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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

38th meeting
Strasbourg, 27-30 November 2018

Other complaints

**Alleged threat to the Raaderwald Forest
in Austria**

- COMPLAINT FORM -

*Document prepared by
the Raaderwald, Austria*

**Convention on the Conservation of
European Wildlife
and Natural Habitats**



COMPLAINT FORM

NB: Complaint forms must be submitted in electronic word format, and not exceed 3 pages, including the first administrative page. A maximum 5-page report can be attached. The Secretariat will request additional information on a case-by-case basis.

Please, fill in this form and send it to the attention of:

Iva OBRETENOVA

Directorate of Democratic Governance, Culture and Diversity

Council of Europe

F-67075 Strasbourg Cedex

E-mail: Iva.OBRETENOVA@coe.int

First name: ...Florian.....

Surname(s): Mayr.....

On behalf of (if applicable): the Raaderwald.....

Address: ... Raiffeisenstraße 15/8/2.....

Town/City: St. Valentin.....

County/State/Province: Niederösterreich.....

Postcode: 4300.....

Country: Austria.....

Tel.: ---.....

Fax: ---.....

E-mail: florian.mayr@liwest.at.....

Web site: www.raaderwald.at;
<https://www.youtube.com/channel/UCrXXMNoVdXjEe8S286aTHqQ/videos>

Date : 30.11.2017

Electronic Signature

1. Please state the reason of your complaint (refer also the Contracting Party/es involved and the Articles of the Convention which might be violated).

The Raaderwald (a natural forest with glades in 4300 St. Valentin, Austria) and all its species are massively in danger for about 2 years (about 48 hectares of it acute). A press release from the "Friends of the Raaderwald" explains in great detail the exact facts surrounding the Raaderwald at http://www.raaderwald.at/presse/Presseinfo_Raaderwald_092017.pdf or at <https://www.tips.at/news/st-valentin/leben/403490-naturschutzpreis-fuer-die-freunde-des-raaderwaldes>. In the name of this historically ancient forest, we call for support from the Bern Convention. The owner of the habitat is the OMV Refining & Marketing GmbH, represented by Mag. Manfred Leitner, Trabrennstraße 6 – 8, 1020 Vienna. Only the dedicated intervention of Mag. Tom Hansmann (Head of Lower Austrian Office of the Ombudsman for Environmental Protection, Tor zum Landhaus, Stiege B, 5. OG, Wiener Straße 54, A-3109 St. Pölten – thomas.hansmann@noel.gv.at), it was thanks to the fact that the harvester deployment in January 2017 could be stopped after just a few hours. **Due to the protected species documented for the Raaderwald he was able to achieve, that at the Bezirkshauptmannschaft Amstetten (District team Amstetten) was initiated to the number AMW3-N-165/001 (Bezirkshauptmannschaft Amstetten, Fachgebiet Umweltrecht, Mag. Viktor Steinkellner, Preinsbacher Straße 11, 3300 Amstetten) a conservation method for an areal natural monument for the Raaderwald.** The report has been issued by the expert Dr. Manfred Pöckl (manfred.poeckl@noel.gv.at) and it is obviously very positive for the Raaderwald, so we ask the Bern Convention to support the Lower Austrian Environmental Attorney Mag. Tom Hansmann in his request, to save the Raaderwald from destruction and to turn it into an areal natural monument. The protection of the forest by the procedure already expires on **18.1.2018** (contact to the State of Lower Austria in nature conservation matters - Dr. Stephan Pernkopf, Landeshauptfrau-Stellvertreter, Büroleitung DI Christian Kirchweger, Landhausplatz 1, Haus 1, 3109 St. Pölten – lhstv.pernkopf@noel.gv.at).

Eladio Fernandez-Galiano (eladio.fernandez-galiano@coe.int), Head of Culture, Nature and Heritage Department, Council of Europe, advised personally to report the protection project Raaderwald to the Bern Convention. He also arranged for us to contact Toby Aykroyd (tobyaykroyd@wildeurope.org), the director of Wild Europe and leader of the OldGrowthForest Europe project (<https://www.wildeurope.org/index.php/17-home/114-old-growth-forest-conference-launches-key-elements-for-protection-strategy>). The Raaderwald ist already listet in the first Austrian maps (Josephinische Landesaufnahme 1763 – 1787) and thus corresponds to the requirement profile of a historically ancient forest, whose biodiversity now, as already on 13.6.1988 by recommendation of the Committee of Ministers of the Europaen Council No R (88) 11 stimulated, again consciously in the focus of the EU nature conservation authorities. As also Bernhard Kohler, WWF Austria, told us (bernhard.kohler@wwf.at), who attended this Old-Growth-Forest Conference on 13 and 14 September 2017 in Brussels. As a result, instruments are to be created for the protection of historically ancient forests, which should eventually find their way under the shield of Natura 2000 areas. That would be the chance for a sustainable protection of the Raaderwald. We hope, that the Bern Convention can help the Raaderwald on the way there or maybe even earlier.

2. Which are the specific specie/s or habitat/s included in one of the Appendices of the Bern Convention potentially affected? (Please include here information about the geographical area and the population of the species concerned, if applicable)

The Raaderwald covers according to Univ. Prof. Dr. Franz Essl, Ecologist at the Federal Environment Agency (franz.essl@umweltbundesamt.at), the EU-Fauna-Flora-Habitat Directive habitat types 9170 ("soil-dry oak forest"), 6210 ("semi natural dry grasslands ") and 6510 ("lowland grassland meadows"), in total, the friends of the Raaderwald in the area could prove **more than 1100 species** - the majority of them documented with photos, some of them also from stored databases such as Zobodat (Biology Center Linz) or private collections. **A database-list with all species documented for the report (with the protection status according to Red List EU, Red List Austria, Red List Lower Austria, Habitats Directive, VSR Directive) can be forwarded at any time.**

The following species of the Berne Convention Annex II could be detected in this habitat (the waterfowl on the adjacent Ennskanal or overflight):

Barbastella barbastellus, *Chiroptera sp.*, *Eptesicus seronitus*, *Microchiroptera sp.*, *Myotis sp.*, *Nyctalus noctula*, *Nyctaloid sp.*, *Pipistrellus kuhlii* / *Pipistrellus nathusii*

Falco tinnunculus (Brutvogel), *Falco subbuteo*, *Falco peregrinus* (Durchzügler), *Charadrius dubius*, *Calidris alpina*, *Calidris minuta*, *Tringa ochropus*, *Strix aluco*, *Asio otus*, *Alcedo atthis* (Wintergast), *Upupa epops* (Durchzügler), *Dendrocopos major*, *Dendrocopos medius*, *Dendrocopos minor*, *Dryocopus martius*, *Delichon urbicum*, *Hirundo rustica*, *Riparia riparia*, *Motacilla alba*, *Motacilla flava*, *Anthus pratensis*, *Lanius collurio*, *Lanius excubitor*, *Bombycilla garrulus*, *Troglodytes troglodytes*, *Prunella modularis*, *Erithacus rubecula*, *Phoenicurus ochruros*, *Phoenicurus phoenicurus*, *Saxicola rubetra*, *Musicapa striata*, *Parus caeruleus*, *Parus major*, *Poecile palustris*, *Sitta europaea*, *Certhia brachydactyla*, *Certhia familiaris*, *Emberiza citrinella*, *Emberiza schoeniclus*, *Carduelis carduelis*, *Carduelis chloris*, *Carduelis flammea*, *Carduelis spinus*, *Coccothraustes coccothraustes*, *Serinus serinus*, *Oriolus oriolus*.

Lacerta agilis, *Coronella austriaca*, *Elaphe longissima*.

Rana dalmatina.

Eriogaster catax, *Lopinga achine*, *Lycaena dispar*.

The following other species of the Berne Convention Annex III could be demonstrated:

Pipistrellus pipistrellus, *Lepus capensis* (europaeus), *Sciurus vulgaris*, *Castor fiber*, *Meles meles*, *Martes martes*, *Capreolus capreolus*, *Anguis fragilis*, *Natrix natrix*, *Bufo bufo*, *Pelophylax ridibundus*, *Accipiter gentilis*, *Accipiter nisus*, *Acrocephalus palustris*, *Actitis hypoleucos*, *Aegithalos caudatus*, *Anas platyrhynchos*, *Anser anser*, *Anser fabalis*, *Apus apus*, *Ardea alba*, *Ardea cinerea*, *Aythya fuligula*, *Aythya marila*, *Bucephala clangula*, *Buteo buteo*, *Circus aeruginosus*, *Circus cyaneus*, *Columba livea* f. *domestica*, *Cuculus canorus*, *Cyanosylvia svecica*, *Cygnos olor*, *Ficedula hypoleuca*, *Fringilla coelebs*, *Fringilla montifringilla*, *Hippolais icterina*, *Locustella naevia*, *Lullula arborea*, *Passer montanus*, *Perdix perdix*, *Pernis apivorus*, *Phalacrocorax carbo*, *Phasianus colchicus*, *Philomachus pugnax*, *Phylloscopus collybita*, *Phylloscopus trochilus*, *Pyrrhula pyrrhula*, *Pyrrhula pyrrhula pyrrhula*, *Regulus regulus*, *Saxicola rubicola*, *Scolopax rusticola*, *Streptopelia decaocto*, *Streptopelia turtur*, *Sylvia atricapilla*, *Sylvia borin*, *Sylvia curruca*, *Tachybaptus ruficollis*, *Tringa glareola*, *Tringa nebularia*, *Tringa ochropus*, *Tringa totanus*, *Turdus iliacus*, *Turdus merula*, *Turdus philomelos*, *Turdus pilaris*, *Turdus viscivorus*, *Vanellus vanellus*.

3. What might be the negative effects for the specie/s or habitat/s involved?

The negative effects on the species / habitats involved are obvious - the area would be concreted and lost forever, a last larger near-natural habitat in the area of St. Valentin and surrounding would be lost forever, many species would disappear forever from the region, many animals would find here no more reprocessing site or rest area more, here where the Enns flows into the Danube. St. Valentin has only about 10 percent forest and has too little forest, according to district department Amstetten, the natural forest stock would continue to decline by the loss of this historically ancient forest, replacement replanting can never replace this habitat - even the last major oak forest with dry clearings in this room would be further fragmented - a hope area for conservation in the region as a gene pool - would be lost.

4. Do you know if potentially affected species or habitats also fall under the scope of other international Conventions, (for instance: RAMSAR, CMS, ACCOBAMS, Barcelona Convention, etc) or if the area has been identified as a NATURA 2000/Emerald network site?

Bonner Konvention (CMS):

Accipiter gentilis, Accipiter nisus, Anas platyrhynchos, Anser anser, Anser fabalis, Ardea alba, Asio otus, Aythya fuligula, Aythya marila, Bucephala clangula, Buteo buteo, Calidris alpina, Calidris minuta, Circus aeruginosus, Circus cyaneus, Charadrius dubius, Cygnus olor, Falco peregrinus, Falco subbuteo, Falco tinnunculus, Lanius excubitor, Pernis apivorus, Tringa glareola, Tringa ochropus, Tringa tontanus, Barbastella barbastellus, Nyctalus noctula, Pipistrellus kuhlii, Pipistrellus nathussii.

The habitat Raaderwald with glades consists of the EU-Fauna-Flora-Habitat Directive habitat types 9170 ("soil-dry oak forest"), 6210 ("semi natural dry grasslands ") and 6510 ("lowland grassland meadows"). **A database-list with all species documented for the report (with the protection status according to Red List EU, Red List Austria, Red List Lower Austria, Habitats Directive, VSR Directive) can be forwarded at any time.**

5. Do you know if there are any pending procedures at the national or international level regarding the object of your complaint?

The *Bezirkshauptmannschaft Amstetten* (District Commission Amstetten) has initiated to the number AMW3 -N-165/001 (*Bezirkshauptmannschaft Amstetten, Fachgebiet Umweltrecht, Mag. Viktor Steinkellner, Preinsbacher Straße 11, 3300 Amstetten*) a process for a conservation method for an areal natural monument for the Raaderwald. **The protection of the forest due to this procedure ends on 18.1.2018!**

6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc)

Maps of the Raaderwald (48 hectares are currently affected) can be found under the following link (in particular, maps that document the historical development of the forest - it already appears in the Josephine Landesaufnahme - 1763 - 1787 -):

<http://www.raaderwald.at/raaderwald/geschichte.html>

Further information can be found generally on the homepage www.raaderwald.at , further illustrative material on the Youtube channel Raaderwald <https://www.youtube.com/channel/UCrXXMNoVdXjEe8S286aTHqQ/videos>

If you need data, facts, contact addresses, information - simply contact us by e-mail. Many thanks in advance.

Contact addresses to the friends of Raaderwald:

Biologist: Harald Pflieger: haraldpflieger@gmx.at ; 0699/81683825

Database Raaderwald: Norbert Steinwendner: n.stw@gmx.at ; 0664/2455191

Youtube Channel Raaderwald: Florian Mayr: florian.mayr@liwest.at

Information about the press conference

with the friends of Raaderwald:

Norbert Steinwendner, Staff of the Kalkalpen National Park, i.R. .; Conservation Officer
Alpine Club Neugablonz-Enns

Harald Pfleger, Biologist; Nature Conservation Regional Group "Untere Enns", Country
Director BirdLife Upper Austria

Franz Essl, ecologist; Univ. Vienna

Jürgen Staretschek, professional nature photographer

“Protection for the Raaderwald: What we want to protect and why”

supported by Naturschutzbund Niederösterreich, BirdLife Austria and Lanius Research
Association

History:

The Raader forest was originally part of a large heath forest, which has moved from Herzograd to Pyburg. He has always been extensively used for firewood extraction in the form of middle forest management. The centuries-long existence of this forest type in combination with the dry ground has led to the creation of a species-rich cohabitation. In recent decades, however, large parts of this forest band have fallen victim to various uses (A1 Highway and Westbahn-Railway or high-speed line, gravel pits, commercial areas), the ecologically so important large-scale connection was partially destroyed by the fragmentation. Only in the area of the Raader forest there is still a relatively extensive uncultivated forest landscape in connection with the forest areas in the neighboring Ennsdorf, Pyburg and St. Pantaleon. Here is the OMV AG one of the landowners, these parts of the forest are dedicated since the 1970s as an industrial area, but still completely intact nature, wood and grassland. Only last winter there were small scale massive, arranged by the OMV and ultimately by the Lower Austria Environmental advocate Mag. Hansmann stopped interventions by means of a harvester. Norbert Steinwendner explains: "The reason for this is that a refinery planned under Kreisky has never been built. The subsequent withdrawal of the dedication was completely neglected by the politicians, although several decades had passed and detailed biotope mapping was carried out in the area. Now the area should be sold."

Current status and significance of the Raaderwald:

In the area concerned, a number of biotope species that are rare and endangered throughout Austria are listed, which are also listed as worthy of protection in the EU Fauna Flora Habitat Directive. Franz Essl, ecologist at the University of Vienna and a connoisseur of the Raader Wald: "The vast majority of the forest area is to be regarded as a "soil-dry oak forest", which is classified as "highly endangered "in our" Red List of Endangered Biotope Types in Austria ". Above all, the centuries-long natural management and the associated excellent condition of the forest is of supraregional importance - an absolutely protected from both natural and cultural-historical view area. "More small-scale, but also very species-rich, nationwide highly endangered and EU-protected biotopes are Semi-dry lawns and lowland meadows. Franz Essl: "These biotope types are also home to a significant number of transregional rare and endangered plant species due to the close integration with the forest areas, which often have their only location in the Lower Enns Valley and the adjacent areas. "

Of the numerous breeding bird species red-backed shrike/Lanius collurio (EU protected) and small woodpecker/Dryobates minor are valuable. The two species have experienced a sharp decline in their holdings in recent years.

Of the reptiles we have detected, Coronella austriaca and Zamenis longissimus, Syn. Elaphe longissima (both protected by the EU and classified as "endangered") are worth mentioning. Bats have evidence for 8 species, including EU-protected and Austria-wide endangered species such as Eptesicus

serotinus and *Barbastella barbastellus*. In addition, a number of not sure identified evidence exists, including, there is a suspicion of an occurrence of the *Myotis bechsteinii* ..

Regarding butterflies, the Raader Wald in August by Prof. dr. Thomas Schmitt, director of the "Senckenberg German Entomological Institute", certifies a high number of species as an example for the butterflies. Amateurs have detected about 60 butterflies and a total of more than 160 species of butterflies during daylight and during walks. The number of unreported cases is far higher, as the moths are difficult to detect without targeted surveys by specialists. Special features are the rare *Zygaena minos* and the EU-protected *Eriogaster catax*, further the EU-protected species *Lycaena dispar* and *Euplagia quadripunctaria*. Character types are also relevant for Lower Austria *Limenitis camilla* and *Papilio machaon*, *Coenonympha arcania*, *Anthocharis cardamines*, *Catocala sponsa* and *Hyles euphorbiae*.

From the realm of insects are also large stable populations of the praying mantis/*Mantis religiosa* (Austria-far endangered) as well as the *Leptophyes albovittata* call. In addition, there is a large and largely unprocessed abundance of wild bee species, noteworthy here is the evidence of the very rare *Scolia hirta*, which is considered in Germany, for example, as "threatened with extinction"..

The Raaderwald is used by the local inhabitants as a recreational area, especially for walks and sports, but recently due to the increasing awareness of the area more interested in nature (birdwatchers, wildlife photographers). Furthermore, a concept for a "Green Classroom Raader Forest" is being developed. In the due to construction activity and traffic very hectic landscape of the region the Raaderwald has the important function of an oasis of peace and closeness to nature, especially since the forest equipment of the municipality of St. Valentin with 11.6% of the municipal area is well below the average.

Current threat:

Due to business policy reasons, OMV endeavors to sell an area of approximately 48 hectares (including more than 30 hectares of forest), and with that there is the immediate danger that the Raaderwald forest has to give way to an industrial desert. The Enns biologist Harald Pfleger is of the opinion: "The substitution afforestation required in such cases is directly ineffective from an ecological and nature conservation point of view. A large-scale, over hundreds of years existing and extensively used forest with its multiplicity of effects relations between the hundreds occurring species can not be restored simply on the green field. Such a dedication would therefore from today's perspective, with the knowledge that we today owning over the Raader forest, certainly no longer possible. And in this sense, Raader forest is also to be treated."

In addition, an additional further dismemberment of the formerly large-scale Heidewald (Pagan-wood?) is highly problematic, especially since the destruction of other parts of this natural and cultural treasure, for example, by current gravel pit projects (Köttinger wood) and planned road construction projects (bypass Langenhart-Herzograd) continues unabated. For these reasons, both nature-interested laymen and professional biologists from the region have formed to the "Friends of Raaderwald" and support from the Lower Austria Environmental lawyer, Mag. Tom Hansmann, made a motion for the protection of the Raaderwald.

Behind this demand are also the nature conservation organizations Naturschutzbund NÖ, BirdLife Austria and the research community "Lanius".

For further information:

Harald Pfleger: haraldpfleger@gmx.at; 0699/81683825

Norbert Steinwendner: n.stw@gmx.at; 0664/2455191

Links:

<http://www.raaderwald.at/>

http://inter-color.at/raader_wald/raader_wald.html

<https://www.youtube.com/channel/UCrXXMNoVdXjEe8S286aTHqQ/videos>