

DRAFT Protocol on Sustainable Agriculture and Rural Development 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;
- AWARE of the importance of agriculture and rural development for the Carpathian region in terms of economy, social aspects, environment, natural and cultural heritage;
- CONSCIOUS of the various natural, local resources in the Carpathian Countries, their rural realities and specificity and variety of agricultural practices;
- AIMING at promoting measures and programs, which use the potential of agriculture and rural areas to reduce rural poverty, provide and diversify incomes to local population, sustain the viability of the rural regions and improve the quality of life to attract people to live and produce using local renewable resources in the mountain area;
- IN ACCORDANCE with the provisions of the Carpathian Convention, such as Article 7 on sustainable agriculture and forest management, Article 4 on conservation and sustainable use of biological and landscape diversity, and Article 11 on cultural heritage and traditional knowledge;
- TAKING INTO ACCOUNT the Common Agricultural Policy of the European Union and the goals of achieving food security, improving nutrition and promoting sustainable agriculture of the Sustainable Development Goals (SDGs) for the period of 2015 – 2030;
- ACKNOWLEDGING the endeavours and achievements within the Council of Europe aiming to support socio-economic viable rural areas and maintaining agricultural activities through measures in the framework of European Union’s cohesion policy and specific agri-environment measures, and compensatory payments for agriculture in mountain areas;
- AIMING at contributing to a more effective implementation of existing legal instruments, and building upon international programs;
- TAKING INTO ACCOUNT that the efforts to support and to maintain sustainable development in the agricultural sector, with an integrative approach in the Carpathian

rural areas, cannot be achieved by one country alone, and they require interregional and transnational cooperation;

- AWARE of the challenges related to climate change impacts, such as changes in the frequency and severity of drought, floods, extreme weather events and reduced food and water security;
- RECOGNIZING the needs and interests of mountain farmers and the specificity of agribusiness and livelihoods in the mountain areas;
- AWARE of the many threats coming from impacts of global changes including raising or strengthening existing barriers for processing and selling typical products on global markets;
- RECOGNIZING the diversity of agricultural practices among and within the Carpathian Countries;
- AWARE of the economic, ecological and social importance of ruminant herding and the maintenance and improvement of mountain pastures and meadows;
- RECOGNIZING the potential role of agriculture on prevention of erosion and land degradation and contribution to risk management and its role in the preservation of the quality and quantity of surface and groundwater reservoirs;
- AWARE of the common character of the actual and future challenges for agricultural activities and practices as well as for rural areas and the added value of trans-boundary cooperation in exchanging Carpathian-wide experiences for accessing the global food markets;
- AWARE of the importance of avoiding human depopulation and abandonment of farming in mountain areas by young generations;
- AIMING to cooperate on the sustainable development of agriculture and of rural areas based on local resources to protect traditional practices, knowledge and species, to safeguard cultural landscapes and to improve and promote durable economic progress;
- EMPHASISE and UNDERLINE the importance of lifelong learning in all fields of activity as a precondition that all involved people are able to contribute to sustainable development and a better future;

HAVE AGREED AS FOLLOWS:

Chapter I

Objectives, geographical scope and definitions

Article 1

Objectives and principles

1. In accordance with Article 7 of the Carpathian Convention, the objective of the Protocol on Sustainable Agriculture and Rural Development (hereinafter referred to as “the Protocol”) is to maintain the management of land, traditionally cultivated in a sustainable manner, bringing benefits to present and future generations.
2. In order to achieve the above objective, the Parties shall harmonize and coordinate their efforts for integrated land resource management, enhancing integration of environmental concerns into agricultural policies while improving quality of life, strengthening local economies and communities, and conservation of natural values and cultural heritage.
3. The Parties shall, therefore, cooperate especially on:
 - a) Developing, amending and implementing site specific-rural development strategies characterized by an integrative, inclusive and holistic approach, taking into account the specific conditions of mountains and foothills;
 - b) Ensuring and achieving common policies of promotion of endogenous agricultural and rural development potential in less favoured areas;
 - c) Developing and designing agricultural policies and instruments that integrate environmental concerns;
 - d) Promoting the sustainable and/or extensive agro-environmental practices, land resource management practices and organic production to protect biological and traditional cultural landscape diversity, natural and semi-natural habitats including grasslands and protected areas;
 - e) Promoting the conservation and sustainable use of genetic resources for food and agriculture, local breeds of domestic animals, cultivated plant varieties and crop wild relatives;
 - f) Establishing gene banks for local varieties as well as promoting the propagation and cultivation of these varieties;
 - g) Implementing measures for preserving and promoting traditional farming practices and the related traditional knowledge;
 - h) Supporting local agricultural producers in order to develop short food supply chains which stimulate local economy and increase the retentiveness of the region;

- i) Promoting organic production, local farmer markets, artisan food producers, community supported agriculture and other forms of small-scale sustainable food production;
- j) Improving the conservation of traditional rural architecture, infrastructure and rural arts and crafts including regional inventories of them;
- k) Promoting the diversification of livelihood in rural areas particularly through linking agriculture and tourism, as well as the crafting and marketing of local goods, arts and handicrafts;
- l) Strengthening of formal and informal education, advanced training and qualification including intergenerational learning, access to local public services and advisory service;
- m) Promoting of a Carpathian-wide monitoring of the agricultural and rural areas and their socio-economic development;
- n) Developing and/or promoting coordinated scientific research programs and projects;
- o) Developing a transnational network and knowledge exchange platform;
- p) Integrating the objectives for sustainable development of agriculture and rural areas into other sectorial policies;
- q) Enhancing innovations in rural waste and energy management, and promoting smart energy and waste free solutions and systems.

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

1. “Agritourism” (Farm Tourism, Farm-based tourism, Vacation farms) concerns the stay on a working farm enabling direct interaction between visitors or guests and the farmer/farming family to experience authentic agricultural activities and lifestyle.
2. “Agro-biodiversity” is a sub-set of biodiversity. It is the result of natural selection and inventive breeding developments and the operational practices of farmers, herders and fishers.

3. "Climate smart agriculture" is an integrative approach to address interlinked challenges of food security and climate change that aims at (1) a sustainable increase of productivity, at (2) resilient agricultural and food security systems through climate change adaptation measures and on (3) removing greenhouse gases (mitigation).
4. "Community supported agriculture (CSA)" is a mutual partnership between a farmer and citizens that enable a direct link between the production and consumption of food. Supporters usually cover a farm's yearly operating budget by purchasing a share of the season's harvest. In return, the farm supplies seasonal fresh products.
5. "Conference of the Parties (COP)" means the Conference of the Parties to the Carpathian Convention.
6. "Cultural patrimony" is related to the history of a site and consists usually of both a natural or biological and a cultural patrimony.
7. "Diversification in agriculture" is an important risk management strategy of the farmer to generate additional income based on appropriate conditions on or outside the farm.
8. "Enabling environment" is a set of interrelated conditions – such as legal, organisational, fiscal, informational, political, and cultural – which fosters a sustainable and effective engagement of actor's capacities in development processes.
9. "Endogenous approach" is a new paradigm and a policy concept for endogenous rural development as a symbol for bottom up processes across EU regions for mobilising the locally available natural resources as well as the rural people's potentials.
10. "Extensive farming" is a farming which uses traditional methods, and requires less labour, investments and external inputs like the application of concentrated forage compared to intensive agro-industrial farming practices.
11. "High nature value (HNV) farming and forestry" is a concept that assesses changes in the extent and condition of agricultural operated areas and forestry land with high natural value in relation to a baseline, which refers on both the respective land cover (farmland and forests) and the associated management activities.
12. "Integrated land resource management" means examining all uses of land in an integrated manner to make the most efficient trade-offs and to link social and economic development with environmental protection and enhancement.
13. "Less favoured areas (LFA)" are areas where agricultural production or activity is more difficult because of natural handicaps, e.g. difficult climatic conditions, steep slopes in mountain areas, or low soil productivity.
14. "Natural habitats" means terrestrial or aquatic areas distinguished by geographic, abiotic and biotic features, whether entirely natural or semi-natural.
15. "Observer" means observer defined under Article 14 paragraph 5 of the Carpathian Convention.
16. "Organic production" is an overall system of farm management and food production that combines best environmental practices, a high level of biodiversity, the preservation of natural resources, the application of high animal welfare standards and a production method in line with the preference of certain consumers for products produced using natural substances and processes.

17. "Parties" means Parties to this Protocol.
18. "Protected areas" are defined as a geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.
19. "Rural tourism" means a range of tourism activities which take place in the countryside.
20. "Semi-natural habitats" are habitats characterized by extensive agriculture/crops, low intensity farming systems, low impact agriculture, sustainable agricultural systems, high-nature-value farming, systems/habitats, where traditional agricultural systems with a reduced environmental impact or with a certain importance to wildlife species are applied.
21. "Short food supply chains" are an alternative to globally expanding food chains that emphasize innovative re-organisations of food networks, local farming systems or direct sales that aim at re-connecting producers and consumers and re-localising agricultural and food production.
22. "Sustainable Agriculture and Rural Development (SARD)" is the management and conservation of the natural resource base, and the orientation of technological and institutional change so as to ensure the attainment and continued satisfaction of human needs for present and future generations.
23. "Traditional farming practices" are historically developed agricultural techniques to cope with specific site conditions sustainably to provide sufficient and secure yields based on mixed crops that complement one another.
24. "Value chains" identify the full range of activities that economic units undertake to bring a product or a service from its conception to its end use by final consumers.

Chapter II

General Obligations

Article 4

Policies aiming at maintaining, promoting and sustainably developing the agricultural sector and rural areas

1. Each Party shall update and implement policies in its national territory aiming at the maintenance, promotion and sustainable development of the agricultural sector and rural areas, while taking into consideration whenever possible an integrative and endogenous approach and drawing upon good practices developed and implemented by other Parties. The Parties shall consider and utilize coordinated strategies and measures enhancing and strengthening the sustainable management of agricultural land, especially in High Nature Value (HNV) areas, without prejudice to the vital interests of the populations of mountain communities.

2. The Parties shall promote the exchange of information on best practices between governmental institutions and stakeholders that would enable a sustainable endogenous economic development of rural areas.

Article 5

Integration of the objectives of sustainable development of the agricultural sector and rural areas into sectoral policies

The Parties shall promote the integration of the objectives of sustainable agriculture and rural development into other sectoral policies.

Article 6

Participation of regional and local authorities and other stakeholders

Each Party shall take measures, within its existing institutional framework, to facilitate the involvement, coordination and cooperation between relevant institutions, regional and local authorities, local farmers and other stakeholders concerned in developing and implementing policies and the resulting measures for the sustainable development of agriculture and rural areas with the objective to encourage shared responsibility and to enhance synergies.

Article 7

International cooperation

The Parties shall encourage active cooperation among competent institutions and organizations at international level with regard to sustainable agriculture and rural development in the Carpathians, in order to use their expert knowledge for creating expedient solutions to common problems at the most suitable level.

Chapter III

Specific Measures

Article 8

Implementation of site-specific rural development strategies

1. The Parties shall implement sustainable rural development strategies on national level, which consider the site-specific conditions of mountains and foothills, and less favoured areas.
2. Each Party shall facilitate coordination and cooperation among all relevant stakeholders aiming at creating and enabling socio-economic environment for rural innovation and added value networks, in particular between the agricultural sector

and other economically relevant sectors in rural areas, like the handicraft, trade, industry, infrastructure and tourist sectors, to capitalize endogenous potentials with an integrated territorial approach.

Article 9

Protection and management of traditional cultural landscapes

1. The Parties shall take measures for the protection and management of traditional cultural landscapes of the Carpathians with outstanding traditional features and of high ecological quality, including the presence of valuable mountain ecosystems, natural and/or valuable semi-natural habitats, in particular grasslands, agro-biodiversity, genetic resources, cultivated plant varieties and the related traditional ecological knowledge.
2. The Parties shall support the maintenance and application of traditional, low-intensity agricultural practices and forms of management of cultural landscapes, traditional ruminants grazing.

Article 10

Integrated land resource management

1. Each Party shall take measures to promote, enhance and foster integrated land resource management, taking also into account the provisions of the other Protocols to the Carpathian Convention.
2. The Parties shall take measures to promote the inclusion and integration of climate smart agriculture, risk management and renewable energies within farming and operational practices of farmers.

Article 11

Promotion of extensive farming and organic production

The Parties shall implement measures to promote and foster agricultural practices for extensive farming and organic production in the Carpathians.

Article 12

Traditional knowledge and practices

The Parties shall take measures for the preservation and promotion of traditional farming practices, small agricultural holdings, cultural landscapes, traditional ecological and agricultural knowledge, local breeds of domestic animals and cultivated plant varieties, sustainable use of wild plants and animals, which represent significant economic and social features of the rural cultural patrimony of the Carpathians.

Article 13

Marketing of typical agricultural and rural products and services

1. The Parties shall adopt measures in their territories and also cooperate at international level to improve the local and European-wide marketing and advertising of agricultural and rural products and services, which are typical for the Carpathian region considering the objectives in accordance with Article 11 paragraphs 1 and 2 of the Tourism Protocol.
2. The Parties shall cooperate on the promotion schemes of high quality standards for products from the Carpathian region.
3. Each Party shall adopt measures to promote and enhance horizontal, vertical and cross-sectoral cooperation along the value chains to integrate many regional actors and to attain the maximum degree of processing in the region, in order to enhance the local and regional added value in those regions.
4. Parties shall promote the development of local food markets, shortening the production and distribution chains, supporting the local and regional economy.

Article 14

Promotion of agritourism and diversification

1. The Parties shall promote sustainable rural tourism and agritourism with the objective to create further reciprocal benefits and cooperation between small farmers, gastronomy and accommodations.
2. The Parties shall promote framework conditions for diversification and measures to enable small farmers to provide alternative services at their farms.

Article 15

Prevention of adverse impacts on air, water, soil, landscape and biological diversity

The Parties shall apply the precaution and prevention principles by assessing and taking into consideration possible influences, including cumulative effect, on air, water, soil, landscape and biological diversity of those projects and activities that are likely to have adverse impacts on the Carpathians.

Article 16

Promotion of formal and informal education

1. Each Party shall take measures to create an enabling environment for the promotion of education and intergenerational learning.

2. The Parties shall strengthen cooperation of local and national educational institutions and bodies to extend and to improve education, advanced training and qualification of people from different working areas (“lifelong learning”).
3. Parties shall promote education and communication to raise public awareness on local varieties of cultivated plants and animals and on the advantages of local short food supply systems and raise awareness to improve risk management.

Article 17

Coordinated scientific research and trans-boundary exchange of information and experience

1. The Parties shall cooperate on developing, promoting and harmonizing research programs and projects, which help to achieve the objectives of this Protocol.
2. The Parties shall facilitate international cooperation among the scientific institutions with regard to local and regional horizontal and vertical cooperation in the Carpathians, in particular on the harmonization of monitoring systems, the provision and harmonization of databases, and undertaking common research programs and projects in the Carpathians.
3. The Parties shall promote coordinated regional inventories of agricultural practices and cultural landscapes as well as rural cultural traditions and products in the Carpathians.
4. Each Party shall share information on strategies and policies aiming at sustainable agriculture and rural development in the Carpathians with the other Parties of this Protocol.

Article 18

Common programs and projects

Each Party is encouraged to participate, according to its needs and possibilities, in common programs and projects on activities listed under Article 1 paragraphs 1, 2 and 3 of this Protocol jointly undertaken in the Carpathians by the Parties.

Chapter IV

Implementation, Monitoring and Evaluation

Article 19

Implementation

1. Each Party shall undertake appropriate legal and administrative measures for ensuring implementation of the provisions of this Protocol, monitor and evaluate 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.

Article 20

Awareness raising and access to information

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

Article 21

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 not a Party to this Protocol shall be substituted by a member to be elected by and from 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 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 subsidiary bodies or request for international cooperation with excellent institutions as it is 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 other functions as may be required for the implementation of this Protocol.

Article 22

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 23

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 bodies. 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 not a Party to the Protocol, shall be substituted by a member to be elected by and from the Parties to the Protocol.

Article 24

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 analyse 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 25

Evaluation of the effectiveness of the provisions

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

Chapter V

Final Provisions

Article 26

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 and in accordance with article 7, paragraphs 1, 2 and 6 as well as any other relevant articles of the Carpathian Convention.
2. The Protocol shall be open for signature at the Depositary from ___th of October 2017 to the ___th of October 2018.
3. The provisions of Articles 19, 20, 21 paragraphs 2 to 4 and Article 22 of the Carpathian Convention on amendments, entry into force and withdrawal from the Convention 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 27

Reservations

No reservations may be made to this Protocol.

Article 28
Depositary

The Depositary of this Protocol is the Government of Ukraine

The original of the Protocol shall be deposited with the Depositary, which shall distribute certified copies to all Parties.

Done at _____ on the ___th/nd of _____ 2017, in one original in the English language.

In witness whereof the undersigned, being duly authorised 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

The Government of _____

signs the Protocol on Sustainable Agriculture and Rural Development (SARD) to the Framework Convention on the Protection and Sustainable Development of the Carpathians with the following declaration:

“The Government of _____ declares that it interprets Article 2, paragraph 1 of the Protocol, only according to the provisions of and limitations to the Convention on the Protection and Sustainable Development of the Carpathians, done at Kyiv on the 22nd of May 2003.