

# COUNCIL OF EUROPE

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# CONSEIL DE L'EUROPE

Strasbourg, 9 March 1971

Confidential  
Addendum to  
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EUROPEAN COMMITTEE FOR THE CONSERVATION  
OF NATURE AND NATURAL RESOURCES

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Working Party on Flora, Fauna and Landscapes  
(Strasbourg, 15 - 17 March 1971)

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EUROPEAN DIPLOMA

German-Luxembourg natural park

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Order (9 July 1964) of the Bezirksregierung,  
Trier (Federal Republic of Germany)

21.010  
03.3/58.1

Extract from the Official Gazette of the Trier  
Bezirksregierung, No. 14, dated 15 July

Order

for the protection of regions of the Bitburg,  
Trier and Prüm rural districts  
given the denomination of: "Landschaftsschutzverordnung"  
for the "Südeifel" natural park

The following order is laid down, pursuant to paragraphs 5 and 19 of the Nature Conservation Act (Reichsnaturschutzgesetz) (RNG) of 26 June 1935 (Reich Statute Book I, p. 821), pursuant to the Act of 29 September 1935 (Reich Statute Book I, p. 1111), to the Act of 1 December 1936 (Reich Statute Book I, p. 1001) and to paragraph 13, sub-paragraph 1 of the implementing order of the Nature Conservation Act, of 31 October 1935 (Reich Statute Book I, p. 1275), in accordance with Section 129 of the Basic Law of 23 May 1949, and with the agreement of the Ministry of Public Worship and Education, having ultimate authority for nature conservation in the Land of the Rhineland-Palatinate:

Article 1

- (1) The territory marked in green on the Trier Bezirksregierung nature conservation map, in the Bitburg, Trier and Prüm rural districts, shall constitute the "Südeifel natural park" reserve.
- (2) The "Südeifel natural park" reserve shall be demarcated as follows:

"....."

- (3) For the purpose of demarcating the reserve, the "Landschaftsschutzkarte" is to be regarded as authoritative.

Article 2

The "Landschaftsschutzkarte" forms a part of the present Order, and shall be deposited with the Trier Bezirksregierung. Authenticated copies shall be deposited at the offices of the rural district councils of Bitburg, Trier and Prüm.

Article 3

(1) The conservation measures for which provision is made in the present Order shall not affect municipal building sites, i.e. those within built-up areas or within proposed construction areas. When new construction areas come to be determined, it will be necessary to comply with paragraph 5, sub-paragraph 6 of the "Bundesbaugesetz" of 23 June 1960 (BGBl. I, p/ 341). In drawing up their plans, and when industries are being established, municipalities shall take due account of the fact that the district is a reserve.

(2) A plan must be drawn up for the "Südeifel natural park" reserve, so that the district may be planned and developed as a natural park.

Article 4

No development is to be allowed within the "Südeifel natural park" reserve that is likely to be detrimental to nature or to the enjoyment of nature, or to affect the landscape.

Article 5

The following prohibitions shall apply within the "Südeifel natural park" reserve:

- (a) No shops or stalls of any kind may be set up, and no notices may be affixed (with the exception of official notices and approved direction signs). No advertisements of any kind shall be allowed.
- (b) The calm of the natural surroundings, and the enjoyment thereof, shall not be endangered by noise, or in any other manner.
- (c) Trees, groups of trees, other natural features or parts of the landscape having historical or scientific interest may not be defaced, altered or damaged.
- (d) No unwanted objects or refuse may be disposed of otherwise than in places provided for that purpose; no papers, packaging or other litter may be deposited. Arrangements for refuse disposal must comply with the regulations in force.
- (e) No vehicles may be driven or parked other than on public roads and parking sites. (This restriction shall not apply to residents or to agricultural and forestry activities).

- (f) No camps may be erected other than on sites designated for that purpose, and no tents or caravans shall be allowed other than on sites designated for that purpose.

#### Article 6

Authorisation must be obtained from the nature conservation authority (Naturschutzbehörde), before engaging in the following projects and activities, lest the undesirable effects referred to in Article 4 result:

- (a) Construction of buildings of all kinds, basic structural alterations to the outside facades of existing buildings.
- (b) Erection of high-voltage electricity cables.
- (c) Establishment or alteration of paths, roads, open spaces, railway sites and man-made waterways.
- (d) Creation of stone quarries, refuse dumps, gravel pits, sand quarries, as well as the extension of existing plant and undertakings.
- (e) Removal or deposit of earth, or other modifications to the terrain (not to apply in the case of projects already in existence or already being carried out).
- (f) Control of waterways and drainage of existing ponds.
- (g) Uprooting hedges, scrub, trees alongside paths and isolated trees away from forest areas. Clearance shall be authorised alongside roadways in the interests of road safety, when not on any extensive scale.
- (h) Gathering flora growing on the banks of stretches of water.

#### Article 7

After the present Order has come into force, any changes made to the landscape shall be remedied on the instructions of the "Naturschutzbehörde", or their effect shall be lessened, provided that the burden so placed on the responsible party is not excessive.

Article 8

- (1) No change shall be made in respect of:
- (a) normal shooting and fishing activities;
  - (b) the working of gardens and fields;
  - (c) forestry operations;
  - (d) the carrying out of necessary measures in accordance with section 45 of the Land Development and Clearance Act.
- (2) Disputes shall be settled by the "Bezirksregierung", after consulting all the relevant departments.

Article 9

In certain special instances, the bans stated in Articles 4 and 5 of the present Order may be waived, with the approval of the nature conservation authorities. Such waivers may be accompanied by conditions and obligations at the time, and may be rescinded without notice.

Article 10

Persons violating, whether deliberately or accidentally, the provisions of the present Order, shall be liable to penalties in accordance with paragraphs 21 and 22 of the "Reichsnaturschutzgesetz" (RNG).

Article 11

(1) The present Order nullifies and supersedes all previous nature conservation orders, insofar as the area indicated in Article 1, paragraph 2, is concerned.

(2) The following "Landschaftsschutzverordnungen" shall become inapplicable:

"The Enz valley between Sinspelt and Neuerburg" of 4 August 1949 (Official Gazette 1949, pp. 34 - 35);

"The Radenbach valley from Niederraden to Fischbach" of 4 August 1949 (Official Gazette 1949, pp. 34 - 35);

"The Valley of the Our and the embankment of the path followed by the Our in the area of the Luxembourg village of Bivels, including the castle of Falkenstein" of 4 August 1949 (Official Gazette 1949, pp. 34 - 35);

"Naturpark Südeifel" of 13 March 1958 (Official Gazette 1958, p. 31);

"Westeifel (Our-Irsen-Mühlbachtal)" of 23 February 1961 (Official Gazette 1961, p. 24).

(3) The areas protected by the Orders referred to in paragraph 2 above are to be joined to the areas designated as a reserve by virtue of the present Order, to form the "Südeifel natural park";

(4) The existing Orders concerning the conservation of monuments and reserves in the region designated as a reserve shall remain in force.

Article 12

The present Order shall become applicable as soon as it is published in the Official Gazette (entitled: Regierungsamtsblatt) for the Trier rural district.

Trier, 9 July 1964  
Bezirksregierung Trier  
Nature Conservation Authority

for and on behalf of:  
(Signature)

Copy duly authenticated  
Bitburg, 23 October 1964  
Landratsamt Bitburg