



Der Landrat
des Landkreises Garmisch-Partenkirchen
ZUGSPITZREGION

Bayerisches Staatsministerium für
Wissenschaft und Kunst
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Garmisch-Partenkirchen, 09.02.2023
Az: 32-1732.6

Statement by the district of Garmisch-Partenkirchen on the letter from ICOMOS dated
21 December 2022 (Ref. GB/EG/1684/IR)
("Interim Report and additional information request")

Attachments:

1. Map "Traditional grazing drives of the communal grazing organisations".
2. Proposal for a clarifying amendment to the draft SOUV

Dear Ladies and Gentlemen,

we were very pleased to receive the feedback from ICOMOS on our supplementary information of
03 November 2022 and the thanks for the organization of the mission conducted by Prof. Kristof
Fatsar in September 2022.

We are grateful for the opportunity to provide additional information. Our answers follow the order
of the questions posed in ICOMOS's letter of 21 December 2022. As requested, we have refrained
from making any changes to the dossier and the management plan - with the exception of a proposal
for a clarifying amendment to the SOUV.

We have tried to be as concise as possible.

Cultural landscape subtype

The nominated property constitutes an "*organically evolved living landscape*" as defined in paragraph
47bis (ii) b) of the Operational Guidelines for the Implementation of the World Heritage Convention
as amended on 31 July 2021.

The 4 key attributes express this clearly:

The 'material' attributes 2-4 depend crucially on the quality and vitality of the underlying management system (attribute 1): As long as the active, site-adapted management of the land by the local farmers and rights holders is guaranteed, the decisive prerequisite for the preservation of the nominated property is fulfilled ('sine qua non'). If active cultivation were to cease, the current 'living' cultural landscape would quickly turn into a 'relict' landscape, with far-reaching consequences for the other three 'material' attributes that determine Outstanding Universal Value:

- Attribute 2: the diversity of forms of land use would be lost immediately if cultivation were to cease; the diversity of landscape forms shaped by agricultural use would be severely impaired in the medium and long term by scrub encroachment and afforestation. At best, the affected areas would still have a value as fossil cultural landscape elements;
- Attributes 3: the currently traditionally managed high-altitude zones would be limited to favourable sites in the valleys whereas large areas on less favourable locations would fall fallow and become overgrown and forested in the medium to long term;
- Attributes 4: Animal diversity and herd mobility would get lost.

Both the term 'relict' and the term 'fossil' were used in the nomination dossier of the "*organically evolved living landscape*" nominated here exclusively in connection with "areas", "parts" and "elements" of the cultural landscape, or the term "relict" refers to relict species of post-glacial development in the sense of vegetation ecology. This makes it clear that there can also be places in the "*organically evolved living landscape*" that are temporarily or permanently out of use, but do not determine the character of the landscape nominated here. The total area of these plots cannot be easily determined, as the transition between cultivated and (currently) uncultivated areas is often not represented by a clear and stable line; according to our calculation, the (currently) uncultivated areas sum up to max. 2900 ha.

Table: Use and meaning of the terms 'relict' and 'fossil'

Use of the term 'relict'						
	Nomination Dossier (ND), page (p)	Chapter of the ND	Excerpt	Used in connection with the term landscape of the nominated property?	Applied for another site	Editorial mistake
1	ND, p. 361	2.a. The nominated component parts and clusters	The pine forests called „relict pine forests“ by natural scientists are relicts of the post-glacial period. These sparse forests have not developed into mixed deciduous forests due to their continued pastoral use since prehistoric times and are therefore a cultural-historical testimony. The term “relict” refers to a post-glacial relict vegetation type.	no		
2	ND, p. 430	3.2 Comparative analysis	Furthermore, specific landforms (e.g. small parcels), relict field terraces, haystacksand wooden hayracks	no		

			testify to the long history of grassland farming in the area of the nominated property.			
3	ND, p. 469	3.2 Comparative analysis	... the lower altitude level (valley flanks, side valleys of the upper parts of the river Po) is dominated by relict cultural landscapes with remaining 'islands' of grassland.		Descript ion of the Monviso Biosphe re Reserve (incl. Parc naturel du Queyras)	
4	ND, p. 506	3.2 Comparative analysis	... types of use: 'gentle' extensive grazing, litter cultivation, single- and two-cut species-rich wet meadows and (mostly relict) manual peat extraction by farmers.	no		
5	ND, p. 530	3.2 Comparative analysis Only where old collective forms of ownership still exist have such archaic relict landscapes survived to this day....	no		
6	ND, p. 531	3.2 Comparative analysis	... relict species, ... pine-rich light forest habitats (as relicts of the late glacial pine period) See no 1	no		
7	ND, p. 531, footnote 125	3.2 Comparative analysis	The most extensive wood pasture or Wytweide relict landscapes in the Alps can be found, ... in the area of the Swiss and French Jura ..., the Nockberge, Turracher Höhe/Gurktaler and Seetaler Alps (Carinthia/Styria/AT), in the western Sarntal Alps/IT, in the Aosta side valleys (e.g. Val Savarenche/IT), in some Valais side valleys, in the Dolomites, in the Lower Austrian ('Hutweiden' common pastures, mostly small-scale), in the French central Alps and in the foothills of the Alps (e.g. Vercors, St. Martin de Belleville, Beranger, Vallée Etroite, Vanoise), but also in many other mountain ranges.		X	
8	ND, p. 532	3.2 Comparative analysis	The role model and pacesetter function of such relict ecosystems have been evident for some years now with some rivers in the alpine foothills. "Relict" is used in combination with "ecosystem"	yes		
	ND, p. 569	4. State of Conservation and factors affecting the Property	If active cultivation ceases, the current 'living' cultural landscape would quickly turn into a 'relict' landscape, with fatal consequences for the three other 'material' attributes that determine the Outstanding Universal Value:	no		

Use of the term 'fossil'					
9	ND, p. 16, 562	Executive Summary, Brief Synthesis; 3.3 Brief Synthesis	encompasses ..., also parts of the cultural landscape that have fallen out of use (elements):	no	
10	ND, p. 169, 175, 179, 184, 192, 201, 205, 211, 219, 226, 236, 240, 245, 250, 255, 262, 268, 272, 277, 288, 301, 307, 314, 328, 338, 346, 355, 362	2.a. The nominated component parts and clusters	Fossil open and semi-open cultural landscape areas with no use	yes	
11	ND, p. 173	2.a. The nominated component parts and clusters	A fossil cultural landscape area is also included in the north-east in the shape of a part of a former peat cutting area	yes	
12	ND, p. 176	2.a. The nominated component parts and clusters, fig. 71	Fossil cultural landscape, former grazing areas in the Arch	yes	X The term "area" should be inserted behind "landscape"
13	ND, p. 224, 733	2.a. The nominated component parts and clusters, 7. Documentation	With the fossil landscape elements ...	yes	
14	ND, p. 234, 735	2a. The nominated component parts and clusters, fig. 111, 7. Documentation	Fossil cultural landscape in the Lange Grünen, Murnau Moor	yes	X The term "area" should be inserted behind "landscape"
15	ND, p. 243	2a. The nominated component parts and clusters	Fossil cultural landscape areas	yes	
16	ND, p. 431	3.2 Comparative analysis, footnote 98	This does not in any way deny the importance and value of fossil conservation assets, e.g. stone bar, terrace and dry stone wall systems ...	no	
17	ND, p. 439	3.2 Comparative analysis	Pastoralism, ore winning (fossil)	no	
18	ND, p. 468	3.2 Comparative analysis	... and fossilised arable terraces ...		X

Comparative analysis and selection of components

The Comparative Analysis compares the nominated property with various other sites worldwide and in the Alps. It was requested to provide a succinct explanation of how each of the fourteen reference areas identified compares with the nominated property, in a narrative way following the examples of the conclusions related to the White Carpathians (Czech Republic) and the Transylvanian Plateau (Romania), on page 450 of the nomination dossier.

Selection of the compared alpine areas:

These compared alpine areas are the most representative "model areas" from the different mountain grassland regions of the Alps. The selection of these regions and sample areas is based on the standard setting publication *"Höhenkulturlandschaften der Alpen"* (Ringler 2010). In this scientific publication all parts of the Alps are described and analysed to the same level of detail and according to the same criteria. When selecting comparison areas, additional care was taken to consider areas with already established connections to World Heritage.

Provençal Alps (France) with the reference areas of Devoluy, Ventoux Biosphere Reserve and Parc Régional de Luberon-Lure

The area is mainly shaped like a low mountain range and is of sub-Mediterranean character. It is characterised by impressive, large-scale and almost entirely pastoral arid landscapes with remnants of former forms of agricultural use (hedgerow, clearance cairns, stone wall and dry wall systems). The altitudinal amplitude of the grassland farming system (maximum 1000 meters altitude) differs significantly from the nominated property.

Pasture farming is the main land use, with sheep farming dominating, while in the nominated property both meadow culture and pasture use are predominant. Pasture is based on several pillars in the area of the nominated property: young cattle, dairy cows, horse breeding, sheep farming, goat farming.

The ancient (pre-)medieval rights holder tradition was practically broken off in the Provençal Alps by the state-imposed mountain pasture consolidation of 1972 (Loi Pastorale) reorganising the land ownership (AFP Associations Foncières), pastoralists (GP Groupements Pastorales) and communal grazing areas (UP Unités Pastorales). In the nominated property, on the other hand, the old rights have been preserved in an almost unchanged form.

The great diversity of regularly mown and extensively managed mountain meadows of the nominated property is not nearly reached in the reference areas, and extensive wetlands cultivated as meadows as in the area of the nominated property do not exist at all.

Apart from that, the stability of the grassland farming system is significantly higher in the nominated property. The tendency to abandon use or the afforestation rate of former grassland areas is very low in the nominated property, and there is no tendency to give up and abandon small mountain settlements at all.

Maritime/Cottic/Graic/ Lepontine Alps (France, Italy) with the reference or tentative areas Conca di By/Ollomont/Val d'Aosta, National Park regions Haute Maurienne - Vanoise, Gran Paradiso, Ecrins and Mercantour, Area della Biosfera del Monviso (France/ Italy) and Parc naturel du Queyras (France)

The scenically grandiose mountain cultural landscapes of this region range over a similarly mighty altitude range (approx. 1000 - 2900 m a.s.l.) as the nominated property. Valley hedge systems, clearance cairns and mostly grassland dominated former arable terraces (such as hameau de Villar d'Arène) as well as block pastures (extensive grassland with silicate blocks scattered within) are of outstanding dominance and density. These landscapes have an exceptionally high value for biodiversity, but the cultural heritage of these high mountain landscapes is severely threatened.

The original structure into different levels ('pature de proximité' (home pastures) - 'Montagnette' - 'Alpage') is only partially visible in today's landscape. Meadow culture exists only in the narrow main valleys (e.g. with often decaying meadow irrigation). There are no hummocky meadows, nor are there any large cultivated wetlands or bogs; therefore, the many culture-related forms of wetlands which are typical in the nominated property are absent here.

Long established traditions of land use have often been given up and livestock numbers have declined sharply, grassland farming systems and agricultural structures appear unstable. In Val d'Aosta, for example, the number of mountain farms has decreased by 41 % since 2010, the agricultural area by 22 % and the cattle numbers by 15 %. In Haute Maurienne, the number of farms has shrunk by 76 % and the number of cattle by 17 % in the last 35 years. In contrast, the number of sheep has increased by 66%, which is typical of such upheavals in many areas of Europe. In the French part of this region, high altitude land use is largely not (any longer) based on the traditional, locally rooted agriculture, but on long-distance transhumance (flocks of sheep imported from the coastal region by lorries).

Despite some stabilisation and secondary settlement after decades of desettlement and rural exodus (e.g. newly constituted pastoralist cooperatives such as the società Conca di By), alpine pasture grazing continued to decline in recent times (cattle pasture in Val d'Aosta 2005-2013: - 8 %, sheep + 16 %, goats - 26 %).

Western Central Alps (Dept. Savoie, Haute-Savoie, cantons of Valais, Glarus, Uri, Ticino, Bern, Grisons (France, Switzerland) with the reference area Inner Prättigau (Switzerland)

This scenically very attractive inner alpine region (old settlement area of the Walser people) is characterised by wide, meadow- and pasture-rich valley spaces and, in part, mountain meadows that still reach very high up today. The large altitudinal amplitude of the grassland farming system is roughly comparable to the nominated property. Here, too, high alpine sheep pastures form the top floor of the cultural landscape. A special charm of the area lies in the filigree terraces, dry stone walls, hedges and hags distributed over the slopes and various terrace levels.

The extent of single cut or fallow dry meadows (according to the Swiss dry meadow inventory) is far above average in the Alps with a total of about 1000 ha, which is also in the order of magnitude of the nominated property. Some hummock meadows have escaped levelling, but add up to only about 10 % of the hummock meadows still existing in the nominated property. Due to the more uniform geology (predominantly soft-weathering slate and silicate rock), the diversity of managed mountain meadows is significantly lower than in the nominated property, where the meadows occur on very dry dolomite, on calcareous moraine and also on low-calcareous marls and flysch rock.

Small wetlands and bogs shaped by historical mowing exist in many places, but there are no comparable large-scale and contiguous bog and floodplain meadow areas as in the valleys of the nominated property.

Similar to the nominated property, livestock farming is based on several pillars: young cattle, dairy cows (significantly higher stocking density than in the nominated property), horses, sheep and goats (more than in the nominated property). The cooperative system is less pronounced in the Walser area than in the rest of Graubünden and also less pronounced than in the nominated property. Traditional pasture cooperatives, as in the nominated property, do not play a major role in the Walser area with its many private alpine pastures. Milk and cheese are often produced on high-altitude alpine pastures, they are therefore used more intensively than the comparatively 'pristine' alpine pastures of the nominated property.

The grassland farming system is more stable than in many areas of the south-western Alps; significantly fewer grassland areas have been abandoned or afforested. Nevertheless, the agro-structural dynamics are higher than in the nominated property. The number of farms has halved since 1980. Staggered farming with pre-wintering and 'Maiensässen' has declined sharply or even become obsolete as a result of the construction of new central stables. The formerly huge hay meadows in the high montane to alpine zone (e.g. Fideriser Heuberge) have largely fallen into disuse and are partly overgrown with woody plants.

Northern French Pre-Alps (Préalpes) with the reference area UNESCO Geopark/Regional Park Bauges (France)

This mountain grassland area at the edge of the French northwestern alpine limestone mountains, which is comparable to the nominated property in altitude (600 - 2000 m) and geology, features (like the nominated property) many permanent meadows, some of which are species-rich. In contrast to the nominated property, there are numerous field terraces (today mostly converted into grassland) and tree-hedge systems (often made of old stone walls). The forest border in the alpine pasture area is formed by park-like beech forests, not by sparse spruce forests as in the nominated property.

The diversity of livestock exceeds the nominated property (dairy cows of regional cattle breeds such as Chevrotin, Abondance, Reblochon, dairy goats, young cattle, sheep). The use of alpine pastures is comparable to the nominated property with regard to its size (about 6000 ha), divided into 120 unités pastorales (in the area of the nominated property about 9000 ha, where the very original form of use of forest pasture is still very pronounced today).

Nevertheless, there are major differences: In the reference area, hummocks are rare on pastures at the alpine level, and hardly exist at lower altitudes. There are no comparably large areas of single cut forage meadows and hay barn landscapes as in the nominated property. Large areas of dry meadows are covered by scrubs, a process which has long since ceased in the nominated property. Mown wet meadows and litter meadows which are so typical of the nominated property are completely absent, except for two small areas at the northern foot of the Bauges massif. The same applies to the grazing of floodplains and moors in the valley areas.

The productivity of the grassland still under cultivation tends to be higher and the individual farms are usually larger (on average 60 cattle per livestock farmer).

Comparably functioning cooperatives of rights holders of the original pastures (comparable to the nominated property) do not (longer) exist. 66 % of the summer pastures are private alpine pastures, but even the pastures owned by municipalities and sections are used privately ("petite montagne", not "grande montagne"). The reorganisation of pasture management in 1972 has led to the abandonment of many traditions.

French Jura (Depts. Jura and Doubs) with the reference area between Pontarlier and Champagnole (Parc naturel régional du Haut-Jura) (France)

This part of the Jurassic plateau has been included in the comparison because of its large-scale valley and depression moor areas embedded in grassland. The natural balance is characterised by karst, large dolines (poljen) and water sinking. Impressive hedgerow landscapes with clearance walls and extensive, slightly higher summer pastures with stone bar systems and clearance cairns characterise the landscape.

The altitudinal range of the cultivated landscape (approx. 800 to 1100 m) is smaller than in the nominated property, and the site and land use conditions are significantly less diverse. Very clear is the difference in the case of mowed meadows: Neither litter meadows nor single-mown dry meadows play a major role, and hummock meadows do not exist at all.

There is almost exclusively cattle farming. Old grazing rights no longer play a role, because the grazing organisations have been reconstituted in recent times. Land consolidation and large-scale drainage as well as an organisational reformation of the agricultural structure (new cooperatives, resettlement farms) have severely changed the extensive grassland. The former use of the magnificent low and high moorland areas has largely been abandoned; only in some cases cattle grazing still takes place.

Swiss Northern Alps/Flysch zone (cantons Vaud, Fribourg, Bern, Lucerne, Obwalden, Nidwalden, Schwyz, Zug, Appenzell, St. Gallen) with the reference area Sörenberg - Gläubenberg - Habkern, UNESCO Biosphere Entlebuch (Switzerland)

This particularly productive grassland zone, located in the rain-fed foothills of the north-western Alps, ranges from about 900 to 1,700 m, so its altitudinal range is lower than in the nominated property.

Outstanding throughout the Alps and an essential feature of the Entlebuch Unesco Biosphere are the many high-altitude moors and high-altitude litter meadows interspersed in the cultural landscape, which together form the largest cultivated moor areas in Switzerland, but which are now only partially used for agriculture. These moor areas, however, are nowhere near the size of the extensively used litter meadows and moor areas of the nominated property, which cover many square kilometres.

On average, grassland is managed much more intensively. Single and twice cut (extensively cultivated) meadows, as in the nominated property, are largely absent on the valley levels, and dry meadows are largely absent for climatic and geological reasons. Locally, hummock plots are present (limited to the alpine altitude level), but exclusively cultivated as comparatively productive cattle pastures; unlike the nominated property, there are no hummock meadows.

In the northwestern alpine rainfed zone, the intensity of grassland use (stocking density / nutrient level) is generally significantly higher than in the nominated property. The mainstay is dairy farming,

but there is also increasingly extensive suckler cow husbandry. The systematic expansion of manure technology, partly also with additional mineral fertilisation, has also reached the higher mountain grassland in connection with alpine meliorations since the 1960s.

The diverse forms of ownership and organisation of the Swiss alpine economy are represented here. However, large-scale operating cooperatives of rights holders and long-distance drives, as in the nominated property, do not play a comparative role.

Central Alps East (Tyrol, Salzburg, Carinthia, Styria, Southern Grisons, Northern South Tyrol) with reference area Rauriser Tal (Hohe Tauern National Park, Land Salzburg) (Austria)

The 30 km long high valley in the edge and core zone of the largest Alpine National Park Hohe Tauern is, like the nominated property, characterised by sideline farming. Highlights of the montane meadow and pasture cultural landscape include, for example, meadows with rockfall blocks (block meadows), as well as relics of medieval to modern mining („Tauerngold“), especially near Kolm-Saigurn (as well as in the neighbouring Tauern valleys).

The cultivated grassland ranges from 900 to around 2700 m, thus reaching a similar range of altitudes as in the nominated property. The cattle zone ends at 1900 m. Here, too, the top floor is grazed by sheep. The 9300 ha of alpine pastures (25 % of the area) are similarly extensive as in the nominated property and are also predominantly used extensively (alpine pastures: 1300 dairy cows, 5400 young cattle, approx. 5000 sheep and approximately 300 horses). On alpine pastures with alpine cheese and butter production, however, more intensive forms of pasture use can also be found.

Grassland in the valleys plays a subordinate role in the agricultural system (only 5.6 % of the total fodder basis comes from valley grassland) and consists mainly of sown grassland on former fields (approx. 600 ha). Old and traditionally used meadows ("primary meadows") just cover about 300 ha. The total meadow/pasture area of approx. 11000 ha shrank by 5.3 % between 1999 and 2010.

Traditionally extensively used moorland and wetland areas (also litter meadows) are only present in small areas, also because many wetland areas in the valley and on the alpine pastures were drained in earlier decades. The hummocky meadows that were once widespread here have only been preserved in a morphologically distinctive way in the lower pasture level at the right-hand valley exit; the others have been mostly levelled in the past, afforested or are overgrown by shrubs and trees.

The stability of the rural grassland management system is significantly higher than e.g. in the Southwest and Southern Alps, but lower than in the nominated property. Farms which are managed on a regular basis declined by 15% between 1999 and 2010, sideline farms by 33%. Most mountain meadows have been abandoned (currently less than 1% are still mown in the higher altitudes). There are no rights holder cooperatives of the type found in the nominated property (instead, there are modern agricultural cooperatives and smaller communal and private mountain pastures).

Southern Alps (Lombardia, Trentino, South Tyrol, Veneto, Friuli-Venezia Giulia) with the reference area Seiseralp (Alpe di Siusi) near Kastelruth/Provincia Bolzano (Italy)

This area borders directly on the Dolomites Natural World Heritage Site. It is one of the largest contiguous alpine pasture and meadow areas in Europe (560 sq km) extending over an altitude range

between 1600 and 2300 m. The altitude amplitude is thus significantly lower than in the nominated property. In terms of agricultural structure, the huge high plateau is divided into common pasture (partly wood pasture), which serves as preliminary pasture until the start of mowing, 60 alpine dairies („Schwaigen“ with mowing-pasture rotation) and a total of 31 sq km of mostly still managed single or twice cut mowing meadows (often with a cooking hut and dille/hay barn), a type of use that is also very typical in the nominated property.

The cultural landscape value of the Seiseralm area has suffered greatly since the 1970s. Mass tourism development and melioration systematically promoted by the province of South Tyrol with close-meshed road development have changed the landscape. Many formerly extensive single-mown high-altitude meadows with famous blooming flower aspect have been converted into intensively used grassland and formerly species-rich pastures have often been transformed into more intensive pastures. Nevertheless, the Seiseralm is still a very interesting area from an agricultural and landscape-ecological point of view, with some parallels to the nominated property, as outlined above.

Looking beyond the Seiseralm to the entire Italian Southern Alps, one can observe that the still cultivated meadows and pastures have increasingly changed into relict areas in the course of the mountain resettlement in Piemonte, Lombardia, Veneto and Friuli that began after 1980.

This process has slowed down in the meantime, and locally there are projects for revitalisation (alpine pasture reactivation). In South Tyrol, according to alpine pasture statistics of the Forestry Department of Bolzano, today almost four times as many mountain pastures are mown as in 1991 (1991: 1006 ha / 1992: 1329 ha / 1993: 1669 ha / 1995: 1956 ha / 1997: 2256 ha / 1999: 3954 ha). The historical use of larch meadows has also been reactivated in various places in South Tyrol due to attractive promotion offers, at least on sites accessible to machines.

However, the many selective reactivation projects in the Southern Alps have not been able to reverse the fragmentation process of alpine grassland: A spatially coherent management system with cattle drives between all grassland floors and pasture levels from the main valley to the highest altitudes as in the nominated property no longer exists anywhere. Not even on the Seiseralm and other southern Alpine regions, where the main valleys with their arable and special crops are no longer part of the grassland farming system.

Long-distance transhumance from the Veneto lowlands (Padana) to the south-eastern Alps has also long ceased to exist, and that from the Po plain to the south-western Alps has been largely abandoned in recent decades. Insightful for the overall situation in the Southern Alps were helicopter transports of cattle not adapted to the high altitudes from the large stables in the plains to the high pastures, sometimes with tragic results (e.g. reactivation of high pastures in the Brenta Nature Park).

Overall, despite still having high cultural landscape qualities, the reference area has a less broad spectrum of land use and landscape forms than the nominated property. The cultural landscape system in the nominated property is located on the border of two large geographical areas, the alpine foothills and the alpine area, which, for this reason alone, means a greater richness. The family-based farms and pasture communities of the nominated property still cultivate all altitudinal levels, from the low-lying river valleys up to the high alpine zone and all sites from the traditionally used dry areas to the favourable sites and the litter meadows in the large valley wetlands.

Northeastern Rim Alps - Eastern Limestone Northern Alps with the reference area UNESCO Biosphere Region Berchtesgaden (Germany)

This cultural landscape, world-famous for the Königssee, Obersalzberg, Watzmann and the National Park of Berchtesgaden, has some parallels to the nominated property in terms of natural and cultural space and shows some special cultural landscape features, e.g.:

- particularly beautiful twin farms in the valley area and on the lower alpine levels,
- old wooden alpine dairy huts
- so-called "Tratten" (sparse stands of deciduous trees, where leaves are used for bedding, sometimes also mowed and grazed, unfortunately currently vanishing).

Most of the forms of use which are typical of the nominated property are also present here: nutrient-poor hummock meadows, steep-slope meadows, species-rich twice-mown meadows, medium and high alpine pastures in the high limestone mountains between 1200 and 2300 m with high-altitude sheep pastures. However, the single-cut poor grassland and hummock meadows are nowhere as characteristic for the landscape as in the nominated property; they have only been preserved in comparatively small remnant areas (in total about 1/10 of the area of the nominated property). Twice mown meadows have been better preserved.

In addition, high pasture management staggered over several stations with cattle grazing from the valley to the highest altitudes, as in the nominated property, no longer exists here. Forest grazing structures and rights still exist in part, but their replacement by forest-pasture separation and concentration of summer grazing on relatively few, sharply delimited grazing 'islands' (non-shaded, open pastures) is underway and is being driven forward by the National Park. The result is a new kind of segregation of non-shaded ('open') pastures and forest, which has not existed traditionally and is absent from the area of the nominated property.

The element of large-scale cultivated moorland and litter meadow landscapes, which is typical for the nominated property, does not exist here.

Livestock diversity is somewhat lower than in the nominated property (main breed: Pinzgau cattle). Cooperative forms of organisation of old pasture cooperatives are lacking, because the high pasture management is organised in the form of entitlement or servitude pastures (at most granted for a limited period of time, no unlimited grazing rights on state land as in the nominated property).

Arlberg region / Lechquellengebirge with reference area UNESCO Biosphere Park Großwalsertal (Austria)

This cultural landscape is a focal area of grassland farming in the Alps and "parent house" of the Alpine hard cheese dairy (together with the Bregenzerwald and northern Grisons). This has climatic, geological and settlement history reasons (settlement area of the Walser people). The heritage of the Walser people is a highly developed grassland farming with a strong emphasis on steep slope mowing and a correspondingly low proportion of forest. Further cultural landscape characteristics are the typical pair farm house form (residential and farm buildings separated) and a traditional alpine economy with at least 3 levels (,Maiensäß' or ,Vorsäß', ,Mittelalp' / ,Hochalp'). One of the special attractions are some communal alps with alp villages (alpine dairy house, chapel, alp cross). The

altitudinal amplitude of the cultivated landscape (580 to approx. 2100 m) is similar to that of the nominated property.

Grassland is generally managed more intensively than in the nominated property (higher livestock density, more intensive dairy farming, manure management with hose distribution). About half of the alpine pastures are still milk-producing alpine dairies.

Due to the scattered settlement structure, large contiguous extensive and rough grassland areas are also missing. Flower-rich hay meadows are mostly found only in small areas at the edge of large slurry-grassland complexes or have been transformed into pastures. Extensively cultivated grassland below the alpine pasture level is left almost only in fens or wetlands. For geological reasons, there exist no such extensive moorland and litter meadow complexes as in the nominated property.

Rights holder communities that go back to the (pre)medieval Allmende, as in the nominated property, are missing. Most of the Walser alps are privately owned. The diversity of livestock species is smaller than in the nominated property; high-yield dairy cattle (Brown Swiss and the lowland breed Holstein-Friesian) are relatively well represented.

Allgäu Alps/ Bregenz Forest with tentative list entry Bregenz Forest (Austria)

This region is characterised by Walser traditions. Similar to the nominated property, this region extends from the edge of the Alps to the interior of the Limestone Alps. However, it has a completely different geological structure (only a small part lies in the Limestone Alps, the largest part lies in the Helvetic, Flysch and Molasse areas), which influenced the development of the cultural landscape.

The special features of the cultural landscape include the staggered economy with Maiensäss or Vorsäss settlements and the typical wooden building style of the farmhouses. The staggered agricultural management, which used to be differentiated into many altitude levels has been reduced to a 3 or 2 - level economy.

Grassland farming is much more intensive here than in the nominated property (much higher share of dairy cows, alpine milk production, numerous cheese dairies, high nutrient level with manure fertilisation up to high altitudes, very elaborate development with roads and ways). 95 of 101 milking alpine pastures are dairy pastures, where approx. 400.000 kg of alpine cheese are produced by 6000 alpine cows.

The size of traditional or extensively 1-3 times mowed meadow forms is low as a result of the high nutrient and use levels, and the diversity of mown grassland types is impoverished compared to nominated property.

Together with some Swiss areas, the highest density of pasture-used highland moors in the Alps is found here (but with sometimes severe trampling damage and peat erosion due to overgrazing). However, there are no similarly extensive litter meadow and moor areas as in the nominated property. The many fens in the highlands are rarely mown, but mostly grazed.

Urban sprawl in the valleys (e.g. in Kleinwalsertal) is considerable and more pronounced than in the nominated property. There are no rights holder communities comparable to the nominated property here, because private farming has been predominant in the Walser area since time immemorial.

Salzkammergut with UNESCO World Heritage Site Hallstatt-Dachstein (Austria)

The focus of the World Heritage application was not on meadows and pastures, but on salt mining dating back to prehistoric times, the scenic drama and beauty and its role in art and culture. However, the natural framework conditions of the alpine cultural landscape are in part quite similar to the nominated property. Highlights of the cultural landscape are:

- Impressive, still stocked wooded pasture landscapes (e.g. Goisernhütte), which, however, do not reach the area extent of the nominated property by far,
- grazed karst hummock meadows and sinkhole meadows, i.e. meadows with many sinkholes or sinkhole funnels (e.g. Wildkogel, Wiesalm),
- individual small high-altitude bogs (about the same density as in the nominated property), mostly (too) heavily grazed.

Despite similar natural conditions, the differences to the nominated property are striking: grassland as an agricultural basis has shrunk even more in the Salzkammergut than in many parts of the Southern and Western Alps after severe agro-social upheaval. For example, the municipality of Hallstatt still had 281 cattle at the end of the 18th century. In 1910 there were only 70 cattle and in 1995 only 8 cattle from 4 cattle farmers. Today, the number of cattle on the mountain pastures is only about 1/10 of what it was in 1860 and 1/3 of what it was in 1950. Even the number of sheep is currently declining rapidly. In 1999 the municipality of Gosau still had 104 sheep farmers with 952 sheep, today there are only 39 farmers with 491 sheep.

Winter fodder cultivation takes place almost exclusively in the valley, but is highly intensified there. The valley meadows are fragmented as a result of urban sprawl. In the entire cultural heritage area, the open pure pasture areas halved from 9000 ha (1925) to 5824 ha (1974) and 4654 ha (2005). Extensive meadows of 1-2 cuts are hardly present any more near the valley. Larger contiguous complexes of poor grassland and wetland and moorland meadow areas comparable to the nominated property are completely absent. The few, relatively small-scale litter meadows have also predominantly fallen fallow (e.g. at the northern end of the lake).

Instead of the stabilising pasture cooperatives, there are 'Servitutsalmen', which are part of the valley operations. Alpine pasture management almost collapsed between 1960 and 1990. Despite governmental reactivation efforts, only a few percent of the mountain landscape are still managed as alpine pasture.

Eastern Rim Alps (Styrian-Lower Austrian Alps, Styrian Rim Mountains, Grazer Bergland a.o.) with the reference area Teichalmregion (Styria) (Austria)

With a total of 3663 ha, the largest contiguous alpine pasture area in Europe captivates with its vastness and impressive solitary tree landscapes and transition zones between forest and pasture. However, the altitudinal range of grassland farming is much smaller than in the nominated property for natural reasons (upper limit of the alpine pasture zone at approx. 1500 m).

There are still small-scale remnants of hummocky meadows in the silicate area, individual highland moors and litter meadows in the pasture area. However, levelling in the cultural landscape has taken much more often than in the nominated property. The grassland is much more meliorated due to

levelling, drainage and fertilisation, there is strict separation of forest and pasture, and most mountain meadows have been converted into cattle pastures. Since the 1960s, the forest has greatly expanded from 13 to 30 %, which was also promoted by the state. Many meadows therefore had to give way to forest.

Of the former 127 alpine pastures and meadows in the cadastral municipalities of Fladnitz, Schrems, Hohenau, Tober and St. Kathrein, grazed by almost 3000 cattle, many no longer exist. However, in recent times a revival of grazing has taken place (cattle from the lowlands, currently around 4300 cattle).

In addition, the biosphere region Lungau and Nockberge should be mentioned for this cultural landscape region. It has the largest preserved natural highland moor landscapes in Austria and the entire Alps, that are, unlike the nominated property, today largely uncultivated. The alpine pasture region is characterised by large areas of mat grassland and mosaics of mat grass pastures and alpine rose heaths. Extensive dry meadows and agriculturally used large wetlands comparable to the nominated property are largely absent. The high mowing meadows that once characterised this area were already abandoned in the 1960s. For reasons of geology, the overall spectrum of alpine grassland includes 'only' the soil-acid wing. Base-rich grassland is limited to the narrow primeval limestone band of the Nockberge.

In the UNESCO Biosphere Reserve Wienerwald, the share of grassland is reduced to less than 20 %. Mixed grassland-arable-forestry-farms characterise agriculture there. A special feature are the dry meadows and xerothermic grasslands along the so-called 'thermal line', but extensive deciduous forest and not grassland dominates the landscape.

Slovenian mountain region with the Tentative List area Fuzina Hills in Bohinj with Triglav National Park (Slovenia)

With the exception of the nominated property, this is the only World Heritage nomination in the Alps that focuses on an animal-bound meadow-pasture landscape. The grandiose grassland-slope meadow-alpine landscape in the municipalities of Stara Fuzina and Studor (border zone of the Triglav National Park) at 600 - 1700 m above sea level captivates with extensive meadows, hedges, remnants of hummock meadows, specifically south-eastern alpine hay drying racks ('Harpfen'), hay barn meadows, much traditional building fabric and the production of regional products (alpine cheese).

The representation of the entire alpine or even the eastern alpine grassland region is, however, limited, because the relatively small area (50 sq km) includes only 4 meadow areas (Ilkanc, Blatca, Voje and Vogar), 6 low alpine pastures (Hebet, Vodici Vrh, Blato, Grintavca, Vrtaca and Trsje) and 6 medium/high alpine pastures (Pri Jezeru, Dedno Polje, Visevoik, Laz, Zg. And Sp. Tosc), thus covering only a very small part of the overall impressive diversity of the Slovenian and south-eastern Alpine grasslands.

Many mountain meadows and pastures have already been covered by forest. The proportion of forest and bush encroachment increased in the whole of Slovenia in the 20th century from 33 to 61 %. In the reference area, the grassland loss rate and forest encroachment (mostly spruce monocultures) was even > 60 %, which is one of the highest grassland loss rates in the entire Alps, next to the Southern French and Friulian Alps). Larger traditionally used wetlands as in the nominated property are missing here.

In contrast to the nominated property, here (as in the entire Slovenian Alps) the old utilisation traditions of the Slovenian population have been largely interrupted by the communist land reform and by a state-supported de-agriculturalisation (industrialisation) since the 1950s. Traditional forms of rights and ownership were abolished. The former pastoral communities and traditions were replaced during the socialist transformation. Traditional alpine buildings are mostly without any economic function of alpine farming (often weekend resorts). The re-establishment of private farming after 1991 could not stop the upheaval of the cultural landscape due to the crisis-like decline of the cattle population and partly even accelerated it (replacement of cattle rights by sheep rights).

Summary

The nominated property has been systematically compared with 14 prominent grassland farming areas of the different Alpine regions. Detailed explanations of the methodology can be found in the comparative analysis chapter of the nomination dossier. Literature sources used are cited there.

The comparative analysis shows that the nominated property outperforms all comparison areas in terms of

- the **agricultural structure**, in particular the character and preservation of very diverse traditional forms of use, the agricultural structures and the importance of old collective forms of cooperation,
- the **diversity of landscape forms shaped by agricultural use**: the nominated property is characterised by an outstanding spectrum and diversity of Alpine grassland types. The most valuable and (with regard to the Alpine region) qualitatively unique cultural landscape features are the manually cultivated hummock meadows in the Isar Valley and the by far biggest area of cultivated litter meadows of the Alps in the moors and marshes of the Loisach and Ammer Valleys and the Lake Staffelsee area,
- the **traditionally farmed altitudinal spectrum**: the large spectrum of traditional forms of use can still be found in large areas and on all altitudes, ranging from 600 m a.s.l. up to 2500 m a.s.l., and, seen in its entirety, in a comparatively limited region,
- the **livestock diversity and herd mobility**: all Alpine livestock species are present (cattle, horses, sheep, goats), with two autochthonous species being particularly well represented. The animals are either kept in small family-based farmsteads or in very large communal herds and on very diverse plots which range from the moor valleys to the more favourable areas of the lower altitudes up to more than 2000 m a.s.l. Last but not least the cattle drives are partially very long.

On the other hand, the Comparative Analysis has clearly shown that there are features which, in their present form and compared to other Alpine areas, are not able to contribute to the proposed OUV. On the basis of this result, they have not been included as attributes which constitute the proposed OUV (e.g. built heritage).

The nominated property can therefore be described as an excellent example of a traditional agricultural grassland use system, which is or was once typical for the Alpine region and also for other European mountain areas. In contrast to many regions and countries, where change has led to a significant change of the cultural landscape and many characteristics are threatened with extinction or have already been lost, the nominated property exemplarily and still impressively demonstrates

the interaction of man and the environment in a traditionally shaped Alpine grassland farming system.

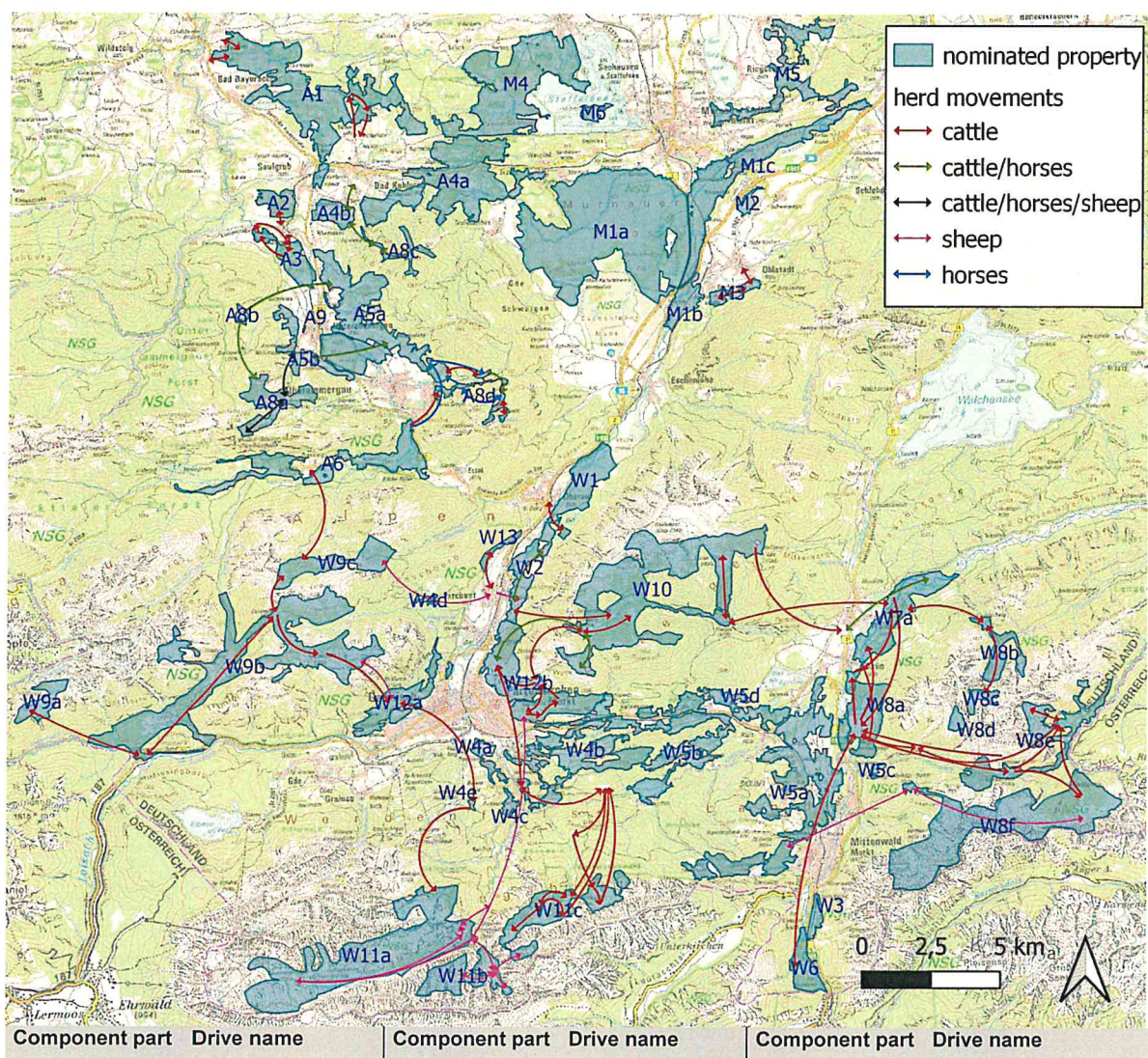
The nominated property thus fulfils the conditions of criterion (v) of the Operational Guidelines for the Implementation of the World Heritage Convention.

Justification for the Inscription

Herd movements

In the letter of 21 December 2022, ICOMOS asked for further information on herd movements. We try to present the relationships in a clear and summarised form.

As no written or graphically summarised overall representation of grazing drives in the area of the nominated property existed so far, we launched a quick survey among the chiefs of 15 grazing organisations present in the nominated property. We have summarised the complex results of this survey in a map, see below. Lines are used to illustrate the approximate route of grazing drives and arrowheads are used to show the direction of drive paths. If the same route is driven back and forth, the arrow disposes of two points. The herd movements of cattle, horses and sheep are shown in different colours. The captions illustrate the animal species, the numbers of the nominated component parts and the local names of the grazing drives.



Component part	Drive name	Component part	Drive name	Component part	Drive name
A1	Lettingenbichl	M3	Heimweide Ram	W8e-W8f	Schlag
A1	Echelsbach	M3	Heimweide Boschet	W8f	Karwendel
A1	Gschwendter Viehweide				
A1	Kehrer Traht	W1	Rechtlerweide Oberau	W9a-W9b	Schell
A2	Arch	W2	Mühdörfel	W9b	Stepberg
A3	Kochel	W2	Föhrenheide	W9b-W12a	Abtrieb Leitle
A4b-A8c	Hearala Alm	W2-W10	Farchanter Alm	W9b-W12a	Kramer
A5a-A5b	Nachweide Wiesmahd	W4e-W11a	Stuibn	W9b-W9c	Enning
A5a-A6	Rossmoos/Kainzen	W5a-W8f	Buchwald/Rehbergalm	W9c	Giessenbach
A5a-A6	Lärchenbichl	W6-W7b	Riedboden/Seins	W10	Krüner Alm
A5a-A8b	Nachweide Wiesmahd	W7a	March	W10	Wallgauer Alm
A5a-A8d	Aiple/Kainzen	W7a-W10	Finzalm	W10	Wank/Esterberg
A5b-A8a	Heimweide	W7a-W8a	Am Horn	W10-W12b	Heimweide March/Esterberg
A6-W9c	Kuhalm	W7a-W8a	Heimweide	W10-W12b	Eckenhütte/Kälberböden
A8a	Pürschling	W7a-W8a	Heimweide	W11a	Reintal
A8a-A8b	Waldalm	W7a-W8b	Auhütte/Fischbachalm	W11c	Wetterstein/Schachen
A8d	Aiple/Soila	W8a-W8e	Ochsenaln/Brandalm	W12b	Hasental/Eggenberg
A8d	Mandimoos	W8b-W8c	Fischbach/Soiern	W12b	Abtrieb Heimweide March
A8d.3	Wanne/Soila/Klause	W8e.1	Sprung	W13.1	Heuberg

Map: Overview of the traditional grazing drives of the local common grazing organisations (see also in high resolution attached to the email).

The map reflects the grazing drives of the large grazing communities. For reasons of complexity, it is not possible to illustrate the innumerable daily drives of the individual farms. This is also due to the fact that daily drives change from year to year depending on the weather, the availability of land, the growth of the vegetation and are also depending on personnel resources. In addition, the different daily cattle driving distances of many farms would not have been representable on the scale of this overview map due to often very short distances.

This map also shows very clearly that traditional grazing drives still emanate from almost all localities in the nominated area and how important and formative grazing is in the agricultural system of the nominated cultural landscape. It is also evident that in some cases long distances and differences in altitude need to be overcome, as it was explained in the nomination dossier. For example, large forest areas have to be crossed from the farmsteads or the home pastures in order to reach the higher alpine pastures. The intermediary areas are not part of the land use system and have therefore not been included in the nomination dossier.

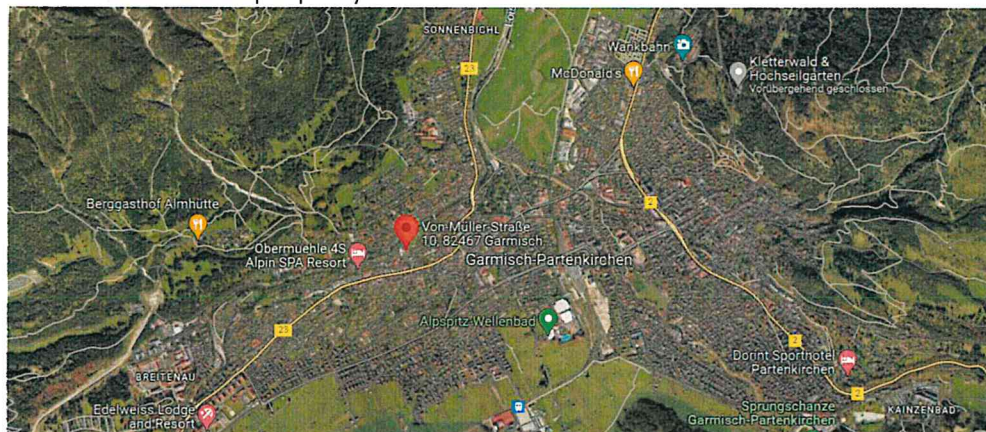
We hope that this map illustrating herd movements addresses the additional information request. A high-resolution version of the map is also attached.

Built structures and delimitation of the nominated property

We would like to comment more in detail about your remark on the exclusion of built areas from the nominated property and in particular on your question of “how the understanding of the property as a grassland farming system can be considered complete without the inclusion of the settlements where farmers live as well as other built structures such as the stables to house the animals.”

Of course, farmsteads are of great importance for the agricultural system and as such decisive elements for the preservation of the proposed OUV of the nominated property. Nevertheless, they have been excluded for the nomination for the following reasons:

- 1) In most cases, farmsteads lie within modern settlements with streets, shops and housing. In chapter 2. ‘History and Development’ (pages 388-389 of the Nomination Dossier) we have briefly sketched the fundamental change of the settlements in the area of the nominated property (due to the NS-regime, World War II, the partly rapid population growth, the agro-structural change and touristic developments, also due to the construction of the railway etc.). The formerly loose housing rapidly became more dense and compact and the farmsteads have been ‘surrounded’ by new ‘non-agricultural’ buildings in comparatively short time. As an example, the following map illustrates the current location of a farmstead in the market town of Garmisch-Partenkirchen. This is the case also for many other farmsteads in the area of the nominated property.



Moreover, during his mission, on 12 September 2022, Prof Fatsar has had an impression of this dense building situation at Partenkirchen when visiting the 'Schafschoad' (re-distributing / splitting up the sheep after the summer season), as well as at Krün during the daily cattle drive on 13 September 2022.

Thus, the inclusion of farmsteads into the delimitation of the nominated property would mean

- either an inclusion of large areas which do not contribute to the proposed OUV. This would, however, in our view contradict the concept of a serial nomination according to paragraph 137.b of the Operational Guidelines for the Implementation of the World Heritage Convention: accordingly, only component parts which contribute "in a substantial, scientific, readily defined and discernible way" to the proposed OUV of a nominated property should be included. This certainly does not apply to modern streets, industrial areas, residential housing and shops. An inclusion of such areas would thus weaken the understandability of the proposed OUV, which should be equally taken into consideration according to the same paragraph 137.b;
- or, in the case of a limitation on the single farmsteads, numerous 'islands' would emerge which would lead to a considerable fragmentation of the nominated property. A delimitation of this kind would, however, contradict paragraph 137.c of the Operational Guidelines: accordingly, the excessive fragmentation of a nominated property should be avoided, not least to ensure its overall manageability.

- 2) Usually, the farmsteads have been restructured and rebuilt on numerous occasions; they have been adapted to the changing agricultural conditions (e.g. in the course of mechanisation). The level of material authenticity therefore differs considerably among the individual farmsteads; moreover, and in order to pursue an impartial approach, the comparative analysis has explicitly taken the built heritage into account with the result that the nominated property is not exceptional when confronted with other cultural landscapes, in particular in the Alpine region. The attribute 'material & substance' of the farmsteads does not contribute to the proposed OUV of the nominated property. For this reason, we have not included the attribute 'material & substance' (according to the Operational Guidelines para. 82) as a constituent for the evaluation of the overall authenticity of the nominated property (cf. Nomination Dossier chapters 3.1.d and chapter 3.3). The decisive attributes for determining the level of authenticity of the nominated property are rather the ones which reflect the 'immaterial' system behind the cultural landscape, namely 'function and use', 'agricultural structure' (i.e. 'traditions, techniques and management systems) and 'spiritual values'.

Regarding your comment related to the intentional creation of 'enclaves' by excluding built structures, we would like to remark that 'enclaves' of any kind are not present in most of the nominated component parts. Few 'enclaves' exist in the component parts A4a, A5a, A6 and M4; these are, however, not related to agricultural structures or other objects which are related to the nominated property and its proposed OUV. Component part W5a encompasses agricultural structures which form an 'enclave'. In this special case, the delimitation is based on the explicit wishes of the plot owners and the municipality and has been accepted on the basis of the 'bottom-up community-based' principle, the more so as the municipality is strongly supporting the nomination project with large and very valuable areas. Apart from that, most of the excluded structures of the enclave would not provide an essential contribution to the proposed OUV of the nominated site. Only 5 of 54 nominated component parts dispose of 'enclaves' which shows that they are inevitable exceptions.

Governance arrangements

We are very grateful for the opportunity to make additional and clarifying statements on the subject of governance.

As already stated in our letter of 3 November 2022, it is not the Steering Group but the district with its district council (consisting of 60 citizens elected by the population) that is the supreme body for UNESCO World Heritage matters. This is already clear from the fact that it was not the Steering Group but the district council that commissioned the preparation of the application documents. The submission of the application was also legitimised by the district council. It is not the Steering Group, but the district that bears the political and organisational responsibility for the nominated property. This includes all administrative tasks, the provision of personnel and the allocation of financial resources for its management. The district represents the nominated property vis-à-vis the state authorities.

However, the functions and physical appearance of living cultural landscapes are not determined by public administrations. Legislative and regulatory measures are not a suitable means to motivate farm labour or even to ensure the continuation of labour-intensive, traditional forms of use. The land users and livestock keepers, with their labour, skills and knowledge and their spiritual attachment to the landscape and environment are the forces preserving and cultivating this cultural heritage and the associated traditions. The state and other public agencies can provide valuable support.

In order to take this fact into account and not to pursue a predominantly administrative World Heritage management without the relevant stakeholders, a Steering Group has been established in the course of the nomination process, which gives the farmers a strong position. The farmers' representatives make up the majority of the members. The municipalities are also strongly represented because of their great integrative importance. The district administrator and a World Heritage Coordinator appointed by the district (in case of World Heritage listing) are also members of the Steering Group. The latter provide the link between the Steering Group and the district, which bears overall responsibility.

The Steering Group accompanies the implementation of the Management Plan, develops initiatives and monitors the state of conservation of the nominated property. The meetings of the Steering Group are prepared, convened and chaired by the District Administrator and the World Heritage Coordinator.

Other stakeholders, organisations, authorities, associations and rights-holders who contribute to the management of the nominated property will be given a seat on the Steering Group's advisory board, which will be established in case of World Heritage listing.

In response to your comment, we propose the following amendment to the the 'Statement of Outstanding Universal Value':

"The following institutions" underpin the system:

- Family based farms cultivate the landscape and ensure that traditional agricultural, historical and cultural knowledge, traditional land uses, rights and property are passed on to future generations;*
- The system of rights holders with its underlying, old established system of benefits and obligations is an essential prerequisite for the fact that here, in contrast to comparable regions, historical forms of agricultural use continue to be practised on substantial areas;*
- The agricultural associations as well as municipal and state organisational structures at local and district level, which represent the interests of agriculture and pursue proactive land management that focusses on the needs of the cultural landscape;*
- ~~The steering group is the supreme body for decisions relating to the nominated property: it consists mainly of agricultural representatives, as well as representatives from local politics and administration.~~*

Amended:

- The district of Garmisch-Partenkirchen, that bears responsibility at the local level and is the first point of contact for the state.*
- "The Steering Group. It is a body set up by the district council, which is made up of representatives from agriculture, local politics and administration. The agricultural organisations and the mayors of the participating municipalities appoint their own representatives to the Steering Group. The Steering Group deals with all conservation and development activities and all substantive issues related to the nominated property. Due to the outstanding importance of active agriculture for the creation and maintenance of the cultural landscape, the majority of the steering group is composed of representatives of agriculture.*
- In the advisory board of the Steering Group, further stakeholders are involved in the ongoing work. Thus, in the sense of the "bottom-up principle", all important groups that directly and actively contribute to the management of the nominated property are involved."*

All other parts of the 'Statement of Outstanding Universal Value' remain unchanged. The revised text of the SOUV is attached to this letter.

The following diagram illustrates the government arrangements.

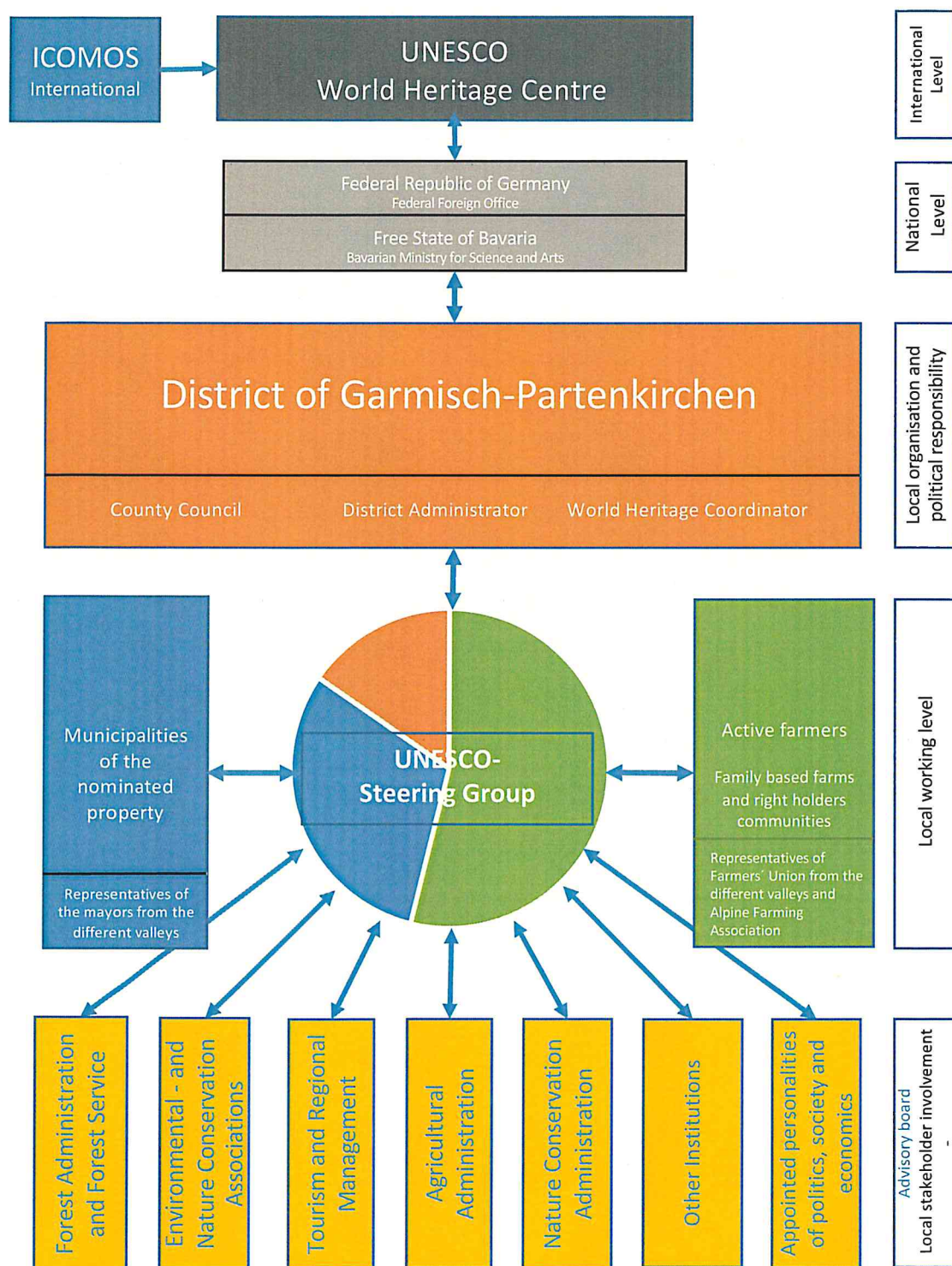


Diagram: Governance arrangements

Legal protection

In our letter of 3 November 2022, we have illustrated the "external area under building law" (used synonymously to "outskirt area") in yellow on a map to show that even outside areas protected by nature conservation law, there are strict restrictions on building activity by the Building Code. We are pleased that this map contributed to clarification, and now provide you with some explanations on the legal background of the yellow areas.

First of all, we would like to highlight that the term "outskirt area" and its legal background in the Building Code (BauGB) are mentioned in various places in the nomination dossier and the most important passages of paragraph 35 BauGB are quoted verbatim, e.g. on page 626 of the nomination dossier in chapter "Federal Building Code". Also, on pages 633-657 of the nomination dossier paragraph 35 BauGB (protected outskirts area) is mentioned as legal protection for every single component part.

We would like to give some additional remarks on building law and the protection of the outskirts area:

Paragraph 35 BauGB is a very far-reaching legal provision as it regulates a far-reaching building ban outside of any existing settlement areas and outside of areas that have already been permissibly over-planned. Building projects are only permitted under very specific and precisely defined conditions. These are primarily projects that cannot be realised within settlement areas. In the first place, the law mentions projects of agriculture and forestry. The wooden hay log huts or barns mentioned in the nomination dossier can be such projects.

A condition for the approval of construction measures in outskirts areas is that "public interests" do not stand in the way of the project. The preservation of an "*organically evolved living landscape*" is such a public interest, because such cultural landscapes are to be protected from disfigurement, urban sprawl and other impairments according to § 1 (4) of the Federal Nature Conservation Act. This corresponds to the requirement to take UNESCO World Heritage Sites into consideration in the case of comprehensive planning. This results from § 2 (5) of the German Spatial Planning Act (ROG) of 22 December 2008 (BGBl. p. 2986), last amended by Art. 5 of the Act of 3 December 2020 (BGBl. S. 2695) which states:

"Cultural landscapes are to be preserved and developed. Historically shaped and evolved cultural landscapes are to be preserved in their formative characteristics and with their cultural and natural monuments as well as the UNESCO cultural and natural heritage of the world. The different landscape types and uses of the sub-areas are to be shaped and further developed with the aims of harmonious coexistence, overcoming structural problems and creating new economic and cultural concepts. The spatial conditions must be created to enable agriculture and forestry to make their contribution to protecting the natural basis of life in rural areas and to maintaining and shaping nature and the landscape."

and No. 8.4.1 of the Bavarian State Development Programme (BayLEP), which states:

"UNESCO World Heritage Sites, including their settings, shall be conserved in their Outstanding Universal Value."

In summary, it can be stated that not only the protected areas by nature conservation law, but also all areas marked in yellow on the map enjoy strict legal protection against defacement, urban sprawl and other impairments.

The settlement areas which are marked in grey are the areas where contiguous housing is already present or in principle admissible. Here, the strict regulations of paragraph 35 of the BauGB do not apply.

Finally, we would like to thank you once again for the opportunity to comment on the remaining questions. We hope that our explanations are sufficiently comprehensible and helpful in the evaluation of the application.

Thank you very much for your continuous support and cooperation.

With kind regards


Anton Speer