



# The implementation of the Tourism Protocol to the Alpine Convention

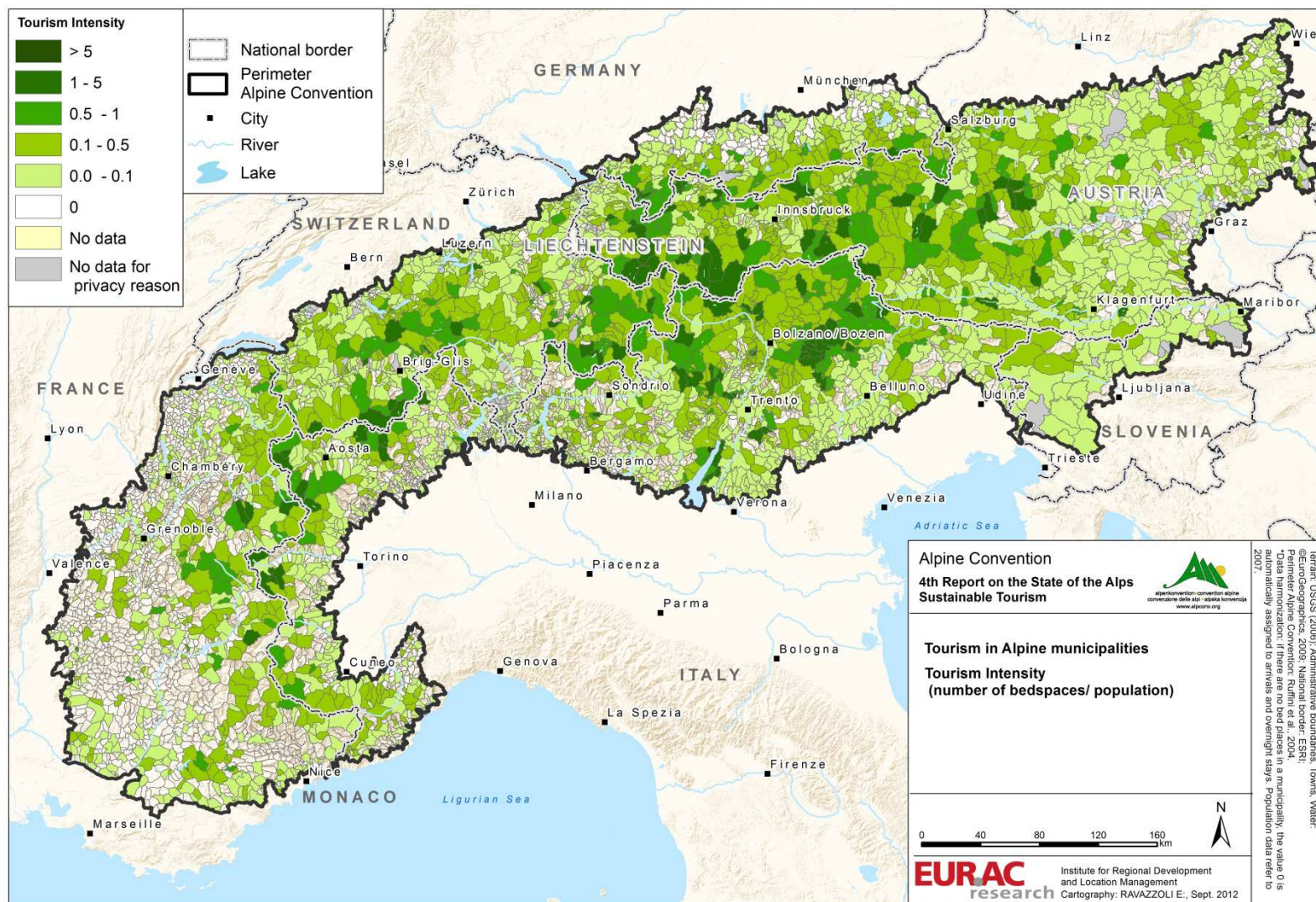
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**Workshop on the implementation of the Protocol on Sustainable Tourism to the Carpathian Convention into national law**

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# Framework Convention

The Contracting Parties shall take appropriate measures in particular in the following areas:

Tourism and recreation with the objective to harmonize tourism and recreational activities with ecological and social requirements by restricting activities harmful to the environment, in particular by establishing quiet areas



# Tourism Protocol

- **Entered into force for all Contracting Parties with the exception of Switzerland**
- **Part of the EU law**
- **Structure**
  - General provisions
  - Specific measures
  - Research, training and information
  - Implementation monitoring and evaluation
  - Final provisions



# Art. 10 Quiet areas





# Art. 13 Tourist traffic and transport





# Art. 14(2) Artificial snow machines







## Art. 15 Sporting activities





# Art. 20 Cooperation between tourism, agriculture, forestry and handicrafts





# Juridical implementation

- **„Legislative“ activities of the Contracting Parties**
- **Administrative decisions and court judgements, funding activities**
- **Monitoring compliance with the obligations assumed by the Contracting Parties**

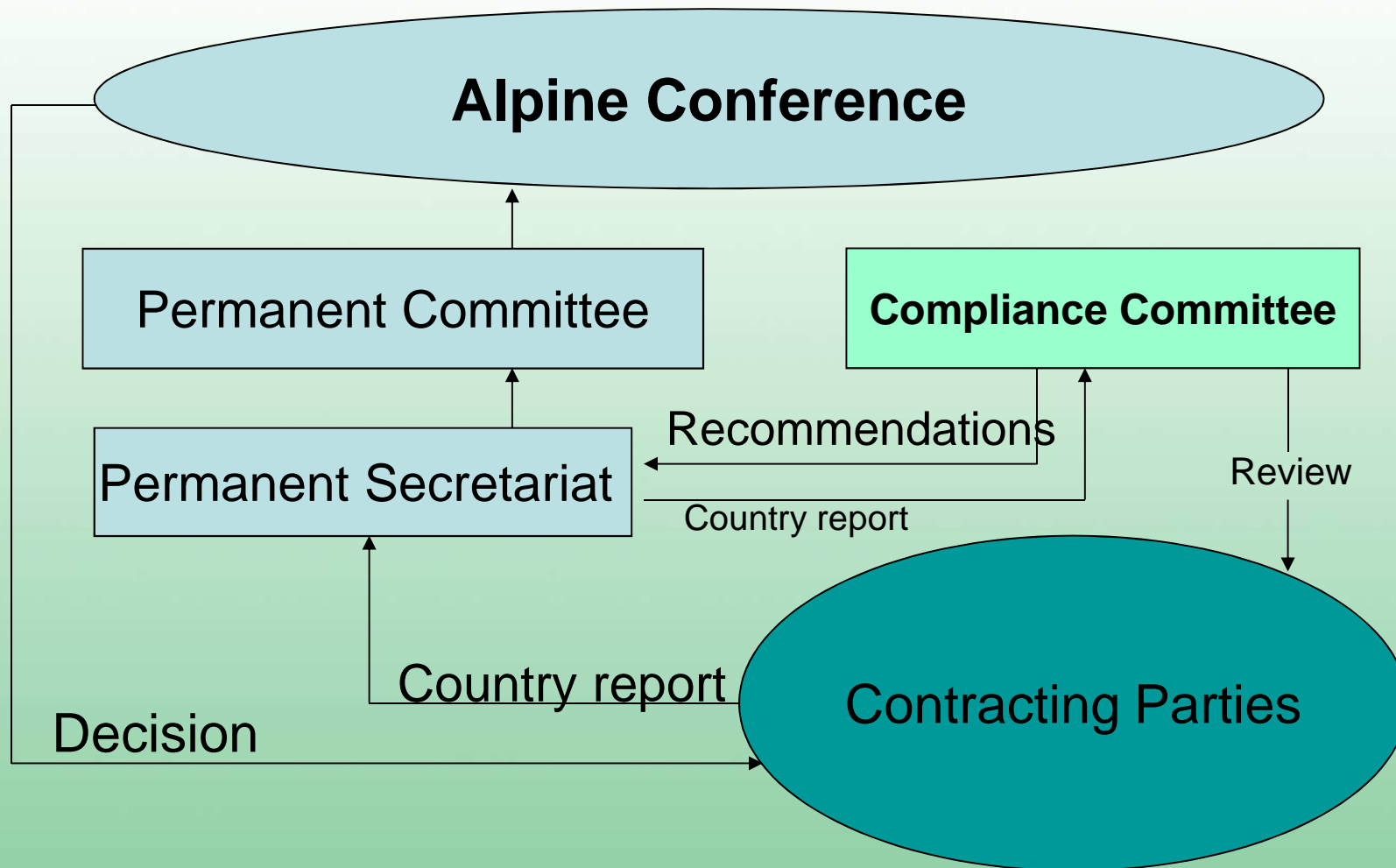


# Compliance mechanism

- **Ordinary procedure**
  - Phase 1 – ordinary procedure
    - Regular reports of the Contracting Parties (mandatory reporting)
  - Phase 2 – In-depth-review
    - Choice of subjects on the basis of the evaluation of the reports of the Contracting Parties
- **Extraordinary procedure**
  - Requests from civil society (observer organisations)
  - Requests from Contracting Parties



# Ordinary procedure





# Compliance Committee – outcomes

## **Alpine Conference: recommendations**

- Advice and support regarding compliance issues
- With consent: enquiries on-the-spot
- Measures supporting cooperation
- Call for a compliance schedule
- Presentation of best practices
- Publication



# Ordinary procedure – phase 1

## Tourism Protocol

- **No major implementation difficulties**, measures taken are quite effective
- Tourism Protocol is implemented in particular through the **existing laws and regulations** as well as through several **good practices**.



# Ordinary procedure – phase 1

## Tourism Protocol

- **Recommendation:** support of eco-friendly tourism through measures strengthening its economic attractiveness (art. 6), avoidance and repair of environmental damage caused by tourist activities and infrastructures, better implementation of provisions regarding use of motorized vehicles and air transport for sporting purposes (art. 15, 16)





# In depth review Tourism Protocol (1)

## Articles selected for in depth review:

- Art. 5(1), 5(2) Tourism Protocol („Managing tourism“)
- Art 6(1), 6(2), 6(3), 6(4) Tourism Protocol („Guidelines for developing tourism“)
- Art 18 Tourism Protocol („Staggering holidays“)
- Art 12(1) Transport Protocol („Air transport“)



# In depth review Tourism Protocol (2)

## **Structure of the final report:**

- General considerations, procedure
- For every of the selected articles:
  - Measures of the Contracting Parties
  - Statements on implementation and effectiveness
  - Statements of the Contracting Parties and Observers
  - Implementation examples
- Conclusions and recommendations



# In depth review

## Tourism Protocol (3)

### Recommendations (examples)

- Art 5(1) Tourism Protocol: Tourism development plans and sectoral programs should be elaborated everywhere in the scope of application of the AC
- Art 6(1) Tourism Protocol: To be considered
  - Development of indicators for eco- and landscape-friendly projects
  - Development of instruments operationalizing the object of legal protection „quality of landscapes“



# In depth review Tourism Protocol (4)

## Recommendations (examples)

- Art 6(2) Tourism Protocol: Innovative projects stimulating environmentally friendly tourism should be specifically supported
- Art 6(4) Tourism Protocol: Existing tourist facilities should be included in sustainability strategies



# Extraordinary procedure Cable car Piz Val Gronda





# Extraordinary procedure Cable car Piz Val Gronda

- **Administrative decisions on regional level**
- **Final report on the request**
- **Guidelines for interpretation of art. 6(3) Tourism Protocol**

„The Contracting Parties undertake that in areas of high touristic usage a balance is pursued between intensive and extensive forms of tourism.“



# Guidelines for interpretation of art. 6(3) Tourism Protocol (1)

- Guidelines shall be taken into account as subsequent agreement between the Parties regarding the interpretation of the treaty (art. 31(3) a VCLT).
- Parties have the obligation to effectively implement art. 6(3) of the Tourism Protocol and to make sure that this provision is complied with in all relevant procedures.



## Guidelines for interpretation of art. 6(3) Tourism Protocol (2)

- The balance between intensive and extensive forms of tourism must be considered when making decisions on the planning, approval and implementation of tourism development projects. In doing so, the Parties have a margin of appreciation and weighting the different interests.





## **Guidelines for interpretation of art. 6(3) Tourism Protocol (3)**

- When development projects are implemented in areas of high touristic usage, the focus should lie in achieving a coexistence of landscapes equipped with the technical infrastructure used for mass tourism with landscapes that have remained in their pristine state as much as possible and are not impaired with tourism infrastructures.



# Compliance mechanism

## Conclusions

- Compliance procedures allow the detection of shortcomings in the implementation of the Protocols
- Progress in establishing „Alpine Convention aquis“ can be attributed in particular to extraordinary compliance procedures (e.g. art 6(3) Tourism Protocol, art 11(1) Nature protection Protocol)
- Observers are a driving force for further developing the Alpine Convention law



# Practical implementation

- **Common projects in the political priority fields at european, national, regional and local levels**
  - Activities of Working Groups and Platforms, statements to european policies, multilateral projects of the Contracting Parties
  - Projects in the framework of the Alpine Space Program of the EU
- **Activities of the Permanent Secretariat**
  - Reports on the state of the Alps, system for the observation and the information on the Alps SOIA
  - Information and communication: [www.alpconv.org](http://www.alpconv.org)
- **Cooperation within networks**
  - Local authorities network « Alliance in the Alps »
  - Association « Alpine town of the year »
  - Alpine network of protected areas « ALPARC »
  - Via Alpina, Alpine Pearls



# Thank you for your attention!

