

**PROTOCOL ON THE IMPLEMENTATION OF THE
ALPINE CONVENTION RELATING TO MOUNTAIN
FORESTS**

“MOUNTAIN FORESTS” PROTOCOL

Preamble

The Republic of Austria,

the French Republic,

the Federal Republic of Germany,

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 sustainable development of the Alpine region,
- in compliance with their obligations under Article 2(2) and (3) of the Alpine Convention,
- 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,
- aware that the mountain forests are a form of vegetation that can provide to a territory often far more extensive than just the mountainous areas the most effective and economical protection appropriate for the landscape against natural hazards, particularly erosion, flooding, avalanches, landslips and falling rocks,
- considering that forests absorb carbon dioxide from the atmosphere and, for very long periods, trap the carbon in the woody material in a way that favourably influences the climate,
- aware that mountain forests are indispensable for the regional balance of the climate, for ensuring the quality of the air, and also for providing a water balance,
- bearing in mind the increasing importance of the recreational function of mountain forests for all people,

- considering that mountain forests are a source of renewable raw materials, whose importance is particularly acute in a world of growing consumption of resources, and that they are also of vital significance for employment and income, particularly in the rural areas,
- aware that the mountain forest ecosystems are an important habitat for a variety of plant and animal species,
- convinced that, above all, compliance with the principle of sustainability, traditionally pursued and developed in European forestry systems, assures all the important functions of the forests also to future generations,
- convinced that certain problems can only be resolved in a cross-border framework and require joint measures on the part of the Alpine States,

have agreed as follows:

Chapter I

General Provisions

Article 1

Objectives

1. The purpose of this Protocol is to preserve the mountain forests as an near-natural habitat and, whenever necessary, to develop them or increase their extent and improve their stability. The necessary prerequisite for the effectiveness of the functions stated in the preamble consist of a mountain forest system that is managed in a careful, sustainable fashion, compliant with nature.
2. Specifically, the Contracting Parties undertake to ensure, above all, that:
 - methods of natural reforestation are adopted,
 - the forests are well-structured and graduated, with tree types suited to their location,
 - the forest reproduction material used is indigenous,
 - erosion and compacting of the soil is avoided by ensuring methods of use and collection that comply with the needs of nature.

Article 2

Taking account of the objectives in other policies

The Contracting Parties undertake to also consider the objectives of this Protocol in their other policies. This primarily applies to the following areas:

- a) Air pollution. Air pollution is to be gradually reduced to a level that is not harmful to the forest's ecosystems. This also relates to pollution occurring from cross-border transference of air pollutants.
- b) Populations of hoofed animals. The hoofed animals are to be contained within limits permitting the natural reforestation of the mountains by indigenous trees, without having to take recourse to special protective measures. In the border areas, the Contracting Parties undertake to harmonise their measures for regulating the game animals. To restore a system of natural selection on the hoofed species, and also in the interest of protecting nature, the Contracting Parties shall encourage the reintroduction of predators, to an extent appropriate for the general needs of the region.
- c) Forestry pasture farming. The safeguarding of mountain forests so that they fulfil their functions is to have priority over forest pastures. Forest pastures are therefore to be limited or, if necessary, entirely eliminated, so as to permit the renewal of forests suited to the locations, the prevention of damage to the soil and, above all, the continuation of the forest's protective function.
- d) Recreational usage. The use of mountain forests for recreation is to be managed and, wherever necessary, limited so as to not undermine the conservation and renewal of the forests, taking the needs of the forest's ecosystems into account.
- e) Forestry usage. The Contracting Parties shall promote increasing the use wood from forest plantations in a sustainable fashion, considering the importance of sustainably using the wood for the national economy and for looking after the forests.
- f) Risk of forest fires. The Contracting Parties shall deal with the risk of forest fires by appropriate preventive measures and an efficient fire-fighting system.
- g) Qualified staff. Since it is not possible to apply natural methods to the conservation of the forests aimed at ensuring all the forest's functions without the help of suitably qualified staff, the Contracting Parties undertake to ensure that their staff employed for the purpose is sufficient in number and qualified.

Article 3

Participation of the regional and local authorities

1. Each Contracting Party shall define, within its institutional frame work, 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 potential synergies when applying forestry 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 4

International cooperation

The Contracting Parties undertake:

- a) to conduct joint assessments of the development of the forestry policies, and also to guarantee reciprocal consultation before taking important decisions for implementing this Protocol,
- b) to ensure the achievement of the aims and measures set forth by this Protocol by means of cross-border cooperation between all the competent authorities, particularly between the regional and local authorities,
- c) to promote the exchange of knowledge and experience and embark on joint projects by means of international cooperation between research and education institutes, between the forestry and environment organisations, and also among the media.

Chapter II

Specific Measures

Article 5

Foundations of plans

To achieve the objectives set out by this Protocol, the Contracting Parties shall ensure that all groundwork necessary is done for planning. These include a thorough reconnoitring of the sites and surveys on the functions of the forests, with particular attention to protective functions.

Article 6

Protective functions of the mountain forests

1. For the mountain forests that have a highly protective function for their locations and, especially, for the inhabited areas, for the transport infrastructures, for the farmed lands, etc., the Contracting Parties undertake to give priority to that protective function, focusing the forest's management to that purpose. These forests must be conserved on site.
2. The measures necessary must be planned and implemented with technical expertise with respect to management plans and improvement plans of the forests that provide protective functions, taking into account the objectives of conserving nature and the landscape.

Article 7

Economic function of mountain forests

1. For mountain forests, where the economic function prevails and the regional economic situation makes it necessary, the Contracting Parties undertake to ensure that the mountain forest economy can continue its role as a source of employment and income for the local community.
2. The Contracting Parties shall ensure that reforestation is applied using tree types suited to the sites and that the economic use of the forests is done with care and attention to the soil and the forestry resource.

Article 8

Functions of a social and ecological character of mountain forests

Considering that mountain forests have to provide important functions of a social and ecological nature, the Contracting Parties undertake to adopt measures that ensure:

- their effectiveness for water resources, climate balance, cleaning the air and noise protection,
- their biological diversity,
- the enjoyment of nature and the recreational functions.

Article 9

Access to the forests

The Contracting Parties shall agree that, for the purposes of preventing damage to the forests and for their management and care with natural methods, it will be necessary to take carefully planned and produced actions to ensure access to them, taking account of the needs for the conservation of nature and the landscape.

Article 10

Natural forest reserves

1. The Contracting Parties undertake to mark off natural forest reserves in a sufficient number and size, and also to keep them in a way that protects their natural dynamics for the purpose of research, with the intention of generally suspending any form of exploitation or to adapt it to the purposes of the reserve. The areas are to be selected so as to obtain a representative sample of, if possible, all the mountain forest ecosystems. The indispensable protective function of these forest formations must in any case be maintained.
2. The marking off of natural forest reserves should normally be accompanied by protection secured by long-term contract.
3. The Contracting Parties shall assure the necessary collaboration for planning and defining the cross-border natural forest reserves.

Article 11

Incentives and compensation

1. Considering the unfavourable economic conditions of the Alpine territory and bearing in mind the services of the mountain forest economy, the Contracting Parties shall undertake, within the framework of the existing political and financial conditions and for the period necessary to ensure such services, to provide sufficient incentives to the forestry activities, especially the measures stated in articles 6 to 10.
2. If the services requested on the mountain forest economy exceed those of the obligations of current laws, and their necessity is motivated on the basis of projects, the owner of the forest has the right to compensation commensurate to the services provided.
3. The Contracting Parties undertake to create the instruments necessary for financing the incentive and compensation measures and, when calculating the funds, taking account not just of the economic-political benefits for the entire population, but also the benefits to individuals.

Article 12

Further Measures

The Contracting Parties may take additional measures to those stated in this Protocol for mountain forests.

Chapter III

Research, education and information

Article 13

Research and monitoring

1. The Contracting Parties shall cooperate closely to promote and harmonise research and systematic monitoring programmes which are conducive to achieving the objectives of this Protocol.
2. They shall particularly promote research projects for creating, caring for, protecting and also the services of the mountain forest ecosystem and their functions, as well as scientific projects that enable the international comparison between inventories and surveys of the individual States.
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. They shall conduct surveys that are comparable for the objectives and measures in this Protocol. These surveys must be periodically updated.

Article 14

Education and information

1. The Contracting Parties shall promote education and further training as well as keeping the public informed about objectives, measures and the implementation of this Protocol.
2. They shall provide for discussions and updating of forest owners, in accordance with the contents of this Protocol.

Chapter IV

Implementation, Monitoring and Evaluation

Article 15

Implementation

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

Article 16

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 17

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 take part in this evaluation within the institutional framework. Non-governmental organisations active in this field may be consulted.

Chapter V

Final Provisions

Article 18

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 19

Signature and ratification

1. This Protocol shall be open for signature by the Signatory States of the Alpine Convention and the European Community on 27 February 1996 and from 29 February 1996 in the Republic of Austria as the depositary.
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 20

Notifications

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

- a) each signature,
- b) the deposit of each instrument of ratification, acceptance or approval,
- c) each date of entry into force,
- d) each declaration made by a Contracting Party or signatory,
- e) each 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 Brdo on 27 February 1996 in the French, Italian, Slovene and German 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.

For the Republic of Austria:

For the French Republic:

For the Federal Republic of Germany:

For the Italian Republic:

For the Principality of Liechtenstein:

For the Principality of Monaco:

For the Republic of Slovenia:

For the Swiss Confederation:

For the European Community: