

Nature protection: Protocols to the Alpine Convention on soil protection, on energy and on tourism

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PURPOSE : to conclude the Protocol on Soil Protection, the Protocol on Energy and the Protocol on Tourism to the Alpine Convention.

PROPOSED ACT : Council Decision.

CONTENT : in this proposal, the Commission points out that many environmental problems have a transboundary nature and can be addressed effectively only through international cooperation. It recalls Article 174 of the EC Treaty and supports the objective of promoting a high level of environmental protection by taking into account the diversity of situations in the various regions. As the Alpine region

is an ecologically highly sensitive area the EC must pay more attention to that region and address its problems by an appropriate approach. Priority areas of the 6th Environment Action Programme - climate change, nature and biodiversity, health and quality of life as well as natural resources and waste – can be promoted in the mountain regions by international agreements.

The Convention on the Protection of the Alps, the Alpine Convention, was signed by the EC on 7th November 1991, and by Council Decision 96/191/EC of 26th February 1996 the Community ratified the Convention, which entered into force on 4th April 1998. The other Contracting Parties are Austria, France, Germany, Italy, Liechtenstein, Monaco, Slovenia and Switzerland. Concrete measures to achieve these goals are laid down in different Protocols. The EC has recently signed the Protocols on Soil Protection, Energy, and Tourism. These three Protocols should be ratified by the EC.

Protocol on Soil Protection: The Alpine Convention's Protocol on Soil protection gives a number of strong indications on soil protection in line with the Commission's reflections and the European Parliament's resolution on it. One of the main goals is the safeguard of the multifunctional role of soil based on the idea of sustainable development. This means that, the sustainable productivity of soil must be ensured in its natural function (as basis of life and living space for human beings, animals and plants,

as a crucial element of nature and landscape, as part of the eco-system and as a genetic reservoir), as an archive of natural and cultural history and in order to guarantee its use for agriculture and forestry, urbanism and tourism, transport and infrastructure, and as a source of raw materials.

The ratification of the Protocol would be a concrete measure to strengthen the Community's strategy. Several elements contained in the Protocol may be included in a Community policy on soil protection such as soil monitoring requirements, identification of risk zones for erosion, flooding and landslides, an inventory of contaminated sites, and the establishment of harmonised databases.

However, the Commission proposes to introduce a Declaration regarding Article 12 paragraph 3 of the Protocol on the use of sewage sludge which should be interpreted in the light of the Council Directive 86/278/EEC. The Commission is of the opinion that sludge can have valuable agronomic properties and can be used in agriculture provided it is used correctly. Sludge could be used when it presents a value for soil

and nutrition for crops and plants. Its use must not impair the quality of the soil and of agricultural products, nor give rise to harmful effects. In particular, sludge from small urban waste water treatment plants of the region represents little danger.

Another proposed Declaration concerns Article 17(2) of the Protocol on Soil Protection. This Article should be read in such a way as to ensure that waste management plans for the treatment and disposal of waste and residual materials are drawn up in order to avoid soil contamination and ensure compatibility not only with the environment but also with human health.

Concerning Article 19(2) and Article 21(2) a Declaration suggests that the common observation system should be compatible with the Global Earth Observation system of Systems (GEOSS) and should take into consideration the database set up by Member States on observation, data collection and meta data.

Earth observation systems consist of measurements of air, water, and land made on the ground, from the air, or from space. Historically these elements were observed in isolation but the current effort is to look at them together and to study their interactions.

Protocol on Energy: The 6th Environment Action Programme sets out the EC's commitment to combat climate change as well as the sustainable management of natural resources. Specific measures must be taken to raise energy efficiency, to promote the use of renewable energy and to guarantee the integration of climate change aspects into other policies. Contracting Parties to the Protocol on Energy agree to take appropriate measures in the field of energy saving, production, transport, delivery and use of energy to foster conditions for sustainable development.

The provisions of the Protocol are in line with the Community's policy and the ratification of the Protocol would also strengthen trans-border cooperation with Switzerland, Liechtenstein and Monaco. The United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol require that Parties formulate programmes to mitigate climate change by addressing anthropogenic emissions by sources and providing removals by sinks of all greenhouse gases not controlled by the Montreal Protocol. The EC and Member States, Switzerland, Liechtenstein and Monaco, are Parties to the UNFCCC and the Kyoto Protocol. The Protocol on Energy addresses the need to mitigate and adapt to unavoidable climate change.

However, the Commission suggests introducing a Reservation regarding Article 9 of the Protocol on Energy which concerns questions of nuclear power. So far as the EC is concerned, such requirements are provided for in the Treaty establishing the Atomic Energy Community (EURATOM). The decision by which the Alpine Convention was ratified was not based on the EURATOM Treaty but solely on the EC Treaty. The decision authorising the ratification of the Protocol will have the same legal basis. Consequently, the European Community will not be bound by Article 9 of the Protocol on Energy, when the Protocol enters into force for the Community.

Protocol on Tourism: Tourism is an economically highly important sector in most parts of the Alps and it is intimately linked to and dependent on the impacts it exerts on the environment and local communities. As the mountain region is an ecologically very sensitive area, a balance between economic interests, local population needs and environmental concerns is extremely important.

The overall goal of the Protocol on Tourism is to promote sustainable tourism, specifically by ensuring it is managed by taking into consideration its impacts on the environment. It provides specific measures that can be used as instruments for reinforcing the environmental side of innovation and research, monitoring and training, management tools, planning and authorisation procedures linked to tourism and in particular to its qualitative development.

The Commission refers to its working paper on “Community measures affecting tourism” and its communication on “Basic orientations for the sustainability of European tourism”. It aims to launch an Agenda 21 process for the sustainability of European tourism in order to address problems with the contribution of all the stakeholders. It also recognises that additional challenges must be dealt with in particular geographical areas, such as the Alps. The Alpine Convention and its Protocol on Tourism, together with the other Protocols that can have influence on the tourism sector, represent a framework instrument to stimulate and coordinate the contribution of stakeholders in order to make sustainability a major driver in the improvement of the quality of the Alpine region tourist offer.

Ratification of the Protocol would be a strong political signal for the Alpine region, and mountain regions in general, and a concrete step in the follow-up of the World Summit on Sustainable Development, of the International Year 2002 on Eco-Tourism and of the Agenda 21 process for the sustainability of European tourism.