

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

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 particularly sensitive;

AWARE that development of transportation infrastructure and growing intensity of traffic can cause fragmentation of habitats and bring serious impacts on these ecosystems

Comment [p1]: INSERTED by Vaclav Hlavac (CZ) and Puky Miklos

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

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

Comment [p2]: Puky Miklos suggests to delete: “...transport not fully used.”

AWARE that insufficient 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 [p3]: A. Beckmann (WWF DCP) suggest to delete and insert “...insufficient account...”

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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;

RECOGNIZING that transportation accounts for 28% of green house gas emissions in the EU and is heavily dependent on imports of oil, with the greatest part of emissions generated by road transport (71.3%) and aviation (13.5%), versus 0.7% by rail.¹

RECOGNIZING further that a 60% cut in transport emissions by 2050 versus 1990 levels will be needed among EU member states in order to achieve EU

¹ EEA (2008)

objectives for reducing greenhouse gas emissions in order to mitigate catastrophic climate change as well as limit dependence on foreign energy imports;

ACKNOWLEDGING that transportation development can significantly influence regional and spatial development, both for the better and the worse;

RECOGNIZING that the full costs to society of transportation to society, including in terms of environmental, social and economic costs, are not fully taken into account nor reflected in pricing and decision making;

Comment [MJ4]: Suggested by A Beckmann (WWF DCP)

RECALLING, in particular, the Rio Declaration (Rio, 1992), the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development, the Declaration towards Sustainable Transport in the CEI-countries (New York 1997), the Declaration on Environment and Sustainable Development in the Carpathian and Danube Region (Bucharest, 2011), the Convention on Biological Diversity (Rio de Janeiro, 1992); the Conservation of European Wildlife and Natural Habitats (Bern, 1979); the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar, 1971) and the Convention Concerning the Protection of the World Cultural and Natural Heritage (Paris, 1972), the Vancouver Principles for Sustainable Transport (Vancouver, 1996);

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RECALLING other relevant conventions and agreements, in particular, the Convention on Conservation of Migratory Species of Wild Animals (Bonn, 1979), the European Landscape Convention (Florence, 2000), the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Arhus, 1998);

Comment [p5]: Suggested by A Beckmann (WWF DCP) and further modified by the ISCC in order to keep standard practice with regards to Protocol texts and legal instruments

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;

Deleted: ACKNOWLEDGING relevant international agreements, including the Convention on Biological Diversity, the Ramsar and Bern Conventions as well as the Espoo and Aarhus Conventions; ¶

Comment [MJ6]: ISCC: in order to keep standard practice (no reference to COP decisions in Protocol texts) it is suggested to remove this provision

RECOGNIZING the experience gained in the framework of the Convention on the Protection of the Alps (Salzburg, 1991) and the Transport Protocol experience of Sustainable Transport Coordinated Policy, as well as historical influence of Alpine Transport Infrastructure development on Spatial Planning in the Carpathians

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Comment [MJ7]: Suggested by Dr. Broyde and further modified by the ISCC in line with general practice (see preamble of the Carpathian Convention)

EMPHASIZING the Carpathian Transport Infrastructure role under initiative to explore the possible interconnections and synergies between the two existing

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macro-regional strategies, namely the EU Strategies for the Baltic Sea Region and the Danube Region to ensure on this basis the coherent development of both macro-regions, including infrastructural connections between them, have been proclaimed by the EU Council in the Conclusions of 13/04/2011, item 18/

TAKING INTO ACCOUNT the EU Growth Package for integrated European infrastructures (of 19/10/2011), as well as the UNECE Trans-European network for motorways (TEM) and rail (TER) developments;

Comment [p8]: Suggested by Dr. Broyde

HAVE AGREED AS FOLLOWS:

CHAPTER I

OBJECTIVES, GEOGRAPHICAL SCOPE AND DEFINITIONS

Article 1

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 freight and passenger transport and infrastructure in the Carpathians for the benefit of present and future generations, with the objective to contribute to economic and social development of the region, while avoiding /mitigating negative environmental, and socio-economic impacts of transport and infrastructure development.
2. To achieve the above objectives, the Parties shall therefor cooperate on:
 - a) policies of sustainable transport and infrastructure planning and development, which take into account the specificities of the mountain environment;
 - b) development of 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

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Comment [MJ9]: ISCC: this will be discussed at the next meeting

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Comment [MJ10]: ISCC: Members are invited to provide the secretariat with a suggested order of the cooperation fields

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- c) incorporating sustainable transport demand management in all stages of transport planning in the Carpathians
- d) Development and promotion of environmentally friendly transport models and systems, in particular in environmentally sensitive areas;
- e) avoiding habitat fragmentation caused by transportation infrastructure, as well as maintainance and improvement of ecological connectivity, on the local, national and regional level.
- f) assuring systemic infrastructural functionality of the transport network;
- g) enhancing balanced accessibility to urban, rural, remote areas and tourist destinations;
- h) proper management systems for sustainable transport through coordinated actions;
- i) improving transportation safety;
- j) fostering transnational and transfrontier cooperation in the transport sector agreeing on complementary and the most sustainable solutions.

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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 Depositary.

Article 3 Definitions

For the purposes of this Protocol:

- a) "Best available techniques" (BAT), means the most effective and advanced+ solutions for the development of activities which indicate the practical suitability for utilising energy and resources minimization, providing in principle the basis for limit values designed to prevent and, where that is not practicable, generally to reduce emissions including noise discharges, sewages, radiation)and the impact on the environment as a whole , : "best" means most effective in achieving a high general level of resource conservation and protection of the environment as a whole; "available techniques" means those developed on a scale which allows

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- implementation in the relevant sector, under economically and technically viable conditions, taking into consideration the costs and advantages;
- b) “Conference of the Parties” means the Conference of the Parties to the Carpathian Convention;
 - c) “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;
 - d) “Environmental quality objectives” means objectives which describe the state of Environment to be attained, with due regard for the effects on ecosystems;
 - e) “Ecological connectivity” means
 - f) Environmental friendly transport
 - g) “Environmental quality standards” means specific standards which enable the environmental quality objectives to be met;
 - h) “Environmental quality indicators” means indicators which make it possible to measure or evaluate the present state of the environment and to forecast any change;
 - i) “External costs” 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, the cost of accidents congestions loss of biodiversity/ecosystem goods and services, and the costs of damage to people and property;
 - j) “Intelligent transport system” (ITS), means telematics and all types of communications in vehicles, between vehicles, as well as between vehicles and fixed locations. 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;
 - k) “Intra-Carpathians transport” means transport made up of journeys which points of departure or arrival are inside the Carpathians;
 - l) “Landscape diversity” means the variability among landscapes;
 - m) “Parties” means Parties to this Protocol;
 - n) “Protected area” means a geographically defined area which is
 - o) designated and managed to achieve specific conservation objectives;
 - o) “Restoration” means the return of an ecosystem or habitat to its original structure, natural composition of species, and natural functions;
 - p) “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;
 - q) “Sensitive area” means area that is particularly vulnerable due to its own characteristics (conditioned by factors such as the population density, the topography, the biotopes in the area.) and prone to high environmental impact;

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- r) “Subsidiary body” means a subsidiary body established in accordance with Article 14 paragraph 2(e) of the Carpathian Convention that may include thematic working groups or committees;
- s) “Trans-Carpathians transport” means transport made up of journeys through the Carpathians which points of departure and arrival are outside the Carpathians area;
- t) “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.

Deleted: “Restoration” means the return of structure, species composition and functioning of ecosystem or habitat to its original structure, natural composition of species, and natural functions; close-to-natural state;¶
 <#>“Semi-natural habitat” means a habitat that has been modified and maintained by human activities, but which still maintain natural structure including dominance of native species;¶

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Deleted: “Sustainable transport” means the use of transport with minimal 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, as well as minimisation of specific energy and resources for transporting

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Comment [MJ15]: ISCC: This will be discussed at the next meeting, linked to the issue of “intra-Carpathian transport”

Deleted: “Transboundary protected area” means a continuous an area composed of two or more protected area/areas located within the territories of two or more Parties, adjacent to the state border, each remaining under jurisdiction of respective Party

Comment [LH16]: LUBOS: What is missing here and generally in the protocol, is development of the pan-Carpathian sustainable transport strategy that ... [32]

Comment [f17]: FINKA: Only sectoral? Not integrative? What a ... [33]

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Comment [LH18]: LUBOS: Proposal to replace with “incorporate”

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Comment [LH19]: LUBOS: Proposal to remove “sectoral”.

Comment [p20]: INSERTED by Lubos Halada and Finka

Comment [p21]: INSERTED by Brovde

Comment [p22]: INSERTED by A. Beckmann (WWF DCP)

CHAPTER II

GENERAL OBLIGATIONS

Article 4

Integration of the objectives of sustainable transport and infrastructure development in the Carpathians

1. The Parties shall take into consideration the objectives of this Protocol in their other sectoral integrative 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 into other sectoral policies developed at regional, international, national or global level (e.g. energy production, transfer and conservation, as well as touristic-recreational activity), which could benefit and have influence on the conservation and sustainable use of biological and landscape diversity in Carpathians.
3. In implementing this Protocol, the Parties shall take account of key objectives of other relevant sectoral policies, including the conservation and sustainable use of biological and landscape diversity, forests, water and river basin management and spatial development as well as relevant international agreements that the Parties are signatories to such as the Convention on Biological Diversity, the Bern Convention and the Espoo and Aarhus Conventions.

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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, 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, as well as associated activities of the Carpathians and the resulting measures.
2. Each Party shall take measures to involve from the start all relevant stakeholders, including the regional and local authorities, and other stakeholders in the development and implementation of these policies and measures.
3. The Parties shall follow requirements and obligations in accordance of their international agreements, particularly those which apply to early public participation in decision making, public participation concerning plans, programmes and policies (especially Aarhus Convention and Espoo Convention).
4. In doing so, the Parties commit to observing international standards of stakeholder participation and transparency.

Comment [p23]: INSERTED by Broyde

Comment [p24]: INSERTED by A. Beckmann (WWF DCP)

Comment [p25]: A Beckmann (WWF DCP): "...civic associations and other actors, particularly from the areas of environment, regional development and transportation, in the planning...."

Comment [p26]: INSERTED by Lubos Halada

Comment [p27]: INSERTED by A. Beckmann (WWF DCP)

Article 6

International cooperation

1. The Parties shall encourage active cooperation among the competent institutions and organizations at the international level with regard to promote sustainable transport and infrastructure in Carpathians area.
2. The Parties shall facilitate the cooperation between regional and local authorities in Carpathians at the international level, and seek solutions to shared problems at the most suitable level.
3. The Parties shall encourage active cooperation at international level between governmental institutions responsible for transport, health and environment in accordance with international agreements (THE PEP UNECE).

Comment [A28]: ISCC: This programme (<http://www.unece.org/thepep/en/welcome.html>) included most of European countries and set up goals and ways to reach them, so, I suggest to apply to its findings and conclusions

Comment [p29]: INSERTED by Lubos Halada

CHAPTER III

SPECIFIC MEASURES

Comment [MJ30]: ZN: "Proposals for future cooperation and activities to be jointly undertaken by the Parties are needed here"

Article 7

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General transport-policy strategy

1. Each Party shall undertake to promote rational, safe transport management in a harmonized cross-border network and with the goal of minimizing environmental and social impacts.
2. The Parties shall seek to limit the need for transportation in general by optimizing spatial planning, regional and rural development, optimising inter-modal links, simplifying administrative procedures and promoting full use of Information and Communications Technology.
3. The Parties shall develop a Strategic Plan for development of sustainable mobility across the Carpathian region.
4. The Parties shall move towards full application of “user pays” and “polluter pays” principles and private sector engagement to eliminate distortions, including harmful subsidies, generate revenues and ensure financing for future transport investments.

Comment [p31]: A. Beckmann (WWF DCP) suggests to delete “In order to assure infrastructural functionality...”

Comment [A32]: ISCC: This need to include local people’s right on access to infrastructure, especially important is for those who live in high mountain villages very badly connected with civilization.

Comment [p33]: INSERTED by A Beckmann (WWF DCP)

Comment [p34]: INSERTED by A Beckmann (WWF DCP)

Article 8

Environmental impact of the infrastructural network

1. Each Party must consider the environmental impact minimization as priority from the first steps of infrastructure change planning.
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, and adapt the infrastructure to, 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, in particular for sensitive landscapes areas, avoid the fragmentation of landscape, habitats and populations.
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 and anthropogenic hazards;
 - b) support of sustainable and environment-friendly transport types
 - c) in areas particularly damaged by transport, the protection of Population (?) and of the Environment;
 - d) the use of the BAT (best available technologies) for the construction of transport systems and for transportation;
 - e) to take into account traditional transportation in the regions and support their development/improvement using BAT

Comment [p35]: INSERTED by Puky Miklos

Comment [zn36]: ZBYSZEK: extracted from C. Convention Article 8.1, with a small modification: “for” instead of “,” :-)

Comment [p37]: DELETED by Vaclav.Hlavac (CZ)

Comment [p38]: INSERTED by Vaclav.Hlavac (CZ) and Puky Miklos

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Comment [p39]: INSERTED by Lubos Halada

Comment [p40]: INSERTED by Lubos Halada

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- f) greater transport safety improvement.
5. In case of new, large-scale construction works and major alterations or extensions of existing transport infrastructure, each Party undertakes to carry out advisability studies, environmental impact assessments and risk analyses to evaluate the consequences in the light of the objectives of this Protocol. These documents should be developed in accordance with requirements of Espoo and Aarhus conventions on early public participation at the stage of developing programs, plans and policies
 6. Each Party shall apply, where necessary, risk assessments, appropriate assessments, and environmental impacts assessments, as well as strategic environmental assessments, taking into account the specificities of the Carpathian mountain geo-landscapes and ecosystems, and shall consult with the relevant Parties on projects of transfrontier character in Carpathians, and assess their environmental impact, in order to avoid transboundary harmful effects.
 7. The Parties shall develop best practice guidelines and recommendations on sustainable transportation, including limitation of transportation in general through optimised spatial planning and development, integrated transportation plans, pricing and other economic measures to limit impacts of transportation as well promotion of environmentally friendly modes including walking and cycling.

Comment [p41]: INSERTED by Lubos Halada

Comment [a42]: This refers e.g. to assessments as required under the EU Habitats Directive.

Comment [p43]: INSERTED by Brovde

Comment [p44]: INSERTED by Pukv Miklos

Comment [p45]: INSERTED by A. Beckmann (WWF DCP)

Article 9

Trans European Networks and connectivity

1. When planning and developing new transport infrastructures, Parties shall ensure functionality and compatibility with Trans European Networks (TEN-T), TEM/TER or similar.
2. Each Party shall optimize the permeability of Trans-European infrastructure through an adequate planning of access.
3. For its transport system planning each Party shall take measures 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 [p46]: INSERTED by Brovde

Comment [LH47]: LUBOS: What could be "or similar"? To remove?

Comment [a48]: What is referred to here? Access to the TEN, or permeability e.g. eco-corridors, eco-bridges, etc.?

Article 10

Road transport

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1. Each Party shall take measures for the construction of transport systems and for transportation such as taxation and road fees supporting the use of best available technologies (BAT).
2. Large-capacity road projects for Intra-Carpathians and Trans-Carpathian transport shall be carried out taking regard of and adapt to the special needs of the areas of sensitive landscape, especially those of special interest for nature conservation (particularly protected areas and ecological corridors) and tourism, e.g. where is possible using the by-pass flat routes and approaches.
3. Existing roads need to be examined for safety, sustainability, adequate quality and use.
4. The Parties shall promote the phasing out of 'conventionally-fuelled' vehicles especially from the urban environment in order to significantly contribute to reduction of oil dependence, greenhouse gas emissions and local air and noise pollution, e.g. through development of appropriate fuelling/charging infrastructure for new vehicles.
5. The Parties shall take action to limit traffic volumes, e.g. through demand management and land-use planning.
6. The Parties shall seek to optimize the interface between long distance and last-mile freight transport in order to limit individual deliveries, the most 'inefficient' part of the journey, to the shortest possible route, e.g. through use of Intelligent Transport Systems and low emission urban trucks.

Comment [a49]: Unclearly formulated – not clear what this is getting at.

Comment [p50]: INSERTED by Pukv Miklos

Comment [p51]: INSERTED by A. Beckmann (WWF DCP)

Comment [p52]: INSERTED by Brovde

Comment [p53]: INSERTED By Lubos Halada

Comment [a54]: The EU White Paper on Sustainable Transportation foresees the phasing out of conventionally fueled vehicles from urban areas by 2050.

Comment [p55]: INSERTED by A. Beckmann (WWF DCP)

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 framework 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 undertaking, 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 limit transport emissions, habitat fragmentation and other impacts avoid the fragmentation of habitat, protected areas with high scenic and conservation value and to protect NATURA 2000 sites and

Comment [a56]: What are these? Unclear.

Comment [p57]: INSERTED by A. Beckmann (WWF DCP)

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- species/**habitat types**, each Party shall favor the development of rail over road infrastructure and minimize impact on habitat continuity by optimizing planning of infrastructure and mitigation measures, as well as looking for common Parties solutions for such Carpathian areas bypass.
3. The Parties shall expand or upgrade the capacity of the rail network, including new rolling stock with silent brakes and automatic couplings

Comment [p58]: INSERTED by Pavlína Mejstříková

Comment [p59]: DELETED by A. Beckmann (WWF DCP)

Comment [a60]: The point here is that, while rail is preferable to road in terms of emissions and many aspects of material input, it can nevertheless also result in habitat destruction and fragmentation. So we need to optimize planning of rail as much as road infrastructure.

Comment [p61]: INSERTED by Broyde

Comment [p62]: INSERTED by A. Beckmann (WWF DCP)

Article 12 Waterway transport

1. Parties shall promote a shift in passenger and freight traffic from roads to inland waterways and other more ecologically efficient modes of transport, and integrate inland water transport within intermodal transport systems **when appropriate**. Parties shall promote inland navigation only in case impacts on freshwater ecosystems can be kept to a minimum and integration within intermodal transport systems are ensured.
2. Parties shall promote the use of waterways for tourism development, caring about sustainable use of mountain rivers

Comment [p63]: INSERTED by Pavlína Mejstříková

Comment [p64]: A. Beckmann (WWF DCP): Inland navigation can indeed have less emissions than road transportation, but it can also have very significant impacts on biodiversity and ecosystem services, including provision of drinking water, nutrient removal, tourism and recreation, and flood and water management. So this needs to be handled carefully, otherwise in the rush to reduce emissions we lose much more than we gain.

Another important consideration must be the integration of inland navigation in inter-modal transport systems since most trips will require transfer of freight or passengers from the ship to e.g. a truck or bus in order to reach the final destination. Without good inter-modal connections, investment in inland navigation will be ineffective and wasted.

Comment [A65]: We have in Ukraine dangerous plan on building small hydrostations at the mountain rivers. Would be good if the Protocol will help to protect waterways from such unsustainable constructions.

Comment [p66]: INSERTED by Lubos Halada

Comment [p67]: INSERTED by A. Beckmann (WWF DCP)

Article 13 Air transport

1. The Parties undertake to reduce as far as possible the environmental damage caused by air transport, including aircraft emission and noise, as well as airport and related infrastructure, 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 public transport systems from airports on the Carpathians to the various Carpathians regions so as to be able to satisfy transport demand without further damage to the environment.

Article 14

Non-motorised transportation, including cycling and pedestrian traffic

1. Each Party shall take measures in its national territory with the objective to promote non-motorised transportation, especially cycling and pedestrian traffic.
2. To this end, the Parties shall take measures to promote development of sidewalks, hiking paths and cycling routes; promote inter-modal connections that integrate pedestrian and bicycle traffic, including e.g.

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possibilities to transport bicycles on public transport, including buses or trains; and develop and promote information and communications systems, including via internet and signage, that can facilitate efficient pedestrian and bicycle transportation.

Comment [p68]: INSERTED by A. Beckmann (WWF DCP)

Article 14

Urban and Touristic accessibility

1. Each Party shall take measures in order to reduce bottlenecks near urban and tourist areas, tourist and other transporting associated areas, so to improve the standards of accessibility (e.g. restoration of “Carpathian Tram”).
2. Each Party shall take measures in order to limit negative environmental impact of vehicle emissions and bottlenecks should be reduced 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 cooperate on marketing and promoting the Carpathians 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.
4. The Parties undertake to avoid environmental impacts of new touristic facilities and, if unavoidable, to minimize and compensate any impacts evaluate, in the light of the objectives of this Protocol, the transport impact of new touristic facilities and, if necessary, to take precautionary or compensatory measures to fulfill the objectives of this or other Protocols.
5. The parties shall take measures to reduce/ stop dangerous for environment types of tourism

Comment [f69]: FINKA: Why especially urban and tourist areas? The bottlenecks are outside of this areas as well. e.g. on migration roads from North to South or east-west connection crossing Carpathian mountains.
Proposal: ... to reduce bottlenecks in transport infrastructure, so to improve...

Comment [p70]: INSERTED by Brovde

Comment [p71]: INSERTED by Brovde

Comment [a72]: This seems to partly repeat the previous point. While rail transport has less emissions, in many if not most cases more will be needed to ensure limited-impact accessibility to touristic and urban areas, including integrated and intelligent systems that may involve e.g. buses, trams, rail and cycling and pedestrian traffic.

Comment [p73]: INSERTED by A. Beckmann

Comment [LH74]: LUBOS: proposal to remove “new”.

Comment [f75]: FINKA: what does it mean “new”? potential, already functioning, 5 years.? 10 years? planed?

Comment [p76]: DELETED by A. Beckmann (WWF DCP)

Comment [LH77]: LUBOS: TM: e.g. jeep rallies).

Comment [p78]: INSERTED by Lubos Halada

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 transport modes other than individual motorized road transport.
3. In order to regulate traffic, including for both freight and passengers, each Party shall introduce traffic management and controlling system, also with the support of ITS (Intelligent Traffic System) systems, based on the modern IT (e.g. GIS). Online information and electronic booking and

Comment [p79]: INSERTED by A. Beckmann (WWF DCP)

Comment [p80]: INSERTED by Brovde

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payment systems integrating all means of transport should facilitate efficient multi-modal travel.

Comment [p81]: INSERTED by A. Beckmann (WWF DCP)

4. The Parties shall use standards and indicators in order to measure damage to the environment and health caused by transport and mitigate impacts wherever necessary.

Comment [p82]: INSERTED by A. Beckmann (WWF DCP)

5. The Parties shall support the creations and maintenance of low-traffic areas. In order to reach this goal, traffic and parking limitations shall be enforced in certain areas, while “park and ride” facilities (including shuttle busses and electric vehicles) should be considered and promoted in other areas.

6. The Parties shall support the management of the natural element of the infrastructure (e.g. verges) in ways which maintain and strengthen green infrastructure (i.e. maintain and strengthen the connection among areas of great importance for biodiversity).

Comment [p83]: INSERTED by Puky Miklos

7. Each Party in its national territory shall develop models of environmental-friendly mobility for environmentally sensitive areas.

8. The Parties shall promote and support educational activities on sustainable mobility, using for this education also tourism structures

Comment [LH84]: LUBOS: TM: e.g. education of hotel hosts and guests, tourism agencies etc.

Comment [p85]: INSERTED by Lubos Halada

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Article 16 Safety standards

1. Each Party shall take measures in its national territory with the objective to promote safe, non-motorised transportation, including pedestrian and cycling. Develop sidewalks, hiking and bicycle paths, especially in urban areas, and improve pavement and traffic signs to enhance the safety standards of the road network.
2. Each Party shall take measures in its national territory for reconstruction/ reparation of unsafe roads

Comment [p86]: INSERTED By Lubos Halada

Article 17 Real costs

1. In order to gradually introduce transport-specific charging system, the Parties shall agree to apply 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, including real impacts to the environment
2. The Parties shall also encourage the use of the most environmentally-friendly modes and means of transport.
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.

Comment [p87]: INSERTED by A. Beckmann (WWF DCP)

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CHAPTER IV

IMPLEMENTATION, MONITORING AND EVALUATION

Article 18 *Implementation*

1. Each Party shall undertake appropriate legal and administrative measures for ensuring implementation of this Protocol provisions, and monitoring of these measures effectiveness. Parties shall agree through regular communication and meetings if required a collective systems to record and monitor effectiveness of these measures, to set goals and to report every 3 years including recommendations for improvements and reparation should activities be delayed or overlooked.
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.

Comment [p89]: Pukv Miklos suggest to delete.

Comment [p90]: INSERTED by Pukv Miklos

Article 19 *Education, information and public awareness*

1. The Parties shall promote education, information and awareness raising of the public in support of 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, as well as to promote public acquaintance for wide professional and social public support to this Protocol Strategic Action Plan implementation.

Comment [a91]: There is no real need for the public to know that this protocol even exists. What is needed is information and education to ensure that its objectives are in fact achieved!

Comment [p92]: INSERTED by Brovde

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

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- 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 authorised thereto, have signed this Protocol

Comment [p93]: INSERTED by Zbyszek

For the Government of the Czech Republic

For the Government of Hungary

For the Government of the Republic of Poland

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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

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English (U.K.)		
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means the most effective and advanced solutions		
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which indicate the practical suitability		
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for <u>utilising energy and resources minimization</u> , providing in principle the basis for limit values designed to prevent and, where that is not practicable, generally to reduce emissions <u>including noise discharges, sewages, radiation</u>)and the impact on the environment as a whole		
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<u>(discharges, sewages, wastes, radiation)</u> limit values designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole <u>including ecological functions</u>		
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means most effective in achieving a high general level of <u>resource conservation and</u> protection of the environment as a whole; “available techniques”		
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means those developed on a scale which allows implementation in the relevant		
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sector, under economically and technically viable conditions, taking into consideration the costs and advantages;		
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, 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		
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They lay down (updateable) quality criteria for the protection of the natural and cultural heritage from a material, geographical and time-related viewpoint;		
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ISCC: Members are invited to submit proposals for proper definition		
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ISCC: Members are invited to submit proposals for proper definition

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They determine the objectives applicable to certain parameters, the measuring procedures or the overall requirements;

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are

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al damage

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and biodiversity/as well as ecological damages

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caused by transport;

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Members are invited to submit proposals for proper definition

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include

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(e.g. car-to-car)

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and

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(e.g. car-to-infrastructure)

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, including transport made up of journeys which points of departure and arrival are inside the Carpathians;

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“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

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IN Vancouver Principles for Sustainable Transport SERTED by A. Beckmann

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“Protected area” means a geographically defined area which is designated and managed to achieve specific conservation objectives, including areas designated according to the EU Habitats and Birds Directives^[p1];

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LUBOS: What is missing here and generally in the protocol, is development of the pan-Carpathian sustainable transport strategy that will frame national, regional and local decisions.

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FINKA: Only sectoral? Not integrative? What about European Landscape Convention? Spatial planning is not sectoral policy but integrative!!!! Proposal: into sectoral and integrative policies