

## Visitor guidance and the Alpine Convention – speciAlps Podcast Nr. 5

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*Michael Gams, CIPRA International:* Hello and welcome to our speciAlps podcast series „Guide visitors, preserve nature experience“. My name is Michael Gams and this is the fifth and final podcast episode within this series, produced by CIPRA International in cooperation with the community network Alliance in the Alps. All episodes are in English as well as the alpine languages.

How can the legal framework alpine convention help guiding visitors of alpine regions in order to preserve nature? This is anything else but dry talk about legislation - it is about questions like these: What are so called quiet areas in the mountains? Which legal problems arise from alpine chalet villages? What are the limits of using drinking water for snow production? This is what we will talk about in this episode with Wolfger Mayerhofer, Deputy Secretary General of the Alpine Convention.

Before our talk with him, we will now learn more about the genesis and the background of the tourism protocol of the Alpine Convention, which was signed in 1998 by all states among the Alpine Arc: Monaco, France, Italy, Liechtenstein, Switzerland, Austria, Germany, Slovenia – additionally also by the European Union.

Why are its vision and goals today more important than ever before? Listen now to the history of the tourism protocol in a nutshell, produced by my colleague Maya Simon from Alliance in the Alps:

*Maya Simon, Alliance in the Alps:* During their first Alpine Conference in Berchtesgaden in October of 1989, the Ministers of Environment decided on a resolution, which can now be considered the origin of the Alpine Convention. This resolution already contained the idea to develop a protocol on tourism.

Ewald Galle, now Head of the Austrian Delegation, already took part during the Conference in 1989 and worked on the drafting of the Convention and its protocols. He remembers that it was never a question whether the Alpine Convention should have a protocol on tourism, even though it is highly unusual for an international treaty:

*Ewald Galle:* “It was an attempt by the Alpine Convention to get out of its mainly ecological corner, which ultimately did it some good. Namely, to consciously seek out and involve circles that are supported by a strong lobby, such as tourism. It is an important economic factor in the Alps and today it is almost impossible to imagine the Alps without tourism.”

*Maya Simon, Alliance in the Alps:* The architects of the protocols though faced a substantial challenge: their work began in the early 1990s, before the Framework Convention had been drawn up and agreed upon. Therefore, a direction for each topic had to be developed, before the objectives of the Convention itself were

finalised. The first step was an extensive collection of information with very detailed questionnaires. Interestingly, the term tourism wasn't initially used, the group rather dealt with the term leisure industry.

Looking back on the early 1990s, at that time, the focus in the Alps was on winter tourism. Summer tourism in the Alps actually peaked in the 1970s and declined after this, which is why the minds of those involved in tourism focused so strongly on winter. This focus on winter is now evident in the protocol.

With winter tourism came the discussion about artificial snowmaking, which was maybe the most controversial one. At that time, the problem was not associated with climate change. Neither energy consumption was seen as a problem, nor water consumption in times of drought. Rather, it was the end of a period of forest dieback. The problem was seen in the changing landscape of the Alps and the associated risk of erosion. The impact of artificial snowmaking on the terrain and its safety raised many questions and confronted the working group with challenges.

Another important topic, which was easier to agree upon, was visitor guidance. Beside article 8 in the protocol, there are also other elements which contribute to the matter, as Ewald Galle explains:

*Ewald Galle:* "In the protected areas, the national parks in particular, the visitor guidance system has already worked very well. Even back then, this was a positive example of how visitor management could work. That's why the aim was to maintain this status quo. We didn't think so much about the need for visitor guidance, as for example today in places such as the Austrian town of Hallstatt or other heavily frequented regions; that wasn't an issue at the time and only came later. Terms like overtourism didn't exist back then either. The problem created by tourism was – and still is – that it generates so much individual traffic. That is why the tourism protocol contained provisions on car-free mobility and other ideas on mobility in tourist destinations quite early on, even before the transport protocol. The ideas on car-free mobility are still modern today and could be utilised and implemented locally at any time."

*Maya Simon, Alliance in the Alps:* Another article in the tourism protocol suggests a staggering of holidays. It is closely connected to the mobility issues that have been recognized by the working group. In the 1990s, it was already obvious, especially with regard to winter tourism, that extreme avalanches of traffic would move through the Alps in February due to the holidays here and there. A strategic cross-border staggering of holidays according to geographical location and highly populated regions would be ideal in terms of visitor management.

Article 10 on quiet zones is another instrument to relieve the pressure of tourism on the natural environment. There are only few topics where the Alpine Convention is as binding as here, as the contracting parties undertake to designate these quiet zones. A clear signal that tourism in the Alps must be compatible with the preservation of nature.

Work on the tourism protocol started in 1990, in 1998 it was signed during the Alpine Conference in Bled. But why did it take eight years for the protocol to be finalised, as its content had already been completed around 1994? Well, the protocol suffered

from the different language versions. By then, it was common to use typewriters and the documents were sent out by post. Meetings were held in person every 2-3 months to discuss progress. Although the meetings were translated simultaneously, new text versions were first written in French language by the working group leader and then translated independently by each contracting party – this meant for example three different German versions alone. In this way four language versions in French, Italian, Slovenian and German had to be coordinated and standardised. A feat that was worth it, as Ewald Galle says:

*Ewald Galle:* "The Alpine Convention was the first platform on which the environment and tourism tried to meet. There is no comparable treaty. That makes the tourism protocol so unique."

*Michael Gams, CIPRA International:* What does the tourism protocol of the Alpine convention mean in legal practice and how relevant is it nowadays? One of the few persons who can really answer this, is Wolfger Mayrhofer. He is Deputy Secretary General of the Alpine Convention and responsible for any legal matters; sharing his time between the offices in Innsbruck and Bolzano.

*Wolfger Mayrhofer:* Even 25 years after its conclusion, the tourism protocol remains relevant because it contains provisions that were considered visionary at the time and that are still having an impact in this changed environment today. Locally, I would think about cases of overtourism where we have provisions on natural limitations to development. We have also provisions on visitor guidance in general and on the guidance of outdoor sports activities. In particular, we have a provision on quiet areas and also one on restriction of motorized traffic in tourism centres. At regional level, the requirement to anchor sustainable tourism development with an environmentally friendly tourism in the development programmes and sectoral plans is certainly still relevant. As far as climate change is concerned, the lack of snow was not addressed at the time, partly because climate change had not yet really arrived in the mainstream of environmental legislation, and in fact, the topic of climate change is only mentioned once in the whole system of the Alpine Convention and the preamble of the Mountain Forest Protocol.

*Michael Gams, CIPRA International:* Particularly in protected areas, visitor flows should be actively managed. But what about areas with heavy touristic utilisation on the other hand?

*Wolfger Mayrhofer:* Here we must think about article six para three of the tourism protocol, which stipulates that parties shall ensure, in areas attracting high numbers of tourists, a balance between intensive and extensive forms of tourism. The Compliance Committee of the Alpine Convention has adopted guidelines for the interpretation of this provision, which are intended to ensure a consistent implementation of the whole alpine area. Many elements play a role. That's why no specific threshold value was defined for interpreting the phrase "an area attracting high number of tourists". What do the contracting parties have to do in concrete

terms? They have to endeavor to achieve a balance between forms of tourism in which landscape is used for mass tourism by means of technical development, and other forms of tourism, in which the natural and cultural landscape can be experienced as pristine as possible without any detrimental touristic infrastructure. And this all considering the respective carrying capacity of the area. When I'm thinking about a positive example of such a case, I would mention the ski resort Kühtai in the Tyrol near Innsbruck, which coexists quite well with the mountaineering village of Sellrain, which is known for its very good ski touring opportunities.

*Michael Gams, CIPRA International:* The use of water becomes a more and more conflicting topic in times of climate crisis. In 2022, a French court for example decided against the building of a new water reservoir in the community of La Clusaz, that would have mainly be used for snow production in the local ski resort. What does the tourism protocol tell us about cases like this?

*Wolfger Mayrhofer:* Conflicts of use, such as the one you mentioned in La Clusaz, are becoming increasingly critical in the context of climate change. I already mentioned that the lack of snow has not been addressed in the tourism protocol at the time. However, we have this article nine on the natural limitations to development, which stipulates that the tourism development should be adapted to the available resources of the area concerned. We have an article 14 in the Tourism Protocol directly addressing artificial snow making, according to which the production of snow can be authorized during the respective local cold periods, in particular to make exposed zones safer. And this if the locations' hydrological, climatic and ecological conditions allow. This provision is interpreted by some lawyers as meaning that extensive snowmaking would contradict the Alpine Convention altogether. I think that it's not so clear, because the stated purpose of securing exposed zones is only cited as an example by using the expression in particular. So this means that we have other possible cases which are covered.

*Michael Gams, CIPRA International:* Many ski resorts want to grow, sometimes this conflicts with the needs of nature protection. A few years ago, there were plans for a gondola across the Kalkkögel mountains only a few kilometers south of Innsbruck. The problem: they are defined as a quiet zone. Locals and alpine associations protested and started a petition against it, with more than 30.000 people signing it. Finally, the gondola has not been built. But what actually is a quiet zone an which role did the tourism protocol play here?

*Wolfger Mayrhofer:* In case of the planned connection of the Schlick 2000 ski resort in the Stubai valley and the ski runs in the Axamer Lizum with this cable car across the Kalkkögel, which are designated as a quiet area under the Tyrolean Nature Conservation Law, the issue was the obligation to preserve existing protected areas in accordance with their conservation purpose, and this obligation is standardized in article 11 para one of the Nature Conservation Protocol, not the tourism protocol.

This provision covers all types of protected areas, including the quiet areas under the Tyrolean Nature Conservation Law. This means that we have to look at the conservation purpose. The conservation purpose is defined in the ordinance which was issued based on the Tyrolean law. And here it's clearly stated that the construction of cable cars for passenger transport is prohibited. This is also in line with article ten of the Tourism Protocol, which obliges the contracting parties to designate quiet areas where no tourist facilities will be developed. We can see that repeatedly cable cars are built in sensitive areas and this, I think, is probably due to the international competition and the tourism sector. But from the point of view of the Alpine Convention, it's important that all relevant provisions are complied with.

*Michael Gams, CIPRA International:* And why was such a large part of the population against this project?

*Wolfer Mayrhofer:* I remember that there was a heavy discussion on the implications for traffic. Traffic in a region which is already impacted a lot. There were fears that the prices for skiing might increase even more. And the general, let's say, approach that quite often local population does not benefit from tourism development. We had several referenda in Tyrol where the population was asked whether they were in favor or not of having another Olympic Winter games, and this was always refused. Last but not least, I also remember that there was a good mobilization of the nature protection organizations.

*Michael Gams, CIPRA International:* Exclusive chalet villages, a gondola near the famous Matterhorn from the Italian Aosta valley to Zermatt[MG1] in Switzerland: Nowadays, Alpine destinations try to attract guests from all over the world. What could be problematic about this trend and why is this relevant for the Tourism protocol of the Alpine Convention?

*Wolfer Mayrhofer:* The alpine wide trend towards the construction of chalet villages is problematic in terms of land consumption, in areas where little space is available anyway. In addition, second homes are fuelling the housing market, making living space very expensive for locals, and the municipalities have to ensure the infrastructure for development. Although the houses are only occupied for a few weeks a year, the topic of parsimonious land use is the subject of several articles in the Spatial Planning protocol and in the Soil Conservation Protocol, for which the Compliance Committee has also drawn up recommendations. These recommendations include, for example, setting binding and effective quantitative targets for municipalities in the planning documents on regional or supra-municipal level. It involves restricting the designation of new building land as well. And on the other hand, soil sealing and land consumption should also be limited through prioritizing uses according to the qualitatively defined soil functions. This means we define the soil functions, we see which function it fulfills, and we then draw up a prioritization which is more important than using the surface for secondary homes. The impact of chalet villages on the landscape is obvious. This applies also to newly built cable cars as the one from Cervinia to Zermatt. I think this is the expression of

an ever accelerating investment spiral in the global competition, and the tendency of tourism providers to offer ever more spectacular attractions to guests who even traveled from afar. This is a race for superlatives in which the real capital of tourism in the Alps, which is the landscape, often falls aside.

*Michael Gams, CIPRA International:* But what is clear to all political actors nowadays: We need to protect the climate. A lot of CO2 emissions are caused by alpine tourism and leisure activities in the mountains: People travel there by car or in their motorhomes, mountain passes are being advertised to motorcyclists[MG2]. The result: Ever more traffic and huge parking lots in the middle of many valleys. Sustainable mobility in tourism was also a hot topic 25 years ago. What has changed here - for the better or the worse - since the introduction of the protocol?

*Wolfer Mayrhofer:* In the last 25 years, the situation in certain areas has certainly got worse. For example, when I think of the regular traffic jams on Saturdays when the guests leave the Ziller valley and enter, the new guests enter the valley, or when I'm thinking on the fact that the car parks for the glacier cable car in the very rear end of the Stubai valley, and thus the sealed area has increased massively. On the other hand, many positive initiatives have also emerged that aim to reduce private transport by improving public transport services. One example that springs to mind is the Alpine Pearls, an alpine-wide association of tourist communities that have committed themselves to car free holidays or the YOALIN project - Youth Alpine Interrail, which has now been running for several years and enables young people to travel through the Alps by public transport in a climate friendly way. Another example is the search engine called Zuugle for publicly accessible mountain tours, which now has almost 20,000 tour suggestions in Austria, Slovenia and South Tyrol. As a climber and ski tourer, I'm well aware that the public transport often does not cover the so-called last mile. This means the route from the end point of the train or bus to the starting point of the planned tour. But there are also many positive examples of this, such as the on-call-busses in Switzerland or elsewhere. To say something about the legal framework the Alpine Convention provides for this: We have to think about article 13 of the tourism protocol and article 13 of the Transport Protocol, which deal with creation of and maintenance of traffic calmed and traffic free zones. Establishment of car free tourist resorts, measures to promote car free travel and carefree stays in holidays. It's quite noteworthy that the Swiss presidency of the Alpine Convention in 2022 managed to rally the eight alpine countries behind a joint programme. They invited not only the transport ministers but also the ministers for the environment, and they decided a so-called Simplon Alliance with an action plan. And the action plan aims at working towards a net zero emission in the alpine transport by 2050 at the latest.

*Michael Gams, CIPRA International:* Outdoor activities such as Ski Touring or Climbing are usually considered as fairly sustainable. But during the last 25 years, they became very popular – this again causes more individual car traffic and pressure on once remote areas. Additionally, other new outdoor activities such as

Mountainbiking and especially E-Mountainbiking bring more people than ever before to the mountains. This causes conflicts with nature protection, other visitors of nature as well as land owners. What do you think about this topic as from a personal view and what is (not) covered here by the tourism protocol? [MG3]

*Wolfgang Mayrhofer:* The Alpine Convention only contains provisions on winter sports and does not address summer sports. Not even if, for example, land intensive sports facilities such as golf courses would be required. The general framework here is article 15 para one of the tourism protocol, which obliges the contracting parties to define a policy for the management of outdoor sport activities, particularly, but not only in protected areas, so that the environment is not adversely affected. In addition, bans of specific activities must also be imposed where necessary. When it comes to mountain biking and E-mountain biking, bans are becoming more and more of an issue. The reasons for this concerns the protection of wild animals and plants, concerns also the safety and resulting liability of land owners in some alpine countries, not everywhere, or the illegal trail building. Sometimes, however, a ban is just a very simple way of avoiding conflicts with hikers. Personally, I believe that in many conflicts of use, mutual consideration, that respect gets us further than bans that are contrary to the free access to the mountains. However, mountain bikers must be expected to abide by the applicable rules.

*Michael Gams, CIPRA International:* During holidays, some places of the Alps are reaching their limits of carrying capacity, as we also talked about in one of our recent podcast episodes [MG4]. Among other measures, the tourism protocol suggests staggered holiday periods to solve the problem – today, we still see traffic jams all over the Alps during holidays around Christmas and in February. Is this a too complicated topic to be solved at all?

*Wolfgang Mayrhofer:* Article 18 of the tourism protocol stipulates that the contracting Parties should endeavour to spread out the demand for tourists resorts more effectively in terms of time and in terms of location. This is what they are really doing. The last compliance report of the Alpine Convention, which was adopted in 2022, recognises that improvement measures have been taken in Germany, France, Italy, Austria and Slovenia. For example, in Germany, the summer holiday corridor was extended from 75 days on average until 2010 to 84.6 days on average until 2018. In France and Slovenia, winter holidays were staggered by region. However, you are right, in view of the regular traffic jams in the holiday regions, it's clear that we are still a long way from a real staggering of tourist flows.

*Michael Gams, CIPRA International:* What are the biggest challenges for the future of the Alpine Convention and its tourism protocol?

*Wolfgang Mayrhofer:* The greatest challenge for tourism policy in the Alps is the implementation of the international climate targets. As climate change is making itself felt faster and more strongly in the Alps than in other regions of Europe, the Alpine Convention has adopted its own climate target system, which is aimed at transforming the alpine region into a climate neutral and climate resilient region. The

objectives of the relevant policy areas were then operationalized in a so-called climate action plan 2.0, because it's the second one, which contains specific measures which should be realized over the next 5 to 10 years in ten sectors, based on very detailed implementation pathways. This means also the steps to reach the goals are defined in the field of tourism. We have two main, let's say targets. First thing is to develop a common vision for climate neutral and climate resilient alpine tourism, including the harmonization of the financial flows and the supporting measures. Here I'm pointing at the article 6.4, which defines the direction of the financial support for different tourism activities. And the second aspect is that there is an objective of supporting training and capacity building for the transformation of the tourism sector into this climate neutral and climate resilient alpine region. Among these things, we will develop guidelines for reducing the carbon footprint for the various stakeholders. The second challenge I'd like to mention concerns the international cooperation in an environment which is characterized by competition between the destinations. Here I would say that the platform, the Alpine convention, and concretely the tourism protocol is offering, should be used to maintain the dialogue between the stakeholders involved. This is particularly necessary when we look at visitor management in order to avoid exceeding carrying capacity limits. And in this connection, it's foreseeable that this will sometimes also require restrictive measures. An example which comes to my mind here is the so-called bed stop in South Tyrol. Implementing a sustainable tourism policy in the alpine region still requires a difficult balancing act. Tourists should be attracted, but not too many. Nature should be made accessible, but should be protected at the same time. This means managing alpine tourism in a way that is fit for the future will remain a contradictory and complex task.

*Michael Gams, CIPRA International:* ...says Wolfer Mayrhofer, Deputy Secretary General of the Alpine Convention. I talked to him about the Tourism Protocol of the Alpine Convention and its role for guiding visitors in the Alps. How do we leave as few traces as possible on the way to the mountains and on site? You can find more information about this podcast series on [www.cipra.org](http://www.cipra.org) and [alpenallianz.org](http://alpenallianz.org). My name is Michael Gams, thanks for listening and also many thanks to Magdalena Holzer, Katharina Gasteiger and Maya Simon, who contributed to this podcast episode. This project is supported by CIPRA International and the community network Alliance in the Alps. It is made possible by the German Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection.