

DECISION OF THE ALPINE CONVENTION ON THE PERMANENT SECRETARIAT OF THE CONVENTION ON THE PROTECTION OF THE ALPS (ALPINE CONVENTION)

Conscious of the importance that is due to the implementation and further development of the Alpine Convention,

Convinced of the prominent role that the Permanent Secretariat will play in this,

In reference to Article 9 of the Alpine Convention and to the establishment of the Permanent Secretariat provided in Decision 7A adopted by the VI Alpine Conference,

The VII Alpine Conference makes the following decision:

A) Official seat of the Permanent Secretariat

The Alpine Conference decides to establish the official seat of the Permanent Secretariat in Innsbruck with a branch office in Bolzano.

The tasks shall be distributed as follows:

In Innsbruck the following tasks shall be fulfilled:

Seat of the Secretary General and location of the political and administrative functions of the Secretariat, especially

- representation of the Secretariat to the outside
- public relations
- political and content-related support to the Presidency

In Bolzano the following functions shall be fulfilled:

- technical/operational function, especially in terms of the System for the Observation of and Information on the Alps (SOIA)

- coordination of Alpine research (e.g. with Bolzano, Grenoble, Innsbruck, Lugano, and Munich)
- translation tasks

The Vice-Secretary General shall assume special responsibility for the Bolzano office.

Activities in Bolzano shall be made possible partially by financial contributions on the part of the Italian Government and by the support of the European Academy of Bolzano.

B) Tasks

1) The Permanent Secretariat shall support the activities of the bodies established by the Alpine Convention.

2) According to the Statute contained in Enclosure I, the following main areas of responsibility reside with the Permanent Secretariat:

- a) content-related, logistical, and administrative support of the implementation of the Alpine Convention and its Protocols;
- b) coordination of research activities, observation, and information related to the Alps;
- c) public relations;
- d) administrative duties and archiving.

C) Right of Proposal

The Permanent Secretariat may within the framework of its responsibilities present to the Permanent Committee proposals as to any issues related to the Alpine Convention and its Protocols.

D) Appointment of the Secretary General, the Vice-Secretary General, and the Secretary General ad interim

1) The head of the Permanent Secretariat is the Secretary General.

2) The Secretary General and the Vice-Secretary General are appointed in accordance with the procedure contained in Enclosure II.

3) As Secretary General ad interim Noel Lebel is appointed; he shall remain in office until the VIII Alpine Conference.

4) In this respect the Ministers shall come to an agreement in accordance with the specifications in Enclosure IV.

E) Privileges and Immunities

1) It is the duty of the Secretary General to reach, acting on behalf of the Permanent Secretariat, a seat agreement with the state that is to provide the Permanent Secretariat with an official seat, and to conclude this agreement after approval by the Alpine Conference.

2) The Permanent Committee is charged with drafting a proposal as to the privileges and Immunities to be granted to the Secretary General, the Vice-Secretary General, and the staff of the Secretariat in the Contracting States of the Alpine Convention outside the state providing the Permanent Secretariat with an official seat.

F) Funding

The funding of the Permanent Secretariat is provided according to the regulations contained in Enclosure III.

G) Final Clauses

1) Internal organisation and the tasks of the Permanent Secretariat are regulated by the Statute contained in Enclosure I.

2) The regulations concerning the Secretary General contained in the present decision apply mutatis mutandis to the Secretary General ad interim.

3) Enclosures I, II, and III are part of the present decision.

ENCLOSURE I

STATUTE OF THE PERMANENT SECRETARIAT

Article 1

Areas of responsibility of the Permanent Secretariat

- 1) The Permanent Secretariat shall fulfil its tasks in accordance with Section B of this decision and in accordance with the regulations hereinafter.
- 2) The Permanent Secretariat shall support the implementation of the Alpine Convention in terms of content-related issues, logistics, and administrative duties. In doing so, it shall fulfil the following functions especially:
 - a) Forwarding the reports generated by the Contracting Parties for the Implementation of the Alpine Convention and its Protocols to the responsible Committee for Reviewing Compliance with the Alpine Convention and its Protocols;
 - b) Supporting the responsible Committee for Reviewing Compliance with the Alpine Convention and its Protocols in generating its reports.
- 3) The Permanent Secretariat is responsible for coordinating research activities as well as observation and information concerning the Alps. In this context it fulfils the following functions:
 - a) central point of coordination for the System for the Observation of and Information on the Alps (SOIA);
 - b) accompaniment of the conducting of surveys and research tasks decided by the Alpine Conference and the Permanent Committee,
 - c) harmonisation of research and observation activities, and of pertinent data collection;

d) Coordination with other international institutions active in the field.

4) The Permanent Secretariat is responsible for public relations. This includes the following tasks especially:

- a) maintenance of the Alpine Convention's websites;
- b) information on activities within the framework of the Alpine Convention;
- c) responding to inquiries on the part of the public;
- d) responding to inquiries submitted by the Contracting Parties;
- e) contact with other international institutions active in the field.

5) The Permanent Secretariat is in charge of administrative duties and archiving. This includes fulfilling the following tasks especially:

- a) preparation and organisation, in coordination with the Presidency of the Alpine Conference, of ordinary and extraordinary meetings of the Alpine Conference (Article 5 Paragraphs 2 and 6 of the Convention), of sessions of the Permanent Committee (Article 8), as well as of meetings of the bodies established by the Alpine Convention if the respective decision by the Alpine Conference or the Permanent Committee provides so;
- b) taking minutes of meetings and sessions of the Alpine Conference and the Permanent Committee, and of sessions within the framework of the bodies established by the Alpine Convention if the respective decision by the Alpine Conference or the Permanent Committee provides so;
- c) ensuring of translation and interpretation into the Official Languages of the Alpine Convention;
- d) keeping of the Archive, and ensuring appropriate access to the documents contained in it;

e) forwarding relevant documents to the Alpine Conference, to the Permanent Committee, and to the other Contracting Parties;

6) Moreover, the Permanent Secretariat is in charge of any areas of responsibility assigned to it according to the Alpine Convention and its Protocols, and by the Alpine Conference.

7) Within the framework of these areas of responsibility, the Permanent Committee may assign specific tasks to the Permanent Secretariat.

Article 2

Constitution of the Permanent Secretariat

1) The Permanent Secretariat is constituted of one Secretary General, one Vice-Secretary General, and four staff members.

2) The Permanent Secretariat may consult external experts.

Article 3

Secretary General

1) The Secretary General shall be appointed in accordance with the regulations contained in Enclosure II of this decision.

2) The Secretary General is the head of the Permanent Secretariat; he/she leads all activities of the Permanent Secretariat and is responsible for them.

3) The Secretary General shall represent the Permanent Secretariat to the outside and is authorised to enter into private law contracts, and to perform further legal acts in line with the respective national legal system which are necessary for fulfilling the responsibilities of the Permanent Secretariat.

4) The Secretary General shall in accordance with Article 6 of the present Statute and the regulations contained in Enclosure III of this decision administrate the funds allocated to the Permanent Secretariat.

5) The Secretary General shall compile an annual report of the activities of the Permanent Secretariat for the attention of the Alpine Conference and the Permanent Committee.

Article 4
Vice-Secretary General

1) The Vice-Secretary General shall be appointed in accordance with the regulations contained in Enclosure II of this decision.

2) The Vice-Secretary General shall support the Secretary General in the fulfilment of his duties and act in place of him/her in case of his/her being prevented.

Article 5
Staff

1) The Secretary General shall hire the staff. In choosing the staff of the Permanent Secretariat, equal consideration of all Official Languages of the Alpine Convention is to be ensured.

Article 6
Financial Administration of the Permanent Secretariat

1) The Secretary General shall draw up an annual budget and balance sheet, and submit them to the Alpine Conference and the Permanent Committee.

2) The Permanent Committee shall review the budget and the balance sheet and forward their possible annotations to the Alpine Conference.

3) The Permanent Committee may at any time entrust an independent agency with the reviewing of the financial administration of the Permanent Secretariat.

4) The Alpine Conference shall approve the budget and the annual balance sheet.

Article 7
Final Clauses

1) The Secretary General, the Vice-Secretary General, and the staff of the Permanent Secretariat are independent in the exercise of their office and may not accept instructions either by the Contracting Parties or third parties.

2) Moreover, the employment relationship between the Permanent Secretariat on the one hand and the Secretary General, the Vice-Secretary General, and the staff on the other hand is subject to the national legislation of the state providing the Permanent Secretariat with a seat unless the seat agreement with this state contains contrary regulations.

ENCLOSURE II

PROCEDURE FOR THE APPOINTMENT OF THE SECRETARY GENERAL AND THE VICE-SECRETARY GENERAL

Article 1 Search for Candidates

- 1) The Contracting Parties shall, based on a common international advertisement and recruitment procedure, conduct a search for candidates on their respective territory. The search for candidates shall follow the principles of transparency and efficiency. The international advertisement and recruitment procedure shall be prepared and conducted under the supervision of the Permanent Secretariat.
- 2) The Permanent Committee may establish a Working Group for shortlisting the most qualified candidates.

Article 2 Appointment

The Alpine Conference shall unanimously appoint one of the candidates presented in accordance with Article 1 Secretary General.

Article 3 Term of Office

The Secretary General shall take office within three months after the Alpine Conference at which he/she was appointed. The term of office has a duration of four years and may be extended by two years once only. To the extension Article 2 of this enclosure applies analogously. The Secretary General shall remain in office until the taking office of his/her successor.

Article 4
Election of the Vice-Secretary General

- 1) The Vice-Secretary General is appointed by the Permanent Committee at the request of the Secretary General. Secretary General and Vice-Secretary General must not be of the same nationality.

- 2) During the appointment procedure it must be ensured that the positions of Secretary General and Vice-Secretary General be not, if possible, newly filled at the same time.

- 3) Moreover, the regulations contained within this enclosure apply analogously to the Vice-Secretary General.

ENCLOSURE III

FUNDING OF THE PERMANENT SECRETARIAT

Article 1

1) The annual budget of the Permanent Secretariat for the years 2003 and 2004 amounts to 800,000 € (Euros) each. This amount may be re-stipulated after presenting a new budget estimate. Every financial year of the Permanent Secretariat begins on 1 January every year.

2) The annual budget as specified in Paragraph 1 is divided into contribution percentages among the Contracting Parties according to the distribution basis represented by the table below:

	Austria (A)	Switzerland (CH)	Germany (D)	France (F)	Liechtenstein (FL)	Italy (I)	Monaco (MC)	Slovenia (S)	
% per state	24.5	14.5	8.5	18	2	26.5	2	4	100
Total amount per state	196,000	116,000	68,000	144,000	16,000	212,000	16,000	32,000	800,000

3) At the request of one or several Contracting Parties this distribution basis may be altered by the Alpine Conference on the occasion of its VII meeting or at a later moment. The distribution basis remains in force until the next, diverging decision of the Alpine Conference.

4) The contributions for the funding of the Permanent Secretariat shall be transferred as soon as possible in order to guarantee its continued functionality.

Article 2

1) Voluntary contributions may be submitted by the Contracting Parties at any time and used for funding specific activities. These contributions may also be accomplished in non-pecuniary form.

2) Contributions must be paid in Euro currency directly into the account of the Secretariat.

Article 3

The annual gross salary of the Secretary General amounts to 70,000 to 100,000 €. The exact amount of his/her payment shall be stipulated by the Permanent Committee after his/her appointment.

Article 4

The salary of the Secretary General shall be stipulated after the conclusion of the seat agreement.

ENCLOSURE IV

Article 1

The Ministers agree on entrusting the French candidate with the function of interim Secretary General of the Alpine Convention.

Italy withdraws its reservation against the implementation mechanism.

The Ministers stipulate that the Vice-Secretary General in office at the same time as the interim Secretary General must be a person of German mother tongue, and one staff member of the Secretariat a person of Slovene mother tongue.

Italy shall fund one expert to work in Bolzano who shall be appointed by Slovenia.