

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

Strasbourg 11 February 1977

CE/Nat/DE (77) 18

AS THIS DOCUMENT WILL NOT BE
DISTRIBUTED DURING THE MEETING
PLEASE BRING THIS COPY

EUROPEAN COMMITTEE FOR THE CONSERVATION OF NATURE AND NATURAL RESOURCES

Working Party - European Diploma

Weltenburger Enge Nature Reserve
(Federal Republic of Germany)

On-the-spot appraisal by

Mr Théo Hunziker
(Switzerland)



COE120851

48.561
09.3

Expert opinion on the award of the European Diploma to the "Weltenburger Enge" Nature Reserve in the Federal Republic of Germany

1. Situation at outset

1.1. The Committee of Ministers of the Council of Europe had been asked by the European Committee for the Conservation of Nature and Natural Resources to consider awarding the European Diploma to the Weltenburg Gorge Nature Reserve. The question under debate was the "Donaudurchbruch", a passage forced by the Danube between Weltenburg and Kelheim, approximately 30 km to the west of Regensburg in the Federal Republic of Germany.

1.2. The working party of the European committee entrusted with the examination of the technical aspect of questions connected with the diploma dealt with this question at two sessions, one held in 1972 and one in 1976. The documents relating to this, CE/Nat/DE (72) 51 dated 6 October 1972, CE/Nat/DE (76) 14 dated 29 January 1976 and CE/Nat/DE (76) 21 dated 1 July 1976 are considered as an integral part of this appraisal.

1.3. In a letter dated 9 June 1976, the Secretariat of the Council of Europe entrusted the experts with the responsibility for a decision on the award of the European Diploma, in accordance with Resolution (73) 4, Appendix I, 1.5.4. of 19 January 1973. The terms of reference are defined as follows:

"The purpose of the on-the-spot appraisal is to clarify specific points mentioned by the working party and, in general, to obtain information on the following matters:

- a. the need for protection and the effectiveness of existing precautions against possible internal and external threats to the site (number and duties of guards, control of fishing, hunting, camping, sports, tourism, urban development, road building, aviation, military manoeuvres, etc);
- b. scientific studies, where necessary;
- c. improvements made or foreseen;
- d. means of public access and, where necessary, their improvement;
- e. ownership title (implications of possible expropriation);
- f. management."

According to the report of the working party CE/Nat/DE (76) 21, page 2, 5. Conclusions, the terms of reference were defined as follows: "... special attention should be given to the system of protection for the area."

It is also clear from the report that the working party had expressly instructed the experts to carry out their appraisal in summer 1976 "when the impact of tourism could best be studied".

1.4. In addition to the Council of Europe representative, Mr P Baum, and the expert from the Federal Republic of Germany the following participated in the visit to the site and in the discussions of 26 and/or 27 July 1976:

- Ministerialrat Brenner, Bayerisches Staatsministerium für Landesentwicklung und Umweltfragen;
- Oberforstrat Pfeifer et Dr. Roth, Bayerisches Landesamt für Umweltschutz;
- Landrat Faltermeyer et Regierungsoberinspektor Lindner, Landratsamt Kehlheim;
- Studiendirektor H Betz, 1. Vorsitzender der Kreisgruppe Kehlheim des Bundesnaturschutzes in Bayern e V;
- O Mergenthaler, Naturschutzbeauftragter der Bot Gesellschaft Regensburg.

2. Results of visits to the site and discussions

2.1. Need to protect the site, from the European point of view

European interest in the protection and upkeep of the nature reserve is convincingly set out in the report CE/Nat/DE (76) 14 (summarised under III). This is confirmed by the visit to the site and the relevant discussions.

The following are the elements of this area (given in order of importance) which justify protection:

- geology;
- palaeontology;
- geomorphology;
- archaeology;
- history and cultural history;
- flora and plant ecology;
- fauna.

A section of a river offering so many delights from the point of view of landscape and recreation as the Weltenburg Gorge, is doubtless of rarity value in Europe. As far as we know there is only one comparable example on the Danube, namely the "Iron Gate" on the frontier between Yugoslavia and Romania.

The working party concerned with the European Diploma consequently agreed in principle that the reserve was of European interest (report CE/Nat/DE (76) 21); it arranged, however, for additional information to be supplied by the experts prior to a definite decision and also for recommendations and proposals to be put forward.

2.2. Type and extent of various uses of the land and their repercussions on the protection of the reserve

Although defined under Bavarian law as a nature reserve (Weltenburg Gorge Nature Reserve Conservation Act of 14 May 1970) the area is nonetheless used for the activities of the traditional primary sectors (forestry, agriculture, hunting, shooting and fishing) and there is also extensive tourism. The following comments need to be made:

2.2.1. Forestry

Management of forests is of prime importance for land use in this region. A plan for the management of forests certainly exists, but it does not comply with the requirements of landscape conservation; this is chiefly evident from the fact that, except for the zone of access to the liberation monument and that in the immediate proximity of the gorge, priority has been given, for economic reasons, to the cultivation of conifers and to access roads without due regard for landscape protection. Another potential threat is that clearance within the reserve of areas of less than 0.25 ha is legally permissible without the approval of the Bavarian authorities; nor are there any regulations governing the choice of species for reafforestation.

2.2.2. Agriculture

In this forest and river area, agriculture is very much in the background, if area only is considered. However, in order to preserve the characteristic features of the landscape, agricultural activities are essential on the bare surfaces of the site which, rare as they are, are nonetheless important and must not be allowed to become wasteland or be used for afforestation.

2.2.3. Hunting and shooting

Hunting and shooting provide no cause for alarm. They are practised by the State Forestry Service. The game population is kept within normal limits in order to ensure the conservation of the forest.

2.2.4. Fishing

There is hardly any professional fishing (inter alia because of water pollution), the exception being a fisherman from Kelheim who is tolerated by the ministry within the Weltenburger Enge. There are no special comments.

2.2.5. Tourism

The annual number of visitors to the reserve is between 300,000 and 500,000. This number is distributed over a long period, from spring to autumn, with peaks in July (school holidays). The reserve is perfect for one-day excursions. The influx of visitors is concentrated on three sectors:

- the liberation monument ("Befreiungshalle" commemorating Germany's liberation from Napoleonic domination. It was built at the request of Ludwig the First, King of Bavaria. The building took 20 years to complete and was inaugurated in his presence on 18 October 1863, the 50th anniversary of the Battle of Leipzig);

- the Weltenburg monastery. (Tradition has it that this monastery was founded around 600 years AD when the first monks from the order of Columba, Eustasius, Agilus and their companions came from Ireland and Scotland to settle there. It is the largest monastery in Bavaria. Between 1714 and 1725 a new convent and a new church were erected under the direction of the architect Cosmas Damian Asam. The baroque church and the high altar are among the most remarkable achievements of 18th century architecture and sculpture);

- trips by pleasure boat through the gorge (at present there are 7 such boats which ply between Kelheim and the Weltenburg monastery) or rowing boat with outboard motor (there are at present 6 of these).

Certain attendant phenomena of tourism were considered during the visit to the site and in discussion with government and private experts:

- the danger of extending and tarring footpaths and trails;

- the "Danube in flames": an event organised annually one night in summer. During this event, the gorge is traversed by about 6 rowing boats on which flares are lit. There are numerous spectators in canoes, on the forest paths and rocky spurs. The Alpine Club and the Nature Conservation League find this demonstration - which receives some support from the population - distasteful. There is above all a danger that the vegetation on the spurs may be trampled and the birds disturbed by the noise (hunting horns);
- litter disposal leaves something to be desired; refuse is very frequently thrown into the doline or pushed into cracks in the rocks;
- the Bavarian State Decree dated 14 May 1970 prohibits the scaling of the sides of the gorge. Exceptions may, however, be authorised by the competent Minister of State. So far a single authorisation (to be renewed annually) has been granted outside the nesting season of rare and threatened bird species, and for a certain cliff face only. Place and time were discussed by ornithologists and other conservation specialists. In 1976, three groups of young people received this authorisation. Occasionally, however, unsupervised climbing takes place. It is a curious fact, for instance, that in a brochure devoted to the Weltenburger Enge, the German Alpine Association (DVA) indicates three places where climbing is possible, although, in fact, only one is authorised;
- there are other circumstances which the experts feel run counter to the Bavarian Decree on the Weltenburg Gorge conservation area, as for instance the intended overflying of the gorge by helicopters, the setting up of unplanned landing-stages and unrestricted camping (see paragraph 4 of the Decree).

2.2.6. Derogations from the Conservation Act thus appear to be fairly frequent and much the same would appear to apply to requests for exceptions (and authorisations?).

2.3. Special problems (in addition to those mentioned under 2.2.)

One very important question is the serious threat which the harnessing of the Danube as a navigable waterway in connection with subsequent exploitation for inland navigation of the upper reaches of the Danube between Ulm and Regensburg would constitute to the Danube gorge. The Danube is already navigable as far as Regensburg (Rhine-Maine-Danube waterway). As long ago as 1930 there were plans to harness the Danube for commercial navigation as far as Ingolstadt. Realisation of this project would have affected the Weltenburger Enge and

necessitated mining operations. This would have meant the loss of much of the natural beauty of the country around the gorge and might well have raised doubts as to whether protection was still justified. The present economic situation and the growing understanding of the population for nature conservation, as well as the Bavarian Conservation Act of 1970 would appear to have pushed such projects well into the background. In the event of the later exploitation of the Upper Danube between Ulm and Kelheim, it would be possible, according to a project of the Neuburg/Danube navigation service of 1 December 1941 (1:25,000 site plan), to circumvent the gorge. Were the diploma to be awarded, special assurances for the future would have to be forthcoming.

As can be seen in the Klösterl region, there is a very real danger of gradual deterioration as a result of conversions, construction of annexes or new buildings.

Information on the importance of the region and the Conservation Decree is inadequate, and in view of the large number of visitors, this could in the long run harm this reserve. It also means that we are missing a splendid opportunity of striking a blow for the cause of nature conservation.

2.4. Supervision of the protected area

Overall supervision is the responsibility of the Bavarian Department for Development and Environment.

Local supervision is in the hands of the Forestry Service and the officials of the Kelheim District Council. This raises the question of a possible conflict of powers, particularly since traditional agriculture and forestry are not covered by the Conservation Act.

Staff directly responsible for nature conservation include an official from the Kelheim District Council, a forester and 5 to 6 forestry workers. The latter are also responsible for keeping the area clean and they are helped in this by groups of young members of the Alpine Patrol and the Alpine Club. All notifications of violations of the Conservation Act are transmitted to the official responsible for nature conservation.

2.5. Finance available for the nature reserve

The sums in question are inscribed in the budget of the State Forestry Administration and that of the town and district of Kelheim (eg upkeep of river banks). The expert has no more detailed information on this subject. He recommends that the Council of Europe ask for a general survey of these financial

means, prior to discussions within the working party, and for the comments of the Bavarian Council for Environmental Protection as to whether or not these means can be considered adequate for their purpose.

2.6. Legal protection of the reserve

This should be ensured by the Bavarian State Decree mentioned previously. It is difficult to decide on the basis of a short visit and in the absence of more thorough knowledge of the State of Bavaria and the site whether this Act is adequate. In any case the award of the diploma should be subject to examination and, if necessary, adaptation of the Act to the increased protection requirements necessitated by such a reserve.

3. Conclusion

Generally speaking, the visit to the reserve, discussions and a study of the documents have created the impression that the conditions for the award of the diploma could be considered as having been fulfilled under Category B of the diploma regulations, ie according to Resolution (73) 4 of the Council of Europe, 19 January 1973 pp 26-27. However, several of the considerations under Section 2 show quite clearly that this award cannot be made without the Council of Europe imposing a number of prior conditions if this reserve is to be assured of more effective and more sustained protection.

4. Proposal and recommendations

4.1. The expert proposes that the "Weltenburger Enge" be awarded the European Diploma under Category B of the regulations.

4.2. He recommends that the award of the diploma be subject to the following conditions:

4.2.1. The upkeep of the gorge shall be such as to ensure that this unique landscape complies permanently with the aim of the protection measures. In particular, therefore, it will be necessary to renounce the subsequent use of the gorge for commercial inland navigation, which would lead to a deterioration in the present state of the waters.

4.2.2. Existing legal and financial means for the protection of the zone shall be examined for the purpose of adapting them to the increased requirements to be met by any site awarded the diploma, on a planned basis of production, recreation and upkeep.

4.2.3. Assurances must be received that derogations to the Conservation Act, requests for exceptions and the relevant authorisations will be kept to the strict minimum.

4.2.4. It shall be agreed that the following measures will be observed and carried out:

4.2.4.1. Forestry: Priority shall be given to work connected with ecology and nature protection by refraining from excessive planting of coniferous species and by reviewing the regulations governing the clearance of areas of less than 0.25 ha.

4.2.4.2. Agriculture: The rare agricultural surfaces still existing in the region shall be preserved; they shall not be allowed to become wasteland nor shall they be afforested (this concerns in particular the agricultural region of Wipfelsfurt near the Danube, in the middle of the protected zone).

4.2.4.3. Tourism: There shall be no further extension of forest paths and other trails. No new paths shall be tarred. Some paths may be opened for hikers, but outside areas of importance from the point of view of landscape protection. The effects on the protected area of the "Danube in flames" will have to be watched very carefully. The Council of Europe should reserve the right to revert to this matter, should unacceptable drawbacks for the protection of the region result therefrom.

4.2.4.4. Supervision and upkeep of the area must be improved and powers clearly defined. In our opinion there should be at least two full-time rangers for each bank of the Danube; these should be assisted by voluntary helpers, selected and trained, to ensure an end to the violations of the Conservation Act mentioned in the expert opinion.

4.2.4.5. Klösterl There shall be no new constructions; new buildings, annexes, conversions or additions shall be either wholly or partly removed or at least so arranged and balanced by plantations as to blend into the landscape.

4.2.4.6. At a particularly appropriate point (for example at the entry to the nature reserve, near the path leading to the liberation monument), a centre providing information on the nature reserve and on landscape protection in general should be set up.

In conclusion the expert wishes to express his conviction that the Bavarian authorities at all levels are aware of the responsibilities entailed by the award of the European Diploma and he wishes to thank them in advance for their additional efforts to ensure improved and lasting protection for this outstanding Danubian landscape.