



*Cooperation in the  
European Mountains  
1: The Alps*

*Martin F. Price*

# **Co-operation in the European Mountains**

## **1: The Alps**

## **European Programme**

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European Regional Office

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## **1: The Alps**

Martin F. Price

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*Martin F. Price, Oxford, December 1999*

# 1. Introduction

This report is written as a contribution to Action Theme 10 (mountain ecosystems) of the Pan-European Biological and Landscape Diversity Strategy (PEBLDS). It comprises an introduction to Activity 10.6, on cooperation in mountain ranges, of the PEBLDS, followed by a review and assessment of existing mechanisms for inter-governmental cooperation in the Alps. Building on the author's experience in the Alps since the mid-1980s, this review and assessment is principally based on the review of documents, both published and unpublished, and interviews conducted in March 1998. The report could not have been produced without the active participation of these interviewees and many others who provided access to their libraries and documentation centres, copied and sent documents, and reviewed a draft version of this report.

The issue of trans-frontier cooperation is attracting increasing attention in many fields, including the conservation and management of biological and landscape diversity, and the management of environmental resources in general. This report focuses on these aspects of cooperation, recognising that many of the structures and initiatives discussed have wider remits. At the European scale, the primary mover has been the Council of Europe. The European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (Madrid Convention) was signed in 1980, and was followed in 1995 by an Additional Protocol which attempts to formally define the legal status of cooperative bodies and the legal force of their decisions. In addition to Committee of the Regions, the Chamber of the Regions, and the various structures of the Council of Europe concerned with trans-frontier cooperation (Select Committee of Experts on Transfrontier Co-operation; Steering Committee on Local and Regional Authorities; Territorial Authorities, Transfrontier Co-operation and Regional Planning Division), a number of Europe-wide organisations are expressly concerned with the issue: notably the Association of European Border Regions (AEBR, established in 1971), which developed the European Charter of Border and Cross-Border Regions, adopted in 1981 and modified in 1995; and the Assembly of European Regions (AER, established in 1985).

With regard to mountains, the Charter on European Mountain Regions, also deriving from the Council of Europe, may eventually be of particular importance for trans-frontier cooperation. This document was prepared in the early 1990s by the Congress of Local and Regional Authorities of Europe (CLRAE), which represents the local and regional authorities of the member states. The charter was approved at the Third Conference of Mountain Regions in Chamonix, France, in 1994 and subsequently by the Committee of Regions, the CLRAE, and the Parliamentary Assembly in 1995. Following a

decision of the Committee of Ministers, it was reviewed by a Working Party on Mountain Regions and Rural Areas in 1997-98. Their conclusions were reviewed by the Committee of Ministers at their 676<sup>th</sup> meeting on 1-2 July 1999, leading to the decision that no further action should be taken in this regard until the next European Conference of Ministers responsible for Regional Planning, to be held in Hanover, Germany, on 7-8 September 2000.

In addition, the European Parliament has held a number of sessions and commissioned a report (Parlement Européen, 1997) on an integrated mountain policy, which would also eventually be extended to the various accession states in Central and Eastern Europe. However, the furthest point to which this process has been taken was a debate in the Committee on Agriculture on 23 October 1998. Many resolutions were passed but, as the process was an "own initiative" process initiated by a single Member of the European Parliament (MEP), there is no requirement for the Parliament or the European Commission to act on the resolutions.

A number of inter-linked reasons for the increasing attention to trans-frontier cooperation may be recognised. The first set of reasons derives from the political, economic, and institutional transitions which characterise Europe at the end of the 20<sup>th</sup> century (Vedovato, 1997). Trans-frontier cooperation both contributes to these transitions and results from them; for instance, through the INTERREG programme of the European Union. A second set of reasons is connected to two central themes of today's Europe: the rediscovery of regional identities and the strengthening of regional institutions; recognised in European Union policies as "subsidiarity". Throughout history, mountain regions have often had specific cultural – and often economic, linguistic, and/or political – identities distinguishing them from their lowland neighbours. These regional identities have waxed and waned, depending particularly on economic conditions, population movements, and the strength of the larger nation-states to which the mountain regions have belonged. Paradoxically, in a Europe that is becoming a larger integrated whole as the European Union continues to expand, regionalism is undergoing a resurgence (Ricq, 1992). This takes many forms, from networks of individuals, communities, and non-governmental organisations (NGOs) to the establishment of formal structures (e.g., Euroregions) and conventions. The full diversity of these forms may be recognised in the Alps.

A third set of reasons relates particularly to mountain regions and the fact that, while their highest ridges often form administrative boundaries between both nations and sub-national administrative entities, such boundaries divide ecosystems. This is of crucial importance for the management of environmental resources, as animals, air pollution, fires, and plant and animal diseases – as well as people – regularly cross boundaries. Examples of documents and initiatives which consider such issues are the Convention on Long-Range Transport of Air Pollutants; and Priority Project 22, on

transboundary protected areas, of 'Parks for Life', the Action Plan for Europe of IUCN – The World Conservation Union, which has a strong emphasis on mountain regions (Brunner, 1998; Cerovsky, 1998). In a Europe where passports are needed less and less to cross national borders, the increasing number of people crossing borders is also of concern in this context because of both direct and indirect impacts. Finally, in a world where climate change is beginning to affect the survival and distribution of species, as well as interactions between species and land uses, cooperation across frontiers is of increasing importance to ensure the conservation of biological diversity.

Following this introduction, this report is divided into four chapters. Chapter two briefly presents the context of the Pan-European Biological and Landscape Diversity Strategy, particularly Action Theme 10 on mountain ecosystems. Chapters three and four review and assess cooperation in the Alps at two levels: first, between nation-states, and, second, between sub-national administrative entities. There are also other levels of cooperation in the Alps: between NGOs (e.g., through the International Commission for the Protection of the Alps [CIPRA], Club Arc Alpin); within the scientific community (e.g., the biennial meetings of the Alpine Forum since 1994, the Alpine Network of Protected Areas); and between communities (e.g., Alliance dans les Alps, Communauté de travail des Villes alpines). These levels of cooperation are not, and should not be, independent. Every issue of concern has elements which operate at a variety of spatial scales and involve a diverse range of stakeholders. There are a number of clear instances of interaction between the levels, of which the most important in the Alps may have been the impetus from CIPRA – initially an organisation with both state and NGO members and latterly only with NGO members – for an Alpine Convention involving all of the nation-states whose territory lies wholly, or partially, within the Alps.

Such cooperation between levels is of increasing importance at the turn of the millennium. The need for it is enshrined in many policy documents, from "Agenda 21", endorsed by the heads of state or government of the majority of the world's nations at the United Nations Conference on Environment and Development in Rio de Janeiro in 1992; to the recommendations of the 1996 European Inter-governmental Consultation on Sustainable Mountain Development (Backmeroff et al., 1997); the policies of the European Union with regard to environment, sustainable development, and expansion; and the PEBLDS. Consequently, chapter five considers the extent to which the experience of the Alps might be valuable in other transnational mountain regions in Europe. In this way, it provides an introduction to two reports, to be published in the near future, on issues of concern for the conservation of biological and landscape diversity, and existing structures for cooperation, in the Carpathians and the Caucasus.

## **2. The Pan-European Biological and Landscape Diversity Strategy: Implementation of Action Theme 10 (mountain ecosystems)**

In spite of its relatively small size in comparison to other continents, Europe is characterised by a remarkable diversity of ecosystems and landscapes, reflecting the interactions between the constraints and opportunities of the physical environment (climate, soils, altitude, etc.); the migration, evolution, and intentional introduction of species; historical and current patterns of human land use; and the unintentional effects of human activities (e.g., pollution, climate change). Within this rich mosaic, mountains have a particular importance, often appearing as 'islands' with distinct ecosystems, species, cultures, and land-use practices, which rise above more homogenous lowland areas. Possessing both ecological and cultural diversity, Europe's mountains provide the basis for a wide range of economic activities as well as the setting for tourism and recreation; activities of increasing importance to Europe's predominantly urban citizens'.

At the global scale, the manifold importance of mountains has been recognised by the inclusion of a specific chapter – Chapter 13 on 'Managing Fragile Ecosystems: Sustainable Mountain Development' – in 'Agenda 21', the plan for action endorsed by the heads of state or government of most of the world's countries at the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, in 1992 (Messerli and Ives, 1997; Price, 1999), and the declaration by the General Assembly of the United Nations of the year 2002 as the International Year of Mountains. At the Pan-European scale – a scale which includes the states of the former Soviet Union as well as those of Europe as it is usually defined – the Pan-European Biological and Landscape Diversity Strategy (PEBLDS) (Council of Europe/UNEP/ECNC, 1996), endorsed by the environment ministers of 55 countries at the third 'Environment for Europe' conference in Sofia, Bulgaria, in 1995 devoted one of six high-priority ecosystem 'Action Themes' to mountains, as discussed below.

### **The Pan-European Strategy: development and implementation process**

Following the second 'Environment for Europe' conference (Lucerne, Switzerland, 1993) and the Maastricht Declaration 'Conserving Europe's Natural Heritage' (1993), the initiative for the PEBLDS was taken by the Council of Europe in 1994 (Bennett and Wolters, 1996). It asked the European Centre for Nature Conservation (ECNC) to lead a team that would

assist an ad-hoc group of national government experts – together with others from the Institute for European Environmental Policy, the World Conservation Monitoring Centre, and IUCN-The World Conservation Union – to draft the Strategy. In a broad consultative process, a wide range of bodies within the Council of Europe, expert groups, and international non-governmental organisations (NGOs) identified critical issues for biological and landscape diversity. Before the Strategy was accepted for discussion at the Sofia conference, draft versions were reviewed by the member states of the Council of Europe and in the senior official meetings of the United Nations Economic Commission for Europe. The breadth of this consultative process, and the resulting document, reflected the recognition that biological and landscape diversity are issues that must be considered in a very broad context, relating not merely to the conservation of species and ecosystems, but also to the economic, cultural, and policy forces involved in sustainable development.

Over the period 1996-2015, the aims of the PEBLDS are:

- Substantially to reduce and, if possible, eliminate current threats to Europe's biological and landscape diversity;
- To increase the resilience of Europe's biological and landscape diversity;
- To strengthen the ecological coherence of Europe as a whole;
- To ensure full public involvement in the conservation of various aspects of biological and landscape diversity.

Within these general aims, more specific objectives are:

- To conserve, enhance and restore key ecosystems, habitats, species and features of the landscape through the creation and effective management of the Pan-European Ecological Network;
- To ensure sustainable management of Europe's biological and landscape diversity by taking full advantage of the social and economic opportunities available at local, national and regional levels;
- To integrate biological and landscape diversity conservation and sustainable use objectives into all sectors affecting such diversity;
- To improve information on, and public and decision-makers' awareness of, biological and landscape issues; to increase public participation in actions to conserve and enhance such diversity;
- To improve understanding of the state of biological and landscape diversity in Europe and of the processes that render them sustainable;
- To assure adequate financial means to implement the Strategy.

In contrast to many documents endorsed in high-level international meetings, the PEBLDS is neither a legal instrument; nor does it aim to introduce legislation. Its purpose is to provide a coordinating and unifying framework for building on existing initiatives, as well as filling gaps where such initiatives have not been implemented to their full potential.

Nevertheless, the legal basis for the Strategy's implementation is in existing legal instruments such as the Convention on Biological Diversity; the Bern, Bonn, and Ramsar Conventions; the Habitats and Birds Directives of the European Union; and national legislation. Considering that the proposed actions involve all economic sectors and elements of society, its successful implementation will require the involvement of international organisations, national authorities, financial institutions, economic associations and businesses, landowners, NGOs and other citizen groups, scientists, and educators and others who disseminate information.

At the Sofia conference, the Ministers requested the Council of Europe and the United Nations Environment Programme (UNEP), in cooperation with IUCN and the Organisation for Economic Cooperation and Development (OECD) to establish a mechanism to develop and implement the strategy. Following the fourth 'Environment for Europe' conference held in Aarhus, Denmark, in June 1998, the Strategy bodies were restructured. They now consist of the Strategy Council, the decision-making body consisting of countries and observers; the Strategy Bureau (formerly the Executive Bureau), the executive support to the Council, consisting of a limited number of countries whose task is to assist the Council and its president; and the Joint Secretariat from the Council of Europe and UNEP. Information about these bodies, and the PEBLDS in general, may be found on the Strategy website (<http://www.strategyguide.org/>).

## **Action Plan 1996-2000**

The Strategy will be implemented through four five-year Action Plans. For the first five-year period (1996-2000), the main thrust is on remedying the deterioration of the state of key biological and landscape systems, and strengthening their coherence. Primary emphases are on:

- integrating Pan-European priorities into national policies and initiatives linked to the national biodiversity action plans through which governments will implement the Convention on Biological Diversity;
- stimulating the development of national ecological networks, towards the realisation of a Pan-European network by 2005;
- promoting sustainable use of the economic resources of the natural environment.

Activities will be implemented within 11 Action Themes during this five-year period; these may continue into the next Action Plan, depending on the review to be carried out in 2000. The first three of these themes must be coordinated between European countries:

- 1: Establishing the Pan-European Ecological Network;
- 2: Integrating biological and landscape diversity considerations into sectors;
- 3: Raising awareness and support with policy-makers and the public.

Action Theme 4 addresses the conservation of landscapes of European significance, with emphasis on adequate protection of cultural and geological features as well as natural features. Action Themes 5 to 10 focus on the ecosystems to which 'Europe's Environment: The Dobris assessment' (Stanners and Bourdeau, 1995) and 'Parks for Life: Action for Protected Areas in Europe' (IUCN, 1994) gave highest priority: 5) coastal and marine, 6) river and related wetland, 7) inland wetland, 8) grassland, 9) forest, 10) mountain. Action Theme 11 aims to reverse declining trends in the genetic diversity and numbers of threatened species. While the integration of biological and landscape diversity concerns into the wide range of sectors concerned with the natural environment is a goal of the entire Action Plan, particular attention will be given to agriculture. This is for two reasons. First, this is the sector most directly interacting with biological and landscape diversity. Second, the ongoing changes in agricultural policy and practice, in the European Union and elsewhere in the Pan-European region, offer the greatest opportunity for action towards the aims of the Strategy.

At its first meeting in Strasbourg, France, in November 1996, the Executive Bureau identified the lead organisation(s) for each Action Theme, and elaborated and adopted a Work Programme for 1997-1998. This programme defined activities for this period, with particular attention to providing input to the fourth 'Environment for Europe' conference in June 1998. Since a number of activities are included under each Action Theme, the Executive Bureau gave priority to those which could realistically be implemented in the next two years, and were of significant importance to a range of actors. Other criteria used to identify activities for short-term implementation were the potential availability of necessary financial and other resources; and possibilities for maximising synergies, and minimising duplication between activities within and across Action Themes.

## **Implementation of Action Theme 10 (mountain ecosystems)**

In the 1996-2000 Action Plan, ten activities (or sets of activities) are proposed for implementation under Action Theme 10, under the leadership of IUCN's European Programme. These activities are very diverse, reflecting the negotiation process that took place during the process of drafting the PEBLDS, before it was endorsed in Sofia. They may be arranged in three groups:

- 1) legal and management instruments for conservation and protected areas:
  - development of a code of conduct to conserve biological and landscape diversity (activity 10.1);
  - potential application of the mechanisms such as the Alpine Convention and its protocols and observation systems to other mountain ranges (10.6);

- establishment of transfrontier protected areas and strengthening the management of existing protected areas (10.7);
  - establishment of guidelines for the protection of the ecosystems of the Tian Shan mountains (10.10);
- 2) financial and management instruments for agriculture and forestry:
- evaluation of grants for grassland improvement and agro-pastoral management, establishment of demonstration afforestation schemes (10.2);
  - assessment of options for restructuring mountain farming subsidies to support rural development (10.3);
  - establishment of guidelines to promote low-intensity farming (10.8);
  - assessment of options for establishing ESA-type management agreement in Central and Eastern Europe (10.9);
- 3) awareness-raising and local management:
- establishment of an information campaign on issues relating to settlements (10.4);
  - minimisation of ecological impacts of recreational activities (10.5).

Many of these potential activities have close links to activities proposed within other Action Themes; for instance, the first group link particularly to Action Theme 1; the second group to Action Themes 2, 4, 8 and 9; and the third group to Action Themes 2 and 3.

At its meeting in November 1996, the Executive Bureau gave priority to two activities within Action Theme 10 for 1997-1998. This decision recognised that:

- certain actions were already being implemented, or close to implementation (e.g., a project in the Tian Shan mountains in preparation by the Global Environment Facility);
- actions contributing towards the implementation of certain activities would be taken within the implementation of activities within other Action Themes – for example, on transfrontier protected areas (Action Theme 1), awareness-raising (3), and grassland management (8);
- other activities within the Action Theme could be implemented in later years.

The two activities selected for short-term action were 10.5 and 10.6. Work on the implementation of Activity 10.5 has been undertaken cooperatively between IUCN and the World Mountaineering and Climbing Federation (UIAA). This has resulted in a report published jointly by the two organisations (UIAA/IUCN, 1999), together with guidelines for an access and conservation strategy for climbing areas.

The present report is the first major output from Activity 10.6. This activity recognises the strong cultural and economic ties within each of Europe's mountain ranges and the need to ensure effective management of

environmental resources across national boundaries. Consequently, mechanisms for cooperation at the scale of entire mountain ranges, whether through formal agreements or through regional institutions, appear desirable. The importance of such mechanisms was also underlined by the participants of twenty European States and the European Commission in the final document of the European Inter-governmental Consultation on Sustainable Mountain Development in 1996 (Backmeroff et al, 1997). As such mechanisms fall squarely within the scope of the PEBLDS, a review of their potential application was given priority for the 1997-1998 period. In the first stage, the activities are:

- 1) review of processes involved in defining institutional frameworks in the Alps;
- 2) assessment of institutional frameworks and issues of concern in the Carpathians and Caucasus;
- 3) interaction with relevant initiatives of the Council of Europe and the European Parliament;
- 4) preparation of a report, including assessments and recommendations for future work.

In the interests of efficiency and the promotion of cooperation through increasing the availability of information, the present interim report focusing on the Alps has been produced, pending the conclusion of ongoing work in the Carpathians and the Caucasus.

## **Conclusions**

The Pan-European Biological and Landscape Diversity Strategy is an innovative and proactive initiative with considerable potential for contributing to the sustainable development of the mountains of Europe. Many of the issues addressed in its various Action Themes overlap with those in the laws and policies of individual nations and the European Union; and strategies and initiatives for the pan-European region and at the global scale. The success of the Strategy in mountain regions will be based on the integration of its emphases on finding a balance between the conservation of biological and landscape diversity and ensuring the economic and cultural future of mountain populations. To a large extent, and as discussed further in this report, this will be done through contributions to initiatives which are already ongoing or planned.

The two initial priority activities for mountain regions focus on quite different aspects of the essential involvement of a wide range of stakeholders in the sustainable management of these regions. The first, on minimising ecological impacts of recreational activities, involves the recreational users of specific resources, as well as those who own and manage the affected areas, representatives of government agencies concerned with recreation and the

conservation of biological diversity, and scientists. The second, to which this report contributes, has initially involved representatives of NGOs, scholars, and members of administrations concerned with such legal and policy instruments. However, their successful application will have to involve a very wide range of stakeholders concerned with the future of individual mountain ranges. In both cases, the approaches that result from research and processes of consultation will have to be tailor-made for the specific local conditions, recognising the remarkable diversity of Europe's mountain regions.

### 3. Cooperation between States: the Alpine Convention

Within the Alps, there are a large number of bilateral agreements between states, particularly with regard to assistance in the aftermath of national catastrophes and economic cooperation. However, there is only one agreement solely between the Alpine states: the Alpine Convention. This chapter traces its history, structures, and implementation, and presents conclusions with regard to its success to date.

In 1952, the International Commission for the Protection of the Alpine Regions (CIPRA; since 1990, the International Commission for the Protection of the Alps) was founded by representatives of four Alpine states – Austria, France, Italy, and Switzerland – and of German nature protection and mountaineering organisations and the recently established International Union for the Conservation of Nature (IUCN). In its founding documents, CIPRA called for a convention to protect the Alpine environment and its natural resources. The process took a considerable length of time (CIPRA, 1992). In 1974, participants at two international symposia on the future of the Alps, held in Trento, Italy, and Mayrhofen, Austria, called for comprehensive trans-frontier cooperation for the protection of the Alps. However, during the 1970s, CIPRA's activities reached a nadir, and the organisation was restructured at its annual assembly in 1975, to include only non-governmental organisations.

In 1987, CIPRA again began a campaign for an Alpine Convention. In collaboration with IUCN, CIPRA prepared a position paper and also made a survey of 350 governments, associations, and experts throughout the Alps. In the same year, statements in support of the concept were made by Bavarian Ministry for Regional Development and Environmental Questions (*Bayerischer Staatsministerium für Landesentwicklung und Umweltfragen*) and the Board of Social Democratic Parties in the Alpine Region (*Arbeitsgemeinschaft sozialdemokratischer Parteien im Alpenraum*). In 1988, the European Parliament unanimously adopted a proposal supporting the process in April; and in September experts from the Alpine countries, the Council of Europe, and the European Communities met in Liechtenstein to prepare a draft convention. The next impetus came from the German Federal Ministry of Environmental Protection and Nuclear Safety, which further developed the draft and organised the 1<sup>st</sup> Alpine Conference of Environment Ministers in Berchtesgaden, Germany in October 1989. At this meeting, representatives of the Alpine states and the European Community presented national reports on the state of the environment in the Alpine parts of their respective countries. They then formulated and agreed a Resolution on the

Protection of the Alps – with 89 detailed points – in which they undertook to make preparations for a convention and additional protocols.

Further preparation of the convention was presided over by Austria, which hosted the 2<sup>nd</sup> Alpine Conference in Salzburg in November 1991. At this meeting, the 'Convention on the Protection of the Alps (Alpine Convention)' was signed by Austria, France, Germany, Italy, Liechtenstein, Switzerland, and the European Community. Slovenia had taken part in the negotiations on behalf of Yugoslavia, but did not sign. Following the breakup of Yugoslavia, the meeting of senior officials in Chambéry, France in November 1992 agreed that mention of 'Yugoslavia' in the convention should be replaced by 'Republic of Slovenia', and that Slovenia should be invited to sign the Convention. This was done in March 1993 (Gantar, 1998). In 1994, Austria, Liechtenstein, and Germany ratified the convention, so that it entered into force in March 1995. Also in 1994, France hosted the 3<sup>rd</sup> Alpine Conference in Chambéry, at which Monaco was invited to become a signatory to the convention through the signature of a protocol to the convention by all the existing Parties. France and Slovenia ratified the convention in 1995, the European Union in 1996 and, as discussed below, Switzerland in 1999.

## **Objectives, structures, and functions**

The preamble to the Alpine Convention begins by recognising the special natural and cultural diversity of the Alps, and that they are "an economic, cultural, recreational, and living environment in the heart of Europe, shared by numerous peoples and countries". The preamble then notes that the Alps are essential not only for those living in the mountains, but also for those outside; that they are vital habitat for many species; that there are significant differences in a large number of aspects of the Alpine states; that human impacts on the environment are increasing and difficult to repair; but that there is a "need for economic interests to be reconciled with ecological requirements". Article 1 begins by defining the Alps according to a map which is annexed to the convention (Map 1).

Article 2 is the most detailed of the convention. It begins by stating that "The Contracting Parties shall pursue a comprehensive policy for the preservation and protection of the Alps by applying the principles of prevention, payment by the polluter (the 'polluter pays' principle) and cooperation, after careful consideration of the interests of all the Alpine States, their Alpine regions and the European Economic Community, and through the prudent and sustained use of resources. Transborder cooperation in the Alpine region shall be intensified and extended both in terms of the territory and the number of subjects covered".

The article continues by stating that, to achieve these objectives, the Parties shall "take appropriate measures in particular in the following areas":

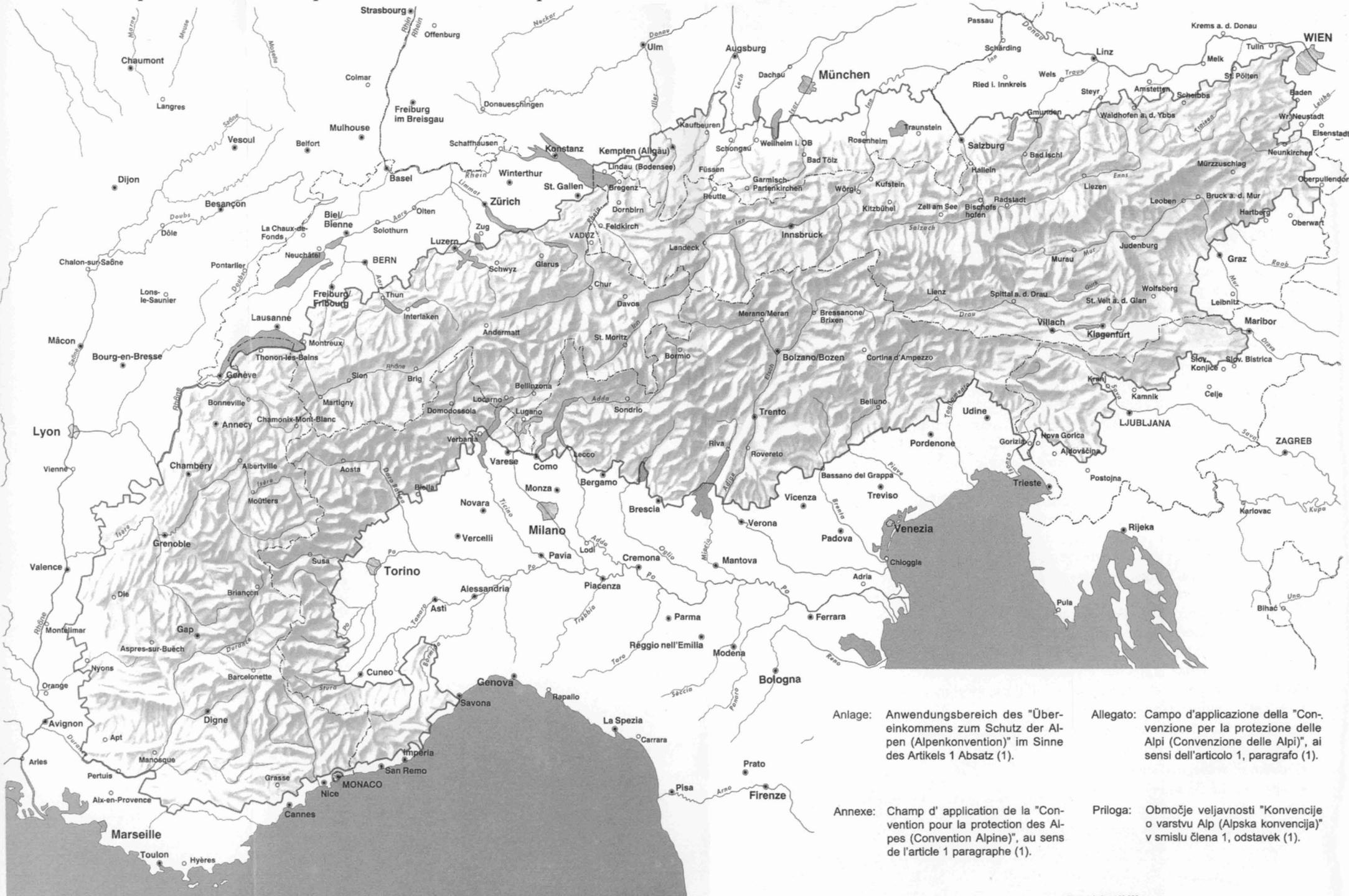
population and culture; regional planning, prevention of air pollution, soil conservation, water management, conservation of nature and the countryside, mountain farming, mountain forests, tourism and recreation, transport, energy, and waste management. For each of these, a specific objective is stated; the parties should agree on protocols which provide details on how the convention should be implemented. Such protocols must be communicated to Parties by the current chair of the Conference "at least six months before the Conference meeting at which they are to be considered" (Art. 11, para. 1). For a protocol to come into force, "at least three ratifications, acceptances or approvals are necessary" (Art. 11, para. 2).

The remaining articles consider research and systematic monitoring (Art. 3); legal, scientific, economic and technical cooperation (Art. 4); the organs and functioning of the Conference of Contracting Parties (Arts. 5-8), including the possibility of setting up a permanent secretariat (Art. 9); amendments and protocols (Arts. 10-11); signature, ratification, denunciation, and notifications (Arts. 12-14). The convention does not say anything about how budgets should be prepared, or financial decisions made. Also, it does not state how implementation of the convention and its protocols will be evaluated, nor the means for resolving conflicts or disputes between the Parties or with regard to implementation.

The primary decision-making body of the convention is the Conference of Contracting Parties, whose first ordinary meeting (according to Art. 5, para. 1 of the Convention) had to be convened a year after the convention entered into force – this was at Brdo, Slovenia in February 1996 – and, normally, every two years thereafter. The chairmanship and location of these meetings should change after each ordinary meeting (Art. 5, para. 2). Slovenia took responsibility both for convening the first ordinary meeting and for acting as the first president of the Conference of Contracting Parties, a responsibility that lasted until the second ordinary meeting (5<sup>th</sup> Alpine Conference) in Bled, Slovenia, in October 1998 when the Parties agreed that Switzerland should take over the presidency. As well as the Parties, the United Nations and its agencies, the Council of Europe, all European countries, "cross-border associations of Alpine territorial authorities" (see chapter four), and "relevant international non-governmental organisations" may attend the meetings of the Conference as observers. The functions of these meetings (Art. 6) are to:

- adopt amendments to the convention;
- adopt protocols, and annexes and amendments to these;
- adopt rules of procedure;
- make financial decisions;
- approve the creation of working groups;
- take note of assessments of scientific information;
- decide or recommend measures to achieve the objectives in Articles 3 and 4;

# Cooperation in the European Mountains 1: The Alps



Anlage: Anwendungsbereich des "Übereinkommens zum Schutz der Alpen (Alpenkonvention)" im Sinne des Artikels 1 Absatz (1).

Allegato: Campo d'applicazione della "Convenzione per la protezione delle Alpi (Convenzione delle Alpi)", ai sensi dell'articolo 1, paragrafo (1).

Annexe: Champ d'application de la "Convention pour la protection des Alpes (Convention Alpine)", au sens de l'article 1 paragraphe (1).

Priloga: Območje veljavnosti "Konvencije o varstvu Alp (Alpska konvencija)" v smislu člena 1, odstavek (1).

Map 1: The Alps: area to which the Alpine Convention applies

- fix details regarding submissions concerning implementation of the convention and its protocols;
- be responsible for carrying out secretariat functions.

The primary body established to support the Conference is a Standing Committee consisting of delegates of the Contracting Parties. The chair is appointed by the current president of the Conference. Signatory States which have not ratified the convention have observer status at meetings and, in practice, take full part in discussions. The Alpine working communities and certain NGOs (including CIPRA, Club Arc Alpin, Euromontana, FIANET, IUCN) also attend as observers, and their input is quite often invited by the chair. The functions of the committee fall into two categories. The first relate to protocols to the convention. The committee appoints working groups to formulate protocols and recommendations, and examines and harmonises draft protocols and proposes these to the Conference. Most of the other functions of the committee are in preparation for the ordinary meetings of the Conference, as follows:

- preparation of programmes for meetings, including proposal of items for the agenda;
- collection and assessment of documents, and analysis of information submitted by the Parties, with regard to implementation of the convention and its protocols;
- informing the Conference about the implementation of its decisions;
- proposing measures and recommendations for the achievement of the objectives contained in the convention and the protocols.

Conference may decide unanimously to set up a permanent secretariat" (Art. 9). This issue has been on the agenda at almost every meeting relating to the Convention, and locations in at least five countries have been proposed. To date, the functions of the secretariat have been assumed by the president of the Conference; in effect, Slovenia provided the secretariat for four years, and this role has now been taken over by Switzerland. Slovenia's four-year presidency provided a measure of continuity, but required considerable resources; and the move from Slovenia to Switzerland has inevitably resulted in a break in continuity and the loss of much of the expertise accumulated in Slovenia. For these and other reasons, notably the need to move forward in the negotiation and harmonisation of protocols and, eventually coordinate and provide oversight of their implementation (see below), there is a need for a permanent secretariat. There is, however, no unanimity between the Parties. Some do not see the need, are wary of giving up power on delicate issues, or are not very willing to contribute to the ongoing costs of a secretariat in a different country.

## **Implementation**

A considerable literature on the implementation of the Alpine Convention exists. Bibliographies and a list of publications which often provide current information on the status of implementation are regularly produced by the Austrian Alpine Club (e.g., Hasslacher, 1998). A useful summary of the history, status and implications of the convention and its protocols in Slovenian, French, German, Italian, and English was published in 1998 by the Government of Slovenia (Planinšič, 1998). The CIPRA website (<http://www.cipra.org>) also provides the text of the convention and its protocols and current information on related activities.

The Alpine Convention is a framework convention in which the Contracting Parties accept general principles and obligations, leaving their more detailed implementation to be defined in protocols which are to have a greater policy content. Yet, in spite of the convention's rather general nature, three signatories have only recently ratified. Monaco, a relative latecomer, could not ratify until the additional protocol allowing its adherence to the convention was ratified by three other Parties. This happened in 1995, and all Parties except Italy have now ratified the protocol; Monaco ratified the convention in March 1999.

The other two late ratifiers are among the seven Parties who signed in 1991: Italy and Switzerland. The reasons are rather different. Italy is a country whose capital is far from the Alps, with a number of sub-national entities (Autonomous Provinces, Autonomous Regions, Regions) in the Alps which retain considerable autonomy vis-a-vis the central government. The mountains are not of great significance in national policy-setting. Both chambers of the national parliament initially approved ratification; but modification of some passages in the law necessitated its return to both chambers, leading to final ratification in September 1999.

In contrast, Switzerland, which only ratified the convention following the conference in Bled, has a large proportion of Alpine territory. Since Switzerland is not a member of the European Union, the convention provides a means for the federal government to be involved in European mountain issues. However, the cantons have significant powers (including responsibility for environmental affairs and spatial planning) and, when the convention was signed, it was stated that ratification would only be possible when the content of the protocols was known and the majority of the cantons agreed with these. As discussed below, not all of the protocols have yet been formulated. Under federal law, a written consultation process – involving the federal and cantonal governments, political parties, and economic and social interests (i.e., NGOs) – is required for all new treaties, protocols, laws, etc. which have effects outside the federal administration. When necessary, for instance as described below, a formal meeting can be organised in order to

resolve differences. In addition, informal consultation meetings between federal agencies, cantonal governments and the Swiss Centre for Mountain Regions (*Schweizerische Arbeitsgemeinschaft Berggebiete*: SAB) take place before meetings of the Standing Committee of the Alpine Convention.

In spite of these consultative processes, Switzerland did not ratify the convention until January 1999. This was mainly because of the long-standing perception of many of the mountain cantons that the convention is slanted towards environmental protection (as suggested by its full title and the fact that it derived largely from the work of ministries of environment), rather than economic (sustainable) development – although a good balance is now apparent, for instance in the mention of sustainable development in all protocols drafted to date. After some years of stalemate, largely deriving from the reluctance of the Conference of Mountain Cantons (consisting of the cantons entirely within the Alps) to agree to ratification, an agreement was struck between the federal government and the mountain cantons at a meeting in Arosa in May 1996. This was to increase the income of the mountain cantons by increasing rents for hydro-electric concessions (concessions are under the jurisdiction of the federal government, but water rights are held by the cantons); and also to increase the amount paid by the federal government to communities not to lease hydro-electric concessions (usually to protect the natural environment or cultural landscapes). After this agreement, a proposal for ratification was prepared, and submitted to the parliament in September 1997. However, ratification was again delayed because of political connections with other controversial issues in parliament. It was not until the parliamentary session beginning in September 1998 that both chambers of parliament approved the convention, paving the way for Switzerland to accept the presidency in early 1999.

After initial signature, ratification is only the first stage towards the implementation of a convention, especially one like the Alpine Convention whose success depends largely on the negotiation and implementation of its protocols. Negotiation of some protocols began even before the convention entered into force. The lead was generally taken by countries which had specific interests and experience in a given topic. Thus, at the Conference in Chambéry, three protocols were signed by France, Germany, Italy, Monaco, Slovenia and the European Community: nature protection and landscape management; mountain agriculture; and regional planning and sustainable development. At the Conference in Brdo in 1996, the protocol on mountain forests was signed by the same Parties, with the exception of the European Community, which signed the protocol at the conference in Bled, in October 1998. At this latest conference, Switzerland and Liechtenstein also signed those protocols that they had not previously signed; Germany, Liechtenstein, Monaco, Slovenia and Switzerland signed the new protocols on soil protection and tourism and Germany and Slovenia signed the new protocol on

energy. Thus, the most recent protocols remain unsigned by a number of Parties, even though they were involved in their negotiation; Austria has not signed any of the thematic protocols. The main work at present relates to the protocol on transport (see below), and a new working group on this topic was established in Bled. No work has yet been done on protocols on population and culture, air pollution, waste management, or water management.

On one hand, the existence of signed protocols is a measure of the success of implementation, even if none – except the one dealing with the addition of Monaco as a Party – has yet been ratified, both for reasons discussed below, and because of the recognition that implementation will almost certainly have financial implications. On the other hand, the sequence of preparation of protocols presents certain difficulties, recognising that the convention has strategic aims and that harmonisation is needed both between protocols and between these and national (and European Union) legislation. Some of the protocols identified in Article 2 of the convention and/or addressed in existing protocols are rather general, such as population and culture, regional planning and sustainable development, and nature protection and landscape management. Others address natural resources (soils, water, air), and the remainder are more specialised and sectoral (agriculture, forests, energy, tourism and recreation, transport, waste). Considerable effort is now being made to attempt to harmonise the existing protocols.

A first need for harmonisation is with respect to language. During the preparation of each protocol, a working language (usually that of the chair of the working group) is used. Before signature and ratification, versions of the protocol in all the official languages (French, German, Italian, Slovene) should be agreed. This has not always been the case to date and, again, significant resources are required to ensure consistency. In this respect, the involvement of the European Union as a Party is valuable, as three of the four languages used by the Conference are also official languages of the European Union.

A second need for harmonisation is with regard to content and, to some extent, this links to the first where difficulties in translation have occurred, resulting in many relatively small, but important, textual inconsistencies between the existing protocols. Most protocols appear to match well with existing national and European Union laws and policies (and those under development) but, because of the order of preparation, there are important inconsistencies between protocols which address the same issue from different perspectives. Thus, 'backwards harmonisation' has been needed; a process which not only uses much time and resources in itself, but creates problems when protocols have already been signed, or significant resources have been devoted to evaluating how they match with existing national legislation and policies. Ratification is a slow political procedure, and any inconsistencies may lead to greater delays.

In retrospect, it appears that many of the inconsistencies derive from the fact that those responsible for initially drafting the protocols were technical experts, with legal experts being brought in at later stages. Furthermore, the individuals involved in drafting often changed during the process. Because of the problems described above, the Standing Committee has decided that work should not start on any new protocols until the existing draft protocols have been finalised, and harmonisation is well underway. There are two implications of this experience. First, a clear sequence of negotiating and approving protocols would have been beneficial, starting with the general topics, and then moving to the natural resources and sectors. Second, a strong team from each country, with technical, legal, and linguistic expertise, should take part in each working group – and there should be continuity in the membership of such national delegations.

A further hindrance to implementation is exemplified by the drafting of the transport protocol, which has been more or less stalled since 1995, with some forward movement at meetings in Vienna in March and June 1998 and the establishment of a new working group, at the conference in Bled, which met three times in 1999. In contrast to most of the other protocols prepared to date, this has required the involvement of a large number of ministries, many of which are subject to considerable pressures from an industrial lobby for which environmental protection is not a major concern. Furthermore, in many of the Alpine states, environmental protection is the responsibility of sub-national entities, rather than the central governments which negotiate protocols – an important source of internal tension, which has existed since the very first substantive discussion of the convention in the 1980s (CIPRA, 1992). Equally, the location of the Alps as a mountain region with limited transport axes at the heart of Europe creates tensions with regard to trans-European transport axes. This issue has been avoided in one case by drawing the 'official' map of the area to which the convention applies (Map 1) to include Monaco, but not the transport corridor to its north. However, the issue cannot be avoided with regard to the north-south axes, except by building tunnels at great expense. Thus, as the issues addressed by the protocols become more tendentious, and political forces with a European, rather than Alpine, dimension come into play, progress of overall implementation has been further delayed.

## **Conclusions**

The Alpine Convention has been widely cited as a successful example of regional cooperation between states. Perhaps its greatest success to date has been its contribution to the recognition, both within the Alps and across Europe, that the Alps are a region, with distinct environmental and cultural characteristics, which has considerable importance at the European scale.

Within the Alps, it has led to the recognition that many issues cannot be solved only through national legislation; coordinated regional approaches and initiatives are essential to solve common problems. To date, such initiatives have largely been undertaken by the scientific community and NGOs, rather than at the political and policy levels. Nevertheless, the Alpine Observation and Information System (now known as the 'Alpine Observatory') has started its activities, with primary support from the European Community, and important regional meetings were held under the Slovene presidency, on the protection of Alpine areas, historical civilisations and cultural communities, and alpine towns (Premzl and Naprudnik, 1998). Other meetings, on regional planning, forests, and nature and landscape protection, are planned.

Within individual states, the convention has led to a certain degree of cooperation. This may be informal, for instance the consultative meetings held in Switzerland before meetings relating to the convention, or formal, such as the structure set up by the Austrian government to ensure wide consultation on issues relating to the convention. This structure involves federal and provincial government agencies and the 'social partnership' which includes the federal chamber of commerce, the federal union, the federal chamber of agriculture and NGOs. All members have equal voting rights. Yet, overall in the Alps, there is generally a great way to go in fostering cooperation between levels of government and other interested parties, at least to some extent because of the history of negotiation and signature of the convention by national governments with little, if any, consultation.

For sub-national entities (regions, cantons, provinces, etc.) the convention can be a means for obtaining resources from central governments in order to undertake actions which contribute to its implementation in domains which fall under their jurisdiction. Such benefits have the potential for redressing the concern of many of these entities that they were left out of the initial stages of the convention. Yet these points may, at the same time, link to one of the major limitations of the convention and reasons for lack of progress in its implementation eight years after its signature. Contracting Parties may be wary of finalising the harmonisation of the protocols, and ratifying them, because this may lead to increased demands on resources from constituent entities – a continual concern of any government, especially when many of the issues addressed in the convention are primarily under sub-national jurisdiction.

Another reason for delay may be perceived risks of loss of national sovereignty – an issue that remains unresolved while mechanisms for evaluating implementation and resolving disputes and conflicts are not defined. In the latter regard, a working group was established at the conference in October 1998 and met three times in 1999; two possible mechanisms might be an 'Alpine tribunal/court', or redress to the International Court of Justice. Finally, delays may also derive from the actual

or likely loss of options for the development and implementation of national laws and policies. Whether or not this is the case or not is open to debate, as there appears to be wide agreement that the content of the completed protocols is compatible with, and often less strict than, existing national and European Union legislation and policies. However, the protracted negotiation over the transport protocol shows the tensions involved in implementation. As Burhenne (1996) has stated in reference to the convention, "Law can but provide the means to the application of political will": it has begun to contribute to regional cooperation, but there is a considerable way to go before its expected impacts on environmental policy-making and implementation are realised.

## 4. Regional-level cooperation

The establishment of structures for cooperation between sub-national entities in the Alps predates today's nation-states. The Swiss Confederation, for instance, which took its present form in 1848, was predated by a series of cooperative structures involving various cantons, beginning in 1291. National frontiers have shifted, particularly after the demise of the Austro-Hungarian Empire, when there were major changes in the parts of the Eastern Alps now encompassed by the states of Austria, Italy, and Slovenia. While such divisions remain sources of tension, at the same time, the recognition of historical and cultural ties contributes to regional solidarity.

Following the Second World War, one of the first agreements recognised the historical ties in this area: the 1949 "Small Agreement" between Austria and Italy, intended to improve economic relationships between the Lander (Provinces) of Tyrol and Vorarlberg and the Region of Trentino-Alto Adige. Today, a large number of trans-frontier structures involving sub-national entities exist within and in the areas adjacent to the Alps. This chapter focuses on the three working communities which, together, encompass most of the entire Alpine chain and adjacent areas under the jurisdiction of participating governments:

- ARGE ALP (Arbeitsgemeinschaft Alpenländer) (established in 1972) in the central Alps;
- Alpen-Adria (1978) in the eastern Alps;
- COTRAO (Communauté de Travail des Alpes Occidentales) (1982) in the western Alps.

In addition, there are many other structures of more limited geographical extent and thematic emphasis which are partly or entirely in the Alps. These include:

- Internationale Bodenseekonferenz (established in 1972): Austrian Province of Vorarlberg, German Land of Baden-Württemberg and Free State of Bavaria, Swiss cantons of Appenzell, Saint-Gallen, Schaffhausen, and Thurgovia;
- Comité régional franco-genevois (1974): French Départements of Ain and Haute-Savoie, Swiss canton of Geneva;
- Conseil du Léman (1987): French Départements of Ain and Haute-Savoie, Swiss cantons of Geneva, Valais, and Vaud;
- Conseil Valais-Valle d'Aosta (1990) Italian Autonomous Region of Valle d'Aosta, Swiss canton of Valais;
- Conférence Transfrontalière Mont-Blanc (1991): Sydicat Intercommunal Espace Nature Mont-Blanc (France); Italian Autonomous Region of Valle d'Aosta, Swiss canton of Valais;

- Regio Insubrica (1995): Italian provinces of Como, Varese, Verbano-Cusio-Ossola, Swiss canton of Tessin;
- Regio Sempione (1996): cities of Domodossola (Italy) and Brig (Switzerland).

Many of these overlap geographically, and also often in terms of themes addressed. In addition, a number of European Union (EU) INTERREG regions have been designated along the boundaries between EU member states and the non-member states of Slovenia and Switzerland. A more thorough study of the objectives and activities of all of these overlapping regions with regard to the themes addressed in this report would be worthwhile. However, this report focuses only on the three working communities. For each, the structure and its evolution, with an emphasis on overall direction and management (e.g., presidency, secretariat, funding) are reviewed and assessed. This is followed by a review and assessment of the elements of each working community concerned with environmental issues, and their activities.

## **ARGE ALP**

The Working Community of Alpine Regions (Arbeitsgemeinschaft Alpenländer: ARGE ALP) was established in 1972 by a number of sub-national entities that recognised their common heritage and interests, and wished to work in a federal structure that, to some extent, would act as a counterweight to the centralised power of the nation-states to which they belonged. The initial seven members were:

- Austria: Provinces of Salzburg, Vorarlberg, and Tyrol;
- Germany: Free State of Bavaria;
- Italy: Region of Lombardy, Autonomous Province of Bolzano-South Tyrol;
- Switzerland: Canton of Grisons (Graubünden).

Subsequently, the membership has grown to eleven (Map 2), and now also includes:

- Germany: Land of Baden-Württemberg (1989);
- Italy: Autonomous Province of Trento (since 1973);
- Switzerland: Cantons of St. Gallen (1982) and Ticino (1988).

While the area of the Austrian members, Bolzano-South Tyrol, Grisons, Ticino, and Trento is largely in the Alps, much of the area of the remaining members is outside the mountains, and includes the major cities of Milan, Munich, and Stuttgart. The total population is approximately 33 million. ARGE ALP has two working languages: German and Italian, and maintains a website (<http://www.argealp.at>) in these languages.

According to the initial statutes, the objective of ARGE ALP is to "through transfrontier cooperation, with a minimum of institutionalisation, to treat within the scope of their powers the joint concerns of the members, particularly in the cultural, social, economic, and ecological fields; to heighten awareness of joint responsibility for the Alpine living space; to encourage contacts between people and citizens; to strengthen the position of Lander, Regions, Provinces, and Cantons; and jointly with other institutions to contribute to cooperation in Europe". This objective remains in force. However, the policies of ARGE ALP have changed over time, reflecting various changes in circumstances, with a particular shift in emphasis from scientific cooperation to the development of regional economies in the context of sustainable development. This shift has been formally codified in the "Joint vision statement (*Leitbild*) for the development and safeguarding of the Alpine region" approved in 1981, and the major revision approved in 1996.

The primary decision-making body is the Conference of Governors, composed of the heads of government of the members, which meets annually. The chairmanship of the conference rotates every two years, on an alphabetic basis. The conference is supported by a Steering Committee composed of officials from the members, which meets two or three times a year, to coordinate and publicise activities, and prepare the budget. In addition, a secretariat was established in Innsbruck at the founding of ARGE ALP, with continuing financing for infrastructure and part-time personnel provided by the Government of the Province of Tyrol. The Internet site is provided by the Province of Vorarlberg. The remainder of the budget is provided jointly by the members. Half of the budget is divided equally between the members. The other half is divided into two, with 25% being assessed according to the mountain population, and 25% according to the mountain area, of each member. These proportions have changed since ARGE ALP was first established.

When ARGE ALP was founded, three commissions were established:

I) transport; II) mountain agriculture; from 1985, environmental protection, spatial regulation (*Raumordnung*), and agriculture; III) culture, science, and sport. A commission on health, social and family policies was added in 1980, and a commission on economy in 1981 (Stauder, 1994). Since 1996, there have been four commissions:

1. society and culture;
2. environment and agriculture;
3. economy and employment;
4. transport.

Commission chairs change every two years. Most members of commissions are government officials, but others (e.g., university scientists, members of chambers of commerce) can be delegated. Projects are funded by



Map 2: Members of ARGE ALP

the chair's region, within the scope of the overall budget. However, a small short-term budget is also available to assist projects.

Until 1981, the Conference of Governors gave each Commission a specific mandate each year, generally leading to the development of the first vision statement. Subsequently, commissions tended to define their own programmes and implement these through working groups. Meetings were held, exchanges took place, syntheses of the current situation with regard to topics of interest were prepared and published; and contributions to general ARGE ALP policies were prepared. A valuable summary of the themes of interest to ARGE ALP as a whole was published in a volume celebrating its 20<sup>th</sup> anniversary, entitled "Neighbours in the heart of Europe" (ARGE ALP, 1992).

The commission whose activities are of greatest relevance for this report is the former commission II on environmental protection, spatial regulation (*Raumordnung*), and agriculture, and the current commission on environment and agriculture. This commission has considered a very wide range of topics, primarily through holding meetings and producing reports. Two continuing major topics have been forest decline (*Waldschäden*) and how to combat this, and soil protection (*Bodenschutz*). During the 1980s and early 1990s, working groups on these topics were organised jointly with Alpen-Adria. Other topics considered by the commission have included spatial regulation, protection against natural hazards (floods, avalanches, etc.), water supplies, conservation of species and biotopes, national parks, environmental information systems, environmental impact assessment, waste management, and snowmaking. The number of topics considered at any one time has changed considerably; presumably depending on the interests and resources available to the chair of the commission.

## Alpen-Adria

The Alps-Adriatic Working Community (Alpen-Adria) was established in 1978, primarily to provide a political framework for cooperation in a historically problematic region which, at the time, included parts of Austria, Italy, and Yugoslavia. The seven founding members were:

- Austria: Provinces of Carinthia, Styria, and Upper Austria;
- Italy: Autonomous Region of Friuli-Venezia Giulia, Region of Venezia;
- Yugoslavia: Socialist Republics of Croatia and Slovenia.

In addition, the Free State of Bavaria (Germany) and the Province of Salzburg (Austria) participated as active observers (Lausegger, 1996). Subsequently, the membership has increased considerably, to 17, and now also includes:

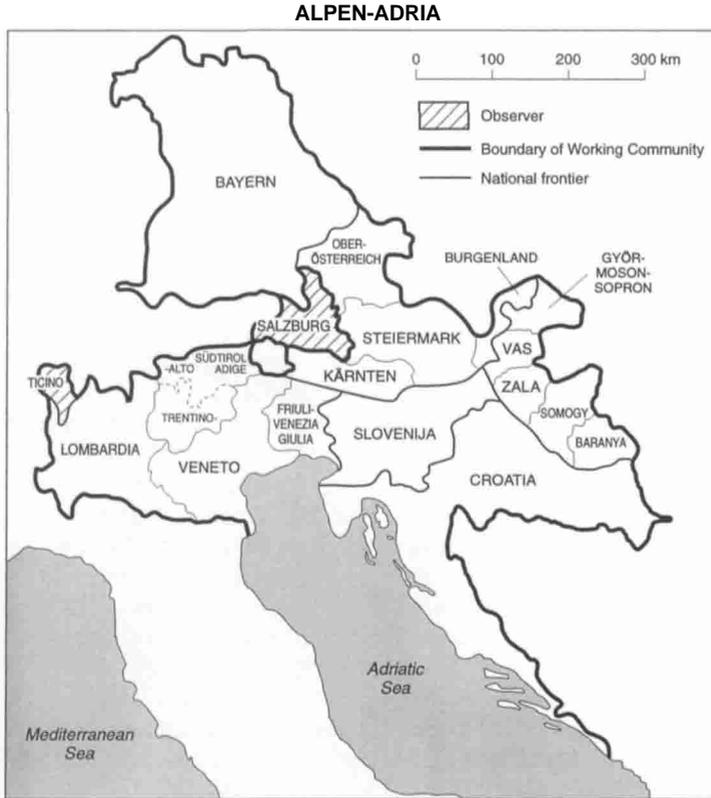
- Austria: Province of Burgenland (full member 1988);
- Germany: Free State of Bavaria (1988);

- Hungary: Counties of Baranya (1990), Győr-Moson-Sopron (1988), Somogy (1988), Vas (1988), Zala (1989);
- Italy: Autonomous Region of Trentino-Alto Adige (1981), Regions of Emilia-Romagna (1995), Lombardy (1988).

The Province of Salzburg continues to participate as an active observer, as does the Swiss canton of Ticino (Map 3). The former republics of Yugoslavia are now independent states. A significant proportion of the area of the members, which has a total population of about 44 million, is outside the Alps. Other entities, also outside the Alps, have expressed interest in joining, including Bosnia-Herzegovina, various regions of the Czech Republic, and the Italian Autonomous Provinces of Bolzano and Trento (which cover the same geographical area as the region of Trentino-Alto-Adige) (Luben, 1990).

As stated in the joint declaration which established Alpen-Adria, the "task of the Working Community is joint informative expert treatment and co-ordination of issues in the interest of its members". It has five working languages: Croat, German, Hungarian, Italian, and Slovene. This diversity results in significant costs: for instance, the daily cost of interpreting in five languages is approximately 100,000 Austrian schillings. One important activity of the commissions has been the production of glossaries to assist in the translation of technical terms. Alpen-Adria maintains a website (<http://www.tqs.it/alpeadria>) in the five working languages and English.

The highest decision-making body is the plenary assembly of regional heads of government, which meets at least once a year. The President serves for two years, and provides secretariat functions, including preparation of the minutes of meetings. The rotation of presidency is, in principle, alphabetical. The plenary assembly is supported by the Commission of Executive Officers, which meets two or three times a year, reviews proposals made by the commissions, and prepares the budget. Its members are high officials, often those responsible for relations with the European Union. Support is also provided by a working group on information and the records office, established in Klagenfurt in 1989 when Carinthia (Austria) was President, and permanently supported by the Provincial Government of Carinthia. To some extent, this office acts as a permanent secretariat. However, the individual in charge of the office only works part-time in this function. Other aspects of the budget are agreed by the plenary assembly. Half of the budget is divided equally between all members, and the other half is assessed relative to the total population of each member. At one time, consideration was given to setting membership fees according to GDP, but this was considered inappropriate as wealthy members would have had to pay amounts which would have been disproportionate to the benefits received.



**Map 3 Members of Alpen-Adria**

At present, there are five commissions, almost entirely comprised of officials mandated from the administrations of members:

- I. regional development and environmental protection;
- II. economic affairs, traffic, and tourism;
- III. culture and society;
- IV. health and social affairs;
- V. agriculture and forestry.

Initially, there were four commissions. The number increased to six in 1984 and seven in 1991. Recognising the need for more efficient use of resources, the present number and topics were set in 1994, when the period of chairmanship was also changed, from two to three years. The chair passes to the next member in alphabetical order (according to national language), though this principle can be broken if the nominated member has no interest in a topic or inadequate resources to act as chair. This is important, because the chair is responsible for implementing the work programme and hosting meetings; and the costs of providing meeting facilities, interpretation and translation are borne by the member on whose territory a meeting is held.

The work undertaken by the commissions and their component working and project groups includes the exchange of information, particularly through meetings; the compilation of syntheses of information; thematic studies; harmonisation of policies and actions; and publication. Approximately 150 reports and publications have been published, always in the language of the current chair, usually in other regional languages and, occasionally, in English (Alpen-Adria, 1996). In the absence of a permanent secretariat, many publications are only available from the chairs of commissions or even their authors. All regions now have Internet home pages, and a system for linking these is being developed.

The two commissions which undertake activities of greatest relevance for this report are I: regional development and environmental protection; and V: agriculture and forestry. Commission I has existed since 1979. In the first ten years, themes of work included (Unkart and Lausegger, 1988):

- regional overviews on spatial planning (*Raumplanung*), water supplies, environmental protection, and industrial and domestic waste;
- production of glossaries on spatial planning and environmental protection (in a number of thematic volumes);
- environmental impact assessment of major highways;
- meetings on all of the above topics and on the implications of economic development, tourism, and transport for spatial planning.

A working group on national parks, jointly with ARGE ALP, was established in 1988 in order to prepare criteria for the designation of national parks in the Alps, in preparation for the 1992 IUCN World Congress on National Parks; a publication on scientific research in Alpine national parks was also produced (Lausegger, 1992). This working group concluded its activities in 1991. More

recent activities have considered the collection and management of data for spatial planning, thematic cartography, and general principles for territorial information systems and spatial planning.

Commission V was established in 1984, and initially included the broader topic of mountain economies (*Bergwirtschaft*) although an economic commission has existed since 1979. From the beginning, one major emphasis has been soil protection, through a joint working group with ARGE ALP during the 1980s, which has held meetings on issues including mapping, information systems, pollution, and regulation; many of these have resulted in publications. Another working group, also established in 1984 and again mostly in collaboration with ARGE ALP during the 1980s, considers similar themes in relation to forest decline; many meetings have been held, and reports published. Surveys of research institutes and training opportunities, as well as glossaries, have also been published. Specifically agricultural topics have been considered by project groups.

## **COTRAO**

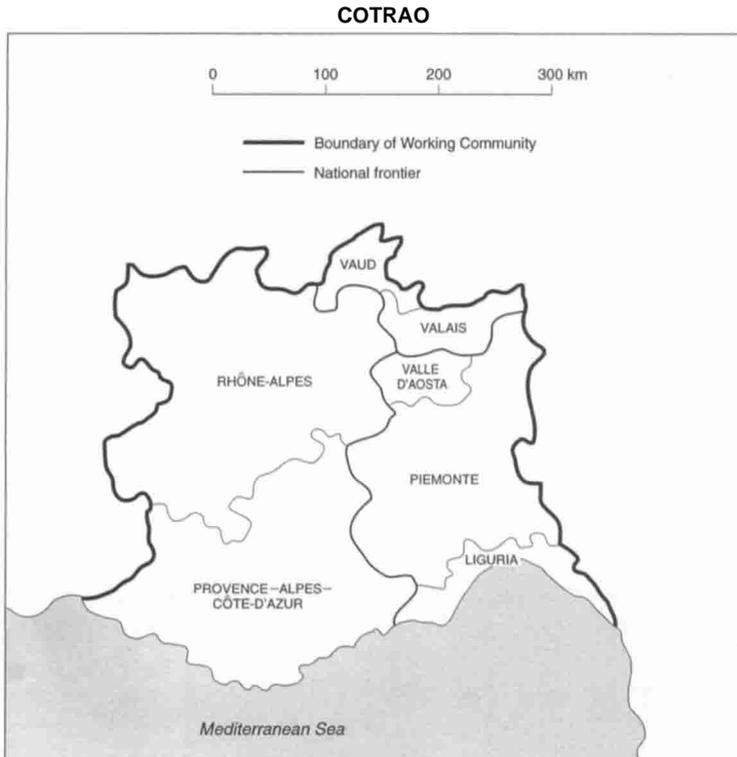
The Working Community of the western Alps (Communauté de Travail des Alpes Occidentales: COTRAO) was established in 1982, primarily due to the initiative of the Alpine working group of the Council of Europe, together with the French region of Provence-Alpes-Côte d'Azur and the Italian region of Piedmont. Eight regions and cantons signed the founding protocol, and continue to participate (Map 4):

- France: Regions of Provence-Alpes-Côte d'Azur (PACA), Rhône-Alpes;
- Italy: Regions of Liguria, Piedmont, Autonomous Region of Valle d'Aosta;
- Switzerland: Cantons of Geneva, Valais, Vaud.

While the majority of the area of the Swiss cantons and the Valle d'Aosta are in the Alps, significant parts of the other participating regions are not and, at present, Liguria and PACA are not actively involved in COTRAO. While there are major towns in and adjacent to the mountains (Chambéry, Geneva, Grenoble, and Lausanne), the largest cities (Genoa, Lyon, Marseille, Turin) are a considerable distance from the mountains. The total population of the participating entities is about 17 million.

As stated in the founding protocol, the purposes of COTRAO are to exchange information and technical expertise with regard to problems of common interest to its members, and to undertake coordinated approaches to provide solutions to these problems. It has two working languages, French and Italian.

The primary decision-making body is the bureau, including the president, the chairpersons of the six commissions, and representatives of the executive bodies of the eight participating entities. In principle, the presidency rotates



**Map 4: Members of COTRAO**

every two years; to a member from a different country each time. However, Vaud assumed the presidency from 1992 to 1996, Piedmont from 1996 to 1998, and Rhône-Alpes took over in 1998. Overall coordination of activities is undertaken by the staff of the president, in consultation with the three secretaries-general (one in each country) and the eight correspondents (one from each participating entity). The bureau fixes the annual budget, depending on available resources and requests from the commissions.

In the period from 1982 to 1987, the principal activity of the various commissions was to exchange information about policies. In 1987, the present administrative structure was fixed, together with the budgeting mechanism (from 1988). This has two components:

- the functional budget, for continuing administrative costs, with equal contributions from each participating entity;
- the budget for specific actions, which is further divided into two. Contributions to one-third of this budget are divided equally between participating entities. Contributions to the other two-thirds are paid by six participating entities (excluding Liguria and PACA), in a proportion relative to their total population.

With regard to the budget for specific actions, the decision to divide contributions according to the total population, not just the mountain population, explicitly recognises the benefits of COTRAO to the entire region, including parts outside the mountains.

At present, there are six commissions, each with a permanent chair:

- economy, research, and technology (Rhône-Alpes);
- education and culture (Vaud);
- environment (Piedmont);
- mountain policies (*politique de la montagne*) (Valais);
- tourism (Rhône-Alpes);
- transport and communications (Valle d'Aosta).

Although this division of responsibilities means that not all participating entities chair a commission, all of the predominantly mountainous members chair a commission, and provide the necessary administrative and budgetary resources. While this arrangement appears to be acceptable, discussion is currently taking place with regard to a restructuring of thematic activities, possibly with a greater focus on long-term projects, linked for instance to the Alpine Convention and the regional INTERREG programme, rather than continuing commission activities.

The main emphasis of the work of the commissions is on the exchange of information and on concrete actions, such as studies on clearly-defined themes (e.g., transport, tourism), meetings, networks of research centres, exercises in harmonisation, and exchanges of students, interns, and scientists. While relatively few publications have been produced, a major publication on

"Man and the Alps" (COTRAO, 1990) was prepared in the early 1990s, linked to a travelling exhibition which was visited by 120,000 people in Grenoble, Sion, and Turin in 1993 and 1994. In addition, a web site in French and Italian (with some key points in English) is maintained (<http://www.unil.ch:8080/cotrao/>).

Two of the commissions undertake activities which are of particular concern in the context of this report. The commission on mountain policies has existed since COTRAO began. Its emphasis is on the need for policies that are harmonised at all levels and specific to mountain regions, particularly the Alps; many of its members participated in the elaboration of the Alpine Convention and the Charter of European Mountain Regions. One early specific action of note was a comparative study of the functions, abilities, economic development objectives, resources, and problems of three mountain communes in Savoie, Valais, and Valle d'Aosta, which has been followed by exchanges of administrative and elected officials from mountain communes. A second early study was a review of the similarities and differences of the "mountain laws" of France, Italy, and Switzerland. More recent activities have focused on multiple economic activities and labelling.

The environment commission was established in 1990. An early activity was to compare the environmental policies of the participating entities with a view to harmonisation and the development of an integrated policy for environmental issues and the protection of the natural and human heritage. This work has largely been overtaken by involvement in defining the protocols of the Alpine Convention, recognising that the participating entities will have to apply these once they have been ratified.

## **Cooperation between the working communities**

As noted above, a small number of working groups within the commissions of ARGE ALP and Alpen Adria worked together in the 1980s. Such relationships were formalised at a plenary assembly of the heads of government of the members of both working communities in Slovenia in 1987, when a resolution on collaboration was agreed. Of relevance to this report are paragraphs on measures to combat forest decline, and for the protection of soil and water. In addition, the paragraph on international traffic axes notes the international significance of environmental concerns. Unfortunately, as noted above, the few instances of cooperation did not last long, apparently due at last partly to differences in structures and operating procedures.

Collaboration was formally taken a step further at the plenary assembly of Alpen-Adria in 1988, when the three working communities adopted a joint declaration on collaboration and created an association of working communities of the Alps. The chairmanship of this association was to

alternate annually between the presidents of the three working communities. A major reason for establishing this association was to obtain observer status at the Council of Europe. However, this association has not been very active, and there has been little cooperation between the three working communities in the 1990s. One difficulty may be that differences in the structure and remits of the commissions of each working community hinder coordination of activities. Nevertheless, particularly within the context on implementing the Alpine Convention, there would appear to be considerable scope and need for such cooperation.

## **Conclusions**

Together, the three working communities encompass much of the Alps, together with a considerable adjacent area under the jurisdiction of the various members (Map 5). While, to some extent, this could decrease the emphasis of the working communities on mountain issues, this does not appear to have been the case for ARGE ALP and COTRAO. However, Alpen-Adria has tended to address a much wider set of regional concerns. At the same time, the inclusion of adjacent lowlands underlines the importance of the many interactions between mountain and lowland economies, ecosystems, and people. Another geographical conclusion is that not all of the Alps – including the Principality of Liechtenstein and the majority of the smaller Swiss mountain cantons – is included in any of the working communities. Conversely, Bavaria and Lombardy are members of both ARGE ALP and Alpen-Adria; Salzburg and Ticino are members of ARGE ALP and observers to Alpen-Adria; and, on the same territory, the Autonomous Region of Trentino-Alto Adige and the Autonomous Provinces of Trento and Bolzano-South Tyrol are members of Alpen-Adria and ARGE ALP, respectively. Thus, on one hand, pan-Alpine initiatives could not be developed only through the working communities; and, on the other hand, the overlaps offer additional opportunities for bringing together the interests of at least ARGE ALP and Alpen-Adria.

The diversity of the Alps is also reflected in the official languages of the three working communities: two each for ARGE ALP and COTRAO, and five for Alpen-Adria. In all three communities, there is a tendency for one language to dominate; for Alpen-Adria, the need to work and publish documents in five languages is a corollary to the principle of broad regionalism, but has serious budgetary implications. It should also be noted that, within the area included in the three working communities, there are also minority languages which are not official languages of any of the working communities.

While the three working communities are broadly similar in structural terms, including a rotating presidency, a high-level assembly composed of or



including heads of government, a committee or commission of senior officials, and commissions (usually with working groups), there are two major differences. The first, and most important, relates to the secretariat of the working community. Only ARGE ALP has a permanent secretariat, supported permanently by the Province of Tyrol. Alpen-Adria has a records office, staffed part-time with funds from the Province of Carinthia; other secretariat functions are assigned to the office of the current president. This is also the case for COTRAO, which includes yet another layer of responsibility: the secretaries-general provided by the three nation-states. A permanent secretariat which coordinates activities, fosters the exchange of information between members and commissions, and stores records and documents, certainly contributes to long-term efficient functioning and fast reaction to critical new issues, especially when the current president does not have the necessary resources to contribute to implementing the functions of a secretariat. However, the establishment of a permanent secretariat would appear to require a permanent commitment by one member of a community, and preferably some support from other members through the general budget; an issue which is both political and financial and has not been resolved in any of the working communities. A further role of a secretariat can be the compilation and dissemination of information, which remains essential even in an age where information can increasingly be stored and disseminated electronically. In all three working communities, these roles are currently distributed, with documents stored by one member, and Internet facilities provided by another.

The other difference between the working communities relates to the inclusion of the chairs of commissions in the bureau of COTRAO. Such an approach could be beneficial in the other working communities, where information on the activities and needs of the commissions is "filtered" by the committee/commission of senior officials. At the same time, this *modus operandi* may be particularly appropriate for COTRAO, which has a relatively small number of members and only two working languages; the larger membership and/or number of languages utilised in ARGE ALP and Alpen-Adria may well necessitate this involvement of a committee/commission of senior officials.

With respect to the work of the commissions and working groups, the usual statement can be made that success depends largely on the dedication of the chair, as well as on available resources. Such resources have derived both from the overall budgets of each working community and from the resources locally available to the chairs of commissions. Centralised budgeting would appear more appropriate, recognising the disparities between the members in all of the working communities; and the greater possibility to prioritise activities, as is possible, for instance, with the vision statement of ARGE ALP. It should also be noted that, as none of the working communities has a legal personality, none can apply directly to the European Commission for funding. Nevertheless, it is

possible for individual members to apply for funds on behalf of a community; and both COTRAO and Alpen-Adria are involved in INTERREG projects.

The commissions have considered a significant number of the major environmental issues of concern in the Alps and have published some useful documents. The personal contacts and networks developed by commission members are also valuable, though less tangible, results. However, the few attempts at cooperation between ARGE ALP and Alpen-Adria through joint working groups were of limited duration and success, which is unfortunate because the issues of concern remain important – although it is true that air pollution, forest decline, and national parks are all considered by other Alpine and/or European organisations. However, the primary emphasis of the commissions appears to have been on review rather than harmonisation; an issue that will become of increasing importance when the various protocols of the Alpine Convention are implemented, and as the Alpine Observatory develops. There are also increasing needs for harmonisation deriving from the mandates and activities of the European Environment Agency and many of the Directorates-General of the European Commission. There is a clear opportunity for working groups and commissions from the three working communities to work together to adopt common methodologies and approaches which could be presented as models.

## 5. Conclusions for other European mountain ranges

In a Europe where interest in regional identities and cooperation is growing, the experience of the Alpine Convention and the three working communities should be valuable in designing and implementing institutions for other mountain ranges – and also other trans-national regions with clear identities. A central issue relates to the appropriate level of partnership between governments. The working communities were all started by regional governments with a significant part of their territory in the Alps. These governments recognised clear common interests and, to some extent, the working communities may be viewed as responses against the centralisation of the nation-states to which these regions belong. Following initial establishment, the adherence of new members to both ARGE ALP and Alpen-Adria shows that the benefits of membership were increasingly recognised in the central and eastern Alps.

In contrast, after the working communities had already been in existence for some years, the Alpine Convention was negotiated between nation-states, some of which have only a small proportion of Alpine territory. Perhaps more than with the working communities, the mere existence of the convention has been instrumental in fostering widespread recognition of the Alps as a region with distinct characteristics, requiring coordinated regional approaches and institutions. However, in some countries, the fact that regional governments were not involved in the process of drawing up the convention has subsequently led to difficulties – and may be one of the reasons for the lack of ratification of any of the thematic protocols. If such conventions are to be negotiated in future, it would seem essential for regional governments to be closely involved in this process, in line with the principle of subsidiarity and also recognising that these sub-national entities are responsible for implementation of actions in many of the subject areas covered by such conventions. This is particularly crucial as a convention has the force of international law, which should become the basis for long-term commitments as protocols are ratified and implemented. As this has not yet happened for the Alpine Convention – and also because the issue of mechanisms for dispute and conflict resolution are only now being defined — it is impossible to draw lessons from experience. Nevertheless, clear lessons can be learned from the process of negotiating the protocols to the convention: protocols should be negotiated in a clear sequence, from general to specific; and negotiating teams should, in their membership, have continuity and technical, legal, and linguistic expertise. Otherwise,

considerable resources may be wasted, for instance in 'backwards harmonisation' and even the reformulation of national laws which relate to these protocols.

Overall, the more flexible structure of the working communities, including the ability to change the themes of commissions as circumstances change, may be the best starting point for a regional structure which can later evolve into a legal institution – as is happening with some of the regional cooperation structures along the northern border of Switzerland. At the same time, the experience from Switzerland and, especially, Austria, of involving a wide range of stakeholders in formulating priorities for the implementation of the Alpine Convention appears very valuable in the context of defining strategies for sustainable development, including the central issue of the conservation of biological and landscape diversity. Even if a regionally-based approach is taken, national governments will inevitably be involved to some extent in issues which fall within their jurisdiction, and also because a significant proportion of the budget of regional governments typically comes from central treasuries.

Apart from the issues regarding the appropriate level and formality of a regional institution, the members must agree on a number of design and implementation issues. While it is politically appropriate for the presidency to rotate (typically every two years), the existence of a permanent secretariat would seem advisable to ensure long-term continuity, 'institutional memory', the storage and availability of internal documents, and the dissemination of publications. This is true even in a world where the use of the internet is increasing; many potential users may not have internet access, and in any case a website has to be kept up to date – which requires continuing resources and communication. Important constraints to establishing a permanent secretariat are that this requires the long-term commitment of resources and that the budget is spent in a single location. Of the institutions reviewed in the previous chapters, only ARGE ALP has a permanent secretariat – but the need for continuity is well recognised in both of the other working communities and by many of the officials responsible for the Alpine Convention.

Another critical issue in the Alps – and at least as much in most other European mountain ranges – is the need for the use of many languages. While English is becoming the lingua franca of most of Europe, and may be appropriate as the basic language of legal documents, it is neither justifiable nor viable as the official language of a multi-cultural institution in a region where it is no one's mother tongue. While a policy of multilingualism has substantial cost implications, it is essential – though it is probably unavoidable that not all regional languages, especially those of minorities,

can be used for all meetings and documents. The experience within the commissions of the working communities, as well as the working groups negotiating protocols of the Alpine Convention, is that the language of the chair – which usually pays a significant proportion of the costs of meetings – is the primary language for resulting documents. Key policy documents are translated into all official languages, and other documents are translated into other languages as resources permit. This solution seems realistic, but must be balanced by an overall commitment to multilingualism.

The question of the chairmanship commissions or working groups must also be agreed. There have been many models in the Alps. For the Alpine Convention, the lead on negotiating protocols has generally been taken by a state with a particular interest in the issue; in COTRAO, chairs of commissions are permanently assigned to particular regions; while in ARGE ALP and Alpen-Adria, chairs rotate. There would not seem to be a preferable model; while the principle of continuity is important, the risk of bias and the resource implications (staff, meetings, publishing documents, etc.) must be recognised. On the issue of budgets, there are again different models for each of the existing institutions; it seems appropriate that all members should contribute to a core budget, while the remainder of budget should be provided either according to a formula depending on mountain area and/or population, or in the context of interest in particular issues.

In conclusion, there are many lessons to be learned from the existing institutions in the Alps; and the experience of the other cooperative structures (NGOs, communities, scientific research) should not be forgotten, as they complement these governmental institutions. Most of Europe's countries have mountains, and these often form their national borders, providing opportunities and even needs to address problems at a regional scale. On a continent experiencing rapid environmental, political and social change, cooperation across entire mountain ranges will be of increasing importance.

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