

TRANSLATION

PROTOCOL

on the implementation of the 1991 Alpine Convention in the field of mountain farming
Mountain Farming Protocol

Preamble

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF AUSTRIA,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE PRINCIPALITY OF LIECHTENSTEIN,

THE PRINCIPALITY OF MONACO,

THE REPUBLIC OF SLOVENIA,

THE SWISS CONFEDERATION,

and

THE EUROPEAN COMMUNITY,

IN ACCORDANCE WITH their task, arising from the Convention on the Protection of the Alps (Alpine Convention) of 7 November 1991, of pursuing a comprehensive policy for the protection and the sustainable development of the Alpine region,

IN COMPLIANCE WITH their obligations under Article 2(2) and (3) of the Alpine Convention,

AWARE that it is incumbent upon them, in the general interest, to preserve and promote the management of traditional countryside and farming which suits local conditions and is environmentally compatible, taking into account the more difficult economic conditions,

RECOGNISING that, by virtue of its wealth of natural resources, water resources, agricultural potential, historical and cultural heritage, value for quality of life and for economic and leisure activities in Europe and the transport routes crossing it, the Alpine region will continue to be of vital importance, particularly for the local population but also for the population of other regions,

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

CONVINCED that it is necessary to balance the economic interests and the environmental requirements, taking account of the specific features of each region and of the central role of farming,

CONSIDERING the importance which farming has always had in the Alpine region and the indispensable contribution which this branch of the economy makes, and will continue to make, particularly in mountain regions, as an essential resource for maintaining an adequate population density, food supply for the population, production of typical high-quality produce, conservation and maintenance of the countryside, particularly for tourism, and, finally, protection of the soil against erosion, avalanches and floods,

RECOGNISING that farming methods and intensity exert a decisive influence on nature and landscapes and that extensively farmed countryside must fulfil an essential function as a habitat for Alpine flora and fauna,

RECOGNISING the fact that the geomorphology and climate of mountain regions create more difficult living and production conditions for farming activity,

CONVINCED that certain problems can only be resolved in a cross-border framework and require joint measures on the part of the Alpine States and, in particular, that economic and social adjustment and accompanying measures should be put in place, at national and European level, so that the future of farmers and their farms in mountain regions is not called into question by the application of exclusively economic parameters,

HAVE AGREED AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

Article 1

Objectives

1. This Protocol lays down international measures to preserve and promote mountain farming which suits local conditions and is environmentally compatible; it aims at recognising and securing the continuity of its essential contribution to maintaining the population and safeguarding sustainable economic activities, particularly by means of producing typical high-quality produce, safeguarding the natural environment, preventing natural risks and conserving the beauty and recreational value of nature and the countryside and of cultural life in the Alpine region.

2. In implementing this Protocol, the Contracting Parties shall seek to optimise all the functions of mountain farming.

Article 2

Taking account of the objectives in other policies

The Contracting Parties undertake to take account of the objectives of this Protocol in their other policies as well.

Article 3

Fundamental obligations in the general economic context

The Contracting Parties agree on the need to adapt agricultural policy at all levels, in accordance with general economic policy, to the requirements for balanced, sustainable development in order to make it possible, within the framework of the given financial policy conditions:

- (a) to encourage, particularly in mountain regions, environmentally compatible farming and its functions in the general interest, as provided for in Article 7 of this Protocol;
- (b) to take significant action against abandonment of mountain regions and to ensure adequate living conditions there, by

means of social and structural policy measures accompanied by a series of agricultural and environment policy measures.

Article 4

Role of farmers

The Contracting Parties agree that, in mountain regions in particular farming has, over the centuries, shaped the countryside, giving it its historical character and cultural value. The essential role played by farmers in conservation of nature and the countryside, today and tomorrow, by virtue of their multiple functions, must therefore be recognised and farmers must be associated in the decisions and measures taken for mountain regions.

Article 5

Participation of regional and local authorities

1. Each Contracting Party shall define, within its institutional framework, the best level of coordination and cooperation between the institutions and regional and local authorities directly concerned so as to encourage solidarity of responsibility, in particular to exploit and develop synergies when applying mountain farming policies and implementing measures under them.

2. The regional and local authorities directly concerned shall be parties to the various stages of preparing and implementing these policies and measures, within their competence and within the existing institutional framework.

Article 6

International cooperation

The Contracting Parties agree:

- (a) to proceed with joint evaluations of the development of agricultural policy and to guarantee reciprocal consultation before adopting any major decision on agricultural policy, for the purposes of implementation of this Protocol;

(b) to secure implementation of the objectives and measures laid down by this Protocol, by means of transfrontier co-operation between all the competent authorities, particularly regional administrations and local authorities;

(c) to encourage exchanges of knowledge and experience and joint initiatives, by means of international cooperation between research and training institutes, agricultural and environmental organisations and the media.

CHAPTER II

SPECIFIC MEASURES

Article 7

Encouragement of mountain farming

1. The Contracting Parties shall seek to differentiate agricultural policy measures at all levels, in accordance with the different local conditions, and to encourage mountain farming, taking account of the local natural handicaps. Support shall be given, in particular, to farms ensuring a minimum of agricultural activity in extreme locations.

2. The contribution which mountain farming makes to the conservation and maintenance of nature and the countryside and to the prevention of natural risks, in the general interest, shall give rise to appropriate compensation, in the framework of contractual agreements linked to identified projects and services going beyond the general obligations.

Article 8

Land use and countryside

1. The Contracting Parties undertake, respecting nature and the countryside, to take account of the particular conditions in mountain areas in the context of planning, zoning, reorganising and improving land use.

2. In order to accomplish its multiple tasks, first, mountain farming must have the land necessary for farming which suits local conditions and is environmentally compatible.

3. In this context, it is necessary to ensure conservation, restoration and use of the traditional components of the countryside (woodland, wooded boundaries, hedges, thickets, wet, dry or low-yield pasture and Alpine pastures).

4. Special measures shall be taken for the conservation of traditional farm buildings and rural architecture and for further use of traditional building materials and methods.

Article 9

Nature-friendly farming methods — Typical produce

The Contracting Parties undertake to adopt all necessary measures with a view to applying common criteria to promote employment and wider use, in mountain areas, of nature-friendly extensive farming methods characteristic of the area and to protect and promote typical farm produce, with distinctive, unique, nature-friendly production methods limited to the locality.

Article 10

Livestock farming suited to local conditions and genetic diversity

1. The Contracting Parties agree that livestock farming suited to local conditions and to the available land is an essential component of mountain farming, both as a source of revenue and as a decisive part of the identity of the countryside and culture. Consequently, livestock farming, including traditional domestic animal husbandry, must be maintained, with its characteristic variety of species and typical produce; such husbandry must be suited to local conditions and to the available land and compatible with the environment.

2. To this end, the necessary farming, pasture and forestry facilities shall be maintained, keeping a balance between pasture and livestock which suits local conditions, in the context of suitable, extensive grassland farming.

3. Measures shall also be adopted to maintain the genetic diversity of livestock and crops, particularly in the field of agricultural research and advisory services.

Article 11

Promotion and marketing

1. The Contracting Parties shall seek to create conditions conducive to the marketing of mountain farm produce, with a view to increasing sales on the spot and making such produce more competitive on national and international markets.

2. Promotion shall take the form, *inter alia*, of guarantees of origin and of quality, allowing protection of producers and consumers alike.

*Article 12***Limitation of production**

In case of limitation of agricultural production, the Contracting Parties shall seek to take account of the specific requirements, in mountain areas, for farming which suits local conditions and is environmentally compatible.

*Article 13***Complementary nature of farming and forestry**

The Contracting Parties agree that the complementary nature and partial interdependence of farming and forestry in mountain areas necessitate an integrated approach. Consequently, they shall encourage:

- (a) forestry compatible with nature both as an additional source of revenue for farms and as a sideline activity for farm workers;
- (b) consideration of the protective, productive and recreational as well as the environmental and biogenetic functions of forests, in relation to farmland, taking account of the specific local conditions and in harmony with the countryside;
- (c) regulation of grassland farming and of the game population, to avoid any intolerable damage to forests and crops.

*Article 14***Additional sources of income**

Recognising the traditional importance of family farms in mountain farming, in order to support family farms as an economic activity, whether principal, secondary or sideline, the Contracting Parties shall encourage the creation and development of additional sources of income in mountain areas, particularly on the initiative and in favour of the local population itself, notably in sectors linked to agriculture, such as forestry, tourism and crafts, in harmony with conservation of nature and the countryside.

*Article 15***Improvement of living and working conditions**

The Contracting Parties shall encourage reinforcement and improvement of the quality of the services indispensable in order to overcome the unfavourable conditions faced by farm and forestry workers in mountain areas in order to link improvement of their living and working conditions to economic and social development in other fields and in other parts of the Alpine region. To this end, the decision-making

criteria must not be purely economic. This shall apply principally to links, to construction and restructuring of housing and farm buildings, and to purchase and maintenance of technical installations and equipment.

*Article 16***Further measures**

The Contracting Parties may take further measures on mountain farming than the measures provided for in this Protocol.

CHAPTER III

RESEARCH, TRAINING AND INFORMATION*Article 17***Research and observation**

1. The Contracting Parties shall encourage and harmonise, in close cooperation, research and systematic observation which are conducive to achieving the objectives of this Protocol.
2. In particular, they shall encourage agricultural research specially targeted on mountain farming which shall be conducted in a manner corresponding as closely as possible to the specific local conditions and shall be taken into account in the process of setting and checking agricultural policy objectives and measures, applying the results obtained to training and technical assistance activities for agriculture.
3. The Contracting Parties shall ensure that the national results of the research and systematic observation are integrated in a joint permanent observation and information system and that they are made accessible to the public under the existing institutional framework.
4. As regards the different mountain areas and taking account of the objectives and measures laid down by this Protocol, the Contracting Parties shall, in particular, establish a comparison of the economic and social situation of mountain farming.
5. The comparison shall be updated periodically and shall contain indications of the issues and the locations posing particular problems, of the effectiveness of the measures put in place and of the measures to be adopted. Priority shall be given to data on demographic, social and economic development, in conjunction with the different geographical, environmental and infrastructure indicators for the areas and definition of criteria corresponding to sustainable, balanced development, as provided for in the Alpine Convention and in this Protocol.

6. In addition, the subjects listed in the Annex shall be considered priorities.

Article 18

Training and information

1. The Contracting Parties shall encourage basic and further training and the provision of information to the public about the objectives, measures and implementation of this Protocol.

2. The Contracting Parties shall encourage, in particular:

(a) further development of basic and further training, technical assistance concerning farming, assistance with business and commercial management, without losing sight of protection of nature and the environment. In general, the training offered shall be structured to favour orientation towards and preparation for other alternative or complementary activities in sectors linked to farming;

(b) ample and objective information not restricted to the persons and administrations directly concerned but reaching, via the media in particular, the broadest public inside and outside the Alpine region to raise awareness of and interest in the functions of mountain farming.

3. In addition, the subjects listed in the Annex shall be considered priorities.

CHAPTER IV

IMPLEMENTATION, MONITORING AND EVALUATION

Article 19

Implementation

The Contracting Parties undertake to ensure the implementation of this Protocol by taking any appropriate measures within the existing institutional framework.

Article 20

Monitoring of compliance with obligations

1. The Contracting Parties shall regularly report to the Standing Committee on measures taken under this Protocol. The reports shall also cover the effectiveness of the measures taken. The Alpine Conference shall determine the intervals at which the reports must be submitted.

2. The Standing Committee shall examine these reports in order to ensure that the Contracting Parties have fulfilled their obligations under this Protocol. It may also ask for additional information from the Contracting Parties concerned or have recourse to other information sources.

3. The Standing Committee shall draw up a report on the compliance of the Contracting Parties with the obligations arising from the Protocol, for the attention of the Alpine Conference.

4. The Alpine Conference shall take note of this report. If it finds that obligations have not been met, it may adopt recommendations.

Article 21

Evaluation of the effectiveness of the provisions

1. The Contracting Parties shall regularly examine and evaluate the effectiveness of the provisions of this Protocol. They shall consider the adoption of appropriate amendments to this Protocol where necessary in order to achieve objectives.

2. The regional and local authorities shall be associated with this evaluation within the existing institutional framework. Non-governmental organisations active in this field may be consulted.

CHAPTER V

FINAL PROVISIONS

Article 22

Links between the Alpine Convention and the Protocol

1. This Protocol constitutes a Protocol to the Alpine Convention within the meaning of Article 2 thereof and any other relevant articles of the Convention.

2. Only Contracting Parties to the Alpine Convention may become a party to this Protocol. Any denunciation of the Alpine Convention also implies denunciation of this Protocol.

3. Where the Alpine Conference discusses matters relating to this Protocol, only the Contracting Parties to this Protocol may take part in the vote.

Article 23

Signature and ratification

1. This Protocol shall be open for signature by the signatory States of the Alpine Convention and the European Community on 20 December 1994 and in the Republic of Austria, as the depositary, from 15 January 1995.

2. This Protocol shall enter into force for the Contracting Parties which have expressed their agreement to be bound by the said Protocol three months after the date on which three States have deposited their instrument of ratification, acceptance or approval.

3. For Parties which express their agreement to be bound by the Protocol at a later date, the Protocol shall enter into force three months after the date of deposit of the instrument of ratification, acceptance or approval. After the entry into force of an amendment to the Protocol, any new Contracting Party to the said Protocol shall become a Contracting Party to the Protocol, as amended.

Article 24

Notifications

The depositary shall, in respect of this Protocol, notify each State referred to in the preamble and the European Community of:

- (a) any signature;
- (b) the deposit of any instrument of ratification, acceptance or approval;

- (c) any date of entry into force;
- (d) any declaration made by a Contracting Party or signatory;
- (e) any denunciation notified by a Contracting Party, including the date on which it becomes effective.

In witness whereof, the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Chambéry on 20 December 1994 in the French, German, Italian and Slovene languages, the four texts being equally authentic, the original text being deposited in the Austrian State archives. The depositary shall send a certified copy to each of the signatory States.

RESEARCH AND TRAINING PRIORITIES PURSUANT TO ARTICLES 17 AND 18**Research**

Definition and classification of mountain areas on the basis of their altitude and of the climate, geomorphologic, economic and infrastructure conditions at different locations.

Verification of the effects of the measures adopted on mountain farming at different political decision-making levels (EU/CAP, States, regions, local authorities) and of the ecological functions (social and environmental compatibility).

Evaluation of the economic, ecological, social and cultural functions of farming and forestry and of their development prospects, in the context of the specific local conditions in different mountain areas.

Methods of production and manufacture, criteria for improvement and quality in farm produce in mountain areas.

Genetic research and technical assistance for differentiated conservation of the diversity of the species of livestock reared and crops grown which suits local conditions and is environmentally compatible.

Training

Technical, scientific and socio-economic assistance and training for farms and for food companies processing their produce.

Technical and economic business management aiming, in particular, at diversification of the supply of products and alternative production and income inside and outside farming.

Technical and financial conditions and effects of application of natural farming and production methods compatible with the environment.

Media, presentation and dissemination of information in line with the direction of public opinion, policy and the economy, inside and outside the Alpine region.

DECLARATIONS ON BEHALF OF THE EUROPEAN COMMUNITY**DECLARATION BY THE EUROPEAN COMMUNITY REGARDING ARTICLES 8 AND 9 OF THE PROTOCOL ON MOUNTAIN FARMING**

The European Community recognises the principle of coexistence as the ability of farmers to choose between conventional, organic and genetically modified crop production, in compliance with the legal obligations for GMO labelling and/or purity standards. The relevant articles of the Protocol on Mountain Farming should be interpreted in this light.

DECLARATION BY THE EUROPEAN COMMUNITY REGARDING ARTICLES 7, 9 TO 11, 13, 14 AND 16 OF THE PROTOCOL ON MOUNTAIN FARMING

The European Community considers that public support measures in favour of certain enterprises must be in conformity with its rules on competition as established on the basis of Articles 36 and 87 to 89 EC, and not distort or threaten to distort competition and affect trade between contracting parties.
