

**Protocol on Carpathian Cultural Heritage ~~and Traditional Knowledge~~
to the Framework Convention on the Protection and Sustainable Development of the Carpathians**

CZ: See general comments on the Protocol scope and traditional knowledge.

The Parties to this Protocol

IN ACCORDANCE with their tasks, arising from the Framework Convention on the Protection and Sustainable Development of the Carpathians done in Kyiv on 22 May 2003, 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 11 of the Carpathian Convention;

APPRECIATING the uniqueness, richness and diversity of the Carpathian cultural heritage, which evolved throughout the past centuries of human presence in the Carpathian region under the influence of specific environmental conditions, in interdependence with the natural heritage, and in result of interactions and cultural exchanges between various ethnic groups which settled in this region;

CONVINCED that the richness and diversity of local cultures in the Carpathians are part of the unique values of this region, distinguishing it from other regions of Europe and the World;

NOTING that the Carpathian cultural heritage, in particular its intangible manifestations, is increasingly threatened, also by social transformations and changing economic conditions, the ongoing depopulation process of rural areas particularly concerning mountain areas, and globalization of culture, which might lead to its deterioration, abandonment and disappearance;

CONSIDERING the need to raise awareness at the local, national and international levels of the values and importance of safeguarding the Carpathian cultural heritage;

COMMITTED to preserving and promoting cultural diversity in the Carpathians, as well as to strengthening awareness of the common Carpathian identity, and fostering dialogue and cooperation between Carpathian regions, sub-regions and communities;

*CZ: We suggest including **regions**, as per the Carpathian Convention preamble.*

REAFFIRMING their obligations under the Protocol on Conservation and Sustainable Use of Biological and Landscape Diversity, the Protocol on Sustainable Forest Management, and the Protocol on Sustainable Tourism to the Carpathian Convention relevant to, and being in favour of the preservation and promotion of the Carpathian cultural heritage; NOTING that all Parties to this Protocol are Parties to the Convention concerning the Protection of the World Cultural and Natural Heritage (Paris, 1972), the Convention for the Protection of the Architectural Heritage of Europe (Granada, 1985), the Convention on Biological Diversity (Rio de Janeiro, 1992), the European Landscape Convention (Florence, 2000), and the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (Paris, 2003);

NOTING other relevant conventions and agreements, in particular the European Cultural Convention (Paris, 1954) and the European Convention on the Protection of the Archaeological Heritage (Valetta, 1992);

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

ACKNOWLEDGING the contribution of the local communities and people in the Carpathians to preserving the cultural heritage ~~and traditional knowledge~~, and transmitting such to the next generations for their benefit, and CONVINCED that efforts to preserve and promote the cultural heritage of the Carpathians require international and regional cooperation;

Have agreed as follows:

CHAPTER I OBJECTIVES, GEOGRAPHICAL SCOPE AND DEFINITIONS

Article 1

General objectives

1. The objective of the Protocol on Carpathian Cultural Heritage ~~and Traditional Knowledge~~ (hereinafter referred to as “the Protocol”) is to enhance and facilitate cooperation of the Parties for preserving and promoting the Carpathian cultural heritage, bringing benefits to present and future generations.
2. To achieve the above objectives, the Parties shall harmonize and coordinate their efforts, and cooperate on the identification, documentation, research, conservation, preservation, restoration, revitalization, maintenance, management, education, and awareness raising, exchange of information and experience, capacity building, promotion of the Carpathian cultural heritage ~~and traditional knowledge~~, and its transmission to future generations.

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 territory by making a declaration to the Depositary.

Article 3

Definitions

For the purposes of this Protocol:

- (a) “Carpathian Convention” means the Convention on the Protection and Sustainable Development of the Carpathians, done in Kyiv on 22 May 2003;
- (b) “Carpathian cultural heritage” means the diversity of tangible and intangible cultural assets specific for the Carpathian region, ~~inherited from the past human generations inhabiting the Carpathians~~;

CZ: Tangible and intangible assets inherited from the past human generations do not necessarily cover domestic animals or cultivated plants. What was probably meant here was the traditional way farmers keep animals or cultivate plants in some places. In this sense, it would be better to leave the definition more open and delete the second part.

- (c) “Carpathian cultural landscapes” mean traditional landscape structures, including landscape intentionally created and maintained by men, organically evolved, associative cultural landscapes, which are specific for the Carpathian region or its particular sub-regions, in particular those containing objects of the Carpathian traditional architecture, or resulting from the application of the Carpathian traditional land-use patterns and practices;
- (d) “Carpathian Heritage” means the diversity of natural and cultural and mixed tangible and intangible assets, and their interaction, which serve for maintaining Carpathian unity and identity;
- (e) “Carpathian intangible cultural heritage” means the diversity of beliefs, representations, practices, rituals, ceremonies, expressions, traditional knowledge, skills, ~~dialects and chants~~, music, oral and dance traditions, as well as the accessories, objects, artifacts and cultural spaces associated therewith, which are specific for the Carpathian region, recognized as part of their cultural and spiritual heritage by local communities inhabiting the Carpathians, and providing them with a sense of identity and continuity;

CZ: We suggest sticking to broader definitions, in line with other international instruments such as UNESCO (2003)

- (f) “Carpathian local breeds of domestic animals and cultivated plant varieties” mean breeds of livestock, poultry and other domestic animals as well as cultivars of plants which are either native to the Carpathians or have evolved in the Carpathians as a distinctive breeding or cultivable variety, adapted

to the specific environmental conditions in result of long-term influence of local environmental factors and agricultural practices of the past generations of the local communities inhabiting the Carpathians;

CZ: This definition seems to be more applicable to local landraces, as e.g. local fruit tree varieties, rather than domestic animals. Especially the part “as a distinctive breeding, adapted to the specific environmental conditions in result of long-term influence of local environmental factors and agricultural practices of the past generations of the local communities inhabiting the Carpathians” is too long, complicated and would be more relevant to traditional breeds occurring in developing countries. The mobility of animal breeds of livestock, sheep, goats, poultry and other domestic animals into and out of the Carpathian region is rather high at this time and also the way farmers keep domestic animals undergoes certain changes over time. We propose to have two separate rather simple definitions of terms occurring in Art. 11 of the Convention and used further within this Protocol: (1) - local breeds of domestic animals and (2) local cultivated plant varieties. (1) – means autochthonous or locally adapted animal breeds or populations to the Carpathian region, which are used for food and agriculture and conservation of biological and/ or genetic diversity. (2) – plant varieties, landraces or cultivars autochthonous or locally adapted to the Carpathian region, which are used for food and agriculture and conservation of biological and/ or genetic diversity

- (g) “Carpathian tangible cultural heritage” means the diversity of tangible objects such as sacral and secular constructions, historical monuments, historic towns and towns centers, canals, routes and railways, documents, artifacts, traditional arts, local products and handicrafts, cultural landscapes and sacred natural sites which are specific for the Carpathian region;
- (h) “Carpathian traditional architecture” constitutes part of the tangible Carpathian cultural heritage and means urban and rural architectural arrangements, groups of buildings and architectural objects constructed with the use of traditional skills inherited from the past generations of the local people and communities inhabiting the Carpathians, and traditional materials originating from the Carpathians, following traditional architectural design patterns typical for particular sub-regions of the Carpathians;
- (i) “Carpathian traditional handicrafts” constitute part of the intangible Carpathian cultural heritage and mean craftsmanship using traditional materials, techniques and skills inherited from the past generations of the local people and communities inhabiting the Carpathians, following traditional design patterns typical for particular sub-regions of the Carpathians;
- (j) “Carpathian traditional knowledge” constitutes part of the intangible Carpathian cultural heritage and means a set of information from different spheres of life which constitutes the basis of skills and practices of local people and communities inhabiting the Carpathians, inherited from the past generations;

CZ: The broad definition of “Carpathian traditional knowledge” does not justify why it should be treated separately. Secondly, traditional knowledge has to be defined by its association with specific activities or resources in order to provide clearly defined grounds to the Protocol.

- (k) “Carpathian traditional land-use patterns” mean land-use patterns which are specific for the Carpathian region and result from the application of the Carpathian traditional knowledge, in particular traditional ~~ecological~~ environmental knowledge and agricultural land ~~resource~~ management practices appropriate for the specific environmental conditions, and associated with the Carpathian culture and traditional lifestyle;

*CZ: We suggest replacing “traditional **ecological** knowledge” by environmental which also includes both biotic and abiotic factors. In addition to that we suggest to delete “**resource**” for its redundancy.*

- (l) “Carpathian traditional local products” are part of the tangible Carpathian cultural heritage and mean products which are specific for the Carpathian region and are manufactured in the Carpathians with the use of traditional materials and traditional techniques and skills inherited from the past generations of the local people and communities inhabiting the Carpathians, in particular traditional arts, products of local handicrafts following traditional design patterns typical for particular sub-regions of the Carpathians, and traditional local goods, including agricultural and regional cuisine products utilizing raw materials originating from the Carpathian local breeds of domestic animals and cultivated plant varieties, and from

wild plants and animals traditionally used in the Carpathians acquired in a sustainable manner and in accordance with domestic law.

CZ: Article 3 (i) a (l) “The Carpathian Traditional Crafts“ and “The Carpathian Traditional Local Products“ overlap and seem to be a redundant definition of the same, also overlapping with para g. Therefore it is not clear which definition applies to the Protocol interpretation. We suggest simplifying these definitions. Wild plants and animals should be “...acquired in a sustainable manner and in accordance with domestic law”.

- (m) “Conference of the Parties” means the Conference of the Parties to the Carpathian Convention;
- (n) “Party” means a Party to this Protocol;
- (o) “Preservation of cultural heritage” means undertaking measures aimed at ensuring the viability of the various aspects of the intangible cultural heritage, or ensuring the maintenance of historical, aesthetic, scientific or conservation values by the artifacts, objects and sites constituting the tangible cultural heritage, including identification, documentation, research and protection, as well as revitalization of the various aspects of such heritage;
- ~~(p) “Promotion of cultural heritage” means undertaking measures aimed at promulgation, dissemination and propagation information on cultural heritage, including through formal and non-formal education.~~

CZ: This term is never used in the text again, thus there is no need to define it. In addition to that “promotion” as such is widely understood, unlike the words used to define it above. Formal and non-formal education area also not terms used in the text and are overlapping with awareness raising.

CHAPTER II GENERAL OBLIGATIONS

Article 4

Preservation and promotion of the Carpathian cultural heritage ~~and traditional knowledge~~

1. Each Party shall take appropriate legal, scientific, technical, administrative and financial measures with the objective to ensure the effective preservation and promotion of the Carpathian cultural heritage ~~and traditional knowledge~~ present in its territory, in particular by implementing specific measures indicated under Chapter III of this Protocol, in accordance with the national legislation of the respective Party.
- ~~2. Each Party shall cooperate, as appropriate, while developing, adopting and implementing policies and strategies aiming at the preservation and promotion of the Carpathian cultural heritage and in accordance with the general objectives of this Protocol. ~~and traditional knowledge while taking into consideration policies and strategies adopted and implemented by other Parties.~~~~
- ~~3. The Parties shall cooperate on the harmonization of their policies and strategies for the preservation and promotion of the Carpathian cultural heritage and traditional knowledge, and the resulting measures.~~
- ~~4. Each Party shall assess the effectiveness of its policies, strategies, action plans and site management plans, and measures applied towards the preservation and promotion of the Carpathian cultural heritage and traditional knowledge.~~

CZ: We find these both para 3 and 4 measures unnecessary and suggest their deletion; policy assessment should rather be part of the regular Protocol implementation reporting, as per Art. 27. It is not clear what exactly do the site management plans refer to.

5. Each Party shall take measures with the objective to identify and monitor threats to the Carpathian cultural heritage ~~and traditional knowledge~~ present in its territory, and to work out such operating methods as will make the Party capable of ensuring effective preservation of the Carpathian cultural heritage and traditional knowledge, and preventing, mitigating or counteracting such threats.

CZ: The wording of the para above is not clear and we suggest it to be simplified. Threats can be simply managed. What is meant by “operating methods as will make the Party capable...”? We also disagree with the use of “Party capable of...”

6. The Parties shall cooperate on the preservation and promotion of the Carpathian cultural heritage and traditional knowledge, in particular on:
- (a) establishment of the common Carpathian Cultural Heritage Inventory;
 - (b) preservation of the Carpathian traditional architecture and related traditional knowledge;
 - (c) preservation of the Carpathian cultural landscapes and related traditional knowledge;
 - (d) preservation of the Carpathian traditional land-use patterns and related traditional knowledge;
 - ~~(e) preservation of the Carpathian local breeds of domestic animals and cultivated plant varieties and related traditional knowledge;~~
 - (f) promotion of the Carpathian cultural heritage;
 - (g) promotion of the Carpathian traditional local products, arts and handicrafts;
 - ~~(h) awareness raising, education and transmission of the Carpathian cultural heritage and traditional knowledge;~~
 - (i) scientific research;
 - (j) exchange of information and experience, capacity building.

CZ: We suggest para 6 (e) to be deleted since we are strongly convinced that genetic resources for agriculture should be dealt with in the future sustainable agriculture protocol.

Article 5

Integration of the objectives of preservation and promotion of the Carpathian cultural heritage ~~and traditional knowledge~~ into local, regional, national, and international sectoral policies and strategies

CZ: There is a need for thorough consultations of the Protocol’s objectives with relevant regional authorities as they are supposed to integrate them into their strategies and policies.

1. Each Party shall , as appropriate, take measures encourage integrations of the objectives of preservation and promotion of the Carpathian cultural heritage ~~and traditional knowledge~~ into its other local, regional and national policies, in particular but not limited to nature protection, spatial planning, land and water resources management, agriculture, forestry, transport, infrastructure, tourism, industry, energy and education.

CZ: For the successful implementation of the Protocol, its objectives should also be integrated into local strategic documents (municipalities). Their integration can only be encouraged by the central public administration.

2. The Parties promote the integration of the objectives of preservation and promotion of the Carpathian cultural heritage and traditional knowledge into other international ~~sectoral~~ policies and strategies which could benefit and have influence on the preservation and promotion of the Carpathian cultural heritage and traditional knowledge.

CZ: We strongly recommend reformulating this para.

Article 6

Participation of regional and local authorities, local communities and other stakeholders

CZ: We strongly recommend using and adapting Article 6 of the Sustainable tourism protocol/Biodiversity protocol. Wording of Art. 6., which is too general and does not clearly state the role of non-governmental professional organizations and experts.

1. The Parties shall take measures with the objective to facilitate the supply exchange of information, consultation, coordination and cooperation between the national, regional and local authorities and institutions, scientific and cultural institutions, local communities ~~and~~ associations, and other

stakeholders so as to encourage shared responsibility, in particular to develop and enhance synergies when developing and implementing policies for preservation and promotion of the Carpathian cultural heritage and traditional knowledge, and the resulting measures.

CZ: We suggest reviewing the consistency of using “research” and “scientific institution” in the Protocol. What do the “resulting measures” stand for?

2. The Parties shall endeavour to ensure the widest possible participation of the regional and local authorities, local communities, non-governmental organizations and other stakeholders and, where appropriate, individuals, in the implementation of these policies, and the resulting measures.

CZ: Para 2 overlaps with para 1, mentioning wide participation of all different kinds of stakeholders to implement the policies and resulting measures.

Article 7

Common programs and projects

The Parties shall cooperate on the development of common programs and projects for the preservation and promotion of the Carpathian cultural heritage, in areas listed under Article 1 paragraph 2 and under Article 4 paragraph 6, and participate in such, accordingly to their needs and possibilities.

Article 8

International cooperation

1. The Parties shall encourage and facilitate active cooperation between the regional and local authorities in the Carpathians, UNESCO and other relevant organisations and institutions operating at the international level, with regard to the preservation and promotion of the Carpathian cultural heritage and traditional knowledge.
2. The Parties shall promote ~~the inclusion of items of the Carpathian Cultural Heritage Inventory into relevant UNESCO lists,~~ exchange of relevant experience, and cooperate, where appropriate, on the preparation and submission of joint serial applications.

CZ: Provisions favoring inclusion of certain parts of the Czech Republic into relevant UNESCO lists are not acceptable.

- ~~3. 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.~~

CZ: Para 3 overlaps with para 1 therefor we suggest its deletion.

CHAPTER III SPECIFIC MEASURES

Article 9

Identification and documentation of the Carpathian cultural heritage and traditional knowledge

1. Each Party shall take measures with the objective to identify the various elements of the cultural heritage and traditional knowledge specific for the Carpathians present in its territory, by analyzing, verifying and updating their existing inventories, registers and databases, with the participation of local communities,

scientific and cultural institutions and associations, non-governmental organizations and other stakeholders, and, where appropriate, individuals.

2. Each Party shall take measures with the objective to identify and document the various elements of the Carpathian cultural heritage and traditional knowledge within its territory, and wherever possible and appropriate, shall supplement the use of traditional methods and techniques for acquisition, cataloguing, storage and retrieving of documents and archival materials by the use of ~~progressive contemporary~~, in particular digital ~~technologies techniques~~, with the aim to ensure the safekeeping of these documents and archival materials, and providing public access to such, in accordance with applicable ~~legislation on copyright~~ intellectual property rights and in accordance with personal data protection, by establishing, maintaining and updating digital catalogues, repositories and databases of the Carpathian cultural heritage ~~and traditional knowledge~~, incorporating information and data derived from all publicly available sources.

CZ: replace “copyright“ with: “ ... intellectual property rights and in accordance with personal data protection “. Please, clarify “shall supplement the use of traditional methods”

3. The Parties shall cooperate on harmonizing their methods of documenting the various elements of the Carpathian cultural heritage ~~and traditional knowledge~~, with the aim to ensure the compatibility and interoperability of the catalogues, repositories and databases of the Carpathian cultural heritage ~~and traditional knowledge~~.

Article 10

Inventory of the Carpathian cultural heritage ~~and traditional knowledge~~

1. Each Party shall draw up one or more inventories of the Carpathian cultural heritage ~~and traditional knowledge~~ present in its territory. These inventories shall not be considered exhaustive and shall be regularly updated.
2. The Parties, in order to ensure better visibility of the Carpathian cultural heritage ~~and traditional knowledge~~, awareness of its significance, and to encourage dialogue which respects cultural diversity, shall cooperate on the establishment, updating and maintenance of the Carpathian Cultural Heritage Inventory, as a tool for the identification, preservation and promotion of Carpathian Heritage.
3. The Parties shall cooperate on defining and drawing up the common criteria for nominations and including the elements of the Carpathian tangible and intangible cultural heritage nominated by the respective Party into the Carpathian Cultural Heritage Inventory, for their adoption by the Meeting of the Parties.

CZ: The wording as proposed in Art.10 (3) is unacceptable as the draft does not envisage any expert assessment of nominations to the List as is the case for other international lists. Parties or other bodies of intergovernmental organizations) deciding on inscriptions assume that at their meeting they will have an independent expert opinion available to support their decision. There are no clear inscription rules nor criteria and formal procedures set for inscription in the List.

The proposed wording of Art. 10 (3) brings a high potential risk that the List will be shaped by political opinions of the Parties, rather than on the basis of expert assessment of the value of a particular nomination. As the Czech Republic values the opinions of the general public and professional community, the proposed wording of this article is definitely not acceptable. In this context the wording of Art. 6 is also too general without stating the role of non-governmental professional organizations and experts.

There is a close linkage between Art. 10 and Art. 8 – under the UNESCO procedures nominations are professionally evaluated on the basis of expert opinions.

Article 11

Preservation of the Carpathian traditional architecture

CZ: Potential of Art. 11 to bring innovative approaches to the preservation of the Carpathian traditional architecture should be further explored. Compared to traditional conservationist approach, improving and promoting conditions and possibilities of new functionalities and ways of use of buildings, in line with the requirements on architectural heritage preservation, might also bring new self-financing mechanisms.

1. Each Party shall take measures with the objective to identify, ~~make inventory~~, catalogue and determine ~~the location~~, the current state and degree of preservation of objects of the Carpathian traditional architecture present in its territory, develop and maintain relevant inventories and databases.

CZ: "inventory" appears twice

2. Each Party shall take measures with the objective to assess the values and uniqueness of objects mentioned under paragraph 1, and nominate the most valuable and representative objects for their inclusion into the Carpathian Cultural Heritage Inventory.
3. Each Party shall take measures with the objective to assess the current state and degree of preservation of objects of the Carpathian traditional architecture included into the Carpathian Cultural Heritage Inventory, and in the event of threats to the objects concerned undertake appropriate measures for their rehabilitation at the earliest opportunity.
4. Each Party shall take measures with the objective to ensure effective preservation of objects of the Carpathian traditional architecture included in the Carpathian Cultural Heritage Inventory, in particular by:
 - (a) integrating the preservation of these objects as an essential regional and local planning objective and ensuring that this requirement is taken into account at all stages both in the drawing up of development plans and in the procedures for authorizing work;
 - (b) setting up and implementing management plans, by undertaking measures aimed at the conservation, and, as may be necessary, restoration and revitalization of these objects;
 - (c) promoting support programmes aimed at the conservation and maintenance, and, as may be necessary, restoration and revitalization of these objects;
 - (d) providing for clear legal protective status of these objects, and imposing necessary restrictions.
5. When planning and implementing measures aimed at the conservation, restoration or revitalization of the objects of the Carpathian traditional architecture included in the Carpathian Cultural Heritage Inventory each Party shall foster the application of traditional techniques and skills, and the use of materials originating from the Carpathians.
6. The Parties shall cooperate on the preparation of the common operational guidelines for the preservation of the objects of the Carpathian traditional architecture included in the Carpathian Cultural Heritage Inventory.

Article 12

Preservation of the Carpathian cultural landscapes

CZ: Art. 12 seems not to be in line with the European Landscape Convention as well as with the Czech legislation in force. As it is formulated it is thus unacceptable and has to be thoroughly consulted with all the relevant stakeholders on both regional and central levels.

1. Each Party shall take measures with the objective to identify, delimitate, catalogue, develop maps and spatial visualization of sites harbouring Carpathian cultural landscape structures present in its territory, develop and maintain relevant inventories and databases.
2. Each Party shall take measures with the objective to assess the values and uniqueness of sites mentioned under paragraph 1, and nominate the most valuable and representative sites for their inclusion into the Carpathian Cultural Heritage Inventory.
3. Each Party shall take measures with the objective to assess the current state and degree of landscape preservation in the Carpathian cultural landscape sites included into the Carpathian Cultural Heritage Inventory, identify and monitor threats to their landscape values and quality arising from changes

ongoing in the environment or resulting from human activities, with the use of spatial data analyses and available geoinformatic tools and techniques.

4. Each Party shall take measures with the objective to ensure effective preservation of the Carpathian cultural landscape sites included in the Carpathian Cultural Heritage Inventory, in particular by:
 - (a) integrating the preservation of these sites as an essential regional and local spatial planning objective and ensuring that this requirement is taken into account at all stages both in the drawing up of development plans and in the procedures for authorizing work;
 - (b) setting up and implementing management plans, by undertaking measures aimed at the conservation of these sites, and, as may be necessary, restoration and revitalization of their significant or characteristic landscape features;
 - (c) promoting support programmes aimed at the conservation and maintenance, and, as may be necessary, restoration and revitalization of these sites;
 - (d) providing for clear legal protective status of these sites, and imposing necessary restrictions.
5. When planning and implementing measures aimed at the conservation, restoration or revitalization of the Carpathian cultural landscape sites included in the Carpathian Cultural Heritage Inventory each Party shall foster the application of traditional knowledge, skills and methods of landscape management contributing to the protection of the biological diversity.
6. In a case of transboundary cultural landscape site included into the Carpathian Cultural Heritage Inventory the Parties concerned shall cooperate on the preservation and, if necessary, restoration or revitalization of such landscapes, encourage transboundary cooperation on local and regional level, coordinate and harmonise their efforts and measures applied, and, wherever necessary, prepare and implement joint landscape preservation, restoration or revitalization programmes.
7. The Parties shall cooperate on the preparation of the common operational guidelines for the preservation the Carpathian cultural landscape sites included in the Carpathian Cultural Heritage Inventory.

Article 13

Preservation of the Carpathian traditional land-use patterns

CZ: Art. 13 has to be thoroughly consulted with all the relevant stakeholders on both regional and central levels. Parts related to sustainable agriculture should be dealt with under the Sustainable agriculture protocol.

1. Each Party shall take measures with the objective to maintain the management of land traditionally cultivated in the Carpathians in a sustainable manner, utilizing, as far as possible and as appropriate, the Carpathian traditional ~~ecological~~ environmental knowledge, traditional land-use patterns and land resource management practices associated with the Carpathian culture and traditional lifestyle.
2. Each Party shall incorporate the objective of preservation of the Carpathian traditional land-use patterns, including traditional trails and paths, into their regional and local integrated land management and spatial planning policies.
3. Each Party shall take measures with the objective to encourage and promote the preservation and application of the Carpathian traditional land-use patterns and related traditional ~~ecological~~ environmental knowledge, in particular by supporting educational programmes, for farmers and landowners in the Carpathians.
4. Each Party shall take measures with the objective to maintain and strengthen the interest of local communities and individual farmers in the preservation and application of the Carpathian traditional land-use patterns and related traditional environmental ~~ecological~~ knowledge, by adopting economically and socially sound incentive programs and measures, in particular by entering relevant provisions into agri-environmental schemes where appropriate.
5. The Parties shall cooperate on the preservation of the Carpathian traditional land-use patterns, in particular by facilitating exchanges of information and experience in this respect.

Article 14

~~Preservation of the Carpathian local breeds of domestic animals and cultivated plant varieties~~

CZ: We suggest Art. 14 be deleted since we are strongly convinced that genetic resources for agriculture should be dealt with in the future sustainable agriculture protocol.

- ~~1. Each Party shall take measures with the objective to identify and make inventory the Carpathian local breeds of domestic animals and cultivated plant varieties present in its territory, and assess their current state, use, and potential threats to the viability of populations of these breeds and varieties.~~
- ~~2. Each Party shall take measures with the objective to prevent the substantial decrease in population numbers or the extinction of the Carpathian local breeds of domestic animals and cultivated plant varieties, by elaborating and applying special in situ and ex situ conservation measures for breeds and varieties which are not widespread outside the Carpathian region, not common in the modern large scale agriculture, and considered as potentially threatened by the abandonment of traditional agricultural practices in mountain areas. Such special ex situ conservation measures may in particular include establishing gene repositories, seed banks and nurseries.~~

CZ: Within the Carpathian region of the Czech republic, we have preliminary identified just one local breed of domestic animal used for food and agriculture – Wallachian sheep, however, the population of this breed is actually much bigger outside the relatively small Carpathian region. In addition, particular animals can be of course transferred under certain conditions from one farmer to another and also the related national conservation programme administrated by the Ministry of Agriculture supports all animals regardless of their current location. From these reasons, we would rather delete the part of the sentence above.

- ~~3. Each Party shall take measures with the objective to promote the preservation of the Carpathian traditional local breeds of domestic animals and cultivated plant varieties, in particular by organizing educational and training programmes for farmers in the Carpathians.~~
- ~~4. Each Party shall take measures with the objective to maintain and strengthen the interest of local communities and individual farmers in the continuation of farming of the Carpathian local breeds of domestic animals and cultivated plant varieties, by adopting economically and socially sound incentive programs and measures, in particular by entering relevant provisions into agri-environmental schemes where appropriate.~~
- ~~5. The Parties shall cooperate on the preservation of the Carpathian local breeds of domestic animals and cultivated plant varieties, in particular by facilitating exchanges of information and experience in this respect, and where necessary and appropriate, by providing assistance to the other Party in the breeding of the Carpathian local breeds of domestic animals and cultivated plant varieties.~~

Article 15

Sustainable traditional use of wild plants in the Carpathians

CZ: We suggest Art. 15 to be dealt with in the future sustainable agriculture protocol

- ~~1. Each Party shall take measures with the objective to identify, research and document traditional knowledge and cultural practices related to the use of wild plants in the Carpathians.~~
- ~~2. Each Party shall take measures with the objective to encourage customary use of wild plants in the Carpathians in accordance with traditional cultural practices that are compatible with nature conservation and sustainable use requirements, and promote the wider application of the traditional knowledge related to such use of wild plants.~~
- ~~3. Each Party shall take measures with the objective to assess, prevent and mitigate possible threats to the viability of populations of wild plants traditionally collected in the Carpathians, if necessary by adopting regulations on their collection and trade.~~
- ~~4. The Parties shall cooperate on ensuring the viability of populations of wild plants traditionally collected in the Carpathians, in particular by facilitating exchanges of information and experience.~~

Article 16

Promotion of the Carpathian cultural heritage and traditional knowledge

CZ: We propose Art. 16 to be deleted since the linkage between tourism and cultural heritage is already covered by the Sustainable tourism protocol (Art. 1, 8, 9, 10, 11, 14, 17, 18) and can be further developed under the Sustainable tourism strategy. It also overlaps with other Articles of this Protocol.

- ~~1. Each Party shall take measures with the objective to promote the Carpathian cultural heritage and traditional knowledge as an important element of the common Carpathian identity and asset for sustainable regional and local economic development.~~
- ~~2. Each Party shall take measures with the objective to support the development of cultural tourism in the Carpathians, by promoting tourism products, services and packages which build on the Carpathian cultural heritage, and enhance their promotion and marketing on both the domestic and foreign markets.~~
- ~~3. Each Party shall take measures with the objective to promote the Carpathian cultural heritage and traditional knowledge as an asset for the development of cultural tourism, in particular by supporting the development of thematic cultural routes and trails, linking sites where particular elements of the Carpathian cultural heritage can be experienced, in particular those included in the Carpathian Cultural Heritage Inventory.~~
- ~~4. Each Party shall take measures with the objective to promote the items included in the Carpathian Cultural Heritage Inventory, ensure their clear demarcation, when appropriate, and provision of relevant information on their historical, aesthetic, scientific or conservation values justifying their inclusion into the aforementioned Inventory.~~
- ~~5. The Parties shall cooperate on the promotion of the Carpathian cultural heritage, in particular by the preparation of the common information and promotional materials, organization of joint information and promotional events, performances, festivals and common exhibitions on the Carpathian cultural heritage.~~
- ~~6. The Parties shall cooperate on the promotion of the Carpathian region as the destination for cultural tourism building on the Carpathian cultural heritage, and undertake common marketing efforts in the foreign markets.~~
- ~~7. The Parties shall cooperate on the development of the cultural tourism in the Carpathians, in particular by encouraging, supporting or jointly implementing common projects and initiatives towards cultural tourism development in the Carpathians, such as common tourism products, services and packages which build on the Carpathian cultural heritage, or transboundary tourism programmes including thematic cultural routes and trails.~~

Article 17

Promotion of the Carpathian traditional local products, arts and handicrafts

CZ: The scope measures of Art. 17 should be reformulated. We find a framework type provision more suitable than stipulating detailed and concrete measures which are in addition to that under the shared responsibility of the agriculture and culture sectors. To simplify the implementation we suggest dealing with the traditional agricultural product under the future Sustainable agriculture protocol. Measures related to certification and labeling are already included in the Sustainable Tourism Protocol and its Strategy.

1. Each Party shall take measures with the objective to promote the Carpathian traditional local products, arts and handicrafts, ~~in particular by which may include:~~
 - (a) awarding a regional product label for the Carpathian traditional local products;
 - (b) certification of local producers of the Carpathian traditional local products and craftsmen of the Carpathian traditional handicrafts, and their networks;
 - ~~(c) supporting activities towards registering by the European Commission, where appropriate, the protected designation of origin (PDO) or protected geographical indication (PGI) of the Carpathian traditional local agricultural and regional cuisine products, in particular those utilizing raw materials originating from the Carpathian local breeds of domestic animals and cultivated plant varieties, and wild plants traditionally collected in the Carpathians;~~

CZ: Para 1 - labels and certifications are already dealt with under the Sustainable Tourism Protocol and its Strategy. In any case we believe para 1 should be formulated in rather indicative and non-exhaustive way.

2. Each Party shall take measures with the objective to support local producers of the Carpathian traditional local products, local creators and craftsmen of the Carpathian traditional handicrafts by promoting support programmes targeted at local communities, local producers, local creators, craftsmen, and their networks.

CZ: The para above is repetitive and overlaps with para 1, we suggest rewording it, making it more concise.

- ~~3. Each Party shall take measures with the objective to promote the Carpathian traditional local products, arts and Carpathian traditional handicrafts as assets for sustainable tourism development~~
4. The Parties shall cooperate on developing, adopting and implementing the common policy and measures for the promotion, labeling and certification of the Carpathian traditional local products, local producers, local creators, craftsmen, and their networks.

CZ: Para 3 and 4 are dealt with under the Sustainable tourism protocol and strategy.

Article 18

Awareness raising, education and transmission of the Carpathian cultural heritage and traditional knowledge

CZ: We find this Article too descriptive, not building on the definition in Art. 3 and thus distracting from its own purpose. We would rather expect this Article to focus on measures.

1. The Parties shall take measures with the objective to raise public awareness on Carpathian cultural heritage and ~~respect for tradition~~ at the local, national and international levels, ~~of the values and importance of the preservation of the Carpathian cultural heritage, both as an element of the common Carpathian regional cultural identity and as a source of inspiration and creativity for present and future generations.~~

CZ: We suggest replacing “and respecting for tradition” by on “Carpathian cultural heritage”, as well as to enhance conciseness and clarity by deleting “of the values...”

- ~~2. The Parties shall take measures with the objective to raise awareness on the cultural and spiritual values of the Carpathians.~~

CZ: Art.18 (2) seems to be repeating point (1).

3. Each Party shall ~~take measures with the objective to strengthen appreciation, ensure recognition of, respect for, and increase public interest in the Carpathian cultural heritage and traditional knowledge, in particular by supporting and developing educational, awareness-raising and information programmes, aimed at the general public, with the use of modern progressive communication and promotion methods and techniquesologies.~~

CZ: Strengthening appreciation, ensuring recognition etc. are sub-elements of awareness raising, education is rather used while targeting school children.

4. The Parties shall take measures with the objective to support and strengthen the intangible cultural heritage such as ~~original and living local rituals~~, musical, dance, verbal traditions and traditional ecological environmental knowledge, and ~~other phenomena of the Carpathian intangible cultural heritage, as well as performers of traditional music, singing and dance.~~

CZ: Art. 18 para 4 seems to overlap with Art. 16 para 5 We suggest rewording this point, making it more concise and focused. The expression original and living local ritual is used only once in the Protocol, none of these words is mentioned in Art. 3, thus it might be misleading. We propose to

formulate it rather as measures to support and strengthen transition of Carpathian intangible cultural heritage, with the emphasis performing arts,...

5. ~~Each Party shall take measures with the objective to support the making of the Carpathian traditional musical instruments and promote its makers and making techniques.~~

CZ: Art. 18 para 5 is already included in para 4. In addition to that, Art. 18 para 4 and 5 we suggest a more precise approach, focussing on the support of those traditions and crafts which are included in the National or Regional Lists of the States Parties (in the Czech Republic it is the Representative List of Bearers of Traditional Folk Crafts)

6. ~~Each Party shall take measures with the objective to document the status and changes of the Carpathian intangible cultural heritage.~~

CZ: In our view para 6 is partly overlapping with Art. 19 para 1 and we recommend transfer it there, since its objectives are not clearly linked to the transmission of the cultural heritage rather research.

7. ~~Each Party shall take measures with the objective to enhance and facilitate education on the Carpathian cultural heritage and traditional knowledge within the school curricula, as a way to strengthen the sense of identity and dignity of inhabitants of the Carpathian region.~~

8. ~~Each Party shall take measures with the objective to ensure accurate presentation and interpretation of the Carpathian cultural heritage and traditional knowledge, as well as the quality and authenticity of experience by tourists visiting the Carpathian region, by supporting educational and training programmes targeted at tourist guides and tour operators.~~

CZ: We propose Art. 18 para 8 to be deleted since the linkage between tourism and cultural heritage is already covered by the Sustainable tourism protocol (Art. 1 para 1 and 3, Art. 13 para 2, Art. 17 para 1-3, Art. 18 para 2 (d)) and can be further developed under the Sustainable tourism strategy.

9. ~~Each Party shall take measures with the objective to encourage and support, facilitate strengthen and support the transmission of the Carpathian intangible cultural heritage to the future generations, by developing supporting educational, and training and *inter alia* by intergenerational learning activities programmes targeted at local communities, including intergenerational learning initiatives, aimed at passing of the Carpathian traditional knowledge, techniques and skills, associated with and indispensable for the preservation and continuation of traditional arts, craftsmanship and vanishing occupations, as well as practices related to the Carpathian traditional land use, agriculture and sustainable use of natural resources.~~

CZ: We suggest para 9 to be deleted or reworded in a concise manner in line with Art. 3

10. ~~The Parties shall cooperate on the preparation of the common operational guidelines for the preservation and transmission of the elements of the Carpathian cultural heritage and traditional knowledge included in the Carpathian Cultural Heritage Inventory.~~

CZ: Article 18(10) to be deleted without any substitution due to unclear relation to Article 11(6), Article 12 (7) and Article 17(4)

Article 19

Research on the Carpathian cultural heritage and traditional knowledge

CZ: Art. 19 as currently defined and including broadly defined traditional knowledge does not allow analysis of its benefits, regulatory impact, as well as human and financial resources required for its implementation and thus cannot be accepted.

1. Each Party shall take measures with the objective to foster scientific, artistic and technical studies and research, and to work out such operating methods as will make the Party capable of ensuring effective preservation of the Carpathian cultural heritage and traditional knowledge, and counteracting threats to this heritage.

CZ: We find “scientific, artistic and technical studies and research” unclear as well “working out operating methods as will make the Party...” Para 1 and its objectives are not clearly formulated, we strongly suggest its reformulation.

2. The Parties shall cooperate on coordination and harmonization of research programs and projects which are conducive to achieving the objectives of this Protocol, with the objective to facilitate the pooling and exchange of experience, and the results of research projects.
3. The Parties shall facilitate international cooperation among scientific institutions with regard to preservation and promotion of the Carpathian cultural heritage and traditional knowledge, in particular on the provision and harmonization of databases, exchange and dissemination of scientific research results which are related to the objectives of this Protocol, undertaking common research programs and projects in the Carpathians, initiating and implementing pan-Carpathian research programmes focused on the Carpathian heritage.

CZ: In our view, there is a strong overlapping of para 2 and 3, especially concerning exchange of information, coordination, harmonization and research programs.

Article 20

Exchange of information and experience, capacity building

CZ: The aim of this article is related to the cooperation among the contracting parties, though this is not clear from its title. In addition to that Art. 20 para 1 and 2 overlap with Art. 8 para 1 and 3.

1. The Parties shall exchange information on strategies and policies aiming at the preservation and promotion of the Carpathian cultural heritage and traditional knowledge.
2. The Parties shall cooperate on the exchange of information and experience, and promotion of good practice examples concerning the preservation and promotion of the Carpathian cultural heritage.
3. ~~The Parties shall cooperate on the development of common education and training schemes for the preservation, management and promotion of the Carpathian cultural heritage and traditional knowledge. The Parties shall encourage and support the development of expert networks for the exchange of related expertise, skills and information.~~

CZ: Art. 20 para 3 overlaps with Art. 18 and Art. 19. As it is currently defined and including broadly defined traditional knowledge it does not allow analysis of its benefits, regulatory impact, as well as human and financial resources required for its implementation and thus cannot be accepted.

4. The Parties shall promote mutual technical assistance in the form of exchanges of experience and specialists in the preservation of the Carpathian cultural heritage and traditional knowledge, including those responsible for further training.
5. With the objective to maintain and strengthen the interest and involvement of local communities in the preservation of the Carpathian cultural heritage and traditional knowledge each Party shall take measures aimed at building the capacities of the local communities and non-governmental organizations in the Carpathians for the development and implementation of community projects, using values and resources of the Carpathian cultural heritage and traditional knowledge as assets and advantages for sustainable regional and local socio-economic development.
6. ~~Each Party shall designate or establish one or more research and documentation centers with the appropriate staff and means to discharge their functions to carry out and coordinate research and documentation activities, provide substantive consultation, gather, store, disseminate and popularize information on the Carpathian cultural heritage and traditional knowledge.~~

CZ: Art. 20 para 6 falls under the scope of Art. 19, on research on the Carpathian cultural heritage. We strongly disagree with the commitment to establish a research or documentation center.

7. Each Party shall ~~take measures with the objective to~~ encourage the contribution of the tourism sector to the preservation and promotion of the Carpathian cultural heritage ~~and traditional knowledge, including channeling part of the tourism revenues towards supporting the preservation and promotion of the Carpathian cultural heritage and traditional knowledge, in particular for:~~
- ~~(a) conservation, maintenance, restoration and revitalization of objects of the Carpathian traditional architecture included in the Carpathian Cultural Heritage Inventory;~~
 - ~~(b) conservation, maintenance, restoration and revitalization of the Carpathian cultural landscape sites, included in the Carpathian Cultural Heritage Inventory;~~
 - ~~(c) educational and training programmes aimed at passing of the Carpathian traditional knowledge, techniques and skills, mentioned under Article 18 paragraph 9.~~

CZ: We believe that the linkage between tourism and cultural heritage has been sufficiently dealt with in the Sustainable tourism protocol Art. 1, para 3 (j) and can be further and more effectively developed in the Sustainable tourism strategy for the Carpathians.

CHAPTER IV IMPLEMENTATION, MONITORING AND EVALUATION

Article 21

Implementation

1. Each Party shall undertake appropriate legal, scientific, technical 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, with due consideration of the necessity to support local communities in the area of the Carpathian cultural heritage and traditional knowledge preservation and promotion.

Article 22

Education, information and public awareness

- ~~1. The Parties shall promote the education, information and awareness raising 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.~~

CZ: We suggest deletion of Art. 22 since the education, information and awareness raising etc. is dealt with in the Art. 18 and access of public to the information is dealt with in other legal documents.

Article 23

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 24

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 25

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, 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 26

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 27

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 V FINAL PROVISIONS

Article 28

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 any other relevant articles of the Carpathian Convention.
2. The Protocol shall be open for signature at the Depository from ... to
3. 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 be apply *mutatis mutandis* to this Protocol. Only a Party to the Carpathian Convention may become Party to this Protocol.

Article 29

Reservations

No reservations may be made to this Protocol.

Article 30

Depositary

The Depository 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 Depository, which shall distribute certified copies to all Parties.

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