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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

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**REPORT
OF THE EXTRAORDINARY VISIT OF THE INDEPENDENT
EXPERT TO WELTENBURGER ENGE
(Germany)**

26 – 28 August 2021

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Table des matières

Preface	3
Available documents	4
A brief review	4
Conditions	4
Recommendations	5
Complaints	6
River bed management 2018	6
Shipping on the Danube	6
Forests	7
Tourism	7
Fishing	7
Conclusions	7
Decision	8
Conditions	8
Recommendations	9
Acknowledgments	9

Preface

The last regular appraisal of the Weltenburger Enge protected area took place in 2016. The European Diploma was renewed in 2018 until 2 March 2028 with three conditions and eight recommendations attached to the resolution.¹ Since then, the Secretariat of the Bern Convention was alerted several times of possible severe threats to the area, which might affect the integrity of the protected area. It should be pointed out that the Diploma holding area is a nature reserve, but not a strict protected area, where stricter regulations would apply.

The complaints concerned encroachments in the forests, actions in the river bed to improve the navigation near the Weltenburg landing place, missing regulations² for the navigation in the Weltenburger Enge plus the rising number of trips with barges and the growing number of violations against regulations by tourists, mostly on the Danube. At its 2020 meeting, the Group of Specialists agreed to conduct an extraordinary appraisal visit to the Weltenburger Enge to review these complaints.³ Because of the pandemic in 2020 the mission had to be postponed and could only take place in summer 2021.

The report also reviews the implementation of the conditions and recommendations attached to the latest renewal. It will show that not all conditions are fulfilled, even those, which were time-bound. This report will therefore be more detailed as far as measures against violations of rules for visitors are concerned. The report can of course only recommend further steps. In the end, it is up to the authorities to set measures that can guarantee the protection of the environment and observe the criteria of the European Diploma.

It should also be noted that in 2020 and 2021 the number of visitors to the Weltenburger Enge increased dramatically due to the fact that international tourism was limited due to restrictions following the outbreak of the pandemic. The Weltenburger Enge is not the only protected area in Europe, which registered a growing number of tourists and partly serious impacts on habitats. Another dramatic change comes from the quality of technical equipments for tourists, mainly e-bikes, e-mountain bikes or all kinds of sport boats, but also from drones and geocaches in sensitive places, which can disturb wildlife, first of all the birds nesting in the steep cliffs along the Weltenburger Enge, but also on the habitats of fauna and flora.

On 1 March 2020, the Free State of Bavaria declared parts of the Nature Reserve Weltenburger Enge as first national nature monument in Bavaria.⁴ The national nature monument forms the core area of the merged new Nature Reserve Hirschberg – Altmuehlleiten, as recommended in the 2018 resolution. According to the regulation for the Nature Monument Weltenburger Enge, an administration will be established, but so far it is unclear to which extent this administration can be involved in the management of the nature reserve even though the national nature monument is part of the nature reserve, and what rights the rangers will have concerning violations against the respective regulations.

The 2018 resolution for the renewal of the Diploma recommended to extend the European Diploma area to the adjoining Nature Reserve Hirschberg and Altmuehlleiten, and to harmonise the regulations of both nature reserves. A common regulation is under preparation and was discussed with stakeholders at the end of October 2021. An offer to review the regulation in advance to avoid further problems failed as draft regulations cannot be published or handed out to individuals before being politically concerted. It can be commented by the public until 22 January 2022. On 28 October, a copy of the draft regulation⁵ was sent to the expert. This draft version is taken into account in this report. For the time being, it is difficult to foresee when this regulation will enter into force. Furthermore, dispensations from the regulation can be made for

¹ CM/ResDipl(2018)2

² The German word Verordnung can be translated in various forms, e.g. order, prescription or legal ordinance. In this report the term regulation is used.

³ T-PVS/DE(2020)18

⁴ Verordnung (Regulation) über das Naturmonument Weltenburger Enge vom 11. Februar 2020, Bayerisches Gesetz- und Verordnungsblatt Nr. 4/2020, www.gesetze-bayern.de/Content/Document/BayWeltEngNatMon

⁵ Synopse NSG „Weltenburger Enge“ NSG „Hirschberg und Altmuehlleiten“, NSG „Weltenburger Enge, Hirschberg und Altmuehlleiten“, NNM-VO „Weltenburger Enge“

ships and boats, according to § 6 of the draft. It is therefore in the hand of different authorities to find the best protection for the Weltenburger Enge.

As no expertise was conducted on legal options to regulate disembarking on the right bank of the Danube as requested in condition 1 of the 2018 resolution (see the comments on the 2018 conditions and recommendations), this report itemises restrictions, which should be considered in the final version of the new regulation.

Available documents

Official documents on the European Diploma include the on-the-spot appraisal reports of 2016⁶ the resolution on the renewal of 2018 and the annual reports for the years 2019⁷ and 2020. The final report of the Federation for Landscape Conservation Kelheim for the project “Territorial supervision of the Nature Reserve Weltenburger Enge, Unteres Altmuehl- and Donautal” in the Kelheim district was also provided by the authorities.⁸ In October 2021, the draft regulation for the enlarged nature reserve was sent to the expert.

With courtesy of the Government of Niederbayern the “Concept for the ecological development for the Danube between Neustadt/Donau and Kelheim, river km 2432,2 to 2415,0” was also made available. Additionally, a report about the so-called Celtic Wall (Keltenwall) and protective measures⁹ was provided. Last but not least, a study on the impact of the navigation-induced waves on young fish in the Weltenburger Enge and scientific publications were respected.¹⁰

A brief review

When the Diploma was renewed in 2018 three conditions and eight recommendations were attached to the resolution.

Conditions:

1. *conduct an expertise on legal options to stop or at least regulate disembarking of private boats on the right bank of the Danube between the Weltenburg landing place and river kilometre 2416, and to ban overnight camping and campfires in the whole European Diploma area. Report to the Council of Europe by 2020 at the latest;*
2. *extend, wherever ecologically and touristically worthwhile and as soon as possible, the stricter regulations of the decree on the Nature Reserve Hirschberg und Altmuehlleiten to the area of the Nature Reserve Weltenburger Enge to make the rules more comprehensible for visitors and supervision more effective, and to underline the unity of both sites as an ecological entity;*
3. *take more responsibility for the preservation of the archaeological monument Keltenwall (Celtic wall) and stop further damage and erosion through visitor management or appropriate installations to limit hiking and mountain-biking on the monument, in cooperation with the government agency for monument conservation;*

No such expertise (C1) was conducted. On the contrary, in the annual report of 2020, the authorities argued that “*In our opinion, an external expert opinion is not needed to clarify this condition.*” It is not up to the

⁶ T-PVS/DE(2016)12

⁷ The 2019 annual report was sent to the Council of Europe in German, which is not an official working language

⁸ Abschlussbericht 2020/2021 des Landschaftspflegeverbandes Kelheim VöF e.V. zum Projekt Gebietsbetreuung im Naturschutzgebiet “Weltenburger Enge“, Unteres Altmühl- und Donautal im Landkreis Kelheim, Berichtszeitraum: 01. Januar 2020 – 31. März 2021. Gefördert von der Stiftung Bayerischer Naturschutzfonds.

⁹ Zuber J. (2021), Schutzkonzept Bodendenkmal „Äußerer Keltenwall“ Oppidum Alkimoennis/Kelheim. Kreisarchäologie Kelheim

¹⁰ a) Vereinigte Schifffahrtsunternehmen Kelheim (Ed.) (2007), Einfluss des schifffahrtsbedingten Wellenschlags auf die Fischfauna in der Weltenburger Enge. Berarbeiter: ezb-TB Zauner GmbH., Engelhartzell

b) Ratschan C., Mühlbauer M. Und Zauner G. (2012), Einfluss des schifffahrtsbedingten Wellenschlags auf Jungfische: Sog und Schwall, Drift und Habitatnutzung; Rekrutierung von Fischbeständen in der Donau. In: Österreichs Fischerei, 65/2012

authorities of a Diploma holding area to decide about the conditions and interpret these conditions as they are laid out in the resolution without discussing it with the Council of Europe. The new regulation has only been available since the end of October 2021 and could not be discussed during the visit. This concerns also C2.

Furthermore, the authorities should inform the Council of Europe officially about the will to extend the Diploma area to the adjoining Nature Reserve Hirschberg und Altmuehleiten as soon as possible. Otherwise, the borders of the Diploma area will remain as they are.

Regarding C3 some attempts have been made to manage the visitors' flow on the Celtic Wall, but not very effectively, the expert was informed during the visit that an expertise on how the Celtic Wall could be protected was under preparation. It was delivered in November 2021 (see available documents).

Recommendations:

1. *achieve, as soon as possible, the formal extension of the European Diploma area to 934 hectares, change the name to “Weltenburger Enge, Hirschberg und Altmuehleiten” and adapt as soon as possible all signposts, brochures, maps and leaflets to the new area. Prepare and adopt, by 2020, an overall management plan in addition to the existing Natura 2000 management plan;*
2. *assess the effects of wave disturbances, caused by larger boats, on the river bank and on selected and relevant species, especially fish, freshwater molluscs and dragonflies;*
3. *consider a harmonisation of information boards and a better planning of their distribution across the area and add the European Diploma logo at least to those boards containing information on natural and cultural highlights within the European Diploma area. This includes the information point at the boat landing in Kelheim. Immediately add information about the role of the European Diploma on information boards, at least those at the main access routes,*
4. *increase and conduct more efficient control of illegal mountain-biking off the official mountain-bike routes;*
5. *carefully examine the opening of official viewing points taking into consideration the natural value of the specific site, and close down a number of uncontrolled and unsafe spots;*
6. *put an emphasis on the natural succession of forests and the development of more natural forest reserves in the total area and avoid clear cuts of any size. Minimise commercial exploitation of forests and stop the use of heavy machinery in forestry management. Thoroughly assess any intervention in the forest around the Befreiungshalle and refrain from any forest management that cannot be considered ecological;*
7. *recognise the need for professional, on-site supervision of the area, including fieldwork by professional and permanent staff and envisage an increase in capacity of permanent supervision staff;*
8. *assess the technical possibilities and financial support for restoration of the Klösterl cultural monument.*

Although attempts were made to implement some of the recommendations, it is obvious that there is still a discrepancy between the objectives of nature protection and the reality of increasing leisure activities. Efforts to reduce the impacts of touristic activities are commendable, but so far not very effective. The reason is manifold, mainly the lack of effective supervision, the unreasonableness of visitors and a confusing network of official and unmarked hiking and biking routes (R4 and R5). Shortly after the official renewal of the Diploma, the Bern Convention Bureau was informed about interventions in the forest in contradiction to R6.

The supervision of the area (R7) could be improved in line with the National Nature Monument Weltenburger Enge, but so far the capacity and the legal possibilities of the new staff are unclear.

Complaints

River bed management 2018

After a flood in 2018, a gravel bank was deposited in the Danube near the Weltenburg Monastery landing place for tourist ships, which made landings impossible at a water level under 2.5 meters. The gravel bank did not have any effect on the flood protection and no action had to be taken. By chance, another flood in March 2019 eroded the gravel bank in such a way that the ships could also reach the landing at lower water levels.

Shipping on the Danube

The Weltenburger Enge is not part of the international shipway Danube, which leaves the Danube near Kelheim and continues through the Rhein-Main-Danube canal to the north. The Danube between Kelheim and Weltenburg is open for tourist ships, but not maintained for this purpose. In the Weltenburger Enge, shipping is allowed based on administrative decisions.¹¹ Such decisions should include the minimum water level and the maximum speed of ships. In the extremely dry year 2018, the specification of the minimum water level was adapted to the current situation, enabling navigation at exceptional low water levels, according to information given by NGOs. In addition, relocations in the stream bed can change the situation and the conditions for shipping quickly. Oral reports say that ships sometimes get stranded in the Weltenburger Enge and can only free themselves by reversing. This means that a certain water level is not a guarantee for a safe navigation.

However, navigation was allowed on low water levels based on administrative decisions. Such temporary allowances for ship excursions can have an impact on the aquatic habitat. According to the 2021 timetable, the potential ship traffic in the Weltenburger Enge can reach about 2,500 boats in each direction, not including barges.

Another complaint concerned the propulsion system of some ships. One is equipped with a so-called pump-jet system. Especially at low water levels, this system swirls sludge from the river bed also at low speed and sucks up gravels from the ground. Local people call it “the vacuum cleaner”. This system is probably not appropriate for the Danube in the Weltenburger Enge.

The maximum speed of ships in the Weltenburger Enge was increased over the years from 5.5 kilometres per hour (km/h) to a maximum of 9 km/h upstream and 10 km/h downstream, nearly doubling the speed, probably to raise the number of shipping. It was also reported that ships regularly exceed the speed limit, but it could not be proofed by the expert. In any case, it is not only the speed itself but also the manoeuvrability of the ships that must be considered. It would probably be helpful if every ship was equipped with a depth meter.

People can travel through the Danube gorge on private barges (Zillen). The number of trips with barges, their speed and the period are defined through administrative decisions. In 2021, the number of trips raised dramatically to a ninefold number without any clear need, possibly by a faulty extension of administrative decisions, according to NGO reports. So the maximum number of passengers could reach 460 thousand instead of currently 52 thousand. Additionally, the admissible speed was raised from 5.5 to 15 resp. 20 km/h. The case might be brought to the court. The expert cannot deny his impression that some decisions were influenced by local interests rather than evidence-based decisions.

Also, the impacts on the fish fauna are inadequately respected. The high number of cruises can increase the stress factors for Ichthyofauna and Makrozoobenthos mainly at low water levels and/or high water temperature (above 25° C). All these factors should be assessed not only in the individual but also in the

¹¹The expression administrative decision is used for the German term Bescheid.

cumulative effects.

Forests

Several NGOs criticised that the felling of trees in the Bavarian State Forest was not in line with the recommendations of CoE resolution of 2018, especially regarding the size of the felling areas and the use of heavy machinery. Meanwhile, the Ministry has stopped the commercial exploitation of trees in the state forests.

Tourism

Private boating on the Danube is very popular, but has serious impacts on the habitats, first of all on the gravel banks where illegal landing, overnight camping or campfires and other disturbances happen. No sanitation or waste removals are available on the banks. But even in times when gravel banks are inundated sport boats can disturb fish and other aquatic fauna. The expert could also observe boats with loudspeakers or motor driven boats in forbidden areas. There is no limitation of the number of private boats in the Diploma holding area. The control mechanisms are poor and have to be improved.

Regarding the terrestrial part of the reserve, no progress has been made since the last appraisal. There is still uncontrolled tourism, both on foot and on (mountain-)bicycles. Trampling damages on outlook places and criss-cross paths show that visitors' management has failed so far. The damages on the Celtic Wall by cyclists are just one evidence of neglected rules and are critical.

Fishing

Restricted access for tourists to the right bank of the Danube should also apply for fishery.

Conclusions

An appraisal visit to the Weltenburger Enge within the European Diploma was carried out in 2016. The conditions and recommendations attached to the resolution were only partly implemented. The consolidation of the adjoining Nature Reserve Weltenburger Enge and Hirschberg - Altmuehlleiten was initiated. This has consequences on the regulations in force for both protected areas.

With the draft regulation for the whole Nature Reserve Weltenburger Enge – Hirschberg – Altmuehlleiten, the authorities are expected to set goals for the protected area, the necessary prohibitions, but also admissible interventions, measures and activities. Some activities in the Weltenburger Enge (e.g. navigation, barges, climbing) are partly exempted from restrictions as laid out in the regulation. Such exemptions are regulated separately by administrative decisions. It can be confirmed that the draft regulation administers the utilisation of the site in detail, though some problems remain unsolved (see conditions and recommendations).

The prohibitions and permitted activities need a surveillance and exemptions need to be closely monitored. How such a surveillance will be organised and which administrative office will be in charge of it has to be decided by the authorities.

The Weltenburger Enge was awarded the European Diploma. It is therefore under the responsibility of the Council of Europe to regularly assess the extent to which the conditions attached to the Diploma are complied with. In this specific case, the regulation and all restrictions and permitted measures are still under review. This report is therefore aiming to recommend or call for absolutely essential rules, appropriate to secure the protection of the Weltenburger Enge and to prevent the natural scenery and the ecosystems from damage. In the appraisal visit report 2016 for the renewal of the Diploma in 2018, some aberration were already reported.

The whole protected area is under enormous visitors' stress, the river (Danube) as well as the terrestrial part. The number of guests almost exceeded 500,000 before the pandemic and most of them stayed in the small area of the Weltenburger Enge itself, mostly on the left (northern) bank. The declaration of the National Nature Monument Weltenburger Enge in 2020 also raised public awareness about the area.

According to NGOs, a huge proportion of leisure activities is carried out by inhabitants of the region. This strengthens the impression that these activities should not be seriously restricted. However, the view of the authorities and ship owners that *“navigation both with ships as well as barges contributes significantly to a control and management of visitors' flow in the area”* cannot be shared. In fact, shipping in the Weltenburger Enge attracts an additional number of tourists. Travel restrictions during the pandemic intensified the trend.

A well-positioned tourism is of course in the interest of the tourist business in the region. Anyhow, it is important to avoid overtourism and not exceed the carrying capacity of the landscape. Visible damages, e.g. along the Celtic Wall, clearly indicate the need for stricter measures. Legal prohibitions are not efficient. Therefore, the expert's report recommends specifying the limits of the carrying capacity and the prohibitions as laid out in the draft regulation. The climbing concept is a good example of a coordination of diverging interests, although violations are reported occasionally.

The supervision of the area is conducted by nature guards and rangers. This is not sufficient. One should aim to involve all local and regional administrative authorities and agencies in the surveillance of the protected area. It is necessary to equip them with all the required rights and relevant information according to their legal status.

Decision

The draft regulation is open for public consultation. It is recommended to accept the draft regulation under consideration of the conditions and recommendations of this report. Any significant change during the upcoming process of public statements shall be reported to the Council of Europe immediately. The European Diploma area Weltenburger Enge should remain under observance.

Conditions

In addition to the conditions and recommendations as laid out in the resolution renewing the Diploma in 2018, and which remain in force, the following conditions and recommendations should be added. It is obvious that specifications of the maximum speed of ships, the minimum water level or the number of barges, etc. cannot be made by the expert. They shall be based on relevant studies and data and set by the authorities in coordination with relevant stakeholders.

1. Forbid access including for fishing to the right (southern) river bank of the Danube and to the gravel banks between Weltenburg monastery and river kilometre 2416 (see also condition 1 of the 2018 renewal). The same prohibition should also apply to the left side of the Danube wherever ecologically worthwhile.
2. Set a mandatory minimum depth of the waterway in relation to the water level gauge at Kelheim as well as a mandatory maximum speed for navigation on the Danube in the Weltenburger Enge, which might differ between upstream and downstream rides. These limitations should be based on a study on the impact of cruises in the Weltenburger Enge, conducted to assert the consequences on Ichthyofauna and Makrozoobenthos.¹² The results of this study shall determine the limitations for cruises with regard to water level and speed and help avoid demand-oriented arbitrary adjustments. The minimum depth and maximum speed should take into consideration the interests of nature protection, fishery and ship owners.

¹²Documents and studies concerning navigation-induced waves were available but not on the current situation of the Ichthyofauna

3. Increase the number of skilled and competent wardens or rangers in order to manage the rising number of visitors and the violations of set rules. This should include other authorities such as the police. Allocate wardens and rangers with the necessary means and capacity to enforce the regulations and guarantee a balanced coexistence between touristic and leisure activities and nature protection. Their competences should be reviewed and strengthened when appropriate.
4. Reduce, at least in the core area the existing road network to those roads and paths, which are officially designated and marked as hiking, biking and mountain-biking routes for visitors. Any unmarked route in the core zone shall be dismantled through natural barriers of falling trees, cracking of the surface or other measures. It would be helpful to extend these limitations and measures to the whole nature reserve. The same arrangements shall apply for outlooks, which shall be reduced and set up in secured spots.
5. Concerning the Celtic Wall, alternative routes shall be designated to stop the ongoing destruction of the archaeological monument.
6. Share the final version of the regulation with the Council of Europe as soon as it has been accepted by the government.

Recommendations

1. The maximum number of barges, the number of admissible journeys, the speed of the barges (which was recently raised from 5 to 15 resp. 20 km/h), and the temporal limitations shall be fixed mandatorily in accordance with relevant organisations, first of all with the fishery. The provisions must consider the protection requirements of the landscape and its fauna and flora between Kelheim and Weltenburg. The currently permissible values do not seem to be appropriate.
2. Prohibitions as laid out in the draft regulation shall be specified in their spatial effect. This applies to the Danube as well as to the terrestrial part. For the Danube, the zone which can be used for navigation of tourist ships, barges and all kinds of private boats like kayaks, rubber boats etc. should be exactly defined. The zone should be illustrated on maps and could be determined in accordance to the main current line or to the central line of the waterway.
3. Ensure that the number of visitors does not exceed the carrying capacity of the protected area and that all regulations and limitations are fully observed by users and visitors. This can be achieved by alternative offers for tourists or limitations e.g. for private boats on the Danube in the Weltenburger Enge.

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