

## **CONVENTIA CADRU PRIVIND PROTECTIA SI DEZVOLTAREA DURABILA A CARPATILOR**

**“Partile”,**

IN CUNOSTINTA de faptul ca, “Carpatii” reprezinta o bogatie naturala unica de mare frumusete si valoare ecologica, un important rezervor al biodiversitatii, zona din care izvorasc rauri principale, reprezinta un habitat si un refugiu esential pentru numeroase specii periclitate de plante si animale si zona naturala cea mai extinsa din Europa acoperita de paduri virgine; CONSTIENTE de faptul ca, “Carpatii” constituie un mediu ecologic, economic, cultural, de agrement si de viata in inima Europei folosit de numeroase popoare si tari;

FIIND CONSTIENTE de importanta si valorile ecologice, culturale si socio-economice ale regiunilor montane, fapt ce a determinat Adunarea Generala a Natiunilor Unite sa declare anul 2002 ca An International al Muntilor; RECUNOSCAND importanta regiunilor montane asa cum este specificat in Capitolul 13 (Dezvoltarea Durabila a Muntilor) al Declaratiei privind Mediu si Dezvoltare (Agenda 21, Rio de Janeiro, 1992) si in Planul de Implementare a Intâlnirii Mondiale la vîrf pentru Dezvoltare Durabila,

REAMINTIND Declaratia pentru Mediu si Dezvoltare Durabila in zona Carpato-Danubiana, adoptata la Intâlnirea la vîrf pentru Mediu si Dezvoltare Durabila in zona Carpato-Danubiana (Bucuresti, 2001);

LUAND IN CONSIDERARE principiile si prevederile pertinente specificate in relevante instrumente legale de mediu, strategii si programe, la nivel global, regional si subregional;

AVAND CA SCOP asigurarea unei implementari efective a unor instrumente existente cum ar fi cele de mai sus si BAZANDU-SE pe alte programe internationale;

RECUNOSCAND, “Carpatii” constituie mediul de viata pentru populatia locala si FIIND CONSTIENTE de contributia populatiei locale la dezvoltarea sociala, culturala si economica durabila si in pastrarea cunostintelor traditionale in Carpati;

IN CUNOSTINTA de importanta cooperarii sub-regionale pentru protectia si dezvoltarea durabila a Carpatilor in contextul procesului “Un mediu pentru Europa”;

RECUNOSCAND experienta castigata in cadrul Conventiei pentru protectia Alpilor (Salzburg,1991) ca un model pentru protectia mediului si dezvoltarea durabila a regiunilor montane, oferind o buna modalitate pentru noi initiative pentru colaborare si pentru intarirea cooperarii intre statele Alpine si Carpatice;

FIIND CONSTIENTE de faptul ca eforturile de protejare, mentinere si administrare durabila a resurselor naturale ale Carpatilor nu pot fi realizate de catre o singura tara si necesita cooperare regionala, precum si de valoarea sporita a cooperarii transfrontiere pentru asigurarea coerentei ecologice;

Au cazut de acord asupra urmatoarelor:

### **Articolul 1 Delimitarea Geografica**

1. Conventia se refera la regiunea Carpati (denumita in continuare “Carpati”), care va fi definita de Conferinta Partilor

2. Fiecare Parte Contractanta poate extinde aplicarea acestei Conventii si a Protoalelor acestia la parti aditionale din teritoriul lor national prin transmiterea catre Depozitar a unei declaratii, cu conditia ca aceasta este necesara pentru implementarea prevederilor Conventiei.

## **Articolul 2**

### **Obiective si Principii Generale**

1. Partile vor urmari realizarea unei politici cuprinzatoare si vor coopera pentru pastrarea si dezvoltarea durabila a Carpatilor, in vederea imbunatatirii calitatii vietii, intaririi economiei si comunitatilor locale si conservarii valorilor naturale si mostenirii culturale.
2. Pentru atingerea obiectivului la care se face referire in paragraful 1, Partile vor lua masuri corespunzatoare in domeniile acoperite de Articolele 4-13 din aceasta Conventie, prin promovarea:
  - a) principiilor precautiei si preventiei
  - b) principiului "poluatorul plateste"
  - c) participarii publicului si implicarii factorilor interesati
  - d) cooperarea transfrontiera
  - e) administrarii si planificarii integrate a resurselor subsolului si a resurselor de apa
  - f) unei abordari programatice si
  - g) abordarea ecosistemica
3. Pentru realizarea obiectivelor prevazute in aceasta Conventie si pentru asigurarea implementarii lor, Partile pot, daca este necesar, sa elaboreze si sa adopte Protoale.

## **Articolul 3**

### **Organizarea integrata a resurselor subsolului**

Partile trebuie sa promoveze organizarea integrata a resurselor subsolului definite ca si in Capitolul 10 al Agendei 21, prin dezvoltarea si implementarea instrumentelor potrivite, ca si planurile de organizare integrata, referitor la aria acestei Conventii.

## **Articolul 4**

### **Conservarea si utilizarea durabila a diversitatii biologice si a peisajelor**

1. Partile vor urmari sa realizeze politici avand ca scop conservarea, utilizarea durabila si refacerea diversitatii biologice si a peisajelor in Carpati. Partile trebuie sa intreprinda masuri adecvate pentru asigurarea unui nivel ridicat al protectiei si utilizarii durabile a habitatelor naturale si semi-naturale, a continuitatii si conectivitatii acestora si a speciilor de flora si fauna care sunt caracteristice regiunii, in special pentru protectia speciilor amenintate, a speciilor endemice Carpatilor si a carnivorelor mari.
2. Partile vor promova sustinerea adecvata a habitatelor seminaturale, restaurarea habitatelor degradate si sustin dezvoltarea si implementarea planurilor de organizare relevante.
3. Partile vor urmari aplicarea masurilor de preventie a introducerii speciilor straine si eliberarii organismelor modificate genetic care ameninta ecosistemele, habitatele sau speciile, controlul sau eradicarea lor.
4. Partile vor dezvolta si/sau promova sisteme de monitoring compatibile, coordona inventare regionale ale speciilor si habitatelor, coordona cercetarea stiintifica, si reteaua lor.

5. Părțile vor coopera în realizarea Rețelei Ecologice Carpatice ca parte constituentă a Rețelei Ecologice Pan-Europene, în stabilirea și sprijinirea Rețeaua Carpatică de ARII Protejate precum și întărirea conservării și organizarea durabilă în afara ariilor protejate.

6. Părțile vor lua măsuri adecvate pentru integrarea obiectivelor de conservare și utilizare durabilă a diversității biologice și a peisajelor în politicile sectoriale, precum agricultura durabilă montană, silvicultura montană durabilă, gospodărirea bazinelor râurilor, turismul durabil, transportul și energia, industria și activitățile miniere.

## **Articolul 5**

### **Planificarea teritorială**

1. Părțile vor urmări politicile de planificare teritorială în vederea dezvoltării durabile a Carpaților, care vor lua în considerare condițiile ecologice și socio-economice specifice Carpaților și ecosistemelor montane ale acestora, furnizând beneficii pentru comunitățile locale.

2. Părțile au în vedere coordonarea pentru planificarea teritoriului în zonele de frontieră, prin dezvoltarea programelor și politicilor de planificare teritorială transfrontiere și/sau regionale, și sprijinind cooperarea între instituțiile relevante regionale și locale din Carpați.

3. În dezvoltarea acestor politici și programe de planificare, trebuie acordată o atenție specială:

- a) transportului transfrontalier, infrastructurii și serviciilor de telecomunicații și energie
- b) conservării și utilizării durabile a resurselor naturale
- c) planificării coerente a orașelor și teritoriului din zonele de granită
- d) prevenirea impactului transfrontalier al poluării
- e) integrarea planificării terenului și evaluarea impactului de mediu

## **Articolul 6**

### **Gospodarirea integrată și durabilă a bazinelor hidrografice**

Partile, luând în considerare particularitățile hidrologice, biologice și ecologice a bazinelor raurilor montane, vor:

a) lua măsuri adecvate pentru promovarea politicilor care integrează utilizarea durabilă a resurselor de apă cu planificarea terenurilor și vor urmări aplicarea de politici și planuri bazate pe o abordare integrată a administrării bazinelor raurilor, recunoscând importanța organizării, prevenirii și controlului poluării și inundatiilor și reducerea fragmentării habitatelor de apă,

b) dezvolta politici care au ca scop gospodarirea durabilă a resurselor de apă de suprafață și subterane, asigurând o aprovisionare adecvată cu apă de suprafață și subterană de bună calitate, necesară pentru utilizarea durabilă, echilibrată și echitabilă a resursei și o canalizare și tratare adecvată a reziduurilor de apă.

c) dezvolta politici care au ca scop conservarea cursurilor naturale de apă, izvoarelor, lacurilor și a resurselor subterane, precum și, conservarea și protejarea zonelor umede și a ecosistemelor de zone umede și protejarea împotriva efectelor daunatoare naturale și antropic, cum ar fi inundatiile și poluarea accidentală a apei.

d) dezvolta în continuare un sistem coordonat sau comun de măsuri, activități și avertizare timpurie privind impactul transfrontier asupra regimului apelor al inundatiilor și poluării accidentale a apei, precum și cooperarea în prevenirea și reducerea daunelor și acordarea de asistență în lucrările de restaurare.

## **Articolul 7**

### **Agricultura si silvicultura durabila**

1. Partile vor mentine, organizarea modului traditional de cultivare a terenurilor, intr-o maniera durabila si vor lua masuri adecate in planificarea si implementarea politicilor agricole, tinand cont de necesitatea protectiei ecosistemelor si a peisajelor montane, importanta diversitatii biologice si conditiile mai putin favorabile din zona montana.
2. Partile vor urmari aplicarea de politici care au ca scop dezvoltarea si stabilirea de instrumente adecate, cum ar fi programele agro-mediu de o importanta cruciala in Carpati, intarind integrarea preocuparilor de mediu in politicile agricole si de planificare a teritoriului si tinand cont de importanta ecologica ridicata a ecosistemelor montane din Carpati cum ar fi pasurile naturale si seminaturale, ca parte a retelelor ecologice si a utilizarii traditionalae a peisajelor si terenurilor.
3. Partile vor urmari politici care au ca scop promovarea si sprijinirea utilizarii instrumentelor si programelor compatibile cu principiile internationale acceptate, de administrare forestiera durabila.
4. Partile vor aplica practicile de management durabil forestier montan in Carpati, tinand cont de multiplele functii ecologice ale padurilor, de importanta ecologica ridicata a ecosistemelor montane carpatici, precum si de conditiile mai putin favorabile din padurile montane.
5. Partile vor urmari politici care au ca scop desemnarea ariilor naturale protejate, in special padurile virgine in numar si marime suficienta, cu scopul de a restrictiona sau adapta utilizarea acestora in conformitate cu indeplinirea obiectivelor de conservare.
6. Partile vor urmari aplicarea de politici ce au ca scop practicarea de masuri forestiere si de agricultura prietenoase fata de mediu, asigurand o retentie corespunzatoare a precipitatilor in munti in vederea unei mai bune preveniri a inundatiilor si a cresterii sigurantei vietii si bunurilor.

## **Articolul 8**

### **Transportul durabil si infrastructura**

1. Partile vor urmari politici durabile de transport si de planificare a infrastructurii care vor tine cont de specificul mediului montan, prin luarea in considerare a protejarii zonelor sensibile, in special a zonelor bogate in biodiversitate si a celor de importanta internationala, a protectiei biodiversitatii si peisajelor si a zonelor cu importanta turistica deosebita.
2. Partile vor urmari sa coopereze in vederea dezvoltarii politicilor de transport durabil care furnizeaza beneficii pentru mobilitatea si accesul in Carpati, minimizand in acelasi timp efectele daunatoare asupra sanatatii umane, peisajelor, plantelor, animalelor si habitatelor acestora, si incorporand cerintele de administrare a transportului durabil in toate etapele de planificare a transportului in Carpati.
3. In zonele sensibile din punct de vedere al mediului, Partile vor coopera in vederea dezvoltarii modelelor de mobilitate prietenoase fata de mediu.

## **Articolul 9**

### **Turismul durabil**

1. Partile vor lua masuri pentru a promova turismul durabil in Carpati, in beneficiul populatiilor locale, pe baza patrimoniului exceptional cultural, peisagistic si natural al Carpatilor si vor spori cooperarea in acest scop.

2. Partile vor urmari dezvoltarea politicilor ce au ca scop promovarea cooperarii transfrontiere in vederea facilitarii dezvoltarii turismului durabil, precum planuri comune de management pentru zonele transfrontiere sau ariile protejate din zona de frontiera si a altor zone de interes turistic.

### **Articolul 10 Industria si Energia**

1. Partile vor urmari politici care sa promoveze tehnologii de productie mai curate, in vederea prevenirii in mod adekvat, raspunsului si remedierii in cazul accidentelor industriale, precum si pastrarii sanatatii oamenilor si a ecosistemelor montane.
2. Partile vor urmari politici menite sa introduca metode de productie, distributie si folosire a energiei care sa minimizeze efectele adverse asupra biodiversitatii si peisajelor, incluzand folosirea surselor regenerabile de energie si masuri de conservare a energiei.
3. Partile vor contribui la reducerea impactului exploatarilor de minereuri asupra mediului si asigurand cele mai bune tehnologii si practici in minerit.

### **Articolul 11 Patrimoniu cultural si cunostintele traditionale**

Partile vor urmari politici care vizeaza promovarea si protectia patrimoniului cultural si a cunostintelor traditionale ale populatiei locale, a producerii si comertului de marfuri locale, obiectele artizanale si de arta. Partile vor urmari pastrarea arhitecturii traditionale specifice, utilizarea terenurilor, raselor locale de animale domestice si a varietatilor de plante cultivate, si utilizarea durabila a plantelor salbatice in Carpati.

### **Articolul 12 Evaluarea mediului/sistemul de informatizare, monitorizarea si avertizarea timpurie**

1. Partile vor aplica, unde este necesar, metode de evaluare a riscurilor, de evaluare a impactului de mediu si evaluari strategice de mediu, tinand cont de specificul ecosistemelor muntilor Carpati si vor lua in considerare proiecte cu caracter transfrontier in Carpati, evaluand impactul acestora asupra mediului, pentru a evita efectele daunatoare transfrontiere.
2. Partile vor elabora politici, utilizand datele de monitorizare si evaluare existente, in scopul promovarii:
  - (a) cooperarii pentru realizarea activitatilor de cercetare si pentru evaluările științifice in Carpati;
  - (b) programelor comune sau complementare de monitorizare, inclusiv monitorizarea sistematica a mediului;
  - (c) standardizarii, complementaritatii si compatibilitatii metodelor de cercetare si activitatilor de achizitie a datelor;
  - (d) armonizarea si dezvoltarea indicatorilor sociali, economici si de mediu, existenti si noi;
  - (e) unui sistem timpuriu de avertizare, monitoring si evaluare a pericolelor si riscurilor de mediu antropice si naturale;
  - (f) un sistem informational, accesibil Partilor.

### **Articolul 13 Cresterea gradului de constientizare, educatie si participare a publicului**

1. Partile vor urmari politici menite sa creasca gradul de constientizare pentru protectia mediului si imbunatatirea accesului publicului la informatii privind dezvoltarea durabila in Carpati, prin realizarea fluxului de informatii si promovarea de programe de educatie specifice in domeniu;

2. Partile vor urmari politicile privind garantarea participarii publicului la luarea deciziilor privind protectia si dezvoltarea durabila a Carpatilor, si implementarea acestei Conventii.

## **Articolul 14**

### **Conferinta Partilor**

1. Conferinta Partilor (numita in cele ce urmeaza "Conferinta") este in acest fel stabilita .
2. Conferinta va discuta probleme comune a Partilor si va lua decizii necesare pentru promovarea implementarii efective a Conventiei. In particular, ea va: .
  - (a) revedea si sprijini in mod regulat implementarea Conventiei si a Protocolelor sale;
  - (b) adopta amendamente la Conventie, in conformitate cu Articolul 19;
  - (c) adopta Protocole, inclusiv amendamentele corespunzatoare, in conformitate cu Articolul 18;
  - (d) nominaliza Presedintele si stabili grupul executiv pentru activitatea dintre sesiuni, in conformitate cu regulile de procedura stabilite;
  - (e) stabili organisme subsidiare, incluzand grupuri de lucru tematice, considerate a fi necesare pentru implementarea Conventiei, revazand in mod regulat rapoartele acestora si acordandu-le consultanta;
  - (f) aproba pentru activitatatile sale un program de lucru, reguli financiare si bugetul necesar, inclusiv pentru organismele subsidiare si secretariat si va realiza aranjamentele necesare pentru finantarea acestora, in conformitate cu Articolul 17;
  - (g) adopta regulile de procedura
  - (h) adopta sau recomanda masuri pentru realizarea obiectivelor prevazute in Articolele 2-13;
  - (i) daca este cazul, va cauta sa coopeze cu organisme sau agentii competente, nationale sau internationale, guvernamentale sau non-guvernamentale si va promova si intari relatiile cu alte conventii relevante, cautand sa evite dublarea esforrilor.
  - (j) exercita acele functii care ar putea fi necesare pentru realizarea obiectivelor Conventiei.
3. Prima sesiune a Conferintei Partilor va fi convocata nu mai tarziu de un an de la data intrarii in vigoare a Conventiei. Sesiunile ordinare vor fi tinute la fiecare trei ani, daca Conferinta Carpatica nu hotaraste altfel.
4. Sesiunile extraordinare ale Conferintei vor fi tinute oricand se va decide fie de catre Conferinta in sesiune ordinara, fie la cererea scrisa a oricarei Parti, cu conditia ca, in termen de trei luni de cand cererea a fost comunicata Partilor de catre Secretariat, sa fie sustinuta de cel putin o treime din Parti.
5. Partile pot decide sa accepte ca observatori la intrunirile ordinare si extraordinare ale Conferintelor:
  - (a) orice alt Stat;
  - (b) orice organizatie nationala guvernamentalala sau non-guvernamentalala ale carei activitati sunt in legatura cu Conventia.Condiitiile pentru admiterea si participarea observatorilor vor fi stabilite in Regulile de Procedura. Acesti observatori pot prezenta orice observatie sau raport relevant pentru obiectivele Conventiei.
6. Conferinta Carpatica va lua decizii prin consens.

## **Articolul 15**

### **Secretariat**

1. Un Secretariat este stabilit prin aceasta.
2. Functiile acestuia vor fi:
  - (a) sa faca planuri pentru sesiunile Conferintei si sa furnizeze serviciile cerute,

- (b) sa compileze si sa transmita rapoartele inaintate catre acesta,
- (c) sa coordoneze activitatile sale cu ale secretariatelor altor organizatii si conventii relevante
- (d) sa pregeasca rapoarte privind exercitarea functiilor sale sub Conventie si Protocolele acesteia, inclusiv rapoarte financiare si sa le prezinte Conferintei,
- (e) sa faciliteze cercetarea, comunicarea si schimbul de informatii in probleme ce privesc aceasta Conventie, si
- (f) sa indeplineasca alte functii de secretariat, care pot fi stabilite de Conferinta.

## **Articolul 16**

### **Organisme subsidiare**

Organismele subsidiare, inclusiv grupurile tematice de lucru stabilite in concordanta cu Articolul 14, paragraful 2(e), vor furniza Conferintei, daca este necesar, asistenta tehnica, informatii si consultanta asupra problemelor specifice legate de protectia si dezvoltarea durabila a Carpatilor.

## **Articolul 17**

### **Contributii financiare**

Fiecare Parte va contribui la bugetul total al Conventiei in conformitate cu scala de contributie determinata de Conferinta.

## **Articolul 18**

### **Protocole**

1. Orice Parte poate propune Protocole Conventiei;
2. Proiectul Protocolelor va circula la toate Partile prin Secretariat nu mai tarziu de 6 luni inaintea sesiunii Conferintei la care vor fi luate in considerare.
3. Protocolele vor fi adoptate si semnate de sesiunile Conferintelor. Intrarea in vigoare, amendarea si retragerea din Protocole va fi facuta obligatoriu in conformitate cu Artcolele 19, 21 paragrafele de la 2 la 4 si Articolul 22 al Conventiei. Orice Parte a Conventiei poate deveni Parte a Protocolelor.

## **Articolul 19**

### **Amendamente la Conventie**

1. Orice Parte poate propune amendmente Conventiei.
2. Amendmentele propuse trebuie sa circule la toate partile Conventiei prin Secretariat, nu mai tarziu de 6 luni inaintea sesiunii Conferintei la care vor fi luate in considerare.
3. Conferinta va adopta amendmentele propuse prin consens.
4. Amendmentele Conventiei vor fi supuse ratificarii, aprobarii si acceptarii. Amendmentele vor intra in vigoare in a 19-a zi de la depozitarea celui de-al 4-lea instrument de ratificare, aprobat sau acceptat. Dupa aceea, ele vor intra in vigoare pentru orice alta Parte, in cea de-a noua zi, dupa ce se depune instrumentul de ratificare, acceptare, aderare sau aprobat.

## **Articolul 20**

### **Rezolvarea disputelor**

Partile Contractante vor rezolva diferendele aparute din interpretarea sau implementarea Conventiei prin negocieri sau prin alte mijloace de rezolvare a disputelor in concordanta cu legile internationale.

## **Article 21**

### **Intrarea in vigoare**

1. Aceasta Conventie va fi deschisa spre semnare la depozitar de la 22 mai 2003 la 22 mai 2004.
2. Aceasta Conventie va fi supusa ratificarii, acceptarii sau aprobarii de Semnatari. Conventia va fi deschisa pentru aderare de orice Parte care nu a semnat-o. Instrumentele de ratificare, acceptare, aprobatie si aderare la aceasta vor fi depozitate la depozitar.
3. Conventia va intra in vigoare in cea de-a nouazecea zi dupa data depozitarii celui de-al patrulea instrument de ratificare, aprobatie, acceptare sau aderare.
4. Conventia va intra in vigoare pentru orice alta Parte in cea de-a nouazecea zi de la data depozitarii instrumentului de ratificare, aprobatie, acceptare sau aderare.

## **Articolul 22**

### **Denuntarea**

Fiecare Parte poate sa denunte aceasta Conventie prin intermediul unei notificari scrise adresate Depozitarului. Denuntarea va deveni efectiva in cea de-a 119-a zi de la data primirii notificarii de catre Depozitar.

## **Articolul 23**

### **Depozitarul**

1. Depozitarul Conventiei va fi Guvernul Ucrainei.
2. Depozitarul va notifica toate celelalte Parti asupra:
  - (a) oricarii semnaturi la Conventie sau Protocole
  - (b) depozitarui oricarui instrument de ratificare, acceptare, aprobatie sau aderare;
  - (c) datei de intrare in vigoare a Conventiei ca si a Protocalelor sau a amendamentelor, si a datei de intrare in vigoare pentru fiecare Parte;
  - (d) orice notificare de denuntare la Conventie sau Protocole si data la care denuntarea devine efectiva pentru o anumita Parte;
  - (e) depozitarea oricariei declaratii in acord cu Articolul 1 paragraful 2.

Intocmita la Kiev, Ucraina in data de 22 mai 2003 in limba engleza in original

Originalul Conventiei va fi depozitat la depozitar care va distribui copii legalizate fiecarei Parti.

Drept pentru care subsemnati, pe deplin autorizati, au semnat aceasta Conventie.

### **Guvernele**

Republicii Cehia  
Serbia si Muntenegru  
Republicii Ungaria  
Poloniei  
Romaniei  
Republicii Slovace, si  
Ucrainei

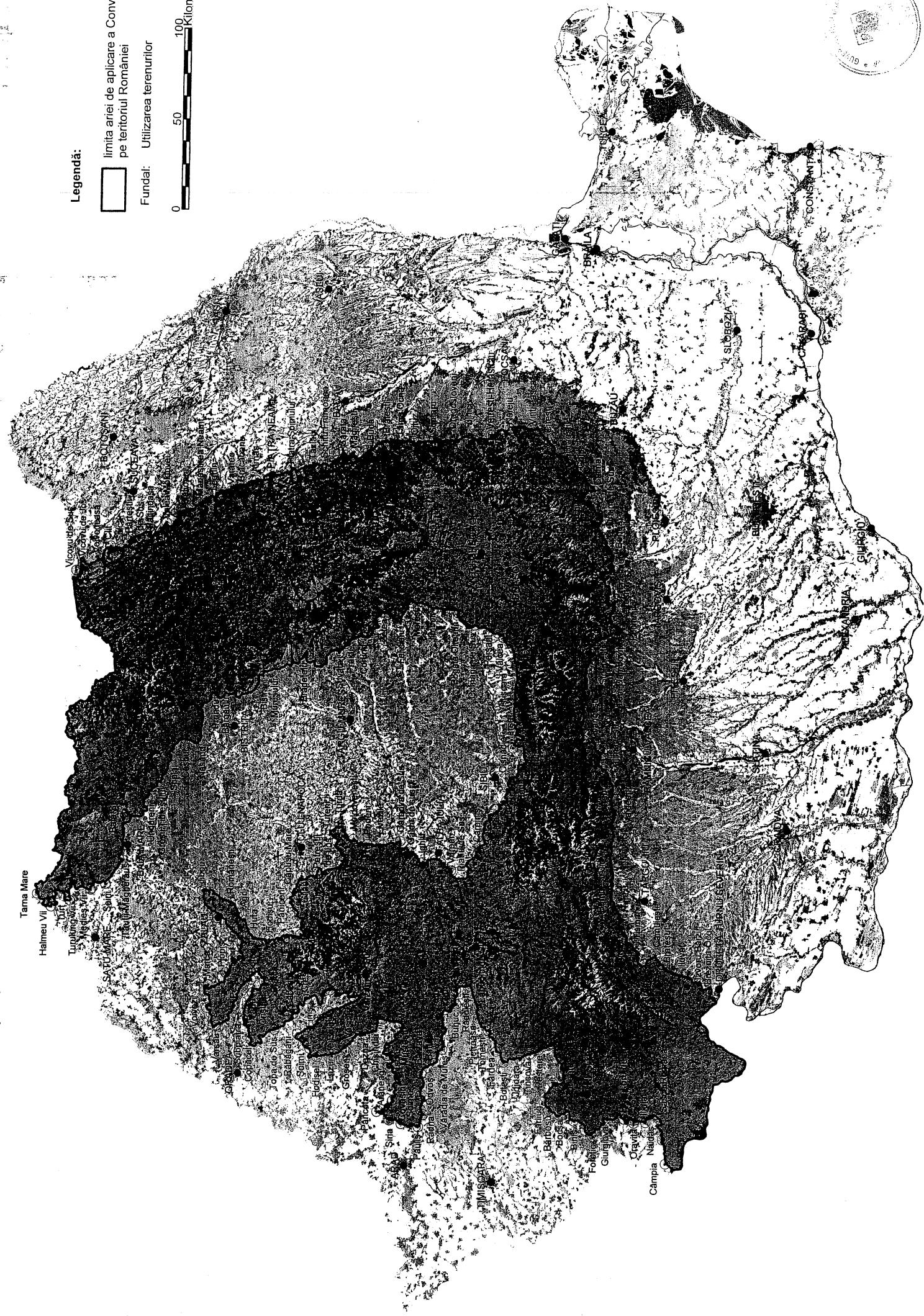
A circular stamp from the National Library of Israel, Jerusalem, dated 22/10/1949.

## Legendă:

limita ariei de aplicare a Convenției  
pe teritoriul României

**Fundal:** Utilizarea terenurilor

A scale bar representing 100 Kilometri. It consists of a horizontal line with major tick marks at 0, 50, and 100. The word "Kilometri" is written vertically above the 100 mark.



# **FRAMEWORK CONVENTION ON THE PROTECTION AND SUSTAINABLE DEVELOPMENT OF THE CARPATHIANS**

**“The Parties”,**

**ACKNOWLEDGING** that the Carpathians are a unique natural treasure of great beauty and ecological value, an important reservoir of biodiversity, the headwaters of major rivers, an essential habitat and refuge for many endangered species of plants and animals and Europe's largest area of virgin forests, and **AWARE** that the Carpathians constitute a major ecological, economic, cultural, recreational and living environment in the heart of Europe, shared by numerous peoples and countries;

**REALIZING** the importance and ecological, cultural and socio-economic values of mountain regions, which prompted the United Nations General Assembly to declare 2002 the International Year of Mountains; **RECOGNIZING** the importance of Mountain areas, as enshrined in Chapter 13 (Sustainable Mountain Development) of the Declaration on Environment and Development (“Agenda 21”, Rio de Janeiro, 1992), and in the Plan of Implementation of the World Summit on Sustainable Development;

**RECALLING** the Declaration on Environment and Sustainable Development in the Carpathian and Danube Region (Bucharest, 2001);

**NOTING** the pertinent provisions of and principles enshrined in relevant global, regional and subregional environmental legal instruments, strategies and programmes;

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

**RECOGNIZING** that the Carpathians constitute the living environment for the local people, and **ACKNOWLEDGING** the contribution of the local people to sustainable social, cultural and economic development, and to preserving traditional knowledge in the Carpathians;



ACKNOWLEDGING the importance of sub-regional cooperation for the protection and sustainable development of the Carpathians in the context of the 'Environment for Europe' process;

RECOGNIZING the experience gained in the framework of the Convention on the Protection of the Alps (Salzburg, 1991) as a successful model for the protection of the environment and sustainable development of mountain regions, providing a sound basis for new partnership initiatives and further strengthening of cooperation between Alpine and Carpathian states;

BEING AWARE of the fact that efforts to protect, maintain and sustainably manage the natural resources of the Carpathians cannot be achieved by one country alone and require regional cooperation, and of the added value of transboundary cooperation in achieving ecological coherence;

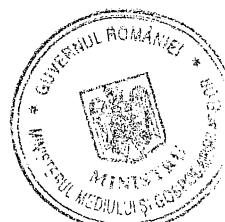
Have agreed as follows:

## **Article 1** **Geographical scope**

1. The Convention applies to the Carpathian region (hereinafter referred to as the "Carpathians"), to be defined by the Conference of the Parties.
2. Each Party may extend the application of this Convention and its Protocols to additional parts of its national territory by making a declaration to the Depositary, provided that this is necessary to implement the provisions of the Convention.

## **Article 2** **General objectives and principles**

1. The Parties shall pursue a comprehensive policy and cooperate for the protection and sustainable development of the Carpathians with a view to inter alia improving quality of life, strengthening local economies and communities, and conservation of natural values and cultural heritage.
2. In order to achieve the objectives referred to in paragraph 1, the Parties shall take appropriate measures, in the areas covered by Articles 4 to 13 of this Convention by promoting:
  - (a) the precaution and prevention principles,
  - (b) the 'polluter pays' principle,
  - (c) public participation and stakeholder involvement,
  - (d) transboundary cooperation,
  - (e) integrated planning and management of land and water resources,



- (f) a programmatic approach, and
- (g) the ecosystem approach.

3. To achieve the objectives set forth in this Convention and to ensure its implementation, the Parties may, as appropriate, develop and adopt Protocols.

### **Article 3 Integrated approach to the land resources management**

The Parties shall apply the approach of the integrated land resources management as defined in Chapter 10 of the Agenda 21, by developing and implementing appropriate tools, such as integrated management plans, relating to the areas of this Convention.

### **Article 4 Conservation and sustainable use of biological and landscape diversity**

1. The Parties shall pursue policies aiming at conservation, sustainable use and restoration of biological and landscape diversity throughout the Carpathians. The Parties shall take appropriate measures to ensure a high level of protection and sustainable use of natural and semi-natural habitats, their continuity and connectivity, and species of flora and fauna being characteristic to the Carpathians, in particular the protection of endangered species, endemic species and large carnivores.

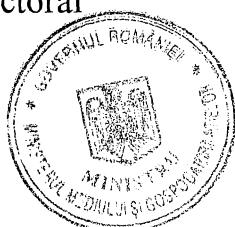
2. The Parties shall promote adequate maintenance of semi-natural habitats, the restoration of degraded habitats, and support the development and implementation of relevant management plans.

3. The Parties shall pursue policies aiming at the prevention of introduction of alien invasive species and release of genetically modified organisms threatening ecosystems, habitats or species, their control or eradication.

4. The Parties shall develop and/or promote compatible monitoring systems, coordinated regional inventories of species and habitats, coordinated scientific research, and their networking.

5. The Parties shall cooperate in developing an ecological network in the Carpathians, as a constituent part of the Pan-European Ecological Network, in establishing and supporting a Carpathian Network of Protected Areas, as well as enhance conservation and sustainable management in the areas outside of protected areas.

6. The Parties shall take appropriate measures to integrate the objective of conservation and sustainable use of biological and landscape diversity into sectoral



policies, such as mountain agriculture, mountain forestry, river basin management, tourism, transport and energy, industry and mining activities.

## **Article 5** **Spatial planning**

1. The Parties shall pursue policies of spatial planning aimed at the protection and sustainable development of the Carpathians, which shall take into account the specific ecological and socio-economic conditions in the Carpathians and their mountain ecosystems, and provide benefits to the local people.

2. The Parties shall aim at coordinating spatial planning in bordering areas, through developing transboundary and/or regional spatial planning policies and programmes, enhancing and supporting co-operation between relevant regional and local institutions.

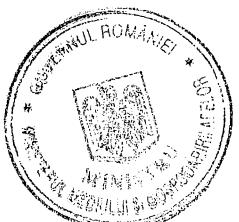
3. In developing spatial planning policies and programmes, particular attention should, inter alia, be paid to:

- (a) transboundary transport, energy and telecommunications infrastructure and services,
- (b) conservation and sustainable use of natural resources,
- (c) coherent town and country planning in border areas,
- (d) preventing the cross-border impact of pollution,
- (e) integrated land use planning, and environmental impact assessments.

## **Article 6** **Sustainable and integrated water/river basin management**

Taking into account the hydrological, biological and ecological, and other specificities of mountain river basins, the Parties shall:

- (a) take appropriate measures to promote policies integrating sustainable use of water resources, with land-use planning, and aim at pursuing policies and plans based on an integrated river basin management approach, recognizing the importance of pollution and flood management, prevention and control, and reducing water habitats fragmentation,
- (b) pursue policies aiming at sustainable management of surface and groundwater resources, ensuring adequate supply of good quality surface and groundwater as needed for sustainable, balanced and equitable water use, and adequate sanitation and treatment of waste water,
- (c) pursue policies aiming at conserving natural watercourses, springs, lakes and groundwater resources as well as preserving and protecting of



wetlands and wetland ecosystems, and protecting against natural and anthropogenic detrimental effects such as flooding and accidental water pollution,

(d) further develop a coordinated or joint system of measures, activities and early warning for transboundary impacts on the water regime of flooding and accidental water pollution, as well as co-operate in preventing and reducing the damages and giving assistance in restoration works.

## **Article 7**

### **Sustainable agriculture and forestry**

1. The Parties shall maintain the management of land traditionally cultivated in a sustainable manner, and take appropriate measures in designing and implementing their agricultural policies, taking into account the need of the protection of mountain ecosystems and landscapes, the importance of biological diversity, and the specific conditions of mountains as less favoured areas.

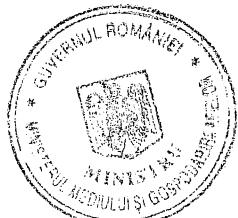
2. The Parties shall pursue policies aiming at developing and designing appropriate instruments, such as the crucially important agri-environmental programs in the Carpathians, enhancing integration of environmental concerns into agricultural policies and land management plans, while taking into account the high ecological importance of Carpathian mountain ecosystems, such as natural and semi-natural grasslands, as part of the ecological networks, landscapes and traditional land-use.

3. The Parties shall pursue policies aiming at promoting and supporting the use of instruments and programs, compatible with internationally agreed principles of sustainable forest management.

4. The Parties shall apply sustainable mountain forest management practices in the Carpathians, taking into account the multiple functions of forests, the high ecological importance of the Carpathian mountain ecosystems, as well as the less favourable conditions in mountain forests.

5. The Parties shall pursue policies aiming at designating protected areas in natural, especially virgin forests in sufficient size and number, with the purpose to restrict or adapt their use according to the objectives of conservation to be achieved.

6. The Parties shall promote practice of environmentally sound agricultural and forestry measures assuring appropriate retention of precipitation in the mountains with a view to better prevent flooding and increase safety of life and assets.



## **Article 8**

### **Sustainable transport and infrastructure**

1. The Parties shall pursue policies of sustainable transport and infrastructure planning and development, which take into account the specificities of the mountain environment, by taking into consideration the protection of sensitive areas, in particular biodiversity-rich areas, migration routes or areas of international importance, the protection of biodiversity and landscapes, and of areas of particular importance for tourism.

2. The Parties shall cooperate towards developing sustainable transport policies which provide the benefits of mobility and access in the Carpathians, while minimizing harmful effects on human health, landscapes, plants, animals, and their habitats, and incorporating sustainable transport demand management in all stages of transport planning in the Carpathians.

3. In environmentally sensitive areas the Parties shall co-operate towards developing models of environmentally friendly transportation.

## **Article 9**

### **Sustainable tourism**

1. The Parties shall take measures to promote sustainable tourism in the Carpathians, providing benefits to the local people, based on the exceptional nature, landscapes and cultural heritage of the Carpathians, and shall increase cooperation to this effect.

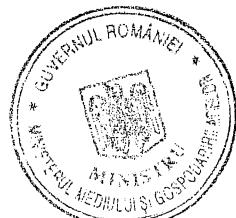
2. Parties shall pursue policies aiming at promoting transboundary cooperation in order to facilitate sustainable tourism development, such as coordinated or joint management plans for transboundary or bordering protected areas, and other sites of touristic interest.

## **Article 10**

### **Industry and energy**

1. The Parties shall promote cleaner production technologies, in order to adequately prevent, respond to and remediate industrial accidents and their consequences, as well as to preserve human health and mountain ecosystems.

2. The Parties shall pursue policies aiming at introducing environmentally sound methods for the production, distribution and use of energy, which minimize adverse effects on the biodiversity and landscapes, including wider use of renewable energy sources and energy-saving measures, as appropriate.



3. Parties shall aim at reducing adverse impacts of mineral exploitation on the environment and ensuring adequate environmental surveillance on mining technologies and practices.

### **Article 11 Cultural heritage and traditional knowledge**

The Parties shall pursue policies aiming at preservation and promotion of the cultural heritage and of traditional knowledge of the local people, crafting and marketing of local goods, arts and handicrafts. The Parties shall aim at preserving the traditional architecture, land-use patterns, local breeds of domestic animals and cultivated plant varieties, and sustainable use of wild plants in the Carpathians.

### **Article 12 Environmental assessment/information system, monitoring and early warning**

1. The Parties shall apply, where necessary, risk assessments, environmental impact assessments, and strategic environmental assessments, taking into account the specificities of the Carpathian mountain ecosystems, and shall consult on projects of transboundary character in the Carpathians, and assess their environmental impact, in order to avoid transboundary harmful effects.

2. The Parties shall pursue policies, using existing methods of monitoring and assessment, aiming at promoting:

- (a) cooperation in the carrying out of research activities and scientific assessments in the Carpathians,
- (b) joint or complementary monitoring programmes, including the systematic monitoring of the state of the environment,
- (c) comparability, complementarity and standardization of research methods and related data-acquisition activities,
- (d) harmonization of existing and development of new environmental, social and economic indicators,
- (e) a system of early warning, monitoring and assessment of natural and man-made environmental risks and hazards, and
- (f) an information system, accessible to all Parties.

### **Article 13 Awareness raising, education and public participation**

1. The Parties shall pursue policies aiming at increasing environmental awareness and improving access of the public to information on the protection and



sustainable development of the Carpathians, and promoting related education curricula and programmes.

2. The Parties shall pursue policies guaranteeing public participation in decision-making relating to the protection and sustainable development of the Carpathians, and the implementation of this Convention.

## **Article 14**

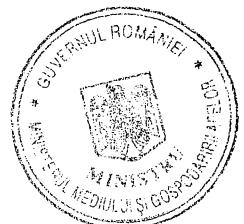
### **Conference of the Parties**

1. A Conference of the Parties (hereinafter referred to as the “Conference”) is hereby established.

2. The Conference shall discuss common concerns of the Parties and make the decisions necessary to promote the effective implementation of the Convention. In particular, it shall:

- (a) regularly review and support the implementation of the Convention and its Protocols,
- (b) adopt amendments to the Convention pursuant to Article 19,
- (c) adopt Protocols, including amendments thereto, pursuant to Articles 18,
- (d) nominate its President and establish an intersessional executive body, as appropriate and in accordance with its Rules of Procedure,
- (e) establish such subsidiary bodies, including thematic working groups, as are deemed necessary for the implementation of the Convention, regularly review reports submitted by its subsidiary bodies and provide guidance to them,
- (f) approve a work program, financial rules and budget for its activities, including those of its subsidiary bodies and the Secretariat, and undertake necessary arrangements for their financing pursuant to Article 17,
- (g) adopt its Rules of Procedure,
- (h) adopt or recommend measures to achieve the objectives laid down in Articles 2 to 13,
- (i) as appropriate, seek the cooperation of competent bodies or agencies, whether national or international, governmental or non-governmental and promote and strengthen the relationship with other relevant conventions while avoiding duplication of efforts, and
- (j) exercise other functions as may be necessary for the achievement of the objectives of the Convention.

3. The first session of the Conference shall be convened not later than one year after the date of entry into force of the Convention. Unless otherwise decided by the Conference, ordinary sessions shall be held every three years.



4. Extraordinary sessions of the Conference shall be held at such other times as may be decided either by the Conference at ordinary session or at the written request of any Party, provided that, within three months of the request being communicated to all the other Parties by the Secretariat, it is supported by at least one third of the Parties.

5. The Parties may decide to admit as observers at the ordinary and extraordinary sessions of the Conference:

- (a) any other State,
- (b) any national, intergovernmental or non-governmental organization the activities of which are related to the Convention.

The conditions for the admission and participation of observers shall be established in the Rules of Procedure. Such observers may present any information or report relevant to the objectives of the Convention.

6. The Conference shall reach its decisions by consensus.

### **Article 15 Secretariat**

1. A Secretariat is hereby established.

2. The functions of the Secretariat shall be:

- (a) to make arrangements for sessions of the Conference and to provide them with services as required,
- (b) to compile and transmit reports submitted to it,
- (c) to coordinate its activities with the secretariats of other relevant international bodies and conventions,
- (d) to prepare reports on the exercising of its functions under this Convention and its Protocols, including financial reports, and present them to the Conference,
- (e) to facilitate research, communication and information exchange on matters relating to this Convention, and
- (f) to perform other secretariat functions as may be determined by the Conference.

### **Article 16 Subsidiary bodies**

The subsidiary bodies, including thematic working groups established in accordance with Article 14 paragraph 2 (e), shall provide the Conference, as



necessary, with technical assistance, information and advice on specific issues related to the protection and sustainable development of the Carpathians.

### **Article 17** **Financial contributions**

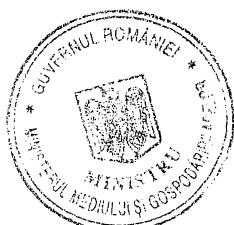
Each Party shall contribute to the regular budget of the Convention in accordance with a scale of contributions as determined by the Conference.

### **Article 18** **Protocols**

1. Any Party may propose Protocols to the Convention.
2. The draft Protocols shall be circulated to all Parties through the Secretariat not later than six months before the Conference session at which they are to be considered.
3. The Protocols shall be adopted and signed at the Conference sessions. The entry into force, amendment of and withdrawal from the Protocols shall be done mutatis mutandis in accordance with Articles 19, 21 paragraphs 2 to 4 and Article 22 of the Convention. Only a Party to the Convention may become Party to the Protocols.

### **Article 19** **Amendments to the Convention**

1. Any Party may propose amendments to the Convention.
2. The proposed amendments shall be circulated to all Parties to the Convention through the Secretariat not later than six months before the Conference session at which the amendments are to be considered.
3. The Conference shall adopt the proposed amendments to the Convention by consensus.
4. The amendments to the Convention shall be subject to ratification, approval or acceptance. The amendments shall enter into force on the ninetieth day after the date of deposit of the fourth instrument of ratification, approval or acceptance. Thereafter, the amendments shall enter into force for any other Party on the ninetieth day after the date of deposit of its instrument of ratification, approval or acceptance.



## **Article 20**

### **Settlement of disputes**

The Parties shall settle disputes arising from the interpretation or implementation of the Convention by negotiation or any other means of dispute settlement in accordance with international law.

## **Article 21**

### **Entry into force**

1. This Convention shall be open for signature at the Depositary from 22 May 2003 to 22 May 2004.

2. This Convention shall be subject to ratification, acceptance, or approval by the Signatories. The Convention shall be open for accession by non-Signatories. Instruments of ratification, acceptance, approval and accession shall be deposited with the Depositary.

3. The Convention shall enter into force on the ninetieth day after the date of deposit of the fourth instrument of ratification, approval, acceptance or accession.

4. Thereafter the Convention shall enter into force for any other Party on the ninetieth day from the date of deposit of its instrument of ratification, acceptance, approval or accession.

## **Article 22**

### **Withdrawal**

Any Party may withdraw from the Convention by means of a notification in writing addressed to the Depositary. The withdrawal shall become effective on the one hundred eightieth day after the date of the receipt of the notification by the Depositary.

## **Article 23**

### **Depositary**

1. The Depositary of the Convention shall be the Government of Ukraine.

2. The Depositary shall notify all the other Parties of

(a) any signature of the Convention and its Protocols,

(b) the deposit of any instrument of ratification, acceptance, approval or accession,



- (c) the date of entry into force of the Convention as well as its Protocols or amendments thereto, and the date of their entry into force for any other Party,
- (d) any notifications of withdrawal from the Convention or its Protocols and the date on which such withdrawal becomes effective for a particular Party,
- (e) the deposit of any declaration according to Article 1 paragraph 2.

Done at ..... on ..... in one original in the English language.

The original of the Convention shall be deposited with the Depositary, which shall distribute certified copies to all Parties.

