ITS), include telematics and all types of communications in vehicles, between vehicles (e.g. car-to-car) and between vehicles and fixed locations (e.g. car-to-infrastructure). ITS are not restricted to Road Transport, they also include the use of information and communication technologies (ICT) for rail, water and air transport, including navigation systems;

Comment [a12]: As later in the definition is “techniques”. According to meaning of BAT standard included in IPPC directive.

Deleted: technologies

Comment [a13]: Not only industrial but e.g. services that is more proper for transportation.

Deleted: industrial

Comment [a14]: Under the convention we use Parties non MS (as for EU).

Comment [a15]: Lack of congestion cost.

Comment [a16]: term exist since 1994 (ITS Congress in Paris)

Deleted: ation

- i) “Intra-Carpathians transport” means transport made up of journeys whose point of departure or arrival are inside the Carpathians, including transport made up of journeys whose points of departure and arrival are inside the Carpathians;
- j) “Landscape diversity” means the variability among landscapes;
- k) “Large-capacity roads” means all motorway and roads with two or more lanes in the same direction, without intersections, or any road the traffic impact of which is similar to that of a motorway;
- l) “Parties” means Parties to this Protocol;
- m) “Protected area” means a geographically defined area which is designated and managed to achieve specific conservation objectives;
- n) “Restoration” means the return of an ecosystem or habitat to its original structure, natural composition of species, and natural functions;
- o) “Semi-natural habitat” means a habitat that has been modified and maintained by human activities, but still holds species that occur naturally in the area;
- p) “Subsidiary body” means a subsidiary body established in accordance with Article 14 paragraph 2(e) of the Convention that may include thematic working groups or committees;
- q) “Sustainable transport” means the use of transport with low impact on the environment, promoting the use of the most environmentally-friendly modes and means of transport, making a positive contribution to the environmental, social and economic sustainability of the communities they serve;
- r) “Trans-Carpathians transport” means transport made up of journeys through the Carpathians which point of departure and arrival are outside the Carpathians area;
- s) “Transboundary protected area” means an area composed of two or more protected areas located within the territories of two or more Parties, adjacent to the state border, each remaining under jurisdiction of respective Party.

Comment [a17]: Propose to delete because such transport is covered by the first part of sentence (there is “or” - not “either”)

Comment [p18]: NSERTED by A. Sieminski

CHAPTER II

GENERAL OBLIGATIONS

Article 4

Integration of the objectives of sustainable transport in the Carpathians into sectoral policies

Comment [zn19]: “and infrastructure development” is missing here

1. The Parties shall take into consideration the objectives of this Protocol in their other policies, in particular but not limited to spatial planning and resources management, conservation of biological and landscape diversity, water and river basin management, agriculture and forestry, tourism, industry and energy.
2. The Parties shall cooperate on integrating the principles of sustainable transport and infrastructure development into other sectoral policies developed at regional or global level which could benefit and have influence on the conservation and sustainable use of biological and landscape diversity in the Carpathians.

Comment [a20]: Not only land resources but all kind.

Deleted: land

Comment [zn21]: examples: forestry road network development (1) if improper pattern is applied – may have adverse impact on biodiversity and landscape; (2) facilitates tourist access to afforested areas.

Article 5

Participation of regional and local authorities, and other stakeholders

1. Each Party shall take measures to facilitate, within its existing institutional framework, the coordination and cooperation between institutions and regional and local authorities concerned so as to encourage shared responsibility, in particular to develop and enhance synergies when implementing policies aimed at promoting sustainable transport and infrastructure of the Carpathians and the resulting measures.
2. Each Party shall take measures to involve the regional and local authorities, and other stakeholders in the development and implementation of these policies and measures

Article 6

International cooperation

1. The Parties shall encourage active cooperation among the competent institutions and organizations at the international level with regard to the promotion of sustainable transport and infrastructure of the Carpathians area.
2. The Parties shall facilitate the cooperation between regional and local authorities in the Carpathians at the international level, and seek solutions to shared problems at the most suitable level.

CHAPTER III

SPECIFIC MEASURES

Comment [zn22]: Please see comment No 4 – proposals for future cooperation and activities to be jointly undertaken by the Parties are needed here

Article 7
General transport-policy strategy

1. In order to assure infrastructural functionality, each Party shall undertake to promote rational, safe transport management in a harmonized, cross-border network.

Article 8
Environmental impact of the infrastructural network

1. Each Party must consider the environmental impact a priority from the first steps of planning for infrastructure change.
2. Each Party shall lay down and implement environmental quality objectives for the establishment of a sustainable transport system.
3. Each Party must take regard of the special needs 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 for the protection of biodiversity and landscapes, and of areas of particular importance for tourism.
4. Each Party undertakes to adopt the necessary measures so as to ensure as far as possible:
 - a) the protection of communication routes against natural hazards;
 - b) in areas particularly sensible, the protection of people and of the environment;
 - c) the use of the BAT (best available techniques) for the construction of transport systems and for transportation;
 - d) transport safety.
5. Each Party 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.

Article 9
Trans European Networks and connectivity

Comment [zn23]: extracted from C. Convention Article 8.1, with a small modification: "for" instead of "," ;-)

Deleted: in particular in areas of sensitive landscapes

Comment [a24]: it concerns adaptation the network to the environmental pression rather than impacts of transport network on environment. It need to change the title of article (add adaptation, protection of the network) or to move this point out of this art..

Comment [a25]: it is wider sense which include areas in poor condition because of the high negative pressure or even damaged not only by transport.

Deleted: damaged by transport

Deleted: persons

Comment [a26]: as in art.3 amendment of the definition of BAT

Deleted: technologies

Comment [a27]: We are focused onsafe rather than safer transport

Deleted: greater

Comment [a28]: Better world is "constructing"

Comment [a29]: Infrastructure is generally singular (without "s")

Comment [a30]: The above paragraph describes the presently applicable procedures. It is regulated by the EU's law and every investment requires prior feasibility studies, environmental impact assessments and further socio-economic analyses. In addition, the provisions of this paragraph are similar to paragraph 6. It is proposed to delete one of them.

Deleted: In the case of new, large-scale building

Deleted: works and major alterations or extensions of existing transport infrastructures

Deleted: , each Party undertakes to carry out advisability studies, environmental impact assessments and risk analyses and to evaluate the results in the light of the objectives of this Protocol

Comment [zn31]: a real mixture – the first 2 paragraphs relate to 'connectivity' with the TEN, while paragraph 3 relates to ecological connectivity...

1. When planning and developing new transport infrastructures, Parties shall ensure functionality and compatibility with Trans European Networks or similar.
2. Each Party shall *take measures in order to improve accessibility and optimize the capacity of Trans-European transport infrastructure.*
3. In its transport system planning each Party shall take measures *to minimize transport negative impact on the environment and continuity of natural habitats in the Carpathians.*

Comment [zn32]: what is the general idea, and link to / relevance with Carpathian Convention objectives ?

Deleted: optimize the permeability of Trans-European infrastructure through an adequate planning of access.

Comment [a33R32]: If the par. 2 is kept it is proposed to change the wording

Comment [zn34]: something can of course be done for the maintenance of routes for the migration of wild species populations, rather than for habitats continuity and connectivity (demolishing existing roads would not mean significant improvements for habitats connectivity).

Deleted: with the objective to improve and ensure continuity and connectivity of natural and semi-natural habitats in the Carpathians, in accordance with Article 9 paragraph 1 of the Protocol on Conservation and Sustainable Use of Biological and Landscape Diversity.

Comment [a35]: the objective of sustainable transport planning is such a development of transport which on the one hand meets the needs of freight carriers and transport passengers and on the other hand respects the natural environment. The planning of transport development should take into account the need to minimize this negative impact on the environment however it cannot help to improve it.

Article 10 Road transport

1. Each Party shall take measure for the construction of transport system *using BAT. In this regard, each party shall promote establishment of taxation or road fees systems supporting the use of BAT.* Large-capacity road projects for Intra-Carpathians transport and Trans-Carpathians transport shall be carried out taking regard of the special needs of the areas of sensitive landscape, especially those of special interest for tourism.

Comment [a36]: It is proposed to delete or modify this paragraph. The most important objective of taxation and road fees is to spend them on maintenance and development of the new infrastructure. Best available technologies as a component of so called "soft infrastructure" could also be financed but only when it is viable and efficient.

Deleted: and for transportation such as taxation and road fees supporting the use of best available technologies (BAT).

Comment [a37]: See the definition

Comment [zn38]: ??? Question for discussion at the WG meeting: is the hypothetically possible construction of a railway across Natura 2000 site, protected area or important habitat more welcomed and less invasive / less fragmenting the habitat than the l... [1]

Comment [a39]: Investment process carried out within the NATURA 2000 must meet the same strict environmental criteria irrespective of mode of transport. The same procures must be applied ... [2]

Deleted: shall favor the development of rail over road infrastructure

Article 11 Rail transport

1. In order to make better use of the particular suitability of the railways for meeting the requirements of long-distance transport, and use of the railway network for economic activity and tourism of the Carpathian Region, the Parties shall, within the limit of their competence, promote:
 - a) the improvement of rail freight transport through logistic platforms placed strategically within the network and properly connected;
 - b) the improvement of transport intermodality;
 - c) the further optimization and modernization of railway undertakings, in particular for cross-border passenger and freight transport;
 - d) the adoption of measures designed in particular to transfer the long distance carriage of goods to rail;
 - e) the increased use of rail and the creation of user-friendly synergies between long-distance passenger transport.
2. In order to avoid the fragmentation of habitat, protected areas with high scenic value and conserve NATURA 2000 sites and species, each Party *will consider the development of the infrastructure of the lowest possible negative impact on the ecosystem.*

Article 12 Waterway transport

Parties shall utilize the ecological and energy efficiency advantages of inland waterways (*where possible*) and other more ecologically efficient modes of transport, and integrate inland water transport within intermodal transport systems (*if it is feasible and environmentally justified*).

Deleted: promote a shift in passenger and freight traffic from roads to

Comment [zn40]: This Article may be fine for Europe as such, but not particularly relevant to the Carpathian region, harbouring rather mountain rivers and streams than navigable inland waterways (except for the Danube at the RO/SRB border ;-)

Comment [zn41]: airdrops ? food and ammo for resistance troops opposing the C. Convention ? ;-)

Comment [a42]: The notion "airdrops" needs to be explained. In present form the paragraph does not specify what kind of drops are problematic.

Comment [a43]: More universal wording, that allows to involve in the development process not only public bodies.

Deleted: public transport systems

Comment [zn44]: this paragraph is much more relevant for enhancing the 'transport accessibility'

Comment [zn45]: reference / inspiration source for further development: CC Sustainable Tourism Protocol, Article 16
Planning the sustainable development of tourist transport and infrastructure in the Carpathians, paragraph 2. "The Parties, in accordance with Article 8 paragraph 2 of the Carpathian Convention, shall cooperate towards developing sustainable transport schemes in their border areas in the Carpathians with the objective to provide the benefits of mobility and access to the local inhabitants and tourists, facilitate sustainable tourism development in border areas and enhance interactions and cooperation between the local communities inhabiting the border areas."

Comment [a46]: The same as in para 2 – bottlenecks. Proposal to delete para 1 and move "accessibility" to the para 2.

Comment [zn47]: if "shall take measures to"

Deleted: should be reduced

Comment [a48]: why the only rail will cause the reduction of emissions and bottlenecks?

Comment [zn49]: the Protocol as a binding international agreement should formulate this differently, e.g. "To this end, the Parties shall improve..."

Comment [p50]: INSERTED by A. Sieminski

Article 13 Air transport

1. The Parties undertake to reduce as far as possible the environmental damage caused by air transport, including aircraft noise, without transferring it to other regions. Taking account of the objectives of this Protocol, they shall make efforts to limit airdrops in places other than airfields.
2. The Contracting Parties undertake to improve multimodal connections from airports in the Carpathians to the various Carpathians regions so as to be able to satisfy transport demand without further threat to the environment.

Article 14 Urban and Touristic accessibility

1. Each Party shall take measures in order to reduce bottlenecks near urban and tourist areas, so to improve the standards of accessibility.
2. Each Party shall take measures in order to reduce negative environmental impact of the gaseous emissions and to reduce bottlenecks near urban and tourist areas. In order to achieve this result, rail transport should be improved in terms of quality and logistics.
3. The Parties shall develop cycling especially in the sensitive areas through facilitating the development of cycling infrastructure and encouraging the widely use of bicycle and other non motorized transport by the habitants and visitors.
4. The Parties shall cooperate on marketing and promoting the Carpathian region as the destinations of sustainable transport in particular by encouraging, jointly implementing and supporting common projects and initiatives towards sustainable tourism development in the Carpathians

which build on and promote the above mentioned values, in accordance with Article 8 paragraph 2 of the Protocol on Sustainable Tourism.

5. The Parties undertake measures to assure the evaluation of, the transport impact of new touristic facilities and, if necessary, take precautionary or compensatory measures in the light of the objectives of this Protocol.

Article 15

Management systems for sustainable transport

1. The Parties shall promote in their national territories a transport system that integrates the different transport modalities.
2. Each Party shall promote the use of *the most efficient mode of transport taking into account the specificity of the region.*
3. In order to regulate traffic, each Party shall introduce traffic management and controlling system, also with the support of ITS.
4. The Parties shall use standards and indicators in order to measure damage to the environment and health caused by transport.
5. The Parties shall support the creations and maintenance of low motor traffic areas. In order to reach this goal, traffic and parking limitations should be considered, as well as “park and ride” facilities (including e.g. shuttle busses) Each Party in its national territory shall develop models of environmentally-friendly mobility for environmentally sensitive areas.

Article 16

Safety standards

Each Party shall take measures in its national territory with the objective to bring down the number of fatalities in transport accidents and to improve the safety standards of the road network.

Article 17

Real costs

1. In order to gradually introduce transport-specific charging system in the form of infrastructure charge or external cost charge, the Parties shall agree to be guided by the “polluter-pays principle” to cover the real cost of the various transport modes and to support the establishment and use of a system to calculate infrastructure costs and external costs.
2. The Parties shall also encourage the use of the most environmentally-friendly modes and means of transport.

Deleted: to fulfill the objectives of this or other Protocols

Comment [zn51]: reference / inspiration source for further development: CC Sustainable Tourism Protocol, Article 16
Planning the sustainable development of tourist transport and infrastructure in the Carpathians, paragraphs 4. and 5.: “4. Each Party shall take measures in its national territory with the objective to promote and support sustainable transport network development projects improving the access to tourist destinations and resorts in the Carpathians by public transport, and shall encourage tourists to use these services.
5. Each Party shall take measures in its national territory with the objective to reduce dependence on motorized vehicles in and in the vicinity of tourist destinations and resorts in the Carpathians.”

Deleted: transport modes other than individual motorized road transport.

Comment [a52]: See the definition

Deleted: (Intelligent Traffic System) systems

Comment [a53]: Propose “pressure”

Comment [a54]: Should be focused on Carpathians. Proposal to delete

Deleted: should be considered and promoted in other areas.¶

Comment [zn55]: reference / inspiration source for further development: CC Sustainable Tourism Protocol, Article 16
Planning the sustainable development of tourist transport and infrastructure in the Carpathians, paragraph 3. “The Parties, in accordance with Article 8 paragraph 3 of the Carpathian Convention, shall cooperate towards developing models of environmentally friendly tourist transportation in environmentally sensitive areas of the Carpathians.”

Comment [a56]: It is recommended to present the issue of safety standards in more general terms.

Deleted: to develop sidewalks and bicycle paths, especially in urban areas, and improve pavement and traffic signs to enhance the safety standards of the road network.

Comment [a57]: Less strongly and more adequate for gradual introduction of charges. Additionally the proposed wording is easier to acceptance by Parties.

3. Each Party shall achieve a more balance use of transport infrastructure and provide incentives to make more use of opportunities for the reduction of environmental and socioeconomics costs.

CHAPTER IV

IMPLEMENTATION, MONITORING AND EVALUATION

Article 18 *Implementation*

1. Each Party shall undertake appropriate legal and administrative measures for ensuring implementation of the provisions of this Protocol, and monitor the effectiveness of these measures.
2. Each Party shall explore the possibilities of supporting, through financial measures, the implementation of the provisions of this Protocol.
3. The Conference of the Parties shall develop and adopt the Strategic Action Plan for the implementation of this Protocol.

Article 19 *Education, information and public awareness*

1. The Parties shall promote the education, information and awareness rising of the public regarding the objectives, measures and implementation of this Protocol.
2. The Parties shall ensure access of the public to the information related to the implementation of this Protocol.

Article 20 *Meeting of the Parties*

1. The Conference of the Parties of the Carpathian Convention shall serve as the meeting of the Parties to this Protocol.
2. The Parties to the Carpathian Convention that are not Parties to this Protocol may participate as observers in the Conference of the Parties serving as the meeting of the Parties to this Protocol. When the Conference of the Parties serves as the meeting of the Parties to this Protocol, decisions under this Protocol shall be taken only by those that are Parties to it.

3. When the Conference of the Parties serves as the meeting of the Parties to this Protocol, any member of the bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to this Protocol, shall be substituted by a member to be elected by and from among the Parties to this Protocol.
4. The Rules of Procedure for the Conference of the Parties shall apply mutatis mutandis to the meeting of the Parties, except as may be otherwise decided by consensus by the Conference of the Parties serving as the meeting of the Parties to this Protocol.
5. The first meeting of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall be convened by the Secretariat in conjunction with the first meeting of the Conference of the Parties that is scheduled after the date of the entry into force of this Protocol. Subsequent ordinary meetings of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall be held in conjunction with ordinary meetings of the Conference of the Parties, unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to this Protocol.
6. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall make, within its mandate, the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this Protocol and shall:
 - a) Make recommendations on any matters necessary for the implementation of this Protocol;
 - b) Establish such subsidiary bodies as are deemed necessary for the implementation of this Protocol;
 - c) Consider and adopt, as required, amendments to this Protocol that are deemed necessary for the implementation of this Protocol; and
 - d) Exercise such other functions as may be required for the implementation of this Protocol.

Article 21 *Secretariat*

1. The Secretariat established by Article 15 of the Carpathian Convention shall serve as the Secretariat of this Protocol.
2. Article 15, paragraph 2, of the Carpathian Convention on the functions of the Secretariat shall apply, mutatis mutandis, to this Protocol.

Article 22 *Subsidiary bodies*

1. Any subsidiary body established by or under the Carpathian Convention may, upon a decision by the Conference of the Parties serving as the meeting of the Parties to this Protocol, serve the Protocol, in which case the meeting of the Parties shall specify which functions that body shall exercise.
2. Parties to the Carpathian Convention that are not Parties to this Protocol may participate as observers in the meetings of any such subsidiary. When a subsidiary body of the Carpathian Convention serves as a subsidiary body to this Protocol, decisions under the Protocol shall be taken only by the Parties to the Protocol.
3. When a subsidiary body of the Carpathian Convention exercises its functions with regard to matters concerning this Protocol, any member of the bureau of that subsidiary body representing a Party to the Carpathian Convention but, at that time, not a Party to the Protocol, shall be substituted by a member to be elected by and from among the Parties to the Protocol.

Article 23

Monitoring of compliance with obligations

1. The Parties shall regularly report to the Conference of the Parties on measures related to this Protocol and the results of the measures taken. The Conference of the Parties shall determine the intervals and format at which the reports must be submitted.
2. Observers may present any information or report on implementation of and compliance with the provisions of this Protocol to the Conference of the Parties and/or to the Carpathian Convention Implementation Committee (hereinafter referred to as the "Implementation Committee").
3. The Implementation Committee shall collect, assess and analyze information relevant to the implementation of this Protocol and monitor the compliance by the Parties with the provisions of this Protocol.
4. The Implementation Committee shall present to the Conference of the Parties recommendations for implementation and the necessary measures for compliance with the Protocol.
5. The Conference of the Parties shall adopt or recommend necessary measures.

Article 24

Evaluation of the effectiveness of the provisions

1. The Parties shall regularly examine and evaluate the effectiveness of the provisions of this Protocol. The Conference of the Parties may consider the adoption of appropriate amendments to this Protocol where necessary in order to achieve its objectives.
2. The Parties shall facilitate the involvement of the local authorities and other stakeholders in the process under paragraph 1.

CHAPTER IV

FINAL PROVISIONS

Article 25

Links between the Carpathian Convention and the Protocol

1. This Protocol constitutes a Protocol to the Carpathian Convention within the meaning of its Article 2 paragraph 3 thereof, and any other relevant articles of the Carpathian Convention.
2. The provisions of Articles 19, 20, 21 paragraphs 2 to 4 and Article 22 of the Carpathian Convention on entry into force, amendment of and withdrawal from this Protocol and on settlement of disputes shall apply mutatis mutandis to this Protocol. Only a Party to the Carpathian Convention may become Party to this Protocol.

Article 26

Reservations

No reservations may be made to this Protocol.

Article 27

Notifications

1. The depositary shall, in respect of this Protocol, notify each Party referred to in the Preamble:
 - a) any signature;
 - b) the deposit of any instrument of ratification, acceptance or approval;
 - c) any date of entry into force;
 - d) any declaration made by a Party or signatory;

- e) any denunciation notified by a Party, including the date on which it becomes effective.
2. In witness whereof, the undersigned, being duly authorized thereto, have signed this Protocol.

Article 28
Signature

1. This Protocol shall be open for signature at the Depositary fromto
2. For Parties which express their consent to be bound by this Protocol at a later date, this Protocol shall enter into force on the ninetieth day after the date of deposit of the instrument of ratification. After the entry into force of an amendment to this Protocol, any new Party to the said Protocol shall become a Party to the Protocol, as amended.

Article 29
Depositary

The Depositary of this Protocol is the Government of Ukraine.

Done at on in one original in the English language.

The original of the Protocol 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 Protocol

For the Government of the Czech Republic

For the Government of Hungary

For the Government of the Republic of Poland

For the Government of Romania

For the Government of the Republic of Serbia

For the Government of the Slovak Republic

For the Government of Ukraine

??? Question for discussion at the WG meeting: is the hypothetically possible construction of a railway across Natura 2000 site, protected area or important habitat more welcomed and less invasive / less fragmenting the habitat than the local road construction ?

Investment process carried out within the NATURA 2000 must meet the same strict environmental criteria irrespective of mode of transport. The same procures must be applied to railway and road projects. Additionally, the decision whether to prefer the railway or road transport belongs to national governments. Having in mind the above, the following modification is proposed: