

EUROPEAN COMMITTEE
FOR THE CONSERVATION OF NATURE
AND NATURAL RESOURCES

EUROPEAN DIPLOMA

Candidature for the 1968 Diploma
submitted by the Working Party on
Flora, Fauna and Landscapes



COE044770

Memorandum by the Secretariat

The present document reproduces the candidature of the Swiss National Park for the European Diploma. At its last meeting, in April 1967, the Working Party on Flora, Fauna and Landscapes selected as relating to areas of European interest and as being the object of appropriate conservation measures.

The European Committee is invited to take the final decision and to provide a written statement motivating its decision.

SWITZERLAND

Natural Reserve: Swiss National Park
(Schweizerischer Nationalpark)

(a) Type of Reserve

The park is an integral reserve, in which nature is abandoned without restriction to spontaneous development. The area is composed of forests (composed largely of arolla pines and larch, Scotch pine, stone pine and spruce), former pasture-land and mountains.

(b) Scientific description, characteristics and justification for conservation

The National Park, covering 16,870 hectares, is reserved exclusively for scientific research; certain marked paths are open to tourist and nature-lovers. The altitude varies from 1,500 to 3,173 meters.

The terrain is very broken and mountainous, typical of the Eastern Alps (partly Dolomitic); the climate is dry for the altitude.

The Swiss National Park boasts a number of rare plants and animals.

(i) Animals

- The mammalian fauna in the Park are the same as those encountered in other sub-alpine and alpine regions. Approximately half of the species found in Switzerland may be seen there. The larger wild animals most commonly met are the chamois (approximately 1,250 - 1,300), roe-deer (approximately 1,200 - 1,300) and ibex (approximately 250 - 300). The latter were successfully reintroduced after the Park was founded.

- There are comparatively few species of birds in the Park. Periods of spring and summer observation spread over ten years record no more than 60 species. Most are forest-dwellers, only a few are found in the pastures and landslide slopes or among the rocks.

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(ii) Plants

- The Park and neighbouring region are located in the middle of the Central Alpine zone. The climate is distinctly continental. There is no fir, and there is an absence of most mesophilic deciduous trees, such as the elm, beech, pedunculated and sessile oak, and small-leaved linden, but a number of Mediterranean or sub-tropical plants native to the steppes or steppe-forests reach a record height in the park, as a result of the continental-type climate. Examples are Juniperus sabina (2270 m), Avena pratensis (2440 m), Festuca ovina ssp sulcata (2140) Corex humilis (2880 m) ... etc.

The Park area is completely uninhabited (with the exception of the Il Forn Hotel and farm, which form an enclave by the side of the Ofenberg road and are not part of the reserve. The park is traversed by the Ofenberg Zernez-Val Müstair road, which is a very busy thoroughfare. The Spoel Dam (outside but directly adjoining the Park) is located at the Italian frontier (Punt dal Gall); below the Ova Spin a small compensation basin runs parallel to the Spoel along the edge of the park, occasionally crossing into it. There need now be no further fears of human interference.

The land is exclusively in public hands (communes).

European interest

The Swiss National Park is the only integral natural reserve in the Alps in which a large surface (168 sq. km) has been completely isolated from human influences and has been abandoned for over 50 years to its natural evolution in the broadest sense of the term.

(c) Description of geographical position, and/or sketch or tracing on map

The geographical co-ordinates of the Park are 798, 800-820,000; 161,600-183,000 in the Engadine (Ofenberg Pass). To the South, the Park runs along the Italian frontier for approximately 19 km.

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- Maps: 1. Map of the Swiss National Park, scale 1/50,000 (showing the paths open to tourists);
2. Map of Switzerland showing the location of the park (scale 1/530,000).

(d) Photographs

Two photographs of the National Park.

(e) Conservation measures taken so far

1. Legal status of the Park

The Park was created on 1st August 1914 by Federal Decision. A further Federal Decision on similar lines was adopted by Parliament on 7th October 1959 and tacitly accepted by the people. Since the right of referendum was not invoked, this Decision came into force on the 1st January 1961. The Confederation's rights and obligations in respect of the Park are governed by perpetual contracts based on public laws and private treaty, concluded with the communes on whose territory the Park is located (S-chanf, Zernez, Scuol, Vulchava). The Confederation alone (by Decision of the Federal Assembly, subject to referendum) can denounce contracts; it may also conclude additional ones to enlarge the reserve. Infringements of the law are penalised and regulated, with due regard to the rights of territorial sovereignty of the Canton of Graubunden (hunting, fishing, etc.) and of the communes (police, fire-brigade, etc.).

2. Park administration

- (i) The responsible authority is the Federal National Park Commission, attached to the Federal Department of the Interior (Federal Inspection of forests, hunting and fishing).
- (ii) The Confederation pays approximately 80,000 francs annually in compensation to the communes which own the land, in addition to the cost of indemnification for damage caused by wild life outside the Park. The administrative costs are borne partly by the Confederation and defrayed partly by a special National Park Fund, gifts and the Swiss Nature Protection League; they amount to some 200,000 francs annually.

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- (iii) The secretariat and accounting services are performed by the officers of the Commission (in the Federal Inspectorate of Forests). The park superintendent is a head keeper living in Zernez, aided by six wardens. Federal frontier patrolmen also help with this work.
- (iv) The wardens' duties are to prevent poaching, see that tourists do not leave the authorised trails or cut down or collect timber, capture animals or pick flowers, etc. Breaches of the law occur every year, but the park regulations are, on the whole, respected.
- (v) Scientific research is carried out by scientists authorised or instructed to perform research by the Swiss Natural Science Society. There is a small laboratory for their use near Il Forn. A spacious park-house is shortly to be built at Zernez; it will also contain a museum.
- (vi) The public may cross the park on the Ofenberg road and certain other roads set aside for the purpose. Tourists may spend the night at the Il Forn Hotel, in neighbouring premises and in the Cluezza Blockhaus, which records some 2000 night guests annually. The exact number of annual visitors to the park is not known, but it is estimated at nearly 100,000.
- (vii) Upon request, groups and schools may make guided tours of the Park accompanied by the Park staff.

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3. Federal Decision relating to the Swiss National Park in the Canton of Graubunden (7.10.1959)

The Federal Assembly of the Swiss Confederation, having regard to the message of the Federal Council of 15th May 1959(1),

Decides as follows:

Article I

The Swiss National Park, founded in 1914 and subsequently enlarged shall be maintained, and the purposes for which it was created shall be promoted, under the following provisions.

Article II

The National Park is a natural reserve in which nature shall be left completely free of human interference or influence other than activities calculated to further the purposes for which it was created, and in which all animals and plants shall be allowed to develop naturally.

Scientific research shall be carried out in the Park.

Article III

The National Park includes the territory specified in contracts concluded between the Confederation and the legal land-owners, public or private.

Article IV

The territorial sovereignty of the Canton and communes shall not be affected.

The rights and obligations of the Confederation with respect to the National Park shall be governed by the contracts concluded with the legal land-owners.

Article V

The Confederation shall make annual appropriations as required to further the purposes of the park, including:

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(1) FF 1959, I, 1321

- (a) Compensation to be paid under the contracts with the legal owners, public or private;
- (b) Compensation for damages caused by game and cost of supervision in neighbouring areas.

Appropriations shall be entered in the Confederation budget.

Article VI

The following contracts concluded, subject to endorsement, by the Federal Council, are hereby approved:

- (a) Contract with the Commune of Zernez, of 10/21 November 1958;
- (b) Contract with the Commune of S-chanf of 20th April/12th May 1959;
- (c) Contract with the Commune of Valchava of 16th April/12th May 1959;
- (d) Contract with the Commune of Scuol of 24th November 1958/11th March 1959.

Any similar contracts concluded shall be subject to approval by the Federal Assembly, if they involve an annual expenditure exceeding 10,000 francs. Approval is also required for the revision of contracts involving a like sum, or any major territorial changes.

Denunciation of contracts by the Federal Council must be approved by the Assembly in a Federal Decision subject to optional referendum.

All contracts relating to the use of municipal lands for the purposes of the National Park, and any amendments to such contracts must be published in the Federal Gazette.

Article VII

In addition, the Contract of 4/7/30th December 1913 and 21st July 1914 concluded between the Confederation and the Swiss League for the Protection of Nature and the Swiss Natural Science Society shall remain in force.

Any amendments to this Contract shall be submitted to the Federal Assembly for approval.

Article VIII

All future contracts relating to the National Park shall contain provisions covering the following:

- (a) The aim stated in Article 2 above;
- (b) The amount of compensation provided for under Article 5 above;
- (c) The right of denunciation with 2 years' advance notice shall be reserved unilaterally to the Confederation at the end of 1983 and every 25 years thereafter.

Immovable property rights shall be treated as separate and perpetual rights as defined by the Civil Code.

Article IX

The Federal Council shall entrust the performance of the acts assigned to the Confederation by contract to the Federal Commission, either wholly or in part.

Article X

The Federal Council shall determine the date of entry into force of this decision.

The Federal Decision of 3rd April 1914 (1) relating to the foundation of a Swiss National Park in the Lower Engadine shall cease to have effect on that date.

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(1) RS 4, 269.

Article XI

The Federal Council shall be responsible for the enforcement of this Decision.

The Federal Council shall publish the text of this Decision in accordance with the Act of 17th June 1874 on Public Voting on Federal Acts and Decisions.

So decided by the National Council.

Berne, 7th October 1959 Eugen Dietschi, President
Ch. Oser, Secretary

So decided by the State Council.

Berne, 7th October 1959 Aug. Lusser, President
F. Weber, Secretary

The Federal Council decides as follows:

The above Federal Decision, published on 15th October 1959, (1) shall be entered in the "Collected Acts of the Confederation" and shall take effect on 1st January 1961.

Berne, 25th September 1961 Ch. Oser, Chancellor of the
Confederation
(by Order of the Swiss
Federal Council).

4. Contract between the Swiss Confederation and Canton of Graubünden (2)

By this contract, dated 1st January 1961, the Canton of Graubünden shall refrain from exploiting the water power and hunting and fishing resources of the Swiss National Park so long as the park shall exist, as guaranteed by the Federal Decision and contracts with the communes.

5. Contracts with Communes

By Decision of 7th October 1959, the Federal Assembly approved the following:

- (i) contract with the commune of Zernez, 10/21st November 1958,
- (ii) contract with the commune of S-chanf, of 20th April/12th May 1959,

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(1) FF 1959, II, 693

(2) The Secretariat has available the text of this contract.

(iii) contract with the commune of Valchava of
16th April/12th May 1959,

(iv) contract with the commune of Scuol/Schuls of
24th November 1958/11th March 1959.

No referendum on the Decision was requested.

On 25th September 1961, the Federal Council ordered the publication of the Decision in the Collected Acts and set the date of entry into force as being 1st January 1961. The High Council of the Canton of Graubünden approved the four contracts on 30th November 1961. Instruments of ratification were exchanged at Berne on 7th December 1961.

Contracts cover the following points:

- location and purpose
- boundaries of the Park
- general rights and obligations
- mineral resources
- water facilities
- hunting and fishing
- territorial sovereignty
- traffic
- compensation
- damage caused by game and other damage
- duration of contract
- transfer
- effects of termination of contract
- jurisdiction
- entry in land registry

The Secretariat has available copies of these contracts.

(f) References to publications

1. "A travers le Parc National Suisse - Guide scientifique",
by the Swiss National Park Scientific Research
Commission, 16th April 1966.
2. Small unbound guide for visitors (in four languages).

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3. "Der Schweizerische Nationalpark heute" by
A. Kuster, Sonderdruck aus dem Jahrbuch 1963,
28 Band, des Vereins zum Schutze der Alpenpflanzen
und - Tiere c.v.
4. Annual reports by the Federal Swiss National Park
Commission (1964-1965).
5. A film (approximately 40 minutes) has been made on
the National Park.

